

**An Act to extend the Jurisdiction of the Division Courts,
and to amend the laws relating to the said Courts.**

WHEREAS it is desirable that the jurisdiction of the Division Courts of Upper Canada should be extended, and that the law in relation to the said Courts should be amended as hereinafter mentioned ; Therefore Her Majesty, &c., enacts as follows :

Preamble.

5 I. If parties between whom differences have arisen shall agree by memorandum signed by them in presence of any Clerk of a Division Court or that the Judge of any particular Division Court to be named in such memorandum shall have power to hear and determine their cause of
10 action, claims and demands, the Judge acting and presiding over such Division Court shall have power and jurisdiction so to do ; Provided the subject matter of difference shall be upon a cause or causes of action not exceeding Fifty Pounds in amount, and shall not be within the subjects excepted from the jurisdiction of the Division Courts by the first
15 section of the Upper Canada Division Courts Extension Act of 1853 ; And every such memorandum shall be filed with the Clerk of the Court in which the case is to be heard ; and it shall confer upon the said Court jurisdiction, power and authority to hear and determine the matter so referred ; And upon such memorandum being filed, the plaintiff
20 may enter his claim, and sue out a summons thereon, as in ordinary cases ; And the proceedings in such suit may be conducted and continued to judgment and execution, irrespective of the amount claimed and recovered, so as the same do not exceed Fifty Pounds, in the same manner as other suits cognizable in a Division Court may be conducted
25 and continued under the provisions of the Upper Canada Division Courts Acts ; And the judgments in such suits shall have the same force and effect in all respects as any other judgment of the Court.

The parties to any case under fifty pounds, not being of such nature as the Division Courts are forbidden to take cognizance of, may agree that the case be determined in any Division Court in the usual manner.

II. And in amendment of the proviso in the 24th section of the Upper Canada Division Courts Act of 1850 ; Be it enacted as follows : Personal service of original, alias, or pluries summons, shall not be necessary
30 in any case where the amount claimed shall not exceed Ten Pounds.

Sec. 24 of 13 and 15 V., c. 53, amended as regards personal service.

III. The first section of the Act of the Parliament of Upper Canada passed in the third year of the reign of King William the Fourth, chapter seven, shall extend to Division Courts and to summonses and process
35 issued therefrom, provided that service of summons may be effected on a Railway Company by delivering a copy thereof to the Secretary, Station Master, or Clerk of the defendant, at any station or office of the defendant within the County in which the summons issues.

Sec. 1 of Act of U. C. 3 W. 4, chap. 7, extended to Division Courts. Proviso.