

directed, and judgment may be obtained, and execution issued against such person, notwithstanding others jointly liable may not have been served or sued; reserving always to the person against whom execution may issue, any right which he may have to demand contribution from any other person jointly liable with him.

them, saving his recourse.

XXVIII. And be it enacted, that the Judge of the District Court, or his Deputy as aforesaid, shall be the sole Judge to determine all actions brought in the said Division Courts, in the summary manner authorized by this Act, and all matters and questions of fact relating thereto, except when the amount claimed shall exceed two pounds ten shillings, and either of the parties shall require a jury to be summoned, as hereafter mentioned.

The Judge of the District Court to be the sole Judge in matters decided in Division Court.

XXIX. And be it enacted, that in all actions where the sum of money sought to be recovered shall exceed two pounds ten shillings, it shall be lawful for the Plaintiff or Defendant to require a jury to be summoned to try the said action, and in every such case a jury shall be summoned according to the provisions hereinafter contained, to try such action: Provided always, that if the Plaintiff require a jury to be summoned, he shall give notice in writing to the Clerk of the said Court at the time when he shall enter his account or demand, and if the Defendant shall require a jury to be summoned, he shall give to the said Clerk, or leave at the office of the said Clerk, the like notice in writing within five days after the service of the summons on the said Defendant, and the said Clerk shall cause a copy of such notice given either by the Plaintiff or Defendant, to be communicated to the opposite party in the said action, either by post or by causing the same to be delivered at his usual place of abode or business, but it shall not be necessary for either party to prove on the trial that such notice was communicated to the other party by the Clerk.

Where the sum claimed shall exceed £2 10 0. a Jury may be required.

Proviso.

Notice in writing to be given by the party requiring the Jury.

XXX. And be it enacted, that every party requiring any jury to be summoned shall at the time of giving the notice hereby required, and before he shall be entitled to have such jury summoned pay to the Clerk of the said Court, such sum of money as is set down in the schedule of fees, for the time being, for or towards the payment of the expenses of the said jury.

The party on giving notice shall pay to the Clerk such sum as is set down in the schedule of fees.

XXXI. And be it enacted, that the causes which are to be heard by the Judge alone shall be set down for hearing in a separate list from the list of causes which are to be tried by a jury, which two lists shall be severally called, "The Judge's List," and "The Jury List," and the causes shall be set down in such lists in the order in which they were entered in the first instance with the Clerk of the Division Court, and "The Jury List," shall be first disposed of, and then "The Judge's List."

Causes to be set down in the "Judge's list".

Causes to be set down in the "Jury's list".

XXXII.