

AN ACT to prohibit amalgamation and the intermarriage of races.

*Be it enacted by the Legislative Assembly of the State of Oregon:*

Section 1. That hereafter it shall not be lawful within this State for any white person, male or female, to intermarry with any negro, Chinese, or any person having one-fourth or more negro, Chinese or Kanaka blood, or any person having more than one-half Indian blood; and all such marriages or attempted marriages, shall be absolutely null and void.

Sec. 2. If any white person, negro, Chinese, Kanaka, or Indian, within the above forbidden degrees, shall knowingly intermarry or attempt the same by procuring a solemnization of marriage, under any of the forms or ceremonies legalized in this State, such person or persons upon conviction thereof, shall be punished by imprisonment in the penitentiary or county jail, not less than three months nor more than one year.

Sec. 3. If any person authorized to license marriages, or to solemnize marriages within this State, shall willingly or knowingly license, marry or attempt to marry, any of the persons above forbidden to marry, such person or persons upon conviction thereof, shall be imprisoned in the penitentiary or county jail, not less than three months nor more than one year, and be fined not less than one hundred dollars, nor more than one thousand dollars.

Sec. 4. It shall be the duty of the clerks of the several counties in this State, when applied to for a "license" to marry, to inquire into the facts as to whether either of the parties to such proposed marriage comes within the above forbidden degrees, and for this purpose he may put such applicant on oath, and demand further proof in his discretion; provided; such clerk shall not require more than the affidavit of one other disinterested person.

Approved October 24, 1860.