

**453.160 Tender of amount in controversy before appeal, effect on costs.**

If a party, before an appeal is taken, tenders to the adverse party the amount he is willing to pay and the tender is refused and, upon appeal by the party to whom the tender was made the amount recovered does not exceed the amount tendered, the appellant shall pay the costs in the court trying the appeal; but if the amount recovered upon the appeal is for more than the amount tendered, the appellant shall recover his costs.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 890.