

**14.** If either of the parties require such jury he shall proceed in the manner pointed out by the one hundred and twentieth section of the Act respecting Division Courts, or may make a request to have a jury impanelled, at any sittings of the Court, and if the judge requires a jury, such jury shall be summoned under the one hundred and thirty-second section of the said Act respecting Division Courts.

Mode of requiring or ordering a Jury trial.

**15.** Any jury summoned and returned to try any controverted fact under this Act, or under the said one hundred and thirty-second section of the said Act respecting Division Courts, shall be sworn or affirmed (in cases where affirmation is allowed by law instead of an oath) "Well and truly to try such controverted fact or facts as may be in dispute or issue between the parties, and to give a true verdict according to the evidence," and such jury shall not be sworn under the one hundred and thirty-first section of the said Act.

How the Jury shall be sworn or affirmed.

#### *Affidavit.*

**15 16.** The affidavit or affirmation referred to in the one hundred and third section of the Act respecting Division Courts may, if made out of Upper Canada, be taken before the Judge of any Court of Record, or before the Mayor of any City or Town, or before a Notary Public.

As to affidavit, &c., made out of U. C.

#### *Appeals.*

**17.** Appeals shall be allowed from the Division Courts to a Superior Court of Common Law in all actions or suits brought on Promissory Notes or Bills of Exchange, where the debt or damages claimed exceed one hundred dollars.

Allowed in cases on Notes over \$100.

**18.** The sections of the Consolidated Statutes for Upper Canada, chapter fifteen, numbered sixty-seven and sixty-eight are hereby extended to the Division Courts, and also to actions or suits therein, and to parties thereto (within the meaning of the preceding section) in so far as the same can be made applicable.

Sects. 67, 68 of Con. Stat. U. C., c. 19, extended.

**19.** Whenever the words "Superior Court" or "County Court," or "Superior" or "County," or "Sheriff" or "Court," are or is made use of and occurs in either of the said sections of the Common Law Procedure Act, or in either of the said sections of the Consolidated Statutes for Upper Canada, enumerated in this Act, they shall be taken to mean "Division Court," or "Division" or "Bailiff of Division Court," as may best suit the context so as to apply the provisions of the said sections to the purposes of this Act, and the objects contemplated hereby.

Interpretation clause for provisions hereby extended to Division Courts.

**20.** This Act and the said Division Courts Act, and the several sections of the Common Law Procedure Act, and the several sections of the Consolidated Statutes for Upper Canada, chapter fifteen, chapter twenty-five and chapter thirty-two enumerated in this Act, in so far as any suit, plaint or proceeding authorised by this Act, is concerned shall be read as if they formed one Act, or part of the said Division Courts Act.

The extended provisions to form one Act with this and the Division Courts Act.

**21.** This Act shall apply to Upper Canada only, and shall come into force on the first day of January, A.D., 1864, and not before.

Commencement of this Act.