

person who refuses medical, surgical, or other treatment when such person may be restored partially or wholly by such treatment, and a certificate in writing to that effect is made by the examining physician. Any person denied assistance upon this ground may appeal to the state agency in the manner provided in section 18.

§ 38. LIMITATIONS OF ACT.) All aid granted under this Act shall be deemed to be granted and to be held subject to the provisions of any amending or repealing act that hereafter may be passed. No recipient shall have any claim for compensation or otherwise because his aid is affected in any way by any amending or repealing act.

Approved March 6, 1951.

SALES AND EXCHANGES

CHAPTER 291

H. B. No. 695
(Holand, Klefstad and Olson)

REDEMPTION AFTER RETAKING PROPERTY UNDER CONDITIONAL SALES CONTRACT; NOTICE

AN ACT

Providing for a period of redemption after retaking property under conditional sales contract and providing for notice of such retaking.

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

§ 1.) Whenever a seller who has the right to retake possession of property under a conditional sales contract does retake the property, such seller shall within four days after the retaking serve upon the buyer personally if the buyer resides within the county where the property is seized, or if such resident of a county cannot be found within the county then by registered mail directed to his last known address, or if the buyer is not a resident of said county where the property is seized, by registered mail directed to his last known address, a notice containing the following information: the amount necessary to redeem, date of such retaking and that the buyer may redeem said property within fifteen days from the date of such retaking, provided if such retaking is

accomplished by legal process no such notice thereof need be given. And further such seller shall retain the property for fifteen days after the retaking during which period the buyer, upon payment or tender by him of the amount due under the contract at the time of retaking, together with all costs and expenses of the retaking, may redeem the property and become entitled to the possession thereof, and to continue in the performance of the contract as if no default had occurred. Provided that if the then owner of the contract so elects and the contract so provides, the buyer may be required to pay the entire balance of the purchase price, together with the costs and expenses of retaking the same. If the buyer pays such entire balance together with the costs and expenses, he shall then have possession of and title to said property. Provided that if the property is perishable so that retention for fifteen days, as herein prescribed, would result in its destruction or substantial injury, the provisions of this section shall not apply and the buyer shall have no right of redemption.

§ 2.) No act or agreement of the buyer before or at the time of the making of the contract, or any agreement or statement by the buyer in such contract, shall constitute a valid waiver of the provisions of this Act, but the buyer, by an agreement in writing, executed subsequent to his default in payment, may waive the right of redemption thereby given.

§ 3.) This Act shall not apply in any case where the conditional sales contract and the rights of the buyer thereunder shall be foreclosed by action in any court of this state.

Approved March 9, 1951.