

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 100.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-NINE.

AN ACT to incorporate the Knox Banking and Trust
Company.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. Edward K. O'Brien, Edward L. Dillingham,
2 Silas W. Masters, Atwood Levensaler, Niven C. Mehan,
3 George Elliot, B. Webb Counce, J. H. H. Hewett, Henry
4 C. Levensaler, William H. Hatch, Thomas W. Dunn,
5 Samuel H. Allen, and Edward E. O'Brien, all of
6 Thomaston, their associates and successors, are made a
7 corporation by the name of the Knox Banking and Trust
8 Company, for the purpose as hereinafter set forth, to have
9 its place of business in the town of Thomaston.

SECT. 2. The capital stock of said corporation shall be
2 fifty thousand dollars, and shall be divided into shares of

3 one hundred dollars each. Said corporation shall not
4 commence business until the sum of fifty thousand dollars
5 shall have been paid in, in cash, and no certificates of
6 stock shall be issued until the par value of the same has
7 been fully paid. Said corporation may hold real estate for
8 its own use to the value of fifty thousand dollars.

SECT. 3. Said corporation is hereby empowered to
2 receive on deposit, money and other personal property of
3 every description, and collect and disburse the income
4 and principal of said property when due; to loan or
5 advance money or credits on real or personal security;
6 to sell and dispose of the securities held by it; to guar-
7 antee the regular payment of principal and interest of any
8 bonds or notes, or other evidences of debts secured by
9 mortgage or deed of trust of real estate; to issue bonds
10 or debentures secured by assignment of mortgages on
11 real property held and owned by it; and may re-discount
12 any acceptances and notes actually owned by said
13 corporation and guarantee the payment of the same: to
14 act as trustee under mortgages or otherwise and as
15 receiver or agent for any person, firm, corporation,
16 public or private; to act as agent for issuing, registering
17 and countersigning certificates of stock, bonds or other
18 evidences of indebtedness and to receive and make
19 payments on account of the same; provided, that no loan
20 shall be made upon property on which there is any prior
21 mortgage, encumbrance or lien, or to an amount exceed-
22 ing one-half the cash value of the security when secured
23 by mortgage or deed of trust of real estate, except when
24 the real estate is situated in this State and the loan,

25 principal and interest, is to be repaid in monthly
26 installments.

SECT. 4. Said corporation may purchase real estate or
2 other property upon which it has a lien by mortgage or
3 otherwise, at public auction sale thereof duly advertised
4 with terms of sale and made by virtue of any loan, debt,
5 deed of trust or mortgage, and in execution of any power
6 of sale contained therein, and all real estate so purchased
7 shall be sold within five years after such purchase.

SECT. 5. The company shall set apart as a guarantee
2 fund, not less than ten per cent of its net earnings in each
3 and every year until such fund, with the accumulated
4 interest thereon, shall amount to one-fourth of the capital
5 stock of said corporation. Said guarantee fund shall be
6 invested in the securities in which savings banks are
7 allowed to invest by the laws of this State.

SECT. 6. The share holders of said corporation shall be
2 held individually liable, equally and ratably and not one for
3 another, for all contracts, debts and engagements of said
4 corporation, to the extent of the amount of their stock
5 therein at the par value thereof, in addition to the amount
6 invested in such shares.

SECT. 7. Said corporation may be appointed executor
2 or trustee under any will or administrator or guardian of
3 any estate, under the same circumstances, in the same
4 manner, and subject to the same control by the court
5 having jurisdiction of the same, as in the case of a legally
6 qualified person; and no surety shall be necessary upon
7 the bonds filed by said corporation in such cases, unless
8 the court or officer approving such bond shall require it.
9 In all proceedings in the probate court or elsewhere,

10 connected with any authority exercised under this act, all
11 accounts, inventories and other papers may be signed and
12 sworn to, in behalf of the corporation, by any officer duly
13 authorized by it.

SECT. 8. Administrators, executors, assignees, guar-
2 dians, trustees, or any court, may deposit or direct any
3 moneys, papers, documents or other property, to be
4 deposited, with said corporation, which is hereby authorized
5 to receive and hold the same upon such terms as may be
6 agreed upon, but said corporation shall not be required to
7 assume or execute any trust without its own assent.

SECT. 9. Said corporation shall at all times have on
2 hand in lawful money, as a reserve, not less than twenty-
3 five per cent of the aggregate amount of all its deposits,
4 which are subject to withdrawal on demand; provided, in
5 lieu of lawful money, two-thirds of said twenty-five per
6 cent may consist of balances, payable on demand, due from
7 any national or State banks.

SECT. 10. The shares of said corporation shall be
2 subject to taxation in the same manner and rate, as are the
3 shares of national banks.

SECT. 11. The corporate powers of said corporation
2 shall be exercised by a board of seven trustees, who shall
3 be chosen annually and must be residents of this State.
4 Said trustees shall be sworn to the faithful performance of
5 the duties of their office, and shall serve until duly notified
6 of the election and qualification of their successors.

SECT. 12. Said corporation shall be subject to exami-
2 nation by the bank examiner, as provided by section one
3 hundred and nineteen, chapter forty-seven of the Revised
4 statutes.

SECT. 13. The first meeting of said corporation may
2 be called by a written notice thereof, signed by any two
3 corporators herein named, served upon each corporator by
4 giving the same in hand or sending the same by mail to
5 his last known place of residence.

SECT. 14. This act shall take effect when approved.

Senate Amendments.

AUGUSTA, February 4, 1889.

“A.” Amend section 2 by striking out the following words and figures, “said corporation may hold real estate for its own use to the value of \$50,000. Adopted.

“B.” Amend section 11 by adding thereto the following words, ‘The affairs and powers of the corporation may, at the option of the stockholders, be entrusted to an executive board of five members to be elected by the stockholders from the full board of trustees.’ Adopted.

LIBBY of Cumberland.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 5, 1889. }

Tabled and ordered printed as amended on motion of Mr. WILBUR
of Avon.

NICHOLAS FESSENDEN, *Clerk.*