

judgment has no validity, and cannot constitute the basis of a new action. These principles obtain in both Federal and State Courts. In cases of joint liability, the jurisdiction cannot be extended by reason of the fact that some one or more of those jointly liable chance to reside or be within the State. There is no legal efficacy in the joint liability of several debtors which can give an actual or constructive jurisdiction over the persons of those outside of the jurisdiction; *Hoag v. Lamont*, 60 N.Y. 96. The plaintiff must recover against all defendants or none; Freeman on Judg. sec. 439. So claims against a partnership where the partners reside in different jurisdictions have given rise to embarrassing questions. The difficulty is to obtain a jurisdiction over both or all partners, since jurisdiction over one alone has been held not available as a basis for an action to enforce a judgment obtained in such jurisdiction against the defendant of whom the foreign Court did not have jurisdiction—even so far as to affect joint or partnership property; *Hoffman v. Wight*, 1 App. Div. R. (N.Y.) 516. In this case plaintiff sued Wight and Newell in Jersey, as co-partners and recovered judgment on contract for a partnership indebtedness. Newell was served with process within the State, but Wight was a non-resident and was in no way brought within the jurisdiction. The judgment entered was in personam and recited that Wight was not served. Upon a subsequent suit brought on this judgment in New York, it was held that the utmost that could be claimed for the judgment was that, as to partnership property in New Jersey, it might be considered a quasi judgment in rem affecting only property levied on in that State; but that while it bound Newell individually, it could not form the basis of an action in New York State against Wight, nor could it bind joint or partnership property of Newell and Wight in the latter State. The opinion appears to recognize a species of judgments which may be called local, which have no force or validity outside the State where they are rendered, and cannot be made the basis of an action outside of that jurisdiction as against parties not rendered amenable to them.

The facts shown in *D'Arcey v. Ketchum*, 11 How. 165, were as follows: Ketchum sued Gossip and D'Arcey in a Louisiana Court as joint debtors on a judgment recovered in New York in 1846. D'Arcey was a resident of Louisiana, and had not been served with process in New York. A statute of New York was proven