

continued uninterrupted for at least three years, and is deliberate and final, and the separation of the parties beyond any reasonable expectation of reconciliation; fifthly, when the woman before marriage has been guilty of illicit carnal intercourse with another man, the same being unknown to the husband at the time of the marriage, and when such carnal connection shall be proved to the satisfaction of the court; and in all cases where a divorce *a vinculo matrimonii* is decreed for adultery or abandonment, the court may, in its discretion, decree that the guilty party shall not contract marriage with any other person during the life-time of the other party, in which case the bond of matrimony shall be deemed not to be dissolved as to any future marriage of such guilty party, contracted in violation of such decree, or in any prosecution on account thereof.

Causes for granting.

Discretion of the Court.

SEC. 26. Divorces *a mensa et thoro* may be decreed for the following causes, to wit: first, cruelty of treatment; secondly, excessively vicious conduct; thirdly, abandonment and desertion; and the court may decree such divorces forever, or for a limited time; and in all cases where a divorce *a mensa et thoro* is decreed, it may be revoked at any time thereafter by the court granting the same, upon the joint application of the parties to be discharged from the operation of the decree; and the court may decree a divorce *a mensa et thoro* in cases where a divorce *a vinculo matrimonii* is prayed, if the causes proved be sufficient to entitle the party to the same; and in all cases where a divorce is decreed, the court passing the same shall have full power to award to the wife such property or estate as she had when married, or the value of the same, or of such part thereof as may have been sold or converted by the husband, having regard to the circumstances of the husband at the time of the divorce, or such part of any such property as the court may deem reasonable; and also have power to order and direct who shall have the guardianship and custody of the children, and be charged with their support and maintenance, and may at any time thereafter annul, vary or modify such order in relation to the children.

Divorces *a mensa et thoro*

Causes for granting.

Powers of the Court.

Approved April 1, 1872.