New Orleans Daily Crescent.

# OFFICIAL JOURNAL

—OF THE—

## CONVENTION OF THE STATE OF LOUISIANA.

NEW ORLEANS, Saturday, March 23, 1861.

The Convention met pursuant to adjournment.

The Hon. Alex. Mouton, in the chair, and seventy-eight delegates in attendance.

The journal of yesterday was read and approved.

Mr. Walker moved that the "Constitution of the Confederate States of America," adopted and ratified by this Convention on yesterday, be spread upon the journal of its proceedings, which was carried, and is as follows, viz:

## CONSTITUTION

OF THE

## CONFEDERATE STATES OF AMERICA.

We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent federal government, establish justice, insure domestic tranquility and secure the blessings of liberty to ourselves and our posterity—invoking the favor and guidance of Almighty God—do ordain and establish this Constitution for the Confederate States of America.

ARTICLE I.

SEC. 1.—All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and House of Representatives.

SEC. 2—1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall be citizens of the Confederate States, and have the qualifications requisite for electors of the most numerous branch of the State Legislature; but no person of foreign birth not a citizen of the Confederate States shall be allowed to vote for any officer, civil or political, State or Federal.

2. No person shall be a Representative who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Confederacy, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves. The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every fifty thousand, but each State shall have at least one Representative; and until such enumeration shall be made the State of South Carolina shall be entitled to choose six—the State of Georgia ten—the State of Alabama nine—the State of Florida two—the State of Mississippi seven—the State of Louisiana six—and the State of Texas six.

4. When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment; except that any judicial or other Federal officer resident and acting solely within the limits of any State, may be impeached by a vote of two-thirds of both branches of the Legislature thereof.

SEC. 3.—1. The Senate of the Confederate States shall be composed of two Senators from each State, chosen for six years by the Legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year, and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained the age of thirty years, and be a citizen of the Confederate States; and who shall not, when elected, be an inhabitant of the State for which he shall be chosen.

4. The Vice-President of the Confederate States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers; and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the Confederate States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside, and no person shall be convicted without the concurrence of two thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit, under the Confederate States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SEC. 4.—1. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, subject to the provisions of this Constitution; but the Congress may, at any time, by law, make or alter such regulations, except as to the times and places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SEC. 5.—1. Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds of the whole number, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy, and the yeas and nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 6.—1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the Confederate States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the Confederate States shall be a member of either House during his continuance in office. But Congress may, by law, grant to the principal officer in each of the Executive Departments a seat upon the floor of either House, with the privilege of discussing any measures appertaining to his department.

SEC. 7—1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed both Houses, shall, before it becomes a law, be presented to the President of the Confederate States; if he approve, he shall sign it; but if not, he shall return it with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated; and the same proceedings shall then be had as in case of other bills disapproved by the President.

3. Every order, resolution or vote, to which the concurrence of both Houses may be necessary (except on a question of adjournment) shall be presented to the President of the Confederate States, and before the same shall take effect, shall be approved by him; or being disapproved by him, shall be repassed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

SEC. 8. The Congress shall have power—

1. To lay and collect taxes, duties, imposts and excises, for revenue necessary to pay the debts, provide for the common defence, and carry on the Government of the Confederate States; but no bounties shall be granted from the treasury, nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry; and all duties, imposts and excises shall be uniform throughout the Confederate States.

2. To borrow money on the credit of the Confederate States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; but neither this nor any other clause contained in the Constitution shall ever be construed to delegate the power to Congress to appropriate money for any internal improvement intended to facilitate commerce; except for the purpose of furnishing lights, beacons and buoys, and other aids to navigation upon the coasts, and the improvement of harbors and the removing of obstructions in river navigation, in all which cases such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof.

4. To establish uniform laws of naturalization, and uniform laws on the subject of bankruptcies throughout the Confederate States; but no law of Congress shall discharge any debt contracted before the passage of the same.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States.

7. To establish post-offices and post-routes; but the expenses of the Post-Office Department, after the first day of March, in the year of our Lord eighteen hundred and sixty-three, shall be paid out of its own revenues.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrections and repel invasions.

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States; reserving to the States respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of one or more States and the acceptance of Congress, become the seat of the Government of the Confederate States; and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the Confederate States, or in any department or officer thereof.

SEC. 9.—1. The importation of negroes of the African race, from any foreign country, other than the slaveholding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to, this Confederacy.

3. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

4. No bill of attainder or *ex post facto* law, or law denying or impairing the right of property in negro slaves shall be passed.

5. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State except by a vote of two-thirds of both Houses.

7. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the treasury, but in consequence of appropriations made by the law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

9. Congress shall appropriate no money from the treasury except by a vote of two-thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of Department, and submitted to Congress by the President; or for the purpose of paying its own expenses and contingencies; or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation of claims against the government, which it is hereby made the duty of Congress to establish.

10. All bills appropriating money shall specify in federal currency the exact amount of each appropriation, and the purposes for which it is made; and Congress shall grant no extra compensation to any public contractor, officer, agent or servant, after such contract shall have been made, or such service rendered.

11. No title of nobility shall be granted by the Confederate States; and no person holding any office of profit or trust under them shall, without consent of the Congress, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign State.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the Government for a redress of grievances.

13. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

15. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

17. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

18. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact so tried by a jury shall be otherwise reexamined in any court of the Confederacy, than according to the rules of the common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

20. Every law or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

SEC. 10.—1. No State shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the treasury of the Confederate States; and all such laws shall be subject to the revision and control of Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations; and any surplus revenue, thus derived, shall, after making such improvement, be paid into the common treasury. Nor shall any State keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay. But when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

ARTICLE II.

