general of the court of appeals and criminal courts.

He presents solemn deputations, and the members of the court of justice who are admitted to an audience with the emperor.

He signs and seals the commissions and brevets of the members of the courts of justice and of ministerial officers: he seals the commissions of the civil administrative functions, and the other acts which will be designated in the regulation entitled, organisation of the seal.

41. The arch chancellor of state exercises the functions of chancellor for the promulgation of treaties of peace and alliance, and for declarations of war.

He presents to the emperor and signs the credentials and ceremonial correspondence with the different courts of Europe, drawn up according to the forms of the Imperial protocol, of which he is the guardian.

He is present at the annual report in which the minister of foreign affairs renders an acc unt to the emperor of the political situation of the state.

He presents the Ambassador and Ministers of the emperor in foreign courts to the oath which they take from the hands of his Imperial Majesty.

He receives the oath of the President, Charges d'affaires, Secretaries of Embassy and of Legation, ond of the Commissaries General and of commissaries commercial relations.

He presents extraordinary Embassies, and French and foreign Ambassadors and Ministers.

42. The Arch-Treasurer is present at forming the annual report, in which the Ministers of Finances and the Public Treasure render an account to the Emperor of the receipts and expences of the state, and lay down their ideas upon the wants of the finances of the Empire.

The accounts of the receipts and annual expences, before being presented to the emperor, are marked with his visa.

He presides over the united sections of the council of state and the tribunate, conformable to art. 95 title XI.

He receives every three months, an account of the labors of the national responsibility, and every year, the general result and the views of reform and melioration through the different parts of the responsibility; he lays them before the emperor.

He audits, every year the great book of the public debt.

He signs the commissions of the civil pensions.

He receives the oath of the members of the national responsibility, of the administration of the finances, and of the principal agents of the public treasure.

He presents the deputations of the national responsibility and of the administrations of finances admitted to the audience of the emperor.

43. The constable is present at forming the annual report in which the ministers of war and the director of the administration of war render an account to the emperor of the dispositions to be taken for completing the system of the defence of the frontiers, for keeping them up, and for the repairs and provisioning of fortresses and fortified towns.

He lays the first stone of the fortresses and fortified towns which may be built.

He is the governor of the military schools.

When the emperor does not deliver the colours, in person, to the different bodies of the army, they are delivered to them in his name by the constable.

In the absence of the emperor, the grand reviews of the imperial guard take place under the direction of the constable.

Whenever a general of the army is accused of a crime specified in the military penal code, the constable may preside over the council of war which is to judge him.

He presents the marshal of the empire, the colonels general, the inspectors general, the general officers, and the colonels of all the armies to the oath which they take from the hands of the emperor.

He receives the oath of the majors, chiefs of battalion and squadron of all the armies.

He instals the marshals of the empire.

He presents the general officers and the colonels, majors, chiefs of battalion and squadron of all the armies, when they are admitted to an audience of the emperor.

He signs the commissions of the army and those of the military pensioners of state.

44. The grand admiral is present at forming the annual report in which the minister of the marine renders an account to the emperor of the state of the naval constructions, arsenals and provisions for the navy.

He receives annually and presents to the emperor the accounts of the invalid marine chest.

Whenever an admiral, or rear-admiral, commander in chief of a fleet of men of war, is accused of a crime specified in the Maritime Penal Code, the grand admiral may preside over the court martial which is to try him.

He presents the admirals, vice-admirals, rear-admirals and captains of men of war, the oath which they take from the hands of the emperor.

He receives the oath of the members of the council of prizes, and the captains of frigates.

He presents the admirals, vice-admirals, captains of men of warand frigates, and the members of the council of prizes, when they are admitted to an audience of the emperor.

He signs the admissions of the officers of the marines, pensioners to the state.

45. Each titulary of the great dignities of the empire presides over an electoral college of department.

The electoral college sitting at Brussels is presided over by the grand elector.

The electoral college sitting at Bourdeaux is presided over by the arch-chancellor of the empire.

The electoral college sitting at Nantz is presided over by the arch-chancellor of the state.

The electoral college sitting at Lyons is presided over by the arch-chancellor of the empire.

The electoral college sitting at Turin is presided over by the constable.

The electoral college sitting at Marseilles is presided over by the great admiral.

46. Each titulary of the grand dignities of the empire receives annually, under the title of fixed salary, one third of the sum allotted to the princes, conformable to the decree of the 21st December, 1790.

