

The New Judicial District Execution Act

being

Chapter 61 of *The Revised Statutes of Saskatchewan, 1920*
(assented to November 10, 1920).

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.

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CHAPTER 61

An Act relating to the Transfer of Writs of Execution to New Judicial Districts

Short title

1 This Act may be cited as *The New Judicial District Execution Act*.

R.S.S. 1920, c.61, s.1

Transmission of writs

2 Where a portion of the territory of a judicial district has been detached therefrom and annexed to or made a part of or made into another judicial district, the sheriff of the first mentioned district shall, subject to the approval of the inspector of legal offices, transmit to the sheriff of the new district all writs of execution in his hands, wholly or partially unexecuted, which affect any execution debtor residing in the transferred territory, and thereafter the said writ shall without prejudice to any charge or lien then existing thereunder have the same effect, and the powers and duties of the sheriff of the new district shall be the same in respect thereof as if the said writs had been directed and delivered to him for execution.

1913, c.35, s.1; R.S.S. 1920, c.61, s.2.

Where actual seizure made

3 Where an actual seizure has been made under any such writ by the sheriff of the original district, such sheriff shall retain the writ in his hands, and carry the proceedings to completion as if no division of the district had been made. Should any portion of the judgment debt still remain unpaid after completion of such proceedings, the sheriff shall forward the writ to the sheriff of the new district as above directed.

1913, c.35, s.2; R.S.S. 1920, c.61, s.3.

Transfer of judgment

4 After the transfer of the writ of execution as above provided, the execution creditor may obtain a copy of the judgment or order upon which such writ was issued, duly certified by the proper officer of the court in which the same was entered, and may file in the office of the local registrar of the Court of King's Bench or the clerk of the district court for the new judicial district, and the same shall thereupon become a judgment or order of record in the office of said local registrar or clerk, and thereafter all writs, renewals and proceedings under or upon the said judgment or order and all returns to writs shall as occasion requires be issued, filed, taken or done in or from the office or court to which the judgment or order has been transferred.

1913, c.35, s.3; 1915, c.43, s.41; R.S.S. 1920, c.61, s.4.

Retrospective operation

5 This Act shall, with respect to the transfer of writs of execution to the sheriff of any judicial district hitherto constituted under an order of the Lieutenant Governor in Council, the execution of such writs, the distribution of the moneys realised thereunder, the judgments or orders under which such writs were issued, and all other matters and proceedings connected therewith or pertaining thereto, be deemed to be and have been in force and effect on, from and after the date when such district was constituted.

1919-20, c.61, s.2; R.S.S. 1920, c.61, s.5.

