

hear and determine and the circuit court for the several counties and the criminal court of Baltimore, on indictment, may inquire into, hear and determine the validity of any marriage and may declare any marriage contrary to the table in this article, or any second marriage, the first subsisting, null and void; and on appeal the depositions and evidence given in the cause shall be transmitted with the record to the court of appeals and thereupon such cause shall be heard, determined and adjudged *de novo*.

Notwithstanding this section, the authority of equity courts in Maryland to determine the validity of a marriage charged to have been procured by abduction, fraud, duress, etc., rests upon their general jurisdiction to set aside contracts so affected. Caution with which courts will exercise such authority in marital cases. *Wimbrough v. Wimbrough*, 125 Md. 621.

This section confines the authority to annul a marriage within prohibited degrees in Baltimore city, to superior and criminal courts upon application of one of parties. A decree of nullity distinguished from a decree of divorce. *Ridgely v. Ridgely*, 79 Md. 305. See also *Le Brun v. Le Brun*, 55 Md. 503.

An. Code, sec. 15. 1904, sec. 15. 1888, sec. 13. 1867, ch. 423.

15. All marriages made and celebrated in this State prior to March 22, 1867, by and between colored people are hereby confirmed and made valid to every intent and purpose from the time of the celebration of such marriages, respectively; and every such marriage shall be held and taken by all courts of this State to be good and sufficient in law to all intents and purposes; provided, that in every case the parties claiming to have been married by a competent person shall by sufficient proof before some justice of the peace, establish the fact of having been so married, a certificate of which shall be filed with the clerk of the circuit court for the county in which said marriage was celebrated, or the court of common pleas of Baltimore city, and be preserved with the register of marriage licenses in the office of the said clerk.

Where slaves ratified their marriage after they became free, their marriage is valid. *Jones v. Jones*, 36 Md. 456.

An. Code, sec. 16. 1914, ch. 745.

16. It shall be the duty of the Clerk of the Court in Baltimore City and in the several Counties of the State of Maryland to transmit to the Bureau of Vital Statistics of the State Department of Health, upon forms to be supplied by the said Bureau, a report of each marriage which has been reported to them under the provisions of Article 62 of the Annotated Code of Public General Laws of Maryland.

The report shall be made monthly and on or before the fifteenth (15th) day of the month next succeeding.

It shall be the duty of the Clerk of the Court in Baltimore City and in the several Counties of the State of Maryland to transmit to the Bureau of Vital Statistics of the State Department of Health, a report of the names and residences of the parties to suits for divorce entered in said Court and to either of whom decree for divorce has been granted by said Court.

The report shall be made monthly and on or before the fifteenth (15th) day of the month next succeeding.