

may be deposited in the probate court of the county where the testator resides. The court shall give a certificate of its deposit and shall retain such will. During the testator's lifetime, such will shall be delivered only to him or upon his written order witnessed by at least two subscribing witnesses. After the testator's death the court shall open the will publicly and retain the same. Notice shall be given to the executor and to such other persons as the court may designate. If the property venue is in another court the will shall be transmitted to such court, but before such transmission a true copy thereof shall be made by and retained in the court in which the will was deposited.

59-621—**Duty of custodian; liability.** After the death of a testator the person having custody of his will shall deliver it to the court which has jurisdiction thereof. Every person who willfully neglects or refuses to deliver a will after being duly ordered to do so shall be guilty of contempt of court. He shall be further liable to any party aggrieved for the damages which may be sustained by such neglect or refusal.

#### **ARTICLE 7—UNIFORM SIMULTANEOUS DEATH LAW**

58-701—**Disposal of property when no sufficient evidence of survivorship.** Where title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons concerned have died otherwise than simultaneously the property of such person shall be disposed of as if he had survived, except as otherwise provided in this act.

## **KANSAS STATE COLLEGE EXTENSION SERVICE MANHATTAN, KANSAS**

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