

INTERESTING ARTICLE.

By last Evening's MAILS

We are happy in being able, thus early, to present to our patrons, the

NEW REPUBLICAN CONSTITUTION OF FRANCE,

INSTITUTED SINCE THE DEATH OF THE KING, BY THE NATIONAL CONVENTION.

PREAMBLE.

THE object of all union of men in society, being the maintaining of natural, civil, and political rights, these rights ought to be the basis of the social compact. The acknowledgment and declaration of them ought to precede the constitution which assures the guarantee of them.

BILL OF RIGHTS.

Art 1. Natural, civil, and political rights, are liberty, equality security, and property.

2 Liberty consists in the power of doing every thing which is not contrary to the right of another. Thus the exercise of this natural right has no other limits than those which secure to the members of the same society the enjoyment of the same right.

3 Every citizen ought to submit to the law which is the expression of the general will. Whatever is not forbidden by the law, cannot be prohibited; and none can be constrained to do what it does not enjoin.

4 Every man has the Liberty of manifesting his thoughts, and his opinions.

5 The Liberty of the press, and every other means of making known his sentiment, cannot be forbidden, suspended or limited.

6 Every citizen is free in the exercise of his religion.

7 Equality consists in the enjoyment of the same rights by every citizen.

8 The law is equal to all, whether it protects or punishes.

9 All citizens are equally admissible to all appointments. Free people know no other motive of preference than pre-eminence of talents and virtue.

10 Security consists in the protection granted to all the citizens, for the preservation of these persons, of their fortunes, and of their rights.

11 None can be accused, stopped, or detained, but in cases specified by the law, and according to the forms it has prescribed.

12 The citizens against whom arbitration acts may be exercised, have the right to resist them by force; but every accused or arrested in virtue of the law ought to obey it instantly. He renders himself guilty by resistance. (N. B. a mistake in the order.)

13 Those who solicit, expedite, execute, or cause to be executed arbitrary orders, are guilty, and ought to be punished.

14 Every man ought to be presumed innocent, till he has been declared guilty; if it is found necessary to arrest him every rigor not requisite to secure his person ought to be severely interdicted by the law.

15 None can be punished but in virtue of a law established and promulgated anterior to the crime, and legally applied.

16 Every law which punishes crimes anterior to its promulgation is an arbitrary act. Every retrospective effect of law is a crime.

17 The law ought only to inflict necessary punishment proportioned to the crimes and useful to society.

18 The right of property is, that every man may dispose of his substance, his talents and his industry.

19 No kind of labour or industry is prohibited to citizens, who may buy, sell, or transport it freely.

20 A citizen, however, cannot sell himself, his person not being alienable property.

21 None can be deprived of his right of property, but when public necessity, legally proved, evidently demands it, and on condition of a just and previous indemnity.

22 No contribution can be levied but for the public good: all citizens have a right to assent to its establishment.

23 Public instructions is necessary to all.

24 Public succours are a debt due from society.

25 The security of these rights is an act of sovereignty.

26 Sovereignty is one, indivisible, and imprescriptible.

27 It resides essentially in the people. Each citizen is equally entitled to exercise Sovereignty.

28 No individual, or any union of citizen can arrogate to themselves the exercises of Sovereignty.

29 The social compact cannot exist, where the limits of powers are not exactly fixed, and where agents are not made responsible for their conduct.

30 All citizens are obliged to be aiding to the law.

31 Men united in society ought to have a legal means of resisting oppression.

32 There is oppression when the law violates natural right, there is oppression when the law is violated by the public functionaries. There is oppression when arbitrary acts violate natural, civil, and political rights of citizens. The manner of resisting oppression ought to be prescribed by the constitution.

33 The people have the right of changing the constitution. One generation has no right to subject to the constitution future generations.

34 After the recognition of these rights, on which the government is founded, the French nation is declared to form one indivisible republic.

35 The division into department, is retained; each department is divided into communes or districts, & each commune into municipal sections and primary assemblies.

PRIMARY ASSEMBLIES.

In the primary assemblies, every man aged 21 years has a right to vote, provided that his name is inscribed on the civic table, and that he shall have resided one year in France.

