

CHAPTER CIX.

AN ACT FOR THE PREVENTING OF CLANDESTINE MARRIAGES.

For the preventing of clandestine, loose and unseemly proceedings in marriage within this province and counties annexed:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That all marriages not forbidden by the law of God shall be encouraged; but the parents or guardians shall (if conveniently they can) be first consulted with, and the parties' clearness of all engagements signified by a certificate from some credible person where they have lived or do live, produced to such religious society to which they relate, or to some justice of the peace of the county in which they live; and by their affixing their intentions of marriage on the court-house or meeting-house doors in each respective county where the parties do reside or dwell, one month before solemnization thereof; the which said publication, before it be so affixed as aforesaid, shall be brought before one or more justices of the peace in the respective counties to which they respectively belong; which justice shall subscribe the said publication, witnessing the time of such declaration and date of the said publication, so to be affixed as aforesaid. And that all marriages shall be solemnized by taking each other for husband and wife before twelve sufficient witnesses; and the certificate of their marriage, under the hands of the parties, and witnesses at least twelve, and one of them a justice of the peace, shall be brought to the register of the county where they are married, and registered in his office. And if any servant or servants shall procure themselves to be married without consent of his or her master or mistress, such servant or servants shall, for such their offense, each of them serve their respective master or mistress one whole year after the time of their servitude by indenture or engagement is expired. And if any person being free

shall marry with a servant as aforesaid, he or she so marrying shall pay to the master or mistress of the servant, if a man, twelve pounds, and if a woman, six pounds, or one year's service; and the servant so being married shall abide with his or her master or mistress according to indenture or agreement, and one year after as aforesaid. And if any persons shall presume to marry, or be witnesses to any marriage, contrary to this act, such persons so married shall forfeit twenty pounds to the proprietary and governor; and the witnesses being present at such marriage shall forfeit and pay each of them five pounds, to the use of the proprietary and governor as aforesaid; and pay damages to the party grieved, to be recovered in any court of record within this government.

Provided, That this law shall not extend to any who shall marry or be married in the religious society to which they belong, so as notice shall be given by either of the parties to the parents, masters, mistresses or guardians, one full month at least before any such marriage be solemnized.

[Section II.] And it is further enacted by the authority aforesaid, That no license or dispensation shall hinder or obstruct the force or operation of this act, in respect of notice to be given to parents, masters, mistresses or guardians as aforesaid.

Passed October 28, 1701; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon. See Appendix I, Section II, and the Act of Assembly, passed February 14, 1729-30, Chapter 311; supplied by the Acts of Assembly, passed June 25, 1885, P. L. 146; and May 23, 1887, P. L. 170.

CHAPTER CX.

AN ACT FOR PREVENTING ACCIDENTS THAT HAPPEN BY FIRE IN THE TOWNS OF BRISTOL (FORMERLY CALLED BUCKINGHAM), PHILADELPHIA, GERMANTOWN, DERBY, CHESTER, NEWCASTLE AND LEWES WITHIN THIS GOVERNMENT.

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That if within ten days after the publication