

**Revised Statutes of 1846 (EXCERPT)**  
**USES AND TRUSTS.**

**555.12 Devise to trustee without power to receive rents and profits; estate of trustee; effect on trust.**

Sec. 12.

A devise of lands to executors or other trustees, to be sold or mortgaged, when such trustees are not also empowered to receive the rents and profits, shall vest no estate in the trustees; but the trust shall be valid as a power, and the lands shall descend to the heirs, or pass to the devisees of the testator, subject to the execution of the power.

**History:** R.S. 1846, Ch. 63 ;-- CL 1857, 2642 ;-- CL 1871, 4125 ;-- How. 5574 ;-- CL 1897, 8840 ;-- CL 1915, 11576 ;-- CL 1929, 12978 ;-- CL 1948, 555.12