

Payment of State Taxes on Baltimore City Stock.

1904, art. 81, sec. 104. 1888, art. 81, sec. 89. 1860, art. 81, sec. 98. 1844, ch. 234, sec. 2. 1874, ch. 483, sec. 90. 1898, ch. 123, sec. 151.
1908, ch. 185, sec. 104.

107. The city register shall on the first day of each and every month in which the interest on any city stock is payable make out and deliver to the appeal tax court a full and accurate list of the holders of all loans of the city, the interest on which is payable in any of said respective months or during the month for which said list is made out.

While sections 107 to 111 make provision for the payment of state taxes on Baltimore city stock, there is no provision for the payment of county or municipal taxes on that stock. *Schley v. Lee*, 106 Md. 401.

See notes to sec. 109.

Ibid. sec. 105. 1888, art. 81, sec. 90. 1860, art. 81, sec. 99. 1844, ch. 234, sec. 3. 1874, ch. 483, sec. 91. 1898, ch. 123, sec. 152.

108. The said court shall in each year carefully examine the said lists and correct the same by striking therefrom all the holders of said stock who may be exempt from taxation on said stock, and shall, on or before the first day of September, annually deliver one copy of the said list, as corrected by them, to the city register, and one copy thereof to the state comptroller, setting forth distinctly in said copies the assessed value of the stock mentioned therein.

Where the holders of city stock are banks or other corporations chartered by this state or doing business therein, the city can not escape responsibility for the state taxes on its stock upon the ground that the owners of the stock are exempt from taxation within the meaning of this section. *Baltimore v. State*, 105 Md. 5.

See notes to section 107 and 109.

Ibid. sec. 106. 1888, art. 81, sec. 91. 1860, art. 81, sec. 100. 1844, ch. 234, sec. 4. 1874, ch. 483, sec. 92. 1898, ch. 123, sec. 153.
1908, ch. 185, sec. 106.

109. The city register shall retain from the interest paid on all the several city loans to the holders thereof, included in the said corrected list returned to him by the said court, the state tax imposed for the current year on all of said loans by this article. He shall make such deductions from the instalments of interest payable from time to time on said city stock, and he shall, as soon as practicable after the first day of September in each year, pay over such state tax to the state comptroller.

A direct assessment by the legislature without the intervention of assessing boards or officers, is valid. While notice and an opportunity to be heard at some stage of the proceedings are requisite to the validity of every assessment, personal notice to the party affected is not necessary. Sections 107 to 111 in connection with certain provisions in the local law applicable to Baltimore city, held to provide for sufficient notice. The stockholders and not the city should raise the question of the invalidity of said sections by reason of their failure to provide for notice. *Baltimore v. State*, 105 Md. 3.

Where by an ordinance the city agrees not to require the holders of its funded debt or stock to pay the state tax thereon, although the primary obligation for the tax is that of the stockholder, yet the city is liable not only upon such agreement, but also under this section. Such liability may