

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 23

S. P. 46.

In Senate, Jan. 20, 1931.

Referred to Committee on Judiciary. Sent down for concurrence. 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Weeks of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT Relating to Residence of Libelee in Divorce Proceedings.

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

Section 4 of Chapter 73 of the Revised Statutes is hereby amended by adding after the word "order" in the fourth line of said section the following words: 'When a libel is inserted in a writ of attachment, as provided in the preceding section, the residence of the libelee shall be regarded as named in the libel if such residence is named in the writ, and for this purpose the libel and the writ together shall be regarded as constituting the libel.', so that said section as amended shall read as follows :

'Sect. 4. When the residence of the libelee can be ascertained, it shall be named in the libel and actual notice shall be obtained: if the libelee is out of the state, notice shall be given in such manner and by such means as the court may order. When a libel is inserted in a writ of attachment, as provided in the preceding section, the residence of the libelee shall be regarded as named in the libel if such residence is named in the writ, and for this purpose the libel and the writ together shall be regarded as constituting the libel. When the residence of the libelee is not known to the libelant, and cannot be ascertained by reasonable diligence, the libelant shall so allege under oath in the libel. Where notice by publication is ordered upon

any libel which sets out adultery as a ground for divorce the name of any alleged paramour of the libelee, if set out in the libel, shall be omitted from the published notice and a copy of such libel wherein are inserted, in place of such names, the words, "(a certain man named in the libel)" or "(a certain woman named in the libel)," as the case may be, shall, if otherwise correct, be considered and held to be for all purposes a true copy of such libel.'