

to receive them, such of the said goods, chattels, personal estate and debts, as shall come to his possession, (except such as shall be allowed for by the said court,) then the above obligation is to be void, or it is otherwise to remain in full force and virtue in law."

Cited but not construed in *Baldwin v. Mitchell*, 86 Md. 381. And see *Warfield v. Valentine*, 130 Md. 592.

See notes to secs. 40, 52 and 64.

An. Code, 1924, sec. 64. 1912, sec. 63. 1904, sec. 62. 1888, sec. 63. 1798, ch. 101, sub-ch. 3, sec. 17.

67. Every collector on the grant of letters shall take the following oath: "I, _____, do swear that I will well and honestly discharge the office of collector of the goods, chattels, personal estate and debts of _____, deceased, according to the tenor of the letters granted to me by the orphans' court of _____ county, and agreeably to the directions of law, to the best of my knowledge, so help me God."

Cited but not construed in *Baldwin v. Mitchell*, 86 Md. 381. And see *Warfield v. Valentine*, 130 Md. 592.

An. Code, 1924, sec. 65. 1912, sec. 64. 1904, sec. 63. 1888, sec. 64. 1798, ch. 101, sub-ch. 3, sec. 18.

68. A collector shall collect the goods, chattels and personal estate, and debts of the deceased, and cause the same to be appraised, and return an inventory thereof in the manner prescribed for an administrator, and secure the same at such reasonable expense as the court shall allow; and may, under the authority of the court, sell perishable articles; and he may bring suits for debts or other property, as an administrator may do, and shall account for the money or property recovered.

Cited but not construed in *Baldwin v. Mitchell*, 86 Md. 381. And see *Warfield v. Valentine*, 130 Md. 592.

An. Code, 1924, sec. 66. 1912, sec. 65. 1904, sec. 64. 1888, sec. 65. 1798, ch. 101, sub-ch. 3, sec. 18.

69. The orphans' court may allow a collector a commission on the property and debts actually collected and afterwards delivered to the executor or administrator, not exceeding three per cent., or on the whole inventory not exceeding two per cent.

The commissions allowed a collector and those allowed an executor are distinct and independent. It is immaterial, therefore, that commissions allowed two officials aggregate more than ten per cent. *Wilson v. Wilson*, 3 G. & J. 22.

This section referred to in construing sec. 5—see notes thereto. *In re Estate Baxley*, 47 Md. 559.

See notes to secs. 5 and 78.

An. Code, 1924, sec. 67. 1912, sec. 66. 1904, sec. 65. 1888, sec. 66. 1798, ch. 101, sub-ch. 3, sec. 20.

70. On granting of letters testamentary or of administration, the powers of any such collector shall cease, and it shall be his duty to deliver on demand all the property and money of the decedent in his hands, except as before excepted, to the person obtaining such letters; and in case of the collector's evading such demands, or refusing or neglecting to deliver according to such demand, made at a reasonable time and place, either the court may proceed against him by attachment and impose a fine not exceeding ten per cent. on the amount of property in his hands, or his bond may be sued by the executor or administrator.