

[CHAPTER 450.]

AN ACT

August 7, 1935.

[H. R. 3612.]

[Public, No. 249.]

To provide for adjusting the compensation of post-office inspectors and inspectors in charge to correspond to the rates established by the Classification Act of 1923, as amended.

Postal service.
Compensation of inspectors, etc., to correspond to rates of Classification Act.
Vol. 42, p. 1488; Vol. 46, p. 1003.
U. S. C., p. 85.

Appropriations made available.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to adjust the compensation of post-office inspectors and inspectors in charge in the post-office inspection service to correspond, so far as may be practicable, to the rates established by the Classification Act of 1923, as amended, for positions in the departmental service in the District of Columbia. Any appropriation now or hereafter available for the payment of the compensation of post-office inspectors and inspectors in charge shall be available for payment of compensation in accordance with the rates adjusted in accordance with the provisions of this Act.

Approved, August 7, 1935.

[CHAPTER 451.]

AN ACT

August 7, 1935.

[H. R. 5532.]

[Public, No. 250.]

To provide for the acquisition of a portrait of Thomas Walker Gilmer.

Thomas Walker Gilmer.
Acquisition of portrait of, authorized.

Appropriation authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized and directed to procure the painting of a portrait of Thomas Walker Gilmer, Secretary of the Navy under President John Tyler, and to add such portrait to the collection of portraits of Secretaries of the Navy in the Department.

SEC. 2. There is authorized to be appropriated the sum of \$750 to carry out the purposes of this Act.

Approved, August 7, 1935.

[CHAPTER 452.]

AN ACT

August 7, 1935.

[H. R. 7909.]

[Public, No. 251.]

To amend the Act creating a United States Court for China and prescribing the title thereof, as amended.

United States Court for China.
Vol. 34, p. 814.
U. S. C., p. 958.

Judge authorized to appoint a U. S. Commissioner.

Duties, etc., as judge of Shanghai district.

Compensation.

Appointments to fill vacancies, etc.

Clerk may temporarily act as commissioner and judge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act creating a United States Court for China and prescribing the title thereof", approved June 30, 1906 (34 Stat. 814), as amended, be, and it is hereby, amended by the addition of the following sections:

"SEC. 10. That the judge of the United States Court for China is hereby authorized to appoint, as in the District Courts of the United States and with similar powers and tenure of office, a United States commissioner, who shall in addition to his other duties be judge of the consular court for the district of Shanghai, with all the authority and jurisdiction exercised prior to June 4, 1920, by the vice consul at Shanghai. Said commissioner shall receive for his services as commissioner and judge of said consular court such compensation as may be fixed by the Attorney General, not exceeding \$10 per day for each day of service actually rendered. In the event of a vacancy in the office of said commissioner or the disability or disqualification or absence of said commissioner, the judge of the United States Court for China may appoint the clerk of said court temporarily to perform the duties of commissioner and judge of the consular court for the district of Shanghai without additional compensation therefor.

“SEC. 11. The President may appoint a special judge of the United States Court for China to act temporarily when necessary— Special temporary judge allowed when necessary.

“(a) During the absence of the judge of said court;

“(b) During any period of disability or disqualification, from sickness or otherwise, to discharge his duties; or

“(c) In the event of a vacancy in the office of judge.

“Such special judge shall receive the same rate of compensation, and the same allowances for expenses and transportation when acting outside of Shanghai, as are paid and allowed the judge of said court. No compensation shall be paid to said judge excepting in the actual discharge of his duties as provided by this section.” Pay, allowances, transportation, etc.

SEC. 2. All laws and parts of laws in conflict herewith are hereby repealed. Conflicting laws repealed.

Approved, August 7, 1935.

[CHAPTER 453.]

AN ACT

To amend sections 966 and 971 of chapter 22 of the Act of Congress entitled “An Act to establish a Code of Law for the District of Columbia”, approved March 3, 1901, as amended, and for other purposes. August 7, 1935. [S. 2259.] [Public, No. 252.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 966 and 968 of chapter 22 of the Act of Congress entitled “An Act to establish a Code of Law for the District of Columbia”, approved March 3, 1901, as amended, are hereby repealed, and in lieu of section 966 the following section is hereby enacted, to be known as “section 966”:
District of Columbia Code, amendments. Vol. 31, p. 1345, amended.

“SEC. 966. CAUSES FOR DIVORCE A VINCULO AND FOR A DIVORCE A MENSA ET THORO.—A divorce from the bond of marriage or a legal separation from the bed and board may be granted for adultery, desertion for two years, voluntary separation from bed and board for five consecutive years without cohabitation, final conviction of a felony involving moral turpitude 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 may be granted for cruelty: *Provided*, That where a final decree of divorce from bed and board heretofore has been granted or hereafter may be granted and the separation of the parties has continued for two years since the date of such decree, the same may be enlarged into a decree of absolute divorce from the bond of marriage upon the application of the innocent spouse: *Provided further*, That marriage contracts may be declared void in the following cases: Divorce. Causes for. Legal separation for cruelty. *Provided*. Enlargement into decree of absolute divorce.

“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. Causes for annulling marriages. Either party already married.

“Second. Where such marriage was contracted during the lunacy of either party (unless there has been voluntary cohabitation after the lunacy) or was procured by fraud or coercion. Contracted during lunacy or by fraud, etc.

“Third. Where either party was matrimonially incapacitated at the time of marriage and has continued so. Either party matrimonially incapacitated.

“Fourth. 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.” Under age.

SEC. 2. Section 971 of chapter 22 of said Act of Congress, as amended, is hereby amended to read as follows: Vol. 31, p. 1345, amended.

“SEC. 971. ONLY RESIDENTS DIVORCED.—No decree of nullity of marriage or divorce shall be rendered in favor of anyone who has not been a bona fide resident of the District of Columbia for at Only bona fide residents divorced.