

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, reenacted, 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.

Vested rights not impaired hereby. forfeited and escheat to the United States: *Provided*, That existing vested rights in real estate shall not be impaired by the provisions of this section.

APPROVED, July 1, 1862.

July 2, 1862. CHAP. CXXVII. — *An Act to provide for additional Medical Officers of the Volunteer Service.*

Additional surgeons and assistant surgeons. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be appointed by the President, by and with the advice and consent of the Senate, forty surgeons and one hundred and twenty assistant surgeons of volunteers, who shall have the rank, pay and emoluments of officers of corresponding grades in the regular army; *Provided*, That no one shall be appointed to any position under this act unless he shall previously have been examined by a board of medical officers to be appointed by the Secretary of War, and that vacancies in the grade of surgeon shall be filled by selection from the grade of assistant surgeon on the ground of merit only: *And provided, further*, That this act shall continue in force only during the existence of the present rebellion.

Rank, pay, &c.

Previous examination.

Vacancies, how filled.

Act, how long to continue.

Brigade surgeons, how known, &c.

To be surgeons of volunteers.

Regiments of volunteers to have two assistant surgeons.

1861, ch. 9, § 2. Ante, p. 269.

SEC. 2. *And be it further enacted*, That from and after the passage of this act, Brigade Surgeons shall be known and designated as Surgeons of Volunteers, and shall be attached to the general medical staff under the direction of the Surgeon General; and hereafter such appointments for the medical service of the army shall be appointed Surgeons of Volunteers.

SEC. 3. *And be it further enacted*, That instead of "one assistant surgeon," as provided by the second section of the act of July 22nd, 1861, each regiment of Volunteers in the service of the United States shall have two Assistant Surgeons.

APPROVED, July 2, 1862.

July 2, 1862. CHAP. CXXVIII. — *An Act to prescribe an Oath of Office, and for other Purposes.*

Oath of office for all persons in civil, military or naval department of the public service.

Post, p. 701.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter every person elected or appointed to any office of honor or profit under the government of the United States, either in the civil, military or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God;" which said oath, so taken and signed, shall be preserved among the files of the court, House of Congress, or Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now

Oath to be preserved.

False swearing in taking the oath to be perjury.