

§ 11. EXCEPTIONS.) This Act shall not be:

1. Applied to bar:

- a. The rights of any lessor or his successor as reversionary of his right to possession on the expiration of any lease by reason of failure to file the notice herein required;
- b. The rights of any remainderman upon the expiration of any life estate or trust created before the recording of deed of conveyance as set out in section 1 of this Act;
- c. Rights founded upon any mortgage, trust deed, or contract for sale of lands which is not barred by the statute of limitations; or
- d. Conditions subsequent contained in any deed; nor

2. Deemed to affect the right, title or interest of the state of North Dakota, or the United States, in any real estate in North Dakota.

3. Applied to the right, title, or interest of any railroad.

Approved March 9, 1951.

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## PUBLIC UTILITIES

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### CHAPTER 281

S. B. No. 182  
(Geelan)  
(By Request)

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#### CERTAIN CONTRACTS EXEMPTING RAILROAD CORPORATIONS FROM LIABILITY VOID

##### AN ACT

To amend and reenact section 49-1605 of the North Dakota Revised Code of 1943, declaring void certain contracts exempting railroad corporations from liability.

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

§ 1. AMENDMENT.) Section 49-1605 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

49-1605. CONTRACTS EXEMPTING RAILROAD FROM LIABILITY VOID.) Any contract, rule, regulation, or device whatsoever the purpose or intent of which shall be to enable any railroad corporation to exempt itself from any liability created by section 49-1602 through section 49-1610 of this chapter to that extent shall be void. In any action brought against such railroad corporation, under or by virtue of any of the provisions of this chapter, such corporation may set off therein any sum it has contributed or paid to any insurance relief benefit or indemnity that may have been paid to the injured employee or to the person entitled thereto on account of the injury or death for which said action was brought.

Approved March 7, 1951.

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## CHAPTER 282

H. B. No. 594  
(Poling, Esterby, Lee)

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### CHANGES IN TOPOGRAPHY OF LANDS UNDER OR ADJACENT TO ELECTRIC TRANSMISSION OR TELEPHONE LINES; NOTICE

#### AN ACT

Relating to changes in the topography of lands under or adjacent to electric transmission or telephone lines.

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

§ 1. NOTICE OF CHANGE IN TOPOGRAPHY OF LANDS UNDER OR ADJACENT TO ELECTRIC TRANSMISSION OR TELEPHONE LINES.) Before any change is made in the topography of lands under, or adjacent to, any electric transmission or telephone lines, which change would increase the hazard to travel, or to persons or property, the one proposing to make such change shall, except in the case of an emergency, at least ten days before proceeding therewith, notify the public utility or cooperative corporation operating such electric transmission or telephone lines. Such notification shall clearly state the nature and location of the proposed change in topography and shall be sent to such public utility or cooperative corporation at its principal place of business within the state by registered mail. In case of an emergency, where ten days notice can not be given, notice shall be given, as herein provided, prior to proceeding with such change.

Approved March 7, 1951.