

State of New Hampshire.

Description filed in the office of the Clerk of the City of Manchester

pursuant to the provisions of an Act of 1903 entitled "An Act Relating to the Use of Trade Marks and Names:"

Name of Person or Corporation Roy & Cloutier (Victor W. Roy and Adelard N. Cloutier)

Principal place of business Manchester, N. H.

Nature of business buying and selling milk and cream.

Kind of receptacle used glass bottles and tin cans.

Description of name or names, mark or marks, device or devices, used

Bottles: figure "8" and words "Roy & Cloutier, Registered", on face of bottle. Cans: figure "8" on face of can; words, "Roy & Cloutier, Registered", on side of can; each can has brass collar.

In witness whereof we have hereunto signed our names this 9th.

day of August 1904.

Roy and Cloutier
Victor W. Roy
Adelard N. Cloutier

No.

Roy and Belovtier

Description Relating to Trade Marks
and Names.

ACT OF 1903.

Filed in the office of.....

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CITY CLERK'S OFFICE,
MANCHESTER, N. H.

Received *August 11, 1904* at
55 minutes past *2* o'clock in
the *after* noon, and recorded in book of Records
of *the* said city, Vol. *and filed*

By me,

Edward Smith
City Clerk.

An Act Relating to the Use of Trade Marks and
Names.

Be it Enacted by the Senate and House of Represent-
atives in General Court convened:

SECTION 1. Persons engaged in buying, selling, or deal-
ing in milk or cream in cans or bottles, or bottling or sell-
ing beverages in bottles or vessels with their name and the
word "registered" branded, engraved, blown or otherwise
produced thereon, or on the boxes used by them, may file
in the office of the clerk of the city or town in which their
principal place of business is situated, and also in the office
of the secretary of state, a description of the name so used
by them, and shall publish such description once in each of
four successive weeks in a newspaper, if any, published
in the city or town in which said description has been filed,
otherwise, in a newspaper published in the county in
which said city or town is situated.

SECT. 2. Whoever fills with milk, cream, or any manu-
factured beverage, with intent to sell the same, any bottle,
can, or vessel, marked or distinguished as aforesaid, the
description of which has been filed and published as pro-
vided in the preceding section, or defaces, erases, covers
up or otherwise removes or conceals any such name, or
the word "registered" thereon, or sells, buys, gives, takes,
or otherwise disposes of, or traffics in the same, without
the written consent of, or unless the same has been pur-
chased from the person whose name is in or upon the can,
bottle or vessel so filled, defaced, trafficked in or other-
wise used or disposed of shall, for the first offense, be pun-
ished by a fine of fifty cents for each such can, bottle, or
vessel, or by imprisonment for not less than ten days nor
more than one year, or by both such fine and imprison-
ment; and for each subsequent offense, by a fine of not
less than one dollar nor more than five dollars for each
such vessel or by imprisonment for not less than twenty
days nor more than one year.

SECT. 3. The use by any person engaged in selling milk
or cream, or in manufacturing, bottling or selling bever-
ages, of a bottle, can, or vessel, marked or distinguished
as aforesaid, the description of which has been filed and
published as provided in section 1, without the written
consent of, or purchase from, the owner thereof, or the
buying, selling, disposing of or trafficking in such bottles,
cans, or vessels by such persons without such written con-
sent or purchase, or the possession by any junk dealer or
dealer in second hand articles of any such bottles, cans,
or vessels, without the written consent of or purchase
from, the owner thereof, shall be prima facie evidence of
unlawful use, possession of or traffic in the same.

SECT. 4. Upon complaint of a person who has complied
with the provisions of section 1, or his agent, to the justice
of a police court, or to a justice of the peace in a town
which has no police court, that he has reason to believe
and does believe that any of his bottles, cans, or vessels,
marked or distinguished as provided in said section, the
description of the name, on which with the word "regis-
tered," has been filed and published as provided in said sec-
tion are being unlawfully used or filled by a person engaged
in buying, selling or dealing in milk or cream, or in manu-
facturing, bottling, or selling beverages, or that a junk deal-
er or dealer in second hand articles, or a vender of cans or
bottles, has any such cans, bottles, or vessels in his pos-
session, or secreted in any place, said justice may there-
upon issue a search warrant; and may also cause the
person in whose possession such cans, bottles, or vessels
are found, to be brought before him, and shall thereupon
inquire into the circumstances of such possession; and
shall award possession of the property taken upon such
search warrant to the owner thereof.

SECT. 5. All acts and parts of acts inconsistent here-
with are hereby repealed, and this act shall take effect
upon its passage.

Approved, April 2, 1903.