

Bill to provide further Remedial Justice in the Courts of the United States.

No. 1.

Mr. Webster to Lord Ashburton.

My Lord,

*Department of State,
Washington, August 29, 1842.*

I HAVE the honour to inclose a copy of the bill "To provide further Remedial Justice, &c., &c.," as it has passed through both Houses.

I am, &c.,
(Signed) DANIEL WEBSTER.

Inclosure in No. 1.

In the House of Representatives.—July 9, 1842.

Read twice and referred to the Committee on the Judiciary.

An Act to provide further Remedial Justice in the Courts of the United States.

BE IT ENACTED by the Senate and House of Representatives of the United States of America in Congress assembled, That either of the justices of the Supreme Court of the United States, or a judge of any district Court of the United States, in which a prisoner is confined, in addition to the authority already conferred by law, shall have power to grant writs of *habeas corpus* in all cases of any prisoner or prisoners in jail or confinement, where he, she, or they, being subjects or citizens of a foreign State, and domiciled therein, shall be committed or confined, or in custody, under or by any authority or law, or process founded thereon, of the United States, or of any one of them, for or on account of any act done or omitted under any alleged right, title, authority, privilege, protection, or exemption, set up or claimed under the commission, or order, or sanction, of any foreign State or Sovereignty, the validity and effect whereof depend upon the law of nations, or under colour thereof. And upon the return of the said writ, and due proof of the service of notice of the said proceeding to the Attorney-General or other officer prosecuting the pleas of the State under whose authority the petitioner has been arrested, committed, or is held in custody, to be prescribed by the said justice or judge at the time of granting said writ, the said justice or judge shall proceed to hear the said cause; and if, upon hearing the same, it shall appear that the prisoner or prisoners is or are entitled to be