

mation. A designated class of foreign corporations are exempt from these requirements. The application and annual renewal petition are filed in the office of the Secretary of State, and this official is required to issue a certificate of compliance. Section 94 sets forth the penalties for which the corporation is liable in case of failure to comply with the law, and thereafter the company is liable to suit on part of the State for the collection of the franchise tax and also for the penalty. The amount of the annual franchise tax payable by foreign corporations is determinable by the section, which is as follows:

“the sum of twenty-five dollars for every full fifty thousand dollars of capital employed by it in this State up to five hundred thousand dollars, but in no case less than twenty-five dollars; if the amount of such capital is more than five hundred thousand dollars, and not more than five million dollars, then an additional amount equal to one-fortieth of one per cent. on the excess; and if more than five million dollars, then an additional amount at the rate of thirty dollars for every million dollars of such last named excess.”

There are no provisions for the payment of interest if the amount is not paid promptly, nor any other charges in the nature of penalties as there are in case of the non-payment of the annual franchise tax by domestic corporations. Interest is payable on the amount of the annual franchise tax due from domestic corporations if not paid before the first day of May, and in addition domestic corporations are liable to a penalty of 10% of the franchise tax after the first day of the succeeding November in case the tax is not paid by that date.

The law applicable to foreign corporations is not as stringent as the law concerning domestic corporations, and consequently Maryland corporations are discriminated against.

The Comptroller of the Treasury of the State drew the attention of the Legislature of 1912 to the fact that the information of foreign corporations in the office of the Secretary of State was not required to be certified to the Comptroller, and that the data upon which the bills for annual franchise tax was computed was obtained indirectly, rather than directly.