

Escheated Lands.

1939, ch. 290.

47. Any lands, whether improved or unimproved, that have escheated by reason of the last owner in fee simple dying intestate and without heirs, shall become the property in fee simple of the Mayor and City Council of Baltimore City or the Board of County Commissioners of the city or county where such lands lie for the use of the Board of School Commissioners or the Board of Education of the City or County, as the case may be; and whenever it shall have been determined by any Court of the State of Maryland of competent jurisdiction that any such lands have escheated before or after June 1, 1939, the title thereto shall be vested in the Mayor and City Council of Baltimore City or Board of County Commissioners for the use of the Board of Education of the city or county, as the case may be; subject, however, to a lien for any costs and expenses of the proceedings in which such determination was made, including such attorneys' fees as might be allowed by such Court for the conduct of such proceedings. In case the Mayor and City Council of Baltimore City or Board of County Commissioners should prefer not to pay such lien so as to vest the property in it free and clear thereof, then and in that event, the Chancery Court having jurisdiction over such lands may, on petition, appoint a trustee or trustees to sell said lands either at public sale after advertisement in accordance with the rules of said Court, or at private sale and upon report and ratification of such sale and the payment of costs, expenses, and commissions, such as are usually allowed in similar sales, under the rules of said Court, said Court shall order the lien, above mentioned, to be paid out of said proceeds and the balance to be paid over to the Mayor and City Council of Baltimore City or the Board of County Commissioners for the use of the public schools of said city or county; provided that the provisions of this section shall not affect the title to any lands for which escheat warrants have been issued by the Land Commissioner of this State prior to June 1, 1939.