

85 of said Article, sub-title "Infants", relating to decrees for the custody or guardianship of children in divorce cases and in equity cases generally.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 41 of Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Divorce", and Section 85 of said Article, sub-title "Infants", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

41. Divorces a mensa et thoro may be decreed for the following causes, to wit: First, cruelty of treatment; secondly, excessively vicious conduct; thirdly, abandonment and desertion; and the court may decree such divorces forever, or for a limited time; and in all cases where divorce a mensa et thoro is decreed, it may be revoked at any time thereafter by the court granting the same, upon the joint application of the parties to be discharged from the operation of the decree; and the court may decree a divorce a mensa et thoro in cases where a divorce a vinculo matrimonii is prayed, if the causes proved be sufficient to entitle the party to the same; and in all cases where a divorce is decreed, the court passing the same shall have full power to award to the wife such property or estate as she had when married, or the value of the same, or of such part thereof as may have been sold or converted by the husband, having regard to the circumstances of the husband at the time of the divorce, or such part of any such property as the court may deem reasonable; and shall also have power in all cases in which the care and custody of the children of parties forms part of the relief prayed whether a divorce is decreed or denied to order and direct who shall have the guardianship and custody of the children pendente lite or permanently, and be charged with their support and maintenance and may at any time thereafter annul, vary or modify such order in relation to the children.

85. The several equity courts of this State shall have original jurisdiction in all cases relating to the custody or guardianship of children and may on bill or petition filed by the father or mother or relative or next of kin or next friend of any child or children direct who shall have the custody or guardianship of such child or children, and who shall be charged with his, her or their support and maintenance, pendente lite or permanently, and may from time to time thereafter annul, vary or modify its decree or order in relation to such child or children, provided that nothing herein contained shall be construed to take away or impair the