

the county jail of the proper county for a period not exceeding thirty (30) days; and, upon being convicted thereof of a second offense, before any alderman, magistrate, or justice of the peace, shall be fined the sum of one hundred dollars (\$100); and upon the third offense shall be duly held for trial in the court of quarter sessions of the proper county, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300), or to undergo an imprisonment not exceeding one (1) year or both.

Repeal.

Section 2. All act and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 17th day of May, A. D. 1921.

WM. C. SPROUL.

No. 322.

AN ACT

To regulate the drilling, operating, and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act.

Oil and gas wells.

Abandoned.

Plugging.

Character
of plugs.

Wells bored
through coal.

Section 1. Be it enacted, &c., That, upon abandoning or ceasing to operate any well or wells which shall have been drilled or put down on lands within this Commonwealth for the purpose of exploring for or producing oil or gas, the person, firm, or corporation, drilling or owning the wells, shall plug said wells in the following manner: First. Fill up the well with rock sediment to a point twenty (20) feet above the top of the lowest oil or gas bearing strata or formation encountered, and drive a round, seasoned, wooden plug, at least three (3) feet in length, equal in diameter to the diameter of the well below the casing, and shall, in like manner, keep plugging and filling until all producing sands have been plugged, when a final plug must be anchored approximately ten (10) feet below the bottom of the largest casing, and filled in with such an amount of rock or rock sediment that may be necessary to completely shut off any water bearing sands or strata; said fill, however, shall in no event be less than thirty (30) feet in depth. All plugs used in said wells shall be well seasoned, round, wooden plugs of the diameter of the well at the point at which said plug shall be located. They shall be at least three (3) feet in length, and the lower end thereof tapered for a distance of eighteen (18) inches. In abandoning any well which has been drilled through marketable coal, after the inside casing has been drawn, there shall be placed a two (2) inch vent pipe extending from a point thirty (30) feet below the coal bed for a distance of eighty (80) feet in height; said pipe to be

encased in cement, after which the outside casing may be drawn.

Section 2. Whenever the production of any gas well is not sufficient, in the estimation of the owner, to justify leaving the casing or casings in the well, the well may be utilized through tubing placed on a packer, and, after cement and sand has been poured on the packer to a depth of not less than ten (10) feet, the casing or casings may be pulled, and the hole outside of the tubing filled, with sand, cement, rock, sediment, clay, or other material, to a point at least thirty (30) feet above the highest producing sand, so as to completely shut off all water from the various sands, after which the casing may be drawn. Upon the abandonment of such gas well, if a plug or bridge shall be placed in the tubing at a point near the depth at which the packer was set, and cement and sand poured in on said plug or bridge to a depth of not less than thirty (30) feet, it shall be held a compliance with the provisions of this act relating to plugging and abandoning of wells.

Gas wells.

Pulling of casings.

Plugs or bridges.

Section 3. The owner or operator of any well or wells which produce oil or gas from the strata known as the "Bradford Sand," "Kane Sand," and "Haskell Sand," shall be permitted to allow such wells to remain open for the purpose of introducing air, gas, water, or other liquid pressure, upon said "Bradford Sand," "Kane Sand," and "Haskell Sand," for the purpose of recovering the oil and gas contained therein, provided that the introduction of such pressure of air, gas, water, or other liquid into said "Bradford Sand" shall be through casing or tubing, which shall be so anchored and packed that no other oil or gas bearing sand, above or below said "Bradford Sand," "Kane Sand," and "Haskell Sand," shall be affected by the introduction of such pressure.

Wells which produce from certain strata.

Section 4. The owner or operator of any well productive of oil or gas in paying quantities shall have the right to give written notice, to any other owner or operator who may be about to drill or may be drilling a well within one (1) mile of said productive well, that the well about to be drilled or being drilled will penetrate the same sand or strata as that from which said productive well obtains its production, and said owner of the well being drilled or about to be drilled shall case off all water found therein, in case said water cannot be bailed out of the hole while drilling with the use of an extension bailer, after the service of said notice, so as to prevent the entry of said water into the sand or strata from which the oil or gas is obtained in said oil or gas well. No such notice shall be of any effect unless given before the sand to be protected shall have been penetrated by the well about to be drilled or at the time being drilled.

Drilling on nearby lands.

