

1815, declares that "The trading flag of the United States of the Ionian Islands shall be acknowledged by all the contracting parties as that of a free and independent state." And "the commerce between the United Ionian States and the dominions of his Imperial and Royal Apostolic Majesty shall enjoy the same advantages and facilities as that of Great Britain with the said States. None but commercial agents or consuls charged solely with the carrying on of commercial relations, and subject to the regulations to which commercial agents or consuls are subject in other independent states, shall be accredited to the United States of the Ionian Islands."

The principal islands will be found described under their several heads.—

As it is more than probable that these States may become in the course of a few years of considerable importance in the hands of the English from changes which may be predicted in the state of Europe as far as regards the Ottoman empire, we think that consideration will justify us in filling a few pages with the "constitutional chart," ordered to be printed by the House of Commons 18th March, 1818, particularly as few publications will yet possess it; and also as it may give our readers generally a clear idea of constitution-making.

Constitutional Chart of the United States of the Ionian Islands, as agreed on and passed unanimously by the Legislative Assembly, on the 2d of May, 1817.

Chapter I.—General Organization.

1. The United States of the Ionian Islands are composed of *Corfu, Cephalonia, Zante, Santa Maura, Ithaca, Cerigo, and Paxo*, and the other smaller islands, situated along the coast of Albania and the Morea, which formerly belonged to the Venetian dominions.

2. The seat of the general government of the United States of the Ionian Islands is declared to be permanently fixed in the capital of the island of Corfu.

3. The established religion of these states is the orthodox Greek religion; but all other forms of the christian religion shall be protected, as hereinafter stated.

4. The established language of these states is the Greek; and in consequence, it is hereby declared to be an article of primary importance, that the language of the nation should become, as soon as possible, that, in which all the records of government should be held, all process of law alone, conducted, and in fact, the sole recognized language for official proceedings within these states.

5. It being impossible, however, from the circumstances of the case, to carry

the above principle into immediate effect, the whole business of the country having been hitherto conducted principally in the Italian language; it is ordained, that during the first parliament, the Italian shall be the language in which all public business is to be conducted, save and except in the instances of the minor courts of law, where it may be judged expedient by the government to introduce the native language, with a view to its encouragement and general propagation.

6. With a further view, at once to encourage the propagation of the languages of the protecting and protected states, his highness the President of the senate shall be bound, within six days after the first meeting of any parliament, to send down to the legislative assembly, a project of a law, to be therein discussed, relative to how far it may be possible to extend the native language to other departments, or to the whole of the government; and it is to be clearly understood, that whenever a law is passed, declaring the Greek language to be the sole official language, that the only other language that can be made use of in copies, or otherwise, is that of the protecting power, viz.—the English.

7. The civil government of these states shall be composed of a legislative assembly, of a senate, and of a judicial authority.

8. The military command in these states being placed, by the treaty of Paris, in the hands of his Majesty's commander in chief, it remains with him.

9. The legislative assembly shall be elected in manner and form hereinafter laid down, from the body of the noble electors.

10. The senators shall be elected out of the body of the legislative assembly, in manner and form as may hereinafter be directed.

11. The judicial authority shall be selected by the senate, in manner and form as shall hereinafter be directed.

12. These elections, and all other civil appointments, shall be valid for the period of five years, except as may be hereinafter provided for.

13. At the expiration of five years, all appointments of right fall to the ground, and the new election of the new legislative assembly shall take place on the day of the expiration of the term of five years; but his highness the president of the senate, and the senators, the regents of the local governments, the judges, together with all the ministerial officers in the various departments, shall continue to exercise their duties; the

first till replaced by the new senate and president; the second till relieved by the new regents; the judges and ministerial officers, till removed or re-appointed by the proper authority.

14. When the legislative assembly holds a session at the seat of government, the civil authority shall be termed the parliament of the United States of the Ionian Islands; and such session, being the first, shall be termed the First Session of the First Parliament.

15. The second parliament, and the subsequent sessions, shall be styled numerically in the same manner.

16. All acts of the legislative assembly, of the senate, and generally of all the departments of government, shall be registered according to the parliament and session in which they may have been enacted, or otherwise carried into effect.

17. During the first parliament an annual session shall take place, of right, the first day of every March, and shall continue in activity for three months; but such sessions may be prolonged beyond the said three months, in the event of necessity, for a period to be declared by the senate and approved of by his excellency the lord high commissioner of the protecting sovereign.

18. In every subsequent parliament a session shall take place, of right, on the 1st day of March in every two years, and shall continue in activity for the same period, as stated in the preceding article.

19. The power of assembling and proroguing parliament, on an emergency, shall be vested in his excellency the lord high commissioner of the protecting sovereign; but parliament cannot be prorogued for a longer space than six months.

20. The power of dissolving parliament on any special emergency, shall be solely vested in his Majesty by an order in council.

21. On parliament being prorogued, the session of the legislative assembly shall forthwith cease for the period of prorogation; and all bills and acts of every kind, not completely carried through the parliament, shall fall to the ground.

22. When the parliament is dissolved, all bills and acts of every kind, not completely carried through, fall equally to the ground.

23. The public instruction of youth being one of the most important points, connected with the prosperity and happiness of any state; and it being of the utmost importance, both to the morals and religion of the country, that its pastors in particular should receive a

liberal and adequate education, it is hereby declared to be a primary duty, immediately after the meeting of parliament, subsequent to the ratification of this constitutional chart by his Majesty the protecting sovereign, that measures should be adopted by the parliament for the institution, in the first place, of primary schools, and subsequently for the establishment of a college for the different branches of science, of literature, and of the fine arts.

Chapter II.—The Senate.

Section 1st.—General.

1st. The executive power in the United States of the Ionian Islands shall be vested in a senate composed of six persons, viz. five members and a president.

2nd. The style and title of the president shall be his highness the president of the senate of the United States of the Ionian Islands; that of the other senators, the most illustrious (Præstantissima).

3rd. His highness the president of the senate of the United States of the Ionian Islands, shall take rank of all other persons being natural born subjects of the Ionian states. The most illustrious the senators shall take rank next to the president, save and except as may be hereinafter provided.

4th. It is agreed upon and declared, that his highness the president of the senate of the United States of the Ionian Islands, shall at all times enjoy the same military honours as his excellency the lord high commissioner of the protecting sovereign; and that the most illustrious the senators shall receive those of a major-general.

Section 2.—Mode of Election.

1st. The nomination of his highness the president of the senate of the United States of the Ionian Islands, is conceded to His Majesty the protecting sovereign, through the medium of his lord high commissioner, he being a natural born noble subject of the Ionian states.

