

**CONSTITUTIONAL
AND ORGANIC
LAWS OF FRANCE**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649349906

Constitutional and Organic Laws of France by Charles F. A. Carrier

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

CHARLES F. A. CURRIER

**CONSTITUTIONAL
AND ORGANIC
LAWS OF FRANCE**

37-2

SUPPLEMENT TO THE
ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE.
MARCH, 1893.

46206

CONSTITUTIONAL AND ORGANIC
LAWS OF FRANCE,

TRANSLATED WITH

AN HISTORICAL INTRODUCTION

BY

CHARLES F. A. CURRIER,

MASS. INSTITUTE OF TECHNOLOGY.

PHILADELPHIA :

AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE.

1893.

NOTE.

This Constitution, by means of the numbers at the bottom of the pages, is paged continuously with the Constitution of the United States of Mexico, which was the first article in Volume II. of the ANNALS, and was issued in a separate edition as No. 27 of the Publications of the Academy, and the Constitution of the Republic of Colombia, which was sent as a Supplement to the January, 1893 ANNALS, and was also issued as No. 79 of the Publications of the Academy.

OUTLINE OF CONTENTS.*

CONSTITUTIONAL LAWS.

FEBRUARY 25, 1875.—ON THE ORGANIZATION OF THE PUBLIC POWERS. *p 44 (160)*

ARTICLE.

1. Legislative power. Two houses. Election of chamber of deputies. Composition and election of senate.
2. Election and term of president.
3. Powers of president.
4. Appointment and dismissal of councillors of state.
5. Dissolution of the chambers by the president.
6. Responsibility of ministers; of the president.
7. Election of a new president in cases of vacancy. Executive power until such election.
8. Revision of the constitutional laws.
9. [Seat of executive power and chambers.]†

FEBRUARY 24, 1875.—ON THE ORGANIZATION OF THE SENATE. *p 46 (162)*

1. [Number and election of senators.]†
2. [Distribution of senators.]†
3. [Qualifications of senators.]†
4. [Manner of electing senators chosen by the departments and colonies.]†
5. [Manner of electing senators by the Assembly.]†
6. [Term of senators elected by the departments and colonies. Renewal by thirds.]†
7. [Term of senators elected by the Assembly. Vacancies.]†
8. Legislative powers of the senate.
9. Judicial powers of the senate.
10. Date of elections for and of organization of senate.
11. Date for promulgating this law.

JULY 16, 1875.—ON THE RELATIONS OF THE PUBLIC POWERS. *p 46 (162)*

1. Date for assembling of senate and chamber. Length of session. [Public prayers.]†
2. Closure of session by president. Rights and duty of president in regard to convening and adjourning the chambers.
3. Meeting of chambers in national assembly to elect a new president. Case of death or resignation of president. Case of vacancy in presidency during a dissolution of the chamber.
4. Illegal meetings of the chambers.
5. Public and secret sessions.
6. Messages from the president. Right of ministers to take part in debates.

* This Outline of Contents has been prepared by the Editors of the ANNALS.

† Repealed.

7. Promulgation of laws by the president. New discussion before promulgation.
8. Treaties, negotiation and ratification of. Vote of chambers on certain treaties. Cession, exchange or annexation of territory.
9. Declaration of war.
10. Rights of chambers over their members.
11. Bureaus of the chambers; of the national assembly.
12. Impeachment of president and ministers. Trial of persons accused of attempts on the safety of the State.
13. Freedom of members from responsibility for opinions or votes.
14. Freedom from arrest.

JUNE 21, 1879.—REVISING ART. 9, OF THE LAW OF FEBRUARY 25, 1875. *P. 51 (167)*

1. Article 9 repealed.

AUGUST 14, 1884.—PARTIALLY REVISING CONSTITUTIONAL LAWS. *P. 51 (168)*

1. Amendment of Paragraph 2 of Article 5 of the Law of February 25, 1875.
2. Addition to Paragraph 3 of Article 8 of the same law. Revision of Republican form of Government prohibited. Persons ineligible to presidency.
3. Articles 1-7 of Law of February 24, 1875, no longer constitutional in character.
4. Repeal of Paragraph 3 of Article 1, of the Law of July 16, 1875.

ORGANIC LAWS.

AUGUST 2, 1875.—ON THE ELECTION OF SENATORS. *P. 51 (169)*

1. Date for election. Interval between choice of delegates and the election.
2. Election of one delegate by each municipal council and of one alternate. Persons ineligible and persons eligible to election as delegates.
3. Election in communes where municipal committees exist.
4. Notification of and acceptance by delegate.
5. Official report of election.
6. Statement of results of election. Rights of electors to obtain lists of municipal councilors.
7. Protests against legality of elections. Request of prefect to have election set aside.
8. Decision of legality of election. Case of annulment of election of delegate. Case of annulment of election of both delegate and alternate.
9. Arrangement of list of electors.
10. Persons enrolled on list.
11. Composition of electoral college in Algeria.
12. Bureau of electoral college.
13. Duties of Bureau.
14. Hours for balloting. Determination, and announcement of results of balloting.
15. Necessity for an absolute majority on first two ballots or a plurality on the third. Choice in case of a tie.
16. I.-III. Rules for political meetings for nomination of Senators.
17. Remuneration of delegates.

