

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

claim to be a member thereof, or of a benevolent, humane, fraternal or charitable corporation or organization, the name of which shall so nearly resemble the name of any other corporation or organization existing prior to the organization of the corporation, organization or association of which such person may claim to be a member, the name whereof may be calculated to deceive the people with respect to any such prior corporation or organization, unless he shall be authorized under the laws, statutes, rules, regulations and by-laws of such former corporation or organization to wear such badge, button, emblem, decoration, insignia, or charm, or to use and assume such name as a member thereof.

Section 3. Whenever there shall be an actual or threatened violation of the above act, an application may be made to the court or judge having jurisdiction, to issue an injunction upon notice to the defendant of not less than five days, for an injunction so restraining such actual or threatened violation, or if it shall appear to such court or justice that the defendant is in fact using the name of a benevolent, humane, fraternal or charitable corporation or organization, incorporated or organized as aforesaid, or a name so nearly resembling it as to be calculated to deceive the public, or is wearing or exhibiting the badge, insignia, or emblem of such corporation or organization without authority thereof, and in violation of the above act, an injunction may be issued by said court or justice, enjoining or restraining such actual or threatened violation, without requiring proof that any person has in fact been misled or deceived thereby.

Court may issue injunction restraining violation of this act.

Section 4. Any person violating the provisions of section one or two of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, fined not exceeding fifty dollars, or imprisoned in the county jail not exceeding thirty days, or both such fine and imprisonment.

Penalty for violating sections 1 or 2 of this act.

Approved February 10, 1909.

Chapter 7.

An Act setting apart Lincoln Day, February twelfth, nineteen hundred and nine, as a Holiday.

Whereas, the President of the United States has recommended that February twelfth, nineteen hundred and nine, the one-hundredth anniversary of the birth of Abraham Lincoln, be

observed as a National Holiday, and such action has already been taken by several of the state legislatures, and

Whereas, a proper observance of that day as a holiday will by stimulating patriotism make for the peace and safety of the state and country, and

Whereas, by an act approved on February second, nineteen hundred and nine, purporting to be an emergency measure and to take effect when approved, said day was made a state and bank holiday, but said act as drawn and passed cannot take effect until ninety days after the recess of the legislature, but said act is believed by many persons to have taken effect and as a result presentment of notes and bills of exchange may be deferred and great loss thus occasioned, and

Whereas in the opinion of the legislature the facts above set forth create an emergency making it immediately necessary for the preservation of the public peace and safety that an act be passed making February twelfth, nineteen hundred and nine, a state and bank holiday, so that the same may go into effect on approval, therefore,

Be it enacted by the People of the State of Maine, as follows:

February 12,
1909, to be
known as
Lincoln day

Section 1. February twelfth, nineteen hundred and nine, is hereby declared to be a state and bank holiday, to be known as Lincoln day, and shall be observed by the schools of the state in a manner appropriate to the occasion.

Section 2. This act shall take effect when approved.

Approved February 11, 1909.

Chapter 8.

An Act relating to the issue of Bonds.

Be it enacted by the People of the State of Maine, as follows:

Chapter 71,
Public Laws
1907, de-
fined.

The provisions of chapter seventy-one of the public laws of nineteen hundred and seven shall not be deemed to prevent any county, city, town or water district, or municipal, private or other corporation organized under the laws of this state from issuing bonds and making them payable in the same manner as it might do if the said chapter were not enacted. And no bonds heretofore issued, if valid in other respects, shall be deemed invalid on account of any failure to comply with the provisions of the said chapter.

Approved February 11, 1909.