2nd. The most illustrious the senators, shall be elected by the members, and out of the body of the legislative assembly, in the proportion and manner following:—

Island of Corfu	- - - - -	One.
Cephalonia	- - - - -	One.
Zanté	- - - - -	One.
Santa Mauræ	- - - - -	One.
Paxo, Ithaca, Cerigo	- - - - -	One.

3rd. The power of placing any individual of the legislative assembly in nomination as a senator, to be voted on by the members of the legislative assembly, shall be vested in the most illustrious the president of that assembly, under the following restrictions:—

1st. He shall place no person in nomi-

nation to be voted on, where an application has not been made to him in writing, signed at least by four members of that body and himself, demanding such nomination.

2nd. He shall place in nomination any person where eight members of the said assembly make a similar demand, and upon the members so nominated, the legislative assembly shall proceed to vote, *viâ voce*, and the majority of votes taken down in writing by the secretaries, shall decide the election, the most illustrious the president of the legislative assembly, or in his absence or indisposition, the member executing his functions, having, in the event of equality of votes, the casting vote.

4th. The most illustrious the senators shall be elected within three days at the farthest, after the first meeting of the legislative assembly, the election taking place in the following rotation; viz.

1st,	-	-	Corfu.
2nd,	-	-	Cephalonia.
3rd,	-	-	Zanté.
4th,	-	-	Santa Mauræ.
5th,	-	{	Ithaca.
			Cerigo.
			Paxo.

5th. Within twenty-four hours subsequent to the election of a senator for any island or islands, the same shall be transmitted by the most illustrious the president of the legislative assembly, to his excellency the lord high commissioner of the protecting sovereign, who shall within twenty-four hours transmit back to the legislative assembly, through the means of the most illustrious the president, either his approbation or his direct negative to such election.

6th. The lord high commissioner approving of the election, the senator so elected shall be the senator for the island or islands for which he is chosen. In the event of a negative, the election shall fall to the ground; and the legislative assembly shall forthwith proceed to the election of another member of their own body, in manner and form as already prescribed.

7th. On this new election taking place, it shall again be transmitted to his excellency for his approbation or negative; and in the event of his again sending down to the legislative his negative, the election shall fall to the ground; and in this event, his excellency shall transmit within twenty-four hours the names of two members of the legislative assembly, belonging to the island or islands for which the election is to take place, when the legislative assembly shall elect, by a majority of votes, one of the said two members; and this election shall be final.

8th. The most illustrious the members of the senate shall remain in office five years; his highness the president of the senate half that period. But it shall be competent for his excellency the lord high commissioner of the protecting sovereign, either to name another, or re-appoint the same person for a second period of the same duration, save and except as may hereinafter be provided.

Section 3.—Mode of Proceeding and Powers.

The six distinguished persons composing the senate shall decide every question brought before them by a majority of votes; and in the event of an equality of votes, his highness the president shall have the casting vote.

2. The initiative in the senate shall be vested alone in his highness the president. But each senator shall be permitted verbally, and once only in the same session of parliament, to propose to the senate any project on any subject, with the view that his highness the president may submit the said project to be discussed by the senate.

3rd. In the event of his highness the president declining to submit the said project to the senate, the senator in that case, who originally proposed it, may submit it in writing, provided, in addition to his own name, such proposal is signed by another senator; and the proposition, in this form, shall be transmitted by the president to the lord high commissioner, and if approved by him, it shall be, without any alteration whatever, submitted to the discussion of the senate in the usual manner, by the president. If disapproved of by the lord high commissioner, it shall fall to the ground.

4th. In the event of the indisposition or necessary absence of his highness the president, the lord high commissioner shall name one of the other senators to execute the functions of president, till his highness's return or recovery; and the senator so named for the time, shall be styled, the most illustrious the vice president.

5th. In the event of the indisposition or absence of any member of the senate, it shall possess the power of appointing, for the time, one of the legislative assembly then at Corfu, to execute his functions till his recovery or return, such appointment being subject to the same affirmative or negative, on the part of the lord high commissioner, and to the same proceeding, in every way, as in the instance of the original election of senators; and in the event of the lord high commissioner nominating a temporary president, as stated in the preceding ar-

ticle, the place of the senator so named shall be filled, *pro tempore*, in a similar manner.

6th. In the event of the death of the president of the senate, the lord high commissioner shall be bound, within three days, to nominate a new president of the same.

7th. In the event of the death of any of the senators, if the parliament be sitting at the time, it shall proceed, within three days, to the election of a new senator in the manner heretofore directed. If the parliament be not sitting, the senate shall proceed forthwith to appoint a senator *pro tempore*, till the next meeting of parliament, in the manner directed in article 5; and at the said next meeting of parliament, the election of the new senator shall take place.

8. The senate shall possess the right to name its own ministerial officers, with the exception as shall be hereinafter stated, and shall divide itself into three departments; viz. 1st, general; 2d, political; 3d, finance.

9. The first department shall consist of his highness the president, and one of the said members; the second and third of two members each. To each of these departments shall be attached a secretary; the secretaries in the political and finance departments being native born subjects of the Ionian States.

But the appointment of the secretary in the general department is reserved for the nomination of his excellency the lord high commissioner of the protecting sovereign; and such secretary may be either a natural born British or Ionian subject.

10. The distinct duties of the three departments shall be as follows:

The general department shall regulate all the necessary and minute details relative to the general administration of the government, which either may be so minute as not to require the immediate attention of the senate in its collective body, or may demand immediate execution.

The political and financial departments shall in like manner possess similar powers; but no act of any department shall be held ultimately valid, till approved of by the senate in its collective capacity; and all acts shall be submitted to the senate in that capacity, the first meeting after such acts shall have been adopted by any of the departments, nor shall any such act of the senate be held valid, unless the proceeding be signed by the secretary of the department to which it belongs, and the secretary of the general department.

11. The daily proceedings of the senate,

in its collective capacity, shall be transmitted through the secretary of the general department, to the lord high commissioner for his information; and all papers and reports submitted to the senate are to be daily transmitted in a similar manner, and through the same channel, to the lord high commissioner.

12. The senate, although possessing the power of naming its own ministerial officers, with the exception of the secretary to the general department, shall present within three days after its formation to the legislative assembly, a correct list of all its ministerial officers, together with the proposed salaries attached to each, for the consideration, in point of numbers and amount of salary, of that assembly, subject to the approbation of his excellency the lord high commissioner of the protecting sovereign.

