

hundred pounds of rock pressure, shall constitute a well producing native natural gas in commercial quantities, under the provisions of this Act.

§ 4. PRO RATA OF DISTRIBUTION.] All wells of the above classification shall be entitled to an equal pro rata of products to be used by any person, firm or corporation, holding franchises to furnish gas to the public, under the provisions of this Act.

§ 5. EMERGENCY.] An emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval.

Approved March 9, 1933.

GASOLINE

CHAPTER 124

S. B. No. 123—(McDonald.)

REGULATION GASOLINE FILLING STATIONS

An Act to prohibit the operation of gasoline filling stations unless operated by the owner or a bona fide employee or authorized attendant thereof, and providing for a penalty therefor.

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

§ 1. DEFINITION OF TERMS.] The following words, terms and phrases, as used in this Act, are for the purposes thereof hereby defined as follows: "Motor vehicle" shall mean and include all vehicles, engines, machines or mechanical contrivances which are propelled by internal combustion motors or engines. "Filling station" shall mean and include all places of whatever character or description where gasoline or other inflammable liquids are sold at retail for use in motor vehicles. "Person" shall mean and include natural persons and partnerships, firms, associations and corporations.

§ 2. SALE OF GASOLINE: REGULATIONS FOR HANDLING AND DISPENSING.] No fuel tank of a motor vehicle, and no barrel, drum or other vessel or container shall be filled wholly or partly with gasoline or any other inflammable liquid at any filling station by or on behalf of the purchaser thereof or by any person other than the owner or operator of such filling station or a regular bona fide employee or authorized attendant of such owner or operator; and no hose, pump, pipe or other contrivance for conveying, measuring or handling such liquid or liquids shall at any time be used, handled or manipulated for the purpose of dispensing gasoline or other inflammable liquids at any filling station by or on behalf of the purchaser thereof, or by any person other than the owner or operator

of such filling station or a regular bona fide employee or authorized attendant of such owner or operator.

No owner or operator of any filling station shall permit the tank of any motor vehicle or any barrel, drum or any vessel or container, to be filled or partially filled at any such filling station by any person other than the owner or operator, or a regular bona fide employee or authorized attendant of such owner or operator; or permit any such hose, pump, pipe or other device for conveying, measuring, pumping or dispensing any such liquids by any person or persons, except such owner or operator, or a regular bona fide employee or authorized attendant of such owner or operator.

§ 3. PENALTY FOR VIOLATION.] Any person who shall violate any of the provisions of this Act shall upon conviction thereof be fined not less than ten dollars, nor more than two hundred dollars. Each day or part thereof during which any person shall operate any filling station in violation of the provisions of this Section shall be deemed and shall constitute a separate offense.

Approved March 3, 1933.

HIGHWAYS

CHAPTER 125

S. B. No. 114—(Bonzer.)

STATE HIGHWAY COMMISSIONER

An Act creating the office of State Highway Commissioner, defining his powers and duties, and fixing the compensation of said commissioner, and repealing Chapter 153 of the Laws for 1931.

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

§ 1. The office of State Highway Commissioner is hereby created and established, which shall consist of one person, to be appointed by the Governor for a term of three years, and until his successor is appointed and qualified, and who shall be subject to removal by the Governor for neglect of duty, or for nonfeasance or malfeasance in office. Said Commissioner, upon appointment, shall take and file the oath prescribed by law for state officers, and shall be bonded in the State Bonding Fund, in the sum of twenty-five thousand dollars, such bond to be conditioned for the faithful performance of the duties of his office.

§ 2. Such Commissioner shall not hold any other office under the laws of this state or any other state, or of the United States. He shall reside at the capital of the state, and shall devote his entire time to the duties of his office, and shall not hold any position of trust, or profit, or engage in any business or occupation interfering