Uncapped wells.	<p>Section 5. The wilful permitting of any oil or gas well to remain uncapped, or the wilful opening of any valve to admit air in a gas pumped territory in which the gas pressure is less than atmospheric pressure, is declared to be a misdemeanor, and is hereby prohibited; and, in case any well in such territory is opened for the purpose of cleaning, repairing, drawing tubing, drawing rods, abandoning, et cetera, the same must not remain open continuously for a longer period than twelve (12) hours, unless work in connection with cleaning, et cetera, is being conducted more than twelve (12) consecutive hours.</p>
Open valves.	
Prohibition.	
Cleaning, repairing, etc.	
Violations.	<p>Section 6. Any person, firm, or corporation, or the agents thereof, who shall violate any of the provisions of this act shall, upon conviction thereof, be sentenced to pay a fine not to exceed one thousand (\$1,000.00) dollars, or undergo an imprisonment not to exceed one (1) year. The fine imposed under this section shall be applied to the use of the school district in which such well may be situated.</p>
Penalty.	
Rights of adjoining owners.	<p>Section 7. Whenever any owner or operator shall neglect or refuse to comply with the provisions of this act, the owner or operator upon any land adjoining or contiguous thereto that upon which such violation may occur may enter, take possession of said abandoned well, and plug or cap it as provided by this act, and recover the expense thereof in an action or tort against the owner or operator whose duty it may have been to comply with the provisions of this act.</p>
Acts repealed.	<p>Section 8. The following acts of Assembly are hereby repealed: The act, approved the sixteenth day of May, one thousand eight hundred and seventy-eight (Pamphlet Laws, fifty-six), entitled "An act requiring owners and operators of oil lands to plug their wells so as to shut off all fresh water from the oil bearing rock and to exclude the oil and gas from the fresh water before abandonment, and providing a penalty for neglect to perform the same"; the act, approved the tenth day of June, one thousand eight hundred eighty-one (Pamphlet Laws, one hundred and ten), entitled "An act regulating the mode of plugging abandoned oil wells, and providing a penalty for the violation thereof"; the act, approved the twenty-third day of June, one thousand eight hundred eighty-five (Pamphlet Laws, one hundred and forty-five), entitled "An act to protect oil, gas, and water wells, tanks, pipes, and machinery connected therewith, and to prevent wilful and malicious injury thereto"; and sections twenty and twenty-two of the act, approved the twenty-ninth day of May, one thousand eight hundred eighty-five (Pamphlet Laws, twenty-nine), entitled "An act to provide for the incorporation and regulation of natural gas companies," and all other</p>
Act of May 16, 1878 (P. L. 56).	
Act of June 10, 1881 (P. L. 110).	
Act of June 23, 1885 (P. L. 145).	
Part of act of May 29, 1885 (P. L. 29).	

acts or parts of acts inconsistent with this act are hereby repealed. Repeal.

APPROVED—The 17th day of May, A. D. 1921.

WM. C. SPROUL.

No. 323.

AN ACT

To amend part of section one of the act, approved the eleventh day of July, one thousand nine hundred and one (Pamphlet Laws, six hundred sixty-three), entitled "An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth, and to provide for the taxation and collection of the same," as amended.

Section 1. Be it enacted, &c., That part of section one of the act, approved the eleventh day of July, one thousand nine hundred and one, entitled "An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth, and to provide for the taxation and collection of the same," which, as amended by an act, approved the first day of June, one thousand nine hundred and fifteen (Pamphlet Laws, six hundred seventy-seven), entitled "An act to amend an act, approved the eleventh day of July, one thousand nine hundred one, entitled 'An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth, and to provide for the taxation and collection of the same,'" reads as follows:— Sheriffs.

"For executing any process, warrant, *capias*, attachment, decree, sentence or order of court, where the defendant's body is to be taken in custody, as follows: For receiving, docketing, and making return, one dollar; for each arrest, one dollar and mileage; for transportation of each prisoner, the actual amount paid to the common carrier for such transportation, in addition to necessary help and expenses," is hereby further amended to read as follows:— Part of section 1,
act of July 11,
1901 (P. L. 663),
as amended by act
of June 1, 1915
(P. L. 677), cited
for amendment.

For executing any process, warrant, *capias*, attachment, decree, sentence, or order of court, where the defendant's body is to be taken in custody, as follows: For receiving, docketing and making return, one dollar; for each arrest, one dollar and mileage; for transportation of each prisoner, the actual amount paid to the common carrier for such transportation *or the actual cost of such transportation by motor vehicle*, in addition to necessary help and expenses. Fees.

Transportation of
prisoners.

APPROVED—The 17th day of May, A. D. 1921.

WM. C. SPROUL.