

## CHAPTER XXIV.

## AN ACT ABOUT RECORDING OF DEEDS.

To prevent any damage that may arise for not recording of deeds, gifts, grants and charters, enjoined by the late laws of 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 such writings, though they were never recorded nor enrolled according to law, yet the same are hereby indemnified and declared as good and authentic as if they had been duly entered and enrolled. And it is the true meaning of this act that no deeds or other writings shall be required to be recorded, but that such deeds or writings as shall be enrolled or registered in the rolls office, the explication of the records of the same, in all courts of judicature shall be allowed and judged as valid as the originals.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, and the Act of Assembly passed January 12, 1705-6, Chapter 136.

## CHAPTER XXV.

## AN ACT FOR THE PREVENTING OF CLANDESTINE MARRIAGES.

For the preventing of clandestine, loose and unseemly proceedings in 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 persons 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 justices 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 one another husband and wife before 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, [he or she] shall for such, their offense, each of them serve their respective masters or mistresses one whole year after the time of their service (by indenture, law or custom) 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 for a man twelve pounds; 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 custom, and one year after as aforesaid. And if any person shall presume to marry, or join any in marriage, contrary to this act, such persons so marrying shall pay ten pounds to the proprietary and governor; and the persons so joining other in marriage shall forfeit and pay twenty pounds to the proprietary and governor, and pay damages to the parties 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 be-

long, so that they observe the methods of publication as before in this law expressed.

[Section II.] And it is further enacted, That no license or dispensation shall hinder or obstruct the force or operation of this act in respect of publication, under the penalty of one hundred pounds.

Passed November 27, 1700; repealed by the Act of Assembly, passed October 28, 1701, Chapter 109, and never considered by the Crown.

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## CHAPTER XXVI.

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### AN ACT ABOUT BINDING TO THE PEACE.

[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 thereunto belonging in General Assembly met, and by the authority of the same, That whosoever shall threaten the person of another, to wound, kill or destroy him, or do him any harm in person or estate, and the person so threatened shall appear before a justice of the peace and attest that he believes that by such threatening he is in danger to be hurt in body or estate; such person so threatening as aforesaid shall be bound over, with one sufficient surety, to appear at the next sessions or county court, to be holden for the county where such offense was committed, to be proceeded against according to law; and, in the meantime, to be of his good behavior and keep the peace towards all the King's subjects.

Passed November 27, 1700; 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, repealed by the Act of Assembly, passed March 31, 1860, P. L. 451.