

paid to the state as required by law, or as a policy-holder or member of such company or society. Any person violating this section shall be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

Approved May 13, 1909.

No. 246, S.]

[Published May 13, 1909.

CHAPTER 127.

AN ACT to amend section 1747a, and to create section 1747am and 1747an, of the statutes, relating to labels and trade marks, etc.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1747a of the statutes is amended to read: Section 1747a. 1. Any person, *firm, co-partnership, corporation, association, or union of workingmen*, which has heretofore adopted or used or shall hereafter adopt or use any label, trade-mark, *trade-name, term, design, pattern, model, device, shop-mark, drawing, specification, designation, or form of advertisement*, for the purpose of designating, making known, or distinguishing any goods, wares, merchandise, or other product of labor or manufacture as having been made, manufactured, produced, prepared, packed, or put on sale by such person, *firm, co-partnership, corporation, association, or union of workingmen*, or by a member or members thereof, *he or they, if residents of this or any other state of the United States, and such foreign corporations as may have been duly licensed to transact business in the state of Wisconsin*, may file an original, a copy, or photographs, or cuts with specifications of the same for record in the office of the secretary of state, by leaving two such originals, copies, photographs, or cuts with specifications, the same being counterparts. * * * fac-similes, or drawings thereof, with said secretary and by filing therewith a sworn statement, specifying the name of the person, *firm, co-partnership, corporation, association, or union of workingmen*, on whose behalf such label, trade-mark, term, *trade-name, pattern, model, design, device, shop-mark, drawing, specification, designation, or form of advertisement* is to be filed, the class of merchandise and a separate description of the goods to which the same has been or is intended to be appropriated, *the residence, location, or place of business of such party*, that the party, on whose behalf

such label, trade-mark, *trade-name*, term, design, *pattern*, *model*, device, *shop-mark*, *drawing*, *specification*, *designation*, or form of advertisement is to be filed, has the right to the use of the same, and that no other person, or persons, firm, *co-partnership*, *corporation*, association, or union of *workingmen* * * * has such right either in the identical form or in any such near resemblance thereto as may be calculated to deceive, and that the *originals*, copies, *photographs*, or *cuts*, counterparts * * * fac-similes, or *drawings* filed therewith are correct. * * *

2. *Where the several parts of a single unit article of trade or commerce are severally marked to distinguish them by the person, firm, co-partnership, corporation, association, or union of workingmen having the right to manufacture such single unit under a trade name or brand used by him or them, such person, firm, co-partnership, corporation, association, or union may, in filing under this section the designation of such trade-name or brand, attach thereto photographs or cuts with specifications of the several parts of the unit to which it is attached or applied, and thereafter no further filing or registration of any such parts so used shall be necessary to protect the owner or lawful use of the trade-name or brand of the unit against the use by others of any of the several parts thereof, and any such filing shall be construed to be a single filing, and but one filing fee shall be paid therefor.*

3. *The papers required to be filed hereunder shall be recorded in a book for that purpose, and there shall be paid to the secretary of state for such recording and filing one dollar.*

SECTION 2. There are added to the statutes two new sections to read: Section 1747am. 1. It shall be unlawful for any person, firm, co-partnership, corporation, association, or union of workingmen, without the consent of the owner of any such label, trade-mark, trade-name, term, design, pattern, model, device, shop-mark, drawing, specification, designation, or form of advertisement registered in accordance with the provisions of the preceding section, to remove any such label, trade-mark, trade-name, design, shop-mark, or other designation, or form of advertisement so registered and attached to merchandise or products of labor, for the purpose of using such merchandise or products of labor as a pattern for the duplicating or reproduction of the same, either in the identical form or in such near resemblance thereto as may be calculated to deceive.

2. Nothing herein contained shall be taken to prohibit the using of such merchandise or products of labor as a pattern for the reproduction of the same in individual cases of emergency repairs.

3. And it shall be unlawful for any other person to make use of such label, trade-mark, trade-name, term, design, pattern, model, device, shop-mark, drawing, specification, designation, or form of advertisement so filed, or any such likeness or imitation thereof, or utter or display the same orally, or in any printed or written form in the conduct of his business or any business transaction without the express consent, license, and authority of the person, firm, co-partnership, corporation, association, or union so owning the same, and such unauthorized and unlawful use may be prohibited and prevented by injunction or other proper proceeding in a court of competent jurisdiction without resource to the penal statute providing a punishment for such unlawful use. In case such association or union of workmen is not incorporated such actions may be commenced and prosecuted by an officer or member of such associations or union on behalf of and for the use of such association or union.

Section 1747an. 1. Every person who shall knowingly and wilfully violate sections 1747a or 1747am, except only those provisions relative to emergency repairs, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not more than six months or by a fine of not more than two hundred dollars.

2. Nothing contained in sections 1747a, 1747am, and 1747an shall require a new filing or registration in cases to which this act applies where there has heretofore been a compliance with section 1747a, or any acts amendatory thereof, by any person or persons, firm, co-partnership, corporation, association, or union of workmen.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1909.

No. 430. S.]

[Published May 14, 1909.

CHAPTER 128.

AN ACT to amend section 1060 of the statutes, relating to boards of review and adjournment thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1060 of the statutes is amended to read:
Section 1060. 1. The supervisors and clerk of each town, the mayor, clerk, and such other officer or officers, other than as-