

OWNERSHIP

CHAPTER 203

S. B. No. 294—(Fowler and Matthaei.)

SUSPENSION POWER OF ALIENATION

An Act to amend and re-enact Section 5287 of the Compiled Laws of North Dakota for the year 1913, relating to the suspension of the power of alienation.

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

§ 1. AMENDMENT.] That Section 5287 of the Compiled Laws of North Dakota for the year 1913 be amended and re-enacted to read as follows:

§ 5287. POWER OF ALIENATION. HOW LONG MAY BE SUSPENDED.] Except in the single case mentioned in Section 5315, the absolute power of alienation can not be suspended, by any limitation or condition whatever, for a longer period than as follows:

1. During the continuance of the lives of persons in being at the creation of the limitation or condition; or

2. For a period not to exceed twenty-five years from the time of the creation of the suspension.

Approved March 6, 1933.

PERSONAL PROPERTY

CHAPTER 204

S. B. No. 86—(Whitman, by request.)

CHATTEL MORTGAGE OR BILL OF SALE OF HOUSEHOLD GOODS, HOW SIGNED

An Act requiring a chattel mortgage or bill of sale of household goods, effects and furniture to be signed by both husband and wife to be valid.

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

§ 1. The household goods, effects and furniture of married person, cannot be conveyed or encumbered by a bill of sale or chattel mortgage, unless the instrument by which same is conveyed or encumbered, is executed by both husband and wife.

§ 2. Such bill of sale or chattel mortgage, if not so executed, shall be void.

§ 3. All Acts and parts of Acts in so far as they are in conflict with this Act, are hereby repealed.

Approved February 14, 1933.

CHAPTER 205

H. B. No. 119—(Oglesby.)

ENCUMBRANCE PERSONAL PROPERTY WHEN VOID

An Act rendering void an encumbrance upon exempt personal property unless the execution of the same be joined in by husband and wife.

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

§ 1. ENCUMBRANCES. PERSONAL PROPERTY. EXEMPTIONS.]

No encumbrance of personal property which may be held exempt from execution by the head of a family, if a resident of this state, under the provisions of law, shall be of any validity as to such exempt property, unless the same be by written instrument and unless the husband and wife, if both be living, concur in and execute the same joint instrument in the manner provided for in Section 6763 of the Compiled Laws of the State of North Dakota, 1913.

Approved March 17, 1933.

CHAPTER 206

H. B. No. 207—(Born.)

UNLAWFUL REMOVAL PERSONAL PROPERTY FROM PREMISES

An Act prohibiting the removal from the premises where seized of personal property or chattels ordered sold by judicial action or order by reason of default in payment of principal or interest on chattel mortgage, or on levy by sheriff for default in payment of delinquent personal property tax, providing for the sale of such property, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency therefor.

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

§ 1. REMOVAL OF PERSONAL PROPERTY OR CHATTELS FROM THE PREMISES WHERE SEIZED, UNLAWFUL, WHEN.] It shall be unlawful for the sheriff or any other person to remove for the purpose of sale, any personal property or chattels ordered sold by court order, as a result of action brought for recovery of property for failure or default in payment of interest or principal, or both on any note or evidence of indebtedness secured by chattel mortgage covering such property; or in case of levy by the sheriff for default in payment of personal property taxes, provided that the provisions of this Act shall not prohibit the removal to, and sale of grain at an elevator.

§ 2. CONDUCT OF SALE.] All sales of personal property or chattels as a result of foreclosure or decree of judgment, or of sheriff's levy, shall be conducted on the premises where said property is seized, and shall be conducted by the sheriff or other auctioneer duly designated by the court holding jurisdiction, and due notice of such

sale shall be given by insertion of the notice of sale in the official paper of the county for at least two issues prior to the date of sale.

§ 3. FORECLOSURE BY ADVERTISING.] The provisions of this Act shall apply in cases of foreclosure by advertising the same as in foreclosure by action.

§ 4. REPEAL.] All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

§ 5. EMERGENCY.] An emergency is hereby declared to exist and this Act shall go into full force and effect upon its passage and approval.

Approved March 7, 1933.

PIPE LINES

CHAPTER 207

H. B. No. 229—(Place and Noben.)

REGULATION COMMON CARRIER PIPE LINES

An Act defining and regulating common carrier pipe lines and granting to them the right of eminent domain; empowering the Board of Railroad Commissioners of North Dakota to regulate the rates, charges and business of such common carrier pipe lines, prohibiting discrimination by said pipe lines, and providing penalties for the violation of this Act.

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

§ 1. Every person, firm, corporation, limited partnership, joint stock association or association of any kind whatsoever;

(a) Owning, operating, or managing any pipe line or any part of any pipe line within the State of North Dakota for the transportation of crude petroleum or gas to or for the public for hire, or engaged in the business of transporting crude petroleum or gas by pipe lines; or

(b) Owning, operating, or managing any pipe line or any part of any pipe line for the transportation of crude petroleum or gas, to or for the public for hire, and which said pipe line is constructed or maintained upon, along, over, or under any public road or highway; or

(c) Owning, operating, or managing any pipe line or any part of any pipe line or pipe lines for the transportation to or for the public hire, of crude petroleum, or gas, and which said pipe line or pipe lines is or may be constructed, operated, or maintained across, upon, along, over, or under the right of way of any railroad, corporation, or other common carrier, required by law to transport crude petroleum or gas as a common carrier; or