

and the administrator to whom letters may be granted shall be entitled to put the delinquent's bond in suit, and to recover such damages thereon as the jury may find ; and in assessing such damage the jury shall allow such sum as will be equal to six per centum per annum on the amount of the inventory, or inventories, from the time of the return, or returns, to the time of the verdict, over and beyond the damages for such loss or injury as the estate may have sustained by the delinquent's conduct.

Md 328, 495, 34
Md 389, 37 Md.
429, 41 Md 354

Bond to be sued.
What damages
recoverable

213. In such account shall be stated on one side the assets which have come to his hands, according to the inventory or inventories returned to the court, or received and appraised as herein directed, after the inventory or inventories returned, and including therein the interest that may have been received on sales made under the authority of the court, and the sales made under the court's direction ; that is to say, the inventory or inventories are to show the articles of the estate, and the sales, the amount of their value, where they have been sold, and for articles so sold he shall be charged the price according to the return ; and if any articles have been sold for credit and not yet paid for, it shall be accounted for in a subsequent account ; and all moneys received for debts due the decedent shall be included in said account.

Id s 4
1798, c 101,
sub-c 10, s 1,
1818, c 217, ss
1, 2
Account, what
to contain.

Assets.

214. On the other side shall be stated the disbursements by him made, viz.: first, funeral expenses, to be allowed at the discretion of the court, according to the condition and circumstances of the deceased ; second, the debts of the deceased, proved or passed, as herein directed, and paid or retained ; third, allowance for things lost or which have perished, without the party's fault, which allowance shall be according to the appraisement ; fourth, his commissions, which shall be at the discretion of the court, not under five per cent., nor exceeding ten per cent., on the amount of the inventory or inventories, excluding what is lost or perished ; fifth, his allowance for cost and extraordinary expenses (not personal), which the court may think proper to allow, laid out in the recovery or security of any part of the estate, and the court may also allow him credit for any live stock killed, for the necessary use of the family, before a sale.

1974 c 155
Order of dis-
bursements
1 Funeral ex-
penses to be
stated, 2 Debts
proved, etc, 3.
Allowance for
things lost, 4.
Administrator's
commissions, 5
Extraordinary
expenses, etc
8 Md 548, 11
Md 416, 20 Md
171, 237, 22 Md
116, 33 Md 209,
38 Md 373, 46
Md 551, 47 Md.
555.

215. If anything be bequeathed to an executor, by way of compensation, no allowance of commissions shall be made unless the said compensation shall appear to the court to be insufficient ; and if so, it shall be reckoned in the commission to be allowed by the court.

Art 93, s 6.
1798, c 101,
sub-c 14, s 5
Commissions to
executor who
receives legacy.

216. The Orphans' Courts are hereby authorized, wherever they are satisfied that an agent has been employed in the administration of an estate, to examine such agent on oath of all proceedings which may have taken place relative to the administration of the estate in which such agent may have been employed, in like manner as they are authorized to examine administrators.

Id s 7
1823, c 131, s 1.
Agent may be
examined on
oath