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and all such claims must be presented to the Postmaster-General within six months after the taking effect of this act; and no claim for losses which may hereafter accrue shall be allowed unless presented within three months from the time the loss accrued.

Postmaster-General to make annual report to Congress.

SEC. 2.—That it is hereby made the duty of the Postmaster-General to report his action herein to Congress annually, with his reasons therefor in each particular case

Approved, March 17, 1882.

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Mar. 21, 1882.

**CHAP. 44.**—An act appropriating one hundred thousand dollars for continuing the work on Davis Island Dam.

Davis Island Dam, Ohio River.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of one hundred thousand dollars, be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of continuing the work on the Davis Island Dam in the Ohio River, and to be expended under the direction of the Secretary of War, and in anticipation of part of the appropriation for such purpose in the regular river and harbor act.

Appropriation.

Approved, March 21, 1882

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Mar. 22, 1882.

**CHAP. 46.**—An act authorizing the sale of certain logs cut by the Indians of the Menomonee Reservation in Wisconsin.

Menomonee Reservation, Wisconsin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he hereby is, authorized to cause to be sold at public sale to the highest bidder, for cash, after due public advertisement, and in such lots or quantities as he may deem judicious, all pine timber cut upon the Menomonee Indian Reservation during the winter of eighteen hundred and seventy-six and eighteen hundred and seventy-seven, under the direction of the then United States Indian Agent, J. C. Bridgman.

Sale of cut timber.

Disposition of proceeds.

SEC. 2.—That the proceeds arising from all sales of such timber shall be applied first to the payment of any and all indebtedness incurred for labor, supplies, and other expenses incident to the cutting and sale of said timber, and the surplus, if any, shall be deposited in the Treasury of the United States to the credit of said Indians, and expended for their benefit under the direction of the Secretary of the Interior.

Approved, March 22, 1882.

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Mar. 22, 1882.

**CHAP. 47.**—An act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes.

Bigamy, etc., in the Territories of the United States, how punished.
R. S. 5352, 1039, amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section fifty-three hundred and fifty-two of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows, namely:

Polygamy. Penalty.

"Every person who has a husband or wife living who, in a Territory or other place over which the United States have exclusive jurisdiction, hereafter marries another, whether married or single, and any man who hereafter simultaneously, or on the same day, marries more than one woman, in a Territory or other place over which the United States have exclusive jurisdiction, is guilty of polygamy, and shall be punished by a fine of not more than five hundred dollars and by imprisonment for a term of not more than five years; but this section shall not extend to any person by reason of any former marriage whose husband or wife

Not to apply in certain cases.

by such marriage shall have been absent for five successive years, and is not known to such person to be living, and is believed by such person to be dead, nor to any person by reason of any former marriage which shall have been dissolved by a valid decree of a competent court, nor to any person by reason of any former marriage which shall have been pronounced void by a valid decree of a competent court, on the ground of nullity of the marriage contract."

Action in offenses already committed not affected.

SEC. 2. That the foregoing provisions shall not affect the prosecution or punishment of any offense already committed against the section amended by the first section of this act.

Misdemeanor.

SEC. 3. That if any male person, in a Territory or other place over which the United States have exclusive jurisdiction, hereafter cohabits with more than one woman, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than three hundred dollars, or by imprisonment for not more than six months, or by both said punishments, in the discretion of the court.

Indictment.

SEC. 4. That counts for any or all of the offenses named in sections one and three of this act may be joined in the same information or indictment.

Juries. Disqualification for service.

R. S. 5352, 1039.

12 Stat., 501.

SEC. 5. That in any prosecution for bigamy, polygamy, or unlawful cohabitation, under any statute of the United States, it shall be sufficient cause of challenge to any person drawn or summoned as a juryman or talesman, first, that he is or has been living in the practice of bigamy, polygamy, or unlawful cohabitation with more than one woman, or that he is or has been guilty of an offense punishable by either of the foregoing sections, or by section fifty-three hundred and fifty-two of the Revised Statutes of the United States, or the act of July first, eighteen hundred and sixty-two, entitled "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", or, second, that he believes it right for a man to have more than one living and undivorced wife at the same time, or to live in the practice of cohabiting with more than one woman; and any person appearing or offered as a juror or talesman, and challenged on either of the foregoing grounds, may be questioned on his oath as to the existence of any such cause of challenge, and other evidence may be introduced bearing upon the question raised by such challenge; and this question shall be tried by the court. But as to the first ground of challenge before mentioned, the person challenged shall not be bound to answer if he shall say upon his oath that he declines on the ground that his answer may tend to criminate himself; and if he shall answer as to said first ground, his answer shall not be given in evidence in any criminal prosecution against him for any offense named in sections one or three of this act; but if he declines to answer on any ground, he shall be rejected as incompetent.

