

account or claim will pass when paid, be deemed of validity to establish such account or claim, but in case the executor or administrator thinks fit to contest the same, such account or claim shall derive no validity from the order aforesaid, but shall be proved in the same manner as if no such order had been made.

Order by register or court not to be valid, but may be contested.

SEC. 10. Relates to suits then pending.

SEC. 11. *And*, whereas the personal property of deceased persons, who have died or shall die intestate, without leaving representatives within certain degrees of consanguinity by the acts of seventeen hundred and nineteen, chapter fourteen, and seventeen hundred and twenty-nine, chapter twenty-four, devolved on the free schools of the county of the deceased, and in most of the counties the free schools having been abolished, the executor or administrator of such deceased persons have retained the property to their own use and benefit; *Be it enacted*, That in all instances where by law the property of deceased persons would have descended or devolved on the free schools of any county, if such free schools had existed, the same shall be, and it is hereby declared to be, the property of the college, if any, in such county, or if none, the property of any school to which the public aid by law has been or may be extended, and if none, to go to the county where the property of such person or persons so dying may lie; and that the trustees of the college or school, or the justices of the levy court, respectively, as the case may be, shall have the same right, power and authority, to sue for and recover such property, as the visitors, trustees or governors, of any such free school might or could have done; saving to the different schools in this state the rights which by existing laws, they now respectively possess.

Where property would have devolved on free schools to belong to the college.

SEC. 12. *And be it enacted*, That all moneys or other property recovered or obtained under this act, if by college or school, shall be applied in the same manner that other public funds granted them are to be applied, and if by the levy court, towards the discharge of the levy, or for the support of schools in the county, as the justices of the court may determine on.

Moneys recovered under this act, how to be applied.

SEC. 13. *And be it enacted*, That the seventh, eighth and ninth sections of chapter eight, and such other parts of the act to which this is a supplement, as are repugnant to the provisions of this act, be and the same are hereby repealed.

Sections repealed.