

“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 All laws and parts of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.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“An Act to establish a Code of Law for the District of Columbia”, approved March 3, 1901, as amended, are hereby repealed, and in lieu of section 966 the following section is hereby enacted, to be known as “section 966”: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.

“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.

Legal separation for cruelty. *Provisos.* Enlargement into decree of absolute divorce.

Causes for annulling marriages.

“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.

Either party already married.

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.

least one year next before the application therefor, and no divorce shall be decreed in favor of any person who has not been a bona fide resident of said District for at least two years next before the application therefor for any cause which shall have occurred out of said District and prior to residence therein."

Vol. 31, p. 1347,
amended.

SEC. 3. That chapter 22 of said Act of Congress, as amended, is hereby further amended by adding a new section, to be numbered 974a, as follows:

Property settle-
ments.

"SEC. 974a. Upon the entry of a final decree of annulment or divorce a vinculo, in the absence of a valid antenuptial or post-nuptial agreement in relation thereto, all property rights of the parties in joint tenancy or tenancy by the entirety shall stand dissolved and the court, in the same proceeding in which such decree is entered, shall have power and jurisdiction to award such property to the one lawfully entitled thereto or to apportion the same in such manner as shall seem equitable, just, and reasonable."

SEC. 4. That section 983a of chapter 22 of said Act of Congress, as amended, be, and it is hereby, amended and, as amended, shall read as follows:

Effective date of
decree.

"SEC. 983a. No final decree annulling or dissolving a marriage shall be effective to annul or dissolve the marriage until the expiration of the time allowed for taking an appeal, nor until the final disposition of any appeal taken, and every final decree shall expressly so recite. Every decree for absolute divorce shall contain the date thereof and no such final decree shall be absolute and take effect until the expiration of six months after its date."

Approved, August 7, 1935.

[CHAPTER 454.]

AN ACT

August 7, 1935.
[H. R. 4901.]
[Public, No. 253.]

To authorize appropriations to pay the annual share of the United States as an adhering member of the International Council of Scientific Unions and associated unions.

International Council
of Scientific Unions.
Appropriations au-
thorized for annual
share.
Post, p. 1123.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, to be expended under the direction of the Secretary of State, in paying the annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions, including the International Astronomical Union, International Union of Chemistry, International Union of Geodesy and Geophysics, International Union of Mathematics, International Scientific Radio Union, International Union of Physics, and International Geographical Union, and such other international scientific unions as the Secretary of State may designate, such sum as may be necessary for the payment of such annual share, not to exceed \$9,000 in any one year.

Approved, August 7, 1935.

[CHAPTER 455.]

AN ACT

August 7, 1935.
[H. R. 6673.]
[Public, No. 254.]

Providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee on Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that committee.

International Tech-
nical Committee of
Aerial Legal Experts.
Vol. 46, p. 1162,
amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Resolution Numbered 118, Seventy-first Congress, approved February 1,¹ 1931, providing for an annual appropriation to meet the share of

¹ So in original.