

# KINGSTON GAZETTE.



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**FOREIGN INTELLIGENCE.**

**THE NEW FRENCH CONSTITUTION**

[Translated by the editor of the N. Y. Colum.]

PARIS, April 22.

*Supplementary Act to the Constitutions of the Empire.*

Napoleon by the Grace of God and the Constitutions, Emperor of the French: To all present and to come. Greeting:

Since we have been called, now 15 years past, by the voice of France, to the government of the state, we have at different periods, endeavored to bring to perfection the constitutional forms, according to the desires and necessities of the nation and by profiting from the lessons of experience. The constitutions of the empire have thus been formed by a series of acts which have been confirmed by the acceptance of the people. We have therefore now in view, to organize a grand European federal system, which we have adopted conformable to the spirit of the age, and favorable to the progress of civilization. In order to arrive at its completion, to give it all the extension and all the stability whereof it appeared susceptible we have deferred the establishment of several interior institutions, that are more particularly designed to protect the liberties of the citizens. Our aim in future will be confined to the promotion of the prosperity of France by the stability of the public liberty—the necessary results of several important modifications in the constitutions, senatus consulta, and other acts which are registered in the empire. To this end, desirous on one side to preserve as much of the past as is good and salutary, and on the other, to render the constitutions of our empire conformable to the wishes and wants of the nation, as well as to the state of peace which we are desirous of maintaining with Europe; we have resolved to propose to the people a code tending to modify and perfect the constitutional acts, and to embrace the rights of the citizens in all their guarantees, to give to the representative system all its extension, to invest the intermediate classes with all desirable influence and power; in a word to combine the greatest degree of political liberty and individual security with the concentration of force necessary to obtain from strangers their respect for the independence of the French people and the dignity of our crown.

Consequently, the following articles, forming an act supplementary to the constitutions of the empire, shall be submitted to the free and solemn approbation of all the citizens throughout France.

**CHAPTER FIRST.**

**GENERAL DISPOSITIONS.**

*Article first.* The constitutions of the empire, namely, the constitutional act of the 22d Frimaire, in the year 8, the senatus consulta of the 14th and 16th of Thermidor, in the year 10, and that of the 28th Floreal, year 12, are modified by the following dispositions. All their other provisions are confirmed and maintained.

2. The legislative power shall be exercised by the emperor and by two [chambers] houses.

3. The first chamber, called the *House of Peers*, shall be hereditary

4. The emperor shall nominate the members, who shall be irremovable in themselves and their male descendants, by the eldest and the direct line of the eldest. The number of peers shall be unlimited. The dignity of a peer shall not be conferred by adoption.

The peers shall take their seats at 21 years of age, but not be allowed to vote until 25.

5. The arch-chancellor of the empire shall preside over the house of peers; and in the case provided for by the 51st article of the senatus consultum of the 28th Floreal year 12, a member of the house specially appointed by the emperor.

6. The branches of the imperial family, in their hereditary descent, are peers of right. They will sit next the president. They take their seat at 18 years, but have no vote until 21.

7. The second house, called the *House of Representatives*, shall be elected by the people.

8. The members of this house shall be 629. They must be of the age of 25 years at least.

9. The president of the house of representatives shall be chosen by the house at the opening of each session. His functions shall continue until the re-election of the house. His nomination shall be submitted to the approbation of the emperor.

10. The House of representatives shall be the judges of the qualifications of its members, and decide on the validity of their contested elections.

11. The members of the house of representatives shall receive a compensation for their travelling expenses and services during the session, a sum to be decreed by the constituent assembly.

12. They shall be re-eligible indefinitely.

13. The house of representatives shall be wholly renewed by law every five years.

14. No member of either house shall be arrested, except in cases of flagrant crimes, nor prosecuted for misdemeanors, during their sessions, but by virtue of an order of the house to which he belongs.

15. No one shall be arrested or detained for debt, in going from

the place of convocation, nor for 40 days after the session.

