

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE  
**One Hundred and Third Legislature**  
**1967**

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Village of St. Agatha at the junction of Route 162 and road that is near the northwesterly shore of Long Lake, easterly and northerly along said road to its junction with another road near Brishlotte Lake outlet stream, thence easterly along said road to its junction with the road that is along the easterly side of said Long Lake, thence southerly along said road to its junction with the road leading westerly to Birch Point, so called, thence along said road to its nearest point to said Long Lake, thence westerly to a red painted stake on the east shore of said Long Lake, thence southwesterly across said Long Lake to a red painted stake on the west shore of said Long Lake, thence in the same direction until this line intersects Route 162, thence northwesterly along said Route 162 to the point of beginning. This is intended to include the large and smaller islands in the northerly end of said Long Lake.

Effective October 7, 1967

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## Chapter 127

AN ACT Authorizing Out-of-State Banks and Trust Companies to Act as Fiduciaries.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., T. 18, c. 505, sub-c. III, additional. Chapter 505 of Title 18 of the Revised Statutes is amended by adding a new subchapter III, to read as follows:

### SUBCHAPTER III

#### FIDUCIARIES

##### § 4161. Authorization

A bank or trust company organized and doing business under the laws of any state or territory of the United States of America, including the District of Columbia, and a national bank, duly authorized so to act, may be appointed and may serve in this State as trustee, whether of a corporate or personal trust, executor, administrator, guardian, conservator or committee for an incompetent person, or in any other fiduciary capacity, whether the appointment is by will, deed, court order or decree, or otherwise, when and to the extent that the state, territory or district in which such bank or trust company is organized grants authority to serve in like fiduciary capacities to a bank or trust company organized and doing business under the laws of this State and authorized to serve in like fiduciary capacities.

##### § 4162. Power of attorney; Secretary of State

Before qualifying or serving in this State in any fiduciary capacity, as defined in section 4161, such bank or trust company shall file in the office of the Secretary of State a copy of its charter, certified by its secretary under its corporate seal, together with a certificate from the official having supervision of banks and trust companies where the bank was organized that it has authority to act in the fiduciary capacity for which it is registering, and a power of attorney designating the said Secretary of State or his successor in office as the person upon whom all notices and processes issued by any court of this State may be served

in any action or proceeding relating to any trust, estate or matter within this State in respect of which such bank or trust company is acting in any such fiduciary capacity with like effect as personal service on such bank or trust company which power of attorney shall be irrevocable so long as any such liability shall remain outstanding against such bank or trust company in this State. Upon receipt of such notice or process, it shall be the duty of the said Secretary of State forthwith to forward the same by registered mail to such bank or trust company at the address stated in the said power of attorney. Such bank or trust company shall file a certificate in the office of the Secretary of State in the same form as required by Title 13, section 592 and shall pay a filing fee as though registering under Title 13, chapter 19.

#### § 4163. Limitation

This subchapter shall not be construed to prohibit, permit or affect in any other way the right of a bank or trust company, organized and doing business under the laws of any other state, territory or district than Maine, including a national bank doing business in any other state, to establish in this State a place of business, branch office or agency for the conduct of business as a fiduciary.

#### § 4164. Application

No bank or trust company organized and doing business under the laws of any state or territory of the United States of America, or of the District of Columbia, other than Maine, or a national bank doing business in any other state, territory or district, shall act in a fiduciary capacity in this State, except pursuant to this subchapter.

#### § 4165. Penalty

Any bank or trust company violating any provision of this subchapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not exceeding \$100, and may, in the discretion of the court, be prohibited thereafter from serving in this State in any fiduciary capacity.

Effective October 7, 1967

## Chapter 128

### AN ACT Relating to Admission of Patients to State Hospitals.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., T. 34, § 2331, amended. The first paragraph of section 2331 of Title 34 of the Revised Statutes is repealed and the following enacted in place thereof:

The head of a private hospital may receive therein for observation, diagnosis, care and treatment any individual whose admission is applied for under any of the procedures provided in this section. The head of a public hospital may receive therein for observation, diagnosis, care and treatment any individual whose admission is applied for under procedures 1 and 2, and shall receive therein for observation, diagnosis, care and treatment any individual whose admission is applied for under procedure 3:

Effective October 7, 1967