

## CHAP. 391.

## CHAPTER 391.

Passed Mar. 10, 1846. *A supplement to the act imposing a tax on Commissions allowed to Executors and Administrators, passed at December session, eighteen hundred and forty-four, chapter one hundred and eighty-four.*

Orphans courts to determine the commission.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall be the duty of the several orphans courts of this State, within twelve months from the date of the grant of letters testamentary, or of administration, to fix and determine the commission which shall be allowed to executors and administrators, and in all subsequent accounts wherein executors and administrators may charge themselves with further or additional assets, and so from time to time until the estate of their testator or intestate is finally closed; *provided,* nothing in this act contained shall be construed to affect any administration granted prior to the first day of June last, nor to affect by legislative construction or otherwise any case now depending or hereafter to be taken in or before the Court of Appeals of Maryland, arising out of any questions connected with the testamentary system of the State in relation to any administration granted prior to the first day of June last past.

Act of 1698, &c.

SEC. 2. *And be it enacted,* That so much of the act of seventeen hundred and ninety-eight, chapter one hundred and one, sub. chapter fourteen, sections six and seven, entitled, an act for amending and reducing into system, the laws and regulations concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphans and other representatives of deceased persons, as dispenses with the return of an inventory; *provided,* the executor be the residuary legatee, or provided the residuary legatee, of full age, shall certify his or her consent to the court, or provided the administrator is entitled to the whole residue after the payment of debts and claims against the intestate, be and the same is hereby repealed, and every such executor or administrator, although he may give bond for the payment of all debts, claims and damages which shall be recovered against him as executor or administrator, as by the said act is provided, shall nevertheless, within three months from the date of his, her or their letters return an inventory or inventories of the personal estate of their testator or intestates, as other executors and administrators are required by law to do, together with a list

Proviso.