

The answer of the defendant was filed on the 1st of November, 1850, and admits the marriage as stated in the petition, but explicitly denies all charges of unkindness, cruelty, or violence, towards the petitioner, as alleged in her petition. He also denies that the petitioner was at any time a correct, faithful and irreproachable wife, but on the contrary, charges, that he has been grossly deceived by her, and has, from such deception, married a notorious and common prostitute. Various acts of adultery, drunkenness, and vicious and indecent conduct on her part, are then set forth, and in conclusion, the answer denies that the petitioner is entitled to ask for a divorce of any sort, or to alimony, but if consistent with the course and jurisdiction of the court, under said petition, respondent asks that a decree *a vinculo* may be passed in his favor.

The cause being removed to this court, upon suggestion of the respondent, the petitioner on the 12th of November, 1850, filed a petition for alimony *pendente lite*, and for an allowance of money to prosecute the suit. Upon the hearing of this petition, the following opinion was delivered :]

THE CHANCELLOR :

This case comes before the court, upon the petition of the wife, who is the complainant in the cause, for an allowance of alimony, *pendente lite*, and money to carry on the suit, and the power of the court to make the allowance, has not been, nor can it be, denied. The opposition to the application, not being placed upon the ground of defect of power in a proper case, but upon the idea, that under the special circumstances of this case, it would be improper to exercise it. My impression, when the petition was first presented, was, that the court, at this stage of the cause, might, to some extent, at least, examine into the merits, and the order of the 12th of November last, authorizing the parties to take depositions, was passed under that impression, but, upon looking into the authorities, I have come to the conclusion, that such is not the practice, and that if an examination was instituted now, and a decision made, adverse to the application of the wife, it might have the