The primary assemblies shall be so distributed in each department, that none shall consist of less than 4000, or more than 900 members; in each of these a select committee is to be chosen by ballot, consisting of as many members as there are fifties of citizens in the assembly.

In this committee, he who has the majority of votes shall be president of the assembly; the three next on the list shall be secretaries. The duty of the select committee is to keep the records, and to arrange and submit the business to the assembly.

All elections are to be carried on in these assemblies. The intermediate, or electoral assemblies, have no place in this code. The elections are to be made by what is called a double scrutiny; each gives in a signed list of candidates equal to the number of places to be filled. These bulletins, or lists of presentation as they are termed, are sent to the administration of each department. They select a triple number of those candidates who have most votes, and from those sent back to the primary assemblies; a definitive election is made, each citizen giving in advance, list of the candidates to whom he gives his preference.

In the deliberations of these assemblies, the same mode is to be followed as in the elections. The question is to be shaped so as to be answered by a simple negative or affirmative. On the day appointed for the decision, each citizen gives a bulletin, or slip of paper, inscribed with his name, and the word yes or no. These are to be transmitted from the district to the department, where the general result is to be ascertained.

ADMINISTRATIVE BODIES.

There shall be in each department, an administrative council, of 12 members, with subordinate agencies. The former are to controul the revenue, and to correspond with the executive government. The inferior administrators are not as yet organized.

The administrators are to be elected in the primary assemblies, and the half renewed every two years.

EXECUTIVE COUNCIL.

I. The executive council of the republic shall be composed of seven general agents or ministers, and a secretary.

II. There shall be,

- 1. A minister of legislation.
2. A minister of war.
3. A minister for foreign affairs.
4. A minister of public contributions.
5. A minister of the marine.
6. A minister of agriculture, commerce and manufactures.
7. A minister of works, aids, public establishments, and arts.

III. Each of the ministers shall alternately preside in the executive council, and the president shall be changed every fifteen days. To this council it belongs to execute all the laws and all the decrees passed by the legislative body.

The ministers are to be chosen in the primary assemblies, and in the manner before prescribed. Eight suppliants or

substitutes, are to be chosen at the same time.

The members of the council to be chosen for two years. The half shall be renewed every year; but they may be re-elected.

The executive council are accountable to, and cannot be members of the legislative body. They have no controul over the national treasury, which is to be directed by three commissioners appointed for that purpose, and elected in the same manner. Two hundred members are to be chosen in the legislative body of whom a jury of seven is to audit each account.

LEGISLATIVE BODY.

The legislative body is to consist of one chamber, and to be renewed annually, by elections, in the manner before mentioned.

The number of deputies to be sent from each department is to be newly fixed every ten years according to the increase or decrease of the population.

The members of the legislative body shall not any time be prosecuted, impeached, or tried for any thing which they may have said or written in the exercise of their functions.

No proposition shall pass into a law, unless it be first proposed in the assembly, then referred to a committee of thirteen, and after the interval of a fortnight, if the time should permit, re-debated in the assembly.

CENSORSHIP OF PEOPLE.

Under this head it is proposed, that any citizen shall have the right of convoking the primary assembly where he resides, to consider of the enactment of a new, or the repeal of an existing law. If they agree to the proposition, they are to address the people of other assemblies, and the wish of the department thus collected, is to be transmitted to and decided upon by the members of the legislative body.

The citizens shall likewise have the right to demand an inquiry into the conduct of public functionaries, in case of abuse of power and violation of the law.

A CONVENTION.

A convention is to be summoned whenever any change is made in the legislative body. In the 20th year after the passing of the constitutional code, a convention shall be called to revise and improve.

The convention cannot hold its sittings within 50 leagues of the legislative body. It shall be formed of two members from each department.

ADMINISTRATION OF JUSTICE.

In the civil as well as the criminal code, the trial by jury is to be established. The jurors as well as judges are to be elected. The former to be taken one from every hundred citizens. The jury to consist of a director, a reporter, a national commissioner, and a number of jurymen to be specified.

The punishment of death is abolished for all private offences.

There are to be two juries, whose functions correspond with those of the grand and petty juries in the constitution of England.

Judicial censors are to be appointed to travel at fixed periods, and to try all questions of appeal.

A National Jury, consisting of three jurors from each department, is to try all questions of High treason.

