

misdemeanor, and shall be liable to be imprisoned in any gaol or place of confinement, other than a Penitentiary, for any term less than two years, with or without hard labour, unless some greater punishment is provided for the offence by any other Act in force, in which case such offender may be indicted and punished under this Act.

Attempts to injure such telegraphs.

42. Whosoever unlawfully and maliciously, by any overt act, attempts to commit any of the offences in the last preceding section mentioned, shall, on conviction thereof before a Justice of the Peace, at the discretion of the Justice, either be committed to the common gaol or any other place of confinement, there to be imprisoned only, or to be imprisoned and kept to hard labour, for any term not exceeding three months, or else shall forfeit and pay such sum of money not exceeding fifty dollars as to the Justice seems meet.