

## A BILL

For an Act for the protection of Union Labels and Trade Marks.

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. Whenever any person or any association or union of workmen, has heretofore adopted or used, or shall hereafter adopt or use, any label, trade-mark, term, design, device or form of advertisement for the purpose of designating, making known, or distinguishing any goods, wares merchandise or other product of labor, as having been made, manufactured, produced, prepared, packed or put on sale by such person or association or union of workmen, or by a member or members of such association or union, it shall be unlawful to counterfeit or imitate such label, trade-mark, term, design, device or form of advertisement, or to use, sell, offer for sale, or in any way utter or circulate any counterfeit or imitation of any such label, trade-mark, term, design, device or form of advertisement.

Sec. 2. Whoever counterfeits or imitates any such label, trade-mark, term, design, device or form of advertisement; or sells, offers for sale or in any way utters or circulates any counterfeit or imitation of any such label, trade-mark, term, design, device or form of advertisement; or keeps or has in his possession with intent that the same shall be sold or disposed of, any goods, wares, merchandise or other product of labor to which or on which any such counterfeit or imitation is printed, painted, stamped or impressed; or knowingly sells or disposes of any goods, wares, merchandise or other product of labor contained in any box, case, can or package, to which or on which any such counterfeit or imitation is attached, affixed, printed, painted, stamped or impressed; or keeps or has in his possession with intent that the same shall be sold or disposed of, any goods, wares, merchandise or other product of labor, in any box, case, can or package to which or on which any such counterfeit or imitation is attached, affixed, printed, painted, stamped or impressed, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment.

Sec. 3. Every such person, association or union that has heretofore adopted or used, or shall hereafter adopt or use, a label, trade-mark, term, design, device or form of advertisement as provided in Section 1 of this Act, may file the same for record in the office of the Secretary of State by leaving two copies, counterparts or fac similes thereof, with said Secretary, and by filing therewith a sworn application specifying the name or names of the person, association or union on whose behalf such label, trade-mark, term, design, device or form of advertisement shall be filed; the class of merchandise and a description of the goods to which it has been or is intended to be appropriated, stating that the party so filing or on whose behalf such label, trade-mark, term, design, device or form of advertisement shall be filed, has the right to the use of the same; that no other person, firm, association, union or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as may be calculated to deceive, and that the fac simile or counterparts filed therewith are true and correct. There shall be paid for such filing and recording a fee of one dollar. Said Secretary shall deliver to such person, association or union so filing or causing to be filed any such label, trade-mark, term, design, device or form of advertisement so many duly attested certificates of the recording of the same as such person, association or union may apply for, for each of which certificates said Secretary shall receive a fee of one dollar. Any such certificate of record shall in all suits and prosecutions under this Act be sufficient proof of the adoption of such label, trade-mark, term, design, device or form of advertisement. Said Secretary of State shall not record for any person, union or association any label, trade-mark, term, design, device or form of advertisement that would probably be mistaken for any label, trade-mark, term, design, device or form of advertisement theretofore filed by or on behalf of any other person, union or association. But the said Secretary shall file and record under this Act any label, trade-mark, term, design, device or form of advertisement, which may have been previously filed by any person, or any association or union of workmen, provided the person, association or union seeking to file and record under this Act is the same person, association or union that previously filed or recorded the same label, trade-mark, term, design, device or form of advertisement.

Sec. 4. Any person who shall for himself or on behalf of any other person, association or union, procure the filing of any label, trade-mark, term, design, device or form of advertisement in the office of the Secretary of State under the provisions of this Act, by making any false or fraudulent representations or declaration, verbally or in writing or by any fraudulent means, shall be liable to pay any damages sustained in consequence of any such filing, to be recovered by or on behalf of the party injured thereby in any court having jurisdiction, and shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding three months, or by both such fine and imprisonment.

Sec. 5. Every such person, association or union adopting or using a label, trade-mark, term, design, device or form of advertisement as aforesaid, may proceed by suit for damages to enjoin the manufacture, use, display or sale of any counterfeits or imitations thereof, and all courts of competent jurisdiction shall grant injunctions to restrain such manufacture, use, display or sale, and award the complainant in any such suit damages resulting from such manufacture, use, sale or display, as may be by the said court deemed just and reasonable, and shall require the defendants to pay to such person, association or union all profits derived from such wrongful manufacture, use, display or sale; and such court shall also order that all such counterfeits or imitations in the possession or under the control of any defendant in such cause be delivered to an officer of the court, or to the complainant to be destroyed.

Sec. 6. Any person who shall use or display the genuine label, trade-mark, term, design, device or form of advertisement of any such person, association or union in any manner not being authorized so to do by such person, union or association, shall be deemed guilty of a misdemeanor and shall be punished by imprisonment for not more than three months or by a fine of not more than five hundred dollars (\$500). In all cases where such association or union is not incorporated suits under this Act may be commenced and prosecuted by an officer or member of such association or union on behalf of and for the use of such association or union.

