
CHAPTER 146.

[H. B. No. 20—Olsgard.]

VALIDATING EXECUTION SALES.

AN ACT Validating Certain Execution Sales Heretofore Made, and Limiting the Time Within Which the Same May be Attacked.

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

§ 1. SALES VALIDATED.] Wherever lands in this state have heretofore been sold under execution issued on a judgment against a judgment debtor, who had died prior to the levy of such execution, such sale is hereby declared good and valid to the same extent, as though the judgment debtor had been alive at the time of sale.

§ 2. LIMITATION.] No action or defense shall be maintained in any court questioning the validity of any such sale, or any title based thereon, unless such action is commenced or defense interposed within one year after the taking effect of this act.

§ 3. EMERGENCY.] Whereas, an emergency exists in that in the past large numbers of tracts of land have been sold upon execution, and no public record discloses whether the judgment debtor was alive at the time of the levy of execution and sale the title to such lands is left unsettled, this act shall take effect immediately after its passage and approval.

Approved February 18, 1913.

DRUGS AND DRUG SAMPLES

CHAPTER 147.

[H. B. No. 429—Leu.]

DISTRIBUTION OF DRUGS.

AN ACT to Amend and Re-enact Section 9453 of the Revised Codes of 1905, Pertaining to the Promiscuous Distribution of Drug Samples.

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

§ 1. AMENDMENT.] Section 9452 of the Revised Codes of 1905 is hereby amended and re-enacted and made to read as follows:

§ 9452. DISTRIBUTION OF DRUG SAMPLES PROHIBITED.] Any

person who shall, by himself, his servant or agent, or as the servant or agent of any other person, leave, throw or deposit upon the door step or premises or within dwellings or within barns or other buildings owned or occupied or used by any other person or any house holder without a special personal request, as hereinafter specified, of such person or householder, any patent or proprietary medicine or any preparation, pill, tablet, powder, capsule, cosmetic, disinfectant or antiseptic or any drug or medicine or condiment that contains poison or any ingredient that is deleterious to health or that has to be printed under the laws of this state or of the United States, on the label thereof, or have its presence therein disclosed otherwise, a sample, or any quantity or size whatever for the purpose of advertising or inviting or suggesting its use shall be deemed guilty of a misdemeanor and any health officer, peace officer, or other person may bring or have brought an action in the name of the state of North Dakota, and upon conviction thereof defendant shall be fined not exceeding one hundred dollars and not less than twenty-five dollars, or imprisoned in the county jail not exceeding one hundred or less than thirty days, or both, for each and every violation. And such samples of goods are, and are hereby declared to be a nuisance and a danger and a menace to the safety of the children, members or live stock and other living beings of such household and if not removed upon notice or request or order of the householder or any member of the household, or if left behind purposely and if not removed within twenty-four hours without notice or request they may be removed, destroyed or annihilated and disposed of, or done away with by such person or householder or any member of his household, and no accounting will have to be rendered therefore to any one and no action demanding such accounting shall be maintained or be maintainable in any court of justice and no defense for any violation of this act shall be competent or valid or be sustained, unless a receipt or a request for such goods, dated and signed by such person or householder at that time, in person, is produced as evidence. The terms drug, medicine, patent or proprietary medicine, pill, tablet, powder, capsule, cosmetic, disinfectant or antiseptic or condiment, as used in this section shall include all remedies for internal or external or technical use, either in packages or bulk, simple mixed or compound.

Approved March 13, 1913.