

(S 314 No. 5) is for the price and accessories and is over such property.

322. — The preferential right arising out of the mortgage (S. 314 No. 5) is described in the part of this Code relating to Mortgage.

323. — The preferential rights arising out of sale of movable property, deposit, carriage, lodging in an inn, agency, pledge, endorsement of warrants, warehousing (S. 314 No. 1) are extinguished if the creditor gives up possession of the movable property which is subject to his preferential right.

324. — The preferential rights arising out of preservation of property or out of hire of work (S. 314 No. 2 or 3) can be exercised :

1) over a property which is movable, as long as the ownership of such property remains in his debtor.

2) over a property which is immovable, even though the ownership of such property has been transferred to a third person, provided that the creditor has had his preferential right registered before the transfer, not later than one month from the act of preservation or from the termination of the work, as the case may be.

325. — The preferential right arising out of the hire of immovable property (S. 314 No. 4) can be exercised on movables so long as they are still on, or in, the immovable property.

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325.—The preferential right arising out of the hire of immovable property (S. 314 No. 4) can be exercised on movables so long as they are still on, or in, the immovable property.

The less~~e~~[o]r can object to such movables being removed until he has been satisfied, and ~~attach~~[seize] them if necessary to prevent their removal.

326. — The preferential rights arising out of the sale of immovable or mortgage (S. 314 No. 5) can be exercised over the property, even though the ownership of such property has been transferred to a third person, provided that they have been register~~ed~~ before the transfer.

327. — The person who applies for registration of a preferential right on an immovable other than mortgage must produce to the Registrar a statement showing the names of the creditor and the debtor, the description of the property, the nature and amount of the claim, and the date of application.

328. — The preferential right arising out of Section 314 No. 1 can be exercised [by the creditor] on the monies or other properties due to the debtor by third persons for the loss of, or damage caused to, the property which is subject to his preferential right, if such loss or damage happened while he was in possession of it.

The preferential right arising out of Section 314 No. 2, 3, 4 or 5 can be exercised on the monies or other properties due to the debtor by third persons for the hire, transfer or loss of, or for the damage caused to, the property which is subject to such right.

[Provided that such monies or properties be seized by order of the Court, either before or after judgment before they are paid or delivered to the debtor.]

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