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board of medical supervisors, or in the possession of any member thereof, relating to the licensing of pharmacists and to the issue of permits for the sale of poisons, and all property in the possession of said board of medical supervisors, or any member thereof, which came into the possession of said board of medical supervisors, or any member of said board, from the late commissioners of pharmacy, or which has been purchased solely from funds received from said commissioners.

Licenses for pharmacists.
Practical experience required.

SEC. 3. That an applicant, in order to be entitled to an examination for the determination of his fitness to be licensed as a pharmacist in the District of Columbia, must have had not less than four years' experience in the practice of pharmacy under the instruction of a regularly licensed pharmacist: *Provided, however*, That the board of pharmacy, in its discretion, may establish, by general rules, conditions, upon compliance with which by any school or college of pharmacy, and upon the submission by said school or college of evidence sufficient to prove such compliance to the satisfaction of said board, applicants who have been graduated by such school or college during any specified year or years may be allowed credit for not more than one year's experience in the practice of pharmacy by reason of attendance at and graduation by said school or college.

Proviso.
Credit allowed graduates of school.

Jury exemption repealed.
Ante, p. 182.

SEC. 4. That section eighteen of "An Act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May seventh, nineteen hundred and six, be, and it is hereby, repealed.

Effect.
Repeal.

SEC. 5. That this Act shall take effect from and after the expiration of thirty days immediately following its passage, and from and after the expiration of said period all Acts and parts of Acts contrary to the provisions of this Act or inconsistent therewith, be, and the same hereby are, repealed.

Approved, February 27, 1907.

February 27, 1907.
[H. R. 25482.]

[Public, No. 146.]

CHAP. 2086.—An Act To amend section eight hundred and seventy-eight of the Code of Law for the District of Columbia.

District of Columbia.
Code amendments.
Vol. 31, p. 1333, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight hundred and seventy-eight of the Code of Law for the District of Columbia be, and the same is hereby, amended by adding thereto the following:

Milk-bottle regulations.
Meaning of specified words.

"SEC. 878a. That the following words shall, in addition to their ordinary meaning, have the meaning herein given: The word 'person' or 'persons,' in sections eight hundred and seventy-eight b, c, d, e, and g, inclusive, shall include 'firms' or 'corporations;' the word 'vessel' or 'vessels,' in sections eight hundred and seventy-eight b, c, d, and e, shall include 'cans,' 'bottles,' 'siphons,' and 'boxes;' the word 'mark' or 'marks' shall include 'labels,' 'trade-marks,' and all other methods of distinguishing ownership in vessels, whether printed upon labels or blown into bottles or engraved and impressed upon cans or boxes.

Registry of private ownership of bottles, labels, etc.

"SEC. 878b. That persons engaged in producing, manufacturing, bottling, or selling milk or cream, or any other lawful beverage composed principally of milk, in vessels, with their name, trade-mark, or other distinctive mark, and the word 'registered' branded, engraved, blown, or otherwise produced thereon, or on which a pasted trade-mark label is put upon which the word 'registered' is also distinctly printed, may file with the clerk of the supreme court of the District of Columbia a description by facsimile, or a sample of an original package so marked or branded or blown, showing plainly such names and marks thereon, together with their name in full, or their corporate

name, and also their place of business in the District of Columbia, and if so filed shall cause the same to be published for not less than two weeks successively in a daily or weekly newspaper published in the District of Columbia.

Refilling, sale, etc. by others prohibited.

"SEC. 878c. That whoever, except the person who shall have filed and published a description of the same as aforesaid, fills with milk or cream, or other beverage, as aforesaid, with intent to sell the same, any vessel so marked and distinguished as aforesaid, the description of which shall have been filed and published as provided in the preceding section, or defaces, erases, covers up, or otherwise removes or conceals any such name or mark as aforesaid, or the word 'registered,' thereon, or sells, buys, gives, takes, or otherwise disposes of, or traffics in the same without having purchased the contents thereof from the person whose name is in or upon such vessel, or without the written consent of such person, shall, for the first offense, be punished by a fine of not less than fifty cents for each such vessel, or by imprisonment for not less than ten days nor more than one year, or by both such fine and imprisonment; and for each subsequent offense by a fine of not less than one nor more than five dollars for each such vessel, or by imprisonment for not less than twenty days nor more than one year, or by both such fine and imprisonment.

Punishment.

Prima facie evidence of unlawful use, etc.

"SEC. 878d. That the use or possession by any person not engaged in the production or sale of milk or cream or other beverage as aforesaid, except the person who shall so have filed and published a description of the same as aforesaid, of any vessel marked or distinguished as aforesaid, the description of which shall have been filed and published as aforesaid, without purchase of the contents thereof from, or the written consent of, the person who shall so have filed and published the said description, shall be prima facie evidence of the unlawful use, possession of, or traffic in, such vessel, and the person so using or in possession of the same, except the person who shall so have filed and published the said description as aforesaid, shall be punished as in the next preceding section provided.

Police court to issue warrant on complaint.

"SEC. 878e. That upon complaint of any person who has complied with section eight hundred and seventy-eight b, or of his agent, to the police court of the District of Columbia, or one of the judges thereof, that such person, or agent, has reason to believe, and does believe, that any person within the District of Columbia is guilty of the violation of any provision of this Act, the said court or judge may issue a search warrant to discover and obtain such vessels as aforesaid and their contents, and may also cause to be brought before the said court or judge the person so believed to be guilty, or his agent or employee, in whose possession or upon whose wagon or premises any such vessel or vessels may be found; and any such person, agent, or employee found guilty of a violation of any of the provisions of this Act shall be punished as aforesaid, and the said court or judge shall also order the property taken upon any such search warrant to be delivered to its owner.

Regulations, etc.

"SEC. 878f. That the clerk of the supreme court of the District of Columbia is hereby authorized to make regulations and prescribe forms for the filing of labels, trade-marks, or other distinctive marks under the provisions of the foregoing amendments to section eight hundred and seventy-eight.

Actions in tort not prevented.

"SEC. 878g. That nothing in the foregoing amendments to section eight hundred and seventy-eight shall prevent or restrain any person who is the legal owner of a trade-mark or label from proceeding in an action of tort against any person found guilty of violating any subsection of section eight hundred and seventy-eight."

Approved, February 27, 1907.