

delphia, that he, his heirs, executors, or administrators, shall pay to his said child, or in case of her death, before she arrives at the age of twenty-one years, to such person or persons as would have been entitled to the said estate if it had remained unfold, the full amount of the sum for which the said Chambers Gaw shall sell the same, together with any increase of profit which may arise from the use thereof.

count to his daughter, when of age, for the proceeds of such sale.

SIMON SNYDER, *Speaker*

*of the House of Representatives.*

ROBERT WHITEHILL, *Speaker*

*of the Senate.*

APPROVED—the second day of April, in the year of our Lord one thousand eight hundred and four.

THOMAS M'KEAN, *Governor*

*of the Commonwealth of Pennsylvania.*

## CHAPTER XCV.

*A SUPPLEMENT to the act, entitled, "An act concerning Divorces and Alimony."*

Section 1. **B**E 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 all marriages, within the degree of consanguinity, or affinity, according to the table established by law, are void to all intents and purposes; and it shall and may

What marriages are void.

may be lawful for the courts herein-after mentioned, or any of them, to grant divorces from the bonds of matrimony; and the parties shall be subject to the like penalties as are contained in an act against incest.

Sec. 2. *And be it further enacted by the authority aforesaid,* That any person who hath

Applications for divorces may be made to the judges of the supreme court, of the circuit court or court of common pleas of the proper county.

Proceedings in such case.

Powers of the courts touching divorces.

Of proclamation to be made by the sheriff.

Of notices to the party complained against.

been or shall be injured in any of the ways mentioned in the second section of the act to which this is a supplement, may apply in the manner prescribed by the third section of the said act, to the judges of the supreme court, in term time, or at any circuit court, or to one or more of them in vacation, or to the judges of the courts of common pleas of the proper county; and like proceedings shall be had, in order to compel the appearance of the party complained against, as are directed to be had in and by the said third section of the act aforesaid, either at the next supreme court, circuit court, or court of common pleas, as the case may be; and the said courts, respectively, shall have like powers in all things touching divorces and alimony, as the judges of the supreme court now have by virtue of the act to which this is a supplement: *Provided always,* That the proclamation directed by the act aforesaid, to be made by the sheriff of the city and county of Philadelphia, at the market place, shall be made by the said sheriff, or by the sheriff of the proper county, as the case may require, on three several days, in term time, at the court-house of the city or county, where any such application shall have been made.—and that the notices to the party against whom a subpoena shall have issued, shall be given in some public newspaper printed in the city of Philadelphia, or in the proper county,

or

or in some adjoining county, in case no paper is printed in the county where such application shall be made, for four successive weeks: *And provided also*, That when a trial by jury is to be had as to any controverted matters of fact, the same shall be in any of the above mentioned courts, when sitting, in the city or county where the fact is charged to have arisen.

Sec. 3. *And be it further enacted by the authority aforesaid*, That either of the parties in any suit or action to be brought in pursuance of this act, or the act to which this is a supplement, after any final sentence or decree given, may appeal therefrom to the supreme court, or to the high court of errors and appeals, as the case may require, upon entering into a recognizance, in manner and form, as is prescribed by the twelfth section of the act to which this is a supplement, to the court or some judge thereof, from which such appeal shall be made.

Appeal allowed to the supreme court, or court of errors and appeals.

Sec. 4. *And be it further enacted by the authority aforesaid*, That so much of the act, entitled "An act against incest," as is hereby altered or supplied, be and the same is hereby repealed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

ROBERT WHITEHILL, *Speaker*  
of the Senate.

APPROVED—the second day of April, in the year of our Lord one thousand eight hundred and four.

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