

(1957 Edition), title "Testamentary Law", sub-title "Account", be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

6. On the other side shall be stated the disbursements by him made, and which are to be made in the following order and priority: First, funeral expenses, to be allowed at the discretion of the court according to the condition and circumstances of the deceased, not to exceed five hundred dollars (\$500.00) except by special order of the court, and provided the estate of the decedent be solvent; second, his allowance for costs and extraordinary expenses (not personal) which the court may think proper to allow, laid out in the administration or distribution of the estate or in the recovery or security of any part thereof, costs to include reasonable fees for legal services rendered upon any matter in connection with the administration or distribution of the estate in respect to which the court may believe legal services proper, and in addition to include commissions, which shall be at the discretion of the court not under two per cent nor exceeding ten per cent on the first twenty thousand dollars (\$20,000.00) of the estate, and on the balance of the estate not more than [two] four per cent; third, the widow's allowance as in this article directed to be paid; fourth, all taxes due by his decedent; fifth, charges for medical attendance, including nursing attendance in last illness, to be allowed at the discretion of the court according to the conditions and circumstances of the deceased, not to exceed one hundred dollars (\$100.00), not more than fifty dollars (\$50.00) of which shall be paid to the physician or physicians furnishing said medical attendance and not more than fifty dollars (\$50.00) of which shall be paid to the nurse or nurses furnishing said nursing attendance; sixth, the allowance for things lost or which have perished without the party's fault, which allowance shall be according to the appraisement; seventh, debts of the deceased proved or passed in the following order, (a) claims for rent in arrears against deceased persons, for which a distress might be levied by law, but not for a period of more than three months; (b) claims for wages, salaries or commissions to clerks, servants, salesmen or employees contracted not more than three months prior to decedent's death, and claims founded on judgments and decrees, (c) all other just claims. If there be not sufficient to discharge all such judgments and decrees, a proportionate dividend shall be made between the judgment and decree creditors.

SEC. 2. *And be it further enacted*, That notwithstanding the effective date hereof, the provisions of Section 1 of this Act and the increase in the allowable commissions to executors and administrators with respect to the portion of the estate of decedents in excess of \$20,000 shall apply only to the estates of decedents who die on and after June 1, 1959.

SEC. 3. *And be it further enacted*, That this Act shall take effect June 1, 1959.

Approved February 16, 1959.