

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventieth Legislature.

HOUSE.

No. 355

STATE OF MAINE.

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

AN ACT to incorporate the Camden Trust Company.

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

Section 1. W. G. Alden, W. H. Pascal of Camden, J. H.
2 Carleton of Rockport, A. D. Bird and S. F. Kimball of
3 Rockland, or such of them as may by vote accept this char-
4 ter, with their associates, successors and assigns, are hereby
5 made a body corporate and politic to be known as the Cam-
6 den Trust Company, and as such shall be possessed of all
7 the powers, privileges and immunities and subject to all the
8 duties and obligations conferred on corporations by law.

Sect. 2. The corporation hereby created shall be located
2 at Camden, Knox county, Maine, and may have one office
3 for the transaction of business in said town.

Sect. 3. The purposes of said corporation and the business
2 which it may perform are: First, to receive on deposit,
3 money, coin, bank notes, evidences of debt, accounts of indi-
4 viduals, companies, corporations, municipalities and states,
5 allowing interest thereon, if agreed, or as the by-laws of said
6 corporation may provide; second, to borrow money, to loan
7 money on credits, or real estate, or personal security, and
8 to negotiate loans and sales for others; third, to own and
9 maintain safe deposit vaults, with boxes, safes and other
10 facilities therein, to be rented to other parties for the safe
11 keeping of moneys, securities, stocks, jewelry, plate, valuable
12 papers and documents, and other property susceptible of
13 being deposited therein, and may receive on deposit for safe
14 keeping, property of any kind entrusted to it for that pur-
15 pose; fourth, to hold and enjoy all such estate, real, personal
16 and mixed as may be obtained by the investment of its capi-
17 tal stock or any other moneys and funds that may come into
18 its possession in the course of its business and dealings, and
19 the same sell, grant, and dispose of; fifth, to act as agent
20 for issuing, registering and countersigning certificates,
21 bonds, stocks, and all evidences of debt or ownership in
22 property; sixth, to hold by grant, assignment, transfer,
23 devise or bequest, any real or personal property or trusts
24 duly created, and to execute trusts of every description;
25 seventh, to act as assignee, receiver, executor, and no surety
26 shall be necessary upon the bond of the corporation, unless
27 the court or officer approving such bond shall require it;
28 eighth, to do in general all the business that may lawfully
29 be done by trust and banking companies.

Sect. 4. The capital stock of said corporation shall not be
2 less than twenty-five thousand dollars, divided into shares
3 of one hundred dollars each, with the right to increase the
4 said capital stock at any time, by vote of the shareholders,

5 to any amount not exceeding two hundred thousand dollars.
6 Said corporation shall not commence business as a trust or
7 banking company until stock to the amount of at least fifty
8 thousand dollars shall have been subscribed and paid in, in
9 cash.

Sect. 5. Said corporation shall not make any loan or dis-
2 count on the security of the shares of its own capital stock,
3 nor be the purchaser or holder of any such shares unless
4 necessary to prevent loss upon a debt previously contracted
5 in good faith; and all stock so acquired shall, within six
6 months from the time of its acquisition, be disposed of at
7 public or private sale.

Sect. 6. All the corporate powers of this corporation shall
2 be exercised by a board of directors, who shall be residents
3 of this state, whose number and term of office shall be
4 determined by a vote of the shareholders at the first meeting
5 held by the incorporators and at each annual meeting there-
6 after. The affairs and powers of the corporation may, at the
7 option of the shareholders, be entrusted to an executive
8 board of five members to be, by vote of the shareholders,
9 elected from the full board of directors. The directors of said
10 corporation shall be sworn to the proper discharge of their
11 duties, and they shall hold office until others are elected and
12 qualified in their stead. If a director dies, resigns, or
13 becomes disqualified for any cause, the remaining directors
14 may appoint a person to fill the vacancy until the next
15 annual meeting of the corporation. The oath of office of
16 such director shall be taken within thirty days of his elec-
17 tion, or his office shall become vacant. The clerk of such
18 corporation shall, within ten days, notify such directors of
19 their election, and within thirty days shall publish the list
20 of all persons who have taken the oath of office as directors.

