

FORECLOSURE

CHAPTER 130.

(H. B. No. 1—Hoare.)

LIMITING ATTORNEY'S FEES ON FORECLOSURES OF LIENS AND MORTGAGES BY ADVERTISEMENT.

An Act to Fix and Limit Attorney's Fees and All Costs on the Foreclosure of Liens and Mortgages by Advertisement.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

On the foreclosure of any lien or mortgage by advertisement, attorney's fees shall not exceed ten per cent of the principal sum actually due and shall in no case exceed Twenty-five Dollars, and the sheriff's fees shall not exceed Three Dollars.

REPEAL.) All Acts and parts of Acts insofar as they are in conflict with this Act are hereby repealed.

Approved February 14, 1919.

CHAPTER 131.

(S. B. No. 23—Hagan.)

NOTICES BEFORE FORECLOSURE.

An Act Providing for Notices Before Foreclosure.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

Sec. 1. Any action or proceeding which shall be commenced to foreclose a mortgage on real property shall be void unless a written notice describing the land, the date and amount of the mortgage, the sum due for principal, interest and taxes, and stating that if the same be not paid within thirty days from the date of the notice, proceedings will be commenced to foreclose the mortgage, shall have been served more than thirty days prior to the commencement of such action or proceeding by registered mail addressed to the title owner of record at his or their last known post office address. An affidavit of proof of such service of notice shall be filed with the clerk of the court at the time of filing complaint in any action for foreclosure and shall be filed and recorded with the notice and certificate of sale in all other cases.

Sec. 2. All Acts and parts of Acts insofar as they are in conflict with this Act are hereby repealed.

Approved February 14, 1919.

CHAPTER 132.

(H. B. No. 23—Hoare.)

**RELATING TO RENT, USE AND BENEFIT OF PROPERTY SOLD
UNDER EXECUTION OR FORECLOSURE SALE.**

An Act to Amend and Re-enact Section 7762 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Rent, Use and Benefit of Property Sold Under Execution or Foreclosure Sale.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

Sec. 1. That Section 7762 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 7762. The debtor under an execution or foreclosure sale of his property shall be entitled to the possession, rents, use and benefit of the property sold from the date of such sale until the expiration of the period of redemption.

Approved February 18, 1919.

GAMBLING

CHAPTER 133.

(H. B. No. 68—Malone.)

DEFINING CRIME OF GAMBLING.

An Act Defining the Crime of Gambling; Fixing the Punishment Thereof; and Providing Certain Rules of Evidence in Prosecutions Thereunder.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

Sec. 1. GAMBLING.) It shall be unlawful to participate in any manner whatever, or to solicit, persuade or entice any person to participate in any manner whatever in any game of cards or other game of chance upon which money or other property is wagered or in which money or other property constitutes a stake.

Sec. 2. PENALTY.) Any person who violates any of the provisions of the preceding Section shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than \$10 nor to exceed \$100, or by imprisonment in the county jail not more than thirty days, or by both such fine and imprisonment.

EVIDENCE.) Any person called as a witness by the State in any prosecution under this Act, shall not be excused from testifying relative to any unlawful gambling done by himself or others; but when compelled to testify and disclose incriminating evidence against himself in any case he shall not be prosecuted in such case.

Approved March 5, 1919.