16. The peers shall be judges of their house in criminal or civil matters, according to the forms which shall be prescribed by law.

17. The quality (or office) of peers and representatives shall be compatible with all the public functions, but those of responsibility.

The pre-fects and sub-prefects shall at no time be eligible by the electoral colleges or the districts (or precincts) of their finances.

18. The emperor will send to the two houses the ministers and counsellors of state, who shall sit and take part in the discussions, but shall have no votes unless they are members of the house of peers or elected by the people.

19. The ministers who are peers or representatives, and who sit by order of the government, shall give all necessary information to the houses, the publicity of which is not detrimental to the public interest.

20. The sessions of the two houses shall be public. They may nevertheless sit in secret committee, in the house of peers on the requisition of 10 members, and in that of the representatives by the request of 25. The government may also require closed doors for its communications. In all cases deliberations and votes cannot take place but in public sitting.

21. The emperor can prorogue, adjourn or dissolve the house of representatives. The proclamation which declares their dissolution shall convoke the electoral colleges for a new election and convene the new house within six months at farthest.

22. In the interval between the sessions of the house of representatives, or in case of their dissolution the house of peers shall not assemble.

23. The government has the proposition of laws; the house may propose amendment: if the amendments are not adopted by government, the chambers are held to vote on the laws which they have proposed.

24. The chambers have the right to invite government to propose laws on any particular subject, and to digest what they think proper to insert in the laws. This demand may be made by either of the two chambers.

25. When a digest (or bill) is adopted in one house, it shall be sent to the other, and if approved there, sent to the emperor.

26. No written discourse, excepting the reports of committees, the reports of ministers on the laws which are presented, and the accounts which are rendered, shall be read in either of the chambers.

**CHAPTER II.**

*Of the electoral Colleges, and the modes of Election.*

27. The electoral colleges of the departments and circles shall be held conformably to the senatus consultum of the 16th thermidor, year 10, excepting with the modifications which follow.

28. The district assemblies shall

fill each year, at their annual elections, the vacancies in the electoral colleges.

29. From the year 1816, a member of the house of peers designated by the emperor, shall preside for life and irremovable, over the electoral college of each department.

30. From the same date, the electoral college of each department shall name from among the members of each college of the circle (or larger district) a president and two vice presidents. For the purpose, the assembly of the college of the department shall precede, by 5 days, that of the college of the circle.

31. The colleges of the departments and circles shall elect the number of representatives appointed to each by the act, and table hereto annexed, No. 1.

32. The representatives may be chosen indifferently from all parts of France:

Each college of department or circle which shall choose a representative out of its district, shall appoint a substitute who shall necessarily be taken from the department or circle.

33. Industry and manufacturing and commercial property shall have a special representation.

The election of the representatives of the merchants and manufacturers shall be made by the electoral colleges of the departments from a list of eligible candidates drawn up by the chambers of commerce & chamber of consultation united, according to the act and table herewith annexed, No. 2.

**CHAPTER III.**

**OF THE LAW OF TAXATION.**

34. The general direct taxes, on lands as well as movables, shall be voted for 1 year only; indirect taxes may be laid for a longer term. In case of the dissolution of the house of representatives, the duties imposed in the preceding session shall continue till a new meeting of the house.

35. No tax, direct or indirect, in specie or in kind, shall be collected, no loan shall take place, no subscription of credit to the great books of the public debt shall be made, no domain (or inheritance) shall be alienated or exchanged, no levy of men for the army shall be decreed, and no portion of territory shall be exchanged, but by virtue of a law.

36. All propositions for taxes, loans or raising men, shall be made in the house of representatives.

37. To the house of representatives also shall be carried, 1st, the general budget (or exposition) of state, containing the (report or) statement of the expected receipts, and the proposed funds necessary, for the year, in each department of the administration; and 2d, an account of the receipts and expenditures of the year past or preceding.

**CHAPTER IV.**

*Of the Ministers, and their Responsibility.*

38. All the acts of government shall be countersigned by the minister of a department.

39. The ministers are responsi-