

CHAPTER 496.

(Senate Bill 250)

AN ACT to repeal and re-enact with amendments Section 85 of Article 17 of the Annotated Code of Maryland (1939 Edition), title "Clerks of Courts", sub-title "Clerks and Registers Retirement Board", including the Clerk of the Court of Appeals, the Clerks of Courts and Registers of Wills in the general retirement system created in this sub-title.

(Vetoed.)

CHAPTER 497.

(Senate Bill 252)

AN ACT to add a new section to Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Divorce", said new section to be known as Section 41A and to follow immediately after Section 41 of said Article, providing for the granting of divorces in cases where one spouse is permanently and incurably insane, prescribing the procedure and extending the jurisdiction of Courts of Equity to the custody of children and matters of alimony, maintenance and support in such cases.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That a new section be and it is hereby added to Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Divorce", said new section to be known as Section 41A, to follow immediately after Section 41 of said Article and to read as follows:

41A. A divorce a vinculo matrimonii may be granted when either husband or wife has become permanently and incurably insane, provided that no divorce shall be granted under this section unless such permanently incurable insane person shall have been confined in an insane asylum, hospital or other similar institution for a period of not less than three years prior to the filing of the Bill of Complaint, nor unless the Court shall find from the testimony of two or more physicians competent in psychiatry that such insanity is permanently incurable with no hope of recovery, and provided further, that no such suit shall be