

judgments between the parties.

parties, execution shall be taken out by that party only, who shall have obtained judgment for the larger sum, and for so much only as shall remain after deducting the smaller sum, and satisfaction for the remainder shall be entered as well as satisfaction on the judgment for the smaller sum; and if both sums shall be equal, satisfaction shall be entered upon both judgments.

No suit to be brought in another Court for a sum awarded in a Division Court.

XLXIX. And be it enacted, that no suit shall be brought in any Court for the recovery of any sum awarded by any judgment in a Division Court held under this Act.

Execution, how to be granted and enforced.

L. And be it enacted, that whenever the Judge of any Division Court shall have made an order for the payment of money, it shall be lawful for the said Judge immediately, or in case of default or failure of payment thereof, at the times, and in the manner thereby directed, to award execution against the goods and chattels of the party against whom such order shall be made; and thereupon the Clerk of the Court, at the request of the party prosecuting such order for the payment of money, shall issue a precept in the nature of a writ of *fieri facias*, to one of the Bailiffs of the Court, who, by virtue of such precept, shall levy by distress and sale of the goods and chattels of such party, being within the District in which the said Court was holden, such sum of money and costs as shall be so ordered, and shall pay the same over to the said Clerk.

In case the Bailiff shall not find goods in his District he may apply to a Justice in any other District.

How such Justice may proceed.

LI. And be it enacted, that it shall be lawful for any Bailiff of a Division Court to whom a precept of Execution shall be directed against the goods of any Defendant according to the provisions of this Act in case he shall not find sufficient goods or chattels of the Defendant within the District in which such Division Court is holden, to apply to any Justice of the Peace acting for and within any other District in this Province in which the goods and chattels of such Defendant shall be and such Justice of the Peace, is hereby authorised and required upon such Bailiff producing the precept and making oath (which such Justice is hereby empowered to administer) that the same has been duly issued out of the said Division Court and that the goods and chattels of the Defendant are not to be found within the District in which such Division Court is held but are believed by such Officer to be within the District where such Justice acts, to sign his name on the back of such precept and thereupon such Bailiff shall have power to take the goods and chattels of such Defendant wheresoever the same shall be found within such District and deal therewith in like manner as if the same had been taken within the jurisdiction of the said Division Court, and all Constables and other peace Officers are hereby required to be aiding within their respective jurisdictions in the execution of the precept so indorsed.

LII.