

service and  
appearance,  
&c.

next day following, the plaintiff shall answer such plea, and the *enquête* shall thereupon be ordered *ipso facto* without delay ; and if the defendant fail to appear and plead within the time aforesaid default shall be recorded against him, and thereupon judgment shall be immediately entered against him if the services have been personal, and after proof if the services have not been personal.

Plaintiff may  
proceed for  
rent and  
possession.

VI. And be it enacted, That the Plaintiff may, in and by the same proceedings, and at the same time, sue for and recover possession of the immoveable leased, and of any arrears of rent due, and may seize the goods of the lessee by *saisie gagerie*, *saisie arrêt simple* before judgment, or *saisie entièrement*, according to law, without in either case being deprived of his privilege as such proprietor or lessor, and on due proof thereof the judgment shall be entered for the possession and for such arrears. 10

Effects seized  
not to be left  
in charge of  
defendant  
without  
security.

VII. And be it enacted, That whenever a writ of *saisie gagerie* shall issue to seize the effects of a tenant, the same shall not be left in his guardianship without the consent of the plaintiff, or unless he shall give two sureties, to be approved by the Sheriff or Bailiff, as the case may be, for the production of the said effects, who shall be liable to the same penalties and obligations therefor, as guardians now are under ordinary writs of execution. 15 20

Plaintiff may  
demand the  
rescission of  
the lease, &c.

VIII. And be it enacted, That whenever any plaintiff shall, under the said Act or this Act, sue for the recovery of any rent or any quarter's rent or rent for any period due to him, he may at the same time and by the same proceedings, pray that the lease may be rescinded if such rent be not paid within the time to be appointed for that purpose in the judgment, or by the sale of the goods pledged for the rent, and thereupon the Judge shall order the same in and by the said judgment ; and if it appear by the return of the Sheriff or Bailiff to the writ of execution to be issued on such judgment, that the sale of the effects seized has not produced enough to pay the rent due and costs, a writ of possession shall issue, addressed to the Sheriff or Bailiff to dispossess the defendant and all others in the said premises, and to remove their effects and put the plaintiff in possession : Provided always, that the return to the writ of execution shall be made on the day next after the sale, if the place of sale be not more than *five leagues* from the place where the Judgment shall be rendered, and one additional day shall be allowed for every additional *five leagues*. 25 30 35

Proviso.

How the  
*droit de suite*  
may be  
enforced.

IX. And be it enacted, That the *droit de suite* shall and may be exercised by writ of *saisi arrêt simple* or *saisie arrêt en mains tierces* before judgment according to law, against the effects of any tenant for the entire amount due and to become due in virtue of any lease in writing or verbal agreement for lease, which said amount 40