Amnesty.

SEC. 6. That the President is hereby authorized to grant amnesty to such classes of offenders guilty of bigamy, polygamy, or unlawful cohabitation, before the passage of this act, on such conditions and under such limitations as he shall think proper; but no such amnesty shall have effect unless the conditions thereof shall be complied with.

Issue in Mormon marriages legitimated.

SEC. 7. That the issue of bigamous or polygamous marriages, known as Mormon marriages, in cases in which such marriages have been solemnized according to the ceremonies of the Mormon sect, in any Territory of the United States, and such issue shall have been born before the first day of January, anno Domini eighteen hundred and eighty-three, are hereby legitimated.

Disqualified as voters, and not eligible for Territorial or Federal appointment.

SEC. 8. That no polygamist, bigamist, or any person cohabiting with more than one woman, and no woman cohabiting with any of the persons described as aforesaid in this section, in any Territory or other place over which the United States have exclusive jurisdiction, shall be entitled to vote at any election held in any such Territory or other place, or be eligible for election or appointment to or be entitled to hold any

office or place of public trust, honor, or emolument in, under, or for any such Territory or place, or under the United States.

Registration and election offices declared vacant.

SEC. 9. That all the registration and election offices of every description in the Territory of Utah are hereby declared vacant, and each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvassing and returning of the same, and the issuing of certificates or other evidence of election in said Territory, shall, until other provision be made by the legislative assembly of said Territory as is hereinafter by this section provided, be performed under the existing laws of the United States and of said Territory by proper persons, who shall be appointed to execute such offices and perform such duties by a board of five persons, to be appointed by the President, by and with the advice and consent of the Senate, not more than three of whom shall be members of one political party; and a majority of whom shall be a quorum. The members of said board so appointed by the President shall each receive a salary at the rate of three thousand dollars per annum, and shall continue in office until the legislative assembly of said Territory shall make provision for filling said offices as herein authorized. The Secretary of the Territory shall be the secretary of said board, and keep a journal of its proceedings, and attest the action of said board under this section. The canvass and return of all the votes at elections in said Territory for members of the legislative assembly thereof shall also be returned to said board, which shall canvass all such returns and issue certificates of election to those persons who, being eligible for such election, shall appear to have been lawfully elected, which certificates shall be the only evidence of the right of such persons to sit in such assembly: *Provided*, That said board of five persons shall not exclude any person otherwise eligible to vote from the polls on account of any opinion such person may entertain on the subject of bigamy or polygamy nor shall they refuse to count any such vote on account of the opinion of the person casting it on the subject of bigamy or polygamy; but each house of such assembly, after its organization, shall have power to decide upon the elections and qualifications of its members. And at, or after the first meeting of said legislative assembly whose members shall have been elected and returned according to the provisions of this act, said legislative assembly may make such laws, conformable to the organic act of said Territory and not inconsistent with other laws of the United States, as it shall deem proper concerning the filling of the offices in said Territory declared vacant by this act.

How filled.

Board of five persons authorized.

Salary.

Duties.

*Proviso.*

Approved, March 22, 1882.

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Mar. 23, 1882.

**CHAP. 48.**—An act to amend the Revised Statutes of the United States establishing the times, places, and provisions for holding terms of the district and circuit courts in the northern district of New York.

District court, northern district New York.

R. S. 572, 100, amended.

Terms of court.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That that paragraph of section five hundred and seventy-two of the Revised Statutes declaring the times, places, and provisions for holding terms of the District Court in the Northern District of New York be amended so as to read as follows:

"In the northern district of New York, at Albany, on the third Tuesday in January; at Utica on the third Tuesday in March; at Rochester, on the second Tuesday in May; at Buffalo on the third Tuesday in September; at Auburn, on the third Tuesday in November; and in the discretion of the judge of the court, one term annually at such time and place within the counties of Onondaga, Saint Lawrence, Clinton, Jefferson, Oswego, and Franklin as he may from time to time appoint. Such appointment shall be made by notice of at least twenty days published in the State paper of New York and one newspaper published at the place where said court is to be held.