

# 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)

NEW DRAFT.

---

---

# Seventy-first Legislature.

---

---

HOUSE.

No. 451

---

---

## STATE OF MAINE.

---

IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THREE.

---

AN ACT relating to actions for libel or slander.

---

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

Section 1. The defendant in an action for libel, may prove  
2 under the general issue, in mitigation of damages, that the  
3 charge was made by mistake or through error or by inad-  
4 vertence, and that he has in writing, within a reasonable time  
5 after the publication of the charge, retracted the charge and  
6 denied its truth, as publicly and as fully as he made the  
7 charge.

Sect. 2. In actions for libel or slander, an unproved allega-  
2 tion in the pleadings that the matter charged is true, shall

3 not be deemed proof of malice unless the jury on the whole  
4 case find that such allegation or the defense thereunder, is  
5 made with malicious intent.

Sect. 3. This act shall not apply to pending actions or to  
2 causes of action existing on the date of the approval of this  
3 act.

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



STATE OF MAINE.

---

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 19, 1903.

Reported by Mr. SMITH of Presque Isle, from Committee on the  
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*