
IN THE SENATE OF THE UNITED STATES.

APRIL 29, 1862.

Read twice, and referred to the Committee on the Judiciary.

AN ACT

To punish the practice of polygamy in the Territories of the United States and other places, and disapproving and annulling certain acts of the legislative assembly of the Territory of Utah.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That if any person or persons, being married, shall, during
4 the life of the former husband or wife, marry another person
5 in any Territory of the United States, or other place, over
6 which the United States possess exclusive jurisdiction, or,
7 if the marriage with such other person take place elsewhere,
8 shall thereafter live or cohabit with such other person in such
9 Territory, or other place, over which the United States pos-
10 sess exclusive jurisdiction, the former husband or wife being
11 alive, he, she, or they so offending, shall, on conviction thereof,
12 pay a fine not exceeding five hundred dollars, and be impris-
13 oned not less than two years nor more than five years: *Pro-*
14 *vided,* That this section, or anything therein contained,

15 shall not extend to any person or persons whose husband or
16 wife shall absent him or herself, one from the other, for the
17 space of five years, the one of them not knowing the other to
18 be living within that time, nor to any person or persons who
19 shall be, at the time of such marriage, divorced by competent
20 authority, or to any person or persons whose former marriage,
21 by sentence of competent authority, shall have been declared
22 void.

1 SEC. 2. *And be it further enacted,* That the following
2 ordinance of the provisional government of the State of Des-
3eret, so called, namely: "An ordinance incorporating the
4 Church of Jesus Christ of Latter Day Saints," passed Feb-
5ruary eight, in the year eighteen hundred and fifty-one, and
6 adopted, re-enacted, and made valid by the governor and leg-
7islative assembly of the Territory of Utah by an act passed
8 January nineteen, in the year eighteen hundred and fifty-five,
9 entitled "An act in relation to the compilation and revision of
10 the laws and resolutions in force in Utah Territory, their pub-
11 lication and distribution," and all other acts and parts of acts
12 heretofore passed by the said legislative assembly of the Ter-
13ritory of Utah, which establish, support, maintain, shield, or
14 countenance polygamy be, and the same hereby are, disap-
15 proved and annulled: *Provided,* That this act shall be so limited
16 and construed as not to affect or interfere with the right of
17 property legally acquired under the ordinance heretofore men-

18 tioned, nor with the right "to worship God according to the
19 dictates of conscience," but only to annul all acts and laws
20 which establish, maintain, protect, or countenance the prac-
21 tice of polygamy, evasively called spiritual marriage, however
22 disguised by legal or ecclesiastical solemnities, sacraments,
23 ceremonies, consecrations, or other contrivances.

Passed the House of Representatives April 28, 1862.

Attest :

EM. ETHERIDGE, *Clerk.*