

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1945-1946

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Defense Commission takes the place of the old Armory Commission; (c) any moneys received in settlement of insurance as a result of said losses should be accepted by the Commission and placed to their credit and used for the replacement of the destroyed property at such time and under such conditions as the Commission may see fit to prescribe.

RALPH W. FARRIS
Attorney General

March 23, 1945

To W. H. Deering, Treasurer, Augusta State Hospital

Chapter 12, Section 15, of the Revised Statutes of 1944 provides:

“The governor with the advice and consent of the council is hereby authorized to accept in the name of the state any and all gifts, bequests, grants, or conveyances to the State of Maine.”

With respect to the gift for the benefit of the State Hospital about which you talked to me the other day, the above section is the authority for accepting it, and hence a council order should be prepared and submitted, authorizing the acceptance of the gift, with a statement attached to it describing the person making it, in whose memory the same was made, and the use to be made of the fund.

ABRAHAM BREITBARD
Deputy Attorney General

March 27, 1945

To Homer E. Robinson, Bank Commissioner

I received your letter of March 15th, but owing to my absence from town have been unable to give same my attention.

First, you state that Chapter 55, Section 3, provides:

“No person, copartnership, association, or corporation shall do a banking business unless duly authorized under the laws of this state or the United States, except as provided by section 4.”

Section 4 provides:

“A corporation, desiring to encourage thrift among its employees by receiving deposits subject to interest at a specified rate, may apply to the bank commissioner for a license to receive such deposits and shall, at the same time, file with the said commissioner a complete statement of its financial condition,” etc.

Your first question is: “Can a corporation organized under the laws of another State, with due regard to the provisions of Chapter 49, R. S. Sections 123 to 131, relating to foreign corporations, be authorized to engage in the business of making small loans in this State under the provisions of Chapter 55, Sections 190 to 207?”

My answer to that question is, No; because a foreign corporation cannot do anything that a domestic corporation cannot do, under the statute.