

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1833.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND THIRTY-THREE.

AN ACT relating to Prosecutions for Libel, and
to Pleadings in Actions for Libel and Slander.

SEC. 1. *Be it enacted by the Senate and*
2 House of Representatives, in Legislature as-
3 ssembled, That in every prosecution for writing
4 and publishing any libel, it shall be lawful for
5 any defendant upon trial of the cause, to give in
6 evidence in his defence the truth of the matter
7 contained in the publication charged as libellous:
8 Provided always, that such evidence shall not
9 be a justification, unless on the trial it shall be

10 further made satisfactorily to appear, that the
11 matter charged as libellous was published, with
12 good motives and for justifiable ends.

SEC. 2. *Be it further enacted,* That in all
2 actions of the case, for writing and publishing
3 any libel, and in all actions for slander wherein
4 the defendant or defendants may plead the gen-
5 eral issue, and also in justification that the words
6 written and published or spoken were true, such
7 plea in justification shall not be held or taken as
8 evidence that the defendant or defendants wrote
9 and published or spoke such words or made such
10 charge. Nor shall such plea of justification, if
11 the defendant or defendants fail to establish it,
12 be of itself proof of the malice of such words or
13 charge, but the jury shall decide upon the whole
14 case, whether such special plea was or was not
15 made with malicious intent, any law or usage to
16 the contrary notwithstanding.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 6, 1833. }

ORDERED, That three hundred copies of the foregoing Bill
be printed for the use of the Legislature.

[Extract from the Journal.]

Attest:

ASAPH R. NICHOLS, *Clerk.*

I. BERRY & CO., PRINTERS TO THE STATE.
