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TRANSLATED FOR THE NATIONAL INTELLIGENCER. THE CONSTITUTION OF THE FRENCH COLONY OF ST. DOMINGO.

The deputies of the departments of the Colony of St. Domingo met in General Assembly, have decreed and laid the constitutional foundation of a system for the French colony of St. Domingo.

TITLE I.—Territory.

ART. 1. St. Domingo in all its extent, and "Sanaa, la Tortue, le Gouave, les Cayennes, Pile-a-Vache, la Saona," and other adjacent islands form the territory of a single colony, which makes a part of the French Empire, but which is governed by particular laws.

2. The territory of this colony is divided into departments, circles (Arrondissements) and parishes.

TITLE II.—Of its Inhabitants.

3. Slaves are not permitted in this territory; servitude is forever abolished—All men born here, live and die freemen and Frenchmen.

4. Every man, whatever his colour may be, is eligible to all offices.

5. There exists no other distinction than that of talents and virtues, and no other superiority than that which the law confers by the exercise of some public office. It is as in the laws to all, either when he punishes or protects.

TITLE III.—Of Religion.

6. The Catholic, Apostolic and Roman religion, is the only one publicly professed.

7. Each parish must maintain its religion, worship and its ministers. The church revenues are destined for the discharge of this expense, and the Prelates (Evangelists) are to reside in the city.

8. The government of the colony assigns to each parish the limits of its spiritual administration, and these ministers can never under any pretext, form a body in the colony.

TITLE IV.—Morals.

9. Marriage, from its political and religious teaching, tends to purify the public morals; those who practice the virtues which this condition requires, will always be distinguished and peculiarly protected by the government.

10. Divorces are not allowed in this colony.

11. The conditions and privileges of illegitimate children shall be determined by laws, calculated to extend and to preserve the social virtues, and to encourage and content family union.

TITLE V.—Men in Society.

12. The constitution guarantees the liberty and security of each individual. No man can be arrested without order officially expressed, proceeding from an officer to whom the law has given the power of arrestation, nor confined, in any place but such as are publicly designated for that purpose.

13. Property is sacred and inviolable—Every person either through themselves, or through their representatives, shall have a free disposition and administration of whatever is known to belong him. Who ever shall interfere with the exercise of this right, shall be considered criminal towards society and responsible to the person with whose rights he has interfered.

TITLE VI.—Agriculture & Commerce.

14. The colony being essentially agricultural cannot suffer the least interruption to the labours of its planters.

15. Each plantation is a manufactory which requires the union of husbandmen and workmen. It is the tranquil industry of an industrious and orderly family, of which the proprietor is the father or his representative, necessarily.

16. Every husbandman and workman is a member of this family and a share of the revenues. Every change of habitation on the part of the husbandman draws with it the rights of tillage. To resign a vice, fatal to the colony as to the contrary to injure the colony, the governor has made it a

gulations of police that circumstances required, and which were conformable to the basis of the regulations of the 29th Vendemiaire, year 9, and of the proclamation of the 19th Pluviose, by the general in chief Toussaint Louverture.

The introduction of husbandmen, indispensable to the extension and re-establishment of agriculture, shall take place in St. Domingo. The constitution charges the governor to take the most efficacious measures, to encourage and favor this augmentation of hands; to formulate and balance the different interests, nature and guarantee the execution of the reciprocal engagements resulting from their introduction.

18. The commerce of the colony consists only in the exchange of the commodities and productions of its own territory, consequently the introduction of the laws and laws to remain prohibitive.

TITLE VII.—Of Legislation and Legislative Authority.

19. The regime of the colony is settled by laws proposed by the governor and agreed to by an assembly of the inhabitants who meet at the residence of the center of the colony under the title of the *General Assembly of St. Domingo*.

20. No law relative to the internal administration of the colony, can be promulgated, if it is in this form: "The central assembly of St. Domingo upon the proposition of the governor decrees the following law."

21. The governor shall be obligatory on the citizen until the promulgation in the principal places of the departments—The promulgation of any law must be made in the following mode: "In the name of the French colony of St. Domingo, the governor decrees that the above law shall be read, promulgated and executed throughout the colony."

22. The Central Assembly of St. Domingo is composed of two deputies from each department; who to be eligible must be 20 years of age, and must have resided five years in the colony.

23. One half of the Assembly is renewed every two years. The vote can be by a majority three successively. The election shall take place in the following manner: Every two years, each of the municipal administrations shall name a deputy, by the 10th Ventose (11. May) who shall meet 10 days afterwards at the principal places in their respective departments, when they shall form as many departmental assemblies, each of which assemblies shall name a deputy to the Central Assembly.

The next election shall take place on the 10th Ventose, the eleventh year of the French Republic (11. May 1802). In case of the death or removal of one, or more members of the Assembly, they shall be replaced by the Governor.

He shall also designate, at the first sitting of general assembly, of the then sitting Central Assembly, who shall remain members for the ensuing two years.

24. The central Assembly votes the adoption or the rejection of laws which are proposed by the Governor; it expresses its opinion as to the regulations proposed, of the application of laws already passed, of the abuses to be corrected, of the amendments to be undertaken in all the parts of the service of the Colony.

25. Its session commences every year on the 18 Germinal (22d March) and cannot last longer than three months. The Governor may convolve it extraordinarily.

26. After receiving an account of the receipts and expenses which shall be presented by the Governor, the central Assembly shall determine the appropriation of the funds, the duration of the mode of collecting taxes, and their increase or diminution. The accounts shall be summarily printed.

TITLE VIII.—Government.

27. The administration of the government of the colony, is confided to a Governor, who corresponds with the government of the mother country, as to every thing relative to the interests of the colony.

