

(d) Except as in this Article otherwise provided, a trustee, executor, guardian or other fiduciary shall be taxable in respect of the property held by him as such fiduciary; but such liability shall extend only to the trust assets, and no judgment or execution against the fiduciary therefor shall, unless the fiduciary be guilty of some default or breach of duty, bind any property held in his own right.

(e) An executor, trustee, guardian or other fiduciary distributing assets in his hands after the date of finality for the next succeeding taxable year shall retain sufficient funds for the payment of any taxes thereon for such year on any assessment against him or his decedent or beneficiary made prior to said date of finality; and in the event of failure so to do he and his bond shall be liable for such taxes.

See notes to sec. 150.

Classification of Taxes.

1929, ch. 226, sec. 4. 1935, ch. 302, sec. 4. 1939, ch. 277, sec. 18.

4. The taxes imposed by this Article shall be divided into (1) ordinary taxes, and (2) special taxes. Direct taxes imposed in respect of real or personal property shall be ordinary taxes. Special taxes shall include:

- (a) Tax on deposits of savings banks.
- (b) Gross receipts tax.
- (c) Tax on official commissions.
- (d) Tax on commissions of executors and administrators.
- (e) Inheritance tax.
- (f) Bonus tax on corporations.
- (g) Tax on franchise to be a corporation.
- (h) Franchise tax on foreign corporations.
- (i) Income tax.

Cited in the matter of the appeal of the Fidelity Trust Co. from the action of the State Tax Commission. (Judge Smith, Circuit Court of Baltimore City), Daily Record, June 16, 1939.

ORDINARY TAXES.

On What Assessments to Be Levied.

An. Code, 1924, sec. 1. 1912, sec. 1. 1904, sec. 1. 1888, sec. 1. 1841, ch. 23. 1874, ch. 483, sec. 1. 1896, ch. 120. 1929, ch. 226, sec. 5.

5. All ordinary State, county and city taxes shall be levied upon assessments made in conformity with this Article, or upon existing assessments until changed in conformity with this Article.

Cited in the matter of the appeal of the Fidelity Trust Co. from the action of the State Tax Commission. (Judge Smith, Circuit Court of Baltimore City), Daily Record, June 16, 1939.

This section referred to in construing chapter 264 of acts of 1933, authorizing Baltimore City to create Bureau of Assessments. *Denhard v. Baltimore*, 167 Md. 419. See footnote to sec. 1.

What Shall Be Taxed and Where.

An. Code, 1924, sec. 2. 1912, sec. 1. 1904, sec. 2. 1888, sec. 2. 1841, ch. 23. 1852, ch. 337, sec. 1. 1874, ch. 483, sec. 2. 1880, ch. 122. 1888, ch. 242. 1896, ch. 120. 1924, ch. 264, sec. 2. 1929, ch. 226, sec. 6. 1939, ch. 277, secs. 17 and 19, ch. 387, secs. 3 and 4, and ch. 434.

6. The following property, except as in the next two succeeding sections provided, shall be subject to assessment to the owner and taxation for ordinary taxes in this State and in the county and/or city specified below:

(1) All real properties in this State, by whomsoever owned, in the county and/or city in which the same are situated.