

decedent were dead, shall cause to be advertised in a newspaper published in the county, or the City of Baltimore, as the case may be, once a week for four successive weeks, the fact of such application, together with notice that on a certain day, at least two weeks after the last advertisement, the court will hear evidence concerning the alleged absence of the supposed decedent and the circumstances and duration thereof. (b) At the hearing the court shall take evidence for the purpose of ascertaining whether the presumption of death is established, and, if satisfied thereof, shall pass an order so adjudging and forthwith cause notice thereof to be inserted for two successive weeks in a newspaper published in the county or City of Baltimore, as the case may be, and also, when practicable, in a newspaper published at or near the place beyond the State where, when last heard from, the supposed decedent had his residence. The notice shall require the supposed decedent, if alive, or any other person for him, to produce to the court within twelve weeks from the date of its last insertion, satisfactory evidence of his continuance of life. (c) If, within said period of twelve weeks, evidence satisfactory to the court of such continuance in life be not forthcoming, the court shall direct probate and letters testamentary or of administration, as the case may require, to issue, and such grant shall be as valid as if the supposed decedent were actually dead. (d) The court may revoke such letters at any time on due and satisfactory proof that the supposed decedent is in fact alive, after which revocation all powers of the executor or administrator shall cease, but all receipts or disbursements and other acts previously done by him shall remain as valid as if the letters were unrevoked; and the executor or administrator shall settle an account of his administration to the time of revocation and transfer all assets remaining in his hands to the person as whose executor or administrator he acted, or his duly authorized agent or attorney; provided, that nothing contained in this section shall validate the title of any person to any money or property received as widow, next of kin or distributee of the supposed decedent, but the same may be recovered from such person in any case where recovery might be had if this section had not been passed. (e) Before any distribution of the proceeds of the estate of such supposed decedent, the persons entitled thereto, shall respectively give bond with adequate security, to be approved by the court, in such sum and form as it shall direct, conditioned that if the supposed decedent shall in fact be at the time alive, they will respectively on demand refund the amounts received by each with interest thereon. If any such person is unable to furnish the security, the money shall be safely invested under the direction of the court, the accruing interest to be paid to the person entitled, the money to remain invested until the security is given, or the court, on application, shall order it paid to the person entitled. (f) After revocation of letters the person erroneously supposed to be dead may, on suggestion filed of record of the proper fact, be substituted as plaintiff in all actions brought by the executor or administrator, at any stage of proceedings, before or after judgment. He may, in actions previously brought against such representative, be substituted as defendant, upon like suggestion by himself or the plaintiff, and shall be then entitled to a reasonable time in which to prepare for trial. Judgments recovered against the executor or administrator may be opened on application of the supposed decedent made within three months from the date of revocation, supported by affidavit, specifically denying the alleged indebtedness or cause of action;