SECTION 1—1. The Executive power shall be vested in a President of the Confederate States of America. He and the Vice-President shall hold their offices for the term of six years, but the President shall not be re-eligible. The President and Vice-President shall be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the Confederate States shall be appointed an elector.

3. The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of the Government of the Confederate States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the vote shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death, or other constitutional disability of the President.

4. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then, from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the Confederate States.

7. No person except a natural born citizen of the Confederate States, or a citizen thereof at the time of the adoption of this Constitution, or a citizen thereof born in the United States prior to the 20th of December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the limits of the Confederate States, as they may exist at the time of his election.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

9. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the Confederate States, or any of them.

10. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States, and will, to the best of my ability, preserve, protect, and defend the constitution thereof."

SEC 2.—1. The President shall be commander-in-chief of the army and navy of the Confederate States, and of the militia of the several States, when called into the actual service of the Confederate States; he may require the opinion, in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the Confederate States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other officers of the Confederate States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may, by law, vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law or in the heads of Departments.

3. The principal officer in each of the Executive Departments, and all persons connected with the diplomatic service, may be removed from office at the pleasure of the President. All other civil officers of the Executive Department may be removed at any time by the President, or other appointing power, when their services are unnecessary, or for dishonesty, incapacity, inefficiency, misconduct, or neglect of duty; and when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

4. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of the next session; but no person rejected by the Senate shall be reappointed to the same office during their ensuing recess.

SEC. 3—1. The President shall, from time to time, give to the Congress information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the Confederate States.

SEC. 4—1. The President, Vice-President, and all civil officers of the Confederate States, shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SEC. 1—1. The Judicial power of the Confederate States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

SEC. 2—1. The judicial power shall extend to all cases arising under this Constitution, the laws of the Confederate States, and treaties made or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the Confederate States shall be a party; to controversies between two or more States; between a State and citizens of another State where the State is plaintiff; between citizens claiming lands under grants of different States, and between a State or the citizens thereof, and foreign States, citizens or subjects; but no State shall be sued by a citizen or subject of any foreign State.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SEC. 3—1. Treason against the Confederate States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SEC. 1—1. Full faith and credit shall be given in each State to the public acts, records and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SEC. 2—1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States, and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired.

2. A person charged in any State with treason, felony, or other crime against the laws of such State, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No slave or other person held to service or labor in any State or Territory of the Confederate States, under the laws thereof, escaping or lawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

SEC. 3—1. Other States may be admitted into this Confederacy by a vote of two-thirds of the whole House of Representatives, and two-thirds of the Senate, the Senate voting by States; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations concerning the property of the Confederate States, including the lands thereof.

3. The Confederate States may acquire new territory, and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times and in such manner as it may by law provide, to form States to be admitted into the Confederacy. In all such territory, the institution of negro slavery, as it now exists in the Confederate States, shall be recognized and protected by Congress and by the Territorial Government; and the inhabitants of the several Confederate States and Territories shall have the right to take to such Territory any slaves lawfully held by them in any of the States or Territories of the Confederate States.

4. The Confederate States shall guarantee to every State that is now or may hereafter become a member of this Confederacy, a republican form of Government, and shall protect each of them against invasion; and on application of the Legislature (or of the Executive when the Legislature is not in session) against domestic violence.

ARTICLE V.

SEC. 1—1. Upon the demand of any three States, legally assembled in their several Conventions, the Congress shall summon a Convention of all the States, to take into consideration such amendments to the Constitution as the said States shall concur in suggesting at the time when the said demand is made; and should any of the proposed amendments to the Constitution be agreed on by the said Convention—voting by States—and the same be ratified by the Legislatures of two-thirds of the several States, or by Conventions in two-thirds thereof—as the one or the other mode of ratification may be proposed by the General Convention—they shall thenceforward form a part of this Constitution. But no State shall, without its consent, be deprived of its equal representation in the Senate.

ARTICLE VI.

SEC. 1—1. The Government established by this Constitution is the successor of the Provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in force until the same shall be repealed or modified; and all the officers appointed by the same shall remain in office until their successors are appointed and qualified, or the offices abolished.

2. All debts contracted and engagements entered into before the adoption of this Constitution, shall be as valid against the Confederate States under this Constitution as under the Provisional Government.

3. This Constitution, and the laws of the Confederate States, made in pursuance thereof, and all treaties made, or which shall be made under the authority of the Confederate States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

4. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the Confederate States and of the several States, shall be bound by oath or affirmation to support this Constitution, but no religious test shall ever be required as a qualification to any office or public trust under the Confederate States.

5. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people of the several States.

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people thereof.

ARTICLE VII.

SEC. 1—1. The ratification of the Conventions of five States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

2. When five States shall have ratified this Constitution, in the manner before specified, the Congress, under the Provisional Constitution, shall prescribe the time for holding the election of President and Vice-President; and for the meeting of the Electoral College; and for counting the votes and inaugurating the President. They shall also prescribe the time for holding the first election of members of Congress under this Constitution, and the time for assembling the same. Until the assembling of such Congress, the Congress under the Provisional Constitution shall continue to exercise the legislative powers granted them; not extending beyond the time limited by the Constitution of the Provisional Government.

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Mr. Tappan presented an ordinance entitled: "An ordinance concerning electors for the President and Vice-President of the Confederate States of America," which, on motion by Mr. Bush, was referred to the committee appointed to re-district the State.