Nor shall the senate possess the authority, subsequent to this list being approved of, and placed upon the general civil list, of altering or increasing it, save and except in the instance and under the provisions hereinafter stated.

13. The senate shall possess the power of nominating to all the situations under the general government; the regents to the different local governments; the judges in all the islands, and generally to all situations, except merely municipal ones, under the restrictions and reservations hereinafter stated.

14. The senate shall possess the authority of proposing any law to the consideration of the legislative assembly, and such law so transmitted by the senate, shall be received and taken into consideration accordingly, within the period hereinafter stated; and any law sent down by the senate to be considered by the legislative assembly, if agreed to in that assembly, by a majority of votes, shall be considered as a law, if it meets with the approbation hereinafter stated on the part of the lord high commissioner, or is not subsequently cancelled by an order of his Majesty in council.

15. The senate shall possess the power, after a bill has passed the legislative assembly, of putting a direct negative on the said bill, stating its reasons for so doing, and transmitting them within three days to the legislative assembly; when such act so passed shall fall to the ground, nor can it again be introduced in the same session.

16. During the recess of parliament, the senate shall possess the power of making regulations, having, *pro tempore*, the force of laws; but no such regulations shall be valid without the approbation of his excellency the lord high commissioner; and all such temporary regulations

shall be submitted, the first day the ensuing session, to the legislative assembly for its consideration. If approved of in that assembly, they shall be considered as the law from the date of their proclamation; if disapproved of, in manner and form as hereinafter stated, they shall fall to the ground; but the acts done under them in the intervening space, between the time when they were originally issued by the senate, and the disapproval by the legislative assembly, shall be held valid.

17. The senate shall possess the power of establishing rules and regulations for the guidance of its own proceeding, provided such rules and regulations meet with the sanction of his excellency the lord high commissioner of the protecting sovereign, and do not interfere with the provisions of the constitutional chart, or with the established law of the land.

Chapter III.—Of the Legislative Assembly.

Section 1.—General.

1. The legislative assembly of the United States of the Ionian Islands shall consist of forty members, including the president.

2. The most illustrious the president of the legislative assembly shall enjoy the honours of a senator: The style and title of the members shall be "Most Noble" (Nobilissimi).

Section 2d.—Mode of Election.

1. On the meeting of a new parliament, the president of the primary council shall be president of the legislative assembly, till the new senate is formed, and till the future president of the legislative assembly be elected.

2 This election shall take place the day after that of the senators is completed, and the rules laid down in chapter 2d, section 2d, relative to the election of senators shall in all instances apply to the election of the president.

3. The most noble the forty members of the legislative assembly shall be composed of eleven integral members, and twenty-nine to be elected.

4. The eleven integral members shall, in the instance of parliament dying a natural death (that is in all usual cases where it runs its full term of five years) consist of the president and members of the old senate, of the four regents of the great islands during the late parliament, and of one of the regents of the smaller islands, taken in the following rotation; viz.

Ithaca, Cerigo, Paxo.

In the instance of a dissolution of parliament, the primary council shall uniformly consist of the president and members of the old senate, and five of the late legislative assembly, to be named

by the lord high commissioner within three days of the period when the dissolution of the parliament takes place.

6. The twenty-nine members to be elected, shall be furnished from the various islands in the following proportions; viz.

Corfu.....	7.
Cephalonia.....	7.
Zanté.....	7.
Santa Mauræ.....	4.
Ithaca.....	1.
Cerigo.....	1.
Paxo.....	1.

But each of the three last in the rotation in which they stand (exclusive of that island whose regent becomes an integral member of the legislative assembly) shall elect a second.

7. The most noble the members of the legislative assembly to be elected by the various islands, shall be elected out of the body of the synclitæ of the island to which such election may belong.

8. The election by the synclitæ shall be made on a double list, formed and transmitted to them to vote on in manner following:

This double list shall be made by the members of the new primary council, and in the instance of parliament dying a natural death, with a view to prevent any possibility of delay (some of the members of the new primary council, viz. the five regents being absent from the seat of government) its functions upon this head shall commence six months antecedent to the death of the parliament, in order that the most illustrious the regents of the different islands may have full time to correspond with the senate on the subject; and the mode of selecting the names for such double list shall be by a majority of votes of the new primary council.

9. On the double lists being completed, the president of the council shall transmit a copy of the said lists, signed by himself, to the most illustrious the regents of the different islands, so as to arrive at the island to which they may belong, at least fourteen days antecedent to the death of the parliament, and upon these lists the regent of the island shall proceed.

10. Whereas in article 13, chapter 1, provision is made for the time of the new elections taking place upon the natural death of parliament, but no provision is made relative to the time of election on the dissolution of parliament: on any such emergency, the new elections shall take place the fortieth day after the proclamation for the said dissolution, and the new primary council shall send down, within six days after such dissolution,

the said double lists to the regents of the different islands to proceed upon.

11. Notwithstanding a fixed day is appointed, whether in the instance of the death or dissolution of parliament, for the new elections to take place, yet as it may be impossible, from the divided situations of these states, to foresee the accidents that may prevent the arrival of the mandate of the president of the primary council, inclosing the double lists, within the period stated in the antecedent articles, it is to be understood, that, in the event of such accident occurring, the elections in the said island or islands shall take place within five days after the mandate of the president of the primary council arrives: and that all such elections shall be held legal and valid, as if they had been made on the days stated in the foregoing clauses upon that head.

12. Whether the parliament die a natural death or be dissolved, in either instance the new legislative assembly shall meet at the seat of government within twenty days after the day of its election, and as much sooner as circumstances will admit, which will be signified by mandate from his highness the president of the senate of the United States of the Ionian Islands, communicated at the time, he, in his quality of president of the primary council, transmits the double lists.

Whereas in chapter II, sect. 2, art. 2. provision is made, that the senators shall be elected out of the body of the legislative assembly; and whereas such election vacates the seats of the members chosen in the legislative assembly; whereas also the appointment of regent vacates the seat of any legislator; and whereas death or regulation, from a variety of circumstances, may also occasion a vacancy or vacancies in the legislative body; in all and every such instance, the president of the primary council shall, in manner before laid down, within six days of such vacancy or vacancies occurring, issue a mandate to the regent of the island to which such vacancy belongs, together with a double list, directing him to call an extraordinary meeting of the synclitæ, to fill up the vacancy in the legislative assembly; and such meeting shall be called within six days after the receipt of such mandate.

