

## GAS AND OIL

### CHAPTER 134

S. B. No. 212—(Thatcher)

#### GAS AND OIL LEASE CANCELLATION

An Act providing for the cancellation and release of gas and oil leases which have expired by the terms thereof and have not been renewed of record within five years after the expiration thereof, and declaring an emergency.

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

§ 1. The owner of any legal or equitable interest in real property heretofore leased for the production of gas or oil or both by lease of record which lease has expired by its terms more than five years before application for cancellation and release hereunder, may apply to the Register of Deeds of the County wherein such lease is of record for the cancellation and release thereof.

§ 2. Such application shall describe the land leased, shall state the name and address of the lessee, if known to the applicant, and if not known, the application shall so state, and that said lease has not been renewed within the five years then last past, and that the same has terminated according to its terms, which application shall be verified by the affidavit of the applicant.

§ 3. Upon the filing of such application and the payment of the estimated expense of the notice provided for herein and the lawful recording fees for the recording of papers herein provided for, it shall be the duty of the Register of Deeds to mail to the lessee or assignee of record by registered mail addressed to his address as shown by the records in the office of such Register of Deeds if any there be, otherwise to the address as shown by such application, a notice that such lease will be cancelled and released unless such lessee or assignee shall appear before the District Court in and for such County within ninety (90) days after the mailing of such notice and show cause therein why such lease should not be so cancelled and released.

§ 4. If such lessee or assignee appears in such District Court he shall notify such Register of Deeds of such appearance and such Register of Deeds shall thereupon notify such applicant of such appearance. Thereafter such lessee or assignee and such applicant shall appear before such District Court at such time and place and on such notice as may be fixed by such District Court, and the Court shall thereupon summarily determine the question as to whether such lease shall be cancelled and released, and shall make such order as may be proper in the premises. If such order determines that said

lease shall be cancelled and released, such order shall be duly recorded by said Register of Deeds, and thereupon such lease shall be held to be cancelled and released.

§ 5. If such lessee or assignee shall make no appearance within such ninety (90) days, said Register of Deeds shall present to the said District Court a true copy of the notice mailed together with his affidavit that such notice was mailed as herein provided and that such lessee or assignee has made no appearance as in said notice required. Thereupon said Court, if satisfied that the same should be done, shall make an order determining that said lease be cancelled and released and said Register of Deeds shall thereupon record the same and thereupon such lease shall be held to be cancelled and released.

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

Approved March 16, 1937.

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## CHAPTER 135

H. B. No. 14—(Peterson of Renville, Bjornson, Morland and Ritter)

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### OIL AND GAS WELLS—RULES AND REGULATIONS

An Act to conserve the natural gas and oil resources of the State of North Dakota, to prevent waste through negligent methods of operation, and to provide for the prescribing and enforcing of rules and regulations governing the drilling, casing and abandonment of oil and gas wells and the waste of oil and gas and providing a penalty for the violation thereof.

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

§ 1. For the purpose of conserving the natural resources of the State of North Dakota, and to prevent waste thereof through negligent methods of operation, the State Geologist of the State of North Dakota shall, immediately upon the passage and approval of this Act, prescribe and enforce rules and regulations governing the drilling, casing and abandonment of oil and gas wells, and the waste of oil and gas therefrom. The rules and regulations so prescribed shall be those from time to time adopted by the Bureau of Mines or by the Secretary of the Interior of the United States, pursuant to Act of Congress approved February 25th, 1920 (public 146), governing the methods of operators upon lands embraced within permits or leases issued under the provisions of said Act of Congress.

§ 2. It shall be the duty of all persons and corporations drilling and operating oil or gas wells, upon lands within the jurisdiction of the State of North Dakota, to comply with the said rules and

regulations, and to file with the State Geologist all logs of wells within six months after the completion or abandonment thereof, and also to file with the said State Geologist such other reports as may be required thereby, and to case, control and plug all wells as therein prescribed.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

§ 4. PENALTY.] Any person or corporation violating the provisions of this Act or any rule or any regulation prescribed pursuant hereto, and any person or corporation violating the lawful orders of the State Geologist with reference to the matters referred to in this Act shall upon conviction be fined not more than \$500.00, or be imprisoned in the County jail not more than six months, or by both such fine and imprisonment.

Approved February 6, 1937.

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## HAIRDRESSERS AND COSMETOLOGISTS

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### CHAPTER 136

H. B. No. 291—(Olson of McLean)

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#### COSMETIC ACT

An Act for the protection of health and prevention of fraud and deception in cosmetics; for the prevention of adulteration, misbranding and false advertising thereof; requiring labeling thereof; providing for the enforcement of the provisions of the Act; and to provide penalties for the violation thereof.

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

§ 1. NAME OF ACT.] This Act may be cited as the North Dakota Cosmetic Act.

§ 2. DEFINITIONS.] (a) The term "cosmetic" as used herein shall include all substances and preparations intended for cleansing or altering the appearance of or promoting the attractiveness of the person, except that such term shall include soaps only when medicinal or curative qualities are claimed therefor.

(b) The term "person" as used in this Act shall be construed to import both the singular and plural, as the case demands, and shall include individuals, partnerships, corporations, companies and associations.

§ 3. ADULTERATION. WHAT CONSTITUTES.] A cosmetic shall be deemed to be adulterated: