

person, upon making an affidavit or affirmation, stating with particularity that the owner or owners of such ship or vessel is or are justly and truly indebted to him or her in the sum of _____ or (when the amount is not ascertained), that he hath a good cause of action against the Defendant as owner of the said ship or vessel, for (stating the cause of action with certainty) and that the defendant is or are resident in a foreign country, or beyond the jurisdiction of the Court, and upon filing the said affidavit with the Clerk of the Crown or Clerk of the Crown and Pleas, or Common Pleas, or any of the Deputy Clerks of the Crown and Pleas, or with the Clerk of any County Courts in any County of Upper Canada, (according as the case may be within the jurisdiction of one or the other of the said Courts), to obtain an attachment against the property of such owner of such ship or vessel directed to the Sheriff of any County in Upper Canada, which shall be in the same form as attachments now are against absconding or concealed debtors, (except that the word "absent debtor" shall be used in the place of "absconding" or "concealed debtors;") and all proceedings upon such attachments shall be in all respects the same as if the attachment were against an absconding or concealed debtor, and the plaintiff may proceed to judgment and execution in the same manner; Provided always, that it shall not be necessary to leave a copy of the summons at the last place of residence of the defendant, but it shall be sufficient, in all cases, to place a copy in some conspicuous part of the office out of which the same shall issue.

Proviso.

Extent of Act

IV. And be it enacted, That this Act shall apply only to Upper Canada.

SCHEDULE.

A. B., of _____ Yeoman, maketh oath and saith that C. D., the owner, (master, agent or consignee, or as the case may be), of the vessel called the _____, (or if no name, then some other description), _____ now as this Defendant believes, within the _____ Division for the County of _____ (or now within the County of _____ or now within the jurisdiction of this Court, as the case may be), is justly and truly indebted to this deponent in the sum of _____, for goods sold and delivered by this deponent to (or as the case may be), _____, Master (or agent, &c.) of the said vessel, for and on account of the said vessel (or as the case may be). And deponent further saith that the said debt was contracted within the County of _____ (County where attachment issues), and that to the best of Deponents belief the owner of the said vessel resides out of the _____ (or, in the case mentioned in the third section of this Act, out of the jurisdiction of this Court),
Sworn, &c.