Mr. Kidd moved to take up the resolution heretofore introduced by him, relative to the adjournment of this Convention, *sine die*, to day; which was agreed to, and the same delegate moved to amend said resolution by inserting instead of "12 o'clock M." the words, "4 o'clock P. M.

Mr. Moore moved to amend by inserting "Tuesday next, at the hour of 4 o'clock P. M.," which was accepted by Mr. Kidd, and the resolution as amended, was adopted.

Mr. Manning, from the Committee on the formation of a Southern Confederacy, to whom had been referred the resolution of Mr. Butler, "relative to the cession of public property acquired from the late United States to the Confederated States of America," reported "An ordinance relative to the cession to the Confederated States of the forts, arsenals, mint, custom-house, light-houses, etc., within the State of Louisiana, and late in the possession of the United States," which was ordered to lie over under the rules.

Mr. York presented "An ordinance authorizing A. J. Guirot, State Depositary, to pay C. L. Isley and P. A. Atkinson the amount of their claims," which was, on motion, referred to the Committee on Finance.

Mr. Lewis, of Claiborne, asked and obtained leave to take up out of its regular order, the ordinance introduced by him on the 15th ult., entitled "An ordinance to authorize the Legislature to issue State bonds in certain cases."

Mr. Texada moved to refer the said ordinance to the Committee on State Constitution.

Mr. Fuqua moved the previous question, which being sustained,

Mr. Dupré called for the yeas and nays, which was ordered with the following result, viz:

Yeas: Messrs. Avegno, Barrow, Bienvenu, Briscoe, Burton, Caldwell, Cook, Connelly, DeBlanc, Dorsey, Dupré, Elgee, Estlin, Fuselier, Gladden, Girard, Griffin, Hodges, Hollingsworth, Johnston, Kidd, Lewis of Claiborne, Lewis of Bienville, Marshall, Marks of Caddo, Martin of Carroll, McCloskey, McCollam, McNeely, Melançon, Miles, Miller, Moore, Norton, O'Bryan, Olivier, Pemberton, Polk, Pugh, Scott of Claiborne, Slawson, Smith, Sompayrac, Sparrow, Swayze, Taylor of St. Landry, Todd, Towles, Tucker, Warren, Wiltz, Williamson and York—53.

Nays: Messrs. Adams, Barbin, Bermudez, Bonner, Bush, Butler, Conner of Concordia, Duffel, Fuqua, Gardere, Gaudet, Gill, Gray, Herron, Kennedy, Labatut, Lawrence, Lagroue, LeBourgeois, Lewis of Orleans, Manning, Marks of Orleans, Martin of Assumption, Magee, Meredith, Patterson, Perkins of Madison, Perkins of Orleans, Richardson, Roselius, Rozier, Scott of East Feliciana, Smart, Stewart, Stocker, Texada, Valentine, Walker, Williams of St. Helena, and Wilkinson—40.

Yeas, 53; nays, 40.

Consequently the said ordinance was adopted, and is as follows, viz:

AN ORDINANCE to authorize the Legislature to issue the bonds of the State as provided for in article 110 of the Constitution, in such amounts as not to exceed six thousand dollars for every mile of graded road within the State of Louisiana, in which the iron is not laid at the time of the issuance of the bonds, provided the amount subscribed by the State in any railroad company is not hereby increased.

*Be it ordained by the People of the State of Louisiana, in Convention assembled*, That, whenever any railroad in which the State is now a subscriber shall have a section of five or more miles graded within the State, upon which iron shall not have been laid, the Legislature may cause to be issued to the said railroad company bonds of the State, in payment of its subscriptions, to the extent of six thousand dollars per mile of road so graded; provided, however, the amount issued shall not exceed the amount remaining unpaid upon its subscription at the time of issuing the bonds.

Mr. Moore, chairman of special committee appointed to redistrict the State, reported "an ordinance to divide the State into Congressional districts for the election of Representatives to the Congress of the Confederate States of America," and asked that it be made the special order of the day for Monday next at 11 o'clock, which was agreed to.

Mr. O'Bryan moved to reconsider the vote just taken on the "ordinance authorizing the Legislature to issue State bonds in certain cases."

Mr. Moore moved to lay the motion to reconsider on the table, which was carried.

Mr. Todd presented an "ordinance authorizing the Treasurer of the State to receive certain warrants of the late United States from George Purvis, Receiver, in liquidation of his account," which, on his motion, was referred to the Committee on Finance, without reading.

The unfinished business of yesterday, was then taken up, being the "ordinance relating to Banking Corporations in the State of Louisiana," there being a motion by Mr. Estlin to reconsider the vote taken on Mr. Elgee's substitute, and a motion by Mr. Perkins of Orleans to lay the motion to reconsider on the table, pending at the time of adjournment.

Mr. Fuqua moved to postpone the further consideration of the said ordinance until half-past 1 o'clock P. M., which did not prevail, and the question recurred on the motion of Mr. Perkins of Orleans to lay the motion to reconsider on the table; on which Mr. Bush called for the yeas and nays, which resulted as follows, viz:

Yeas: Messrs. Avegno, Barrow, Bermudez, Clark, Cook, Elgee, Gladden, Hollingsworth, Labatut, Magee, Norton, Perkins of Orleans, Towles, Pemberton and York—14.

