

IF A FIDUCIARY MAKES A DEPOSIT IN A BANK TO HIS PERSONAL CREDIT OF CHECKS DRAWN BY HIM UPON AN ACCOUNT IN HIS OWN NAME AS FIDUCIARY, OR OF CHECKS PAYABLE TO HIM AS FIDUCIARY, OR OF CHECKS DRAWN BY HIM UPON AN ACCOUNT IN THE NAME OF HIS PRINCIPAL IF HE IS EMPOWERED TO DRAW CHECKS THEREON, OR OF CHECKS PAYABLE TO HIS PRINCIPAL AND INDORSED BY HIM, IF HE IS EMPOWERED TO INDORSE THE CHECKS, OR IF HE OTHERWISE MAKES A DEPOSIT OF FUNDS HELD BY HIM AS FIDUCIARY, THE BANK RECEIVING THE DEPOSIT MAY NOT BE BOUND TO INQUIRE WHETHER THE FIDUCIARY IS COMMITTING THEREBY A BREACH OF HIS OBLIGATION AS FIDUCIARY; AND THE BANK IS AUTHORIZED TO PAY THE AMOUNT OF THE DEPOSIT OR ANY PART THEREOF UPON THE PERSONAL CHECK OF THE FIDUCIARY WITHOUT BEING LIABLE TO THE PRINCIPAL, UNLESS THE BANK RECEIVES THE DEPOSIT OR PAYS THE CHECK WITH ACTUAL KNOWLEDGE THAT THE FIDUCIARY IS COMMITTING A BREACH OF HIS OBLIGATION AS FIDUCIARY IN MAKING THE DEPOSIT OR IN DRAWING THE CHECK, OR WITH KNOWLEDGE OF THE FACTS THAT ITS ACTION IN RECEIVING THE DEPOSIT OR PAYING THE CHECK AMOUNTS TO BAD FAITH.

15-209. CASES NOT PROVIDED FOR IN ARTICLE.

IN ANY CASE NOT PROVIDED FOR IN THIS SUBTITLE THE RULES OF LAW AND EQUITY, INCLUDING THE LAW MERCHANT AND THOSE RULES OF LAW AND EQUITY RELATING TO TRUSTS, AGENCY, NEGOTIABLE INSTRUMENTS, AND BANKING, SHALL CONTINUE TO APPLY.

15-210. UNIFORMITY OF INTERPRETATION.

THE MARYLAND UNIFORM FIDUCIARIES ACT SHALL BE SO INTERPRETED AND CONSTRUED AS TO EFFECTUATE ITS GENERAL PURPOSE TO MAKE UNIFORM THE LAW OF THOSE STATES WHICH ADOPT IT.

15-211. SHORT TITLE.

THIS SUBTITLE MAY BE CITED AS THE MARYLAND UNIFORM FIDUCIARIES ACT.

REVISOR'S NOTE: These sections presently appear as Art. 37A, §§1 through 2, 4 through 9, and 11 through 13. Sec. 10 has been omitted because it applies to transactions taking place prior to June 1, 1929 and it is no longer considered to be applicable. The definition of "person" in subsection (d) has been changed to comply with the definition in §15-301(f) in the Maryland Uniform Act for the Simplification of Fiduciary Security Transfers. They are known as the Uniform Fiduciaries Act.

SUBTITLE 3. MARYLAND UNIFORM ACT FOR THE SIMPLIFICATION