

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

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**Chapter 190.**

An Act to incorporate the City Trust Company, of Bangor, Maine.

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

Section 1. George W. E. Barrows, William E. Brown, Arthur Chapin, George H. Nutter, J. Albert Dole, Joseph G. Blake, Augustus B. Farnham, William P. Dickey, J. Norman Towle, Eugene Danforth, Charles E. Woodward, and E. C. Ryder, all of Bangor, county of Penobscot, state of Maine, or such of them as may by vote accept this charter, with their associates, successors and assigns, are hereby made a body corporate and politic to be known as the City Trust Company, and as such shall be possessed of all the powers, privileges and immunities and subject to all the duties and obligations conferred on corporations by law, except as otherwise provided herein.

Corporators.

—corporate name.

Section 2. The corporation hereby created shall be located at Bangor, Penobscot county, Maine.

Location.

Section 3. The purposes of said corporation and the business which it may perform, are:

Purposes.

First, to receive on deposit, money, coin, bank notes, evidences of debt, accounts of individuals, companies, corporations, municipalities and states, allowing interest thereon, if agreed, or as the by-laws of said corporation may provide;

Second, to borrow money, to loan money on credits, or real estate, or personal or collateral security, and to negotiate loans and sales for others;

Third, to erect, construct, own, maintain and operate safe deposit vaults, with boxes, safes and other facilities therein, to be rented to other parties, for the safe keeping of moneys, securities, stocks, jewelry, plate, valuable papers and documents, and other property susceptible of being deposited therein, and to receive on deposit for safe keeping, property of any kind entrusted to it for that purpose;

Fourth, to hold and enjoy all such estate, real, personal and mixed, as may be obtained by the investment of its capital stock or any other moneys and funds that may come into its possession in the course of its business and dealings, and the same sell, grant, and otherwise dispose of;

Fifth, to act as agent for issuing, registering and countersigning certificates, bonds, stocks, and all evidences of debt or ownership in property;

Sixth, to hold by grant, assignment, transfer, devise or bequest, any real or personal property or trusts duly created, and to execute trusts of every description;

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Seventh, to act as agent for a person or corporation, and also to act as executor, receiver or assignee, with the same powers and duties as are conferred and imposed by law upon natural persons acting in the same capacities and subject to the same control of the court having jurisdiction of the same in all proceedings relating to the exercise of these powers; all papers may be signed and sworn to by any officer designated by the corporation for that purpose, and the officers shall be subject to citation and examination in the same manner and to the same extent as natural persons acting in the same capacities. No sureties shall be required upon the bond of the corporation when acting in said capacities, unless the court or officer approving said bond shall require it;

Eighth, to guarantee the payment of the principal and interest of all obligations secured by mortgages of real estate running to said City Trust Company;

Ninth, to hold for safe keeping all kinds of personal or mixed property and to act as agents for the owners thereof, and of real estate for the collection of income on the same and for the sale of the same;

Tenth, to do in general all the business that may lawfully be done by trust and banking companies.

Capital stock.

--shall not commence business until \$50,000 has been paid in.

Section 4. The capital stock of said corporation shall not be less than fifty thousand dollars, divided into shares of one hundred dollars each, with the right to increase the said capital stock at any time, by vote of the shareholders, to any amount not exceeding five hundred thousand dollars. Said corporation shall not commence business as a trust or banking company, until stock to the amount of at least fifty thousand dollars shall have been subscribed and paid in, in cash.

Shall not make loan on security of its own capital stock.

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

Board of directors.

Section 6. All the corporate powers of this corporation shall be exercised by a board of directors or trustees, who shall be residents of this state, whose number and term of office shall be determined by a vote of the shareholders at the first meeting held by the incorporators and at each annual meeting thereafter. The affairs and powers of the corporation may, at the option of the shareholders, be entrusted to an executive board of five members to be, by vote of the shareholders, elected from the full board of directors or trustees. The directors or trustees of said corpo-

--executive board.

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ration shall be sworn to the proper discharge of their duties, and they shall hold office until others are elected and qualified in their stead. If a director or trustee dies, resigns, or becomes disqualified for any cause, the remaining directors or trustees may appoint a person to fill the vacancy until the next annual meeting of the corporation. The oath of office of such director or trustee, shall be taken within thirty days of his election, or his office shall become vacant. The clerk of such corporation shall, within ten days, notify such directors or trustees of their election, and within thirty days shall publish the list of all persons who have taken the oath of office as directors or trustees.

