

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1883.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA :
SPRAGUE & SON, PRINTERS TO THE STATE.
1883.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1883.

Chapter 212.

CHAP. 212

An Act to amend chapter sixty of the Revised Statutes, relating to Divorce.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section two of chapter sixty of the revised statutes is hereby amended by striking out the words "when the judge deems it reasonable and proper, conducive to domestic harmony and consistent with the peace and morality of society," and inserting instead thereof the words ; for causes of adultery, impotency, extreme cruelty, utter desertion, continued for three consecutive years next prior to the filing of the libel, gross and confirmed habits of intoxication, cruel and abusive treatment, or on the libel of the wife, where the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her.' Said section is further amended by striking out the word "if" in the fifth line and inserting the word 'provided' instead thereof, and by striking out the words "and when such divorce is granted, may marry again," in the last two lines, so that said section, as amended, shall read as follows, viz :

Sec. 2, ch 60,
R. S., amended.

'SECT. 2. A divorce from the bonds of matrimony may be decreed by the supreme judicial court in the county where either party resides at the commencement of proceedings, for causes of adultery, impotency, extreme cruelty, utter desertion, continued for three consecutive years next prior to the filing of the libel, gross and confirmed habits of intoxication, cruel and abusive treatment, or on the libel of the wife, where the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her ; *provided* the parties were married in this state, or cohabited here after marriage ; or, if the libellant resided here, when the cause of divorce accrued or had resided here in good faith one year prior to the commencement of proceedings. Either party may be a witness.'

In what cases
divorces may be
granted.

Proviso.

Either party may
be a witness.

SECT. 2. Sections three, twelve and thirteen of said chapter are hereby repealed.

Secs. 3, 12 and
13, repealed.

SECT. 3. All decrees of divorce shall, in the first instance, be decrees nisi, to become absolute after the expiration of six months from the entry thereof, on the application of either

Decrees to be nisi
at first and abso-
lute after six
months.

CHAP. 213

party to the clerk of the court; and on such application, the clerk shall enter a final decree, unless the court has for sufficient cause, on application of any party interested, otherwise ordered.

Party granted divorce, shall not marry within two years, except by permission of court.

SECT. 4. After a divorce from the bonds of matrimony, the party on whose petition the divorce was granted, shall not marry again within two years after the entry of the final decree, except on permission granted by the court. The party against whom the divorce was granted, shall not marry again within two years from the entry of said decree, and not afterwards except on permission granted by the court.

Libelee shall not marry again within two years, nor after, except by permission of court.

Clerks of court to make return to secretary of state, all applications and decrees.

SECT. 5. Within thirty days after the adjournment of any court having jurisdiction of divorce, the clerk thereof shall make return to the secretary of state of the applications and decrees nisi for the term, in cases of divorce, with the names of the parties and the causes for which the divorces were granted. And the secretary of state shall record the same in a book kept for that purpose.

Act not to apply to any libel now pending.

SECT. 6. The provisions of this bill shall not apply to any libel now pending.

Approved March 13, 1883.

Chapter 213.

An Act providing for the taxation of Telephone Companies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Telephone companies to pay annual tax.

SECT. 1. Every telephone corporation, company or person doing business within the limits of this state, shall annually pay into the state treasury, a tax of two and one-half per cent on the value of any telephone line owned by said corporation, company or person, within the limits of this state, including all poles, wires, insulators, transmitters, telephones, batteries, instruments, telephonic apparatus, office furniture, and any circumstances or conditions which affect the value of the property.

Returns to be made to secretary of state.

SECT. 2. Every such corporation, company or person shall annually, on or before the fifteenth day of April, return to the secretary of state, under the oath of its superintendent,