§ 1417. Renunciation by nominated executor; retraction thereof

1. A person named as executor in a will may renounce his right to letters testamentary by an acknowledged instrument.

2. A renunciation may be retracted by an instrument executed in like manner as required for the execution of a renunciation at any time before letters testamentary or letters of administration with will annexed have been issued to any other person in his place or after they have been so issued, if such letters have been revoked or the person to whom they were issued has died or become an incompetent and there is no other acting executor or administrator.

3. Where a retraction is so made letters testamentary may be issued to the person making it upon such notice as directed by the court.

4. An instrument specified in this section must be filed in the court having jurisdiction over the estate.