

Legislative History for Connecticut Act

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HB72 P.A. 390 1955  
Judiciary - P. 506-508 3P.  
House - P. 2376-2378 3P.  
Senate - P. P. 46, 2204 2P.

8P.

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate  
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JOINT  
STANDING  
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HEARINGS

JUDICIARY  
PART 2  
PAGES 894 - 915

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## JUDICIARY

APRIL 5, 1955

to each prospective buyer. I have a letter in our file from one of the brokers whose name is listed. The Guide has a confidential buyers list so that the brokers can contact a buyer in that area. This Hartford broker told us he had received such a name and sent 15 inquiries and he did not get a response.

Rep. Schlossbach: Have you taken it up with the attorney general's office?

Mr. Wagner: No, we have not. I have learned in a number of states that the states have ruled that they do not come under the act. It is for that reason that we feel they don't come under the act is why the bill is amended.

William A. Dower, Hartford: Our only interest is that in one of the books the letterhead of the Hartford Chamber of Commerce is used without our authorization.

Rep. Cady: The hearing is closed. We will take up H. B. 72. Is there anyone in favor?

H. B. No. 72 - AN ACT CONCERNING LEGAL SEPARATIONS *p. 507, 508*

Sen. Ablondi, 17th District: I wish to register in favor of this bill. It was given quite a bit of study before the Legislative Council and feel it is a good bill.

Atty. Joseph Cooney, Hartford: This bill has the recommendation of the Legislative Council and was fully heard by this committee last session. I have a letter here from Louis M. Hirshon of the Christ Church Cathedral and Dr. A. J. Feldman of Congregation Beth Israel which I will leave with you. They are both in favor of this bill.

Rep. Cady: Anyone opposed to this bill? The hearing is closed. Rep. Hogan, did you wish to speak?

Rep. Hogan, Burlington: Yes, I wish to register in favor of H. B. 658 - AN ACT CONCERNING RIGHTS OF WAY ON ABANDONED OR DISCONTINUED HIGHWAYS. I am speaking as the selectman of the town of Burlington where we have so many abandoned roads. I would like to see the law clarified so that we might know what constitutes the abandonment of a highway. Also the question as to whether or not a road can be legally closed if it is going to block anyone.

Rep. Cady: We will not take up S. B. 246. Anyone in favor?

THE CONGREGATION BETH ISRAEL

HARTFORD CONNECTICUT

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Office of the Rabbi  
Abraham J. Feldman, D.D.  
701 Farmington Ave.  
Hartford 7, Conn.

H.B.72 ✓

March 28, 1955  
Dict. 3/22/55

Hon. Joseph P. Cooney  
111 Pearl Street  
Hartford 3, Conn.

My dear Mr. Cooney:

This is my first chance to answer your letter of March 12th (as you know, on March 12th, Mrs. Feldman and I were injured in an automobile accident and we are only just beginning to get back to normal living).

I see no reason for not supporting the bill of which you wrote me in that letter.

While in my present state of damage it may be some time before I could appear before a legislative hearing, you may feel free to quote me in approval of this bill.

With warm personal greetings, I am

Sincerely yours,

(s) A. J. Feldman

Dr. Abr. J. Feldman

AJF/sz

CHRIST CHURCH CATHEDRAL  
45 Church Street  
Hartford 3, Connecticut

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March 29, 1955

Joseph P. Cooney, Esq.  
111 Pearl Street  
Hartford, Conn.

H.B. 72

Dear Mr. Cooney:

Thank you very much for lending me the Report of the Legislative Council containing the proposed "Act Concerning Legal Separations".

I have read both the Act and the prefatory explanation of purpose. I am happy that such an act will receive consideration by our Legislature.

I should like to be present at the hearing scheduled for the 5th of April, and if invited, to speak in its favor. However, Holy Week will find me in Pittsburgh.

