

tion of the post office, United States courts, and other governmental offices, be, and the same is hereby, increased four hundred thousand dollars.

Approved, December 19, 1912.

December 19, 1912.  
[S. 6283.]

[Public, No. 344.]

Olympia, Wash.  
Limit of cost in-  
creased for public  
building at.  
Vol. 36, p. 683,  
amended.

**CHAP. 4.**—An Act Increasing the cost of erecting a public building at Olympia, Washington.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limit of cost heretofore fixed for the erection of a public building at Olympia, Washington, be, and the same is hereby, increased to one hundred and fifty thousand dollars.

Approved, December 19, 1912.

December 19, 1912.  
[S. 6899.]

[Public, No. 345.]

Richford, Vt.  
Limit of cost in-  
creased for public  
building at.  
Vol. 35, p. 582,  
amended.

Appropriation.

**CHAP. 5.**—An Act Increasing the limit of cost for the erection and completion of a public building in the city of Richford, State of Vermont.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limit of cost for a public building in the city of Richford, State of Vermont, authorized under section four of the Act of May thirtieth, nineteen hundred and eight, be, and the same hereby is, increased from sixty thousand dollars to seventy-four thousand dollars, and that the sum of fourteen thousand dollars to provide for such increased cost be, and the same hereby is, appropriated.

Approved, December 19, 1912.

January 7, 1913.  
[H. R. 10169.]

[Public, No. 346.]

Porto Rico.  
Governor may desig-  
nate justice of su-  
preme court to act in  
United States district  
court.  
Vol. 31, p. 84.

As temporary judge  
in absence, etc., of  
district judge.

**CHAP. 6.**—An Act To provide for holding the district court of the United States for Porto Rico during the absence from the island of the United States district judge and for the trial of cases in the event of the disqualification of or inability to act by the said judge.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the United States district judge of the district of Porto Rico shall be absent from the said district, and that fact shall be made to appear by the certificate in writing of the United States attorney or marshal of that district, filed in the office of the clerk of the United States district court for said district, or when for any reason the said judge shall or may be disqualified or unable to act as such in any cause pending in the district court of the United States for Porto Rico, and that fact shall be made to appear either by proper order entered in the record of said cause by the regular district judge, or by the certificate in writing of the United States attorney or marshal of that district filed in the office of the clerk of the United States district court for said district, the governor of Porto Rico may, by writing filed in the said clerk's office, designate a justice of the supreme court of Porto Rico either as temporary judge of said district court or as special judge thereof; and the temporary judge so designated as afore-said shall have and may exercise within said district, during the absence of the regular district judge, all the power of every kind by law vested in said district judge, and after the return of said district judge to said district, shall continue to have and exercise said powers with respect to any cause, the trial of which shall have been commenced before him or which shall have been submitted to him for

decision prior to the return of said district judge; and the special judge so designated as aforesaid shall have and may exercise within said district all the power of every kind by law vested in said district judge with respect to any cause named in the writing by the governor, filed as aforesaid, designating the said special judge as aforesaid: *Provided*, That no additional compensation shall be paid to either such temporary district judge or special district judge for services rendered pursuant to such designation.

Approved, January 7, 1913.

As special judge in place of district judge.

*Proviso.*  
No additional pay.

**CHAP. 7.**—An Act Amending an Act entitled "An Act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with the Indian tribes, and to protect the same."

January 8, 1913.  
[H. R. 10648.]

[Public, No. 347.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved February twentieth, nineteen hundred and five, as amended, be, and the same is hereby, further amended so that section five thereof shall read as follows:

Trade-marks.  
Vol. 33, p. 725; Vol. 34, p. 1251.  
Vol. 36, p. 918, amended.

"SEC. 5. That no mark by which the goods of the owner of the mark may be distinguished from other goods of the same class shall be refused registration as a trade-mark on account of the nature of such mark unless such mark—

Marks permitted registry.

"(a) Consists of or comprises immoral or scandalous matter.

Prohibitions.

"(b) Consists of or comprises the flag or coat of arms or other insignia of the United States or any simulation thereof, or of any State or municipality or of any foreign nation, or of any design or picture that has been or may hereafter be adopted by any fraternal society as its emblem, or of any name, distinguishing mark, character, emblem, colors, flag, or banner adopted by any institution, organization, club, or society which was incorporated in any State in the United States prior to the date of the adoption and use by the applicant: *Provided*, That said name, distinguishing mark, character, emblem, colors, flag, or banner was adopted and publicly used by said institution, organization, club, or society prior to the date of adoption and use by the applicant: *Provided*, That trade-marks which are identical with a registered or known trade-mark owned and in use by another and appropriated to merchandise of the same descriptive properties, or which so nearly resemble a registered or known trade-mark owned and in use by another and appropriated to merchandise of the same descriptive properties as to be likely to cause confusion or mistake in the mind of the public or to deceive purchasers shall not be registered: *Provided*, That no mark which consists merely in the name of an individual, firm, corporation, or association not written, printed, impressed, or woven in some particular or distinctive manner, or in association with a portrait of the individual, or merely in words or devices which are descriptive of the goods with which they are used, or of the character or quality of such goods, or merely a geographical name or term, shall be registered under the terms of this Act: *Provided further*, That no portrait of a living individual may be registered as a trade-mark except by the consent of such individual, evidenced by an instrument in writing: *And provided further*, That nothing herein shall prevent the registration of any mark used by the applicant or his predecessors, or by those from whom title to the mark is derived, in commerce with foreign nations or among the several States or with Indian tribes which was in actual and exclusive use as a trade-mark of the applicant, or his predecessors from whom he derived title, for ten years next preceding February

Immoral, etc., matter.

Flags, insignia, etc.

Name of incorporated club, etc.

*Provisos.*  
Priority requisite.

Similar to known trade-marks.

Marks with only names of individuals, goods, etc.

Unauthorized use of portraits.

Marks in use ten years prior to February 20, 1906, permitted.