

tribes or bands of Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribes.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any other tribe or band of Indians deemed by it necessary or proper to the final determination of the matters in controversy.

SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case.

SEC. 8. The proceeds of all amounts, if any, recovered for said Indians shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 per centum per annum from the date of the judgment or decree. The costs incurred in any suit hereunder shall be taxed against the losing party; if against the United States such costs shall be included in the amount of the judgment or decree, and if against said Indians shall be paid by the Secretary of the Treasury out of the funds standing to their credit in the Treasury of the United States: *Provided*, That actual costs necessary to be incurred by the Crow Indians as required by the rules of court in the prosecution of this suit shall be paid out of the funds of the Crow Tribe in the Treasury of the United States.

Approved, July 3, 1926.

Issue of process, etc.

Appearance of Attorney General directed.

Amounts recovered to be deposited to credit of the Indians.

Costs taxed against losing party.

Proviso. Court expenses from tribal funds.

CHAP. 735.—An Act To establish a term of the United States Circuit Court of Appeals at Oklahoma City, Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a term shall be held annually by the United States Circuit Court of Appeals for the Eighth Circuit at Oklahoma City, Oklahoma, at such times as may be fixed by such court: *Provided*, That suitable rooms and accommodations for holding court at Oklahoma City are furnished free of expense to the United States.

Approved, July 3, 1926.

July 3, 1926.
[H. R. 11123.]
[Public, No. 456.]

Circuit Court of Appeals, Eighth Circuit. Term at Oklahoma City, Okla.

Proviso. Rooms, etc.

CHAP. 736.—An Act To change the name of Dent Place northwest, between Forty-fourth Street and Foxhall Road, to Greenwich Parkway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the street not yet cut through, between Forty-fourth Street and Foxhall Road, but now on record as Dent Place northwest, be, and the same is hereby, changed to Greenwich Parkway, and the surveyor of the District of Columbia is hereby directed to enter such change on the records of his office.

Approved July 3, 1926.

July 3, 1926.
[H. R. 9637.]
[Public, No. 457.]

District of Columbia. Name of Dent Place NW., changed to Greenwich Parkway.

CHAP. 737.—An Act To regulate in the District of Columbia the traffic in, sale, and use of milk bottles, cans, crates, and other containers of milk and cream, to prevent fraud and deception, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, All persons, firms,

July 3, 1926.
[H. R. 6728.]
[Public, No. 458.]

District of Columbia.

Milk bottles, etc. Sworn statement of description of, to be filed in District Supreme Court by owners of.

Publication thereof in newspaper after filing.

Affidavit of publication to be filed in the court.

Certified copies to health department.

Name considered registered on filing in health office.

Using, etc., registered containers of another, a misdemeanor.

Willfully defacing, etc., name registered by another, a misdemeanor.

Refusal to surrender to registrant a registered container, prima facie evidence of unlawful use.

Proceedings in the police court when a registrant makes oath that his containers are used, etc., by another without his consent.

partnerships, or corporations engaged in the bottling, selling, or distributing of milk or cream in bottles, cans, crates, or other containers within the District of Columbia, on which the name, trade-mark, or other device designating the owner is branded, blown, cut, carved, embossed, or impressed, may file with the clerk of the Supreme Court of the District of Columbia a description of the name or names, marks or devices so used by them, the said description to be a statement under oath by the owner of said name, mark, or device. The said owner of said name, mark, or device shall, after filing the description as above required, cause the same to be published at least once a week for two consecutive weeks in a newspaper of general circulation in the District of Columbia. The said owner of said name, mark, or device shall thereafter file with the clerk of the Supreme Court of the District of Columbia an affidavit made by himself or any other competent person stating that said description has been published as herein provided, and shall file in the office of the health department of the District of Columbia a copy of said registration and said affidavit of publication, both duly certified as true copies by the clerk of the Supreme Court of the District of Columbia. The registration of any such name, mark, or device shall be complete on the filing of said certified copies in the health office of the District of Columbia, and thereafter the name, mark, or device shall be considered as registered in accordance with this Act, and any bottle, can, crate, or other container on which said name, mark, or device shall be or shall be placed shall be considered as registered in accordance with this Act.

SEC. 2. Whoever shall by himself or his agent fill, use, sell, offer for sale, give, buy, traffic in, or shall have in his possession with intent to fill, use, sell, offer for sale, give, buy, or traffic in any registered milk bottle or bottles, can or cans, crate or crates, or other containers on which appears the name, mark, or device, registered by another person, shall be guilty of a misdemeanor, and upon conviction shall be subject to the penalties prescribed in this Act.

