

**Proviso.** provided always that hereafter it shall be no ground for granting a certificate for County Court or Superior Court costs in any suit within the jurisdiction of a Division Court, that it was necessary to issue a Commission in such suit.

### *Absconding Debtors.*

**Sects. 23 to 28 of cap. 25 Con. Stat. U. C. extended.** **6.** In order to facilitate the recovery of debts and judgments in the Division Courts by attachment against absconding debtors. The sections of the Consolidated Statutes for Upper Canada, chapter twenty-five, numbered from twenty-three to twenty-eight, both inclusive, are hereby extended to the Division Courts. 5

**Suits by Bailiffs.** **7.** When a Bailiff of a Division Court sues to recover the outstanding debts of an absconding debtor, the action or suit may be brought in any Court of competent jurisdiction. 10

**Sect. 199 of cap 19 of Con. Stat. U. C. extended.** **8.** The one hundred and ninety-ninth section of the Division Court Act is hereby extended to any debt or demand within the jurisdiction of the Division Courts, as increased by this Act, and to any person or persons so indebted. 15

### *Executions.*

**Renewal of writs of execution.** **9.** Every writ of Execution (if unexecuted) may at any time, and from time to time before its expiration be renewed by the party issuing it for thirty days from the date of such renewal, by being marked in the margin with a memorandum to the effect following: Renewed for thirty days from the day of A. D., 18—, signed by the clerk of the Division Court, who issued such writ, or by his successor in office; and a writ of execution so renewed shall have the effect and be entitled to priority according to the time of the original delivery thereof to the Bailiff. 22 Vic., c. 22, s. 249, Con. Stat. U. C. 20

**Evidence of renewal.** **10.** The production of a writ of execution, marked as renewed in manner aforesaid, shall be sufficient evidence of its having been so renewed. 22 Vic., c. 22, s. 250, Con. Stat. U. C.

**Costs.** **11.** The cost of a renewal of an execution shall be the same as for the original writ of execution. 30

### *New Trials.*

**New trials may be granted, except in certain cases.** **12.** Except in cases of appeal under the Municipal Assessment Act, the Judge, upon the application of either party, within fourteen days after the trial, and upon good grounds being shewn, may grant a new trial upon such terms as he thinks reasonable, in all matters, plaints, suits, controversies, or questions which shall have been or may be tried before him, and may in the mean time stay proceedings therein. 35

### *Jury in Interpleader and other cases.*

**Jury trial may be granted or ordered in certain cases.** **13.** Either party may require a jury to try any fact controverted in any case under the one hundred and seventy-fifth section of the Act respecting Division Courts, or any fact controverted in any action of Replevin brought in a Division Court, or any fact arising under any proceeding under this Act, or the Judge before whom any such fact is controverted may, if he thinks proper, order the same to be tried by a jury. 40