seven cents: *Provided*, The Secretary of the Interior shall first cause the true amounts of such losses of property to be investigated and adjusted in a manner satisfactory to him, and the amounts so ascertained shall be paid to the claimants, respectively, in full satisfaction thereof. Amounts to be adjusted.

For the purchase and transportation of provisions and presents, and to meet expenses necessary in holding a council with the Red Lake and Red River Chippewas, in the State of Minnesota, for the extinguishment of their title to lands in that State, said Indians numbering about two thousand souls, ten thousand dollars: *Provided*, That the goods purchased in eighteen hundred and fifty-eight for the Yanctonnais band of Sioux, the reception of which was declined by them, may be used in the negotiations with the said Chippewas of Red Lake and Red River. Negotiations with Red Lake, &c. Chippewas. Proviso.

For payment to Merit L. Young, for one hundred and forty thousand rations, for subsistence furnished to emigrating Pottawotomies, Chippewas and Ottowas, in eighteen hundred and fifty-two, under a contract with the Indian department, and allowed by Commissioner of Indian Affairs, nine thousand six hundred and twenty-five dollars. Payment to Merit L. Young.

For the purchase and transportation of provisions and presents, and to meet expenses necessary in holding a council with the Arapahoe and Chienne Indians south of the Platte, east of the Rocky Mountains, and north of the Arkansas River, thirty-five thousand dollars. Negotiations with the Arapahoe and Chienne Indians.

APPROVED, June 19, 1860.

CHAP. CLVIII.—*An Act to authorize Divorces in the District of Columbia, and for other Purposes.* June 19, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit court for the District of Columbia shall have jurisdiction of all applications for divorces, to be made by petition, upon which the same proceedings shall be had as are had in other cases, except so far as is otherwise hereinafter provided. Jurisdiction over divorces in circuit court.

SEC. 2. *And be it further enacted*, That the petition for a divorce shall specify the causes therefor with certainty; and upon the same being filed, the clerk shall issue summons for the defendant to appear and answer. If it shall appear by the affidavit of a disinterested witness that the defendant is a non-resident of this District, or has been absent therefrom for the space of six months, the circuit court, after the return of one summons not found, may authorize notice of the pendency of the petition, to be given by publication, in such manner as it shall direct. The court shall proceed to hear and determine such cause, whenever such summons shall have been served twenty days, or such publication made forty days before the commencement of the term. No judgment for a divorce shall be rendered on default without proof; nor shall any admissions contained in the answer of the defendant be taken as proof of the facts charged as the ground of the application, but the same shall in all cases be proved by other evidence. Petition; notice to respondent; hearing; judgment. Admissions in answer not to be evidence.

SEC. 3. *And be it further enacted*, That a divorce *a vinculo matrimonii*, from the bond of marriage, may be granted in any of the following cases, to wit: Causes for divorce from bond of matrimony.

First. Where such marriage was contracted whilst either of the parties thereto had a former wife or husband living, unless the former marriage shall have been lawfully dissolved, and no restraint shall have been imposed on the party contracting such second marriage. Former husband or wife living, &c.

Second. Where such marriage was contracted during the lunacy of either party, or where either party was matrimonially incapacitated at the time of the marriage. Lunacy; impotency.

Third. Where either party has committed adultery during the marriage. Adultery.

SEC. 4. *And be it further enacted*, That a divorce *a mensa et thoro* from bed and board may be granted for either of the following causes, to wit: Causes for divorce from bed and board.

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cruelty of treatment, endangering the life or health of one of the parties; reasonable apprehension, to the satisfaction of the court, of bodily harm; the wilful desertion and abandonment by the party complained against of the party complaining for the full uninterrupted space of three years.

Not to be granted for cause occurring out of District, unless, &c.

SEC. 5. *And be it further enacted*, That no divorce shall be granted for any cause which shall have occurred out of this District, unless the party applying for the same shall have resided within the District for two years next preceding the application.

Issue of what marriages thus dissolved to be legitimate.

SEC. 6. *And be it further enacted*, That upon the dissolution of a marriage on account of either of the parties having a former wife or husband living, if it shall appear that the second marriage was contracted in good faith by the party whose second marriage has been thus dissolved, and with the full belief on his or her part that the former wife or husband was dead, that fact shall be stated in the judgment or sentence of divorce; and the issue of such second marriage, born or begotten before the commencement of the suit, shall be deemed to be the legitimate issue of the parent who, at the time of the marriage, was capable of contracting.

Same subject.

SEC. 7. *And be it further enacted*, That upon the dissolution of a marriage on account of the lunacy of either party at the time of such marriage, the issue of the marriage shall be deemed to be legitimate.

Same subject.

SEC. 8. *And be it further enacted*, That a divorce for causes not hereinbefore specially provided for, shall not affect the legitimacy of the issue of the marriage; but the legitimacy of such issue, if questioned, shall be tried and determined, according to the course of the common law.

Court granting divorce may allow to wife alimony, dower, her separate property, and former name.

