

the same force and effect as regards the common property, rights and liabilities of such association or joint stock company as if it were prosecuted by or against all the members or shareholders thereof. No such action shall abate by reason of the death, resignation, removal or incapacity of any officer, member or shareholder of such association or joint stock company or by reason of any change in the membership thereof or share ownership therein; nor shall any such action abate by reason of the dissolution of any such association or joint stock company, but such action may be continued with such change of parties, if any, as the court in which the same is pending shall direct. *Any money judgment against such association or joint stock company shall be enforceable only against such association or joint stock company as an entity and against its assets, and shall not be enforceable against any individual member or shareholder or his assets.*

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1965.

Approved April 8, 1965.

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CHAPTER 561

(Senate Bill 442)

AN ACT to repeal and re-enact, with amendments, Section 146 of Article 81 of the Annotated Code of Maryland (1957 Edition), title "Revenues and Taxes", sub-title "Tax on Commissions of Executors and Administrators", to grant an executor the right to take an appeal to the circuit court of the county (Supreme Bench of Baltimore City) if he is dissatisfied with the amount of commissions allowed by the Orphan's Court of said county (Baltimore City).

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 146 of Article 81 of the Annotated Code of Maryland (1957 Edition), title "Revenues and Taxes", sub-title "Tax on Commissions of Executors and Administrators", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

146.

The several orphans' courts shall fix the commissions of executors within twelve months from the grant of administration, and in all subsequent accounts where executors shall charge themselves with further assets, and they shall fix such commissions in all cases, in which letters of administration have been or may hereafter be granted, whether commissions are claimed by the executors or not; and all commissions so fixed shall be subject to the tax imposed by the foregoing section; provided that where commissions are allowed both to an administrator or executor and an administrator de bonis non or pendente lite on the same property or funds, the said tax shall be paid but once.

*In the event an executor is dissatisfied with the amount of commissions fixed by the orphans' court he may, within ~~six~~ months*