14. Whereas in the antecedent article, the offices and circumstances are generally detailed, which may cause a vacancy in the legislative assembly; and whereas such vacancy, if it happens to a member thereof, will also create one in the primary council; upon all and every such occasion, his excellency the lord high commissioner of the protecting sovereign, shall within three days of such vacancy,

nominate another member or members of the legislative assembly, as member of the primary council.

15. Although from the moment of the meeting of the legislative assembly, there is no distinction in the powers and authority of the integral members thereof, and those elected by the different islands, yet the power of issuing mandates in all cases that may occur hereafter, of vacancies of every kind (though not herein before-mentioned) in the legislative body, and of making the double lists for the elections, shall be exclusively and in every instance, vested in the eleven integral members, being the primary council, through the medium of their president.

16. On all occasions of importance or emergency, in which the legislative assembly may wish to hold personal conference with the senate, or with his excellency, the lord high commissioner of the protecting sovereign, or *vice versa*, the committee of the said legislative assembly for conducting such conference, shall uniformly consist of the said primary council.

17. Whereas the case may occur, that his highness the new president of the senate of the United States of the Ionian Islands, may be the president, or a member of the primary council; on all such occasions his excellency the lord high commissioner of the protecting sovereign shall be bound, within three days, to nominate a new president out of the said primary council itself, and a new member for the said council out of the legislative assembly.

18. The organization of the synclitæ or noble electors of these states, as declared in the constitution of 1803, shall be maintained and confirmed, save and except as it may be hereafter changed or ameliorated, by any law passed in regard to it, or as hereinafter may be enacted.

19. The most illustrious the regent of each island shall be, upon all occasions, the president of the synclitæ, and shall direct the proceedings thereof, assisted by the secretary of the local government, and the advocate fiscal, as his assessors.

20. The said most illustrious the regents and the assessors, shall annually (they giving public notice of the same) correct the lists of the synclitæ of the various islands, striking off from such lists those who may have lost their qualification, and admitting those who may produce satisfactory proof of being in possession of the due qualification; and such lists, when corrected, shall be uniformly transmitted to the senate, antecedent to the first of October in every year, for its confirmation.

21. The above-mentioned lists, so con-

firmed or corrected, shall be sent back from the senate to the most illustrious the regents of the different islands, and they shall be the lists upon which all elections in the ensuing year shall be made, and no person, whatever his qualification may be, whose name does not appear on the said lists, shall have any right of voting.

22. In the instance of all elections, whether general on the assembling of a new parliament, or particular during any parliament, the verification of such elections shall be made by the regent and his assessors of the island where they may have taken place, and shall be transmitted forthwith to the president of the legislative assembly, with a certificate on oath, signed by them, that the person or persons elected had a legal majority of votes.

23. The number of the *synclitæ* necessary to form a legal meeting of the same, shall be one-half of the whole number in the island where such meeting is held, and all proceedings relative to elections shall be decided by the majority of votes given, *viva voce*.

24. Should a case occur under any circumstances, where, after due public notice has been given, the meeting of the *synclitæ* does not amount to the legal number required, *viz.* one half, the most illustrious the regent, will forthwith adjourn the said meeting, and give a fresh public notice of a new meeting of the *synclitæ*, to be held three days afterwards; and if at such second meeting, the number of electors again does not amount to the legal number, in such event, the regent shall forthwith put a close to the said second meeting, and transmit to his highness the president of the senate, without the smallest delay, the double lists originally transmitted to the regent by the president of the primary council; and the senate shall proceed, within two days after the receipt of such double lists, to elect, out of the lists so sent up, the member or members to be nominated for the legislative assembly.

25. The election made by the senate, under the circumstances stated in the preceding article, shall be held, to all intents and purposes, legal and valid. The *synclitæ* of the island who were not in legal number on the day or days of election for the said island, being deemed to have lost from their own neglect, their franchise in regard to such election; and on all such occasions the verification of such election, shall rest on a certificate of his highness the president to that effect.

Section 3.—Mode of Proceeding, and Powers.

1. In the event of the death, necessary absence, or indisposition of the most illus-

trious the president of the legislative assembly, during the sitting of parliament, the legislative assembly shall in the first case proceed, the very next meeting, to elect a new president, in the form and under the regulations herein before stated; in either of the latter cases the legislative assembly shall proceed at its next meeting, in the same form and under the same regulations, to elect a temporary president, and such temporary president shall be termed, The most illustrious the Vice President of the legislative assembly.

2. It shall require the presence of ten members and the president or vice-president to constitute a legal meeting of the legislative assembly.

3. In the event of the above-mentioned number not attending, one hour after the fixed hour of meeting, the most illustrious the president of the assembly, or in his absence the vice president, shall forthwith adjourn the meeting to the ensuing regulated day of meeting.

4. There shall be three regulated days of meeting of the legislative assembly in every week, *viz.* Tuesday, Thursday, and Saturday; and the regulated hour of such meeting shall be ten o'clock, A. M.

5. Independent of the said regulated days of meeting, extra meetings shall be held as circumstances may require, and as the most illustrious the president or vice president may direct, or as a majority of the house on a motion to that effect may decree.

6. Every question of every kind shall be decided by the majority of votes of the most noble the members present, except as hereinafter may be enacted, and in every instance, the most illustrious the president, or vice president in his absence, in the event of equality, shall have the same privilege of a double voice in the legislative assembly, as his highness the president in the senate, stated in chapter II. sect. 3. art. 1.

7. Every vote on every question, shall be given *viva voce*, and the number of such votes shall be recorded by the secretaries.

8. The legislative assembly shall possess the power of appointing its own ministerial officers, with the exception hereinafter stated.

9. The legislative assembly shall have two secretaries; the one shall be termed the secretary of the legislative assembly; the other shall be termed the secretary of the primary council; and both secretaries shall be equal in point of rank.

10. The appointment of the secretary of the primary council, shall be reserved to his excellency the lord high commissioner of the protecting sovereign; and

such secretary may be either a native Ionian, or a British-born subject.

11. A copy of the daily *procès verbal* of the legislative assembly shall be transmitted by the secretary of the primary council, to his excellency the lord high commissioner of the protecting sovereign, for his information; and no *procès verbal* shall be legal, if not signed by the secretary of the legislative assembly, and by the secretary of the primary council.

12. The legislative assembly shall possess the sole power of nominating the senators in these states, in manner and in form directed in chapter II. s. 2, clauses 3, 4, 5, 6, & 7.

13. The legislative assembly shall have the sole power of making laws in these states, in the first instance.

14. The modes of introducing laws to the consideration of the legislative assembly, shall be three:

1st. His excellency the lord high commissioner of the protecting sovereign shall possess the power of transmitting to the legislative assembly, the projects of laws through the medium of the senate of the United States of the Ionian Islands.