Nays: Messrs. Barbin, Bienvenu, Bonner, Bonford, Briscoe, Burton, Bush, Butler, Caldwell, Connelly, Conner of Concordia, DeBlanc, Dorsey, Duffel, Dupré, Estlin, Fuselier, Fuqua, Gardere, Gaudet, Garrett, Gill, Girard, Gray, Griffin, Herron, Hough, Hodge, Hodges, Johnston, Kennedy, Kidd, Lawrence, LeBourgeois, Lewis of Bienville, Lewis of Claiborne, Lewis of Orleans, Marshall, Marks of Orleans, Martin of Assumption, Martin of Carroll, McCloskey, McCollam, McNeely, Miles, Miller, Moore, O'Bryan, Olivier, Patterson, Perkins of Lafourche, Perkins of Madison, Peck, Polk, Richardson, Rozier, Scott of Claiborne, Scott of East Feliciana, Semmes, Slawson, Smith, Smart, Sompayrac, Sparrow, Stewart, Stocker, Swayze, Tappan, Talbot, Taylor of St. Charles, Taylor of St. Landry, Texada, Todd, Tucker, Valentine, Warren, Walker, Williams of St. Helena, Wilkinson, Wiltz and York—82.

Yeas, 14; nays, 82.

Therefore the motion to lay on the table was lost.

And the motion to reconsider was agreed to, by general consent; and the subject matter was before the Convention:

Mr. Sparrow proposed as an amendment to Mr. Elgee's substitute, to strike out all after the words "general laws," and insert the following:

But the Legislature shall, in both cases, provide that before a bank can go into operation, two-thirds of the capital thereof shall be paid in specie. No bank shall issue notes exceeding in amount, at any one time, three-fourths of the amount of the capital thereof paid in, or of a less denomination than ten dollars. That the cash liabilities of each bank shall always be represented by at least one-third in specie, and the balance in good paper, payable in full at maturity, within ninety days, and that no bank shall issue from its counter any other than its own notes.

Mr. Williamson moved to amend Mr. Sparrow's amendment, by adding the following:

No act of incorporation of a bank shall be valid unless the same be passed with the consent of three-fifths of the members composing both Houses of the General Assembly.

Which was refused.

Mr. Fuqua moved to amend Mr. Sparrow's amendment, by adding the following proviso:

"Provided further, that the Legislature shall have no power to exempt the capital of any bank from taxation."

Which amendment was adopted.

Mr. Hodge moved the previous question on the substitute and amendments to the ordinance; which was sustained, and the question occurring first upon the amendment of Mr. Sparrow as amended, Mr. Bush demanded the yeas and nays, with the following result, viz:

Yeas: Messrs. Avegno, Barrow, Bonford, Briscoe, Burton, Butler, Caldwell, Clark, Cook, Dorsey, Dupré, Elgee, Estlin, Fuqua, Gardere, Gaudet, Gladden, Gill, Girard, Hernandez, Hodge, Hodges, Hollingsworth, Johnston, Kennedy, Kidd, Labatut, Lawrence, Lewis of Bienville, Lewis of Claiborne, Marks of Orleans, Martin of Carroll, McCloskey, McNeely, Miles, Miller, Moore, Norton, O'Bryan, Olivier, Perkins, Peck, Pemberton, Pope, Polk, Pugh, Scott of Claiborne, Scott of East Feliciana, Slawson, Sompayrac, Sparrow, Stewart, Swayze, Tappan, Talbot, Taliaferro, Taylor of St. Charles, Taylor of St. Landry, Towles, Valentine, Walker, Wilkinson and York—63.

Nays: Messrs. Barbin, Bermudez, Bienvenu, Bonner, Bush, Connelly, Conner of Concordia, DeBlanc, Fuselier, Garrett, Gray, Griffin, LeBourgeois, Lewis of Orleans, Marshall, Martin of Assumption, McCollam, McFarland, Melançon, Patterson, Perkins of Lafourche, Perkins of Madison, Richardson, Rozier, Semmes, Smith, Smart, Stocker, Texada, Tucker, Warren, Williamson and Wiltz—33.

Yeas, 63; nays, 33.

Therefore the amendment of Mr. Sparrow, as amended, was accepted.

The question then occurring upon the adoption of Mr. Elgee's substitute, as amended,

Mr. Bush moved to lay the whole subject on the table, which motion was ruled to be out of order.

Mr. O'Bryan demanded the yeas and nays, which resulted as follows, viz:

Yeas: Messrs. Adams, Avegno, Barrow, Bermudez, Bonford, Briscoe, Caldwell, Clark, Cook, Connelly, Elgee, Estlin, Gladden, Hernandez, Hodge, Hodges, Hollingsworth, Johnston, Kennedy, Kidd, Labatut, Lawrence, Lewis of Bienville, Lewis of Claiborne, Manning, Marks of Orleans, Martin of Carroll, McCloskey, McCollam, McNeely, Miles, Miller, Moore, Norton, Olivier, Perkins of Orleans, Peck, Pemberton, Pope, Pugh, Scott of Claiborne, Slawson, Sparrow, Stewart, Stocker, Tappan, Taylor of St. Charles, Todd, Towles, Valentine, Williamson, Wilkinson and York—53.

Nays: Messrs. Barbin, Bienvenu, Bonner, Burton, Bush, Butler, Conner of Concordia, DeBlanc, Dupré, Fuselier, Fuqua, Gardere, Garrett, Gaudet, Gill, Girard, Gray, Griffin, Herron, LeBourgeois, Lewis of Orleans, Marshall, Martin of Assumption, McFarland, Melançon, O'Bryan, Patterson, Perkins of Lafourche, Perkins of Madison, Polk, Richardson, Rozier, Scott of East Feliciana, Semmes, Smith, Smart, Sompayrac, Swayze, Taliaferro, Texada, Taylor of St. Landy, Tucker, Warren, Walker, Williams of St. Helena and Wiltz—46.

