Public Law 89-217

AN ACT

September 29, 1965
[H. R. 948]

To amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16–902 of the District of Columbia Code is amended to read as follows:

District of Columbia Code. Divorce, legal separation, and annulment. 77 Stat. 560.

"§ 16–902. Residence requirements

"No action for divorce shall be maintainable unless one of the parties to the marriage has been a bona fide resident of the District of Columbia for at least one year next preceding the commencement of the action. No action for annulment of a marriage performed outside the District of Columbia shall be maintainable unless one of the parties is a bona fide resident of the District of Columbia at the time of the commencement of the action. No action for the affirmance of any marriage shall be maintainable unless one of the parties is a bona fide resident of the District of Columbia at the time of the commencement of the action. The residence of the parties to an action for annulment of a marriage performed in the District of Columbia shall not be considered in determining whether such action shall be maintainable."

SEC. 2. Section 16–904 of the District of Columbia Code is amended to read as follows:

"§ 16–904. Grounds for divorce, legal separation and annulment

"(a) A divorce from the bond of marriage or a legal separation from bed and board may be granted for adultery, actual or constructive desertion for one year, voluntary separation from bed and board for one year without cohabitation, or final conviction of a felony and sentence for not less than two years to a penal institution which is served in whole or in part. A legal separation from bed and board also may be granted for cruelty.

"(b) A judgment of legal separation from bed and board may be enlarged into a judgment of divorce from the bond of marriage upon application of the innocent party, a copy of which shall be duly served upon the adverse party, after the separation of the parties has been continuous for one year next before the making of the application.

"(c) Marriage contracts may be declared void in the following cases:

"First. Where such marriage was contracted while either of the parties thereto had a former wife or husband living, unless the former marriage had been lawfully dissolved.

"Second. Where such marriage was contracted during the lunacy of either party (unless there has been voluntary cohabitation after the discovery of the lunacy).

"Third. Where such marriage was procured by fraud or coercion.

"Fourth. Where either party was matrimonially incapacitated at the time of marriage and has continued so.

"Fifth. Where either of the parties had not arrived at the age of legal consent to the contract of marriage (unless there has been voluntary cohabitation after coming to legal age), but in such cases only at the suit of the party not capable of consenting."

SEC. 3. Section 16–916 of the District of Columbia Code is amended to read as follows:

"§ 16–916. Maintenance of wife and minor children; maintenance of former wife; enforcement

"(a) Whenever any husband shall fail or refuse to maintain his wife, minor children, or both, although able to do so, or whenever any father

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shall fail or refuse to maintain his children by a marriage since dissolved, although able to do so, the court, upon proper application, may decree, pendente lite and permanently, that he shall pay reasonable sums periodically for the support of such wife and children, or such children, as the case may be, and the court may decree that he pay suit money, including counsel fees, pendente lite and permanently, to enable plaintiff to conduct the case.

"(b) Whenever a former husband has obtained a foreign ex parte divorce, the court thereafter, on application of the former wife and with personal service of process upon the former husband in the District of Columbia, may decree that he shall pay her reasonable sums periodically for her maintenance and for suit money, including counsel fees, pendente lite and permanently, to enable plaintiff to conduct the case.

"(c) The Court may enforce any decree entered under this section in the same manner as is provided in section 16–911 of the District of Columbia Code."

77 Stat. 563.

SEC. 4. Section 16–920 of the District of Columbia Code is amended to read as follows:

"§ 16–920. Effective date of decree for annulment or absolute divorce

"A decree, annulling or dissolving a marriage, or granting an absolute divorce, shall not become effective until the time for noting an appeal shall have expired, and, if notice of appeal has been entered, such decree shall not become effective until the date of the final disposition of the appeal."

Approved September 29, 1965.

Public Law 89-218

September 29, 1965
[H. R. 6294]

AN ACT

To authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes.

U.S. Secret Service.
Power extension.
65 Stat. 122.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18, United States Code, section 3056, is amended as follows—

(1) By inserting the following sentence immediately preceding the last sentence thereof: "In the performance of their duties under this section, the Chief, Deputy Chief, Assistant Chief, inspectors, and agents of the Secret Service are authorized to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony."; and

(2) By striking out "508 and 509" and inserting in lieu thereof "508, 509, and 871".

Approved September 29, 1965.