2dly. The senate shall possess the power of transmitting to the legislative assembly, the project of any law it may deem expedient.

3dly. Any member of the legislative assembly has the right to submit the project of any law to the consideration of the assembly. In either of the first two instances, the legislative assembly shall be bound to take the same into consideration, under the provisions hereinafter stated, relative to projects of laws brought forward by the individuals for the consideration of the legislative assembly, and when laid upon the table of that assembly.

15. When any member of the legislative assembly wishes to introduce a measure for its consideration, he shall in the first instance, apply for leave to bring in a bill to that effect, and submit to the legislative assembly *vis à voce*, the reasons for which he deems it expedient; and the assembly shall then determine whether such leave shall be granted; but the said member shall be bound two days before he makes such application, to intimate his intention on that head to the senate for its information, and for that of the lord high commissioner.

16. In the event of such leave being granted by the legislative assembly, the member stated in the preceding article shall introduce and bring forward the bill in writing, within one week or less, from the period when the said leave was granted.

17. The said bill thus introduced shall remain upon the table of the legislative assembly, for the perusal of the members thereof, till the second regulated meeting after its introduction, when it shall of right be taken into consideration, and be decided on (should the length of the discussion upon it not prevent it) by the assembly, and approved of or rejected by the majority of votes of the members present.

18. In the event of the first discussion rendering it necessary, the said discussion may be adjourned to the next meeting, or to the subsequent one; but the discussion on no bill shall be adjourned beyond the third meeting after the first discussion on the same, and it must then be finally closed, either in the affirmative or negative.

19. In all instances where any law may be passed by the legislative assembly, in whatever mode such law may have originated, it shall, in twenty-four hours subsequent to its passing, be transmitted by the president of the legislative assembly, signed by him, and countersigned by the secretaries to the senate, for its approbation or disapprobation.

20. In the event of such law receiving the approbation of the senate, it shall again be signed by the president thereof, and countersigned by the secretary of its general department.

21. In the event of such law being disapproved of by the senate, it shall be transmitted back, with the signature of the president, and the counter-signature of the secretary of the said general department, to the president of the legislative assembly, and stating to him that it had been negatived by the senate.

22. In the event of any bill being approved of by the senate, it shall be transmitted within twenty-four hours by his highness the president thereof, to the lord high commissioner, who shall forthwith either give it his approbation or negative, and sign it himself, being countersigned by his secretary.

23. His excellency the lord high commissioner shall forthwith transmit back to the president of the senate, the said bill so approved or negatived; and the president shall in like manner transmit it to the president of the legislative assembly, when the said law, if approved of, shall be given over to the archivist of the government, to be recorded as the law of the land. But if the senate, or his excellency the lord high commissioner of the protecting sovereign disapproves of the said bill, it shall fall to the ground.

24. Notwithstanding the sanction of the lord high commissioner shall be in all common cases sufficient to establish the

law of the land, and the ultimate sanction of his Majesty the protecting sovereign is not necessary to that end, where any bill may have been passed by the different authorities antecedently stated; still, as the case may occur, that his excellency the lord high commissioner may have given his sanction to the passing of a law, which to his majesty may appear improvident or unwise, it shall be reserved to his majesty the protecting sovereign, to have the power within a year after the passing of any such law, by an order of his majesty in council, to cancel the same; in which case it shall forthwith be expunged from the records of government.

25. In the event of any bill having been introduced into the legislative assembly by any individual member thereof, and approved by the said assembly, and which shall subsequently have been rejected by the senate, or having been rejected by the lord high commissioner, after being approved of both by the legislative assembly and senate, it shall be illegal to introduce any such bill more than once again during the course of that parliament, or any bill to the same effect.

26. But in the event of any bill having been introduced into the legislative assembly by the senate, or by the lord high commissioner and of such bill having been rejected by any legal authorities, it shall be permitted to re-introduce the same for fresh discussion in the said assembly, at any period of the same parliament that may be deemed advisable.

27. The legislative assembly shall possess the power of amending or altering any clause or clauses in any bill that may be under discussion; but in all instances where any such amendment has been made, notice is to be given to the party who introduced it, provided such bill had been introduced either by the senate or by the lord high commissioner, and the final discussion in the legislative assembly shall be postponed to the ensuing regulated meeting.

28. If the party introducing the bill signifies his consent to such amendment or amendments, and which shall be done by the next regulated meeting, the discussion shall of course proceed.

29. If the said party signifies his negative to such amendment or amendments, assigning his reason, which shall be done within the same period as mentioned in the preceding article, the amendment shall, in that case, be reconsidered and re-voted on in the legislative assembly; and the discussion shall afterwards proceed in the manner and form herein before directed.

30. In like manner, in the event of a

bill having been introduced into the legislative assembly by the individuals, members thereof, it shall be competent for the senate, or the lord high commissioner to propose an amendment or amendments to any such bill, which amendment or amendments shall be transmitted forthwith for the consideration of the legislative assembly, and discussed at the ensuing regulated meeting; and its decision shall be forthwith made known to the party wishing to make such amendment, when the said party shall give its assent or dissent in the manner before described.

31. The legislative assembly shall possess the power of repealing and amending all former laws, and such repeal or amendment shall be introduced for discussion in the legislative assembly by the same authorities, and shall be subject in every respect to the same rules, and the same course of proceeding, as in the instance of a new law.

32. The legislative assembly shall possess the power of regulating the ordinary expenses of these islands; and at the commencement of every session of parliament, shall make such alteration or amendment upon that head as to it may seem fitting.

33. There shall be laid upon the table of the legislative assembly, within six days after the commencement of every session of parliament by the senate, through the medium of the secretary of its general department, the civil list of the whole of these states in all its branches; and this list shall either be confirmed, altered, or amended, as the legislative assembly shall decree.

34. The form, mode, and power of introducing any such alteration or amendment in the said list, shall be vested in the same authorities as in the case of the introduction of a new law; and the mode of proceeding, with regard to such alteration or amendment, shall be the same in every instance, with this sole difference, that the alteration or amendment of the civil list shall be made by a simple resolution, instead of, as in the instance of a new law, laying the law itself upon the table.

35. The legislative assembly shall possess the power of establishing rules and regulations for the guidance of its own proceedings; provided such rules and regulations meet with the sanction of the lord high commissioner, and do not interfere with the provisions of the constitutional chart, or with the established law of the land.

Chapter IV.—Local Governments.

Section I.—General.

1. Besides the general government of

the United States of the Ionian Islands, there shall be in each island a local government, acting under the authority and orders of the said general government.

