

period not exceeding twenty years, if interest was payable on such debt"; and that the words "in the superior, county or district court having jurisdiction in respect thereof" be deleted and the following substituted therefor: "issued in a court of competent jurisdiction in the province in which the deposit was originally made."

Mr. Papineau-Couture was questioned thereon.

Discussion followed and, the question having been put, the amendment was resolved in the affirmative.

Mr. Graham's motion, as amended, was adopted, viz: That subsection (4) of clause 92 be deleted and the following substituted therefor:

(4) Upon payment in respect of any debt being made to the Bank of Canada under this section, the Bank of Canada shall, if payment is demanded by the person who but for the operation of subsection three of this section would have been entitled as creditor of the bank by which such payment was made, be liable to pay at its branch in the province in which such debt was owing and payable, an amount equal to the amount so paid to it together with interest thereon for a period not exceeding twenty years, if interest was payable on such debt, at such rate and computed in such manner as may be determined from time to time by the Governor in Council and such liability may be enforced by action against the Bank of Canada issued in a court of competent jurisdiction in the province in which the deposit was originally made.

On motion of Mr. Graham, it was resolved that subsection 6 of clause 92 be deleted and the following substituted therefor:

(6) The bank may from time to time destroy its books and records containing entries made more than thirty years prior to such destruction and in any action, suit or proceeding in respect of any debt owing or alleged to be owing by the bank its liability shall be determined by reference only to evidence of matters or things which have arisen or occurred, including entries made in books or records, during the period of thirty years immediately preceding the commencement of such action, suit or proceeding: Provided that nothing contained in this subsection shall affect the operation of any statute of prescription or limitation or any right of the bank to destroy any of its books and records as it may see fit or relieve the bank from any liability to the Bank of Canada in respect of any debt which is subject to the provisions of subsection three of this section.

Mr. Graham moved that clause 92 be amended by inserting a new subsection after subsection 7 as follows:

Nothing contained in this section shall affect any right in respect of any debt owing by a bank mentioned in subsection three hereof which His Majesty in right of any province may have exercised or been entitled to exercise at the time of the coming into force of this Act.

Mr. Jean moved, in amendment, that the following be substituted for the new subsection proposed by Mr. Graham:

Nothing contained in this section shall affect any rights appertaining to His Majesty in right of any province.