

59-1501. Duration of administration; reopening, when; costs. Every executor and administrator shall have nine (9) months from the date of his or her appointment for the settlement of the estate. An administrator *de bonis non* shall have such time, not exceeding nine (9) months as the court may determine. For cause shown the period herein limited may be extended by the court, not exceeding nine (9) months at a time. The executor or administrator shall not be disqualified thereafter in any way, unless removed, but he or she shall not be relieved from any loss, liability, or penalty incurred by failure to settle the estate within the time limited.

That in case any executor or administrator shall fail or refuse for a period of thirty days after the expiration of said nine (9) months to make such settlement, he or she may be cited by the court for the purpose of making such settlement unless the time therefor has been extended by the court, and all costs connected with such citation and the hearing thereon shall be assessed against such executor or administrator, and not against the estate: *Provided*, In the event the return of said citation shows that the executor or administrator is not within the jurisdiction of said court, said estate may be closed by the order of the court without a publication notice when there has been no prosecution thereon for a period of five (5) years. Said estate may be reopened within one (1) year thereafter upon petition by a direct heir, executor or administrator who shall be charged with the costs thereof.

History: L. 1939, ch. 180, § 112; L. 1941, ch. 284, § 17; L. 1972, ch. 215, § 10; July 2.