

market house in dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for reconstructing the bridges and market-house in Georgetown, built across the Chesapeake and Ohio Canal, and for raising the same so as to open a convenient outlet to the trade of the canal to the Potomac River, in place of that which has been interrupted by the occupation of the aqueduct connecting the Chesapeake and Ohio, and the Alexandria Canals, as a bridge for the transportation of supplies for the army of the United States across said river; said sum to be expended under the direction of the President of the Chesapeake and Ohio Canal Company.

Minnesota to be repaid expenses of suppressing Indian hostilities.

Proviso.

1861, ch. 21.
Ante p. 276.

Passports, to whom granted.
1856, ch. 127.
Vol. xi. p. 52.

Consulate at Trinidad de Cuba may be discontinued.

Consul at Cienfuegos.

Judge Advocate may compel attendance of witnesses.

Town sites to be reserved.

Reservations to be surveyed into lots.

Value to be appraised.

SEC. 22. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby directed, out of any money in the treasury not otherwise appropriated, to pay to the Governor of the State of Minnesota, or his duly authorized agent, the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities within said State and upon its borders, in the year eighteen hundred and sixty-two, not exceeding two hundred and fifty thousand dollars, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the treasury: *Provided*, That, in determining the claims to be allowed under this act, the same principles, rules, and regulations shall be observed by the accounting officers in auditing said expenses as have been applied to the claims allowed to states under the act approved July twenty-seventh, eighteen hundred and sixty-one, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States."

SEC. 23. *And be it further enacted*, That so much of the act approved the eighteenth of August, eighteen hundred and fifty-six, entitled "An act to regulate the diplomatic and consular systems of the United States," as prohibits the granting of passports to any other than citizens of the United States, shall be, and is hereby repealed, so far as that prohibition may embrace any class of persons liable to military duty by the laws of the United States.

SEC. 24. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever in his judgment the public interest may so require, to discontinue the consulate of the United States at Trinidad de Cuba, and to appoint at Cienfuegos, in that island, a consul with the same salary and emoluments as those now allowed by law to the consul at Trinidad de Cuba.

SEC. 25. *And be it further enacted*, That every judge-advocate of a court-martial or court of inquiry hereafter to be constituted, shall have power to issue the like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the state, territory, or district where such military courts shall be ordered to sit may lawfully issue.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. LXXX.—*An Act for increasing the Revenue by Reservation and Sale of Town Sites on Public Lands.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the President of the United States to reserve from the public lands, whether surveyed or unsurveyed, town sites on the shores of harbors, at the junction of rivers, important portages, or any natural or prospective centres of population.

SEC. 2. *And be it further enacted*, That when, in the opinion of the President, the public interests require it, it shall be the duty of the Secretary of the Interior to cause any of said reservations, or part thereof, to be surveyed into urban or suburban lots of suitable size, and to fix by appraisement of disinterested persons their cash value, and to offer the same for sale at public outcry to the highest bidder, and thence afterward

to be held subject to sale at private entry according to such regulations as the Secretary of the Interior may prescribe: *Provided*, That no lot shall be disposed of at public sale or private entry for less than the appraised value thereof: *And provided, further*, That said sales shall be conducted by the register and receiver of the land-office in the district in which said reservations may be situated, in accordance with the laws and rules and instructions of the department regulating the sales of public lands.

Lots to be sold
at public sale or
private entry.
Proviso.

APPROVED, March 3, 1863.

CHAP. LXXXI.—*An Act relating to Habeas Corpus, and regulating Judicial Proceedings in Certain Cases.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the present rebellion, the President of the United States, whenever, in his judgment, the public safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States, or any part thereof. And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of habeas corpus, to return the body of any person or persons detained by him by authority of the President; but upon the certificate, under oath, of the officer having charge of any one so detained that such person is detained by him as a prisoner under authority of the President, further proceedings under the writ of habeas corpus shall be suspended by the judge or court having issued the said writ, so long as said suspension by the President shall remain in force, and said rebellion continue.

The President
may suspend the
writ of habeas
corpus during the
rebellion.

Effect of the
suspension.

SEC. 2. *And be it further enacted*, That the Secretary of State and the Secretary of War be, and they are hereby, directed, as soon as may be practicable, to furnish to the judges of the circuit and district courts of the United States and of the District of Columbia a list of the names of all persons, citizens of states in which the administration of the laws has continued unimpaired in the said Federal courts, who are now, or may hereafter be, held as prisoners of the United States, by order or authority of the President of the United States or either of said Secretaries, in any fort, arsenal, or other place, as state or political prisoners, or otherwise than as prisoners of war; the said list to contain the names of all those who reside in the respective jurisdictions of said judges, or who may be deemed by the said Secretaries, or either of them, to have violated any law of the United States in any of said jurisdictions, and also the date of each arrest; the Secretary of State to furnish a list of such persons as are imprisoned by the order or authority of the President, acting through the State Department, and the Secretary of War a list of such as are imprisoned by the order or authority of the President, acting through the Department of War. And in all cases where a grand jury, having attended any of said courts having jurisdiction in the premises, after the passage of this act, and after the furnishing of said list, as aforesaid, has terminated its session without finding an indictment or presentment, or other proceeding against any such person, it shall be the duty of the judge of said court forthwith to make an order that any such prisoner desiring a discharge from said imprisonment be brought before him to be discharged; and every officer of the United States having custody of such prisoner is hereby directed immediately to obey and execute said judge's order; and in case he shall delay or refuse so to do, he shall be subject to indictment for a misdemeanor, and be punished by a fine of not less than five hundred dollars and imprisonment in the common jail for a period not less than six months, in the discretion of the court: *Provided, however*, That no person shall be discharged by virtue of the provisions of this act until after he or she shall have taken an oath of allegiance

List of state or
political prisoners
to be furnished to
the judges of the
United States
courts.

When such
prisoners are to
be discharged.

Penalty for re-
fusing to obey
order of the
court.

Oath of alle-
giance to be taken
before discharge.