

shall adopt the same procedure as is therein provided so far as the same may be reasonable and applicable. Any fiduciary making distribution or delivery of any property in obedience to such decree or order shall be protected from any claim in respect thereof by such life tenant, his heirs, personal representatives or assigns.

Death will not be presumed until after diligent and careful search. *Robb v. Horsey*, 169 Md. 227.

An. Code, 1924, sec. 225B. 1933 (Special Sess.), ch. 79, sec. 225A. 1939, ch. 388, sec. 225B.

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 two newspapers 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, 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 City, for the use of the public schools of the county or 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.

An. Code, 1924, sec. 225 C. 1933 (Special Sess.), ch. 79, sec. 225B. 1939, ch. 388, sec. 224C.

234. If any such unlocated person, or persons, or his or their legal representative, or representatives, shall appear at any time, after payment has been made under the preceding section, the Board of County Commissioners or the Mayor and City Council of Baltimore City receiving such payment shall repay the same or a pro rata share thereof, to the person entitled thereto, without interest.

An. Code, 1924, sec. 226. 1912, sec. 211. 1906, ch. 373.

235. Whenever any fiduciary shall have property to distribute or deliver, and there shall be persons entitled to shares thereof, or whose rights therein will be affected by such distribution or delivery, and such persons shall be known to such fiduciary to be in existence, but it shall not be known to said fiduciary whether said persons are residents of this State or not, or if residents of this State where they may be served with the process of the court, they may, by special leave of the court upon good cause shown, be proceeded against as non-residents; and if their names be not known to such fiduciary, they may be described as nearly as practicable.

An. Code, 1924, sec. 227. 1912, sec. 212. 1906, ch. 373.

236. The said court may assign counsel to protect the interest of such supposed unknown person or persons known to exist whose names or places of residence are unknown, and that the fees of such counsel shall be fixed