

Senate, or during the recess thereof and until the end of its next session after such appointment, an agent for the Grand River and Wintah bands of Indians, in the Territory of Colorado, at a salary of fifteen hundred dollars per annum.

APPROVED, July 1, 1862.

CHAP. CXXIV. — *An Act for the Relief of William B. Dodd and others.*

July 1, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, directed to pay out of the appropriation to complete the road from Mendota to the Big Sioux River, contained in the act approved March third, eighteen hundred and fifty-five, entitled "An act making appropriations for the support of the army for the year ending the thirtieth of June, eighteen hundred and fifty-six, and for other purposes," into the hands of Horace Austin, of Saint Peter, Minnesota, who is hereby appointed a commissioner to dispose of the same, the sum of three thousand two hundred and seventy dollars, the same having been estimated for in said appropriation, and being for completing a part of said road, to be paid out by him as follows, to wit: The said commissioner shall give notice to all persons having claims against William B. Dodd for labor or materials furnished in the construction of said road, by publication in a newspaper of general circulation in the neighborhood where said road is situated, for ninety days, and by posting written or printed notices in three public places in each county through which said road passes, to present and prove their claims within the ninety days aforesaid; and all such claims, so presented and proved within the time limited, he shall pay to the parties respectively, and the residue, after the liquidation of such claims, and the payment of the expenses of this commission, he shall pay to the said William B. Dodd.

Payment to creditors of William B. Dodd, &c.

1855, ch. 169. Vol. x. p. 638.

Horace Austin appointed commissioner, &c.

to make payment.

APPROVED, July 1, 1862.

CHAP. CXXV. — *An Act to incorporate the Guardian Society and reform Juvenile Offenders in the District of Columbia.*

July 1, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Amos Kendall, John M. Broadhead, Zenas C. Robbins, Sayles J. Bowen, Nehemiah B. Northrup, Benjamin B. French, Joseph Bryan, Peter N. Higginbotham, Thomas C. Jenner, David W. Heath, James R. Barr, Matthew Waite, Samuel A. H. McKim, John R. Nourse, and Stephen Prentiss, and their associates and successors, being members of said society, by paying into its treasury the sum of two dollars annually, or life members, by paying fifty dollars at one time, or ten dollars annually, for six years, are hereby incorporated and made a body politic by the name of the "Guardian Society" for the purpose of encouraging and aiding impartially such of the poor, the ignorant, and the vicious, as can be induced to make such efforts as they ought for the improvement of their condition, and by that name shall have perpetual succession, with the power to use a common seal, to sue and be sued, to plead and be impleaded, in any court of the United States, to collect subscriptions, make by-laws and rules needful for the government of said corporation not repugnant to the laws of the United States; may have, hold, and receive real and personal estate, by purchase, gift, or devise; may use, sell, or convey the same for the purposes and benefit of said corporation; may choose such officers and teachers as they may deem necessary, prescribe their duties, and fix their compensation.

Guardian Society incorporated.

Membership.

Name and objects of the society.

By-laws.

May hold real, &c., estate, &c. Officers.

SEC. 2. *And be it further enacted,* That they may, at their discretion, receive into a house of industry provided by said society any minors, under the age of eighteen years, who shall be convicted of any crime,

House of industry, inmates, &c.

