

Where a husband inflicts blows and other personal violence upon his wife, and by such violence and threats places her in fear for her life, and obliges her to fly from him to avoid serious injury, such conduct constitutes "cruelty of treatment;" and the fact that it was the result of intemperance on the part of the husband in no way diminishes the title of the wife to relief.

There is a difference between condonation of the husband, and of the wife. A much less stringent rule applies to the latter than to the former, because the wife may find it difficult to quit the husband's house, or withdraw from his bed, and she must submit to necessity; circumstances which do not apply to the husband.

Yet, after the parties have become reconciled, the Courts are averse to reviving or listening to old grounds of complaint, which had better be forgotten, as well as forgiven.

A separation occurred in 1847, in consequence of the cruel treatment of the husband. The parties afterwards became reconciled, and lived together. The property upon which the parties lived was settled upon the wife and her children, by the will of her father, in such manner that the husband could not deprive the wife entirely of the beneficial enjoyment of it. The parties were married in 1824, and had raised a large family; and there was no proof of cruel treatment since 1847. HELD, that, under these circumstances, it would not be proper to decree a separation.

The marriage relation is not to be dissolved upon slight grounds; and parties will not be released from the duties and responsibilities it imposes, merely because there may be some want of congeniality in their tempers and dispositions. Public policy and morality alike condemn partial dissolutions of the matrimonial union.

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[The bill in this case was filed on the 10th of January, 1850, and alleges that the complainant was married to the defendant in 1824, since which time she has discharged the duties and obligations imposed upon her by her marriage-vows faithfully, and to the utmost of her ability. That her husband, the said Peter Bowic, has, within twelve or fifteen years past, under the influence of intemperance, been so cruel in his conduct towards complainant as to render her existence almost intolerable, and during that period has frequently, by threats and blows, and other personal violence, put complainant in fear for her life; that she has sometimes been obliged to fly from him to avoid serious injury, and at others to invoke the protection of her children and servants to shield her from his assaults. That, in September, 1847, she was compelled, by