

MAINE STATE LEGISLATURE

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CHAPTER 151

HANDLING OF ACCOUNTS

Sec.

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§ 1751. Withdrawals

Any member may at any time present a written application for withdrawal of all or any part of his shares or accounts. No member shall have on file in any one association more than one application at a time. Every application shall request immediate withdrawal of a stated amount in accordance with this section. Any member may cancel his application at any time in whole or in part by a writing. Every association shall pay or number, date and file in the order of actual receipt every withdrawal application. Withdrawals shall be made in the order of actual receipt of applications, except as provided in this section. Upon withdrawal, an association shall pay the value of any shares or accounts, as determined by the board of directors, but not in excess of the withdrawal value thereof. If an association so elects, it may at any time pay in full each and every application as presented. It shall not pay some in full, unless it pays every application on file in full, except by paying all applications on file on the rotation plan prescribed in this section. The board of directors shall have an absolute right to pay upon any application not exceeding \$200 to any member in any one month in any order. No association can obligate itself to pay withdrawals on any plan other than as provided in chapters 141 to 167. Members who have filed written application for withdrawal shall remain members. No dividends shall be declared upon that portion of an account which has been noticed for withdrawal, which for dividend purposes is required to be deducted from the latest previous additions to such account, so long as such application is on file. The rotation plan of payment of withdrawals is as follows: On the first day of each month, each application which has been on file since the first day of the preceding month and which is reached in order shall be paid \$1,000 on account, or in full if the amount noticed for withdrawal or the unpaid balance of such application is less than \$1,000. Each such application for more than \$1,000 so paid shall be deemed refiled as if filed on that day. Such limited payment on the

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first day of each month and such renumbering shall take place on the first day of each subsequent month as long as there are applications unpaid. At least $\frac{1}{3}$ of the receipts of an association from its members during the preceding calendar month shall be applied on the first day of each month to the payment of applications which have been on file since the first day of the preceding month. Any association may apply to withdrawals an amount larger than $\frac{1}{3}$ of such receipts, but cannot obligate itself to do so. When an application to withdraw is reached for payment as provided, a written notice shall be sent to the applicant by mail at his last address recorded on the books, and unless the applicant shall apply in person or in writing for such withdrawal within 30 days from the date of such notice, no payment on account of such application shall be made and such application shall be cancelled.

1961, c. 198, § 1.

§ 1752. Retirements

At any time after 4 years from the date of issue, the board of directors may, under rules made by them, retire unpledged shares or accounts by enforcing their withdrawal. The members whose shares or accounts are to be retired shall be determined by lot, and they shall be paid the full value of their shares or accounts less all fines, if any, and a proportionate part of any unadjusted profit or loss.

1961, c. 198, § 1.

§ 1753. Application of withdrawal value to indebtedness

If a borrowing member of an association is in default on any indebtedness to such association, the board of directors may, after 30 days' written notice of such intention sent by mail to such borrowing member at his last known address as shown on the books of said association, apply at the withdrawal value the whole or any part of any shares or sums credited on any account of such borrowing member to his indebtedness. Shares credited to the indebtedness of a borrowing member shall be cancelled and any balance remaining shall be held for his account.

If a non-borrowing member of an association is in default on any payment to such association for a period of 90 days or more, the board of directors may, after 30 days' written notice of such intention sent by mail to such member at his last known address as shown on the books of said association, forfeit the account of such member and the value thereof, after deducting all fines and

legal charges, shall be transferred to the credit of the defaulting member to an account to be designated forfeited accounts. Said member shall be entitled upon 30 days' notice, to receive the balance so transferred without dividends or other accruals from the time of such transfer.

Nothing in this section shall prevent an association from applying and crediting at any time the full withdrawal value of any account pledged with it as security for the payment of any debt, toward the payment of such debt.

1961, c. 198, § 1.

§ 1754. Inactive accounts

Every association shall on or before the first day of November each year cause to be published, in some newspaper published in the municipality where the principal office of the association is located, if any, otherwise in such newspaper as the commissioner may order, the amount standing to his credit, the last known place of residence or post office address, and the fact of death, if known, of every member of the association who shall not have made an addition to or withdrawal from his account, or any part of the dividends thereon or brought his account book to the association to be verified or to have the dividends entered thereon, for a period of more than 20 years next preceding. This section shall not apply to the accounts of persons known to the association to be living or to an account which with the accumulations thereon shall be less than \$50.

Such publication, in addition to the above required information, shall state that 2 years after the date of publication, all moneys in such inactive accounts shall be paid into the State Treasury.

Said association shall transmit a copy of such statement to the commissioner to be placed on file in his office for public inspection. Any association failing to comply with the provisions of this section shall be punished by a fine of \$50.

Two years after the date of such publication, all moneys in such inactive accounts shall be deemed presumptively abandoned and shall be paid into the State Treasury and credited to the General Fund for the use of the State, and there shall be paid into the State Treasury, and so credited at the end of 20 years after the last addition, all accounts inactive as aforesaid, which with accumulations thereon shall be less than \$50.

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After payment into the State Treasury of such accounts, no action shall be maintained in any court in this State by any member or his heirs, successors or assigns against any association making such payments, provided that thereafter any lawful claimants may petition the Governor and Council for payment of such moneys to the claimants. In his petition the claimant shall state fully the facts showing the basis of his right, title and interest in such account. The Governor and Council, after a hearing, shall determine who are lawful claimants and shall authorize payment by the Treasurer of State from the General Fund to such claimants.

1961, c. 198, § 1.