

DAILY CLARION EXTRA.

MACON, MISSISSIPPI, FRIDAY MORNING, APRIL 1, 1864.

Writ of Habeas Corpus.

A bill to suspend the Privilege of the Writ of Habeas Corpus in Certain Cases.

"Whereas the Constitution of the Confederate States of America provides in Article I, Section 9, Paragraph 3, that 'the privilege of the writ of habeas corpus shall not be suspended unless when in case of rebellion or invasion, the public safety may require it; and whereas, the power of suspending the privilege of said writ, as recognized in said Article I, is vested solely in the Congress, which is the exclusive judge of the necessity of such suspension; and whereas, in the opinion of the Congress, the public safety requires the suspension of said writ in the existing case of the invasion of these States; and whereas, the President has asked for the suspension of the writ of habeas corpus, and informed Congress of conditions of public danger which renders the suspension of the writ a measure proper for the public defense against invasion and insurrection; now, therefore,

"The Congress of the Confederate States of America do enact, That during the present invasion of the Confederate States, the privilege of the writ of habeas corpus be, and the same is hereby, suspended; but such suspension shall apply only to the cases of persons arrested or detained by order of the President, Secretary of War, or the General Officer commanding the Trans-Mississippi Military Department, by the authority and under the control of the President. It is hereby declared that the purpose of Congress in the passage of this act is to provide more effectually for the public safety by suspending the writ of habeas corpus in the following cases, and no other:

"I. Of treason, or treasonable efforts or combinations to subvert the government of the Confederate States.

"II. Of conspiracies to overthrow the government, or conspiracies to resist the lawful authority of the Confederate States.

"III. Of combining to assist the enemy, or of communicating intelligence to the enemy, or giving him aid and comfort.

"IV. Of conspiracies, preparations and attempts to incite servile insurrection.

"V. Of desertions or encouraging desertions, or harboring deserters, and of attempts to avoid military service; Provided, That in case of palpable wrong and oppression by any subordinate officer upon any party who does not legally owe military service, his superior officer shall grant prompt relief to the oppressed party, and the subordinate shall be dismissed from office.

"VI. Of spies and other emissaries of the enemy.

"VII. Of holding correspondence or intercourse with the enemy, without necessity, and without the permission of the Confederate States.

"VIII. Of unlawful trading with the enemy, and other offences against the laws of the Confederate States, enacted to promote their success in the war.

"IX. Of conspiracies, or attempts to liberate prisoners of war held by the Confederate States.

"X. Of conspiracies, or attempts or preparations to aid the enemy.

"XI. Of persons advising or inclining others to abandon the Confederate cause, or to resist the Confederate States or to adhere to the enemy.

"Of unlawfully burning, destroying or injuring, or attempting to burn, destroy or injure any bridge or railroad, or telegraphic line of communication, or property, with intent of aiding the enemy.

"XIII. Of treasonable designs to impair the military power of the Government by destroying, or attempting to destroy, the vessels or arms, or munitions of war, or arsenals, foundries, workshops, or other property of the Confederate States."

Sec. 2. The President shall cause proper officers to investigate the cases of all persons so arrested, or detained, in order that they may be discharged if improperly detained, unless they can be speedily tried in the due course of law.

Sec. 3. That during the suspension aforesaid, no military or other officer shall be compelled, in answer to any writ of habeas corpus, to appear in person, or to return the body of any person or persons detained by him, by the authority of the President, Secretary of War, or the General Officer commanding the Trans-Mississippi Department, 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 for any of the causes herein before specified, under the authority aforesaid, further proceedings under the writ of habeas corpus shall immediately cease, and remain suspended so long as this act shall remain in force.

Sec. 4. This act shall continue in force for ninety days after the next meeting of Congress, and no longer.

The Military Bill.

SECTION 1. That from and after the passage of this act all white men, residents of the Confederate States, between the ages of seventeen and fifty shall be in the military service of the Confederate States for the war.

Sec. 2. That all the persons aforesaid, between the ages of eighteen and forty-five, now in service, shall be retained during the present war with the United States, in the same regiments, battalions and companies to which they belong at the passage of this act with the same organization and officers, unless regularly transferred or discharged, in accordance with the laws and regulations for the government of the army; Provided, that companies from one State, organized against their consent, expressed at the time, with regiments or battalions, from another State, shall have the privilege of being transferred to organizations of troops, in the same arm of the service, from the States in which said companies were raised; and the soldiers from one State, in companies from another State, shall be allowed, if they desire it, a transfer to organizations from their own States, in the same arm of the service.

