

Exemptions.

CHAPTER 55.

AN ACT to Amend Certain Sections of Part 2, Chapter Thirteen, of the Code of Civil Procedure, subject "Exemptions."

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

§ 1. DEBTOR TO MAKE SCHEDULE.] That section three hundred and twenty-six of the code of civil procedure is hereby amended by adding thereto the following: "Whenever any debtor against whom an execution, warrant of attachment or other process has been issued, desires to avail himself of the benefit of section 324 of this code, the said debtor, his agent or attorney, shall make a schedule of all his personal property of every kind and character, including money on hand, and debts due and owing to the debtor, and deliver the same to the officer having the execution, warrant of attachment, or other process, which said schedule shall be subscribed and sworn to by the debtor, his agent or attorney, and any property owned by the debtor and not included in said schedule shall not be exempt as aforesaid."

§ 2. APPRAISED.] That section three hundred and twenty-eight of the code of civil procedure be amended by striking out the following words where they occur therein: "The property must be appraised at the usual price of such articles at sheriff's sales," and inserting instead thereof the following: "The property must be appraised at the actual value of the several articles at the place where they are situated."

§ 3. NO EXEMPTION IN CERTAIN CASES.] That section three hundred and thirty-three of the code of civil procedure be hereby amended by adding thereto the following: "6. No exemptions, except the absolute exemptions, shall be allowed any person against an execution or other process issued upon a debt incurred for property obtained under false pretenses."

§ 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

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

Note by the Secretary of the Territory.

The foregoing act, having been presented to the Governor for his approval, and not having been returned to the House of Representatives, the

House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

JAMES H. TELLER,
Secretary of the Territory.

Fees.

SHERIFF'S FEES ON FORECLOSURE BY ADVERTISEMENT.

CHAPTER 56.

AN ACT to Provide for Fees in Foreclosures of Mortgages of Real Estate by Advertisement.

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

§ 1. FEES TO SHERIFF.] That the sheriff making the sale of real property under the foreclosure of mortgages by advertisement shall receive the same fees and no more that are now or may hereafter be provided by law for the sale of real property under a judgment of foreclosure and sale of real property.

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

Approved, March '4, 1885.

FOR TRANSPORTING CONVICTS.

CHAPTER 57.

AN ACT Fixing the Fees for Transporting Convicts to the Penitentiary.

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

§ 1. NECESSARY EXPENSES AND FEES.] The necessary expenses and legal fees of sheriffs and other officers incurred in conveying convicts to the territorial penitentiary shall be approved by the