

if such agreement is executed in writing subsequent to the making of such contract and during or after the period of military service of the person concerned.

(b) Any person who knowingly resumes possession of property which is the subject of this section otherwise than as provided in sub-section (a) hereof is guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed \$1,000, or both.

(c) Upon the hearing of such action the court may order the repayment of prior instalments or deposits or any part thereof, as a condition of terminating the contract and resuming possession of the property, or may, in its discretion, on its own motion, and shall, except as provided in Section 25, on application to it by a person in civil defense service or a person suffering injury or damage or some person on his behalf, order a stay of proceedings as provided in this sub-title unless, in the opinion of the court, the ability of the defendant to comply with the terms of the contract is not materially affected by reason of such service; or it may make such other disposition of the case as may be equitable to conserve the interests of all parties.

24. *(a) The provisions of this section shall apply only to obligations originating prior to the time any person became a person in civil defense service or a person suffering injury or damage and secured by mortgage, trust deed, or other security in the nature of a mortgage upon real or personal property owned by a person in civil defense service or a person suffering injury or damage at the commencement of the period of his being in such category, and still so owned by him.*

(b) In any proceeding commenced in any court during the period of being a person in civil defense service or a person suffering injury or damage to enforce such obligation arising out of the nonpayment of any sum thereunder due or out of any other breach of the terms thereof occurring prior to or during the period of being in such category the court may, after hearing, in its discretion, on its own motion, and shall, except as provided in Section 25, on application to it by such a person in civil defense service or a person suffering injury or damage or some person on his behalf, unless in the opinion of the court the ability of the defendant to comply with the terms of the obligation is not materially affected by reason of his being in such category—

(1) stay the proceedings as provided in this sub-title; or

(2) make such other disposition of the case as may be equitable to conserve the interests of all parties.

(c) No sale under a power of sale or under a judgment entered upon warrant of attorney to confess judgment contained in any such obligation shall be valid if made during the period of being a person in civil defense service or a person suffering injury or damage or within three months thereafter, unless upon an order of sale previously granted by the court and a return thereto made and approved by the court.

25. *No court shall stay a proceeding to resume possession of a motor vehicle, tractor, or the accessories of either, or for an order of*