

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Wednesday, the 13th Day of November, 1907.

DIVORCE AND MATRIMONIAL CAUSES ACT AMENDMENT.

Mr. LAURENSEN, in Committee, to move the following new clauses:—

Divorce on the
ground of
lunacy.

A. The following paragraph shall be added to section twenty-two of the Divorce and Matrimonial Causes Act, 1904:—

“(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:

“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.”

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

B. 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.