

refused registration as a trade-mark on account of the nature of such mark unless such mark—

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

Prohibitions.
Immoral, etc., mat-
ter.
Flags, insignia, etc.

“(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: *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 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.”

Provisos.
Similar to known
trade-marks.

Marks with only
names of individuals,
etc.

Unauthorized por-
traits.

Marks in use ten
years permitted.

Permissible use of
names.

Approved, February 18, 1911.

CHAP. 114.—An Act For the relief of the sufferers from famine in China.

February 18, 1911.
[H. R. 32473.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to transport, under the supervision of the American National Red Cross Society, the supplies donated by the people of the United States for the relief of the sufferers from famine in China, and for this purpose may order one of the Army transports to make a trip from Seattle, Washington, to China: *Provided*, That the total expense thus incurred shall not exceed fifty thousand dollars. And the sum of fifty thousand dollars is hereby appropriated and authorized to be paid out of any moneys in the Treasury not otherwise appropriated, for the purpose specified in this Act.

[Public, No. 389.]

Chinese famine.
Transport may carry
relief supplies.

Proviso.
Limitation.
Appropriation.

Approved, February 18, 1911.

CHAP. 115.—An Act To reserve certain lands and to incorporate the same and make them a part of the Pocatello National Forest.

February 18, 1911.
[S. 9566.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands, to wit, sections three, four, five, six, seven, eight, and nine, township nine south, range thirty-five; section twenty-two, township

[Public, No. 390.]

Pocatello National
Forest, Idaho.
Lands added to.

eight south, range thirty-four; and section one, township nine south, range thirty-four, all in Bannock and Oneida counties, Idaho, be, and the same are hereby, reserved and withdrawn from entry and made a part of and included in the Pocatello National Forest.

Approved, February 18, 1911.

February 18, 1911.
[S. 10683.]

[Public, No. 391.]

District of Columbia.
Firemen's Insurance
Company may
insure out of District.
Vol. 11, p. 498,
amended.

CHAP. 116.—An Act To amend the charter of the Firemen's Insurance Company of Washington and Georgetown, in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of the Act of Congress approved February seventh, eighteen hundred and fifty-seven, entitled "An Act to extend the charter of the president and directors of the Firemen's Insurance Company of Washington and Georgetown, in the District of Columbia," is hereby amended so that authority is given the said insurance company to write fire insurance on real and personal property wherever located and being, and shall no longer be limited solely to the District of Columbia, as now.

Approved, February 18, 1911.

February 18, 1911.
[H. R. 30671.]

[Public, No. 392.]

Rock River.
Edward A. Smith
and Harvey S. Green
may dam, at Lyndon,
Ill.

CHAP. 117.—An Act Permitting the building of a dam across Rock River at Lyndon, Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edward A. Smith and Harvey S. Green, of Morrison, Illinois, their heirs, administrators, executors, successors, and assigns, are hereby authorized to construct, maintain, and operate a dam across Rock River at a point suitable to the interests of navigation at or near Lyndon, Whiteside County, Illinois, the south end of said dam to be located near the line between sections twenty-one and twenty-two in township twenty north, range five east, fourth principal meridian, and the north end of said dam to intersect the bank of said river in section twenty-one in the same township, range, and meridian, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of the Act approved June twenty-third, nineteen hundred and ten, entitled "An Act to amend an Act entitled 'An Act to regulate the construction of dams across navigable waters,' approved June twenty-first, nineteen hundred and six."

Vol. 34, p. 386.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 18, 1911.

February 18, 1911.
[H. R. 31662.]

[Public, No. 393.]

Niobrara River.
Time extended for
damming, etc., on Fort
Niobrara Military
Reservation, Nebr.
Vol. 34, p. 297,
amended.

CHAP. 118.—An Act Granting five years' extension of time to Charles H. Cornell, his assigns, assignees, successors, and grantees, in which to construct a dam across the Niobrara River, on the Fort Niobrara Military Reservation, and to construct electric light and power wires and telephone line and trolley or electric railway, with telegraph and telephone lines, across said reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time given Charles H. Cornell, his assigns, assignees, successors, and grantees, by an Act of Congress entitled "An Act to grant to Charles H. Cornell, his assigns and successors, the right to abut a dam across the Niobrara River on the Fort Niobrara Military Reservation, Nebraska, and to construct and operate a trolley or electric railway line and telegraph and telephone lines across said reservation," approved June eighteenth,