

# State of New Hampshire.

Description filed in the office of the City Clerk of Manchester N. H.  
and of the Secretary of State at Concord N. H.  
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 Joseph Durin

Principal place of business Manchester N. H.

Nature of business Deal in ales, wines, beers, & liquors

Kind of receptacle used Bottle

Description of name or names, mark or marks, device or devices, used The name  
Joseph Durin, 1913 Impulse  
Registered Manchester N. H. flows in  
bottle. The device is oval  
in form.

In witness whereof I have hereunto signed my name this 21<sup>st</sup>  
day of May 1904

Joseph Durin  
by  
W. Smith.

No. ....

Description Relating to Trade Marks  
and Names.

ACT OF 1903.

Filed in the office of *City Clerk*

*May 20* 1904  
at 10.07 a.m.

*Arthur M. Phinney*

*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 her-  
ewith are hereby repealed, and this act shall take effect  
upon its passage.

Approved, April 2, 1903.