

to, within the time above limited, shall incur a penalty of fifty dollars for each and every day during which such neglect continues.

What *prima facie* evidence of transmission of return.

22. If the certified list or the return required by section 87 or by section 88 of *The Bank Act*, or by the next preceding section of this Act, to be transmitted or delivered to the Minister of Finance and Receiver General, is transmitted by mail, then and in such case the date upon which it appears, by the post office stamp or mark upon the envelope or wrapper enclosing the list or return received by the Minister of Finance and Receiver General, that it was deposited in the post office of the place in which the chief office of the bank was situated, shall be taken *prima facie* for the purpose of the said sections to be the day upon which such list or return was transmitted to the Minister of Finance and Receiver General. 15

Section 87 amended.

23. Subsection 2 of section 87 of *The Bank Act* is repealed.

CURATOR IN CASE OF SUSPENSION OF BANK.

Curator in case of suspension of bank.

24. "The Canadian Bankers' Association," incorporated by Act passed during the present session of Parliament, (hereinafter referred to as the Association,) shall, if a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, forthwith appoint some competent person (hereinafter referred to as the curator) to take charge of the affairs and management of such bank, and the Association may at any time remove the curator, and may appoint another person to act in his stead. 20 25

Manner of appointment.

25. The appointment of the curator shall be made in the manner provided for in the by-law of the Association in that behalf made as hereinafter provided, but in default of such by-law such appointment shall be made in writing by the president of the Association, or by the person acting as president. 30

Powers and duties.

26. The curator shall, on being appointed, at once take charge of the assets and affairs of the bank, and shall assume the management and control thereof, and shall receive and collect all moneys and debts due to the bank, and shall make all necessary arrangements for the payment of the notes of the bank issued for circulation then outstanding and in circulation, and generally shall have all the powers conferred upon him and shall take all steps and do all things required of him by by-law of the Association, or necessary or expedient to protect the rights and interests of the creditors and shareholders of the bank, and to conserve and ensure the proper disposition according to law of the assets of the bank; and the curator shall remain in charge, management and control of the affairs and assets of the bank until he is removed from office, or until the bank resumes business, or until a liquidator is duly appointed to wind up the business of the bank. 35 40 45

How long in charge.

President, etc., to aid curator.

27. The president, vice-president, directors, general manager, managers, clerks and officers of the bank shall give and