2. At the head of this local government in each of the islands, there shall be a regent; and the ministerial officers under such regent shall be a secretary, an advocate fiscal, an archivist and a treasurer.

3. The most illustrious the regent in each island, shall, within the said island, receive the same honours as those paid to a senator of the United States of the Ionian Islands.

4. His excellency the lord high commissioner of the protecting sovereign, with a view to give the necessary and full effect to the right inherent in the high protection under which these states are placed, shall appoint a representative of himself, to reside in each of the said islands; and such representative shall be styled, the resident of his excellency the lord high commissioner, and shall receive in all respects the honours due to him in such capacity.

5. The resident of the lord high commissioner in each island, shall be either a British or an Ionian subject.

6. Besides the resident, the regent and the authorities heretofore mentioned, there shall be in each of the islands a municipal administration.

Section 2.—Mode of Appointment, &c.

1. The regent in each of the islands shall be appointed by the senate; but the lord high commissioner shall in respect to the said appointment possess the same power and authority as he does in regard to the election of senators by the legislative assembly, as stated in chapter II, section 2, articles 5, 6, and 7.

2. The regent in each island shall, generally speaking, be a native of the island in which he is appointed; but in case of emergency, the senate shall have the power of nominating a native of any other island, subject to the approbation of the lord high commissioner.

3. The advocate fiscal in each of the islands shall be nominated direct by the senate, subject to the same negative, &c. on the part of the lord high commissioner as in the instance of the regent himself.

4. The secretary and archivist shall be named by the regent, subject to a similar negative on the part of the senate as the lord high commissioner possesses in the instance of the appointment of the regent.

5. The local treasurers shall be appointed by the treasurer of the general government of the Ionian States; but such appointment shall receive the sanc-

tion of the senate, and of the lord high commissioner, and the senate shall, in the instance of all such appointments, exact such security as it may deem necessary.

6. The municipal administration shall consist of five members independent of the president, and they shall be appointed by the synclitæ in each of the islands, and out of the body of the said synclitæ.

7. The most illustrious the regent of the island shall be at all times *ex officio* the president of the municipal administration, and the members of the said administration shall continue in office for the period of two and a half years from their election; and at the expiration of the said two and a half years, the regent shall *ex officio* call a meeting of the synclitæ, in order to appoint a new municipal body from the said synclitæ.

8. In all questions to be decided by vote in the municipal administration, the regent of the island, in his capacity as president thereof, shall possess exactly the same votes as in the instance of his highness the president in the senate.

9. The regent and his assessors shall arrange the nomination and appointment of the said five municipal officers, in the mode following:

1st. Eight days public notice shall be given by the regent of the island, of the day fixed for the election of the municipal body.

2d. The synclitæ, individually or otherwise, shall be at liberty to propose in writing such of their body as they may wish should be put in nomination for the said municipal offices.

3d. The said proposal or proposals in writing shall be termed "Lists," and shall be transmitted to the regent; and no list shall be received by him beyond the morning of the day before the one fixed for the election.

4th. The said lists shall be scrutinized and regulated by the regent and his assessors on the day antecedent to the election. If more than twenty lists have been given in, the regent shall place in nomination the twenty names in whose favour the majority of signatures appears in the said lists.

5th. In the event of there not being twenty lists delivered in, he shall place in nomination all the persons in whose favour he has received lists.

6th. In the event of there being

no list given in at all, the regent himself shall form a double list, which however must be approved of by the resident of the lord high commissioner; and in this total deficit of lists, or in all cases of deficit of the necessary number of lists, the synclitæ shall vote on the said double list thus furnished by the regent, and approved by the resident of the lord high commissioner.

The synclitæ shall vote upon the lists above described, *à la voce*, and the regent and his assessors shall forthwith declare the names of the ten persons of the synclitæ who have the majority of votes in their favour; and from these ten the regent, with the approbation of the resident of the lord high commissioner, shall name, within twenty-four hours, five persons, who are to be considered as duly elected.

In case of any difference of opinion occurring with regard to the above election, between the resident and the regent, such difference is to be forthwith transmitted to the senate for its ultimate decision, and that of the lord high commissioner.

Section 3.—Mode of proceeding, and powers.

1. The regent of each island shall administer the executive government of the island, under the orders of the senate of the United States of the Ionian Islands.

2. The regent in each island shall administer the municipal regulations now existing, or that may hereafter be enacted in the said island.

3. The regent in each island shall, through the means of his secretary, keep an exact *procès verbal* of his daily proceedings; and which *procès verbal* shall be transmitted daily to the resident of the lord high commissioner for his information.

4. No act of any regent of any of the islands shall be valid, unless such act appears, on the day it took place, on the *procès verbal*, and is signed by the secretary, and certified by the resident of the lord high commissioner as having been seen by him.

5. The regent in each island shall possess the power of suspending from their offices any of the local functionaries; but such suspension must previously receive the sanction of the resident of the lord high commissioner, and can only be held good until the pleasure of the senate on the subject shall be known.

6. The regent on each island shall possess the power, in all cases of importance

relative to the executive government, of calling to his aid the secretary and advocate fiscal, as his deliberate advisers, and their opinion shall be recorded on the *procès verbal*; but the responsibility of every measure shall totally rest on the regent himself.

7. The monthly meetings of the municipal council shall be four, and the days on which they are to take place shall be established by a regulation of the regent in each island.

8. Exclusive of the four monthly meetings, the regent in each island shall call all such extra meetings of the municipal council as he may judge fitting.

9. The function of the municipal administration in each island shall be classed under the following heads: *viz.*

1st. Agriculture, public instruction, and all objects of national industry.

2d. Commerce and navigation.

3d. Subsistence of the people.

4th. Civil police and charitable establishments.

5th. Religion, morals, and public Economy.

10. The most illustrious the regent of the island, in his quality of president of the municipal magistracy, shall appoint one of the members of the same to superintend each one of the above-mentioned departments.

11. Each member thus appointed shall possess the power of regulating the details of the department confided to his particular care, according to the existing laws, or municipal regulations; but it is clearly to be understood, that no municipal magistrate has the right of incurring any expense relative to his own department.

12. In all cases where any expense may be deemed necessary by any magistrate of the municipal body, the same must be submitted to the whole municipal council, when, if approved of, it is to be forwarded to the senate for sanction.

13. No extra expenditure, excepting in cases of emergency, whether by the regent himself or by the municipal council of any island, shall be authorised without the previous sanction of the resident of the lord high commissioner; and all extra expenditure in any island shall be submitted to the senate, and finally decided on by it, with the approbation of the lord high commissioner.

