

# SENATE . . . . . No. 39.

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To accompany the petition of James Woodford and others for an amendment of the law relative to actions of divorce. Joint Judiciary.

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seven.

### AN ACT

Relative to the Limitation of Actions of Divorce and  
Loss of Consortium.

*Be it enacted by the Senate and House of Representatives  
in General Court assembled, and by the authority of the  
same, as follows:*

1 SECTION 1. Section four of chapter one hundred  
2 and fifty-two of the Revised Laws is hereby  
3 amended by striking out the word "parties"  
4 wherever it occurs in said section, and substituting  
5 therefor the words:— libellant and libellee, and by  
6 adding at the beginning of said section the words:  
7 — A divorce shall not be decreed for adultery nor  
8 shall a judgment be granted for the loss of conjugal  
9 society in favor of a party who, in connection with  
10 the divorce suit alleging adultery or the suit alleg-

11 ing loss of conjugal society, has committed the  
12 offence set out in section twenty-five of chapter two  
13 hundred and seven of the Revised Laws against  
14 any party to either of such suits; and, — so as to  
15 read as follows: —

16 *Section 4.* A divorce shall not be decreed for  
17 adultery nor shall a judgment be granted for the  
18 loss of conjugal society in favor of a party who, in  
19 connection with the divorce suit alleging adultery  
20 or the suit alleging loss of conjugal society, has  
21 committed the offence set out in section twenty-five  
22 of chapter two hundred and seven of the Revised  
23 Laws against any party to either of such suits;  
24 and a divorce shall not, except as provided in the  
25 following section, be decreed if the libellant and  
26 libellee have never lived together as husband and  
27 wife in this Commonwealth; nor for a cause which  
28 occurred in another state or country, unless before  
29 such cause occurred, the libellant and libellee have  
30 lived together as husband and wife in this Common-  
31 wealth, and one of them lived in this Commonwealth  
32 at the time when the cause occurred.

1 SECTION 2. This act shall take effect upon its  
2 passage.