

- Sec.
95a, 95b. Omitted.
- SUBCHAPTER V—OBTAINING AND ISSUING CIRCULATING NOTES
- 101 to 110. Repealed.
- SUBCHAPTER VI—REDEMPTION AND REPLACEMENT OF CIRCULATING NOTES
121. Repealed.
121a. Redemption of notes unidentifiable as to bank of issue.
122 to 127. Repealed.
- SUBCHAPTER VII—PROCEEDINGS ON FAILURE OF BANK TO REDEEM CIRCULATING NOTES
- 131 to 138. Repealed.
- SUBCHAPTER VIII—RESERVE CITIES; LAWFUL RESERVES
141. Omitted.
142. Banks in reserve cities; reserves.
143. Banks in Alaska and insular possessions; lawful money reserves.
144. Certain balances counted toward reserves in dependencies and insular possessions.
145, 146. Repealed.
- SUBCHAPTER IX—FORMATION OF ASSOCIATIONS TO ISSUE GOLD NOTES
- 151 to 153. Repealed.
- SUBCHAPTER X—BANK EXAMINATIONS; REPORTS
161. Reports to Comptroller of the Currency.
162, 163. Repealed.
164. Penalty for failure to make reports.
165. Omitted.
- SUBCHAPTER XI—MISCELLANEOUS PROVISIONS REGARDING UNITED STATES BONDS IN RELATION TO NATIONAL BANKS
- 168 to 177. Repealed.
177a. Funds available for cost of transporting and redeeming national and Federal Reserve bank notes.
178. Repealed.
- SUBCHAPTER XII—VOLUNTARY DISSOLUTION
181. Voluntary dissolution; appointment and removal of liquidating agent or committee; examination.
182. Notice of intent to dissolve.
183 to 186. Repealed.
- SUBCHAPTER XIII—RECEIVERSHIP
191. Appointment of receiver for a national bank.
192. Default in payment of circulating notes.
193. Notice to present claims.
194. Dividends on adjusted claims; distribution of assets.
195. Repealed.
196. Expenses.
197. Shareholders' meeting; continuance of receivership; appointment of agent; winding up business; distribution of assets.
197a. Resumption of business by closed bank on consent of depositors.
198. Purchase by receiver of property of bank; request to Comptroller.
199. Approval of request.
200. Payment.
- SUBCHAPTER XIV—BANK CONSERVATION ACT
201. Short title.
202. Definitions.
203. Appointment of conservator.
204. Examinations.
205. Termination of conservatorship.
206. Conservator; powers and duties.
207, 208. Repealed.

- Sec.
209. Liability protection.
210. Governmental powers unimpaired.
211. Rules and regulations.
212. Right to amend; separability.
213. Transferred.
- SUBCHAPTER XV—CONVERSION OF NATIONAL BANKS INTO STATE BANKS
214. Definitions.
214a. Procedure for conversion, merger, or consolidation; vote of stockholders.
214b. Continuation of business and corporate entity.
214c. Conversions in contravention of State law.
214d. Prohibition on conversion.
- SUBCHAPTER XVI—CONSOLIDATION AND MERGER
215. Consolidation of banks within same State.
215a. Merger of national banks or State banks into national banks.
215a-1. Interstate consolidations and mergers.
215a-2. Expedited procedures for certain reorganizations.
215a-3. Mergers and consolidations with subsidiaries and nonbank affiliates.
215b. Definitions.
215c. Mergers, consolidations, and other acquisitions authorized.
- SUBCHAPTER XVII—DISPOSITION OF UNCLAIMED PROPERTY RECOVERED FROM CLOSED NATIONAL BANKS
216. Purpose.
216a. Definitions.
216b. Disposition of unclaimed property.
216c. Rules and regulations.
216d. Severability.

SUBCHAPTER I—ORGANIZATION AND GENERAL PROVISIONS

§ 21. Formation of national banking associations; incorporators; articles of association

Associations for carrying on the business of banking under title 62 of the Revised Statutes may be formed by any number of natural persons, not less in any case than five. They shall enter into articles of association, which shall specify in general terms the object for which the association is formed, and may contain any other provisions, not inconsistent with law, which the association may see fit to adopt for the regulation of its business and the conduct of its affairs. These articles shall be signed by the persons uniting to form the association, and a copy of them shall be forwarded to the Comptroller of the Currency, to be filed and preserved in his office.

(R.S. § 5133.)

Editorial Notes

REFERENCES IN TEXT

Title 62 of the Revised Statutes, referred to in text, was in the original "this Title" meaning title LXII of the Revised Statutes, consisting of R.S. §§ 5133 to 5244, which are classified to this section and sections 16, 22 to 24a, 25a, 25b, 26, 27, 29, 35 to 37, 39, 43, 52, 53, 55 to 57, 59 to 62, 66, 71, 72 to 76, 81, 83 to 86, 90, 91, 93, 93a, 94, 141 to 144, 161, 164, 181, 182, 192 to 194, 196, 215c, 481 to 485, 501, 541, 548, and 582 of this title. See, also, sections 8, 333, 334, 475, 656, 709, 1004, and 1005 of Title 18, Crimes and Criminal Procedure. For complete classification of R.S. §§ 5133 to 5244 to the Code, see Tables.

