

establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers," is hereby amended to read as follows:

§ 41. Jury trial; demand of; waiver of. At the time of the joinder of an issue of fact, or upon the first adjourned day thereafter, either party may demand a trial by jury, and unless so demanded, a jury trial is waived. The party demanding the trial by jury shall forthwith pay to the clerk, the sum of five dollars. Either party may demand a jury of twelve men and shall forthwith pay to the clerk the sum of ten dollars. In default of such payment the court shall proceed as if no demand for trial by jury had been made. ¹ In all actions where the original trial was had by jury all subsequent trials shall be by jury without the payment of a jury fee. When a jury trial is demanded, the trial of the case may be adjourned by the court for such time as it deems reasonable and proper. The party paying to the clerk the sum required to secure a jury trial shall have the same returned to him by said clerk whenever the case is disposed of without summoning a jury.

§ 2. This act shall take effect immediately.

Chap. 581.

AN ACT to amend chapter five hundred and seventy of the laws of nineteen hundred and nine, entitled "An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers," in relation to appeals.

Became a law May 17, 1913, with the approval of the Governor. Passed, three-fifths being present.

Accepted by the City.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section fifty-five of chapter five hundred and seventy of the laws of nineteen hundred and nine, entitled "An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers," is hereby amended to read as follows:

¹ Following sentence new.

§ 55. Appeals. Appeals in civil causes may be had from judgments of said court or final order or orders affecting a substantial right to the supreme court, Erie county, upon questions of fact or of law in the same manner and with the like effect as appeals are now had by law to the county court from justices' court judgments, excepting, however, that it shall not be necessary for the applicant, to perfect his appeal, to pay, at the time of the service of the notice of appeal, the costs included in the judgment,¹ but nothing herein contained shall be deemed to grant the right to a new trial in the appellate court. Appeal may be taken from the judgment of the supreme court to the appellate division. The appellate courts may affirm, reverse or modify the judgment or order appealed from or grant a new trial in the city court, and may stay all proceedings under the judgment or order appealed from pending appeal. Whenever a new trial is ordered it must be had before a judge other than the one before whom the original trial was held.

§ 2. This act shall take effect immediately.

Chap. 582.

AN AOT to amend the banking law, in relation to credit unions.

Became a law May 17, 1913, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two of chapter ten of the laws of nineteen hundred and nine, entitled "An act in relation to banks, individual bankers and corporations under the supervision of the banking department," constituting chapter two of the consolidated laws, is hereby amended by adding thereto a new paragraph, to read as follows:

Credit unions. The term "credit unions" when used in this chapter means any corporation organized under article eleven of this chapter for the double purpose of promoting thrift among its members and of making loans to its members at reasonable rates.

§ 2. Article eleven and sections three hundred and thirty and

¹ Words "excepting, however, that it shall . . . in the judgment," new.