

***An Act respecting
The Canada Trust
Company and
Executors and
Administrators Trust
Company Limited***

being

Chapter 94 of the *Statutes of Saskatchewan, 1967*
(September 30, 1965).

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	The Canada Trust Company substituted as trustee
2	Property of Executors and Administrators Trust Company Limited vested in The Canada Trust Company
3	Act valid grant without registration
4	Rights of creditors preserved
5	Coming into force

1967

CHAPTER 94

**An Act respecting The Canada Trust Company and Executors and
Administrators Trust Company Limited**

(Assented to April 1, 1967)

Preamble

WHEREAS The Canada Trust Company has purchased the entire business, undertaking and assets of Executors and Administrators Trust Company Limited, a company incorporated by chapter 60 of *The Statutes of Saskatchewan, 1912*, and has assumed all the liabilities of Executors and Administrators Trust Company Limited under and by virtue of an agreement made between the said companies, made as of the 30th day of September, 1965, and the said companies have by petition prayed for special legislation in respect of the matters hereinafter set forth, and it is expedient to grant the prayer of the said petition:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

The Canada Trust Company substituted as trustee

1 As from the 30th day of September, 1965 The Canada Trust Company is substituted as executor, administrator, trustee, committee, assignee, liquidator, receiver, registrar, transfer agent, guardian or curator, or as the case may be, in the place and stead of Executors and Administrators Trust Company Limited, in or in respect of every trust, trust deed, deed, mortgage, indenture, conveyance, will, codicil, probate, letters of administration, judgment, order, appointment, or other document whatsoever, or trust howsoever created wherein or whereby or of which Executors and Administrators Trust Company Limited is or was named as, or became trustee or appointed to any office or trust, and all trusts and trust estates and properties of every kind and description, including incomplete or inchoate trusts, granted to or held by Executors and Administrators Trust Company Limited, or in respect of which it might have become entitled to act; and all powers, rights, immunities and privileges conferred upon or enjoyed by it under such trust, trust deed, deed, mortgage, indenture, conveyance, will, codicil, probate, letters of administration, judgment, order, appointment, or other document whatsoever, or in respect or by virtue of any trust howsoever created, shall be and are hereby as from the 30th day of September, 1965, vested in The Canada Trust Company upon the same trusts and with the same powers and subject to the same obligations and duties as are therein, thereby or in respect thereof respectively provided or imposed; and all trusts, trust deeds, deeds, mortgages, indentures, conveyances, wills, codicils, probates, letters of administration, judgments, orders, appointments or other documents whatsoever heretofore or hereafter made, naming or appointing Executors and Administrators Trust Company Limited to the office of executor, administrator, trustee, committee,

CANADA TRUST COMPANY AND EXECUTORS AND
ADMINISTRATORS TRUST COMPANY LIMITED

assignee, liquidator, receiver, registrar, transfer agent, guardian or curator, or to any other office or position whatsoever, or wherein any estate, money or other property, or any interest, possibility or right is intended to be heretofore or hereafter vested in or administered or managed by or put in charge of Executors and Administrators Trust Company Limited, shall be read, construed and given effect to as if The Canada Trust Company had been named therein in the place and stead of Executors and Administrators Trust Company Limited.

1967, c.94, s.1.

**Property of Executors and Administrators Trust Company
Limited vested in The Canada Trust Company**

2 As from the 30th day of September, 1965 all the lands, estates, leases, charges, mortgages, encumbrances, securities, assets, properties, real, personal or mixed, effects, rights, credits, choses in action and causes of action of every description belonging to or standing in the name of or existing in Executors and Administrators Trust Company Limited are transferred to and vest in The Canada Trust Company without further act, conveyance or other deed to and for the use and benefit absolutely of The Canada Trust Company, its successors and assigns, for all the estate, right, title, interest, claim and demand which the said Executors and Administrators Trust Company Limited had as at the 30th day of September, 1965, or thereafter becomes or may become entitled to; and the said The Canada Trust Company is hereby empowered to exercise all the powers, rights and privileges over or in respect of the same, or any of them, that Executors and Administrators Trust Company Limited has or had or could or might have exercised, and may sell, release, discharge, assign, transfer, convey, dispose of or otherwise deal with all or any of the said lands, estates, leases, charges, mortgages, encumbrances, securities, assets, properties, real, personal or mixed, effects, rights, credits, choses in action and causes of action aforesaid and execute all requisite or proper assignments, transfers, discharges, releases, deeds, grants or other conveyances or other documents whatsoever, as occasion therefor shall arise, and exercise all powers in connection therewith or with respect thereto in the name of The Canada Trust Company in the same manner as if they stood in the name of or had been made to or in favour of the said The Canada Trust Company; and no suit, action, appeal, application or other proceeding being carried on or power or remedy being exercised shall be discontinued or abated on account of this Act or of the purchase by The Canada Trust Company of all the business, undertaking and assets of Executors and Administrators Trust Company Limited, but the same may be continued in the name of The Canada Trust Company; and The Canada Trust Company has the same rights and is subject to the same liabilities and shall pay or receive the like costs as if such suits, actions, appeals, applications or other proceedings had been commenced or defended in the name of The Canada Trust Company; and The Canada Trust Company is empowered to bring, maintain, and exercise in its own name any suit, action, appeal, application or other proceeding or to exercise any power, right or remedy or right of distress which Executors and Administrators Trust Company Limited could have been or become entitled to bring, maintain or exercise.

1967, c.94, s.2.

Act valid grant without registration

3 This Act shall be and shall in all respects be treated, for the purposes of every land titles office, registry office and other public office whatsoever in the Province of Saskatchewan, and of any and all transactions therein and of the officers administering the same, as a legal and valid grant, conveyance, transfer and assignment to The Canada Trust Company of any and all lands or interests in lands and any and all mortgages, charges, encumbrances or other documents whatsoever and of any and all other property of every description real, personal or mixed, and whether under *The Land Titles Act*, *The Companies Act* or *The Bills of Sale Act*, or any other Act, or under any other system or form of registration, now or hereafter standing in the name of or vested in Executors and Administrators Trust Company Limited, whether as owner, trustee, liquidator or otherwise, and it shall not be necessary to register or file or issue this Act or any further or other instrument, document or certificate or to make any entry showing the transmission or assignment of title from Executors and Administrators Trust Company Limited to The Canada Trust Company of any such property, or in the case of lands under *The Land Titles Act* to have certificates of title issued in, or to have any mortgage, charge, encumbrance or other document whatsoever transmitted to the name of The Canada Trust Company, nor shall it be necessary in any instrument or document whereby The Canada Trust Company deals with any of the said property, to recite or set out such transmission or assignment of title or to pay any fees in connection with the grant or assignment hereby made or any of such property.

1967, c.94, s.3.

Rights of creditors preserved

4 Nothing in this Act affects the rights of any creditor of, or any person having a claim against, either of the said companies, or impairs, modifies or affects the liability of Executors and Administrators Trust Company Limited in respect of any trust or trust estate which by or under this Act becomes vested in The Canada Trust Company; but all such rights may be asserted against The Canada Trust Company, which shall be responsible for all debts, liabilities and obligations of Executors and Administrators Trust Company Limited.

1967, c.94, s.4.

Coming into force

5 This Act comes into force on the day of assent but is retroactive and shall be deemed to have been in force on and from the 30th day of September, 1965.

1967, c.94, s.5.

