



The law relating to oil and gas Volume 2; including oil and gas leases and contracts, production of oil and gas, both natural and artificial, and ... or municipalities, regulating gas companies

William Wheeler Thornton

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This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1918 Excerpt: ...recover damages because of such entry and mining operations." In an instance of such severance of the surface and 14 Hague v. Wheeler, 157 Pa. 324; 27 Atl. 714; 37 Am. St. 736; 22 L. R. A. 141; Calor Oil & Gas Co. V. Franzell, 128 Ky. 715; 109 S. W. 328; as Ky. L. Rep. as. "Louisville Gas Co. v. Kentucky Heating Co. (Ky.), 111 S. W. 374; 33 Ky. L. Rep. 912; Talhott v. Southern Oil Co., 60 W. Va. 423; 55 S. E. 1000. 1 5 344. Porter v. Mack Mfg. Co., 65 W. Vn.. 636; 64 S. E. 853. Care must be observed, however, to determine whether or not the ll 81111 gas were actually reserved; for the reservation of "all minerals" under or in the land conveyed is the oil and gas the statute of limitations does not begin to 1'11! in favor of the owner of the surface under a claim of possession of the oil and gas thereunder until he, such surface owner, has taken physical possession of the oil and gas." If the surface owner proceeds to mine the oil or gas, the person reserving it, or his grantee or lessee, may maintain a bill in equity to enjoin him." A sale of the land for taxes in which such a reservation has been made, even where it is assessed in the name of the surface owner only, carries title to the oil and gas reserved to the purchaser at such tax sale."" Oil 01' gas underlying land may be abandoned, and in a suit between conflicting claimants one party may alwlfli 5119" the "her had abandoned it." §887. Several tracts under one lease. In Ohio, if the owners of separate tracts of land join in one lease of all of them for a joint or single royalty of the oil or gas rental, the owner of one of such separate tracts ma? recover from the lessee the royalty or gas rental produced 011 his tract,"...

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