Yeas, 53; nays, 46.

Consequently, Mr. Elgee's substitute, as amended, was adopted.

Mr. Estlin then moved that the ordinance be adopted as a whole.

Mr. Bush offered to amend said ordinance by adding an additional section, which is as follows, viz.:

SEC. 2. That at the election in November next, proclamation whereof shall be made by the Governor, a separate box shall be open in each election precinct of the State, in which each qualified voter shall deposit his ballot, on which shall be printed or written the word "yea," if he be in favor of, and the word "nay," if he be opposed to, the change and alteration thus made. The polls shall be opened and presided over, the election conducted, and the returns made on this question, in the same manner as now provided by law for elections. If a majority of the votes polled be in favor of the change and alteration thus made, the same shall become a part of the organic law of the State.

Which was ruled by the chair to be out of order.

Mr. Bush appealed from the decision of the chair.

Mr. Bienvenu called for the yeas and nays thereon, with the following result, viz:

Yeas: Messrs. Adams, Avegno, Barbin, Barrow, Bermudez, Bonford, Bonner, Briscoe, Burton, Caldwell, Clark, Cook, Connelly, Conner of Concordia, Cottman, DeBlanc, Elgee, Estlin, Fuselier, Fuqua, Gladden, Gray, Griffin, Hernandez, Herron, Hodge, Hodges, Hollingsworth, Johnston, Kidd, Labatut, Lawrence, Lagroue, LeBourgeois, Lewis of Bienville, Lewis of Claiborne, Manning, Marshall, Marks of Orleans, Martin of Assumption, Martin of Carroll, McCloskey, McCollam, McFarland, McNeely, Miller, Moore, Norton, Patterson, Perkins of Lafourche, Perkins of Madison, Perkins of Orleans, Peck, Pemberton, Pope, Pugh, Richardson, Rozier, Scott of Claiborne, Scott of East Feliciana, Semmes, Slawson, Smith, Smart, Sparrow, Stewart, Tappan, Taylor of St. Charles, Texada, Todd, Towles, Valentine, Warren, Walker, Williams of St. Helena, Williamson, Wilkinson and York—79.

Nays: Messrs. Bienvenu, Bush, Butler, Dupré, Gardere, Garrett, Gill, Girard, Kennedy, Lewis of Orleans, Miles, O'Bryan, Olivier, Polk, Stocker, Swayze, Taliaferro, Taylor of St. Landry, Tucker and Wiltz—20.

Yeas, 79; nays, 20.

The decision of the chair was therefore sustained.

Mr. Bush then moved an adjournment, and demanded the yeas and nays, which resulted as follows, viz:

Yeas: Messrs. Barbin, Bienvenu, Bonner, Bush, Connelly, Conner of Concordia, DeBlanc, Dupré, Gardere, Gaudet, Girard, Griffin, Lagroue, LeBourgeois, Martin of Assumption, McCollam, Melançon, O'Bryan, Olivier, Patterson, Perkins of Madison, Scott of East Feliciana, Smith, Smart, Tucker, Warren and Wiltz—27.

Nays: Messrs. Adams, Avegno, Barrow, Bermudez, Bonford, Briscoe, Burton, Butler, Caldwell, Clark, Cook, Elgee, Estlin, Fuselier, Fuqua, Garrett, Gladden, Gill, Gray, Hernandez, Herron, Hodge, Hodges, Hollingsworth, Johnston, Kennedy, Kidd, Labatut, Lawrence, Lewis of Bienville, Lewis of Claiborne, Lewis of Orleans, Manning, Marshall, Marks of Orleans, Martin of Carroll, McCloskey, McNeely, Miles, Miller, Moore, Norton, Perkins of Lafourche, Perkins of Orleans, Peck, Pemberton, Polk, Pope, Richardson, Rozier, Scott of Claiborne, Semmes, Slawson, Sparrow, Stewart, Stocker, Swayze, Tappan, Taliaferro, Taylor of St. Charles, Taylor of St. Landry, Texada, Todd, Towles, Valentine, Walker, Williams of St. Helena, Williamson and York—69.

Yeas, 27; nays, 69.

The motion to adjourn was therefore lost.

The question then occurred on the motion to adopt the ordinance as amended, as a whole, and Mr. Estlin demanded the yeas and nays thereon, and the result was as follows:

Yeas: Messrs. Adams, Avegno, Barrow, Bermudez, Bonford, Briscoe, Caldwell, Clark, Cook, Elgee, Estlin, Gladden, Hernandez, Hodge, Hodges, Hollingsworth, Johnson, Kennedy, Kidd, Labatut, Lawrence, Lagroue, Lewis of Bienville, Lewis of Claiborne, Manning, Marshall, Marks of Orleans, Martin of Carroll, McCloskey, McNeely, Miles, Miller, Moore, Norton, Perkins of Orleans, Peck, Pemberton, Pope, Scott of Claiborne, Slawson, Sparrow, Stewart, Stocker, Tappan, Taylor of St. Charles, Todd, Towles, Valentine, Wilkinson and York—49.

Nays: Messrs. Barbin, Bienvenu, Bonner, Burton, Bush, Butler, Connelly, Conner of Concordia, DeBlanc, Duffel, Dupré, Fuselier, Fuqua, Gardere, Garrett, Gaudet, Gill, Girard, Gray, Griffin, Herron, LeBourgeois, Lewis of Orleans, Marshall, Martin of Assumption, McCollam, McFarland, Melançon, O'Bryan, Olivier, Patterson, Perkins of Lafourche, Perkins of Madison, Polk, Richardson, Rozier, Scott of East Feliciana, Semmes, Smith, Smart, Swayze, Taliaferro, Taylor of St. Landry, Texada, Tucker, Warren, Walker, Williams of St. Helena, Williamson and Wiltz—50.

