

**395.050 Administrator with will annexed -- Appointment -- Functions.**

- (1) If no executor is appointed by the will, or if all the executors named in the will die, refuse the executorship or fail to give bond the court may grant administration with the will annexed to the person who would have been entitled to administration if there had been no will, but no person shall be eligible to appointment as administrator with the will annexed whose interests are antagonistic to the provisions of the will. Failure to give bond shall amount to refusal to act as executor.
- (2) An administrator with the will annexed shall possess and exercise all power and authority, have the same rights and interest and be responsible in like manner as the executors named in it.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 3891, 3892.