

## CHAPTER CXVII.

AN ACT TO DETACH THE COUNTIES OF POLK AND PEMBINA FROM THE COUNTY OF BECKER, AND ATTACH THE SAME TO THE COUNTY OF CLAY FOR JUDICIAL PURPOSES.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION. 1. The counties of Polk and Pembina are hereby detached from the county of Becker for judicial purposes and the same are hereby attached to the county of Clay for judicial purposes.

SEC. 2. All judicial proceedings now pending in, and all writs and recognizances returnable to the district court in the county of Becker, from the said counties of Polk and Pembina, shall be deemed and construed to be pending in and returnable to the district court in the county of Clay. Proceedings and Documents.

SEC. 3. All acts and parts of acts, inconsistent with this act are hereby repealed. Repeal.

SEC. 4. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 2, 1876.

## CHAPTER CXVIII.

AN ACT TO PROVIDE FOR LIMITED DIVORCE.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. A separation from bed and board forever, or for a limited time may be decreed by the district court or court of common pleas, on the complaint of a married woman in the following cases: Separation—in what cases granted.

1st.—Between any husband and wife inhabitants of this state.

2nd.—When the marriage shall have been solemnized, or shall have taken place within this state, and the wife shall be an actual resident at the time of exhibiting her complaint.

3d.—When the marriage shall have taken place out of this state, and the parties have become and remain inhabitants of this

state at least one year, and the wife shall be an actual resident at the time of exhibiting her complaint.

**For what causes.** SEC. 2. Such separation may be decreed for the following causes:

1st.—The cruel and inhuman treatment by the husband of his wife.

2nd.—Such conduct on the part of the husband towards his wife, as may render it unsafe and improper for her to cohabit with him.

3d.—The abandonment of the wife by the husband, and his refusal or neglect to provide for her.

**Bill of complaint—what to specify.** SEC. 3. The bill of the complaint in every such case shall specify, particularly, the nature and circumstances of the complaint on which she relies, and shall set forth times and places with reasonable certainty,

**Defense.** SEC. 4. The defendant in any such suit may be permitted to prove, in his justification, the ill-conduct of the complainant and on establishing such defense to the satisfaction of the court, the bill shall be dismissed.

**Proceedings under this act.** SEC. 5. Proceedings under this act shall be commenced and conducted in the same manner as is now prescribed by law in actions for a divorce from the bond of marriage, and the court in which the application is made may upon motion award such sum for counsel fees and temporary alimony during the pending of the action, as the circumstances and the situation of the parties appear to warrant.

**Decrees—support of wife and children.** SEC. 6. Upon decreeing a separation in any such suit, the court may make such further decree, as the nature and circumstances of the case may require, and may make such order and decree for the suitable support and maintenance of the wife and her children or any of them by the husband, or out of his property as may appear just and proper.

SEC. 7. Although a decree for separation from bed and board be not made, the court may make such order or decree for the support and maintenance of the wife and her children, or any of them by the husband or out of his property, as the nature of the case renders suitable and proper.

**Decrees—may be revoked.** SEC. 8. When a decree for a separation forever, or for a limited period shall have been pronounced it may be revoked at any time thereafter by the same court by which it was pronounced under such regulations and restrictions as the court may impose upon the joint application of the parties and upon their producing satisfactory evidence of their reconciliation.

**When act to take effect.** SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 6, 1876.