

CHAPTER 5.

AN ACT

[S. B. 25]

To amend section 1302 Compiled Laws of Alaska by extending time within which action for divorce may be instituted on account of adultery and on account of conviction of felony.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Section 1302 of the Compiled Laws of Alaska is hereby amended so as to read as follows:

Pleas in bar by defendant.

“In an action for the dissolution of the marriage contract on account of adultery the defendant may admit the adultery and show in bar of the action either—

First. That the act was committed by the procurement or with the connivance of the plaintiff; or,

Second. That the act had been expressly forgiven, or impliedly so, by the voluntary cohabitation of the parties after knowledge thereof; or,

Third. That the plaintiff has been guilty of adultery also without the procurement or connivance of the defendant and not forgiven as provided in subdivision second of this section; or,

Fourth. That the action has not been commenced within two years after the discovery of the act by the plaintiff.

When the action is for any of the causes specified in subdivisions third, fourth, fifth, or sixth of section twelve hundred and ninety nine, the defendant may admit the charge and show in bar of the action that the act was committed by the procurement of the plaintiff, or that it has been expressly forgiven; and in case the action is founded on subdivision third of section twelve hundred and ninety nine, the defendant may also show in bar thereof that the action was not prosecuted within two years after the same occurred to the plaintiff.”

Approved March 27, 1923.