Sec. 3. *Be it further enacted,* That at the expiration of six months from the first day of April next, a bounty of one hundred dollars in a six per cent. Government bond, which the Secretary of the Treasury is hereby authorized to issue, shall be paid to every non-commissioned officer, musician and private who shall then be in service or in the event of his death previous to the period of such payment, then to the person or persons who would be entitled by law to receive the arrears of his pay; but no one shall be entitled to the bounty herein provided, who shall, at any time during the period of six months next after the said first of April, be absent from his command without leave.

Sec. 4. *Be it further enacted,* That no person shall be relieved from the operation of this act by reason of his having been heretofore discharged from the army, where no disability now exists; nor shall those who have furnished substitutes be any longer exempted by

reason thereof: Provided, that no person heretofore exempted on account of religious opinions, and who has paid the tax levied to relieve him from service shall be required to render military service under this act.

Sec. 5. *Be it further enacted,* That all white male residents of the Confederate States between the ages of seventeen and eighteen and forty-five and fifty years shall enroll themselves at such times and places and under such regulations, as the President may prescribe, the time allowed not being less than thirty days for those east and sixty days for those west of the Mississippi river, and any person who shall fail to enroll himself without a reasonable excuse therefor, to be judged for by the President, shall be placed in service in the field for the war, in the same manner as though he was between the ages of eighteen and forty-five: Provided that the persons mentioned in this section shall constitute a reserve for State defence and detail duty, and shall not be required to perform service out of the State in which they reside.

Sec. 6. That all persons required by the 5th section of this act to enroll themselves, may within thirty days after the passage thereof, east of the Mississippi river, and within sixty days, if west of the said river, form themselves into voluntary organizations of companies, battalions, or regiments, and elect their own officers; said organizations to conform to the existing laws; and, having so organized, to tender their services as volunteers during the war to the President; and if such organizations shall furnish proper muster rolls as now organized, and deposit a copy thereof with the enrolling officer of the district, which shall be equivalent to enrollment, they may be accepted as minute men in such State, but in no event to be taken out of it. Those who do not so volunteer and organize, shall enroll themselves as before provided; and may, by the President, be required to assemble at convenient places of rendezvous, and be formed or organized into companies, battalions and regiments, under regulations to be prescribed by him, and shall have the right to elect their company and regimental officers; and all troops organized under this act for State defence, shall be entitled, while in actual service, to the same pay and allowance as troops now in the field.

Sec. 7. That any person who shall fail to attend at the place of rendezvous as required by the authority of the President without a sufficient excuse, to be judged of by him, shall be liable to be placed in service in the field for the war, as if he were between the ages of eighteen and forty-five years.

Sec. 8. That hereafter the duties of provost and hospital guards and clerks, and of clerks, guards agents employees or laborers in the Commissary and Quartermaster's Departments, in the Ordnance Bureau, and clerks and employees of navy agents or also in the execution of the enrollment act, and all similar duties, shall be performed by persons who are within the ages of eighteen and forty-five years, and who by the report of a board of Army Surgeons shall be reported as unable to perform active service in the field, but capable of performing

some of the above said duties, specifying which, and when those persons shall have been assigned to those duties as far as practicable, the President shall assign or detail to their performance such bodies of troops, or individuals, required to be enrolled under the fifth section of this act, as may be needed for the discharge of such duties: Provided, that persons between the ages of seventeen and eighteen shall be assigned to those duties: Provided further, that nothing in this act shall be so construed as to prevent the President from detailing artisans, mechanics, or persons of scientific skill, to perform indispensable duties in the departments or bureaus mentioned.

Sec. 9. That any Quartermaster, or Assistant Quartermaster, Commissary, or Assistant Commissary, (other than those serving with brigades or regiments in the field) or officers, in the Ordnance Bureau, or navy agents, or provost marshal, or officer in the Conscript service, who shall hereafter employ or retain in his employment any person in any of the duties mentioned in the eighth section of this act, in violation of the provisions thereof, shall, on conviction thereof by a court martial or military court, be cashiered; and it shall be the duty of any department or district commander, upon proof by the oath of any credible person, that any such officer has violated this provision, immediately to relieve such officer from duty; and said commander shall take prompt measures to have him tried for each offence; and any commander as aforesaid failing to perform the duties enjoined by this section, shall, upon being duly convicted thereof, be discharged from the service.

Sec. 10. *Be it further enacted,* That all laws granting exemptions from military service be, and the same are hereby, repealed, and hereafter none shall be exempted except the following:

1. The Vice-President of the Confederate States, the members and officers of Congress, and of the several State Legislatures, and such other Confederate and State officers as the President or the Governors of the respective States, may certify to be necessary for the proper administration of the Confederate or State Governments, as the case may be.

