

which shall be held next thereafter, unless sooner dissolved CHAP. 262.
in manner aforesaid.

CHAPTER 262.

An act to give to the Chancellor and the County Courts as Passed March
Courts of Equity, jurisdiction in cases of Divorce. 1, 1842.

SECTION 1. *Be it enacted by the General Assembly of* Chancellor
Maryland, That from and after the passage of this act, the and county
chancellor or any county court of this State as a court of jurisdiction.
equity, shall have jurisdiction of all applications for divorces
and any person desiring a divorce shall file his or her peti-
tion or bill to the chancellor or in the county court as a court
of equity, where the party resides against whom the peti-
tion is filed, or if the party against whom the petition is filed,
be a non resident, then such petition may be filed in the high
court of chancery or county court as a court of equity
where the petitioner resides, and upon such petition the
same process by summons, notice or otherwise, shall be had
to procure the answer and appearance of a defendant as is
now had to a bill in chancery, and in all cases where, from
the default of the defendant a bill in chancery might be taken
pro confesso, the county court as a court of equity or chan-
cellor on a petition for a divorce shall order a commission
to take testimony to issue ex parte, and shall decide the case
upon the proof taken under such commission.

SEC. 2. *And be it enacted,* That upon the hearing of any Causes for
petition for a divorce, the chancellor or the county court as which di-
a court of equity, as the case may be, may decree a divorce vorce may be
a vinculo matrimonii, for the following causes, to wit: first, granted.
the impotence of either party at the time of the marriage;
secondly, for any cause which by the laws of this State ren-
ders a marriage null and void ab initio; thirdly, for adultery;
fourthly, where the party complained against has abandon-
ed the party complaining, and has remained absent from the
State for five years.

SEC. 3. *And be it enacted,* That upon such petitions as Chancellor
aforesaid, divorces, a mensa et thoro, may be decreed for or county
the following causes, to wit: first, cruelty of treatment; se- court may di-
condly, excessively vicious conduct, abandonment and vorce.
desertion, and the chancellor or any county court, as a court
of equity, may decree a divorce, a mensa et thoro, in cases
where a divorce a vinculo matrimonii is prayed, if the causes