14. The regent in each of the islands, shall possess the power of making such municipal temporary regulations as appear to him to be necessary; but all such regulations shall be forthwith transmitted to the senate for its sanction, and for

the approbation of the lord high commissioner.

15. The secretary of the island and the archivist shall in all instances be natives of the island in which they are appointed; and they are the particular officers of government attached to the regent, and shall execute their functions as prescribed by the present existing rules.

16. The advocate fiscal in any island shall be a native of the United States of the Ionian Islands, and shall execute his duties as prescribed by the existing rules.

17. The local treasurer in any island shall receive his instructions from the treasurer of the general government, as will be hereafter directed, and shall be a native of the island to which he is appointed.

The resident of the lord high commissioner in each of the islands, shall possess the power of staying any proceeding of any of the local authorities in the same, with the view to such proceeding or proceedings being investigated by the general government, but he shall at the time assign his reason for so doing.

19. The provisions of this chapter apply generally to the local governments of all the islands, but are made with a view to the scale of the local governments of the larger in particular. It is therefore clearly to be understood, that the senate with the approbation of his excellency the lord high commissioner of the protecting sovereign, may restrict the appointments hereinbefore specified in the smaller islands, as far as relates to the secretary, the archivist, the treasurer, the advocate fiscal, and the municipal body, within such bounds as the nature of the situation and circumstances in justice may require.

Chapter V.—Ecclesiastical Establishment.

Section 1.—General.

1. The religious establishment of the United States of the Ionian Islands shall consist of archbishops or bishops, of vicars (*grandi economi*), of curates of all the parishes, and of religious convents and establishments, being all of the dominant orthodox religion of these states, viz. the Greek.

2. The dominant orthodox religion of the high protecting power, under which the United States of the Ionian Islands are exclusively placed, shall be exercised within the same, by its professors, in the fullest manner and with the fullest liberty.

3. The roman catholic religion shall be specially protected, and all other forms of religion shall be tolerated.

4. There shall be no public form of

religious worship permitted in the states, except such as relates to the christian orthodox churches before-mentioned.

Section 2.—Declaratory.

1. Whereas the due support of a religious establishment is essentially connected with the maintenance of morality, good order, and the happiness of the people; and whereas nothing more materially tends to cherish and support such establishment, than the maintenance of a due number of the dignified pastors of the same, and whereas the divided state of these dominions, necessarily demands great attention on this head; and whereas there is reason to believe, that in ancient times, some of these islands had the benefit of having bishops attached to their religious establishments, and which have since been abolished; it is declared to be expedient, that in addition to the recognized archbishop or bishop for the islands of Corfu, Cephalonia, Santa Maurizio, and Cerigo, there shall be an archbishop for the island of Zante, a bishop for the island of Ithaca, and a bishop for the island of Paxò; and it is further declared, that the time and mode of applying to the sacred head of the Greek orthodox religion, at Constantinople, on this subject, shall be reserved to His Majesty the protecting sovereign; provided always, that the nomination of such dignitaries of the church, does not entail any additional expenditure, of any kind, on the revenues of these states.

2. Whereas due reference is made in the foregoing article relative to the necessary establishment of the orthodox and dominant religion of these states, it is hereby declared, that it is highly inexpedient and impossible, with every regard to the due support, as far as it may be indispensable, of the necessary pastors that may be requisite for any system of Christian religion, that these states can support the expense, or can maintain the principle, that these shall be supported and paid by them, or out of any funds that they in their wisdom may choose to appropriate to other uses, prelates and dignitaries of any religion, but those of the dominant religion of these states, save and except always such prelates and dignitaries of such churches as are now actually resident in and executing their functions within these states, and for the term only of their natural lives.

3. Whereas it is most expedient that there should be a metropolitan of the dominant religion of the Greek orthodox church in these states, possessing by consent of the holy father of the Greek church, the patriarch of Constantinople, a general spiritual power and supremacy over the whole of the pastors of the

dominant church in these states; it is declared that it would be expedient, if such measure be not contrary to the canon rules and regulations of the said church, that the said metropolitan should be the archbishop or bishop that may be regularly ordained by the holy father, being the patriarch at Constantinople, for the four great islands of these states, *seriatim*, that is to say, that the archbishop or bishops duly appointed and regularly consecrated, should in turns, subject to this constitutional chart, be held each and all of them as metropolitans for the term of one parliament. But should it appear that this arrangement is discordant, in the smallest degree, with the canons of the dominant church, it is further declared, that the archbishop or bishop of Corfu, of Cephalonia, of Zante, and of Santa Mauræ shall, *seriatim*, be the metropolitan of the dominant Greek church; and that such metropolitan (not being the archbishop or bishop of Corfu) shall, if not contrary to the canons of the dominant church, be held to be present at the seat of government during all the sessions of parliament; provided always, that such archbishoprick or bishoprick for the island of Zante be established.

4. Whereas the ultimate arrangement that must take place on any change, if such change should happen in consequence of the first declaratory clause of this section, cannot be established till the period when the pleasure of the protecting sovereign and of the holy father of the dominant church is known; it is declared that the parliament of these states reserves to itself all and every power, with the consent of his excellency the lord high commissioner of the protecting sovereign, to make such alterations, modifications, and arrangements, relative either to the mode of election of the dignitaries of the dominant church, or to any branch connected with the dominant religion, that may not militate with the spiritual power of the head of the dominant religion, the most holy the patriarch of Constantinople, and the regular laws laid down by the holy synod of the Greek church.

Chapter VI.—Of the Judicial Authority.

Section 1.—General.

1. The judicial authority in the United States of the Ionian Islands shall consist in each island of three tribunals, viz. a civil, a criminal, and a commercial. There shall be also a court of appeal in each island, to be regulated as hereafter may be laid down.

2. Over each of the said tribunals there shall preside a judge or judges, as may be settled by the senate at the recommendation of the supreme council of

justice, and with the approbation of his excellency the lord high commissioner of the protecting sovereign.

3. The judge or judges of the said tribunals shall enjoy in the island to which they belong, rank immediately next to the regent of the island.

4. Independent of the said tribunals, courts shall be appointed in each island, for the trial of minor criminal offences, and of small civil suits, and the persons appointed to preside in the same shall be denominated, justices of the peace.

5. The justices of the peace of the minor courts in each island, shall rank immediately after the judges of the courts.

6. Besides the courts above-mentioned in the several islands, there shall be established a superior or high court of appeal, at the seat of government, and which shall be denominated, the supreme council of justice of the United States of the Ionian Islands.

