

Printed No. 75, Calle La Defensa and published every Saturday at 2 o'clock p.m. at No. 20 Calle San Martin, where subscriptions are received, and where advertisements and communications may be sent.

Price 40¢ per Quarter, delivered Foreign by the Carriers and 45¢ per Quarter when remitted to our Town Post by the Office; being understood that they will be forwarded by every opportunity, unless stated, Number 45.

CONSTITUTION AND

BUENOS AYRES, SATURDAY, APRIL 29, 1854.

(Established in 1826.)

(No. 1436.)

CONSTITUTION OF THE STATE OF BUENOS AYRES.

CHAPTER FIFTH.

Of the Permanent Commission.

Art. 82.—Before every 18th session, the General Assembly shall name from its respective Chambers, by plurality of votes, a Permanent Commission, composed of five Senators and four Representatives, with an equal number of Substitutes. These having met shall elect their President and Vice-President.

83.—When from indisposition, death or any other impediment, it may be necessary to substitute any of the Senators, the Commission shall select by lot from the three members of the same to supply its place. It shall proceed in the same manner with respect to the four Representatives, and shall continue till the reassembling of the General Assembly.

84.—It attributes shall be: to watch over the observance of the Constitution and in case of its making necessary suggestions and reclamations to the Government, under responsibility to the General Assembly; and in case that the Government should be found to be unavailing, according to the importance and gravity of the matter, to conduct the General Assembly, and finally to inform it in every case of what had occurred during its recess.

85.—The provisions of the preceding article shall be observed especially should the Government propose any law in ordering the election of a President.

86.—To receive the acts of the elections, to see that the members of the electoral tables, and to pass them to the respective Commissions.

87.—To convene in continuation both Chambers for the preparatory Sessions, to examine the electoral acts.

88.—To receive the respective reports accorded to the Chambers in the 47th article.

CHAPTER SIXTH.

Of the formation and session of the Laws.

Art. 70.—Any project of law, except those contained in article 24th, may be introduced in either of the two Chambers, on a motion made by any of their members, or by a proposition of the Executive Power.

71.—The bill, when introduced by the Chamber in which it originated, shall immediately be passed to the other, if not withdrawn its content. It may be approved, modified, or rejected. If approved, it shall be communicated to the Executive Power.

72.—A bill rejected in the Chamber in which it originated, shall not be reconsidered in discussing the same during the period, on the motion of any member of the said Chamber.

73.—Should the Chamber to which it was referred after it, it shall be returned with the corresponding remarks, and should the Committee on the other side wish to reply to that effect, and remit to the Executive Power. But if, without its consent, it should insist on reporting the bill, such as it had been at first rejected, it shall be returned to the President, who, after consulting with a meeting of both Chambers, which shall take place in that of the Senate, shall refer it to the Chamber to which the Senate so decide, and after being discussed vote of two-thirds shall form a resolution.

74.—The same order shall be observed in the case of a bill being rejected entirely, by one of the Chambers to which it was referred.

75.—A bill rejected by the General Assembly shall not be reconsidered during the same legislative period.

76.—Should the Executive on receiving the bills, find any objection, he shall return them with a statement of objections within ten days after his receipt; they shall be returned to the Chamber to which they were referred.

77.—Should it find objections to offer, or remarks to make upon them, it shall return them with same to the Chamber that recommended them within ten days.

78.—In this case, both Chambers having been notified in article 73d, shall be reconsidered, in view of said objections, remarks, and the vote of two thirds of the members of each Chamber, and by a final sanction, which on being communicated to the Executive shall be promulgated without further remark.

79.—Should the deviation be made by the Executive Power, when the bill is rejected, it shall address the Permanent Commission, which may then, according to what it may deem proper, make a declaration of importance of the matter, either in the General Assembly, or receive

the subject till its next ordinary meeting. But should the Executive Power, on making the deviation reclaim the urgency, the Assembly must forthwith be convoked.

79b.—In the sanction of the laws this form shall be used.—The Senate and Chamber of Representatives of the State of Buenos Ayres, met in General Assembly, have sanctioned, &c. &c.

80b.—In any meeting of the General Assembly, the Presidency shall be discharged by the President of the Senate, or that of the Chamber of Representatives, and in their default by the respective Vice-Presidents.

SECTION SEVEN.

CHAPTER SEVENTH.

Of the Executive Power.

Art. 81a.—The Executive Power of the State shall be discharged by a single person, under the denomination of Governor of the State of Buenos Ayres.

82a.—The Governor shall be elected by the General Assembly, at the second meeting after the opening of the Session, by nominal vote and an absolute plurality of four-fifths.

