

CHANGES

IN THE

General Statutes of 1878,

OF THE

STATE OF MINNESOTA,

EFFECTED BY THE GENERAL LAWS OF THE EXTRA
SESSION OF 1881, AND THE REGULAR
SESSION OF 1883.

Arranged with reference to the Chapter and Section Amended.

SAINT PAUL:
WEST PUBLISHING COMPANY.
1883.

itor, or his attorney, by indorsing on said execution the words following: "Renewed sixty days from the date hereof, at the request of the judgment creditor;" to which indorsement he shall add the true date of making the same, and attest the same by his signature and the seal of the court, and shall thereupon redeliver the same, so indorsed, to the officer returning the same; and such renewal shall have the effect of extending the life of the execution for an additional period of sixty days, fully preserving all the levies made and rights acquired under the execution before such renewal; and such execution may be again so renewed, from time to time, by indorsement by the clerk, as aforesaid, with the same effect as such first renewal. (*As amended* 1871, c. 61, § 1, and 1881, *Ex. Sess.* c. 4, § 1.)

See page 754.

§ 309. (SEC. 278.) **Levy on goods or chattels pledged or mortgaged.** When goods or chattels are pledged or mortgaged for the payment of money, or the performance of any contract or agreement, the right and interest in such goods of the person making such pledge or mortgage may be sold on execution against him, and the purchaser shall acquire all the right and interest of the defendant or judgment debtor, and be entitled to the possession of such goods and chattels, on complying with the terms and conditions of the pledge or mortgage. (*As amended* 1883, c. 60, § 1.)

See page 756.

CHAPTER LXVIII.

HOMESTEAD EXEMPTION.

§ 3. **Homestead to be selected in case of levy.** Whenever a levy shall be made upon the lands or tenements of a householder whose homestead has not been selected or set apart by metes and bounds, such householder shall notify the officer at the time of making such levy of what he regards as his homestead, with a description thereof within the limits above prescribed, and the remainder alone shall be subject to sale under such levy: *provided*, that in case such householder shall refuse or neglect to make such selection within twenty days after notice of such levy, the officer making such levy shall cause to be surveyed and set off to such person entitled to such exemption in a compact form, including the dwelling-house and its appurtenances, the amount specified in the first section of this act; and the expenses of such survey shall be chargeable on the execution and collected thereupon. (*As amended* 1883, c. 59, § 1.)

See page 767.

§ 4. **Same—survey to be made, when.** If the plaintiff in the execution shall be dissatisfied with the quantity of land selected and set apart by such householder, as aforesaid, the officer making such levy shall cause the same to be surveyed, beginning at a point to be designated by the owner, and set off in a compact form, including the dwelling-house and its appurtenances, the amount specified in the first section of this act; and the expenses of such survey shall be chargeable on the execution and collected thereon. (*Id.*)

See page 768.

§ 5. **Sale to be made, when.** After the selection [or] survey shall have been made, the officer making the levy may sell the property levied upon, and not included in such homestead, in the same manner as provided in other cases for the sale of real estate on execution, and in giving a deed or certificate of the same may describe it according to his original levy, excepting therefrom by metes and bounds, according to the certificate of the survey, the quantity set off as such homestead, as aforesaid. (*Id.*)

See page 768.