

Public Law 270

CHAPTER 80

March 5, 1952
[H. R. 3100]

AN ACT

To repeal the Act of August 7, 1939 (53 Stat. 1243; 48 U. S. C., sec. 353).

Alaska.
Lands for educa-
tional purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 7, 1939 (53 Stat. 1243; 48 U. S. C., sec. 353), be, and is hereby, repealed.

SEC. 2. Section 1 of the Act of March 4, 1915 (38 Stat. 1214, 1215), as amended (48 U. S. C. 1946 edition, sec. 353), is hereby amended by striking out the following language in the last proviso of that section: "if any of said sections, or any part thereof, shall be of known mineral character at the date of acceptance of survey thereof, the reservation herein made shall not be effective or applicable, but the entire proceeds or income derived by the United States from such sections sixteen and thirty-six and such section thirty-three in each township in the Tanana Valley area hereinbefore described, and the minerals therein, together with".

SEC. 3. Section 1 of the Act of March 4, 1915 (38 Stat. 1214, 1215), as amended (48 U. S. C., 1946 edition, sec. 353), is further amended by adding the following language at the end of the section:

"Nothing in this Act shall affect any lands included within the limits of existing reservations of or by the United States, or lands subject to or included in any valid application, claim, or right initiated or held under any laws of the United States unless and until such reservation, application, claim, or right is extinguished, relinquished, or canceled."

Approved March 5, 1952.

Public Law 271

CHAPTER 81

March 5, 1952
[H. R. 4703]

AN ACT

To provide that the Board of Education of the District of Columbia shall have sole authority to regulate the vacation periods and annual leave of absence of certain school officers and employees of the Board of Education of the District of Columbia.

D. C. Board of
Education.
Employee leave.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority to regulate the vacation periods and annual leave of absence of all individuals employed by the Board of Education of the District of Columbia, whose positions are included in salary classes 13-23, inclusive, established by the District of Columbia Teachers' Salary Act of 1947, shall be vested solely in the Board of Education of the District of Columbia. The annual leave of absence granted by the Board of Education of the District of Columbia under the authority of this Act shall be in lieu of annual leave of absence granted under any other Act.

Approved March 5, 1952.

61 Stat. 248.

Public Law 272

CHAPTER 82

March 5, 1952
[H. R. 5256]

AN ACT

To secure the attendance of witnesses from without the District of Columbia in criminal proceedings.

Witnesses, D.C.
Short title.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Uniform Act To Secure the

Attendance of Witnesses From Without a State in Criminal Proceedings".

SEC. 2. As used in this Act—

(a) The term "witness" includes a person whose testimony is desired in any proceeding or investigation by a grand jury or in a criminal action, prosecution, or proceeding.

(b) The word "State" includes any Territory of the United States and the District of Columbia.

(c) The word "summons" includes a subpoena, order, or other notice requiring the appearance of a witness.

SEC. 3. (a) If a judge of a court of record in any State which by its laws has made provision for commanding persons within that State to attend and testify in the District of Columbia certifies under the seal of such court (1) that there is a criminal prosecution pending in such court, or that a grand jury investigation has commenced or is about to commence, (2) that a person being within the District of Columbia is a material witness in such prosecution, or grand jury investigation, and (3) that his presence will be required for a specified number of days, upon presentation of such certificate to any judge of the municipal court for the District of Columbia, such judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing.

(b) If at such hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other State, and that the laws of the State in which the prosecution is pending, or grand jury investigation has commenced or is about to commence and of any other State through which the witness may be required to pass by ordinary course of travel, will give to him protection from arrest and the service of civil and criminal process, he shall issue a summons, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any such hearing the certificate shall be prima facie evidence of all the facts stated therein.

(c) If said certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting State to assure his attendance in the requesting State, such judge may, in lieu of notification of the hearing, direct that such witness be forthwith brought before him for said hearing; and the judge at the hearing being satisfied of the desirability of such custody and delivery, for which determination the certificate shall be prima facie proof of such desirability may, in lieu of issuing subpoena or summons, order that said witness be forthwith taken into custody and delivered to an officer of the requesting State.

(d) If the witness, who is summoned as above provided, after being paid or tendered by some properly authorized person the sum of 10 cents a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending and \$5 for each day that he is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from the municipal court for the District of Columbia.

SEC. 4. (a) If a person in any State, which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions, or grand jury investigations commenced or about to commence, in the District of Columbia, is a

Definitions.

Persons in D.C.
Certification re-
quirement.

D. C. municipal
court.
Hearings and de-
terminations.

Failure to attend,
etc.

Persons outside
D.C.
Issuance of cer-
tificate.

material witness in a prosecution pending in a court of record in the District of Columbia, or in a grand jury investigation which has commenced or is about to commence, a judge of such court may issue a certificate under seal of the court stating these facts and specifying the number of days the witness will be required. Said certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of the United States or the District of Columbia to assure his attendance in the District of Columbia. This certificate shall be presented to a judge of a court of record in the county in which the witness is found.

Payment.

(b) If the witness is summoned to attend and testify in the District of Columbia he shall be tendered the sum of 10 cents a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending or where the grand jury investigation has commenced or is about to commence, and \$5 for each day that he is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within the District of Columbia a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court. If such witness, after coming into the District of Columbia, fails without good cause to attend and testify as directed in the summons, he may be punished in the manner provided for the punishment of any other witness who disobeys a summons issued from the court in the District of Columbia where the prosecution has been instituted or the grand jury investigation has commenced or is about to commence.

Failure to attend, etc.

Exemption from arrest.

SEC. 5. (a) If a person comes into the District of Columbia in obedience to a summons directing him to attend and testify in the District of Columbia he shall not while in the District of Columbia pursuant to such summons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into the District of Columbia under the summons.

(b) If a person passes through the District of Columbia while going to another State in obedience to a summons to attend and testify in that State or while returning therefrom, he shall not while so passing through the District of Columbia be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into the District of Columbia under the summons.

Separability.

SEC. 6. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not apply to other provisions of this Act.

Approved March 5, 1952.

Public Law 273

CHAPTER 94

AN ACT

March 6, 1952
[H. R. 5097]

To extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes.

43 USC 485b and
note, 485c, 485f.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority vested in the Secretary of the Interior by sections 3, 4, and 7 of the Reclamation Project Act of 1939 (53 Stat. 1187, 1188) and by section 3 of the Act of April 24, 1945 (59 Stat. 75, 76), is hereby extended through December 31, 1954.

Approved March 6, 1952.