The arrest and detention of an individual are qualified by a number of minute regulations, highly favourable to personal liberty.

The liberty of the press is declared to be indefinite.

None can be judged either civilly or criminally, on account of writings printed or published, except it shall have been recognized and declared by a jury, 1st. whether there is any criminality in the writing denounced; 2dly. whether the person, prosecuted is guilty of it.

PUBLIC FORCE.

The forces of the republic are placed under the controul of the executive council. The public force is declared to be essentially obedient, as no armed body can deliberate.

The commanders in chief are to have annual and revocable commission from the executive council.

The commanders of the national guards shall be elected annually by the citizens in each district.

PUBLIC CONTRIBUTIONS.

The public contributions ought never to exceed the exigencies of the state.

There cannot be established any contribution, which by its nature or by its mode of exaction, might be injurious to the free disposal of property, to the progress of industry, and of communes, to

the circulation of capitals, or might produce the violation of the rights recognized and declared by the constitution.

The amount shall be fixed each year by the legislative body, and cannot exceed that term. They are to be published annually.

Relation to foreign powers.

The French will only take up arms for the sake of their liberty. They renounce all accession of territory, unless by the wish, freely expressed, of its inhabitants.

The declaration of war, shall be made by the legislative body; treaties of peace, commerce and alliance shall be made by the executive council, and ratified by legislative body &c.

Presented by the members forming the committee of constitution.

THOMAS PAINE, BARRERE, BRISSOT, CONDORCET, DANTON GENSONNE, PATION, SIEYES, VERGNI-AUD.

LONDON, February 19.

ALL the ships of war belonging to this kingdom, at present, are, 32 sail of the line, three 50 gun ships, and 42 frigates and sloops.

Ten row boat privateers have been fitted out from Calais, five of which are now cruising in the channel, reaching towards the English coast.

By yesterday's mails from Flanders we learn, that the inhabitants of the city of Ghent have received M. Alexander Courtois, the agent of France with transports of joy.

Letters from the first authorities in Germany mention, that it is decided there shall be no Russian troops sent to the borders of the Rhine this summer. The plan now finally adopted is this:

The Emperor is to march all his forces towards France, except 25,000 men. The empress of Russia is to protect the imperial territories with her troops, which are to be stationed on the borders of Germany to render their assistance, should any unexpected event take place.

State of the German troops.—Austria will have in March, 70,000 men—Prussia 60,000—for the Rhine, 120,000. Besides these, 20,000 Austrians, Prussians and Hessians near Cologne. Total on the Rhine, 150,000 men. At Luxembourg, 35,000 men.

CAPTURES.

The Juno frigate, captain Hood, arrived yesterday afternoon, at Portsmouth, from a cruise, recaptured the Glory brig of Chepstow, John Benson, master, of 101 tons burthen, a privateer's prize, which she has carried safe with her into port.

The Glory brig was taken by the privateer at half past five o'clock the same morning. She was laden with timber for the dock yard, under the convoy of the Iphigenia frigate. A pistol was twice snapped at Mr. Benson's breast, but happily both times missed fire; with a barbarity and piratical cowardice, unexampled in modern war, they rifled Mr. Benson's pockets of 23 guineas in gold and silver, but of his knee buckles and stripped him of every thing valuable; they then lashed him by the neck, hands and feet, to a chest in his cabin, and put the people's hand and feet in irons on the deck; cut off the head of a dog on board, and swore every Englishman in their possession should be served in the same manner as that animal before the expiration of 24 hours.

As soon as the Juno hove in sight, they released Mr. Benson and his men, and threw the chains overboard; the former, the moment he had regained his liberty, seized the prize master's sword, with which he cut him to pieces, made his way through the crew, severely three, and drove two over the ship's side into the sea; one of whom was afterwards taken up alive by the cutter.

The privateer had 29 men on board, most of whom spoke English, though to the honor of this country, none of them are natives of any part of the English dominions.

ANTWERP, February 4.

General Dumourier arrived here on the 2d from Paris through Flanders, and was saluted by the guns of the place, and those of the ships in the river.

Feb. 7. Advice is said to be received, that Ruemore is taken by the Prussians from the French, and that the French lost a great number of men.—We cannot, however, assert this as fact, as the French at that place are far superior, in every point to the Prussians.