

Mr. Laurensen.

DIVORCE ACT AMENDMENT.

ANALYSIS.

Title.
1. Short Title.

2. Divorce on the ground of lunacy.
3. Notice to be given to Public Trustee, who may act for respondent.

A BILL INTITULED

AN ACT to amend the Law of Divorce.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Divorce Act Amendment Act, 1907, and shall be read and construed as a part of the Divorce and Matrimonial Causes Act, 1904 (hereinafter referred to as the principal Act).

Short Title.

2. The following paragraph shall be added to section twenty-two of the principal Act:—

Divorce on the ground of lunacy.

“(e.) On the ground that the respondent is a lunatic within the meaning of the Lunatics Act, 1882, and has been continuously confined as such during seven years or upwards in any asylum, and in the opinion of any two duly qualified medical men, and the medical superintendent of the asylum where the respondent is confined, is not likely to recover, and on a certificate being given by such medical men and superintendent to that effect. ‘Asylum’ means any asylum as defined in the Lunatics Act, 1882:

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“ Provided that no divorce shall be granted under this paragraph if it appears to the Court that the lunacy of the respondent is in any way attributable to the misconduct of the petitioner.”

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3. Where a petition is made for a divorce under the last preceding section, notice of such petition shall be served upon the Public Trustee, who may act for and on behalf of the respondent, and demand such alimony or division of the properties owned by the petitioner at the time such petition is presented as may be deemed equitable and just as between the parties.

Notice to be given to Public Trustee, who may act for respondent.

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