47. A statute of the emperor regulates the functions of the titularies of the great dignities of the empire near the Emperor, and determines their costume on grand ceremonial occasions. The successors of the Emperor cannot derogate from this statute but by a Senatus Consultum.

TITLE 6—*Of the great officers of the Empire.*

48. The great officers of the empire are:—1st. The marshals of the empire, chosen from the most distinguished generals. Their number does not exceed sixteen. The marshals of the empire who are senators are not included in this number—2d. Either inspectors and colonels-general of artillery and engineers, of cavalry and marine—3d. The great civil officers of the crown, such as they are instituted by the statutes of the Emperor.

49. The places of the great officers are irremoveable.

50. Each of the great officers of the empire presides over an electoral college, which is especially allotted to him from the moment of his nomination.

51. If by an order from the Emperor, or by any other cause whatever, a titulary of a great dignity of the empire or a great officer yields up his functions, he preserves his title, rank, prerogatives and the half of his stipend; he only loses them in consequence of a judgment of the high Imperial court.

TITLE 7—*Of Oaths.*

52. In the course of two years after his accession or having come of age, the Emperor accompanied by the titularies of the great dignities of the empire, the ministers, and the great officers of the empire, swear to the French people upon the Evangelists, and in the presence of the Senate, the Council of State, the Legislative Body, the Tribunate, the Court of Cassation, the archbishops, the bishops, the great officers of the legion of honor, of national responsibility, the presidents of the cantonal assemblies, the presidents of consistories, and the mayors of thirty-six principal cities in the empire.

The Secretary of State draws up *process verbal* of the taking the oath.

53. The oath of the Emperor is in these words:

"I swear to maintain the integrity of the territory of the republic; to respect and to make respected the laws of the Concordat and the liberty of divine worship, political and civil liberty, the irrevocability of the sales of the national property; to lay on no impost, to impose no tax but by virtue of the law; to maintain the institution of the legion of honor; to govern with the sole view of the interest, happiness, and glory of the French people."

54. Before beginning the exercise of his functions, the regent accompanied by the titularies of the grand dignities of the empire, the ministers, and the great officers of the empire, swear upon the Evangelists, and in presence of the Senate, the council of state, the president and questors of the legislative body, the president and questors of the tribunate, and the great officers of the legion of honor.

The Secretary of state, draws up a *process verbal* of the taking of the oath.

55. The oath of the regent is in these words:

"I swear to administer the affairs of the state, conformably to the constitution of the empire, to the Senatus Consultums and to the laws; to maintain in all their integrity the territory of the republic, the rights of the nation and those of the Imperial dignity, and to deliver faithfully to the Emperor when he comes of age, that power the exercise of which is entrusted to me."

56. The titularies of the great dignities of the empire, the ministers and the Secretary of State, the great officers, the members of the Senate, of the Council of state, of the Legislative body, of the Tribunate, of the electoral colleges and cantonal assemblies, take their oath in these words:

"I swear obedience to the constitutions of the empire and fidelity to the Emperor."

The public, civil, and judiciary functionaries, and the officers and soldiers of the land and sea troops, take the same oath.

57. The Senate is composed 1st. of the French princes, who have attained their 18th year; 2d. of the titularies of the great dignities of the empire; 3d. of the eighty members nominated upon the presentation of candidates chosen by the Emperor, from the lists formed by the electoral colleges of departments; 4th. of the citizens whom the Emperor may think fit to elevate to the dignity of senators.

Whenever the number of senators shall exceed that fixed by article 63, of the Organic Senatus Consultum of the 16th Thermidor, year 10, a law shall be provided in this respect, in execution of Art. 17, of the Senatus Consultum of the 14th Nivose, year 11.

58. The president of the Senate is nominated and chosen from amongst the senators.

His functions last for a year.

59. He convokes the Senate upon an order from the emperor, and upon the demand, or commissions which will be hereafter spoken of, Art. 60 and 64, or of a senator, conformable to the dispositions of Art. 70, or of an officer of the senate, for the interior affairs of that body.

He renders an account to the Emperor of the convocation made upon the demand of the commissioners or of a senator, of their object and of the results of the deliberation of the Senate.

60. A commission of seven members nominated by the Senate and chosen from amongst its members, takes cognizance, upon the communication to it by the ministers, of the arrests which may have taken place conformable to Art. 46 of the constitution, where the arrested persons have not been brought before the tribunals in ten days after their arrest.

