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CHAPTER 41

Undertenants of Life Tenants

**SECTION 27‑41‑10.** Recovery of rent from undertenant on death of life tenant.

When any tenant for life shall happen to die before or on the day on which any rent was reserved or made payable upon any demise or lease of any lands, tenements or hereditaments to an undertenant which determined on the death of such tenant for life, the executors or administrators of such tenant for life shall and may recover of and from such undertenant of such lands, tenements or hereditaments the rent thereof as prescribed in Section 27‑41‑20.

HISTORY: 1962 Code Section 41‑251; 1952 Code Section 41‑251; 1942 Code Section 8797; 1932 Code Section 8797; Civ. C. ‘22 Section 5264; Civ. C. ‘12 Section 3494; Civ. C. ‘02 Section 2480; G. S. 1805; R. S. 1924; 1712 (2) 577.

**SECTION 27‑41‑20.** Proportion of rent to be paid at death of life tenant.

If such tenant for life die on the day on which the rent was payable, the whole of such rent shall be so recovered but if such tenant for life die before such day a proportion of such rent, according to the time such tenant for life lived of the last year or quarter of a year, or other time in which the rent was growing due as aforesaid, making all just allowances, shall be so recovered; or a reasonable part thereof, respectively, shall be so recovered if the recovery of the whole or such portion thereof as aforesaid shall be unreasonable.

HISTORY: 1962 Code Section 41‑252; 1952 Code Section 41‑252; 1942 Code Section 8798; 1932 Code Section 8798; Civ. C. ‘22 Section 5265; Civ. C. ‘12 Section 3495; Civ. C. ‘02 Section 2409; G. S. 1806; R. S. 1924; 1712 (2) 577.

**SECTION 27‑41‑30.** Undertenant’s right to possession.

If any person shall rent or hire lands of a tenant for life and such tenant for life dies, the person hiring such land shall not be dispossessed until the crop of that year is finished, he securing the payment of the rent when due.

HISTORY: 1962 Code Section 41‑253; 1952 Code Section 41‑253; 1942 Code Section 8799; 1932 Code Section 8799; Civ. C. ‘22 Section 5266; Civ. C. ‘12 Section 3496; Civ. C. ‘02 Section 2410; G. S. 1807; R. S. 1926; 1789 (5) 111.