

which assessment shall be made by the treasurer at the times prescribed in the next succeeding section for the payment of said taxes.

As to the public debt and taxes to be levied to meet the interest on same and create a sinking fund, see art. 31.

1904, art. 81, sec. 110. 1888, art. 81, sec. 95. 1860, art. 81, sec. 104. 1844, ch. 172, sec. 2. 1874, ch. 483, sec. 96.

113. The said tax shall be collected by the treasurer by retaining it out of the interest falling due on the first day of July in each year, on the said portion of the public debt.

Assessment for State Taxes of Stock of Public and Private Corporations.

Ibid. sec. 111. 1888, art. 81, sec. 96. 1860, art. 81, sec. 105. 1853, ch. 248, sec. 4. 1874, ch. 483, sec. 97. 1896, ch. 143, sec. 201, post secs. 151-165.

114. The public debt of this State, stock loans of the city of Baltimore, the capital stock and bonds, certificates or other evidences of debt, bearing interest, issued by incorporated companies or institutions of this State, shall be assessed for purposes of state taxes as herein provided.

This section as it stood in the code of 1888, referred to in construing sections 108 and 109—see notes thereto. *Baltimore v. State*, 105 Md. 6. See notes to sec. 89.

Tax on Commissions of Executors and Administrators.

Ibid. sec. 112. 1888, art. 81, sec. 97. 1860, art. 81, sec. 106. 1844, ch. 184, sec. 1. 1847, ch. 230, sec. 1. 1864, ch. 372. 1865, ch. 127. 1874, ch. 483, sec. 98.

115. All commissions allowed to executors or administrators by the orphans' courts of this State shall be subject to a tax, for the benefit of the State, of one-tenth part of the sum so allowed; and when a legacy is left to an executor by way of compensation such legacy shall be reckoned in the commissions fixed by the court.

A register of wills is not entitled to retain as extra compensation over and above his salary and the expenses of his office, the commissions on the amount of taxes on commissions of executors and administrators collected by him. *Banks v. State*, 60 Md. 308.

Under this and the following section the orphans' court must fix commissions not only in cases where the executor claims them but in all cases (not covered by article 93, section 6), whether the executor claims them or not, and it is on the commissions as thus fixed, that the tax is imposed. History of this and the following section. This section construed in connection with article 93, sec. 5—see notes thereto. *In re Estate of Watts*, 108 Md. 698.

A testator made a bequest in favor of his executor in lieu of commissions, which was more than the commissions would have amounted to; the executor was appointed administrator *pendente lite* and part of the property passed through his hands as such, and part through his hands as executor, but he did only what he would have been required to do as executor. Held that this and the two following sections did not authorize the allowance of commissions. The question whether these sections do or do not require the imposition of the tax upon a legacy given in lieu of commissions, not considered. *Renshaw v. Williams*, 75 Md. 509.

Where money of an estate is paid to a foreign executor before letters are granted in Maryland, the Maryland executor is not entitled to commissions