

CHAPTER 46.

(House Bill 44)

AN ACT to repeal and re-enact, with amendments, Section 233 of Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Pleading, Practice and Process", relating to the disposition of funds in the hands of fiduciaries and distributable to unlocated persons.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 233 of Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Pleading, Practice and Process", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

233. Whenever any receiver, trustee, executor or administrator has in hand any funds, payable in cash, under an account duly filed in the court, having jurisdiction over such fiduciary, and where such fiduciary, after a lapse of seven years, has been unable to locate the person or persons, to whom such cash is distributed by the account, or his or their legal representative or representatives, the equity court, or Orphans' Court, having jurisdiction over the fiduciary, may, on a petition of such fiduciary, if satisfied that reasonable efforts have been made by oral and written inquiry and by advertisement inserted in at least one newspaper of general circulation published in the City of Baltimore or in the county of the court having jurisdiction over said fund, for four consecutive weeks, unless in the opinion of the court the amount of funds involved does not justify the cost of such advertisement, to locate the person or persons, entitled to such funds, or their legal representative or representatives, and that such efforts have been unsuccessful, order and direct such fiduciary to pay over to the Board of County Commissioners or the Mayor and City Council of Baltimore, for the use of the public schools of the county or the City of Baltimore, as the case may be, wherein such account is filed, any and all sums of cash, so remaining in his hands, and any accumulated interest thereon, after the allowance to such fiduciary of his proper costs, including the costs of such advertisement.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1945.

Approved February 2, 1945.