Sec. 7. Any person or persons who shall in any way use the name or seal of any such person, association or union or officer thereof in and about the sale of goods or otherwise, not being authorized so to use the same, shall be guilty of a misdemeanor, and shall be punishable by imprisonment for not more than three months, or by a fine of not more than five hundred dollars.

Sec. 8. In case the plaintiff is successful in maintaining his action either for damages or for permanent relief by injunction, or for nominal damages only, he shall be entitled to recover a reasonable attorney's fee, to be taxed by the court as a part of the costs and merged in the judgment.

## THE MORTGAGE.

The mortgage is a self-supporting institution.

The mortgage holds it own. It calls for just as many dollars when grain is cheap as when it is dear.

It is not effected by drouth.

It is not drowned by heavy rains.

It never winter kills.

Late springs and early frosts never trouble it.

Potato bugs do not distrub it.

Moth and rust do not destroy it.

It grows nights, Sundays, rainy days and even holidays.

It brings a sure crop every year, and sometimes twice a year.

It produces cash every time.

It does not have to wait for the market to advance.

It is not subject to speculations of the "bulls and bears" of the board of trade.

It is a load that galls and frets and chafes.

It is a burden that the farmers cannot shake off.

It is with him morning, noon and night.

It sits with him at the table.

It gets under his pillow when he sleeps.

It rides upon his shoulders during the day.

It consumes his grain crop.

It devours his cattle.

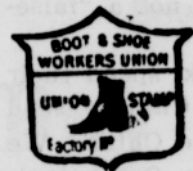
It selects his finest horse and his fattest steers.

It lives on the fruit of the season.

It stalks into the dairy where the busy housewife toils day after day and month after month, and takes the nicest cheese and the choicest butter.

It shares the children's bread and robs them of their clothes.

Its whip is as merciless as the lash of the slave driver.—Exchange.



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**THERE IS NOTHING** more entertainingly educational than to take part in an amateur affair.

**THERE IS NOTHING** more enjoyable than attending rehearsals evenings,

**THERE IS NOTHING** more satisfactory to all concerned than the success and praise when its all over.

**THERE IS NOTHING** that will compare in any way with the list of Plays, Dialogues, Charades, Pantomimes, Minstrels, Mock Trials, Monologues, Guide Books, Wigs, Beards, Mustaches, Make-Up Materials, Sheet Music, etc. offered by The Pettibone Bros. Mfg. Co., of Cincinnati, Ohio this season.

Send for a copy of their 112 page Catalog describing these goods. The Catalog is free.

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**YOU CAN DO THIS TOO.**

New Orleans, La., Nov. 2, 1900.

The Pettibone Bros. Mfg. Co., Cincinnati, O.

Gentlemen:—Enclosed you will find clippings from some of our leading newspapers in regard to our play called "The Ancient Order of Hercules." The play was a grand success. We realized \$450.00 clear of all expenses. It was given in the largest hall in the city of New Orleans. We had at least 3,000 people present—it is still the talk of the town. We had everything against us, such as complimentary balls, Buffalo Bill's Show and cheap theatres, but we came out all right. The cast was splendid and every one took their part like professionals. Later I will send you names of the cast.

Wishing you success, I remain,  
Yours,  
W. R. SMITH, Chairman,  
Washington Ivy and Appollo Circles,  
New Orleans, La.

## UNITED HATTERS OF NORTH AMERICA



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## Two Pairs for Price of One.

Eight mountains of shoes are stacked up in a show window on the corner of First and Yamhill streets, at John Dellar's store, showing the big ax they use for cutting prices. People come in as soon as they notice it and purchase two pairs instead of one, as they realize the substantial cut made in prices. Men's and boys' suits and overcoats are slaughtered at a price not to be equaled elsewhere.



Mr. Dellar does not believe in extravagant expenses; that's why he conducts his business on the corner of First and Yamhill streets, where the rent is not one-third of what other stores pay. The profits are generally fixed by every merchant according to his expenses.

We carry none but good qualities, which explains why our trade is so well satisfied.

## Administratrix' Notice.

Notice is hereby given that the undersigned has been duly appointed administratrix of the estate of Ira Purdin, deceased. All persons having claims against said estate are notified to present the same duly verified within six months to me at 246 First street, Portland, Oregon.

Dated January 10, 1901.

MARTHA J. PURDIN,  
Administratrix Estate of Ira Purdin.  
PEARCY & MENDENHALL,  
Attorneys.

The man who remains outside the union of his craft, is not only doing himself injustice, but he is wronging his family and posterity.