

unless in tort or replevin when the amount must be over \$20.

In the Division Court also, even if the parties have not demanded trial by jury, the Judge may have any fact or facts controverted in the cause tried by a jury. This provision was introduced in 1853 by the Statute 16 Victoriae (Can.), c. 177, s. 11, and has been in force continuously ever since.

In the Division Court the jury is composed of five persons; in all other Courts of twelve.

The number of cases tried in the Division Court with a jury is very small indeed, almost negligible. In the Division Court in Toronto last year were tried 2,853 cases without a jury, and one with a jury.

The official report of the Inspector of Division Courts for 1913, just to hand, shows that in 1913 the total number of suits entered in these Courts in the whole Province was 63,675.

And the number of juries called for 117, a little less than one-fifth of one per cent.

The whole amount claimed in the suits brought was about two and a half millions; the cost of the juries averaged a few cents over \$10.

In the Surrogate Court at Toronto, *i. e.*, the Surrogate Court of the County of York, there never has been a case tried with a jury, and extremely few in the Province. (I know of only two in my thirty years' experience.) There were six cases tried in Toronto without a jury in 1913.

In the County Court at Toronto there came on for trial at the jury sittings 67 cases, of these the jury notice was struck out in 13, leaving 54 actually tried with a jury.