years, no sufficient reason has been assigned, why within less than three months from the date of the deed, this court should be called upon absolutely to dissolve the marriage. It is not alleged or proved, that any circumstances have transpired since the execution of the deed, which render it necessary or proper, that the relations of the parties as established by that instrument, should be changed, and the court would be most reluctant to do so, especially in the manner, and to the extent proposed by this bill, unless a case of strong urgency was made out, as the effect of such a change upon the rights secured by the deed might occasion embarrassing, if not injurious, consequences.

The third section of the original act, authorizes the courts of equity, upon applications for divorce a *vinculo matrimonii*, to decree them *a mensa et thoro*, if the causes proved are sufficient to entitle the parties to such relief, and it has already been stated, that abandonment and desertion alone, without regard to its duration, or the absence from the state of the party complained against, is sufficient cause for a divorce of this qualified character. But a decree of this description is rendered unnecessary, and would, perhaps, be improper in this case, in consequence of the deed of separation, by which the parties have placed themselves, very much in the condition with respect to each other, which the law would have empowered the court to do, by decreeing a limited divorce. *Hunt* vs. *De Blaquiere*, 5 *Bing.*, 520.

For these reasons, very briefly stated, I am of opinion, the bill must be dismissed, and shall so decree.

J. J. SPEED for Complainant.
JAMES M. BUCHANAN for Defendant.

[The decree in this case was affirmed by the Court of Appeals *for the reasons assigned by the Chancellor.*]