

[CHAPTER 331]

AN ACT

June 10, 1938
 [S. 3209]
 [Public, No. 585]

To authorize the Secretary of War to grant an easement to the city of Highwood, Lake County, Illinois, in and over certain portions of the Fort Sheridan Military Reservation, for the purpose of constructing a waterworks system.

Fort Sheridan Military Reservation, Ill.
 Easement to city of Highwood, Ill., over portions of, for public purposes.

Provisos.
Conditions.

Water service to post in emergency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to grant to the city of Highwood, Lake County, Illinois, an easement in and over portions of the Fort Sheridan Military Reservation, Illinois, for the purpose of constructing, operating, and maintaining thereon a waterworks system for the use of said city, consisting of such structures and appurtenances as may be necessary for a complete water pumping, filtration, and treatment plant, together with intake, water, sewer, and electric power lines and an unelevated wash water tank constructed on or below the surface of the ground: *Provided*, That the portions of said reservation to be used for said facilities shall be designated by the Secretary of War, and the easement shall be subject to such provisions and conditions as he may prescribe: *Provided further*, That as consideration for said easement, the city of Highwood shall make and maintain a connection satisfactory to the Secretary of War, or his duly authorized representative, between its water distribution system and the water distribution system of the post of Fort Sheridan, and shall furnish water for the use of said post without cost to the United States during the periods of any emergencies resulting from a breakdown in the post water system, fire or other unavoidable occurrence.

Approved, June 10, 1938.

[CHAPTER 332]

AN ACT

June 10, 1938
 [H. R. 9996]
 [Public, No. 586]

To authorize the registration of certain collective trade-marks.

Collective trade-marks.
 33 Stat. 724.
 15 U. S. C. § 81.
 Registration privilege extended.

41 Stat. 533.
 15 U. S. C. § 121.

Other marks which may be registered.

Requirements.

Proviso.
 Refusal, if identical, etc., with known trade-mark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Trade-Mark Act of February 20, 1905, as amended, is amended by adding at the end thereof the following new paragraph:

"By similar procedure, any natural or juristic person, including nations, States, municipalities, and the like, which exercises legitimate control over the use of a collective mark, may apply for and obtain registration of such mark."

SEC. 2. Section 1 (b) of the Trade-Mark Act of March 19, 1920, as amended, is amended to read as follows:

"(b) All other marks not registrable under the Act of February 20, 1905, as amended, except those specified in paragraphs (a) and (b) of section 5 of that Act, including collective marks of natural or juristic persons, and nations, States, municipalities, and the like, exercising legitimate control over the use of the trade-mark sought to be registered even though not possessing an industrial or commercial establishment, which have been in bona fide use for not less than one year in interstate or foreign commerce, or commerce with the Indian tribes by the proprietor thereof, upon or in connection with any goods of such proprietor upon which a fee of \$15 has been paid to the Commissioner of Patents and such formalities as required by the said Commissioner have been complied with: *Provided*, That trade-marks which are identical with a known trade-mark owned and used in interstate and foreign commerce, or commerce with the Indian tribes, by another and appropriated to merchandise of the