

der the penalty of forfeiting the sum of fifty dollars for every offence, to be recovered with costs of suit, from the person so offending, as debts under twenty pounds are directed by law to be recovered; the one half thereof to the use of the commonwealth, and the other half to the person who shall sue for the same.

Sec. 4. *And be it further enacted by the authority aforesaid,* That the superintendant or keeper of the said magazine, shall not for the future, receive any fee or emolument for the delivery of any gun-powder; but shall only charge for the storage of such powder so deposited in the said magazine, any law to the contrary notwithstanding.

The superintendant in future to receive no fee for the delivery of gun-powder, but only for the storage.

ISAAC WEAVER, *junior, Speaker
of the House of Representatives.*

SAMUEL MACLAY, *Speaker
of the Senate.*

APPROVED—March the twenty-ninth, 1802 :

THOMAS M'KEAN, *Governor
of the Commonwealth of Pennsylvania.*

CHAPTER LXIII.

An ACT dissolving the marriage between David M'Kissick and Margaret his wife.

WHEREAS, the said David M'Kissick was duly convicted at a court of oyer and terminer held in and for the county of Westmoreland, of having committed a rape, and was therefore sentenced to undergo a confinement in the jail and penitentiary house of the city of Philadelphia, for the space of fifteen years; and the said Margaret

garet M'Kiffick, hath prayed for a divorce from the said David, who escaped on the way to confinement and hath not since been retaken or surrendered himself: And whereas, the commission of a crime, so wicked, by a married man, justly entitles his injured partner to a divorce, and the law now existing has not expressly provided relief in the premises: Therefore,

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage of the said David M'Kiffick and Margaret M'Kiffick, be, and the same is hereby declared to be void and annulled, to all intents, constructions and purposes whatsoever, and they are hereby respectively, declared to be separate, set free, and totally discharged from the matrimonial contract, and from all duties and obligations arising therefrom, as fully, effectually and absolutely, to all intents and purposes, as if they had never been joined in matrimony, or by any other contract whatsoever; any law, usage or custom, to the contrary notwithstanding: *Provided always,* That nothing herein contained, shall be construed to extend to, or effect or render illegitimate, any child or children, born of the body of the said Margaret during the coverture.

The marriage of David and Margaret M'Kiffick dissolved.

Proviso in favour of children born during the coverture.

ISAAC WEAVER, *junior, Speaker*
of the House of Representatives.

SAMUEL MACLAY, *Speaker*
of the Senate.

APPROVED—April the second, 1802:

THOMAS M'KEAN, *Governor,*
of the Commonwealth of Pennsylvania.

CHAP.