I shall not burden you, Mr. Cooney, with an extended and detailed endorsement of the proposed Act. We are one in our understanding of the purpose, as are those who shall vote upon it.

I can think of two possible objections to it, but I believe that the Act itself covers the first and I should like to indicate my answer to the second.

Section Two specifically provides that the parties in contest do not forego any right which was previously theirs to institute action for absolute divorce. Thus the opportunity for using the Act for punitive purposes is eliminated.

As to the second possible objection. Because of the attitude of organized religion in general and the Roman Catholic Church in particular regarding absolute divorce, I should like to testify that there is nothing in the Act which involves conflict or tension between the philosophy and canonical rules of the various religious bodies. It is completely free of anything which might introduce division on religious grounds. Speaking in terms of morals rather than ecclesiastical canon, I can see a definite advantage, with no negative aspects to countervail.

Moreover, there is nothing disruptive of the fundamental law governing marital and family statutes of adversary proceedings. This Act conforms to the status quo in this respect.

While I write as a clergyman having constant involvement in marital situations, I think that you and legislative Committeemen may be interested in a rather more extended experience I have had in what is called Family Law through being a co-founder and present Trustee of the Interprofessional Commission on Marriage and Divorce Laws, of the American Bar Association.

I sincerely trust that the Act will be passed.

With best personal regards,

Faithfully yours,

(s) Louis M. Hirshon

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CONNECTICUT  
GEN. ASSEMBLY

HOUSE

PROCEEDINGS  
1955

VOL. 6  
PART 5  
2211-2875

JUNE 1, 1955.

(Continued from the transcript of Alice Miller Series I.)

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MEH  
THE CLERK:

Will you please turn to Page 6?

House Bill No. 72, "An Act concerning Legal Separation".

Favorable report of the Committee on Judiciary. Calendar No. 1397. File No. 1222.

MR. PRUYN (Colebrook):

Mr. Speaker, this bill allows the judicial system to decree legal separations in the State of Connecticut. It gives to the Superior Court jurisdiction the same as if the case were for divorce and the courts have the same powers as in a divorce action with relation to alimony, custody and support of children and other allowances. It further provides that at any time after the entry of a decree of legal separation, either party may petition the Superior Court and apply for a decree to dissolve the marriage. This bill was presented by the Legislative Council after considerable study. There are many people whose religion or morals are opposed to divorce, but who are permitted to be legally separated. This bill has the support of the Roman Catholic Church and is a step forward in social legislation. I move that the bill be passed.

THE SPEAKER:

Question is on acceptance and passage.

MR. PARSELLS (Fairfield):

Mr. Speaker, I am speaking now neither as a statesman, nor a politician, but simply as a plain husband and a man, and I can say I am afraid of this bill. It says that a woman can go in to

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MLH

a court and get a decree of legal separation and it does not terminate the marriage, but when a husband wants a marriage to terminate, he has to pay for it. I recognize the problem and I am not opposed to this bill. I asked to have it referred to the Legislative Council two years ago; my only interest in it is the one I have already expressed. I hope it won't be a weapon by which a wife can prevent a divorce unless she is paid off -- which can happen, but I believe that as the bill is written, that after the entry of a decree, it is the intent of the bill that either party may petition for a termination of the marriage, if the parties in question do not get together and resume marital relations; then either of them can ask for dissolution or termination of the marriage. I am supporting the bill.

MR. MAIN (North Stonington): I investigated the problem of juveniles. Mr. Speaker, I don't speak very often, but I hope that this bill will not mean that the wives of we legislators will be permitted to separate from us for all of the time we spend here and in our legislative duties. I do hope that after twenty-seven years of marriage, my wife will not have made available to her a way to be separated from me for serving the public welfare.

MR. KIRKER (Norwich): If not, those in favor of the bill. Mr. Speaker, in answer to the gentleman from North Stonington, I would like to say that I feel sorry for the husband whose wife is here.

