

Chap.357 AN ACT RELATIVE TO THE HOURS OF LABOR FOR CITY AND TOWN EMPLOYEES.

Be it enacted, etc., as follows:

1899, 344, § 3,
amended.

When to take
effect.

Section three of chapter three hundred and forty-four of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out the whole of said section and inserting in place thereof the following: — *Section 3.* This act shall take effect in any city or town upon its acceptance by a majority of the voters present and voting thereon by ballot at any annual election thereof, and it shall be submitted for such acceptance upon the petition of one hundred or more registered voters of any city, or of twenty-five or more registered voters of any town, filed with the city or town clerk thirty days or more before any annual election.

Approved May 31, 1900.

Chap.358 AN ACT TO RATIFY THE EXISTING INDEBTEDNESS OF THE FOXBOROUGH WATER SUPPLY DISTRICT AND TO AUTHORIZE THE REFUNDING OF A PART THEREOF.

Be it enacted, etc., as follows:

Indebtedness of
Foxborough
Water Supply
District con-
firmed.

May issue notes
or bonds.

SECTION 1. The indebtedness of the Foxborough Water Supply District for loans known as Foxborough Water Loan is hereby ratified, legalized and confirmed.

SECTION 2. The Foxborough Water Supply District is hereby authorized to issue notes or bonds to the amount of nine thousand dollars, for the purpose of refunding a like amount of notes now held by the treasurer of the Commonwealth, in accordance with the vote of said district passed at its annual meeting on the fifteenth day of January in the year nineteen hundred.

SECTION 3. This act shall take effect upon its passage.

Approved May 31, 1900.

Chap.359 AN ACT TO PROTECT MILK DEALERS AND CONSUMERS AGAINST THE UNLAWFUL USE AND DESTRUCTION OF MILK CANS AND OTHER RECEPTACLES.

Be it enacted, etc., as follows:

Description of
marks, devices,
etc., on certain
cans, jugs, etc.,
may be filed
and published,
etc.

SECTION 1. All persons and corporations engaged in buying, selling or dealing in milk or cream in cans, jugs, bottles or jars, with their names or other marks or devices, together with the word "registered", branded, engraved,

blown or otherwise produced in a permanent manner in or upon such cans, jugs, bottles or jars, 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 the Commonwealth, a description of the name or names, mark or marks, device or devices so used by them, and cause such description to be published once each week for four weeks successively in a newspaper published in the city or town in which said description has been filed as aforesaid, except that where there is no newspaper published in such city or town then such publication may be made in any newspaper published in the county in which such city or town is situated.

SECTION 2. Whoever without the consent of the owner takes, detains or uses in his business, sells, disposes of, buys, conceals or traffics in any milk can, jug, bottle or jar, the owner of which has complied with the provisions relating thereto in section one of this act, shall be punished for the first offence by a fine not exceeding five dollars, or by imprisonment in the house of correction for a term not exceeding sixty days, for each can, jug, bottle or jar so taken, detained or used in his business, sold, disposed of, bought, concealed or trafficked in, and for any subsequent offence by a fine not exceeding ten dollars, or by imprisonment in the house of correction for a term not exceeding six months, for each can, jug, bottle or jar so taken, detained or used in his business, sold, disposed of, bought, concealed or trafficked in as aforesaid. Possession by any person in the transaction of his business of any such article the owner of which has complied with the provisions of section one of this act shall constitute prima facie evidence of the unlawful taking, use, detention, possession of or traffic in the same within the meaning of this act.

Penalty for the unauthorized use, etc., of certain milk cans, jugs, etc.

Possession to constitute prima facie evidence in certain cases.

SECTION 3. Whoever without the consent of any owner who has complied with the provisions of section one of this act wilfully destroys, mutilates or defaces any can, jug, bottle or jar bearing such owner's name, mark or device, or wilfully erases, mars, covers or changes any word or mark branded, engraved, blown or otherwise produced, in a permanent manner in or upon any such can, jug, bottle or jar, shall be punished for the first offence by a fine not exceeding five dollars, or by imprisonment in the house of correction for a term not exceeding sixty days,

Penalty for the unauthorized destruction, mutilation, etc., of certain cans, jugs, etc.

for each can, jug, bottle or jar so destroyed, mutilated or defaced, or for each can, jug, bottle or jar upon which any word or mark has been erased, marred, covered or changed as aforesaid; and for any subsequent offence by a fine not exceeding ten dollars, or by imprisonment in the house of correction for a term not exceeding six months, for each can, jug, bottle or jar so destroyed, mutilated or defaced, or for each can, jug, bottle or jar upon which any word or mark has been erased, marred, covered or changed as aforesaid.

Penalty for defiling certain milk cans, jugs, etc.

SECTION 4. Whoever puts any unclean or foul substance or matter into any milk can, jug, bottle or jar, the owner of which has complied with the provisions of section one of this act, shall be punished for the first offence by a fine of not less than fifty cents nor more than five dollars, for each can, jug, bottle or jar so defiled; and for any subsequent offence by a fine of not less than two dollars nor more than twenty dollars, for each can, jug, bottle or jar so defiled.

Proceedings to discover and obtain certain milk cans, jugs, etc., wrongfully in the possession of certain persons, etc.

SECTION 5. Whenever any person or corporation having complied with the provisions of section one of this act, or the agent of any such person or corporation, shall make oath before any justice of any municipal, police or district court, or before any trial justice, that he has reason to believe and does believe that any person or corporation has wrongfully in possession or is secreting any of his or its milk cans, jugs, bottles or jars, marked and described as provided in section one of this act, said justice or trial justice shall, if satisfied that there is reasonable cause for such belief, issue a search warrant to discover and obtain the same, and may also cause to be brought before him the person or an agent or employee of the corporation in whose possession such cans, jugs, bottles or jars are found, and shall thereupon inquire into the circumstances of such possession; and if said justice or trial justice finds that such person or corporation has been guilty of a wilful violation of sections two, three or four of this act he shall impose the penalty prescribed in the section or sections so violated, and shall also award to the owner possession of the property taken upon such search warrant.

SECTION 6. This act shall take effect upon its passage.

Approved May 31, 1900.