This commission is called *Senatorial Commission of individual liberty.*

61. All persons arrested and not put upon their trial after ten days subsequent to their arrest, may recur directly, by themselves, their relations or representatives, and by petition, to the senatorial commission of individual liberty.

62. When the commission deems that the detention prolonged beyond ten days from the arrest is not justified by the interest of the state, it invites the minister who has ordered the arrest to set the detained persons at liberty, or to send him or her before the ordinary tribunals.

63. If after three successive invitations, renewed within the space of a month, the detained person is not set at liberty or sent before the ordinary tribunals, the commission demands an assembly of the Senate, which is convoked by the president, and which issues, if there is cause the following declaration:

"There are strong presumptions that N. is detained arbitrarily."

The fact is then proceeded upon according to the dispositions of the Art. 112, title XIII. *of the high imperial court.*

64. A commission of seven members nominated by the senate and chosen from among its members, is charged to watch over the liberty of the press.

Works printed and distributed by subscription and periodically are not comprised in its attribution.

This commission is called senatorial commission of the liberty of the press.

65. The authors, printers or booksellers, who think they have grounds for complaining of the hindrance put to the impression or circulation of a work, may recur directly, and by petition, to the senatorial commission of the liberty of the press.

66. When the commission deems that the hindrances are not justified by the interests of the state, it invites the minister who has given the order to revoke it.

67. If after three successive invitations, renewed within the space of a month, the hindrances subsist, the commission demands an assembly of the senate, which is convoked by the president, and which issues, if there is cause the following declaration.

"There are strong presumptions that the liberty of the press has been violated."

The fact is then proceeded upon according to the article 112, title XIII, of the high imperial court.

68. One member of each of the senatorial commissions ceases his functions every four months.

69. The projects of laws decreed by the legislative body, are transmitted, on the very day of their adoption, to the senate and deposited in its archieves.

70. Every decree issued by the legislative body may be denounced to the senate by a senator: 1st. As tending to the re-establishment of the feudal system; 2d. As contrary to the irrevocability of the sales of the national domains; 3d. As not having been deliberated upon in the forms prescribed by the constitutions of the empire, the regulations and laws; 4th. As attacking the prerogative of the Imperial dignity and those of the senate; without prejudice to the execution of the articles 21 and 37 of the act of the constitution of the empire, bearing date the 22 Frimaire, year 8.

71. The senate within the following days after the adoption of the project of law, deliberating upon the report of a special commission, and after having heard three readings of the decree in three sittings held upon different days, may express the opinion that there is no cause for promulging the law.

The president carries to the emperor the deliberation of the senate, with the motives assigned for the same.

72. The emperor after having heard the council of state, either declares by a decree his adhesion to the deliberation of the senate, and causes the law to be promulgated.

73. Every law the promulgation of which, in this circumstance, has not been made before the expiration of the space of ten days can no longer be promulgated, if it has not been again deliberated upon and adopted by the legislative body.

74. The whole of the operations of an electoral college, and the partial operations which are relative to the presentation of the candidates to the senate, to the legislative body and to the tribunate, cannot be annulled on account of being unconstitutional, but by a senatus consultum.

Title IX.—Of the council of State.

75. When the council of state deliberates upon the projects of laws and upon the regulations of public administration, the two thirds of the members of the council in ordinary service must be present.

The number of the counsellors of state present, cannot be less than 25.

76. The council of state is divided into six sections, to wit:

Section of legislation, section of the interior, section of finances, section of war, section of the marine, and section of commerce.

77. When a member of the council of state has been inscribed during five years upon the list of the members of the council in ordinary service, he receives a commission of counsellor of state for life.

When he ceases to be inscribed in the list of the council of state in ordinary or extraordinary service, he has a right only to the third of the salary of counsellor of state.

He loses his title and rights only by a judgment of the high imperial court, awarding and afflicting an ignominious penalty.

Title X—Of the Legislative body,

78. The members going out of the legislative body, may be re-elected without interval.

79. The projects of laws presented to the legislative body, are sent back to the three sections of the tribunate.

80. The sittings of the legislative body are distinguished into ordinary sittings, and general committees.

81. The ordinary sittings are composed of members of the legislative body, of orators, of the council of state, and of orators of the three sections of the tribunate.

The general committees are composed only of members of the legislative body.

