

Prothonotary receiving such declaration in another District, to transmit it to that whence the Writ issued.

II. And be it enacted, That whenever any declaration of a *tiers saisi* or *tiers saisis* shall be made (as provided for in the next preceding Section) at the office of the Prothonotary of the Superior Court in a District other than the one from which the Writ of Attachment issues, it shall be the duty of the Prothonotary where such declaration is made, forthwith to transmit the same to the Prothonotary or Clerk of the Court of the place where the Writ has issued, and subsequent proceedings may be had thereon against the *tiers saisi* or *tiers saisis* or Defendant in the cause, in the same manner as if the declaration of the *tiers saisi* or *tiers saisis* were made before the Court, Judge, Clerk or Prothonotary at the place where the Writ of Attachment issued; and where the *tiers saisi* or *tiers saisis* has or have made default to answer on the return day of the Writ at the place where the Writ is returnable, the certificate of the Prothonotary of the Superior Court in the District where the *tiers saisi* or *tiers saisis* is or are resident, to the effect that the *tiers saisi* or *tiers saisis* has or have made default to appear and make declaration to such Writ on or before the return day thereof, shall be sufficient to enable the Plaintiff to obtain the benefit of default against such *tiers saisi* or *tiers saisis*.

His certificate of default sufficient to enable the Plaintiff to proceed for default.

Prothonotary or Clerk of Court whence Writ issued may receive declaration in vacation.

III. And be it enacted, That it shall be lawful for the Prothonotary of the Superior Court or a Clerk of the Circuit Court at the place where a Writ of Attachment, *saisie arret*, has issued, returnable in vacation, to receive the declaration of the *tiers saisi* or *tiers saisis* on the return day of the same, and such Prothonotary or Clerk or any Judge of either of the said Courts shall have full power to administer the requisite oath or affirmation to any such *tiers saisi*; and the *tiers saisi* or *tiers saisis* shall be bound to appear on the return day of the Writ at the office of the Prothonotary or Clerk out of which such Writ has issued, and make his or their declaration thereto, otherwise default shall be recorded against him or them, and the Plaintiff shall be entitled to take proceedings subsequent to such declaration or default in the same manner and shall have the same rights as if such *tiers saisi* or *tiers saisis* had been called and summoned to answer on a day during the sitting of the Court; saving always the right of such *tiers saisi* or *tiers saisis* to appear in the the District in which he or they may reside, as hereinbefore provided.

*Tiers Saisi* bound to appear, on pain, &c.

Saving his right to appear in his own District.