Yeas, 49; nays, 50.

Consequently the said ordinance was rejected.

Mr. Bush moved to reconsider the vote just taken. Mr. Martin, of Assumption moved to lay over Mr. Bush's motion of reconsideration on the table.

Pending this motion, Mr. Hodge moved to adjourn, which being carried, the Convention adjourned.

J. THOS. WHEAT, Sec'y.

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# JOURNAL OFFICIEL

—DE LA—

## CONVENTION DE L'ETAT DE LA LOUISIANE,

SAMEDI, le 23 mars 1861.

La Convention se réunit conformément à l'ajournement.

L'honorable Alexandre Mouton occupe le fauteuil, et 78 délégués répondent à l'appel.

Le procès-verbal de la séance d'hier est lu et approuvé.

Sur motion de M. Walker la Convention ordonne que la Constitution des Etats-Confédérés d'Amérique, ratifiée et adoptée par cette Convention à sa séance d'hier, soit consignée sur le procès-verbal de la séance d'aujourd'hui, savoir :

## CONSTITUTION

DES

## ETATS CONFEDERES D'AMERIQUE.

*Nous, le peuple des Etats Confederes*, chaque Etat agissant comme Etat souverain et indépendant, à l'effet de former un Gouvernement Fédéral permanent, d'établir la justice, d'assurer la tranquillité intérieure et de garantir à nous mêmes et à notre postérité les bienfaits de la liberté, invoquant la faveur et l'aide de Dieu tout puissant, ordonnons et établissons cette Constitution pour les Etats Confédérés d'Amérique.

ARTICLE 1.

SECTION 1.—Tous les pouvoirs législatifs délégués par la présente seront confiés à un Congrès des Etats Confédérés qui sera composé d'un Sénat et d'une Chambre des Représentants.

SEC. 2.—1. La Chambre des Représentants sera composée de membres élus tous les deux ans par le peuple des divers Etats, et les électeurs de chaque Etat devront être citoyens des Etats Confédérés, et avoir les qualités requises pour être électeurs de la branche la plus nombreuse de la législature de l'Etat ; mais aucune personne née à l'étranger, qui ne sera pas citoyen des Etats-Confédérés, ne pourra voter pour aucun officier civil ou politique, d'Etat ou fédéral.

2. Nul ne pourra être représentant s'il n'a atteint l'âge de vingt-cinq ans, s'il n'est citoyen des Etats Confédérés et s'il n'habite pas, lors de son élection, l'Etat dans lequel il aura été élu.

3. Les représentants et les taxes directes seront répartis entre les divers Etats qui font partie de cette Confédération, selon le nombre respectif de leurs habitants ; nombre qui sera déterminé en ajoutant au nombre total des personnes libres, y compris ceux servant pour un terme limité et non compris les indiens non taxés, trois cinquièmes de tous les esclaves. L'énumération actuelle sera faite dans les trois années qui suivront la première réunion du Congrès des Etats-Confédérés, et ensuite de dix ans en dix ans, d'après le mode qui sera réglé par une loi du Congrès. Le nombre des représentants n'excédera pas celui d'un par cinquante mille habitants ; mais chaque Etat aura au moins un représentant ; et jusqu'à ce que la dite énumération ait été faite l'Etat de la Caroline du Sud aura droit d'élire six représentants, l'Etat de la Géorgie dix, l'Etat de l'Alabama neuf, l'Etat de la Floride deux, l'Etat du Mississippi sept, l'Etat de la Louisiane six, et l'Etat du Texas six.

4. Toutes les fois que des vacances surviendront dans la représentation d'un Etat au Congrès, l'autorité exécutive du dit Etat lancera des ordres d'élection à l'effet de remplir les dites vacances.

5. La Chambre des Représentants élira son président et ses autres officiers ; elle exercera seule le pouvoir de mise en accusation (impeachment) excepté que tout officier judiciaire ou autre officier fédéral, résidant et agissant seul dans les limites d'un Etat, pourra être mis en accusation, (impeached), par un vote des deux tiers des membres des deux branches de la législature du dit Etat.

SEC. 3.—1. Le Sénat des Etats-Confédérés sera composé de deux sénateurs de chaque Etat élus par la législature, pour le terme de six ans, à la première session régulière qui précédera immédiatement le commencement du terme de service, et chaque sénateur aura droit à un vote.

2. Immédiatement après leur réunion, en conséquence de la première élection, ils seront divisés aussi également que possible en trois classes. Les sièges des sénateurs de la première classe seront vacants à l'expiration de la seconde année ; ceux de la seconde classe, à l'expiration de la quatrième année ; et ceux de la troisième classe, à l'expiration de la sixième année ; de manière à ce que tous les deux ans, un tiers du Sénat soit réélu. S'il survient des vacances par démission ou par toute autre cause, pendant l'intervalle entre les sessions de la législature de tout Etat, le pouvoir exécutif de cet Etat sera autorisé à faire les nominations temporaires jusqu'à ce que la législature puisse remplir les dites vacances à sa session suivante.

3. Nul ne pourra être sénateur s'il n'a atteint l'âge de trente ans, s'il n'est citoyen des Etats-Confédérés et s'il n'habite pas, lors de son élection, l'Etat qui l'aura élu.

