

SUMMONS AND COMPLAINT.

CHAPTER 194.

[S. B. 3.]

SUMMONS AND COMPLAINTS.

AN ACT to Amend Section 5256, Revised Codes of 1899, Relating to Mailing Summons and Complaint.

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

§ 1. AMENDMENT.] Section 5256, Revised Codes, is hereby amended so as to read as follows:

§ 5256. MAILING SUMMONS AND COMPLAINT.] A copy of the summons and complaint must, within ten days after the first publication of the summons, be deposited in some postoffice in this state, postage prepaid, and directed to the defendant to be served, at his place of residence, unless the affidavit for publication states that the residence of the defendant is unknown. Such copy of summons and complaint may be so mailed by registered letter, in which case, the return registry receipt of the postoffice department shall be prima facie proof of its mailing, and of its receipt by the defendant to whom it was mailed.

Approved February 26, 1901.