

The Forfeited Personal Property Act

being

Chapter 46 of *The Revised Statutes of Saskatchewan, 1930*
(effective February 1, 1931).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

- 1 Short title
- 2 His Majesty may take possession of
personalty left without an owner
- 3 Grants of such property
- 4 Recovery of possession
- 5 Limitation of actions

CHAPTER 46

An Act respecting Personal Property Forfeited to the Crown

Short title

- 1 This Act may be cited as *The Forfeited Personal Property Act*.

New; R.S.S. 1930, c.46, s.1

His Majesty may take possession of personalty left without an owner

- 2 Where His Majesty the King, in his right of Saskatchewan, is entitled to any personal property by reason of possession of the person last entitled thereto having died intestate and without next of kin, or by reason of any corporation, association or society having been finally dissolved or wound up or having ceased to exist, the Attorney General may cause possession thereof to be taken in the name of His Majesty or, if possession is withheld, may take proceedings in the Court of King's Bench for the recovery thereof.

1927, c.8, s.1; R.S.S. 1930, c.46, s.2.

Grants of such property

- 3 The Lieutenant Governor in Council may make a grant of any personal property which now is or hereafter may become the property of His Majesty, as hereinbefore mentioned, or any part thereof or any interest therein:

- (a) to any person who, in the opinion of the Lieutenant Governor in Council, had a legal or moral claim upon the previous owner, or a just or natural right or claim to succeed to his property or to any part thereof;
- (b) to carry into effect any disposition thereof which the Lieutenant Governor in Council believes the previous owner may have intended;
- (c) to reward any person making discovery of such property to His Majesty.

1927, c. 8, s. 2; R.S.S. 1930, c.46, s.3.

Recovery of possession

- 4 Any such grant may be made without taking possession of such property, and if possession is withheld the person to whom the grant is made may institute proceedings for the recovery thereof in any court of competent jurisdiction.

1927, c.8, s.3; R.S.S. 1930, c.46, s.4.

Limitation of actions

5 No action shall be brought or maintained against His Majesty the King as represented by his Government of Saskatchewan, or against the Attorney General of Saskatchewan or any minister or officer of His Majesty as so represented, by any person, claiming to be entitled in that behalf as next of kin, or by or on behalf of the shareholders or creditors of any corporation, association or society which has been finally dissolved or wound up or which has ceased to exist:

- (a) to recover the whole or any part of any personal property:
 - (i) which, by reason of the person last entitled thereto having died intestate and without next of kin, or by reason of any corporation, association or society having been finally dissolved or wound up or having ceased to exist, has been judicially declared vested in His Majesty in the right of Saskatchewan; or
 - (ii) of which the Attorney General of Saskatchewan has caused possession to be taken on behalf of His Majesty; or
 - (iii) which has otherwise come into the possession of His Majesty as *bona vacantia*; or
- (b) to recover any compensation or damages in respect of any such property or the taking possession or withholding thereof;

after six years from the date of the death of the person last entitled to such property, or where the person last entitled was a corporation, association or society, after six years from the date of the final dissolution or winding up or ceasing to exist of such corporation, association or society.

1927, c.8, s.4; R.S.S. 1930, c.46, s.5.