CODIFICATION

R.S. §5133 derived from act June 3, 1864, ch. 106, §5, 13 Stat. 100, which was the National Bank Act. See section 38 of this title.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2014 AMENDMENT

Pub. L. 113-251, §1, Dec. 18, 2014, 128 Stat. 2888, provided that: "This Act [enacting section 1308 of Title 18, Crimes and Criminal Procedure, amending sections 25a, 339, 1463, and 1829a of this title and sections 1952, 1953, and 1955 of Title 18, and enacting provisions set out as a note under section 25a of this title] may be cited as the 'American Savings Promotion Act'."

Executive Documents

EXCEPTION AS TO TRANSFER OF FUNCTIONS

Functions vested by any provision of law in Comptroller of the Currency, referred to in this section, not included in transfer of functions to Secretary of the Treasury, see note set out under section 1 of this title.

§ 21a. Amendment of articles of association

Except as otherwise specifically provided by law, or by the articles of association of the particular national banking association, the articles of association of a national banking association may be amended with respect to any lawful matter, and any action requiring the approval of the stockholders of such association may be had by the approving vote of the holders of a majority of the voting shares of the stock of the association obtained at a meeting of the stockholders called and held pursuant to notice given by mail at least ten days prior to the meeting or pursuant to a waiver of such notice given by all stockholders entitled to receive notice of such meeting. A certified copy of every amendment to the articles of association adopted by the shareholders of a national banking association shall be forwarded to the Comptroller of the Currency, to be filed and preserved in his office.

(Pub. L. 86-230, §13, Sept. 8, 1959, 73 Stat. 458.)

§ 22. Organization certificate

The persons uniting to form such an association shall, under their hands, make an organization certificate, which shall specifically state:

First. The name assumed by such association; which name shall include the word "national".

Second. The place where its operations of discount and deposit are to be carried on, designating the State, Territory, or District, and the particular county and city, town, or village.

Third. The amount of capital stock and the number of shares into which the same is to be divided.

Fourth. The names and places of residence of the shareholders and the number of shares held by each of them.

Fifth. The fact that the certificate is made to enable such persons to avail themselves of the advantages of title 62 of the Revised Statutes.

(R.S. §5134; Pub. L. 86-230, §25, Sept. 8, 1959, 73 Stat. 466; Pub. L. 97-320, title IV, §405(b), Oct. 15, 1982, 96 Stat. 1512.)

Editorial Notes

REFERENCES IN TEXT

Title 62 of the Revised Statutes, referred to in par. Fifth, was in the original "this Title" meaning title LXII of the Revised Statutes, consisting of R.S. §§5133 to 5244, which are classified to this section and sections 16, 21, 23 to 24a, 25a, 25b, 26, 27, 29, 35 to 37, 39, 43, 52, 53, 55 to 57, 59 to 62, 66, 71, 72 to 76, 81, 83 to 86, 90, 91, 93, 93a, 94, 141 to 144, 161, 164, 181, 182, 192 to 194, 196, 215c, 481 to 485, 501, 541, 548, and 582 of this title. See, also, sections 8, 333, 334, 475, 656, 709, 1004, and 1005 of Title 18, Crimes and Criminal Procedure. For complete classification of R.S. §§5133 to 5244 to the Code, see Tables.

CODIFICATION

R.S. §5134 derived from act June 3, 1864, ch. 106, §6, 13 Stat. 101, which was the National Bank Act. See section 38 of this title.

AMENDMENTS

1982—Par. First. Pub. L. 97-320 struck out "and be subject to the approval of the Comptroller of the Currency" after "national".

1959—Par. First. Pub. L. 86-230 substituted "which named shall include the word 'national' and be" for "which name shall be".

§ 23. Acknowledgment and filing of certificate

The organization certificate shall be acknowledged before a judge of some court of record, or notary public; and shall be, together with the acknowledgment thereof, authenticated by the seal of such court, or notary, transmitted to the Comptroller of the Currency, who shall record and carefully preserve the same in his office.

(R.S. §5135.)

Editorial Notes

CODIFICATION

R.S. §5135 derived from act June 3, 1864, ch. 106, §6, 13 Stat. 101, which was the National Bank Act. See section 38 of this title.

Executive Documents

EXCEPTION AS TO TRANSFER OF FUNCTIONS

Functions vested by any provision of law in Comptroller of the Currency, referred to in this section, not included in transfer of functions to Secretary of the Treasury, see note set out under section 1 of this title.

§ 24. Corporate powers of associations

Upon duly making and filing articles of association and an organization certificate a national banking association shall become, as from the date of the execution of its organization certificate, a body corporate, and as such, and in the name designated in the organization certificate, it shall have power—

First. To adopt and use a corporate seal.

Second. To have succession from February 25, 1927, or from the date of its organization if organized after February 25, 1927, until such time as it be dissolved by the act of its shareholders owning two-thirds of its stock, or until its franchise becomes forfeited by reason of violation of law, or until terminated by either a general or a special Act of Congress or until its affairs be placed in the hands of a receiver and finally wound up by him.

Third. To make contracts.