

*such proportion thereof as the money in the hands of the personal representative will permit. If the personal representative does not have sufficient funds, the claimant may at a later date resubmit his petition at such time as the personal representative has sufficient funds.*

*8-107. Allowance of claim; and suit thereon.*

*(a) By the personal representative. As to claims presented in the manner described in Section 8-104 (a) and (b) within the time limit prescribed in Section 8-103, the personal representative shall mail a notice to each claimant stating (i) that the claim has been allowed in a stated amount; (ii) that the claim has been disallowed; or (iii) that the personal representative will petition the Court to determine whether the claim should be allowed. If, after notifying a claimant of allowance of a claim, the personal representative rescinds the allowance, he shall notify the claimant of the extent of the rescission. If the claim is disallowed in whole or in part the claimant is forever barred to the extent of the disallowance unless he files a petition for allowance in the Court or commences an action against the personal representative or against one or more of the persons to whom property has been distributed, not later than 60 days after the mailing of the notice; and the notice shall warn the claimant to this effect.*

*(b) By the Court. If no action is taken by the personal representative disallowing a claim in whole or in part under subsection (a), upon the petition of the personal representative or of a claimant the Court shall allow or disallow in whole or in part any claim or claims presented to the personal representative or filed with the Register in due time and not barred by subsection (a) of this Section. Notice in this proceeding shall be given to the claimant, the personal representative and such interested persons as the Court may direct by order entered at the time the proceeding is commenced.*

*(c) In an action against the personal representative. A judgment in an action against a personal representative to enforce a claim against a decedent's estate is an allowance of the claim.*

*8-108. Payment of claim.*

*(a) Upon the expiration of ~~four~~ SIX months from the date of the first published notice to creditors, the personal representative shall proceed to pay the claims allowed against the estate in the order of priority prescribed in Section 8-105. Any person with a valid unbarred claim or with a valid unbarred judgment who has not been paid as provided herein may petition the Court for an order directing the personal representative to pay the claim to the extent that funds of the estate are available for such payment.*

*(b) The personal representative may, at any time, pay any just claim which has not been barred, with or without formal presentation, but he is personally liable to any other claimant whose claim is allowed and who is injured by such payment if*

*(1) the payment was made before the expiration of the time limit stated in (a) of this Section and the personal representative failed to require the payee to give adequate security to refund any of the payment necessary to pay other claimants; or*