

# MAINE STATE LEGISLATURE

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Legislative Document

No. 268

H. P. 881

House of Representatives, February 4, 1937.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Wilkes of Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-SEVEN

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AN ACT Relating to Divorce.

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

**R. S., c. 73, § 2, amended.** Section 2 of chapter 73 of the revised statutes is hereby amended to read as follows:

**‘Sec. 2. Causes for which divorce may be granted.** A divorce from the bonds of matrimony may be decreed in the county where either party resides at the commencement of proceedings, for causes of adultery, impotence, extreme cruelty, utter desertion continued for 3 consecutive years next prior to the filing of the libel, gross and confirmed habits of intoxication from the use of intoxicating liquors, opium or other drugs, cruel and abusive treatment, **incompatibility** or on the libel of the wife, where the husband being of sufficient ability or being able to labor and provide for her, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her; provided that the parties were married in this state or cohabited here after marriage, or if the libelant resided here when the cause of divorce accrued, or had resided here in good faith for ~~one year~~ **three months** prior to the commencement of proceedings, or if the libelee is a resident of this state. But when both parties have been guilty of

adultery, or there is collusion between them to procure a divorce, it shall not be granted. Either party may be a witness. The superior court has jurisdiction of libels for divorce in all counties **and may have hearings on said libels either during term time or in vacation.**'