

**42-399. Unlawful acts affecting artesian well; penalty.** If any person in charge of the work of sinking or boring an artesian well shall fail, neglect or refuse to keep a record thereof as required by this act, or shall fail, refuse or neglect to set forth therein as nearly as may be any of the matters or things hereby required to be set down in such record; or, being the proprietor of such well hereafter sunk or bored, or proprietor of or entitled to the waters of any such well heretofore sunk or bored, shall fail or refuse to make and record the certificate required by this act, or shall willfully and knowingly insert in such record or in such certificate any false statement touching any such matter, or shall cause or procure, or knowingly permit, suffer or connive at such omission or false statement; or, being the proprietor of or controlling any artesian well, shall suffer the same to flow without causing it to be furnished with such appliances as hereby required for arresting and preventing the flow of water therefrom; or who, being the proprietor of or controlling such well, shall knowingly permit the water thereof to flow or waste unnecessarily, and to the injury of others; or, being in possession of or controlling the premises where such well is situated, shall willfully prevent any water bailiff, county commissioner, road overseer or city officer entitled by this act to visit and inspect the same from so doing, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding one hundred dollars, or imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment, in the discretion of the court wherein conviction is had.

**History:** L. 1891, ch. 133, art. 8, § 11; May 20; R.S. 1923, 42-399.