

# MAINE STATE LEGISLATURE

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# FIFTY-SECOND LEGISLATURE.

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HOUSE.

No. 25.

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## STATE OF MAINE.

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

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AN ACT amending chapters fifty-one and fifty-two of the revised statutes, relating to railroads and steam navigation.

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*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECTION 1. Section thirty-six, chapter fifty-one, of the revised statutes, is hereby amended so as to read as follows :

*Sect. 36.* Any railroad corporation, by whose negligence or carelessness, or by that of its servants or agents while employed in its business, the life of any person who would have a legal right to recover damages in case of mere injury from accident, in the exercise of due care and diligence, is lost, shall forfeit not less than five hundred nor more than five thousand

11 dollars to be recovered in the county where the injury  
12 occurs, by indictment, or in an action of debt, if said  
13 indictment or action is brought within two years after  
14 such death, wholly to the use of the widow, if no  
15 children, and to the children, if no widow, if both, to  
16 her and them equally ; if neither, for the benefit of  
17 the estate.

SECT. 2. This act shall not apply to any pending  
2 indictment or cause of action which may have accrued  
3 more than one year prior to the passage of this act.

SECT. 3. Section seven of chapter fifty-two of the  
2 revised statutes, is hereby so amended that the remedy  
3 shall be the same as is provided in the preceding sec-  
4 tion of this act.

SECT. 4. This act shall take effect when approved.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 6, 1873. }

Reported from the Committee on Judiciary, by Mr. MATHEWS,  
and ordered printed under the rules.

S. J. CHADBOURNE, *Clerk.*