

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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Published by the Secretary of State, agreeably to resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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Augusta:
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

CHAP. 237. thereof to the use of the complainant and the residue to the use of the state.

[Approved March 27, 1852.]

Chapter 237.

An act imposing further obligations and penalties on owners of telegraph lines and their agents.

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

Telegraph owners made liable for errors, in transmitting despatches.

SECT. 1. Every person or company owning or using any line of telegraph in this state, or any part of which may be therein, in case of any error made in the transmission or writing out of any dispatch upon their lines, by their operators or agents, affecting its value to the party interested therein, shall be liable for the whole amount paid for its transmission to its place of destination, both in and out of this state.

Also liable for unnecessary delays.

SECT. 2. Whenever any dispatch is improperly or unnecessarily delayed either in its transmission or delivery, within the usual delivery limits of the several offices within this state, so that said dispatch is rendered less valuable to the party interested therein, the person or company whose operator or agent is in fault, shall refund the whole amount paid on such dispatch.

Agents liable for misfeasance.

SECT. 3. The operator or agent of any person or company owning any line of telegraph in this state, who shall designedly falsify any dispatch for any purpose whatever, shall be liable in damages in a sum of not less than twenty nor more than one hundred dollars, for each and every such offense, to be recovered in an action of debt, in any court of competent jurisdiction ; and in case of the avoidance or inability of such operator or agent to pay any judgment recovered against him for such cause, said person or company shall be liable in damage, as aforesaid, as if no judgment had been recovered against the operator or agent ; *provided*, that in all other cases the liability of the person or company owning any telegraph line shall be limited as provided in the foregoing sections of this act.

Company liable in case of inability of agent.

Proviso.

SECT. 4. Nothing in this act shall be construed to exonerate any operator, agent, clerk or other officer employed on any telegraph line in this state, from liability for any act of fraud committed or attempted to be committed by means of telegraphic communication.

This act not to exonerate cases of fraud.

[Approved March 30, 1852.]