83a.—If from the voting an absolute plurality should not result, it shall be repeated; if it does not result, the voting shall be expressly confined to the two who have obtained the greatest number of votes, and one of equal vote the President shall have the casting vote.

84a.—The Governor in office at the time of adopting this constitution shall continue till the nomination of the Constitutional Governor.

85a.—To be named Governor it shall be requisite to have three five years of age, and to combine the other conditions required by this Constitution for a Senator.

86a.—To be eligible to the office of Governor, the son of a foreigner shall continue till he has been born in a foreign country, whilst the father was discharging any diplomatic or consular office for the State or Nation, shall be considered as born in the State; but he shall not be named Governor until he can reckon three years of uninterrupted residence in the State.

87a.—The Governor shall continue in office for the term of three years, and shall not be re-elected till after an interval of three years; this disposition is not in conformity with the provisions of the Constitution.

88a.—Before entering on the discharge of his office, the Governor Elect shall take the following oath before the President of the Senate, in the presence of the assembled Chambers:—

"I, N. swear by the Lord Our God, and upon those Holy Evangelists, that I will duly discharge the office of Governor of the State, which is confided to me; that I will maintain its liberty, integrity and rights; that I will protect the Catholic Religion; that I will set an example of obedience to the laws of the State, and that I shall be contented those that have been sanctioned, or may hereafter be sanctioned by the Legislature of the State, and that I will faithfully observe and cause to be observed the Constitution."

89a.—The President of the Assembly shall say to him: "If you so do, may God and the Country support you, and otherwise, let the Constitution be your witness."

90a.—In case of the indisposition or absence of the Governor, or whilst proceeding to the nomination in absence of his resignation or removal, the President of the Senate shall exercise the duties annexed to the Executive Power, until another is named in the mean time from those of Senator.

91a.—The Governor in Chief of the general administration of the State, and shall have for its internal and external security.

92a.—He publishes and causes to be executed the laws of the State, and shall direct, facilitating their execution by special regulations and dispositions.

93a.—He may request the extraordinary convocation of the General Assembly, when circumstances or motives of gravity so demand.

94a.—At the opening of the Legislature, he shall appear as its President, and shall administer the State, and the reforms he may consider worthy of attention.

95a.—At the opening of each session, the necessary orders for the corresponding elections of Senators and Representatives; and shall on the same occasion, and without the consent of the General Assembly.

96a.—The Governors of the State may present objections and other remarks on the bills coming by the Executive Power, as prescribed in the preceding Chapter, and sus-

pend their promulgation till the resolution of the Chambers.

97a.—He may also propose to the Chambers drafts of law, or modifications to those previously dictated.

98a.—It is the prerogative of the Governor of the State, to appoint and dismiss the Minister or Ministers of his general despatch, and the dependants of the Public Offices.

99a.—To appoint to civil and military offices, in conformity with the Constitution and Laws. For that of Colonel, and other higher grades, the consent of the State shall be requisite.

100a.—On change, with concurrence of his Minister or Ministers, the employes of his dependence; but in case of dismissing them for any crime, he shall pass the offenders to the tribunals of justice, that may be tried in conformity with the law.

101a.—He is the Superior Chief of the military force of the State, and on him its direction exclusively depends, but he shall not command it in person without the previous permission of the General Assembly, granted by at least two-third parts.

102a.—To exercise the patronage with respect to the churches, benefices, and clergy dependent upon him in conformity with the law, he presents the names of a list of three proposed by the Senate.

103a.—He dispenses letters of citizenship of the State, in conformity with the qualifications prescribed in this Constitution.

104a.—He is the supervisor of the public rents, and their inversion agreeably to the law.

105a.—It is his obligation to present annually to the General Assembly, the Estimate of ways and means for the ensuing year, and to use the proceeds of the same in accordance with the law prescribing it.

106a.—He shall not pass any order without the signature of some accompanying Minister, and without this requisite no one is bound to obey.

107a.—He shall not grant salary or pension to any one, except on such grounds as the law expressly designates.

108a.—He shall not absent himself from the Capital for more than thirty days, nor from the territory of the State during the period of his command, without the previous consent of the General Assembly by a vote of two-thirds.

109a.—If any commote capital punishment, with previous information of the Tribunal, when grave and powerful motives intervene, less than twenty-four hours before its recess to the Permanent Commission.

110a.—He names the Diplomatic and Consular Agents of the State.

111a.—In case of internal commotion, or external invasion, he may decide in part, or since the whole or part of the State, without this importing a grant of further powers to the Executive, than to remove individuals from one point to another, and even to arrest them, giving account within twenty-four hours to the General Assembly, and during its recess to the Permanent Commission.

112a.—The dispositions contained in the 100th, 101st, 103rd and 110th articles, shall not take effect until they are sanctioned by the vote of the Nation.

