

motor scooter or bicycle with a motor attachment, or for the general operation of any other type of motor vehicle, shall first obtain an instruction and examination permit by applying to the Department [in Baltimore City] upon a form furnished by the Department and every said application shall be accompanied by a fee of five (\$5.00) dollars. Four dollars (\$4.00) of said fee shall go into a special fund as specified in subsection (e) hereinbelow. *Each applicant for an original license or permit shall submit with his application a birth certificate, ~~baptismal or school certificate~~ or other proof of age and identity satisfactory to the Department.*

SEC. 2. *And be it further enacted, That this Act shall take effect June 1, 1967.*

Approved April 14, 1967.

CHAPTER 176

(Senate Bill 204)

AN ACT to repeal and re-enact, with amendments, Section 4 of Article 35 of the Annotated Code of Maryland (1965 Replacement Volume), title "Evidence", subtitle "Competency of Witness", to require a husband or wife to testify as an adverse party against the other spouse in criminal proceedings involving the abuse of a minor under the age of sixteen years.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 4 of Article 35 of the Annotated Code of Maryland (1965 Replacement Volume), title "Evidence", subtitle "Competency of Witness", be and is hereby repealed and re-enacted, with amendments, to read as follows:*

4.

In the trial of all indictments, complaints and other proceedings against persons charged with the commission of crimes and offenses, and in all proceedings in the nature of criminal proceedings in any court of this State, and before a justice of the peace or other officer acting judicially, the person so charged shall at his own request, but not otherwise, be deemed a competent witness; but the neglect or refusal of any such person to testify shall not create any presumption against him. In all criminal proceedings the husband or wife of the accused party shall be competent to testify; but in no case, civil or criminal, shall any husband or wife be competent to disclose any confidential communication made by the one to the other during the marriage, nor shall the husband or wife be compelled to testify as an adverse party or witness in any criminal proceeding involving his or her spouse [;], *except when such proceedings involves the abuse of a child under sixteen years pursuant to Section 11A of Article 27 of this Code, as amended from time to time*; and in suits, actions, bills or other proceedings instituted in consequence of adultery, or for the purpose of obtaining a divorce, or for damages for breach of promise of marriage, no verdict shall be permitted to be recovered, nor shall any judgment or decree be