



CHAPTER 50.

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

HIS 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." Short title
R. S. 1897, c. 51, s. 1.

PART I.

COUNTIES.

2. For all purposes relating to the administration of justice, and where it is not 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." Division of Province
into 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 south 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 a northerly direction following the shore-line to Cape Scott; thence easterly and southerly following the shore-line of Vancouver Island to the point of commencement, including the whole of Vancouver Island, except the portion thereof embraced in Victoria County, and including all islands not included in the Counties of Victoria and Vancouver.

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 the Fraser River; thence south-westerly along the centre of the Fraser River, including Lots 517, 516, 458, 531, 532, 533, 534, and 535, to Point Garry; thence north-westerly on a line drawn through Sabine Channel, Discovery Passage, and Johnston Strait to Cape Scott; thence westerly, including Lanz and Cox Islands; thence north-westerly to the most southerly end of Queen Charlotte Islands; thence north-easterly to the point where the fifty-third parallel of north latitude intersects the south end of Campania Island; thence due east along the fifty-third parallel to the intersection of the one hundred and twenty-sixth meridian of longitude with the fifty-third parallel of north latitude; thence due south, following the said one hundred and twenty-sixth meridian to the fifty-second parallel of north latitude; thence due east along the said fifty-second parallel of latitude to the one hundred and twenty-fifth meridian; thence due south along the said one hundred and twenty-fifth meridian to the fifty-first parallel of latitude; thence due east along the said fifty-first parallel of latitude to the one hundred and twenty-fourth meridian; thence due south along the said one hundred and twenty-fourth 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 the County of Westminster produced westerly); thence due east along the said line (being the northern boundary of the County of Westminster produced westerly) to the north-west corner of the County of Westminster; thence southerly along the western boundary of the County of Westminster to the point of commencement.

(4.) THE COUNTY OF WESTMINSTER.

County of
Westminster.

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 forty-ninth parallel, being also the south-west corner of Section 3, Township 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 the 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 the North Arm of Burrard Inlet; thence following the western shore of the 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 to the westerly boundary of the British Columbia Railway Belt; thence southerly along the westerly boundary of the Railway Belt to the south-east corner of Township 11, Range 29, west of the sixth meridian; thence due east along the south boundaries of Township 11, in Ranges 29, 28, 26, 25, 24, and 23, west of the sixth meridian, to the south-east corner of Township 11, Range 23, west of the sixth meridian; thence east to the north-east corner of Township 10, Range 23, west of the sixth meridian, being the north-east corner of the County of Westminster; thence southerly following the easterly boundary of the Railway Belt to the forty-ninth parallel of north latitude, being the south-east corner of the County of Westminster; thence due west along the forty-ninth parallel of north latitude to the 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 the intersection of the fifty-fourth parallel of north latitude with the one hundred and twentieth meridian of longitude; thence southerly following the eastern boundary of the Province of British Columbia to its intersection with the north boundary of the County of Kootenay; thence southerly along the westerly boundary of the County of Kootenay to the International Boundary on the forty-ninth parallel of north latitude; thence westerly along the International Boundary to a point being the south-east corner of the County of Westminster; thence northerly

along the easterly boundary of the County of Westminster to the south-east corner of Township 11, Range 23, west of the sixth meridian; thence northerly along the east boundary of Townships 11 to 24, Range 23, west of the sixth meridian, to the northerly boundary of the British Columbia Railway Belt; thence following the watershed of Deadman's River and the North Thompson River to Black Creek; thence midway between Mahood and Canoe Lakes and following the watershed of the Clearwater River and Lakes to the intersection of the fifty-third parallel of north latitude with the one hundred and twentieth meridian of longitude; thence north along the one hundred and twentieth meridian of longitude to the place 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 the intersection of the one hundred and twenty-sixth meridian of longitude with the sixtieth parallel of north latitude; thence south along the one hundred and twenty-sixth meridian of longitude to its intersection with the fifty-second parallel of north latitude; thence east and south along the easterly boundary of the County of Vancouver to the north-west corner of the County of Westminster; thence easterly along the north boundary of the County of Westminster to its north-east corner; thence northerly following the westerly boundary of the County of Yale to the intersection of the fifty-fourth parallel of north latitude with the one hundred and twentieth meridian of longitude; thence north along the one hundred and twentieth meridian of longitude to the sixtieth parallel of north latitude; thence west along the sixtieth parallel of north latitude to the place 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 forty-ninth 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 one hundred and eighteenth meridian, being the summit of the Rocky Mountains and the eastern boundary of the Province of British Columbia; thence south-easterly following the said eastern boundary of the Province to the forty-ninth parallel; thence westerly along the forty-ninth parallel to point of commencement.

County of Atlin.

(8.) THE COUNTY OF ATLIN

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

Commencing at the intersection of the fifty-third parallel of north latitude with the one hundred and twenty-sixth meridian of longitude; thence west along the said fifty-third parallel to a point on the south end of Campania Island; thence south-westerly to the most southerly end of the Queen Charlotte Islands; thence in a northerly direction, including the Queen Charlotte Islands, to Cape Muzon; thence easterly and to the north of Dundas Island to Oriflamme Passage; thence following the International Boundary-line between British Columbia and Alaska to the sixtieth parallel of north latitude; thence easterly along the sixtieth parallel of north latitude to its intersection with the one hundred and twenty-sixth meridian of longitude; thence south along the one hundred and twenty-sixth meridian of longitude to the point of commencement. R. S. 1897, c. 51, s. 2 (*part*); 1899, c. 17, s. 2; 1911, c. 13, ss. 2, 3, 4, 5, 6.

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 the 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 the said counties prolonged. R. S. 1897, c. 51, 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. R. S. 1897, c. 51, s. 4.

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

5. Any Sheriff, the boundaries of whose bailiwick are at any time altered, may, notwithstanding such alteration, 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 alteration, or of any renewal of such process, or of any subsequent process in the same unit; 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 such alteration had not been made. R. S. 1897, c. 51, s. 5.

Process in hands of Sheriff not affected.

PART II.

SUPPLEMENTARY.

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

6. 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, 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. R. S. 1897, c. 51, s. 7.

Duration of County of South Kootenay.

7. Upon and from the date fixed therefor by any Order in Council passed under the provisions of section 6 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. R. S. 1897, c. 51, s. 8.

Part I. to apply to South Kootenay when established.

8. 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. R. S. 1897, c. 51, s. 9.

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

9. 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 Courts Act," the "Jurors Act," the "Sheriffs Act," and the "Administration 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. R. S. 1897, c. 51, s. 10.

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

10. 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 9 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 9 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 section 9 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 9 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.

11. The Lieutenant-Governor in Council may from time to time, ^{Rules and regulations.} by Order, 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 of the Acts referred to in section 9, and of this Act, within any county, district, or locality. R. S. 1897, c. 51, s. 11.

12. Every Stipendiary Magistrate and Justice of the Peace or other officer residing within the limits of South Kootenay as and ^{Jurisdiction of Magistrates, etc.} 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. R. S. 1897, c. 51, s. 12.

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 ^{Jurisdiction of County Courts not affected.} County Court, or of the Judge of any County Court. R. S. 1897, c. 51, s. 13.

VICTORIA, B. C. :

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