

deceased
shareholder.

the Directors and deposit with them of any probate of the will of the deceased shareholder, or of letters of administration of his estate granted by any Court in Canada having power to grant such probate or letters of administration, or by prerogative, diocesan or peculiar Court or authority in England, Wales, Ireland, India or any other British Colony, or of any testamentary or testamentary expedite in Scotland, or if the deceased shareholder shall have died out of Her Majesty's Dominions, the production to and deposit with the Directors of any probate of the will of letters of administration of the property of such deceased shareholder or other document of like import, granted by any Court or authority having the requisite authority in such matters, shall be sufficient justification and authority to the Directors for paying any dividend or transferring or authorizing the transfer of any share or shares in pursuance of and in conformity to such probate letters of administration or such other documents as aforesaid; Provided, that the Directors may, in their discretion, accept and keep in lieu of any of such original documents, a copy thereof certified under the seal of the Court by which the same was granted, or if the original document is submitted for their inspection, may return the same to the party or parties producing the same and retain in lieu thereof a copy certified under the hand and seal of a Notary Public.

Further provisions as to shares, &c., transmitted by death:

35. Whenever the interest in any share or shares of the said Bank, or in the dividend or dividends accrued thereon, or the right of property in any deposit therein shall be transmitted by the death of any shareholder or shareholders, or otherwise, or whenever the ownership of a legal right of possession in any such share or shares, dividend or deposit, shall change by any lawful means other than by transfer, or shall be disputed and the Director of the said Bank shall entertain reasonable doubt as to the legality of any claim to and upon any such share or shares of stock, dividend or dividends, or deposit, then and in such case it shall be lawful for such Bank to make and file a bill or petition in the Court of Chancery, for the Province of Ontario, addressed to the Judges thereof, setting forth the facts and the number of the said shares previously belonging to the party in whose name such share or shares stand in the books of the Bank, or the amount of deposits standing in the name of the depositor thereof, and praying for an order, decree, or judgment, adjudicating and awarding the said shares, dividends, or deposits, to the said party or parties legally entitled to the same, by which order, decree or judgment, the Bank shall be guided and held harmless and indemnified and released from all and every other claim for the said shares, dividend, or deposits arising therefrom; Provided always that notice of such bill or petition shall be given to all parties claiming such shares, dividends, or deposits who shall, upon the filing of such bill or petition, declare and show his, her or their claim or right referred to in such bill or petition, and all costs and expenses attending such proceedings shall be paid by the party or parties to whom the said shares, dividends, or deposits shall be declared lawfully to belong, and such shares, dividends or deposits shall not be transferred or paid over as the case may be, until costs and expenses be paid saving the recourse of such party against any party contesting his, or their right, and the Bank shall be entitled to a first lien upon said shares, dividends or deposits for the amount of such costs and expenses, and be entitled to a writ of execution to enforce the payment by sale of the shares, or to deduct the same from such dividends or deposits. The provisions in the foregoing sections thirty-two, thirty-three, thirty-four, and this section shall be held to apply to shares in the capital stock of the Bank, and also to dividends thereon and money deposited in the said Bank on deposit receipt at interest or otherwise, or any debt due from the Bank so far as applicable to the same respectively.

Bank not bound to see

36. The Bank shall not be bound to see to the execution of any trust, whether expressed, implied or constructive, to which any of the