28. The constitution nominates as Governor the citizen *Toussaint Louverture*.

General in Chief of the army of St. Domingo, and in consideration of the important services rendered by this general to the colony, in the most critical circumstances of the revolution, and yielding to the wishes of a grateful people, the reins of government are confided to him during the remainder of his glorious life.

29. In future every governor shall be nominated for five years, during which period if his administration be fatal, he shall remain in office.

30. In order to insure the tranquility, for which the colony is indebted to the firmness, activity, indefatigable zeal, and the rare virtues of the general Toussaint Louverture, and as a pledge of the unlimited confidence of the inhabitants of St. Domingo, the Constitution assigns exclusively to this General the right of appointing the Citizen, who on the melancholy event of his decease, shall immediately succeed him.

This choice shall be secret, it shall be enclosed in a sealed packet, which shall be broken by the central Assembly. The preference of all the generals of the army of St. Domingo in active service, and the commander in chief of the Departments.

General Toussaint shall take every necessary measure to acquaint the central Assembly with the place in which this important packet shall be deposited.

31. The Citizen, who shall be chosen by the central Assembly, to succeed after his death the reins of Government, shall take before the central Assembly an oath to execute the constitution of Saint Domingo and to remain faithful to the French government, which he shall immediately intitled in his office; the whole shall be done in the presence of the Generals of the army, who are in active service, and the Commanders in chief of the Departments, who all individually, without leaving the place, shall take an oath of obedience to the new Governor.

32. A month or more previous to the expiration of the 5 years fixed for the administration of each Governor, he who shall be in office, shall convolve the central Assembly, and a meeting of the generals of the army, who are in active service, together with the Commanders in chief of the Departments, and a meeting of the usual sitting of the central Assembly, in order to name, jointly with the members of the Assembly, a new Governor, or to continue him who is already in office.

33. The neglect of a convocation, by the Governor in office, is a manifest infraction of the constitution.—In this case the general highest in rank and the oldest in that rank shall be in the active service of the Colony, shall of right and provisionally assume the reins of government. This general shall immediately convolve the other generals in service, the commanders in chief of the departments, and the members of the central Assembly, who all are bound to obey the convocation, in order to proceed concurrently to the nomination of a new Governor.

In case of a vacancy, death, removal or otherwise of a governor, before the expiration of his office, the government shall convolve for the same purposes as above stated, the generals in active service, the members of the central Assembly, and the commanders in chief of the departments.

34. The Governor seals and promulgates the laws; he nominates to all civil and military employments.

He is charged with the organization of the army, of which he is commander in chief. The armed vessels on any station in the ports of the Colony, shall be subject to his orders.

He determines the division of the territory, in a manner the most convenient to the interior relations.

Regulating himself by the laws, he is to watch over and provide for, the interior security of the Colony. And knowing that a state of war, is a state of desolation, scarcity and misery for the colony, in these circumstances the governor is charged to every measure he believes necessary to furnish the colony with provisions of every kind.

35. He exercises the general Police in the plantations and manufactories, when he exacts the observance of the obligations

or any agreements, of the proprietors, planters or their representatives, towards the husbandmen and workmen, and the reciprocal duties of the husbandmen and workmen towards the proprietors and planters or their representatives.

36. He proposes laws to the central assembly, and even those which change the constitution, if experience should show them to be necessary.

37. He directs and superintends the collection, the disbursement, and the employment of the finances of the colony, and gives in this respect all orders whatsoever.

38. He presents every two years to the central assembly, an account of the receipts and the expenses of each department, the statement of each year separately.

39. He superintends and condemns through his commissioners, all writings designed for the press in this island; he supplies all those coming from abroad, which tend to corrupt the morals, or to again embroil or disturb the colony; he punishes the authors thereof, in proportion according to the importance of the case.

40. If the governor is informed that there exists a conspiracy against the tranquility of the colony, he is authorized to be arrested, factious persons as are suspected to be the authors or accomplices; and after having made them submit to an extra-judicial interrogation, he causes them to be arrested, (but be one) before a competent tribunal.

41. The salary of the governor is fixed for the present at three hundred thousand francs—his guard of honor is at the expense of the state.

TITLE IX.—Tribunals.

42. No one shall interfere with the right of the citizen to have any dispute amicably settled by arbitrators chosen by himself.

43. No authority shall suspend or prevent the execution of judgments given by the tribunals.

44. Justice is administered in the colony by tribunals of the first instance, and tribunals of appeal.—The law determines the organization of both, their numbers, their powers, and the boundaries of their jurisdiction. These tribunals, according to the degree of jurisdiction, take cognizance of all civil or criminal cases.

45. There shall be in the colony a tribunal of cassation, which shall decide on demands against judgments pronounced by the tribunals of appeal, and upon appeals before a part of the tribunal and the whole.

This tribunal does not take cognizance of the grounds of controversies, but repeats the grounds of appeal.—The law determines when have been violated, or which contain any explicit violation of law; and it returns the grounds of the controversy to the tribunal which ought to take cognizance of the same.

46. The judges of these different tribunals hold their offices during life, unless removed for misbehaviour. The commissioners of government may be removable.

47. Military judgments are to be tried before special tribunals, and by particular forms of judgment. These special tribunals take cognizance also of all robberies and thefts whatever, of house-breaking, of forcible entries, of insurrections, of conspiracies and rebellions.—Their organization belongs to the government of the colony.

TITLE X.—Municipal Administration.

48. In each parish of the colony there is a municipal administration. In the parish where a tribunal of first demands exists, the municipal administration is composed of a mayor, and two administrators.

The members of the government near the tribunal, shall gratuitously fulfil the duties of commissioner of government to the municipalities.

49. The members of the municipal administration are nominated for two years; they may be always continued.—Their nomination devolves upon the governor, who, from a list of fitness names, prepared by