

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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SENATE

NO. 114

*In Senate, Jan. 29, 1913.*

*Came from the House referred to the Committee on Judiciary, and on motion by Senator Hersey of Aroostook laid on the table for printing pending reference in concurrence.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT conferring equity jurisdiction upon the Supreme  
Judicial Court to hear and determine property matters be-  
tween wife and husband or husband and wife.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. The supreme judicial court shall have power,  
2 authority and jurisdiction in equity to hear and determine  
3 property matters between wife and husband or husband  
4 and wife as provided in section two of this act and to make  
5 all necessary orders and decrees relating to such matters  
6 and to issue all necessary process to enforce such orders  
7 and decrees and to cause all such orders and decrees to be  
8 enforced.

Sect. 2. A wife may bring a bill in equity against her husband for the recovery, conveyance, transfer, payment or delivery to her of any property, real or personal or both, exceeding one hundred dollars in value, standing in his name or to which he has the legal title or which is in his possession or under his control, which in equity and good conscience belongs to her and which he neglects or refuses to convey, transfer, pay over or deliver to her, and, upon proper proof, may maintain such bill. And a husband shall have the same right to bring and maintain a bill in equity against his wife for the purposes aforesaid subject to the limitations aforesaid. Marriage shall be no bar to the maintenance of a bill in equity by a wife against her husband or by a husband against his wife, brought for the purposes aforesaid. No costs shall be awarded against either party in any such proceedings. But if it satisfactorily appears to the court on hearing that the party bringing the bill has conveyed or transferred any of her or of his property, real or personal, to the other party to the bill for the purpose of cheating, defrauding, hindering or delaying her or his creditors, the bill shall be dismissed. An appeal from any final decree may be taken as in other equity causes. There shall be no survival of the right to institute proceedings under this act, and if a wife or husband die after the commencement of proceedings under this act and before the final determination and disposition of the same, such proceedings shall abate.