



CHAPTER 51.

An Act respecting the Territorial Division of British Columbia for Judicial and other purposes.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short Title.

1. This Act may be cited as the "Counties Definition Act." 1895, Short title. c. 10, s. 1.

PART I.

COUNTIES.

2. For all purposes relating to the administration of justice, and where it is not hereafter otherwise provided in an Act relating to a special branch thereof, and for all other purposes dealt with in any Act wherein the provisions hereof shall be incorporated or referred to, the Province shall be divided in the manner hereinafter provided, which divisions shall be known and described as "Counties":

(1.) THE COUNTY OF VICTORIA

County of Victoria.

Shall consist of that portion of the Province contained within the following boundaries:—

Commencing at a point on the west shore of Saanich Inlet, being the south-east corner of Shawnigan District; thence due west along the southern boundary of Shawnigan District, and on a line in continuation thereof to its intersection with the shore line of the west coast of Vancouver Island; thence in an easterly direction, following the shore line, to Race Islands; thence in a northerly direction, following the shore line, to the northern point of Saanich Peninsula; thence across Saanich Inlet to point of commencement; together with Salt Spring, Galiano, Mayne, Pender, Samuel, Saturna, Tumbo, Moresby, Portland, Prevost, Narrow, Sidney, James, Coal, and Pier Islands, and all islets adjacent thereto.

County of Nanaimo.

(2.) THE COUNTY OF NANAIMO

Shall consist of that portion of the Province contained within the following boundaries:—

Commencing at a point on the west shore of Saanich Inlet, being the south-east corner of Shawnigan District; thence due west along the southern boundary of Shawnigan District, and on a line in continuation thereof to its intersection with the shore line on the west coast of Vancouver Island; thence in a northerly direction, following the shore line, to Cape Scott; thence, including Cox and Lanz Islands, to Cape St. James, Queen Charlotte Islands; thence northerly, following the western shore of Queen Charlotte Islands, to the north-west point of North Island; thence north-easterly to the southern extremity of Prince of Wales Island; thence northerly, following the western boundary of British Columbia to its intersection with the 60th parallel of latitude; thence due east along the 60th parallel of latitude to the 126th meridian; thence due south, following the 126th meridian to the 52nd parallel of latitude; thence due east along the said parallel to the 125th meridian; thence due south along the said meridian to the 51st parallel of latitude; thence due east along the 51st parallel to the 124th meridian; thence due south along said meridian to a point at the north end of Jervis Inlet, where it meets a line drawn due west from the Town of Lytton (being the north boundary of Westminster District); thence southerly, following the centre of Jervis Inlet, to a point opposite Scotch Fir Point; thence southerly along the centre of Malaspina Strait and Strait of Georgia to the southern point of Valdes Island; thence south-westerly to the shore line of Vancouver Island; thence following the shore line of Vancouver Island to the point of commencement; including Texada, Lasqueti, Gabriola, DeCoursey, Valdes, Thetis, Kuper, Reid, and all other small islands adjacent thereto not included in any other County.

County of Vancouver.

(3.) THE COUNTY OF VANCOUVER

Shall consist of that portion of the Province contained within the following boundaries:—

Commencing at a point at the north-west corner of Lot 758, Group 1, New Westminster District; thence due south to the shore line of Fraser River; thence south-westerly along the centre of Fraser River, including Lots 517, 516, 458, 531, 532, 533, 534, 535, to Point Garry; thence north-westerly, following the shore line past Queen Charlotte Channel and Collingwood Channel, including all islands adjacent thereto, to a point at the centre of the mouth of Jervis Inlet, opposite Scotch Fir Point; thence northerly along the centre of Jervis Inlet to a point near its head (being also the south-west corner of Cariboo County); thence due east to a point due north from the north-east corner of Lot 819, Group 1, New Westminster District; thence due

south to the said north-east corner of Lot 819, Group 1, New Westminster District, being the north end of North Arm of Burrard Inlet; thence southerly, following the west side of the North Arm of Burrard Inlet, to a point at the southern extremity of Lot 230, Group 1; thence westerly to the north-west corner of Lot 186, Group 1, New Westminster District; thence southerly along the western boundary of Lots 186, 116, 117, 118, 69, 68, 35, 33, 150, 175, and 161 to the north shore of the North Arm of Fraser River; thence southerly and easterly along said North Arm of Fraser River to point of commencement.

(4.) THE COUNTY OF WESTMINSTER

County of Westminister.