113a.—He shall receive for his services the gratiation established by law, which shall neither be increased nor diminished during the time of his command.

CHAPTER EIGHT.

Of the Ministers or Secretaries of the General Despatch.

Art. 113b.—The despatch of the affairs of the State shall be directed by Ministers or Secretaries, which shall not exceed three with their respective Offices.

114b.—The Ministers or Secretaries shall depend under the immediate orders of the Governor; they shall countersign his resolutions, without which requisite they shall not take effect, and shall be executed, but they may despatch by themselves, in what concerns the management of their respective Departments.

115b.—They shall be responsible with the Governor for all the orders they countersign against the Constitution, and they shall they be held exempt from responsibility from having been ordered to countersign them.

116b.—To be a Minister, it is requisite, to be a citizen in exercise, and 24, to have thirty years of age, and to be of legal age.

Foreign Intelligence.

THE EMPEROR NAPOLEON AND THE EMPEROR NICHOLAS.

The following is the text of the circular issued by the Minister of Foreign Affairs to the diplomatic agents of the Emperor—

"Paris, March 5, 1854.

"Sir,—You are now cognizant of the answer of the Emperor Nicholas to the letter of the Imperial Majesty, and you have also read the manifesto which the former so graciously addressed to his people. The publication of these documents has destroyed the last hopes which might have been entertained of a peaceful solution of the crisis which is his Majesty's acquired honor by the firmness with which it had refused support to European mediation, now opens the way to passions and chances. The government of the Emperor is deeply interested in the fidelity of its efforts and the ill-success of its moderation, but, on the eve of the great struggle, which has not yet broken out, the patriotism of the French nation will enable him to assist, he feels it necessary once more to address to his Majesty, for the results it will have to account for those who are addressing the Emperor, and to place the whole weight of it upon that result to history."

"I shall have to account for those who are addressing the Emperor, and to place the whole weight of it upon that result to history. I know, render my respects to the Emperor, and with the certainty that I am not saying one word which is not dictated by my conscience.

117b.—It is his obligation to present annually to the General Assembly, the Estimate of ways and means for the ensuing year, and to use the proceeds of the same in accordance with the law prescribing it.

118b.—He shall not pass any order without the signature of some accompanying Minister, and without this requisite no one is bound to obey.

119b.—He shall not grant salary or pension to any one, except on such grounds as the law expressly designates.

120b.—He shall not absent himself from the Capital for more than thirty days, nor from the territory of the State during the period of his command, without the previous consent of the General Assembly by a vote of two-thirds.

121b.—If any commote capital punishment, with previous information of the Tribunal, when grave and powerful motives intervene, less than twenty-four hours before its recess to the Permanent Commission.

122b.—He names the Diplomatic and Consular Agents of the State.

123b.—In case of internal commotion, or external invasion, he may decide in part, or since the whole or part of the State, without this importing a grant of further powers to the Executive, than to remove individuals from one point to another, and even to arrest them, giving account within twenty-four hours to the General Assembly, and during its recess to the Permanent Commission.

124b.—The dispositions contained in the 100th, 101st, 103rd and 110th articles, shall not take effect until they are sanctioned by the vote of the Nation.

125b.—They shall receive for his services the gratiation established by law, which shall neither be increased nor diminished during the time of his command.

CHAPTER NINE.

Of the Ministers or Secretaries of the General Despatch.

Art. 113b.—The despatch of the affairs of the State shall be directed by Ministers or Secretaries, which shall not exceed three with their respective Offices.

114b.—The Ministers or Secretaries shall depend under the immediate orders of the Governor; they shall countersign his resolutions, without which requisite they shall not take effect, and shall be executed, but they may despatch by themselves, in what concerns the management of their respective Departments.

115b.—They shall be responsible with the Governor for all the orders they countersign against the Constitution, and they shall they be held exempt from responsibility from having been ordered to countersign them.

116b.—To be a Minister, it is requisite, to be a citizen in exercise, and 24, to have thirty years of age, and to be of legal age.

117b.—It is his obligation to present annually to the General Assembly, the Estimate of ways and means for the ensuing year, and to use the proceeds of the same in accordance with the law prescribing it.

118b.—He shall not pass any order without the signature of some accompanying Minister, and without this requisite no one is bound to obey.

Advertisements received till Friday at noon and inserted with the greatest care and attention at the following rates: Not exceeding 25 lines, one insertion 12¢ and each subsequent insertion 12¢. Those exceeding six lines, four times per line for the first, and two for each subsequent insertion. Notices from the National Association, and other subjects of general interest, notices as to Public Schools, Churches, Hospital, Benevolent and Beneficial Societies, &c.—Gratis.

