

tion as a "stockholding bank") which holds stock in such corporation, the corporation must offer to supply such services by either

(1) issuing stock to the applying bank and furnishing bank services to it on the same basis as to the other banks holding stock in the corporation, or

(2) furnishing bank services to the applying bank at rates no higher than necessary to fairly reflect the cost of such services, including the reasonable cost of the capital provided to the corporation by its stockholders, at the corporation's option, unless comparable services at competitive, overall cost are available to the applying bank from another source, or unless the furnishing of the services sought by the applying bank would be beyond the practical capacity of the corporation. In any action or proceeding to enforce the duty imposed by this section, or for damages for the breach thereof, the burden shall be upon the bank service corporation to show such availability.

(d) No bank service corporation may engage in any activity other than the performance of bank services for banks.

(e) No bank subject to examination by the Commissioner may cause to be performed, by contract or otherwise, any bank services for itself, whether on or off its premises, unless assurances satisfactory to the Commissioner are furnished to such Commissioner by both the bank and the party performing such services that the performance thereof will be subject to regulation and examination by such Commissioner to the same extent as if such services were being performed by the bank itself on its own premises.

73.

Every bank and trust company shall make to the [Bank] Commissioner not less than [three] two reports during each calendar year, at such times as the said [Bank] Commissioner shall require the same, according to the forms which he shall prescribe and furnish. Such forms shall conform as nearly as practicable to the forms required of banking institutions under the jurisdiction of the federal authorities, including the schedules. Such reports shall be signed and verified by the oath or affirmation of either the president, vice-president, cashier or treasurer of such bank or trust company before a notary public or justice of the peace; if before a justice of the peace, then such justice shall be certified to by the clerk of the circuit court of the Superior Court of Baltimore City, as the case may be. Such report shall exhibit in detail and under proper heads the resources and liabilities of the bank or trust company at the close of the business of any past day by the [Bank] Commissioner specified, and shall be transmitted to said [Bank] Commissioner within ten days after the receipt of the request from him. Such reports shall be published in a newspaper of the city or village or county where such bank or trust company is located, in condensed form as may be prescribed by the [Bank] Commissioner. Proof of said publication shall be furnished to the said [Bank] Commissioner within fifteen days after the receipt of the aforesaid call. At least once in each year every bank and trust company shall report to the [Bank] Commissioner on call by him a list of its stockholders, their residences and the amount of stock held by each, which report shall be signed and verified by the oath and affirmation of one of the officers of said bank or trust company. The