

Proviso; not
unless sum-
mons shall
have been
served on de-
fendant per-
sonally, &c.

the goods and lands of the said defendant, subject however to all the provisions and requirements of the said law in respect of such judgment and execution and the levy and sale thereunder; Provided always, that such judgment so rendered in Lower Canada aforesaid, shall not have force or effect in Upper Canada aforesaid, unless the service of the summons or mesne-process in the action in which such judgment was rendered, shall have been made personally upon the defendant, and unless an exemplification of the said judgment (which shall state such personal service,) certified under the hand of one of the Judges of the Court rendering the same, and sealed with the seal thereof, shall have been duly entered up in conformity with the law and practice of the Courts in Upper Canada aforesaid.

Pro-ceedings
with respect to
enforcing
judgments
against goods
&c. within ju-
risdiction of
District
Courts in U.
C.

VI. And be it enacted, That whenever the said plaintiff shall be desirous to enforce the said judgment against the goods or lands of a defendant situated within the jurisdiction of any District Court in Upper Canada aforesaid, he shall, upon producing and filing in the office of the said District Court an exemplification of the said judgment certified as aforesaid, together with an affidavit that such judgment or some part thereof, remains unpaid and unsatisfied, be permitted to sue out execution in such District, in conformity with the law and practice of such District Court in respect of such executions, and the costs of obtaining such exemplification and execution shall be added to the amount directed to be levied by such execution.

Judgments
rendered in U.
C. against De-
fendants resi-
ding in L. C.,
declared exe-
cutory against
goods, &c., of
Defendants in
L. C.

VII. And be it enacted, That every judgment rendered in Upper Canada against any Defendant residing in Lower Canada, at the time of the rendering of such judgment or when the same might by the law of Lower Canada become executory if rendered therein, shall be and is hereby declared to be executory for the actual sum of debt