SEC. 9. *And be it further enacted*, That in all cases where a divorce is granted, the court allowing the same shall have power, if it see fit, to award alimony to the wife, and to retain her right of dower, and to award to the wife such property, or the value thereof, as she had when she was married, or such part, or the value thereof, as the court may deem reasonable, having a regard to the circumstances of the husband at the time of the divorce. The court may also, in granting a divorce *a vinculo matrimonii*, restore to the wife her maiden or other previous name.

Custody of children and their maintenance.

SEC. 10. *And be it further enacted*, That the court shall also have power to order and direct, in every case of divorce, who shall have the guardianship and custody of the children of the marriage so divorced, and who shall be charged with their maintenance.

Alimony pending petition.

SEC. 11. *And be it further enacted*, That the court may also award alimony to the wife for her sustenance during the pendency of a petition for a divorce filed for any of the causes aforesaid.

Adultery by wife after divorce from bed and board, to be cause for depriving her of alimony, custody of children, &c.

SEC. 12. *And be it further enacted*, That, in case of adultery by the wife, committed after judgment or sentence of divorce *a mensa et thoro*, the court may, on the petition of the husband setting forth and accompanied by legal proof of such adultery, deprive the wife of alimony from the date of her said criminal act, and rescind her right of dower, as well as dispossess her, if the court judge fit, of the care, custody, and guardianship of any child or children, which, under the original judgment of the court in granting the divorce, may have been assigned to her.

Proceedings where wife is deserted by husband.

SEC. 13. *And be it further enacted*, That a wife deserted by her husband may, at any time after such desertion, apply to the court in session, or to either one of the judges thereof, when the court is not in session, for an order to protect any money or other property, real or personal, of which she may have become possessed after such desertion, against her husband or his creditors or any one claiming through or under him; and the court or a judge thereof, as the case may be, if the fact of such desertion be proved by evidence other than that of the wife herself, and that the same was without reasonable cause, and that the wife is maintaining herself by her own industry or property, may make and give to the wife an order protecting her earnings, money, and property aforesaid, real or

personal, acquired since the commencement of such desertion, from her husband and all creditors and persons claiming through or under him, and such earnings, money, or property aforesaid shall belong to the wife as if she were a *feme sole: Provided, always*, That every such order shall, within ten days after the making and giving thereof, be entered by the clerk of the court on the records of the county of Washington, in the District of Columbia; and that it shall be lawful for the husband and any creditor claiming through or under him, to apply to the court in session for the discharge thereof, and he may obtain it if, in the judgment of the court, good cause shall be shown why such order, by reason of fraud or of repugnance to the objects of this section, should not have been first made and given: *Provided, also*, That if the husband, or any creditor of or person claiming through or under him, shall seize or continue to hold any property of the wife after notice and record of any such order, then the husband or such person shall be liable at the suit of the wife (which she is hereby empowered to bring) to restore to her the specific property, and also for a sum equal to double the value of the property so seized or held after such notice aforesaid; and if any such order of protection be made, the wife shall, during the continuance thereof, be and be deemed to have been, during such desertion of her, in the like position in all respects with regard to property and contracts and suing and being sued as she would be if a *feme sole*.

Proviso.

Proviso.

APPROVED, June 19, 1860.

CHAP. CLXII.—*An Act making Appropriations for Light-Houses, Beacons, Buoys, and so forth.*

June 20, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following appropriations be, and the same are hereby, made, and directed to be paid, out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry the provisions of this act into effect: *Provided, however*, That if a good title to any land, which it may be necessary to use, cannot be obtained on reasonable terms, or the exclusive right to such land cannot be acquired by cession, when the interest of the United States demands it, before the appropriation would by law fall into the surplus fund, in any and all such cases the appropriations shall be applicable to the objects for which they are made, at any time within two years after the first meeting of the legislature of any State wherein such land may be situated, subsequent to the passage of this act, to wit:

Appropriations.

Proviso.

Saving of the appropriations falling into the surplus fund.

Massachusetts.—For a light-house at Duxbury, in Plymouth harbor, five thousand dollars.

Massachusetts.

For the purchase of a suitable lot of land, and the erection thereon of a building for the use of the Light-house Board, at Wood's Hole, Great Harbor, in the town of Falmouth, five thousand dollars.

For a light-ship or light-house, in the discretion of the Secretary of the Treasury, on the recommendation of the Light-house Board, on, or near, the "Hen and Chickens," at the entrance of Buzzard's Bay, thirty-five thousand dollars.

For a survey to determine the proper site for a light-house at, or near, the "Sow and Pigs," at the entrance of Buzzard's Bay, one thousand dollars.

Rhode Island.—For the establishment of beacons on Connimmicut Point and Bullock's Point, in Providence River, three thousand dollars.

Rhode Island

For a survey of and for buoying out Seekonk River, between Seekonk and Providence, five hundred dollars.

Connecticut.—For the re-establishment and alteration of the beacon light on Long Wharf, at New Haven, two thousand dollars.

Connecticut.

For a fog bell to be rung by machinery at the Stratford light-house, twelve hundred dollars.