

making application for a divorce where the causes of divorce occurred outside the State shall be one year preceding such application.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 40 and 43 of Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Divorce", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

40. 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 eighteen months, and is deliberate and final, and the separation of the parties beyond any reasonable expectation of reconciliation; fifthly, 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.

43. No person shall be entitled to make application for a divorce, where the causes for divorce occurred out of this State, unless the party plaintiff or defendant shall have resided within this State for one year next preceding such application.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1941.

Approved May 26, 1941.

CHAPTER 91.

(House Bill 13)

AN ACT to repeal Section 40 of Article 10 of the Annotated Code of Maryland (1939 Edition), title "Attorneys at Law and Attorneys in Fact", said section relating to the entry of judgment to the use of the surety.

WHEREAS, Section 40 of Article 10 of the Code is the same as Section 8 of Article 8 of the Code; therefore