- offence, or misdemeanor, other than such as are capital or punishable by imprisonment for life; and such person[s] shall be committed by the court, or magistrate before whom the conviction shall be had, to said house of industry, with an alternate sentence to the jail or penitentiary of the District of Columbia if the trustees decline to receive or keep them, and to the commitments shall be annexed the names and residences of the witnesses examined and the substance of the evidence given.
- Alternate sentence.** SEC. 3. *And be it further enacted,* That the court may, with the consent of accused persons, or their parents or guardians in writing, arrest proceedings at any time, and commit them to the house of industry.
- Same subject.** SEC. 4. *And be it further enacted,* That the trustees may receive any children at the request of the parents or guardians, or next friend, or the mother, if the father be dead, or has abandoned his family, or does not provide for their support, or is an habitual drunkard; such parents, guardians, or next friend, or mother, making a written surrender of such children.
- Trustees may reject certain offenders.** SEC. 5. *And be it further enacted,* That the trustees shall not be required to receive any offenders known to be extremely vicious, nor to keep any who may prove incorrigible, or whose continuance may be deemed injurious; and those whom any two of the trustees or the superintendent, if duly authorized by the board, shall refuse to receive or keep, shall be disposed of according to their alternate sentences.
- Witnesses and certain persons held for trial to go to house of industry.** SEC. 6. *And be it further enacted,* That persons committed as witnesses, and those under the age of eighteen years committed for trial, shall be placed in the house of industry instead of the jail or penitentiary, unless they are so vicious that placing them in it should be deemed injurious.
- Term of commitment.** SEC. 7. *And be it further enacted,* That no commitment shall be for a shorter term than until the offender is reformed or twenty-one years of age, except such as may be committed for trial or as witnesses; but any of them who may be deemed to be thoroughly reformed may be discharged during good behavior, on the order of the board of trustees, duly entered upon their record.
- Power of superintendent.** SEC. 8. *And be it further enacted,* That the superintendent may, with the concurrence of the board of trustees, govern the inmates, preserve order, enforce discipline, impart instruction in the veneration and love of God, in morality, useful knowledge, and some regular course of labor, and establish rules for the preservation of health and their proper physical, intellectual, and moral training, until they are reformed and discharged, or twenty-one years of age, or remanded as incorrigible. The trustees may bind out, with their consent, by indenture, any who may appear to be sufficiently reformed, where they will have the benefit of good example, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful members of society. They may appoint a committee of one or more of their own number to execute and deliver indentures, which shall be filed and kept in the office of the house of industry. The superintendent may let out inmates to hire during the daytime to employers whose work is not too distant from the house of industry for him to have the general inspection of their conduct and the treatment they receive.
- Trustees may bind out inmates.** SEC. 9. *And be it further enacted,* That if any apprentices, prove untrustworthy and unreformed, the trustees may, at their discretion, permit their return, and order the indentures cancelled. Fugitives from the house of industry, or from apprenticeship, may be arrested and returned to the house of industry by a sheriff, constable, police officer, or an officer of the house of industry, on the written order of any two of the trustees or the superintendent.
- Superintendent may let out inmates to hire.** SEC. 10. *And be it further enacted,* That persons under the age of eighteen years shall be entitled to a private examination and trial, if they
- Untrustworthy and unreformed apprentices.**
- Fugitives.**
- Private examinations, when permitted.**

request it in writing, at which only the parties shall be admitted, their parents, guardians, or other legal representatives.

SEC. 11. *And be it further enacted,* That the expenses of maintenance of the inmates committed for offences against the people, or for trial, or as witnesses, shall be paid by the county, and those of persons committed by parents, guardians, or next friends, shall be paid by the persons committing them, unless the trustees shall otherwise determine. The rates of expenses shall be fixed by the board of trustees.

Expenses of maintenance of inmates, how paid.

Rates.

SEC. 12. *And be it further enacted,* That the grounds, and the buildings thereon, for the use of said society, shall be exempt from taxation.

Grounds, &c., exempt from taxation.

APPROVED, July 1, 1862.

CHAP. CXXVI.—*An Act to punish and prevent 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.*

July 1, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person having a husband or wife living, who shall marry any other person, whether married or single, in a Territory of the United States, or other place over which the United States have exclusive jurisdiction, shall, except in the cases specified in the proviso to this section, be adjudged guilty of bigamy, and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars, and by imprisonment for a term not exceeding five years: *Provided, nevertheless,* That this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage shall have been absent for five successive years without being known to such person within that time to be living; nor to any person by reason of any former marriage which shall have been dissolved by the decree of a competent court; nor to any person by reason of any former marriage which shall have been annulled or pronounced void by the sentence or decree of a competent court on the ground of the nullity of the marriage contract.

Bigamy in the territories of the United States, how punished.

Act not to apply to certain cases.

SEC. 2. *And be it further enacted,* That the following ordinance of the provisional government of the State of Deseret, so called, namely: "An ordinance incorporating the Church of Jesus Christ of Latter Day Saints," passed February eight, in the year eighteen hundred and fifty-one, and adopted, reënacted, and made valid by the governor and legislative assembly of the Territory of Utah by an act passed January nineteen, in the year eighteen hundred and fifty-five, entitled "An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, their publication, and distribution," and all other acts and parts of acts heretofore passed by the said legislative assembly of the Territory of Utah, which establish, support, maintain, shield, or countenance polygamy, be, and the same hereby are, disapproved and annulled: *Provided,* That this act shall be so limited and construed as not to affect or interfere with the right of property legally acquired under the ordinance heretofore mentioned, nor with the right "to worship God according to the dictates of conscience," but only to annul all acts and laws which establish, maintain, protect, or countenance the practice of polygamy, evasively called spiritual marriage, however disguised by legal or ecclesiastical solemnities, sacraments, ceremonies, consecrations, or other contrivances.

Certain acts of the territory of Utah, &c., annulled and disapproved.

Rights of property acquired under these acts, &c., not to be interfered with, &c.

SEC. 3. *And be it further enacted,* That it shall not be lawful for any corporation or association for religious or charitable purposes to acquire or hold real estate in any Territory of the United States during the existence of the territorial government of a greater value than fifty thousand dollars; and all real estate acquired or held by any such corporation or association contrary to the provisions of this act shall be

Religious, &c., corporations in territories not to hold more than \$50,000 of real estate.