SEC. 3. Whoever shall by himself or his agent willfully deface, erase, alter, obliterate, cover up, or otherwise remove or conceal any registered name, mark, or device registered by another and being on any milk bottle, can, crate, or other container, or shall willfully break, destroy, or otherwise injure any registered milk bottle, can, crate, or other container which has been registered by another shall be guilty of a misdemeanor and upon conviction shall be subject to the penalties prescribed in this Act.

SEC. 4. In any prosecution under this Act, the refusal of any person having possession of any registered milk bottle, can, crate, or other container to surrender possession of the same to the registrant of the name, mark, or device appearing thereon, after notice and demand by said registrant or his agent, shall be prima facie evidence of the unlawful use or traffic in the same contrary to the provisions of this Act.

SEC. 5. Whenever any person who has registered milk bottles, cans, crates, or other containers in accordance with the provisions of this Act shall by himself or his agent make oath before the clerk of the police court of the District of Columbia that he has reason to believe, and does believe, that any of his registered milk bottles, cans, crates, or others containers, are being filled, used, bought, trafficked in, held, sold, offered for sale, broken, injured, or destroyed within the District of Columbia contrary to the provisions of this Act, by any person without the written consent of the registrant the judge of the police court to whom said complaint under oath is made may forthwith

issue a search warrant directed to any police officer or other proper officer to search the premises whereon or wherein said registered milk bottles, cans, crates, or other containers are unlawfully held and may issue a warrant for the arrest of the person complained against; and if any one or more of such registered milk bottles, cans, crates, or other containers, or any parts of the same, shall be found upon the premises by the officer executing the said search warrant, he shall seize and take possession of all such registered milk bottles, cans, crates, or other containers, or parts thereof, and shall cause the same to be brought before the judge of the police court, who shall award the said registered milk bottles, cans, crates, and other containers to the person entitled to the same.

Seizure, etc., of the containers.

SEC. 6. No title may be acquired to any mark, name, or device, or any milk bottle, can, crate, or other container registered in accordance with this Act except by the consent in writing of the person who registered the same.

Written consent of registrant for transfer of title to any mark, etc.

SEC. 7. All persons who have heretofore registered any milk bottles, cans, crates, or other containers in accordance with the laws existing at the time of said registration shall be exempted from filing a new description in accordance with the terms of this Act and shall be entitled to the rights and benefits accruing under this Act in the same manner as if said registration was made after the passage of and in accordance with this Act: *Provided*, That a copy of said registration duly certified by the clerk of the Supreme Court of the District of Columbia is within thirty days from and after the passage of this Act filed in the health office of the District of Columbia.

Former registrants under existing laws exempted from filing new descriptions.

Proviso. Copy of registration to be filed in health office.

SEC. 8. Whenever the word "person" is used herein, it shall apply equally as well to one or more persons, copartnerships, and corporations.

Word "person" construed.

SEC. 9. The provisions of this Act shall apply to all bottles, cans, crates, and other containers in which milk or cream of any grade, quality, or character is sold or offered for sale and shall include bottles, cans, crates, and other containers in which skimmed milk, buttermilk, double cream, and sour milk are sold.

General application of Act to all containers of any character of milk.

SEC. 10. The violation of any of the provisions of this Act shall be a misdemeanor, and prosecutions for violations of this Act shall be in the police court of the District of Columbia. Upon conviction of a violation of the provisions of this Act the penalty shall be a fine of not more than \$50 for the first offense and a fine of not more than \$100 for the second and each subsequent offense.

Punishment of violations in the police court.

Penalties upon conviction.

SEC. 11. Whenever any person who has registered milk bottles, cans, crates, or other containers as herein provided shall have, upon complaint under oath, prosecuted any other person for violation of the provisions of this Act in the use, handling, holding, filling, selling, offering for sale, buying, trafficking in, breaking, or destroying of such registered milk bottles, cans, crates, or other containers and said other person shall have been convicted on three occasions at least for the said unlawful use, handling, holding, filling, selling, offering for sale, buying, trafficking in, breaking, or destroying of said registered milk bottles, cans, crates, or other containers, then the said registrant of said milk bottles, cans, crates, or other containers shall be entitled, upon making complaint to a justice of the Supreme Court of the District of Columbia, holding an equity court, to have issued an injunction directed to said violator enjoining him from further illegal use, handling, holding, filling, selling, offering for sale, buying, trafficking in, breaking, or destroying of said registered milk bottles, cans, crates, or other containers.

Injunction proceedings enjoining further illegal use of containers, etc., by person convicted three times of violations.

Approved, July 3, 1926.