

been passed by a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 26, 1937.

CHAPTER 396.

AN ACT to repeal and re-enact with amendments Section 38 of Article 16 of the Annotated Code of Maryland (1924 Edition), title "Chancery", sub-title "Divorce", providing that divorce may be granted after separation under certain conditions.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 38 of Article 16 of the Annotated Code of Maryland (1924 Edition), title "Chancery", sub-title "Divorce", be and it is hereby repealed and re-enacted with amendments to read as follows:

38. Upon a 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; sixthly, when the husband and wife shall have voluntarily lived separate and apart, without any cohabitation, for five consecutive years prior to the filing of the bill of complaint, and such separation is beyond any reasonable expectation of reconciliation.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1937.

Approved April 26, 1937.