

suffering, his treatment has become more abusive, unkind and cruel. That he uttered threats as to his treatment towards her in future, so as in fact to render her incessantly fearful of some serious bodily maltreatment. That she, thus apprehensive, left his house on the night of the 28th of January, 1850, and cannot, as she believes, return thither with safety. In consideration of the brutal treatment of her said husband she prays for a divorce, *a vinculo matrimonii*.

The answer of the defendant was filed on the 30th of March, 1850, and after admitting the marriage, denies, explicitly, every charge in the petition of ill treatment, and avers that respondent in his whole deportment to his wife was a kind and indulgent husband, and that her whole complaint is without foundation. That he is advised that the plaintiff's case, as made in her bill, will not entitle her to the relief prayed, and he urges this as a distinct defence to said bill, and relies upon the same as a cause of dismissal of the said complaint.

On the 24th of April, 1850, the petitioner filed an amended and supplemental petition, in which, in addition to the matters stated in her original petition, she specifies other acts of cruel treatment, and charges that her said husband, during their marriage and her cohabitation with him as his wife, had, and continued to have, illicit and adulterous intercourse with a certain woman whom he had seduced before his marriage, and also with other lewd women. On the second of May, 1850, the defendant filed his answer to this amended bill, and after reiterating his denial of cruelty of treatment, particularly denies that during the time his said wife cohabited with him, he has had illicit or adulterous intercourse with the woman referred to, or any other woman.

On the 8th of April, 1850, a commission to take testimony was issued, which, after several applications on the part of the defendant, was returned and filed on the 30th of December, 1850, containing a mass of testimony, the purport of which is sufficiently stated in the opinions of the Chancellor. On the 28th of December, 1850, the cause was removed to this court, upon suggestions filed by the petitioner, who, afterwards, on the 4th