

**THE MICHIGAN PENAL CODE (EXCERPT)**

**Act 328 of 1931**

**CHAPTER LXV**

**POLYGAMY**

**750.439 Polygamy; definition; felony.**

Sec. 439. Polygamy—Any person who has a former husband or wife living, who shall marry another person, or shall continue to cohabit with such second husband or wife, in this state, he or she shall, except in the cases mentioned herein, be guilty of the crime of polygamy, a felony.

The provisions of this section shall not extend to any person whose husband or wife shall have voluntarily remained beyond the sea, or shall have voluntarily withdrawn from the other and remained absent for the space of five years next preceding such marriage, the party marrying again, not knowing the other to be living within that time, nor to any person who shall have good reason to believe such husband or wife to be dead, nor to any person who has been legally divorced from the bonds of matrimony.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.439.

**Former law:** See sections 4 and 5 of Ch. 158 of R.S. 1846, being CL 1857, §§ 5859 and 5860; CL 1871, §§ 7694 and 7695; How., §§ 9280 and 9281; CL 1897, §§ 11691 and 11692; CL 1915, §§ 15465 and 15466; CL 1929, §§ 16820 and 16821; and Act 91 of 1869.

**750.440 Knowingly marrying one to whom marriage is prohibited; felony.**

Sec. 440. Knowingly marrying one to whom marriage is prohibited—Any person who knowingly enters into a marriage with another, which is prohibited to the latter by the foregoing provisions of this chapter, is guilty of a felony.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.440.

**750.441 Teaching, soliciting and advocating polygamy; felony.**

Sec. 441. Teaching, soliciting and advocating the practice of polygamy—Any person who shall solicit to a polygamous life, or teach polygamy as a correct form of family life, for the purpose of inducing men and women to enter into the practice of polygamy or advocate the doctrine and practice of polygamy, or attempt to persuade any person by private or public discourse to adopt a polygamous life, shall be guilty of a felony.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.441.

**Former law:** See section 1 of Act 249 of 1899, being CL 1915, § 15501; and CL 1929, § 16845.