

# MAINE STATE LEGISLATURE

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**PUBLIC ACTS**

OF THE

**STATE OF MAINE,**

PASSED BY THE

**FOURTEENTH LEGISLATURE,**

*At its Session, held in January, 1834.*

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

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**AUGUSTA :**

**I. BERRY & CO., PRINTERS TO THE STATE.**

1834.

## Chapter 116.

AN ACT additional to An Act regulating Divorces.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the Supreme Judicial Court shall have exclusive jurisdiction in all cases of divorce, and when the libellee shall be duly served with process and he or she shall not appear, in person, or by attorney, his or her default shall be recorded, and the Court may proceed to decree a divorce, as they are now authorized by law, to do ; but in case the libellee, being duly and legally served with process, as aforesaid, shall appear, in person, or by his or her attorney, and shall tender an issue to the Country, the same shall be joined by the libellant, and the Court shall thereupon order a trial of the issue thus joined, by a jury at the bar of said Court.

S. J. Court authorized to decree a divorce on default of libellee.

Issue tendered by libellee to be joined by libellant.

SECT. 2. *Be it further enacted,* That in all cases where one party has been or shall be divorced from the bonds of matrimony the Court granting the same, may upon application therefor, grant the other party a like divorce, on such terms and conditions as the said Court in the exercise of a sound discretion may judge reasonable.

When divorce has been granted to one party to be granted to the other on terms.

SECT. 3. *Be it further enacted,* That so much of the second section of act approved February the nineteenth one thousand eight hundred and twenty one, as relates to marriage where either of the parties shall have a former wife or husband living at the time of such marriage, and so much of the second section of an act approved February the twenty eighth, one thousand eight hundred and twenty one, as relates to the person who is the guilty cause of divorce, as are inconsistent with the provisions of this act, be and the same are hereby repealed.

Part of former Act repealed. Chap. 71, Vol. 1, p. 344, Sec. 4.

[Approved by the Governor, March 5, 1834.]