

Section 338. Any person, partnership or body corporate that has heretofore registered returnable containers under the provisions of the law, as the same stood at the time of such registration, shall not be required to again register the same, but shall be entitled to all the benefits of this Act as if the same had been registered hereunder; provided, however, that it shall be unlawful for any person or corporation to adopt and register under the provisions of this Act any returnable container or description, name, mark or device that has been previously registered by any other person, or is at such time used or in use by any other person in good faith, whether under the provisions of this article or otherwise.

Section 339. In any prosecution under any of the provisions of the preceding sections, it shall not be necessary to set forth or describe the name, mark or device affixed or attached to or impressed or imprinted upon any returnable container, nor to set forth the particulars of the registration of same or of the assignment or transfer of such registration, but it shall be sufficient to describe the container, so as to permit of its identification averring that the same is distinctively marked, and is registered according to law, giving the name of the owner of such returnable container, or of the dealer using the same by virtue of such registration, or the name of the assignee or transferee thereof as the case may be.

Section 340. All costs incurred in prosecutions under Sections 333 and 334 hereof, shall be assessed and collected in the same manner as in criminal cases, and be accounted for in the same manner as fines in cases of assault and battery are now by law disposed of.

SEC. 2. *And be it further enacted*, That all Acts and parts of Acts inconsistent with this Act, be and the same are hereby repealed; provided, however, that nothing in this Act shall be construed so as to prevent, or affect in any manner, the prosecution of any offense against the law repealed by this Act which may have been committed prior to the passage of this Act, or the punishment provided for such offense.

SEC. 3. *And be it further enacted*, That this Act shall take effect from the first day of June, 1916.

Approved April 18th, 1916.