

nature of the objects, without being prevented by their opinion to the contrary: for this purpose he shall keep a register of deliberations, in which the motives shall be transcribed and signed, a copy of which shall be immediately forwarded to the Minister.

6. Every three months a formal duplicate of all the deliberations held in common shall be likewise addressed to the Minister.

7. The power of granting the vacant lands of Louisiana belongs to the Captain General, in concurrence with the Colonial Prefect, conforming to the established regulations; in case of a difference of sentiment, the voice of the Captain General shall preponderate, the whole subject to the approbation of government.

8. The Captain General nominates, after the delay of ten days, *ad interim*, to all vacancies in all parts of the administration and of the judiciary order, on the respective presentations of the Colonial Prefect or of the Commissary of Justice, each as concerns himself.—This presentation refers only to places to which government nominates directly in France, and not to interior employments.

9. All the nominations thus made by the Captain General in the military department, in the administration and judiciary orders, shall not be definitive until confirmed by the First Consul.

10. No place in the different departments of the service can be created but by a decree of the Consuls.

11. All commands, orders and proclamations, emanating from the immediate authority of the Captain General, shall always be prepared with these words: *In the name of the French Republic.*

12. The Captain General, in case of death, or absence out of the colony, shall, *ad interim*, be replaced by the Colonial Prefect. In case both are at the same time absent, the second General Commandant in Louisiana shall have the authority of Captain General.

TITLE II.

Of the Colonial Prefect.

Art. 13. The Colonial Prefect has under his direction the administration of the finances, the general accounts, and the destination of the officers of the administration in Louisiana.

14. The Colonial Prefect is exclusively charged in Louisiana, with the civil administration and the superior Police of the Colony; with all that comprehends the levy of contribution, receipts, expences, accounts, customs, the pay and maintenance of the troops, the appointments of the different esta-

blishments, magazines, supplies, consumption, leases and rents, sales and purchases, hospitals, baths, salaries of workmen, public labours, ferries and ferry boat, national domains, affairs concerning emigrants, the distribution of waters, maritime inscriptions, the police of navigation, agriculture and commerce, verification of goods, suppression of contraband trade, division of prizes, the marine invalids, the government of the Blacks, public instruction, public worship, privileges of the press; and generally whatever has heretofore been attributed to the Intendants or Magistrates in particular, or that has been assigned to them in common with the Governor General; so far, nevertheless, as is not derogatory to the present Arrêt.

15. The Accountants and all the civil employments of the administration are under the orders of the Colonial Prefect of Louisiana.

16. The officers of administration, exercise, under his authority, the functions of Sub-prefects and Commissaries of the marine and war, in the departments (arrondissement) of the colony assigned to them.

17. With regard to the assessment of the contributions which shall be levied by the government, the Prefect cannot proceed therein, until after having consulted three principal inhabitants and three principal merchants of the colony, who, nevertheless, shall only have a deliberative voice. A proces-verbal of their opinion shall be prepared to be forwarded to the minister.

18. The Colonial Prefect, the Sub-Prefects and heads of administration, may require the military force (gendarmerie)—to execute their mandates; indeed, more ample force if necessary, which cannot be refused.

TITLE III.

Of the Commissary of Justice.

23. The Commissary of Justice shall have the superintendance of the tribunals of Louisiana and that of the ministerial officers, established by them: He shall take care that strict account of their proceedings shall be rendered to him, by the Presidents of the Tribunals, and by the Commissaries of Government.

24. He shall exercise the greatest care towards a prompt distribution of justice, as well in civil as criminal cases; he shall likewise provide for the safety and salubrity of the public prisons.

25. He shall preside in the tribunals whenever he may think proper, and shall have a deliberative voice.

26. He shall direct the safe keeping of the records and deposits of the civil acts, and superintend the execution of the laws, tariffs