Shall consist of that portion of the Province contained within the following boundaries:—

Commencing at a point on the Strait of Georgia at the intersection of the 49th parallel, being also the south-west corner of Section 3, Range 5, New Westminster District; thence northerly, following the shore line to the entrance of the Fraser River; thence easterly, following the shore line of the Fraser River to a point at the south-west corner of Lot 758, Group 1, New Westminster District, including the islands known as Lots 456, 457, 452, 471, 136, 135, 351, 257, 312, 251, and Poplar Island; thence north to the north-west corner of Lot 758, Group 1, New Westminster District; thence westerly along the North Arm of Fraser River to a point at the south-west corner of Lot 161, Group 1, New Westminster District; thence north along the western boundary of Lots 161, 175, 150, 33, 35, 68, 69, 118, 117, 116, and 186, to the shore line of Burrard Inlet; thence easterly to the entrance of North Arm of Burrard Inlet; thence following the western shore of said North Arm of Burrard Inlet, including all islands adjacent, to a point at the north-east corner of Lot 819, Group 1, New Westminster District; thence north to the north-east corner of the County of Vancouver; thence due east on a line in the direction of the Town of Lytton to a point being the north-east corner of Westminister Electoral District; thence due south to a point at the intersection of a line drawn due east and west, through the 27th Mile Post from Yale; thence due east to the trail from Princeton to the Forks of Coldwater River; thence south-easterly along said trail to a point two miles west of Princeton; thence due south to the 49th parallel; thence due west along the 49th parallel to point of commencement.

(5.) THE COUNTY OF YALE

County of Yale.

Shall consist of that portion of the Province contained within the following boundaries:—

Commencing at a point on the 49th parallel ten miles west of the Columbia River; thence west along the 49th parallel to a point being the south-east corner of Westminister County; thence due north to

a point two miles west of Princeton; thence north-westerly along the trail from Princeton to the Forks of Coldwater River and Nicola River, crossing the Nicola River at a point about ten miles below Nicola Lake; thence north-westerly, crossing the Thompson River at a point one mile west of Savonas Ferry, continuing in a direct line to a point due west of Meridian Bend; thence due east to the North Thompson River (near Meridian Bend); thence north-easterly in a direct line for about 65 miles to a point 20 miles west of the boundary of Kootenay County (hereinafter described); thence due east, passing three miles north of Seymour, to the said boundary of Kootenay County; thence southerly along the said boundary to the point of commencement.

County of Cariboo.

(6.) THE COUNTY OF CARIBOO

Shall consist of that portion of the Province contained within the following boundaries :—

Commencing at a point west of the Town of Lytton, being the north-east corner of Westminster County; thence due west to the 124th meridian; thence due north along said 124th meridian to the 51st parallel of latitude; thence due west along the said 51st parallel to the 125th meridian; thence due north along said 125th meridian to the 52nd parallel of latitude; thence due west along said 52nd parallel to the 126th meridian; thence due north along said 126th meridian to 60th parallel of latitude; thence due east along said 60th parallel to the 120th meridian; thence due south along said 120th meridian, being also the eastern boundary of the Province of British Columbia to the 54th parallel of latitude; thence south-easterly, following the said eastern boundary of the Province to the intersection of the north boundary of East Kootenay District (hereinafter described); thence southerly, following the western boundaries of East and West Kootenay Districts to the northern boundary of Yale County; thence westerly, following the northern boundary of Yale County to the north-west corner of Yale County; thence south along the western boundary of Yale County to a point where it meets the eastern boundary of Westminster County; thence westerly and northerly along boundary of Westminster County to the point of commencement.

County of Kootenay.

(7.) THE COUNTY OF KOOTENAY

Shall consist of that portion of the Province contained within the following boundaries :—

Commencing at a point on the 49th parallel ten miles west of the Columbia River; thence northerly, following the general course of the Columbia River and distant from it ten miles, to the intersection of the Canoe River; thence in a north-easterly direction to a point on the 118th meridian, being the summit of the Rocky Mountains and the

eastern boundary of the Province of British Columbia; thence southeasterly, following the said eastern boundary of the Province to the 49th parallel; thence westerly along the 49th parallel to point of commencement. 1895, c. 10, s. 2.

3. The limits of all Counties bounded, or partially bounded, by the sea shall extend to the boundary of the jurisdiction of the Courts of the Province, and the limits of all Counties on any inlet, gulf or strait, lake, bay or river shall extend to the middle of the said inlet, gulf or strait, lake or bay, and to the middle of the main channel of said river, and unless herein otherwise provided, shall also include all the islands the whole or the greater part of which are comprised within the outlines of said Counties prolonged. 1895, c. 10, s. 3.

Limits of Counties bounded by the sea.
Inlets, lakes, rivers.
Islands.

4. The Lieutenant-Governor may by Proclamation annex any gore or small tract of land, not forming part of any County, to any County, or partly to each or more Counties than one to which it may be adjacent, and may in the same manner settle any doubt which may at any time arise or exist in regard to the boundaries on the ground of any County, and such gore or tract shall thenceforward for the purposes of this Act form part of the County to which it is annexed, and the boundaries so settled shall thenceforward be the boundaries between the Counties affected for the distance specified. 1895, c. 10, s. 4.

Lieut.-Governor may annex small tracts of land, settle doubts, etc.

