

394.420 Contribution, when devised estate used for payment of testator's debt.

- (1) When any devised estate, real or personal, is taken from the devisee for the payment of a debt of the testator, or one (1) of the devisees pays such debt to save his devise, each of the other devisees shall contribute his proportion of the debt, interest, and costs to the person paying the same, according to the value received by him.
- (2) If the testator has, by will, made other provision for the payment of his debts, subsection (1) shall not apply except to the extent that such provision and the testator's undevised estate is deficient. The remedy of such devisee in the first instance shall be against the person holding the provision, and against the undevised estate.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2073, 2074.