2. Every minister of religion authorized to preach according to the rules of his church, and who, at the passage of this act, shall be regularly employed in the discharge of his ministerial duties; superintendents and physicians of asylums for the deaf, and dumb, and blind, and of the insane; one editor for each newspaper being published at the time of this act, and such employees as said editor may certify on oath to be indispensable to the publication of such newspaper; the public printer of the Confederate and the State Governments, and such journeymen printers as the said public printer shall certify, on oath to be indispensable to perform the public printing; one skilled apothecary in each apothecary store, who was doing business as such on the 1st day of October, 1862, and has continued said business, without intermission, since that period; all physicians over the age of thirty years, who now are, and for the last seven years have been in the actual and in the regular practice of their profession, but the term physician shall not include dentists; all presidents and teachers of colleges, theological seminaries, academies and schools, who have been regularly engaged as such for two years next before the passage of this act; Provided, That the benefit of this exemption shall extend to those teachers only whose schools are composed of twenty students or more. All superintendents of public hospitals, established by law before the passage of this act, and such physicians and nurses as such superintendents shall certify on oath, to be indispensable to the proper and efficient management thereof.

4. There shall be exempt one person as owner or agriculturist on each farm or plantation upon which there are now, and were on the first day of January last, fifteen able-bodied field hands, between the ages of sixteen and fifty, upon the following conditions:

1. This exemption shall only be granted in cases in which there is no white male adult on the farm or plantation not liable to military duty, nor unless the person claiming the exemption was on the 1st of January, 1864, either the owner and manager, or overseer of said plantation; but in no case shall more than one person be exempted for one farm or plantation.

2. Such person shall first execute a bond payable to the Confederate States of America, in such form and with such security and in such penalty as the Secretary of War may prescribe, conditioned that he will deliver to

the Government, at some railroad depot, or such other place or places as may be designated by the Secretary of War, within twelve months next ensuing, one hundred pounds of bacon, or at the election of the Government, its equivalent in pork, and one hundred pounds net beef, (said beef to be delivered on foot,) for each able-bodied slave on said farm or plantation within the above said ages, whether said slaves are in the field or not, which said bacon or pork and beef shall be paid for by the Government at the price fixed by the Commissioners of the State under the impressment act: Provided, that when the person thus exempted shall produce satisfactory evidence that it was impossible for him, by the exercise of proper diligence, to furnish the amount of meat thus contracted for and leave an adequate supply for the subsistence of those living on said farm or plantation, the Secretary of War shall direct a commutation of the same to the extent of two-thirds thereof in grain or other provisions to be delivered by such persons as aforesaid at equivalent rates.

3. Such person shall furthermore bind himself to sell the marketable surplus of provisions and grain now on hand, and which he may raise from year to year, while the exemption continues, to the Government or to the families of soldiers, at prices fixed by the commissioners of the State under the impressment act: Provided, That any person, exempted as aforesaid, shall be entitled to a credit of 25 per cent. on any amount of meat which he may deliver within three months from the passage of this act; Provided further, That persons coming within the provision of this exemption shall not be deprived of the benefit thereof by reason of having been enrolled since the first day of February, 1864.

4. In addition to the foregoing exemptions, the Secretary of War may, under the direction of the President, exempt or detail such other persons as he may be satisfied ought to be exempted on account of public necessity, and to insure the production of grain and other provisions for the army and for the families of soldiers. He may also grant exemptions or details, on such terms as he may prescribe, to such overseers, farmers or planters, as he may be satisfied will be more useful to the country in the pursuits of agriculture than in the military service; Provided, That such exemption shall cease whenever the farmer, planter or overseer shall fail diligently to employ in good faith his own skill, capital and labor exclusively in the production of grain and other provisions, to be sold to the Government and the families of soldiers at such prices, not exceeding those fixed at the time for the articles by the commissioners of the State under the impressment act.

5. The President, Treasurer, Auditor and Superintendent of any railroad company engaged in transportation for the Government, and such officers and employees thereof as the president and superintendent shall certify on oath to be indispensable to the efficient operation of said railroad: Provided, That the number of persons so exempted by this act on any railroad shall not exceed one person for each mile of such road in actual use for military transportation; and said exemptions shall be reported by name and description, with the names of any who may have left the employment of said company, or who may cease to be indispensable.

6. Nothing herein contained shall be construed as repealing the act approved April 14, 1863, exempting contractors for carrying the mails of the Confederate States, and the drivers of post coaches and hacks, from military service; Provided, That all the exemptions granted under this act shall only continue while the persons so exempted are actually engaged in their respective pursuits or occupations.

Sec. 11 That the President be, and he is hereby authorized to grant details, under general rules and regulations to be issued from the War Department, either of persons between 45 and 50