The president of the legislative body presides at the ordinary sittings, and the general committees.

82. In an ordinary sitting, the legislative body hears the orators of the council of state, and those of the three sections of the tribunate, and vote upon the project of law.

In general committees, the members, of the legislative body discuss among themselves the advantages and inconveniences of the project of law.

83. The legislative body forms itself into a general committee.

1st. Upon the invitation of the president for the interior business of the body.

2d. Upon a demand made to the president, and signed by fifty members present.

In these two cases, the general committee is secret, and the discussions must neither be printed nor divulged.

3d. Upon the demand of the orators of the councils of state, specially authorised to the effect.

In this case, the general committee is necessarily public.

No deliberation can be taken in the general committee.

84. When the discussion in a general committee is formed, the deliberation is adjourned to the next day in any ordinary sitting.

85. The legislative body, on the day it is to vote upon the project of law, hears in the same sitting, the recapitulation which the orators of the council of state make.

86. The deliberation on a project of law can, in no case, be deferred more than three days beyond the one which has been fixed for the discussion.

87. The sections of tribunate constitute the only commissions of the legislative body which cannot form another, but in the case expressed. Art. 113, title 13, of the high imperial court.

Title XI—Of the Tribunate.

88. The functions of the members of the tribunate last ten years.

89. The tribunate is renewed by the half every five years.

The first renewal shall take place for the sessions of the year conformable to the organic senatus consultum of the 16th Thermidor, year 10.

90. The president of the tribuate is nominated by the emperor, upon a presentation of three candidates made by the tribunate by secret election and by the absolute majority.

91. The functions of the president of the tribunate last two years.

The tribunate has two questors.

They are appointed by the emperor, upon a triple list of candidates chosen by the tribunate by secret election, and by the absolute majority.

Their functions are the same as those attributed to the questors of the legislative body, by the articles 19, 20, 21, 22, 23, 24, and 26, of organic senatus consultum of the 24th Frimaire, year 12.

93. The tribunate is divided into three sections, to wit:

Section of legislation, section of interior, section of finances.

94. Each section form a list of three of its members, among whom the president of the tribunate designates the president of the section.

The functions of the president of section last one year.

95. When the respective sections of the council of state and of the tribunate demand to unite, the conferences are held under the presidency of the archchancellor of the empire, or of the archtreasurer, according to the nature of the objects to be examined.

96. Each section discusses separately & in an assembly of the section, the projects of laws which are transmitted to it by the legislative body.

Two orators of each of the three sections carry to the legislative body the wish of the section and develope the motives of it.

97. In no case can the projects of law be discussed by the tribunate in a general assembly.

It unites in a general assembly, under the presidency of its president, for the exercise of its other attributions.

Title XII—Of the Electoral college.

98. Whenever an electoral college is united for the formation of the list of candidates for the legislative body, the list of candidates for the senate are renewed.

Each renewal renders the anterior presentations of no effect.

99. The great officers, the commandants and officers of the legion of honor, are members of the electoral college of the department in which they reside, or one of the departments of the cohort to which they belong.

The legionaries are members of the electoral college of their arrondisement.

The members of the legion of honor are admitted to the electoral college which they are to make a part of, upon the presentation of a brevet which is delivered to them for this effect by the grand elector.

TITLE XIII.—*Of the Imperial Court.*

101. A high imperial court takes cognizance,

1st. Of personal offences committed by members of the imperial family, by titularies of the great dignities of the empire, by ministers and by the Secretary of State, by great officers, by senators, and by counsellors of State:

2d. Of crimes, attempts and plots against the interior and exterior safety of the state, the person of the Emperor and that of the presumptive heir of the empire:

3d. Of offences of *responsibility of office* committed by the ministers and counsellors of state especially charged with a part of the public administration;

4th. Of prevarication and abuses of power, either by captains-generals of the colonies, by colonial prefects and commandants of the French establishments beyond the continent, or by administrator-generals employed extraordinarily, or by generals or admirals, without prejudice, with regard to the latter, to the prosecutions of the military jurisdiction, in the cases determined by the laws:

5th. Of the act of disobedience of generals or admirals who contravene their instructions.

6th. Of the concussions and dilapidations which the prefects of the departments are guilty of in the exercise of functions.

7th. Of the forfeitures or party quarrels, which may be incurred by a court of appeals, or by a court of criminal justice, or by members of the court of cassation.