

MAINE STATE LEGISLATURE

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CHAPTER 313

SYPHONS, BOTTLES AND CANS

Sec.

1801. Protection of marks on soft drink containers.

1802. Unlawful use or defacing of containers.

1803. Search warrants.

§ 1801. Protection of marks on soft drink containers

All persons or corporations engaged in the manufacture or sale of soda water, mineral and aerated waters, ginger ale, small beer, spruce beer, white beer or other similar beverages in syphons, boxes, cans, bottles, kegs or other vessels, with their names or other marks or devices branded, stamped, engraved, etched, blown, impressed or otherwise produced upon such syphons, boxes, cans, bottles, kegs or anything connected therewith and appertaining thereto, may file in the office of the town or city clerk in which their principal place of business is situated, a description of the names and marks used by them, and cause the same to be published once a week for 3 successive weeks in any newspaper published in the county in which said notice may have been filed.

R.S.1954, c. 100, § 229.

§ 1802. Unlawful use or defacing of containers

Whoever knowingly and willfully, without the written consent of an owner who has complied with section 1651 or section 1801, uses, buys, sells, fills or traffics in any such syphon, box, can, bottle, keg or other vessel, or any such can of a capacity of not less than 5 gallons used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids, so marked, or defaces, covers up or obliterates the names, marks or devices thereon with intent to use, fill, buy, sell, dispose of or traffic therein or to convert the same to his own use, shall, on complaint, be punished by imprisonment for not more than 30 days or by a fine of not more than \$20, and 50¢ additional for each such syphon, box, can, bottle, keg or other vessel or such can of a capacity of not less than 5 gallons, so used, bought, sold, filled, trafficked in or disposed of, or by both. The said judge on finding such person or persons guilty shall award possession of the property taken to the owner thereof.

R.S.1954, c. 100, § 230.

§ 1803. Search warrants

Whenever any person in his own behalf or in behalf of any corporation shall make complaint on oath to any judge or court, authorized to issue warrants in criminal cases, that he has reason to believe and does believe that any of his or said corporation's syphons, boxes, cans, bottles, kegs or other vessels, or any of his or said corporation's cans of a capacity of not less than 5 gallons used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids, a description of the names, marks or devices whereon has been so filed and published, are being unlawfully used, filled, bought, sold, disposed of or trafficked in, or unlawfully had by any person or corporation manufacturing or selling said beverages, oils, fluids or liquids, or by any junk dealer or dealer in secondhand articles, or by any vendor of such syphons, boxes, cans, bottles, kegs or other vessels or cans of a capacity of not less than 5 gallons, used for the purposes aforesaid, the said judge shall thereupon issue a search warrant to search therefor.

R.S.1954, c. 100, § 231.