18. Fines on delegates and alternates.
19. Punishment of attempts to influence electors by corrupt methods.
20. I.-III. Offices incompatible with that of senator.
21. I.-XII. Persons ineligible to election as senators.
22. Choice of his department by a senator elected from more than one.
23. Filling of vacancies when the number of senators in a department is reduced one-half.
24. [Election of senators by National Assembly.]*
25. [Election of successors to senators chosen by virtue of Art. 7 of Law of February 24, 1875.]*
26. Salary of senators.
27. Application of provisions of electoral law to elections of senators.

Temporary Provisions.

28. Date for first election of senators. Election of senators by National Assembly.
29. Cases in which provisions of Art. 21 shall not and shall apply.

NOV. 30, 1875.—ON THE ELECTION OF DEPUTIES. P. 58 (176)

 1. Persons who shall vote for deputies. Rules for registration on the supplementary list. Appeals. Time the electoral lists shall serve.
 2. Restriction on soldiers' voting.
 3. Posting and distribution of circulars and platforms. Distribution of ballots. Persons forbidden to distribute circulars, platforms or ballots. Application of provisions of Art. 19 of Law of August 2, 1875, to election of deputies.
 4. Length of time for and place of balloting. Date of and rules for second ballot.
 5. Method of voting. Secret ballot. Deposit of voting list.
 6. Persons eligible without tax qualification.
 7. Prohibition on soldiers or sailors becoming deputies. Exceptions to this rule.
 8. Prohibition on deputies holding other public office. Exceptions to this rule.
 9. Additional exceptions to Art. 8.
 10. Restoration of former office-holders to their office after expiration of term as deputy. Right to retiring pension when an office-holder is elected deputy. Regulation of such pension. Laws to apply to officials restored to office. Retention of rank when public office is given up by deputy.
 11. Deputies cease to be such when appointed to salaried public position. Re-election as deputy. Exceptions to first paragraph.
 12. I.-X. List of persons ineligible to election as deputy.
 13. Imperative mandates.
 14. Election by single districts. Distribution of deputies.
 15. Term of deputies.
 16. Elections to fill vacancies.
 17. Salaries of deputies.
 18. Necessity for a majority on the first ballot or a plurality on the second. Choice in case of a tie.

* Repealed.

19. Number of deputies from Algeria.
20. Registration of voters in Algeria. Establishment of electoral districts in Algeria.
21. Number of deputies from colonies.
22. Fine for violation of Par. 3 of Art. 3. Extension of application of provisions of Art. 6 of Law of July 7, 1874. Repeal of certain decrees and laws. Continuation in force of laws not in conflict with this.
23. Cases in which Art. 12 shall and shall not apply.

JULY 22, 1879.—RELATING TO THE SEAT OF THE EXECUTIVE POWER AND OF THE CHAMBERS AT PARIS. P. 65 (183)

1. Seat of executive power and chambers.
2. Palaces assigned to senate and chamber. Right to choose other places.
3. Continuation of present arrangements at Versailles. Place of sitting of National Assembly. Place of sitting of senate as a court of justice.
4. Date of change from Versailles to Paris.
5. Duty of presidents of chambers. Right to call on armed force. Necessity of obeying such a call. Right to delegate this authority.
6. Petitions to be in writing.
7. Penalties for violating Art. 6.
8. Limitation on preceding provisions.
9. Application of Art. 463 of the penal code.

DECEMBER 9, 1884.—AMENDING THE ORGANIC LAWS ON THE ORGANIZATION OF THE SENATE AND THE ELECTIONS OF SENATORS. P. 71 (185)

1. Number of senators. Term of present senators.
2. Distribution of senators among the departments and colonies.
3. Process to be followed in departments where there is an increase in the number of senators. Term of office of the new senators.
4. Qualifications of senator. Persons ineligible.
5. Soldiers ineligible to election as senators. L-IV. Exceptions to the above.
6. Mode of electing senators.
7. Term of senators. Triennial renewal of senate.
8. Amendments to certain articles, etc., in Law of August 2, 1875.
9. Repeal of certain articles in Laws of February 24, 1875, and August 2, 1875.

Temporary Provisions.

Law to apply at next election. Establishment of right to a retiring pension.

JUNE 16, 1885.—AMENDING THE ELECTORAL LAW. P. 74 (192)

1. [Mode of electing deputies.]*
2. [Distribution of deputies.]*
3. [Department, the electoral district.]*
4. Persons ineligible to be elected deputies.

* Repealed.

5. Necessity of a majority on the first ballot or a plurality on the second. Choice in case of a tie.
6. Date for general elections.
7. Filling of vacancies.

DECEMBER 26, 1887.—ON PARLIAMENTARY INCOMPATIBILITIES. *P. 75 (193)*

Law to apply temporarily to senatorial elections. Establishment of right to a retiring pension.

FEBRUARY 13, 1889.—RE-ESTABLISHING SINGLE DISTRICTS FOR THE ELECTION OF DEPUTIES. *P. 75 (193)*

1. Repeal of certain articles of Law of June 16, 1885.
2. Single districts. Size of districts.
3. Distribution of deputies among the colonies.
4. Filling of vacancies.

JULY 17, 1889.—ON MULTIPLE CANDIDATURES. *P. 96 (194)*

1. Prohibition on multiple candidatures.
2. Declaration of district for which one is candidate.
3. Void declarations.
4. Prohibition against aiding candidates who have violated this law.
5. Throwing out of ballots for such candidates and seizure of their placards, etc.
6. Fine on candidates and others violating this law.