

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

SENATE.

No. 46

STATE OF MAINE.

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

AN ACT to incorporate the International Trust and Banking
Company.

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

Section 1. Prescott M. Pirington, Frank N. Beckett,
2 George W. Lord, William J. Fowler, George R. Gardner,
3 George A. Curran, of Calais in the county of Washington
4 and the State of Maine, and Charles W. Young, Gilbert W.
5 Ganong, Irving R. Todd, of St. Stephen in the county of
6 Charlotte and the Province of New Brunswick, or such of
7 them as may by vote accept the charter, with their asso-
8 ciates, successors and assigns, are hereby made a body cor-
9 porate and politic to be known as the International Trust and
10 Banking Company, and as such shall be possessed of all the

11 powers, privileges and immunities and subject to all the
12 duties and obligations conferred on corporations by law.

Sect. 2. The corporation hereby created shall be located at
2 Calais, Washington county, Maine, and shall have office for
3 the transaction of business in said city.

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

Sect. 4. The capital stock of said corporation shall not be

2 less than fifty thousand dollars, divided into shares of one
3 hundred dollars each, with the right to increase the said cap-
4 ital stock at any time, by vote of the shareholders, to any
5 amount not exceeding two hundred thousand dollars. Said
6 corporation shall not commence business as a trust or bank-
7 ing company until stock to the amount of at least twenty-five
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, except
2 as herein otherwise provided, shall be exercised by a board
3 of directors, a majority of whom shall be residents of this
4 State, whose number and term of office shall be determined
5 by a vote of the shareholders at the first meeting held by the
6 incorporators and at each annual meeting thereafter. The
7 affairs and powers of the corporation may, at the option of
8 the shareholders, expressed in their bylaws, be entrusted to
9 an executive board of five members to be by vote of the share-
10 holders, elected from the full board of directors, and three
11 of said board shall be a quorum to transact business. The
12 directors of said corporation shall be sworn to the proper
13 discharge of their duties and they shall hold office until others
14 are elected and qualified in their stead. If a director dies,
15 resigns, or is removed by the election and qualification of
16 another in his place, or becomes disqualified for any cause,
17 the remaining directors may appoint a person to fill the
18 vacancy until the next annual meeting of the corporation.
19 The oath of office of such director shall be taken within thirty

20 days of his election, or his office shall be declared vacant.
21 The clerk of such corporation shall, within ten days, notify
22 such directors of their election, and within thirty days shall
23 publish the list of all persons who have taken the oath of
24 office as directors.

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

Sect. 8. No person shall be eligible to the position of a
2 director of said corporation who is not the actual owner of
3 ten 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 accounts
3 thereof and of said trust department shall be kept separate,
4 and such funds and the investment or loans of them shall be
5 specially appropriated to the security and payment of such
6 deposits, and not be subject to any other liabilities of the
7 corporation; and for the purpose of securing the observance
8 of this proviso, said corporation shall have a trust department
9 in which all business pertaining to such trust property shall
10 be kept separate and distinct from its 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, cities,
4 counties and savings banks of the State of Maine, may deposit
5 any moneys, bonds, stocks, evidences of debt or of ownership
6 in property, or any personal property with said corporation,
7 and any of said courts may direct any person deriving author-
8 ity from them to so deposit the same.

Section 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
5 of the shares owned by each in addition to the amount
6 invested in said shares.

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

Sect. 14. The shares of said corporation shall be subject
2 to taxation under the laws of this State, in the same manner
3 and rate as are or may be the shares of 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
8 all its engagements. If upon examination of said corporation
9 the examiner is of the opinion that its investments are not
10 in accordance with law, or said corporation is insolvent, or
11 its condition is such as to render its further proceedings
12 hazardous to the public or to those having funds in its cus-
13 tody, or is of the opinion that it has exceeded its powers or
14 failed to comply with any of the rules or restrictions provided
15 by law, he shall have such authority and take such action as
16 is provided for in the case of savings banks by chapter forty-
17 seven of the Revised Statutes, and amendments or additions
18 thereto. He shall reserve in a permanent form a full record
19 of his proceedings including a statement of the condition of
20 said corporation. A copy of such statement shall be pub-
21 lished by said corporation immediately after the annual exam-
22 ination of the same in some newspaper published where such
23 corporation is established. If no paper is published in the
24 town where said corporation is established then it shall be
25 published in a newspaper printed in the nearest city or town.
26 The necessary expenses of the bank examiner while making
27 such examination shall be paid 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 chosen,
7 bylaws adopted, and any other corporate business transacted.

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

STATE OF MAINE.

IN SENATE, February 5, 1903.

Reported by Mr. TITCOMB from Committee on Banks and Banking,
and laid on table to be printed under joint rules.

KENDALL, M. DUNBAR, *Secretary.*