

levy give notice to the officer making said levy that said judgment debtor intends to settle said judgment, said officer shall hold said grain ten days before making sale thereof. The usual and reasonable charges for such sale and the transportation of such grain to such market shall be deemed proper expenses chargeable as costs in such proceedings, and in case notice above provided for is served on the officer reasonable charges for storing said grain. Perishable property may be sold by order of the court or a judge thereof, prescribing such notice, time and manner of sale as may be reasonable, considering the character and condition of the property.

Approved, March 4, 1915.

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## SALE OF REAL PROPERTY

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### CHAPTER 221.

[H. B. No. 426—Blanchard.]

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#### SHERIFF'S CERTIFICATE ON MORTGAGE SALE.

AN ACT Amending and Re-enacting Section 8084 of the Compiled Laws of North Dakota for the Year 1913, Relating to Sheriff's Certificates on Mortgage Foreclosure Sale. Contents and Recording of Such Certificate.

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

§ 1. AMENDMENT.] That Section 8084 of the Compiled Laws of North Dakota be amended and re-enacted to read as follows:

§ 8084. CERTIFICATE OF SALE. CONTENTS. RECORD.] Whenever any real property shall be sold by virtue of a power of sale contained in any mortgage the officer making the sale shall immediately give to the purchaser a certificate of sale containing:

1. A particular description of the real property sold.
2. The price bid for each distinct lot or parcel.
3. The whole price paid.
4. The costs and fees for making the sale.

Such certificate must be executed and acknowledged and must be recorded in the office of the Register of Deeds of the county wherein the real property is situated within sixty days from the date of said sale, and such Sheriff's certificate or a certified copy thereof certified by such Register of Deeds shall be taken and deemed evidence of the facts therein recited and contained.

Approved, March 9, 1915.

## CHAPTER 222.

[H. B. No. 425—Blanchard.]

## SHERIFF'S CERTIFICATE ON EXECUTION SALE.

AN ACT Amending and Re-enacting Section 7751 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Sheriff's Certificate on Execution Sale, Purchaser's Rights, and the Recording of Such Certificate.

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

§ 1. AMENDMENT.] That Section 7751 of the Compiled Laws of North Dakota be amended and re-enacted to read as follows:

§ 7751. PURCHASER'S RIGHT. SHERIFF'S CERTIFICATE.] Upon a sale of real property the purchaser is substituted to and acquires all the right, title, interest and claim of the judgment debtor thereto; and when the estate is less than a leasehold of two years' unexpired term, the sale is absolute. In all other cases the real property is subject to redemption as provided in this Chapter. The officer must give to the purchaser a certificate of sale, containing:

1. A particular description of the real property sold.
2. The price bid for each distinct lot or parcel.
3. The whole price paid.
4. When subject to redemption it must be so stated.

Such certificate must be executed by the officer and acknowledged or proved as is or may be required by law for deeds of real property and must be recorded in the office of the Register of Deeds of the county wherein the real property is situated within sixty days from the date of said sale, and such Sheriff's certificate or a certified copy thereof certified by such Register shall be taken and deemed evidence of the facts therein recited and contained.

Approved, March 9, 1915.

## CHAPTER 223.

[H. B. No. 59—Lathrop.]

## REDEMPTION FROM SALES OF REAL PROPERTY UNDER EXECUTION AND MORTGAGE FORECLOSURE SALES.

AN ACT to Amend Section 7754 and Section 7758 of the Compiled Laws of North Dakota, 1913, Relating to Redemption from Sales of Real Property Under Execution, and Mortgage Foreclosure Sales.

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

§ 1. AMENDMENT.] Section 7754 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted to read as follows:

§ 7754. PAYMENT OF AND PERIOD OF REDEMPTION.] The judgment debtor or redemptioner may redeem the property from the purchaser within one year after the sale on paying the purchaser the amount of his purchase with nine per cent. interest thereon together with the amount of any assessment or taxes which the purchaser may have paid thereon after the purchase, and interest at the same rate on such amount; and if the purchaser is also a creditor, having a prior lien to that of the redemptioner other than the judgment under which such purchase was made, the amount of such lien with interest.

§ 2. AMENDMENT.] Section 7758 of the Compiled Laws of North Dakota, 1913, is hereby amended to read as follows:

§ 7758. REDEMPTION. FILING OF CERTIFICATE.] In no case shall the debtor be required to pay more to effect a redemption than the purchase price with nine per cent. interest from the day of sale and all taxes and assessments paid with nine per cent. interest thereon from the date of payment, notwithstanding the fact that he seeks to redeem from a redemptioner. If the debtor redeems, the effect of the sale is terminated and he is restored to his estate. Upon a redemption by the debtor the person to whom the payment is made must execute and deliver to him a certificate of redemption acknowledged or proved before an officer authorized to take acknowledgments of conveyances of real property. Such certificate must be filed and recorded in the office of the Register of Deeds of the county in which the property is situated, and the Register of Deeds must note the record thereof in the margin of the record of the certificate of sale. In case the debtor redeems from a redemption or who has to effect his redemption paid liens on the property, other than for taxes or assessments, the redemptioner shall be subrogated to all the rights of the former holders of such liens, and the filing of written notices of such redemptions as required by Section 7756 shall constitute notice of the rights of such redemptioner in and to all the liens so held by him as equitable assignee as fully as if formal written assignments thereof had been recorded. All the statutes relating to redemptions from execution sales shall govern sales on mortgage foreclosure and these provisions shall apply to all sales hereafter made.

Approved, March 4, 1915.