

Sales on Execution.

CHAPTER 50.

AN ACT to amend Section Three Hundred and Thirty-six of the Code of Civil Procedure.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. PUBLIC NOTICE TO BE GIVEN.] That section three hundred and thirty-six of the Code of Civil Procedure, is amended to read as follows: "§ 336. Before any real property or interest therein taken on execution shall be sold, the officer making such sale must cause public notice of the time and place thereof, in manner following:

" 1. IN A NEWSPAPER—If there be a newspaper printed in the county or subdivision, where the real property to be sold is situated, such notice must be given by advertisement in some newspaper printed in such county or subdivision, once a week, for at least thirty days prior to making such sale.

" 2. BY POSTING NOTICES—In case there be no newspaper printed in such county or subdivision, then the officer making such sale must cause such advertisement to be made by posting a copy of such advertisement on the outer door of the court house or building wherein the district court of the county or subdivision was last held, and in five other public places in the county. All sales made without notice as provided in this section must be set aside by the court to which the execution is returnable, upon motion to confirm the sale."

§ 2. This act shall take effect and be in force from and after its passage and approval.

Approved, February 14, 1879.