§ 2223. Funds paid into court

1. Where it appears that the whereabouts of any legatee, distributee, creditor or other person entitled to payment from the estate is unknown the decree must direct the fiduciary to pay into court the legacy, distributive share or money due such person which is not paid to the person entitled thereto within such time as directed by the court, which shall, however, be not later than 6 months from the time when the decree is made or when the legacy, distributive share or money is payable by the terms of the decree.

2. If at the expiration of 6 months after the making of the decree it is shown to the court that payment of the legacy, distributive share or money cannot be made to the person entitled thereto, an order may be made directing the payment thereof into court.

3. The money so paid into court can be paid out only by the order of the court or a court of competent jurisdiction.

4. Except in the counties wholly within the city of New York, if the amount payable does not exceed $50 a county treasurer may pay it without a court order to the person entitled thereto.

5. The state comptroller may institute any necessary proceeding before the court to compel the deposit of such moneys in court which have not been paid over or deposited after the expiration of 6 months or the expiration of such shorter period as directed by the court.

6. Where a sum of money in excess of $250 has been paid into court and subsequently paid to the state comptroller as abandoned property pursuant to paragraph (a) of subdivision 1 of section 600 of the abandoned property law an order for the payment of such money from the abandoned property fund shall be made by the court only upon notice to the state comptroller, to all persons who have made claim thereto and to such other persons as directed by the court.