

SODA WATER.

CHAPTER 184.

[H. B. 181.]

ILLEGAL USE OF BRANDS, LABELS, ETC., USED BY MANUFACTURERS OF SODA WATER, ETC.

AN ACT to Amend Section 7264 of the Revised Codes, Prescribing a Penalty for the Illegal Use of Names, Brands, Labels, and Trademarks Used by Manufacturers of, and Dealers in Soda, Mineral Water and Other Like Beverages.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That section 7264 of the Penal Code of this state be amended so as to read as follows, to-wit:

§ 7264. REFILLING OR SELLING BOTTLES.] Whenever any person, firm or corporation engaged in the manufacturing, bottling, or sale of soda water, mineral water, and other like beverages, in any county of this state, shall have recorded or filed with the register of deeds of the proper county, as is now provided, or shall hereafter be provided by law, the name, brand, label and trade mark, or any of them, used by him, or is for the purposes of the business of such person, firm or corporation, every other person who, without the written consent of such manufacturers or dealers, refills with any beverage, whether genuine or otherwise, with the intent to sell the same, any bottles, stamped with or bearing such name, brand, trademark or label, and every person who sells, disposes of, purchases or traffics in such bottles, is liable to a penalty of fifty cents (50 cents) for each and every bottle so filled, sold, bought, disposed of or trafficed in, for the first offense, and five dollars (\$5.00) for each and every bottle so filled, bought, disposed of or trafficed in for every subsequent offense.

§ 2. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

Approved March 8, 1901.

CHAPTER 185.

[H. B. 180.]

PROTECTION OF MANUFACTURERS OF SODA WATER, ETC.

AN ACT for the Protection of Manufacturers of Soda Water, Mineral Water, and Other Like Beverages.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. SODA WATER AND OTHER BEVERAGES. PROTECTION OF MANUFACTURERS OF.] It shall be the duty of the register of deeds of any county in this state, on the application of any person, firm or corporation lawfully manufacturing, selling or bottling within this county, soda water, mineral water, and other like beverages, to record in a book suitable for such purposes a description of the names, brands, trade marks, and labels, or any of them, used by such person, firm or corporation for making his or its casks, kegs, barrels, bottles, jugs, fountains, boxes or other packages, which book shall be and remain a public record in his office.

§ 2. NAME, BRAND, OR TRADE MARK. REGISTER OF DEEDS TO RECORD.] The register of deeds shall collect of any such person, firm or corporation making application to have any such description of name, brand or trade mark recorded in said register of deeds' office, a registration fee of fifty cents (50 cents) for each and every such description of name, brand, label or trade mark before the same shall be received for record and entered upon the books of the register of deeds office.

§ 3. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

§ 4. EMERGENCY.] Whereas, an emergency exists in that the manufacturers of and dealers in soda water, mineral water, and other like beverages have no present means of recording their brands, labels and trade marks, this act shall take effect and be in full force from and after its passage and approval.

Approved March 5, 1901.