

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1892.

Sixty-Fifth Legislature.

SENATE.

No. 218.

STATE OF MAINE.

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

AN ACT to give a right of action for injuries caus-
ing death.

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

SECTION 1. Whenever the death of a person shall
2 be caused by wrongful act, neglect or default, and
3 the act, neglect or default is such as would, if
4 death had not ensued, have entitled the party in-
5 jured to maintain an action and recover damages
6 in respect thereof, then, and in every such case,
7 the person who, or the corporation which, would

8 have been liable, if death had not ensued, shall be
9 liable to an action for damages, notwithstanding
10 the death of the person injured, and although the
11 death shall have been caused under such circum-
12 stances as shall amount to a felony.

SECT. 2. Every such action shall be brought by
2 and in the names of the personal representatives
3 of such deceased person, and the amount recovered
4 in every such action shall be for the exclusive
5 benefit of his widow, if no children, and of the
6 children, if no widow, and if both, then of her and
7 them equally, and, if neither, his heirs. The jury
8 may give such damages as they shall deem a fair
9 and just compensation, not exceeding five thousand
10 dollars, with reference to the pecuniary injuries
11 resulting from such death to the persons for whose
12 benefit such action is brought, provided that such
13 action shall be commenced within two years after
14 the death of such person.

STATE OF MAINE.

IN SENATE, March 20, 1891.

Reported by Mr. POWERS, from the Committee on the Judiciary, and
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*