—vacancies, how filled.

Section 7. The board of directors or trustees of said corporation shall constitute the board of investment of said corporation. Said directors or trustees shall keep in a separate book, specially provided for the purpose, record of all loans, and investments of every description, made by said institution substantially in the order of time when such loans or investments are made, which shall show that such loans or investments have been made with the approval of the executive committee of said corporation, which shall indicate such particulars respecting such loans or investments as the bank examiner shall direct. This book shall be submitted to the directors or trustees and to the bank examiner whenever requested. Such loans or investments shall be classified in the book as the bank examiner shall direct. No loan shall be made to any officers, director or agent of said company or to other persons in its employ, until the proposition to make such loan shall have been submitted by the person desiring the same to the board of directors of such bank, or to the executive committee of such board, if any, and accepted and approved by a majority of such board or committee. Such approval, if the loan is made, shall be spread upon the records of the corporation; and this record shall, in every instance, give the names of the directors authorizing the loan. Said corporation shall have no authority to hire money or to give notes unless by vote of the said board or of said committee duly recorded.

Board of investment.

—shall keep record of loans.

—loan to officers, how made.

Section 8. No person shall be eligible to the position of a director or trustee of said corporation who is not the actual owner of ten shares of stock.

Director must own ten shares of stock.

Section 9. Said corporation after beginning to receive money on deposit shall at all times have on hand, as a reserve, in lawful money of the United States, an amount equal to at least fifteen per cent of the aggregate amount of all its deposits which are subject to withdrawal upon demand or within ten days; and whenever said reserve of such corporation shall be below said percentage of such deposits, it shall not increase its liabilities by

Reserve fund.

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making any new loans until the required proportion between the aggregate amount of such deposits and its reserve fund shall be restored; provided, that in lieu of lawful money two-thirds of said fifteen per cent may consist of balances payable on demand, due from any national bank, and one-third of said fifteen per cent may consist of lawful money and bonds of the United States or of this state, the absolute property of such corporation.

Trust funds shall constitute special deposit.

Section 10. All the property or money held in trust by this corporation shall constitute a special deposit and the accounts thereof and of said trust department shall be kept separate, and such funds and the investment or loans of them shall be specially appropriated to the security and payment of such deposits, and not be subject to any other liabilities of the corporation; and for the purpose of securing the observance of this proviso, said corporation shall have a trust department in which all business pertaining to such trust property shall be kept separate and distinct from its general business.

Administrators, etc., may deposit in.

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

Responsibility of shareholders.

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

Guaranty fund.

Section 13. Said corporation shall set apart as a guaranty fund not less than ten per cent of its net earnings in each and every year until such fund, with the accumulated interest thereon, shall amount to one-fourth of the capital stock of the company. The said surplus shall be kept to secure against losses and contingencies, and whenever the same becomes impaired it shall be reimbursed in the manner provided for its accumulation.

Taxation.

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

Shall be subject to examination by bank examiner.

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

and shall thoroughly inspect and examine all the affairs of said corporation, and make such inquiries as may be necessary to ascertain its condition and ability to fulfill all its engagements. If upon examination of said corporation, the examiner is of the opinion that its investments are not in accordance with law, or said corporation is insolvent, or its condition is such as to render its further proceedings hazardous to the public or to those having funds in its custody, or is of the opinion that it has exceeded its powers or failed to comply with any of the rules or restrictions provided by law, he shall have such authority and take such action as is provided for in the case of savings banks by chapter forty-seven of the revised statutes. He shall preserve in a permanent form a full record of his proceedings, including a statement of the condition of said corporation. A copy of such statement shall be published by said corporation immediately after the annual examination of the same in some newspaper published where said corporation is established. If no paper is published in the town where said corporation is established, then it shall be published in a newspaper printed in the nearest city or town. The necessary expenses of the bank examiner while making such examination shall be paid by the corporation.

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

First meeting,  
now called.

Section 17. This act shall take effect when approved.

Approved March 18, 1903.

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## Chapter 191.

An Act to regulate the taking of codfish, pollock, hake and haddock in the waters of Frenchman's Bay.

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

Section 1. No person shall use more than one trawl, not exceeding five hundred hooks for the purpose of taking or destroying any codfish, pollock, hake or haddock, in the waters of Frenchman's bay inside or northerly of a straight line drawn from the south side of Round or Bald Porcupine island to the south end of Jordan's island.

Use of trawl  
restricted in  
Frenchman's  
bay.