

Banks-Private, Examination Of. State Examiner, Power to Examine Private Banks.

Under the provisions of Chap. III, Session Laws of 1911, which took effect July 1st, 1911, every private bank, copartnership or association conducting a banking business within the State of Montana is subject to examination by the state examiner.

Helena, Montana, July 24, 1911.

Hon. C. E. Kumpe,
State Examiner,
Helena, Mont.

Dear Sir:

I am in receipt of your letter of July 22nd, requesting me to

advise you whether or not your department has any authority to examine the assets of a private bank which has notified you of their suspension of business prior to July 1st, 1911.

Under the provisions of Chapter III, Session Laws of 1911, which takes effect from and after July 1st, 1911, every private bank, co-partnership or association conducting a banking business within the state of Montana is subject to examination by the state examiner.

If the bank which you have reference to has been conducting a banking business at any time since the first of July of this year, it is subject to examination by you, but if it has not been conducting a banking business, of course, it would not be subject to such examination. As to whether or not it is "conducting a banking business" is a question of fact to be determined by your department.

I herewith return the letter which you enclosed as requested.

Yours very truly,

ALBERT J. GALEN,
Attorney General.