

not otherwise appropriated, or so much thereof as may be necessary to carry out the provisions of this Act.

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 All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

§ 11. Whereas, an emergency exists in the fact that there are no provisions now for employing convicts and compensating them for labor as a stimulus to better conduct, therefore, this Act shall take effect and be in force from and after its passage and approval.

Approved March 13, 1913.

PERSONAL PROPERTY

CHAPTER 218.

[S. B. No. 227—Linde.]

SALE OF PERSONAL PROPERTY AND WARRANTY THEREOF.

AN ACT Relating to the Sale of Personal Property and the Warranty Thereof; Providing for a Reasonable Time In Which to Ascertain Defects or Breaches of Warranty and the Giving of Notice of Such Defects or Breaches of Warranty.

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

§ 1. Any person, firm or corporation purchasing personal property under a written warranty shall have a reasonable time after such purchase and the delivery thereof in which to ascertain whether or not the property so sold complies with the warranty, and whether or not there are any defects or breaches of warranty, and the question of what is a reasonable time shall in all cases be a question of fact for the jury.

§ 2. Notice of any breach or warranty, or defects in personal property, sold as aforesaid, for any breach of warranty in connection with said personal property, may be given either in writing or orally to the person, firm or corporation or to their agent in this state, who negotiated the sale or who made the delivery of such personal property, or his successor.

§ 3. Any provisions in any written order or contract of sale or other contract, which is contrary to any of the provisions of this act shall be void.

Approved March 1, 1913.

CHAPTER 219.

[S. B. No. 228—Linde.]

PROHIBITING WAIVER OF CAUSE OF ACTION.

AN ACT Prohibiting the Waiver or Release of a Cause of Action Before the Same Shall Actually Have Accrued.

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

§ 1. A cause of action or a right of action arising out of the sale of personal property cannot be waived, released or barred before such cause of action has actually accrued, any terms or provisions of any contract or other written instrument to the contrary notwithstanding.

Approved March 1, 1913.