

cient 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 of 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.

Evidence to be recorded

1867, c 428.
License to marry colored persons.

10. In all marriages hereafter celebrated between colored persons, the parties, or some one in their behalf, shall present to the clergyman solemnizing the rites of a marriage, a license, as required in other cases of marriage; and any such clergyman is hereby prohibited from solemnizing such marriage without the production of licenses.

DIVORCES.

11. The courts of equity of this State shall have jurisdiction of all applications for divorce, and any person desiring a divorce shall file his or her bill in the court either where the party complainant or defendant resides, or if the party against whom the bill is filed be a non-resident, then such bill may be filed in the court where the complainant resides; and upon such bill the same process by summons, notice, or otherwise, shall be had to procure the answer and appearance of a defendant as is had in other cases in chancery; and in all cases where from the default of the defendant a bill in chancery may be taken pro confesso, the court, on a bill for divorce, shall order a commission to take testimony to issue ex parte, and shall decide the case upon the proof taken under such commission.

Art 16, s 24
1841, c 262, s 1,
1845, c 330, s 1.
Applications for divorce
17 Md 49, 30
Md 480, 33 Md.
401, 1 Bl 479,
2 Bl. 235.

Process and proceedings.

12. Upon the hearing of any bill for a divorce, the court may decree a divorce *a vinculo matrimonii* for the following causes, to wit: first, the impotence of either party at the time of the marriage; secondly, for any cause which, by the laws of this State, render a marriage null and void *ab initio*; thirdly, for adultery; fourthly, when the court shall be satisfied by competent testimony that the party complained against has abandoned the party complaining, and that such abandonment has continued uninterruptedly for at least three years, and is deliberate and final, and the separation of the parties beyond any reasonable expectation of reconciliation; fifthly, when the woman before marriage has been guilty of illicit carnal intercourse with another man, the same being unknown to the husband at the time of the marriage, and when such carnal connection shall be proved to the satisfaction of the court; and in all cases where a divorce *a vinculo matrimonii* is decreed for adultery or abandonment, the court may, in its discretion, decree that the guilty party shall not contract marriage with any other person during the lifetime of the other party, in which case the bond of matrimony shall be deemed not to be dissolved as to any future marriage of such guilty party, contracted in violation of such decree, or in any prosecution on account thereof.

1872, c 272.
Divorces *a vinculo*
7 Md 560, 17
Md 49, 33 Md
328, 401, 38 Md
357, 529, 5 Gill
252, 1 Bl 471.
Causes for granting.

Discretion of the court as to guilty party not re-marrying.

1872, c 272
Divorces *a mensa et thoro*.

13. Divorces *a mensa et thoro* may be decreed for the following causes, to wit: first, cruelty of treatment; secondly, excessively