

MAINE STATE LEGISLATURE

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FIFTY-THIRD LEGISLATURE.

SENATE.

No. 29.

STATE OF MAINE.

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

AN ACT relating to divorces.

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

SECTION 1. Upon all libels for divorce, when the residence of the libellee can be ascertained, it shall be named in the bill, and actual notice shall be obtained ; if the libellee is out of the state, in such manner and by such means as may be ordered by the court. When it is not known to the libellant, and cannot be ascertained by reasonable diligence, the libellant shall allege and make oath to the same in the libel.

SECT. 2. Whoever falsely and corruptly swears or affirms to any facts required as aforesaid, shall be

3 guilty of perjury, and punished by imprisonment not
4 less than two, nor more than ten years.

SECT. 3. Section nine of chapter sixty of the re-
2 vised statutes, is amended, so that said act, when
3 amended, shall read as follows :

4 *Sect. 9.* Within three years after judgment on a
5 libel for divorce, a new trial may be granted as to the
6 divorce when the parties have not co-habited, or
7 either contracted a new marriage, since the former
8 trial, and when either of the parties have contracted
9 a new marriage since the former trial, a new trial may
10 be granted as to alimony or specific sum decreed on
11 such terms as the court may impose and justice re-
12 quire, when it appears that justice has not been done,
13 through fraud, accident, mistake, or misfortune.

SECT. 3. This act shall take effect upon its approval.

STATE OF MAINE.

IN SENATE, February 10, 1874.

Reported from the Committee on Judiciary, by Mr. WEBB, of
Kennebec; and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*