

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.

Permissible use of names. twentieth, nineteen hundred and five: *Provided further*, That nothing herein shall prevent the registration of a trade-mark otherwise registrable because of its being the name of the applicant or a portion thereof."

Approved, January 8, 1913.

January 23, 1913.
[H. R. 14925.]

[Public, No. 348.]

United States prisoners.
Vol. 36, p. 819,
amended.

Release on parole.

Life sentences added.
Conditions.

CHAP. 9.—An Act To amend "An Act to parole United States prisoners, and for other purposes," approved June twenty-fifth, nineteen hundred and ten.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the "Act to parole United States prisoners, and for other purposes," approved June twenty-fifth, nineteen hundred and ten, be amended so as to read as follows, to wit:

"That every prisoner who has been or may hereafter be convicted of any offense against the United States and is confined in execution of the judgment of such conviction in any United States penitentiary or prison, for a definite term or terms of over one year, or for the term of his natural life, whose record of conduct shows that he has observed the rules of such institution, and who, if sentenced for a definite term, has served one-third of the total of such term or terms for which he was sentenced, or, if sentenced for the term of his natural life, has served not less than fifteen years, may be released on parole as hereinafter provided."

Approved, January 23, 1913.

January 24, 1913.
[H. R. 23001.]

[Public, No. 349.]

Passenger steamers.
Dangerous articles
not to be carried on.
R. S., sec. 4472, p. 865,
amended.
Vol. 33, p. 1031; Vol.
34, p. 204.

Provisos.
Gasoline in motor
lifeboats allowed.

Restriction.
Regulations.

CHAP. 10.—An Act To amend section forty-four hundred and seventy-two of the Revised Statutes of the United States, relating to the carrying of dangerous articles on passenger steamers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-four hundred and seventy-two of the Revised Statutes of the United States, as amended by the Act of March third, nineteen hundred and five, and by the Act of May twenty-eighth, nineteen hundred and six, be further amended by substituting a colon for the period at the end of said section as amended and adding thereto the following proviso: "*Provided further*, That nothing in the foregoing or following sections of this Act shall prohibit the use, by steam vessels carrying passengers for hire, of lifeboats equipped with gasoline motors, and tanks containing gasoline for the operation of said motor-driven lifeboats: *Provided, however*, That no gasoline shall be carried other than that in the tanks of the lifeboats: *Provided further*, That the use of such lifeboats equipped with gasoline motors shall be under such regulations as shall be prescribed by the board of supervising inspectors with the approval of the Secretary of Commerce and Labor."

Approved, January 24, 1913.

January 25, 1913.
[S. 7637.]

[Public, No. 350.]

Illinois River.
Chicago, Peoria and
Saint Louis Railroad
Company may bridge,
at Havana, Ill.

CHAP. 13.—An Act To authorize the construction of a railroad bridge across the Illinois River near Havana, Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chicago, Peoria and Saint Louis Railroad Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois, and its successors and assigns, be, and they are hereby, authorized to construct,