

where the heirs or devisees are residents or non-residents, or are of full age or infants, or of sound mind or *non compos mentis*, and to cases where the parties left no heirs or where it is not known whether he left heirs or devisees, or if the heirs or devisees be unknown, and if there be no heirs, the State's attorney shall appear to the bill.

Van Bibber v. Reese, 71 Md. 611. Hardesty v. Hardesty, 77 Md. 180. Mc Niece v. Eliason, 78 Md. 176.

Trustee.

1892, ch. 241.

205. Every trustee to whom any estate, real, personal or mixed, shall be limited or conveyed for the benefit of creditors, or to be sold for any other purpose, shall file with the clerk of the court in which the deed or instruments creating the trusts may be recorded a bond in such penalty as the clerk may prescribe, being as nearly as can be ascertained, double the amount of the whole trust estate, and with sureties to be approved by the clerk, conditioned for the faithful performance of the trust reposed in such trustee, which bond shall be retained and recorded in the office of said clerk; but when the sale is to be made in a contingency, no bond need be given until the contingency happens, but no title shall pass to any trustee as aforesaid until such bond shall be filed and approved as aforesaid, and no sale made by any such trustee, without such bond, shall be valid or pass any title to such property or estate. If real and personal property or real property be situate partly in the county or city in which the grantor resides and partly in one or more other counties, it shall be sufficient that a bond has been accepted and filed in the county of the grantor's residence. If the trust estate consists entirely of real estate in a county or counties other than of the residence of the grantor, it shall be sufficient that a bond has been accepted and filed in the county in which the deed has been first recorded.

Stiefel v. Barton, 73 Md. 408. Gans v. Carter, 77 Md. 1. Fidelity & Deposit Co. v. Haines, 78 Md. 454. White v. Pittsburg Bank, 80 Md. 5. Moore v. Title Co., 82 Md. 289.

1894, ch. 530.

213. A trustee in the State of Maryland, either by deed or will, or by appointment by order of the circuit court of Baltimore city, or by any court in this State having equity juris-