

MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D L E G I S L A T U R E

Legislative Document

No. 1169

H. P. 1539

House of Representatives, February 27, 1947

Transmitted by the revisor of statutes pursuant to joint order

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Broggi of Sanford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to Kinds of Divorces.

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

Sec. 1. R. S., c. 153, § 55, amended. Section 55 of chapter 153 of the revised statutes is hereby amended to read as follows:

Sec. 55. Causes for which divorce may be granted; jurisdiction. A divorce from the bonds of matrimony **or from bed and board** 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, 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 1 year prior to the commencement of proceedings, or if the libelee is a resident of this state. 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.'

Sec. 2. R. S., c. 153, § 70, additional. Chapter 153 of the revised statutes is hereby amended by adding thereto a new section to be numbered 70, to read as follows:

'Sec. 70. Certain provisions applicable. The provisions of sections 55 to 69, inclusive, except as clearly inapplicable, shall apply equally to divorces from the bonds of matrimony and divorces from bed and board.'