

denied, the trial court on motion made that judgment be entered notwithstanding the verdict, or on motion for a new trial, shall order judgment to be entered in favor of the party who was entitled to have a verdict directed in his or its favor; and the supreme court of the state on appeal from an order granting or denying a motion for a new trial in the action in which such motion was made, or upon a review of such order or an appeal from the judgment, may order and direct judgment to be entered in favor of the party who was entitled to have such verdict directed in his, or its favor, whenever it shall appear from the testimony that the party was entitled to have such motion granted.

§ 2. EMERGENCY.] Whereas, an emergency exists in this, that there is now no adequate law on this subject, this act shall take effect and be in force from and after its passage and approval.

Approved March 12, 1901.

COVENANTS OF WARRANTY.

CHAPTER 64.

[S. B. 118.]

COVENANTS OF WARRANTY.

AN ACT Concerning Covenants of Warranty.

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

§ 1. WARRANTY. HIGHWAYS.] That no covenants of warranty shall be considered as broken by the existence of a highway or railway upon the land conveyed, unless otherwise particularly specified in the deed.

Approved March 12, 1901.