4. Le Vice-Président des Etats-Confédérés sera président du Sénat ; mais il n'aura pas le droit de voter à moins que les voix ne soient également partagées.

5. Le Sénat élira ses autres officiers, ainsi qu'un président *pro tempore*, qui présidera pendant l'absence du Vice-Président, ou quand celui-ci exercera les fonctions de Président des Etats-Confédérés.

6. Le Sénat aura seul le pouvoir de juger tous les cas de mise en accusation (impeachment). Quand il agira dans cette fonction, les membres prêteront serment ou affirmation. Si c'est le Président des Etats Confédérés qui est mis en accusation, le juge président la Cour Suprême présidera ; aucun accusé ne pourra être déclaré coupable qu'à la majorité des deux tiers des membres présents.

7. Les jugements rendus en cas de mise en accusation n'auront d'autre effet que de priver l'accusé de la place qu'il occupe, de le déclarer incapable de remplir quelque place d'honneur, de confiance ou de profit que ce soit, sous le gouvernement des Etats Confédérés ; mais la partie convaincue pourra, néanmoins, être mise en jugement, jugée et punie selon les lois.

SEC. 4—Le temps, le lieu et le mode de procéder aux élections des sénateurs et des représentants seront réglés dans chaque Etat par la législature ; mais le Congrès peut en tout temps, par une loi, changer ces réglements ou en faire de nouveau, excepté pourtant en ce qui concerne l'époque et le lieu où les sénateurs doivent être élus.

2. Le Congrès s'assemblera au moins une fois par an, et cette réunion sera fixée pour le premier lundi de décembre, à moins qu'il ne passe une loi fixant un autre jour.

SEC. 5—1. Chaque chambre sera juge des élections, des retours et des titres de ses membres. Une majorité de chacune suffira pour former un quorum pour s'occuper d'affaires ; mais un nombre moindre peut s'ajourner de jour en jour, et pourra forcer les membres absents à se rendre aux séances de la manière et sous telle peine que chaque chambre pourra établir.

2. Chaque chambre adoptera ses réglements, punira ses membres pour conduite inconvenante, et pourra à la majorité des deux tiers de tous ses membres, exclure un membre.

3. Chaque chambre tiendra un journal de ses délibérations et le publiera d'époque en époque, à l'exception de ce qui lui paraîtra devoir rester secret ; et le vote affirmatif ou négatif des membres de chaque Chambre sur une question quelconque seront, sur la demande d'un cinquième des membres présents, consignés sur le journal.

4. Aucune des deux chambres ne pourra, pendant la session du Congrès, et sans le consentement de l'autre chambre, s'ajourner à plus de trois jours, ni fixer ses séances dans un autre lieu que celui où siégent les deux chambres.

SEC. 6—1. Les sénateurs et représentants recevront, pour leurs services, une compensation qui sera fixée par une loi et payée des fonds du trésor des Etats-Confédérés. Dans tous les cas, excepté ceux de trahison, de félonie et de bris de paix, ils ne pourront être arrêtés, soit pendant leur présence à la session de leurs chambres respectives, soit en s'y rendant ou en s'en retournant ; et ils ne pourront, dans aucun autre lieu, être interrogés en raison de discours ou opinions prononcés dans leurs chambres respectives.

2. Aucun sénateur ou représentant ne pourra, pendant le temps pour lequel il a été élu, être nommé à une place dans l'ordre civil sous l'autorité des Etats-Confédérés, qui aura été créée ou dont les émoluments en auront été augmentés pendant cette époque ; et aucune personne, occupant une place sous l'autorité des Etats-Confédérés, ne pourra être membre d'une des deux chambres, tant qu'il occupera cette place. Mais le Congrès peut, par une loi, permettre au chef de tout département de l'exécutif de siéger dans l'une ou l'autre chambre, avec le privilége de discuter toute mesure relative à son département.

SEC. 7—1. Tous les bills établissant des impôts devront prendre naissance dans la Chambre des Représentants ; mais le Sénat peut y concourir avec des amendements comme aux autres bills.

2. Tout bill qui aura été adopté par le Sénat et la Chambre des Représentants sera, avant de devenir loi, présenté au Président des Etats-Confédérés ; s'il l'approuve, il y apposera sa signature ; sinon, il le renverra avec ses objections à la chambre dans laquelle il aura pris naissance ; elle consignera les objections intégralement dans son journal et discutera de nouveau le bill. Si, après cette seconde discussion, deux tiers de la chambre se prononcent en faveur du bill, il sera envoyé, avec les objections du Président, à l'autre chambre, qui le discutera de la même manière ; et si deux tiers de cette chambre l'approuvent, il deviendra loi ; mais en pareil cas, les votes des deux chambres seront donnés par oui et par non, et les noms des membres votant pour ou contre seront inscrits sur le journal de chaque chambre respectivement. Si dans les dix jours, (les dimanches exceptés) le président ne renvoie pas un bill qui lui aura été présenté, ce bill aura force de loi comme s'il l'avait signé, à moins cependant que le Congrès, en s'ajournant, ne prévienne le renvoi ; alors le bill ne sera point loi. Le Président peut approuver toute allocation et en désapprouver d'autres dans le même bill. En pareil cas il devra, en signant le bill, désigner les allocations qu'il aura désapprouvées et renverra une copie de ces allocations, avec ses objections à la chambre qui les aura votées et, alors, les mêmes délibérations auront lieu comme dans le cas des autres bills renvoyés par le Président.

