

upon his renunciation, which shall be filed of record, he shall become entitled to proceed in the case in the manner provided with respect to cases by default or *ex parte* as if such judgment had never been rendered; and the costs of such judgment shall be borne by him.

judgment and proceed by default as usual.

XXII. No such judgment shall be recorded against any absent defendant who shall have been notified to appear by advertisement in the public newspapers.

Not to affect absentees called in by advertisement.

XXIII. The delay for appealing in any case in which judgment may have been recorded as aforesaid by default, and in which an appeal may lie, shall be reckoned from the expiration of the time allowed for filing an opposition to such judgment.

Delay for appeal in such cases.

XXIV. In any such case in which an appeal shall be brought,---

Special provisions with regard to appeals in such cases.

1. It shall not be allowed as a valid ground of appeal, that the amount for which judgment was given was not proved to be due, according to the rules of law concerning evidence,--- and---

2. If in any such case the action was founded on an *Acte authentique*, the amount for which the judgment was given, shall be held to have been proved to be due, if it could have been due under such *Acte*, and---

3. If in any such case, the action was founded on a Bill of Exchange, Promissory Note, *Cedule*, check, note or promise, or other *private* act, or agreement in writing, such Bill, Note, check, *cédule*, act or agreement in writing, and every signature and writing to or upon the same, shall be deemed genuine without proof thereof,---and any protest, notice or service thereof, if any be alleged by the Plaintiff, shall be presumed to have been regular and valid, and the costs thereof (if any are claimed) shall be presumed to be due and proved;

4. If in any such case the action was founded upon a detailed account or on a verbal agreement, the amount claimed shall be presumed to have been duly proved by the affidavit of the plaintiff or other person that such amount was due from the defendant to the plaintiff, filed of record as hereinbefore provided.

XXV. The hypothec arising from any such judgment as aforesaid, shall be reckoned from the time when the return of the service of such judgment on the defendant shall be filed in the office of the Prothonotary or Clerk of the proper Court, who shall register such return as part of the proceedings in the case;

Hypothec under such judgments from what time to be reckoned.