

Husband or Wife living, to the great Dishonour of God, and utter Undoing of divers honest Mens Children, and others'; (2) Be it therefore enacted by the King's Majesty, with the Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, That if any Person or Persons within his Majesty's Dominions of *England* and *Wales*, being married, or which hereafter shall marry, do at any Time after the End of the Session of this present Parliament, marry any Person or Persons, the former Husband or Wife being alive; That then every such Offence shall be Felony, and the Person and Persons so offending shall suffer Death as in Cases of Felony; (3) and the Party and Parties so offending shall receive such and the like Proceeding, Trial and Execution in such County where such Person or Persons shall be taken or apprehended.

II. Provided always, That this Act, nor any Thing therein contained, shall extend to any Person or Persons whose Husband or Wife shall be continually remaining beyond the Seas by the Space of seven Years together, or whose Husband or Wife shall absent him or herself the one from the other by the Space of seven Years together, in any Parts within his Majesty's Dominions, the one of them not knowing the other to be living within that Time.

III. Provided also, and be it enacted by the Authority aforesaid, That this Act, nor any Thing herein contained, shall extend to any Person or Persons that are or shall be at the time of such Marriage divorced by any Sentence had or hereafter to be had in the Ecclesiastical Court; (2) or to any Person or Persons where the former Marriage hath been or hereafter shall be by Sentence in the Ecclesiastical Court declared to be void and of no Effect; nor to any Person or Persons for or by Reason of any former Marriage had or made, or hereafter to be had or made, within Age of Consent.

IV. Provided also, That no Attainder for this Offence made Felony by this Act, shall make or work any Corruption of Blood, Loss of Dower, or Disinheritance of Heir or Heirs.

This Statute, making bigamy a felony, was omitted by Mr. Alexander; but in *Barber v. State*, 50 Md. 161, the Court of Appeals held it be in force, modified by the Act of 1809, ch. 138, (Code 1904, Art. 27, sec. 19), as to the punishment of the offence but not as to the grade of the crime. See *Hochheimer's Criminal Law*, sec. 272; *Clark's Criminal Law* 309.

The Statute was repealed in England by 9 Geo. 4, c. 31.