5. Any Sheriff, the boundaries of whose bailiwick are altered hereby, may, notwithstanding the passage of this Act, proceed upon and complete the execution or service within the limits of his old bailiwick of any mesne or final process in his hands at the time of the passing of this Act, or of any renewal of such process, or of any subsequent process in the same suit; and the acts of such Sheriff in that behalf shall be and be held and construed to be legal and valid in the same manner and to the same extent as if this Act had not been passed. 1895, c. 10, s. 7.

Process in hands of Sheriff not affected.

6. All Judges, Registrars, Sheriffs, Clerks of the Peace, Officers, or other persons appointed to or discharging any public duties in relation to the administration of justice shall, upon the coming into force of this Act, have jurisdiction and authority without further appointment within the limits of the County or Counties substituted for the former territorial division or divisions within which they, or any of them, theretofore exercised such jurisdiction or authority. 1895, c. 10, s. 8.

Judges, Registrars, Sheriffs, etc., have jurisdiction.

PART II.

SUPPLEMENTARY.

County of "South Kootenay" may be established by Order in Council.

7. Notwithstanding any provision in Part I. of this Act, or in any other Act contained, it shall be lawful for the Lieutenant-Governor in Council by Order in Council to constitute, establish and define the limits of a County for the purpose of more effectually providing for the administration of justice, and for the administration of the estates of deceased persons within the limits thereof, to be known as the County of "South Kootenay," and to alter, vary or amend the same by any subsequent or further Order in Council; the County so established shall include within the limits thereof such portions of the County of Kootenay and, if deemed advisable, the County of Yale, as the Lieutenant-Governor in Council may deem expedient. 1897, c. 5, s. 2.

Duration of County of "South Kootenay."

8. Upon and from the date fixed therefor by any Order in Council passed under the provisions of section 7 hereof, the County of South Kootenay shall, so long as such Order in Council remains in force, be a County within the meaning of section 2 of this Act, and the boundaries of the County of Kootenay and of the County of Yale shall, so far as is necessary to give effect to the provisions of such Order in Council, be altered and reduced. 1897, c. 5, s. 3.

9. The provisions of Part I. of this Act shall, to the extent provided by the Order in Council establishing such County, or by any subsequent Order in Council relating thereto, apply to the County of South Kootenay when the same shall have been constituted and established under this Act. 1897, c. 5, s. 4.

Powers of Lieut.-Governor in Council respecting administration of justice.

10. The Lieutenant-Governor in Council shall have and may exercise in respect of the County of South Kootenay, when the same shall have been constituted and established under this Act as aforesaid, all the powers and authorities which are conferred upon and vested in the Lieutenant-Governor in Council under and by virtue of the "Supreme Court Act," the "County Court Act," the "Jurors Act," the "Sheriffs Act," and the "Official Administrators Act," and by any other Act relating to the administration of justice or to the estates of deceased persons, and whether any such power be conferred in respect of a County or of any special class of districts in any such Act mentioned or established. 1897, c. 5, s. 5.

Lieut.-Governor may establish subdivisions for registries, appoint Sheriffs, etc.

11. Notwithstanding any provision to the contrary in any Act contained it shall be lawful for the Lieutenant-Governor in Council from time to time, for the purpose of the local administration of the provisions of the Acts in section 10 hereof mentioned and referred to,

and any or either of them, to subdivide any County, including the County of South Kootenay, when established under this Act as aforesaid, and to establish within and for any such subdivision all such registries, sub-registries and offices, and to appoint all such registrars, sheriffs, deputies and officers as under the provisions of the said Acts in section 10 hereof mentioned and referred to, and any or either of them, may lawfully be established and appointed, as the case may be, within and for any County, or within and for any district established and provided by any of the said Acts: Provided that, notwithstanding any such provision in any Act as aforesaid, it shall also be lawful for the Lieutenant-Governor in Council from time to time, for the purpose of the local administration of the said Acts in paragraph 10 hereof mentioned as aforesaid, and without such subdivision, to establish within and for any portion of any County, including the County of South Kootenay when established under this Act as aforesaid, all such registries, sub-registries and offices, and to appoint all such registrars, sheriffs, deputies and officers as under the provisions of the said Acts in section 10 hereof mentioned, and any or either of them, may lawfully be established and appointed within and for any County, or within and for any District established and provided by any of the said Acts:

(1.) The Lieutenant-Governor in Council may from time to time by Order in Council, provide all such Rules and Regulations or Rules of Court as may be necessary or expedient for carrying out or administering the provisions of any such Acts, and the provisions of this section, within any County, District or locality 1897, c. 5, s. 6. Rules and regulations.

12. Every Stipendiary Magistrate and Justice of the Peace or other officer residing within the limits of South Kootenay as and when constituted under the provisions of this Act shall, in addition to any other jurisdiction lawfully vested in him, have territorial jurisdiction over the whole of the said County. 1897, c. 5, s. 7. Jurisdiction of Magistrates, etc.

13. Nothing in this Part of this Act shall be deemed to in any way alter, affect or abridge the jurisdiction and powers of any County Court, or of the Judge of any County Court. 1897, c. 5, s. 8. Jurisdiction of County Courts not affected.

VICTORIA, B. C. :

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