

executors or administrators shall have the crop, to compensate for the labour of tilling the land, and for the encouragement of industry—So, if tenant for the life of another, sows the land, and he, on whose life he holds, dies before the crop is got in, the tenant shall have the crop. The same rule, if the life estate be determined by the *act of law*, but not, if by the *tenants own act*; and if there be a lease for years, having a certain determination, and it determines before the crop is got in, the landlord becomes entitled to it. The rule applies only to estates of a contingent, and uncertain determination, as in the case abovementioned of tenant in tail or for life, whether he be seised in his own right, or in right of his wife, or as tenant by the courtesy, or tenant in dower, or as a parson in right of his church, and the like.

Crop on
hand, where
husband and
wife are joint
tenants.

If husband and wife were joint tenants, it was formerly held that the crop went to the wife surviving, but the law is now settled otherwise; for there is no reason, since the crop of the wife's land belongs to the husband's executors or administrators, the crop, where the estate was joint, should go otherwise; for the wife's title to the land is above the husband's, in the one case, as well as in the other, and equally the fruit of his industry.

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