

HOUSE No. 360.

[Bill accompanying the petition of George S. Evans and others for legislation relative to the illegal use of telegrams and telephone messages. Joint Judiciary. January 27.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Two.

AN ACT

Relative to the Theft or Fraudulent or Improper Use of
Telegraph or Telephone Messages.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

- 1 SECTION 1. Whoever (1) wrongfully obtains, or at-
2 tempts to obtain, any knowledge of a telegraphic or
3 telephonic message by connivance with a clerk, operator,
4 messenger, or other employee of a telegraph or tele-
5 phone company; and
6 Whoever (2) being such clerk, operator, messenger or
7 other employee, wilfully divulges to anyone but the per-
8 sons for whom it was intended, the contents or the
9 nature of a telegraphic or telephonic message or despatch
10 intrusted to him for transmission, reception or delivery,

2 TELEPHONE MESSAGES — THEFT. [Jan. 1902.

11 or of a telegraphic or telephonic message or despatch the
12 contents or nature of which he may have learned in any
13 other manner, and

14 Whoever (3) being such clerk, operator, messenger or
15 other employee of a telegraph or telephone company, shall
16 wilfully refuse or neglect duly to transmit, receive or de-
17 liver a message or despatch, except when such message
18 or despatch is in aid of, or used to carry out or abet an
19 unlawful business or act, or to perpetrate any criminal
20 offence, shall be subject to a fine of not more than five
21 hundred dollars, or to imprisonment for a term not ex-
22 ceeding six months, or to both such fine and imprison-
23 ment.

1 SECTION 2. When it shall appear that any offence at
2 law or unlawful business or act has been, is being, or is
3 about to be carried on, performed, concealed, or in any
4 way aided or abetted by means of a telegraphic or tele-
5 phonic message or despatch, it shall be the duty of any
6 corporation or employees thereof having knowledge of
7 the same, to withhold such despatch from transmission,
8 reception or delivery; and further to furnish to any
9 public officer whose duty it is to prosecute any offence
10 or crime, all information in their possession relating to
11 the said unlawful business or act; and further to assist
12 in the identification of any person carrying on, perform-
13 ing, concealing or in any way aiding or abetting such un-
14 lawful business or act. Whoever violates any provision
15 of this section shall be punished by a fine of not more
16 than five hundred dollars, or by imprisonment for not
17 more than six months, or by both such fine and impris-
18 onment.