3. Tout ordre, résolution ou vote pour lequel le concours des deux chambres est nécessaire, (excepté la question d'ajournement) devra être présenté au Président des Etats-Confédérés et approuvé par lui, avant de recevoir son exécution ; ou s'il le rejette, il devra être de nouveau adopté par les deux tiers des deux chambres, suivant les règles prescrites pour les bills.

SEC. 8.—Le Congrès aura le pouvoir : 1. D'établir et de percevoir des taxes, droits, impôts et excises nécessaires pour payer les dettes publiques, et de pourvoir à la défense commune et assurer la marche du gouvernement des Etats Confédérés ; mais aucune prime ne sera payée des fonds du trésor public, ni aucuns droits, impôts et excises ne pourront être établis sur les importations étrangères dans le but d'encourager une branche d'industrie quelconque ; et tous les droits, impôts et excises devront être les mêmes dans tous les Etats Confédérés.

2. D'emprunter de l'argent sur le crédit des Etats Confédérés.

3. De régler le commerce avec les nations étrangères, entre les divers Etats, et avec les tribus indiennes ; mais ni cette clause ni aucune autre clause de cette Constitution ne pourra jamais être interprétée comme donnant au Congrès le pouvoir de faire des allocations d'argent pour aucune amélioration intérieure dans le but de faciliter le commerce, si ce n'est dans le but d'établir des phares, des bouées et autres aides à la navigation sur les côtes, et d'améliorer les ports et de rendre navigables les rivières ; dans lesquels cas, ces droits seront prélevés sur la navigation qui en retirera les bénéfices, pour le montant nécessaire pour payer le coût de ces améliorations.

4. D'établir des lois uniformes de naturalisation et des lois générales sur les banqueroutes dans les Etats-Confédérés ; mais aucune loi du Congrès ne pourra libérer d'aucune dette contractée avant l'adoption de la dite loi.

5. De battre monnaie, d'en régler la valeur, ainsi que celles des monnaies étrangères, et de fixer la base des poids et mesures.

6. De pourvoir à la punition de la contrefaçon de la monnaie courante ou du représentatif de la monnaie courante des Etats-Confédérés.

7. D'établir des bureaux de poste et des routes de poste ; mais les dépenses du département du bureau des postes, à dater du premier de mars de l'année de notre Seigneur, mil-huit-cent soixante trois, seront payées du revenu du dit département.

8. D'encourager les progrès des sciences et des arts utiles, en assurant pour des périodes limitées aux auteurs et inventeurs, le droit exclusif de leurs écrits et de leurs découvertes.

9. De constituer des tribunaux subordonnés à la Cour Suprême.

10. De définir et punir les pirateries et les félonies commises en haute mer, et les délits contre la loi des nations.

11. De déclarer la guerre, d'accorder des lettres de marque et de représailles et de faire des réglements concernant les captures sur terre et sur mer.

12. De lever et d'entretenir des armées ; mais aucune allocation d'argent pour cet objet ne pourra être votée pour plus de deux ans.

13. De créer et d'entretenir une force maritime.

14. D'établir des réglements pour l'administration et l'organisation des forces de terre et maritimes.

15. De pourvoir à ce que la milice soit convoquée pour exécuter les lois des Etats-Confédérés, pour réprimer les insurrections et repousser les invasions.

16. De pourvoir à ce que la milice soit organisée, armée et disciplinée, et au commandement de toute partie de la milice qui peut se trouver enrolée au service des Etats-Confédérés, réservant aux Etats respectivement, la nomination des officiers, et le soin d'exercer la milice conformément à la discipline prescrite par le Congrès.

17. D'exercer la législation exclusive dans tous les cas quelconques, sur tel district (d'une étendue n'excédant pas dix milles) qui pourra, par la cession d'un ou de plusieurs Etats et par l'acceptation du Congrès, devenir le siége du gouvernement des Etats Confédérés, et d'exercer une pareille autorité sur tous les lieux acquis par achat, du consentement de la Législature de l'Etat où ils trouveront, pour y établir des forts, des magasins, des arsenaux, des chantiers et autres constructions d'utilité publique.

18. De passer toutes les lois qui seront nécessaires ou convenables pour mettre à exécution les pouvoirs ci-dessus accordés, et tous les autres pouvoirs dont cette Constitution a investi le gouvernement des Etats Confédérés ou tout département ou officier du dit gouvernement.

SEC. 9—1. L'importation des nègres de la race Africaine, de tout pays étranger, autres que ceux des Etats ou territoires à esclaves des Etats-Unis d'Amérique, est par la présente défendue ; et le Congrès est enjoint de passer des lois à l'effet d'empêcher d'une manière efficace la dite importation.

2. Le Congrès aura aussi le pouvoir d'empêcher l'introduction d'esclaves de tout Etat ne faisant pas partie de cette confédération, ou de tout territoire qui n'est pas compris dans ses limites.

3. Le privilége d'habeas corpus ne sera suspendu que si la sûreté publique l'exige dans le cas d'invasion ou de rebellion.

4. Aucun bill punissant la flétrissure (attainder) ni loi rétroactive ou loi niant ou portant atteinte au droit de posséder des esclaves à titre de propriété, ne seront décrétées.

5. Aucune capitation ou autre taxe directe ne sera imposée, si ce n'est en proportion du dénombrement ou recensement prescrit plus haut.

6. Aucune taxe ou droit ne sera établi sur des articles exportés d'un Etat quelconque, si ce n'est par un vote des deux tiers des deux Chambres.

7. Aucune préférence ne sera donnée par des réglements commerciaux ou fiscaux aux ports d'un Etat sur ceux d'un autre.

8. Aucun argent ne sera tiré du trésor si ce n'est