

from and after the passage of this Act to July 1st, and the sum of Two Hundred Dollars per annum from July 1st to June 30th of each succeeding year, and which license shall not be transferable. Such license shall not permit the sale at any one time to any person of an amount greater than five wine gallons.

That all purchases of liquor under this Act must be made from duly licensed wholesalers in the State of North Dakota.

§ 4. It is further provided that the wholesaler shall report his sales, as in the case of other sales, and that the revenue realized from the sale of stamps on intoxicating liquors, sold under the provisions of this Act, shall be converted into the General Fund of the State as a part thereof.

§ 5 Any person violating any of the provisions of this Act shall upon conviction, be fined not more than Five Hundred Dollars for the first offense, or imprisoned in the County jail for not more than ninety days, or by both such fine and imprisonment. For any subsequent violation of this Act the offender shall be fined not more than One Thousand Dollars, or imprisoned in the County jail for not more than six months, or by both such fine and imprisonment.

§ 6. This Act is hereby declared to be an emergency measure, and shall be in full force and effect from and after the date of its passage and approval.

Approved March 17, 1937.

(NOTE: House Emergency Certificate shows Ayes, 66; Nays, 38.)

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## MINING

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### CHAPTER 155

H. B. No. 239—(Krank, Sticka and Bjornson)

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#### COAL MINING REGULATIONS

An Act to amend and re-enact Section 77 of Chapter 168, Session Laws of 1919 which also appears as Section 3084a77 of the 1925 Supplement governing underground coal mining near boundary lines and including therein coal mining near State, County and Township highways.

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

§ 1. Section 77 of Chapter 168 of the Session Laws of 1919 which also appears as Section 3084a77 of the 1925 Supplement, is hereby amended and re-enacted to read as follows:

§ 77. WORKING NEAR BOUNDARY LINES AND STATE, COUNTY

AND TOWNSHIP HIGHWAYS.] In no case shall the workings of an underground coal mine be driven nearer than ten (10) feet to the boundary line of the coal rights pertaining to said mine nor shall such workings to be driven nearer than four (4) rods to the perpendicular center line of any State, County or Township highway, except that double entries, each not more than nine (9) feet wide with forty (40) foot pillars between, and properly timbered, may be driven under such highways for the purpose of connecting workings between properties owned or mined by the same person or making an underground communication between contiguous mines as provided for elsewhere in this Act, and workings may be driven nearer than ten (10) feet to such boundary line for the same purpose or purposes.

Approved March 9, 1937.

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### CHAPTER 156

H. B. No. 17.—(Peterson of Renville, Bjornson, Morland and Ritter)

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#### “AUTHORIZING COUNTY COMMISSIONERS TO LEASE COUNTY PROPERTY FOR MINING AND DRILLING PURPOSES”

An Act to authorize the Board of County Commissioners of the Counties in the State of North Dakota, to make, execute and deliver, on behalf of the County, leases and other contracts for the purpose of mining, and operating for oil and gas, lay pipe lines, and for establishing and maintaining tanks, power stations and structures thereon, to produce, save, sell and take care of said products, together with power and authority to include in the provisions of said leases any and all provisions which would be within the power of an individual owner to make, with certain limitations, and providing for the distribution of moneys received from said leases; repeal; declaring an emergency.

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

§ 1. The County Commissioners of the respective Counties of this State, for and in behalf of their respective Counties, shall have the right, power and authority to demise, lease and let, both real and personal property, which the County may have acquired through purchase, forfeiture or operation of law, for the purpose of mining, and operating for oil and gas, laying pipe lines, and for establishing and maintaining tanks, power stations and structures thereon, to produce, save, sell and take care of said product.

§ 2. Further, said County Commissioners shall have full power and authority to include in the provisions of said leases and authorized to carry out, any and all provisions which would be within the power of an individual owner to make, provided, however, that nothing herein shall be construed as authority to the Board of County Commissioners to enter into any of the lines of business hereinbe-

fore set out, nor shall this Act be construed to give to the County Commissioners any right or authority to expend or bind the County to the expenditure by contract or otherwise, of any moneys or property.

§ 3. That all leases heretofore made for the purposes hereinbefore set out, by County Commissioners, and within the terms of this Act are hereby declared valid.

§ 4. All moneys received from mining, oil and gas leases and royalties, shall be paid into the County Treasurer and any amounts which may be due the State or any City, Township or Incorporated Village or School District, from taxes which had been previously levied against said property, or the just proportion thereof, shall be apportioned and placed to the credit of said City, Township, Incorporated Village or School District, entitled thereto, and the remainder shall be credited to the general fund of said County.

§ 5. All Acts and parts of Acts, insofar as they conflict herewith, are hereby repealed.

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

Approved February 18, 1937.

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## MINORS

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### CHAPTER 157

H. B. No. 53—(Nellie C. Olson by request)

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#### DELINQUENCY OF MINOR

An Act making it unlawful to encourage, cause or contribute to the delinquency of a minor.

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

§ 1. UNLAWFUL TO ENCOURAGE OR CONTRIBUTE TO DELINQUENCY OF MINOR.] Any person who shall by any act willfully encourage, or cause, or contribute to the delinquency or dependency of any minor shall be guilty of a misdemeanor.

§ 2. REPEAL.] That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 2, 1937.