

CHAPTER 47-13
LOANS OF PERSONAL PROPERTY FOR EXCHANGE

47-13-01. Loan for exchange defined.

A loan for exchange is a contract by which one delivers personal property to another and the latter agrees to return to the lender a similar thing at a future time without reward for its use.

47-13-02. Loan for use or for exchange subject to provisions of chapter.

A loan which the borrower is allowed by the lender to treat as a loan for use or for exchange at the borrower's option is subject to all the provisions of this chapter.

47-13-03. Title transferred to borrower.

By a loan for exchange, the title to the thing lent is transferred to the borrower, and the borrower must bear all the expenses in connection therewith and is entitled to all the increase thereof.

47-13-04. Lender may not require change in obligations.

A lender for exchange may not require the borrower to fulfill the borrower's obligations at a time or in a manner different from that which originally was agreed upon.

47-13-05. Indemnity to borrower for concealed defects.

The lender of personal property for exchange shall indemnify the borrower for damages caused by defects or vices in it of which the lender knew at the time of the exchange and concealed from the borrower.

47-13-06. Time and place for return of personal property to lender.

If personal property is exchanged for a specific time or purpose, a similar article shall be returned to the lender without demand as soon as the time has expired or the purpose has been accomplished. In any other case, it need not be returned until demanded. The borrower of personal property for exchange shall return a similar article to the lender at the place contemplated by the parties at the time of the exchange, or if no particular place was contemplated by them, at the place where it was at the time of the exchange.