

**Proviso.** trading or dealing, shall be deemed a good service of such summons: Provided always, that personal service of such summons on the debtor shall be necessary in all cases where the amount or damages sued for exceeds the sum of forty shillings. 5

**At what Division Court any suit may be brought.** XXV. And be it enacted, That all suits brought under this Act shall be tried at the Court holden for the Division wherein the Defendant, or where there shall be more than one Defendant, wherein any one of the Defendants shall dwell or carry on his business at the time of entering the account or demand, or at the Court holden for the Division within which the debt was contracted [or the tort or trespass committed, unless otherwise specially ordered by the Judge.] 10

**Plaintiff may not divide his claim, but may abandon the excess above a certain amount.** XXVI. And be it enacted, That it shall not be lawful for any plaintiff to divide any cause of action into two or more suits for the purpose of bringing the same within the jurisdiction of any Division Court, but any plaintiff having a cause of action above the value of twenty-five pounds, in which a suit might be brought under this Act, if the same were not above the value of twenty-five pounds, may abandon the excess, and thereupon the plaintiff shall, on proving his case, recover to an amount not exceeding twenty-five pounds, and the judgment of the Court upon such suit shall be in full discharge of all demands in respect of such cause of action, and the entry of judgment shall be made accordingly. 15 20 25

**Minors may sue for wages.** XXVII. And be it enacted, That it shall be lawful for any one under the age of twenty-one years to prosecute any suit in any Division Court under this Act, for any sum of money not exceeding twenty-five pounds which may be due to him or her for wages, in the same manner as if he or she were of full age. 30

**No person exempt by privilege.** XXVIII. And be it enacted, That no privilege [of any description whatsoever] shall be allowed to any person to exempt him from [suing and being sued in the said Division Courts upon any cause of action within] the jurisdiction of the said Courts. 35

**Debts due by more than one person jointly, may be recovered from one, saving his recourse.** XXIX. And be it enacted, That where any plaintiff shall have any debt or demand recoverable under this Act, against two or more persons, partners in trade, or otherwise jointly answerable, but residing in different Divisions, it shall be sufficient if one of such persons be served with the process as hereinbefore directed, and the 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. 40 45 50