{ L. S. }

BRITISH COLUMBIA.

ANNO TRICESIMO UNO

VICTORIÆ REGINÆ.

* *

No. 3.

An Ordinance respecting the Supreme Courts of Justice of British Columbia.

[1st *May*, 1868.]

WHEREAS, before and at the time of the passing of "The British Columbia Act, 1866," there were within the limits of the present Colony of British Columbia two Supreme Courts of Justice, having jurisdiction respectively the one over the then Colony of Vancouver Island, and the other over the then Colony of British Columbia; Preamble.

And whereas certain doubts have arisen as to the respective powers and jurisdiction of the said two Courts, and of the Judges thereof, since the passing of the said Act and the Union of the said two Colonies thereunder;

And whereas it is desirable that such doubts should be removed, and further, that the Law relating to the Sheriff of British Columbia should be regulated as hereinafter is mentioned;

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

I. All the jurisdiction, powers, and authorities which, before the passing of "The British Columbia Act, 1866," were by law vested in, and had, and exercisable by, the Supreme Court of Civil Justice of the Colony of Vancouver Island, and in and by the Chief Justice thereof, both in Civil and Criminal matters and proceedings, shall be deemed and taken to have continued so vested in, and to have been had and exercisable by, the said Court and the said Chief Justice thereof, as if the said Act had not been passed. Powers and jurisdiction of the Supreme Court of Vancouver Island.

II. All the jurisdiction, powers, and authorities which before the passing of the "British Columbia Act, 1866," were by Law vested in and had and exerciseable by the Sheriff of Vancouver Island for the time being, in all matters, process, and proceedings, Civil as well as Criminal, and before all Courts in the said Island, under or by virtue of the Order in Council of the 4th day of April, A. D. 1856, shall be deemed and taken to have been and to continue during the pleasure of the Governor vested in the High Sheriff for the time being of British Columbia, as and from the 19th day of November, A. D. 1866. Powers of Sheriff.

III. The provisions of the "Sheriffs' Ordinance, 1867," shall be deemed and taken to extend and apply, and to have extended and applied, to that part of British Columbia heretofore known as the Colony of Vancouver Island and its Dependencies, as and from the passing of such Ordinance. Applies "Sheriffs' Ordinance, 1867.

IV. Whenever

Interpretation Clause.

IV. Whenever in any of the Ordinances made and passed in the last Session of the Legislature of this Colony, the words "The Supreme Court," "The Supreme Court of Civil Justice," "The Supreme Court of Civil Justice of British Columbia," or other superior "Courts" shall occur, the same shall henceforward, and unless repugnant to the plain sense of the context be and be deemed to have been, from the date of the passing of such Ordinances respectively, for the Mainland "The Supreme Court of Civil Justice of British Columbia;" for Vancouver Island and its Dependencies "The Supreme Court of Civil Justice of the Colony of Vancouver Island."

Short Title.

V. This Ordinance may be cited for all purposes as "The Courts Declaratory Ordinance, 1868."

Passed the Legislative Council the 29th day of April, A. D. 1868.

CHARLES GOOD, *Clerk of the Council.*

WILLIAM A. G. YOUNG, *Presiding Member.*

Assented to, in Her Majesty's name, this 1st day of May, 1868.

FREDERICK SEYMOUR,
Governor.

NEW WESTMINSTER:

PRINTED AT THE GOVERNMENT PRINTING OFFICE.