Sect. 7. The board of directors of said corporation shall
2 constitute the board of investment of said corporation. Said
3 directors shall keep in a separate book, specially provided
4 for the purpose, a record of all loans, and investments of
5 every description, made by said institution substantially in
6 the order of time when such loans or investments are made,
7 which shall show that such loans or investments have been
8 made with the approval of the investment committee of said
9 corporation, which shall indicate such particulars respecting
10 such loans or investments as the bank examiner shall direct.
11 This book shall be submitted to the directors and to the
12 bank examiner whenever requested. Such loans or invest-
13 ments shall be classified in the book as the bank examiner
14 shall direct. No loan shall be made to any officer or director
15 of said banking or trust company except by the approval of
16 a majority of the executive board in writing, and said cor-
17 poration shall have no authority to hire money or to give
18 notes unless by vote of the said board duly recorded.

Sect. 8. No person shall be eligible as a member of the
2 executive committee of said corporation who is not the
3 actual owner of five shares of the stock.

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

Sect. 10. All the property or money held in trust by this
2 corporation shall constitute a special deposit and the
3 accounts thereof of said trust department shall be kept sep-
4 arate, and such funds and the investment or loans of them
5 shall be specially appropriated to the security and payment

6 of such deposits, and not be subject to any other liabilities
7 of the corporation; and for the purpose of securing the
8 observance of this proviso, said corporation shall have a
9 trust department in which all business pertaining to such
10 trust property shall be kept separate and distinct from its
11 general business.

Sect. 11. An administrator, executor, assignee, guardian
2 or trustee, any court of law or equity, including courts of
3 probate and insolvency, officers and treasurers of towns,
4 cities, counties, and savings banks of the state of Maine may
5 deposit any moneys, bonds, stocks, evidences of debt or of
6 ownership in property or any personal property, with said
7 corporation, and any of said courts may direct any person
8 deriving authority from them to so deposit the same.

Sect. 12. Each shareholder of this corporation shall be
2 individually responsible, equally and ratably, and not one for
3 the other, for all contracts, debts and engagements of such
4 corporation, to a sum equal to the amount of the par value of
5 the shares owned by each in addition to the amount invested
6 in said shares.

Sect. 13. Such corporation shall set apart as a surplus
2 fund not less than ten per cent. of its earnings in each and
3 every year until such fund with the accumulated interest
4 thereon, shall amount to one-fourth of the capital stock of
5 said corporation.

Sect. 14. The shares of said corporation shall be subject
2 to taxation in the same manner and rate as are the shares of
3 national banks.

Sect. 15. Said corporation shall be subject to examination
2 by the bank examiner, who shall visit it at least once in every
3 year, and as much oftener as he may deem expedient. At
4 such visits he shall have free access to its vaults, books and
5 papers, and shall thoroughly inspect and examine all the

6 affairs of said corporation, and make such inquiries as may
7 be necessary to ascertain its condition and ability to fulfill all
8 its engagements. If upon examination of said corporation
9 the examiner is of the opinion that its investments are not in
10 accordance with law, or said corporation is insolvent, or its
11 condition is such as to render its further proceedings hazard-
12 ous to the public or to those having funds in its custody, or
13 is of the opinion that it has exceeded its powers or failed to
14 comply with any of the rules or restrictions provided by law,
15 he shall have such authority and take such action as is pro-
16 vided for in the case of savings banks by chapter forty-seven
17 of the Revised Statutes. He shall preserve in a permanent
18 form a full record of his proceedings, including a statement
19 of the condition of said corporation. A copy of such state-
20 ment shall be published by said corporation immediately
21 after the annual examination of the same in some newspaper
22 published where said corporation is established. If no paper
23 is published in the town where said corporation is estab-
24 lished, then it shall be published in a newspaper printed in
25 the nearest city or town. The necessary expenses of the
26 bank examiner while making such examination shall be paid
27 by the corporation.

Sect. 16. Any three of the corporators named in this act
2 may call the first meeting of the corporation by mailing a
3 written notice, signed by all, postage paid, to each of the
4 other corporators, seven days at least before the day of the
5 meeting, naming the time, place and purpose of such meet-
6 ing, and at such meeting the necessary officers may be
7 chosen, by-laws adopted, and any other corporate business
8 transacted.

Sect. 17. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 8, 1901.

Reported by Mr. WEYMOUTH of Biddeford, from Committee on
Banks and Banking, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*