MRS. BLACKMAN (Trumbull):  
Mr. Speaker, I have been married for forty years and I think

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MLH  
this is an especially good bill. I think it is high time the ladies were recognized; however, I don't think it will affect me in any way. I think it is a very good bill and I hope it passes.

MR. PARSELLS (Fairfield):  
Mr. Speaker, I think we ought to give warning to Mr. Blackman, approval of the County Commissioner, to pay to Edmund Abell, Sr.

MR. HOGAN (Burlington):  
Mr. Speaker, it looks like this bill takes in a lot of territory.

MR. QUIGLEY (Portland):  
Mr. Speaker, I hate to take the discussion of this bill off the facetious note, but I would like to talk on it as a member of the Committee which investigated the problem of juveniles. We listened to all sorts of official judges, etc., on the subject, who all pointed out that there is a large percentage of juvenile delinquency from children of broken homes. Any type of legislation which this Legislature can propose which will not result in broken homes, is good legislation in my opinion. I hope the bill passes.

THE SPEAKER: Calendar No. 1476. File No. 1091.

Are there further remarks? If not, those in favor of the acceptance of the Committee's favorable report and passage of the bill say aye. Opposed? The ayes have it and the bill is passed.

THE CLERK: is on acceptance and passage.

Substitute for House Bill No. 2024, "An Act providing a

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THE CHAIR: Is there objection. If not unanimous consent is granted.

SENATOR LONGO OF THE NINETEENTH DISTRICT: I move adoption of the Resolution.

THE CHAIR: Question is upon adoption of the Resolution. Will you remark. If not those in favor signify by saying Aye, opposed No. Resolution is adopted.

THE CHAIR: I believe it should be transmitted immediately to the House.

SENATOR LONGO OF THE NINETEENTH DISTRICT: Are you going to name the two Senators.

THE CHAIR: The Senator from the 2nd and the Senator from the 34th.

SENATOR LONGO OF THE NINETEENTH DISTRICT: I move for suspension of the rules for immediate transmission to the House.

THE CHAIR: If there is no objection, the rules will be suspended.

SENATOR LONGO OF THE NINETEENTH DISTRICT: I move for immediate transmittal to the House.

THE CHAIR: Question is upon immediate transmittal to the House. No remarks. All in favor signify by saying Aye, opposed No. The Resolution will be immediate transmitted.

THE CLERK: Business from the House. (House Bills Nos. 1 through 79 were read into the record by the Clerk - see Journal of the Senate, January 13, 1955)

SENATOR WARD OF THE THIRTY FOURTH DISTRICT: The Committee on

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JUNE 2, 1955

acceptance of the committee's favorable report and passage of the bill. Those in favor say AYE, opposed NO. The "aye's" have it and the report is accepted and the bill passed as amended.

THE CLERK: Favorable report of the Joint Standing Committee on Judiciary, House Bill. No. 72 "An Act concerning legal separations".

SENATOR MONGO OF THE NINETEENTH DISTRICT: I move for unanimous consent for suspension of the rules for immediate consideration of this bill.

THE CHAIR: Question is on suspension of the rules. Is there is no objection, the rules are suspended.

SENATOR LONGO: Mr. President, I move for acceptance of the committee's favorable report and passage of the resolution.

THE CHAIR: Question is on acceptance of the committee's favorable report and passage of the bill. Will you remark?

SENATOR LONGO: Mr. President, this bill provides for legal separation in any case where a divorce might be granted. It also provides for the resumption of marital relations if the parties become reconciled.

THE CHAIR: Will you remark further? If not, question is on acceptance of the committee's favorable report and passage of the bill. Those in favor say AYE, opposed NO. The "aye's" have it and the report is accepted and the bill passed.

THE CLERK: Business on the Calendar. Cal. No. 1066. House Bill No. 1857. An Act permitting the Ridgewood

SENATOR LONGO: Mr. President, the purpose of this amendment is