

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 All Acts and parts of Acts in conflict with this Act are hereby repealed.

Approved March 4, 1933.

NEGOTIABLE INSTRUMENTS

CHAPTER 182

S. B. No. 261—(McDonald by request.)

PAYMENT NEGOTIABLE INSTRUMENTS WHEN DEEMED COMPLETE

An Act to fix the time at which payment shall be deemed to be complete when made by check, draft or other negotiable instrument.

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

§ 1. Payment of any bill, claim, demand or contract shall not be complete upon the delivery to and acceptance by the creditor of a check, draft or other negotiable instrument unless the parties expressly agree that such instrument shall constitute payment. In case the creditor or his collecting agent fails to present the instrument for payment within a reasonable time after its issue or to present the same in a manner provided for by law, the debtor shall be discharged from liability to the extent of the loss caused by such delay or negligence. In the absence of such delay or negligence on the part of the creditor or his agents, payment shall not be complete until the debtor or his agent shall have paid over to the creditor or his agent the money called for by such instrument, or if such instrument be paid by check, draft or other negotiable instrument, until such checks, drafts or other negotiable instruments shall have been paid to the creditor or his agent.

§ 2. REPEAL.] All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 6, 1933.

CHAPTER 183

S. B. No. 130—(Atkins.)

UNLAWFUL OBLIGATIONS IN WRITING

An Act to amend and re-enact Section 10251, Supplement to the Compiled Laws of 1913.

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

§ 1. AMENDMENT.] That Section 10251, Supplement to the Compiled Laws of 1913 be amended and re-enacted to read as follows:

§ 10251. UNLAWFUL OBLIGATIONS IN WRITING.] Every person who takes any obligation in writing for any lightning rod, or any of its attachments, or for any patent right, or for which any stallion or jackass shall form the whole or any part of the consideration, or for any patent medicine, or for which the whole or any part of the consideration shall be the future cure of any disease or ailment, or for (which) the sale of the capital stock of foreign corporations shall form the whole or any part of the consideration, shall, before it is signed by the maker, stamp or write in red ink across the face of such written obligation in plain, legible writing, or print the words "given for a lightning rod," or "given for a patent right," or "given for a stallion," or given for a jackass," or "given for patent medicine," or "given for the cure of a disease," or "given for the sale of capital stock of foreign corporations," as the case may require provided this Act shall not apply to the sale of capital stock of cooperative corporations. Such obligations so stamped shall be subject to defenses in the hands of every holder or owner thereof. Any person who shall violate the provisions of this section is guilty of a misdemeanor, and upon conviction thereof is punishable by fine not less than two hundred and fifty dollars and not exceeding one thousand dollars, or by imprisonment in the county jail not more than one year, or by both such fine and imprisonment, and shall be liable in a civil action to the party injured for all damages sustained by him. Provided, however, that the provisions of this Act shall not apply to a note given in either part for full payment of any stallion or jackass, foaled in the State of North Dakota.

§ 2. EMERGENCY.] This Act is declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 7, 1933.

NEWSPAPERS

CHAPTER 184

H. B. No. 266—(Born.)

LEGALIZATION PUBLICATIONS PRIOR TO JANUARY 1, 1933

An Act legalizing and validating all publications made prior to January 1st, 1933, and required by law to be made in an official or legal newspaper.

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

§ 1. All publications of every nature, required by law to be made in an official or legal newspaper and made prior to January 1933, in any newspaper published in the State of North Dakota, are