7. The most illustrious the members of the said supreme council of justice shall possess the rank of senators of the United States of the Ionian Islands.

Section 2.—Mode of Election.

1. The judges of the three tribunals in the several islands shall be chosen by the senate, and approved of by his excellency the lord high commissioner of the protecting sovereign.

2. The justices of the peace in each island shall be appointed by the regent of the same, and approved of by the senate.

3. The proceeding in each of these two instances shall be the same as in all other cases where a negative is given, either by the lord high commissioner, or the senate.

4. The most illustrious the members of the supreme council of justice of the United States of the Ionian Islands shall in ordinary instances be four, and shall be elected in the following manner; viz. two of the members of the same, being Ionian subjects, shall be named by the senate, and approved by the lord high commissioner, and the other two shall be British or Ionian subjects, and be named by His Majesty the protecting sovereign of those states, through the medium of his lord high commissioner.

Independent of the ordinary members of the supreme council of justice, there shall be two extraordinary members of the same; viz. his highness the president of the senate, and his excellency the lord high commissioner of the protecting sovereign.

Section 3.—Mode of proceeding, and power.

1. The power of pardoning or of modi-

fyng punishment in criminal cases (except as hereinafter stated) shall be vested in the senate, as shall hereafter be provided for by the laws; but to procure such pardon or modification, it shall be necessary that two-thirds of the senate, viz. four members, shall concur in opinion to that effect.

2. The civil, criminal, and commercial courts in the several islands, shall proceed for the time in all cases according to the laws, practice, and regulations at present existing, save and except as may hereinafter be directed.

3. The justices of the peace in the minor courts of the several islands shall also proceed in all cases, in the like manner, save and except as hereinafter may be ordered.

4. The supreme council of justice shall, in all cases where there is an equality of votes on deciding on any question, refer the case, in writing, to the lord high commissioner, and to the president of the senate, stating shortly the grounds of the difference of opinion which exists; and they, upon such reference, shall endorse their decision on the said statement, and such decision shall be held final.

5. In the event of a difference of opinion existing in respect to such reference between the president of the senate and the lord high commissioner, the latter shall possess the casting vote, and his decision shall be final on the case; but in endorsing the said statement, the lord high commissioner shall declare, that the said decision has been made by his casting vote.

6. In all cases of decision in the supreme council of justice, where no equality of votes exist, the said decisions shall be final.

7. *There being no political truth, in the practice of all states, more generally acknowledged, or more incontrovertibly proved, than that the happiness, prosperity, and welfare of the whole community, depend, in the most essential manner, on a speedy and equal distribution of justice to all; and as it appears equally clear, that many judicial disorders unfortunately have prevailed and do prevail in these states, arising principally from the imperfect codes of civil and criminal law hitherto in force within the same, and of the process connected with such codes being either deficient or inapplicable to the manners and habits of the people of the Ionian Islands; and it being also evident that the formation of a new civil and criminal code, and of a new process (procedura,) must require the gravest consideration, and occupy a length of time; and as it is further equally certain, that no salutary or fixed establishment for the courts of judicature*

can be made, till such time as adequate laws and modes of proceeding for the same are laid down and defined; and, as further it lastly appears, that a practice has hitherto prevailed in these states, of applying, in all instances of judicial litigation at times to the local heads of the governments, and very generally to his excellency the lord high commissioner himself, in order to obtain the redress and decisions in the various courts of law; with the view, therefore, and with the object to administer a temporary and provisional relief to the judicial calamities already stated, and, above all, to put an end to those arbitrary decisions which have taken place on so many occasions, it is hereby declared; that the supreme council of justice of the United States of the Ionian Islands, as constituted in article 6th of the 1st section of this chapter, shall possess the following powers, till a complete code of civil and criminal law, and of process connected with the same, can be framed and established; provided always, such codes and process shall be ultimately decided on and adopted within the space of three years, viz. :—

1st. It shall, in its collective capacity, possess the power of framing the civil and criminal codes above alluded to, and the process thereunto appertaining and attached.

2d. It shall regulate the mode in which the inferior courts of appeal in each of the islands, shall be constituted.

3d. It shall have authority and jurisdiction over the whole of the United States of the Ionian Islands, and all dependencies of the same.

4th. It shall reside at the seat of the general government, but shall possess the right of delegating its authority to certain of its members on circuit through the several islands, when such delegation shall be recommended by it, and authorised by the senate, with the approbation of the lord high commissioner.

5th. The delegation on all such occasions of circuit, shall consist of one of the Ionian and one of the British members of its body; and in all such circuits the senate shall possess the authority of surrogating, with the approbation of the lord high commissioner, of one of the judges of these states, or any person learned in the law, to act during and on the circuit, as member of the supreme council of justice.

6th. The senate shall also possess the authority of surrogating, in like manner, a second judge or person learned in the law, to fill up the vacancy in

- the supreme council of justice at the seat of government, of the Ionian member of the same who shall have proceeded on the circuit.
- 7th. His excellency the lord high commissioner shall in all cases of circuit, possess the power of also nominating an Ionian or British subject, to act on such circuit as member of the supreme council of justice.
- 8th. His excellency the lord high commissioner shall further nominate an Ionian or British subject to fill up the vacancy in the supreme council of justice at the seat of government, in lieu of the British or Ionian member of the same, who shall have proceeded on circuit.
- 9th. In cases where it may have been judged necessary that the supreme council of justice should make a circuit, and where from any cause it may have been found impossible or highly inconvenient that two of the members of the same should proceed on the said circuit, in such case, the surrogation of three judges, or persons learned in the law, in place of two, shall be admissible, in manner and form already stated; provided always, that the court of circuit shall consist of two Ionian subjects, and of two others, either British or Ionian subjects; and that the supreme council of justice at the seat of government be filled up, in like manner, to a similar number.
- 10th. All decisions of the supreme council of justice, on circuit, shall be held valid, and recorded as the decisions of the supreme council of justice of the United States of the Ionian Islands.
- 11th. It shall possess all the powers inherent to the judicial authority, together with the latitude necessary to be exercised for the speedy and upright administration of civil, criminal, and correctional justice in all cases, and this too where there may exist no codes of general and positive laws, no regular forms of proceeding, but where ruinous abuses and disorders prevail, and which it is its duty to correct and extirpate.
- 12th. The supreme council of justice, being for the time the supreme judicial authority in these states, the heads of the local governments, and the principal secretary of government on the part of the lord high commissioner, shall deliver to the same all the papers relative to any matter of justice now pending before them, in order that the same may be by it finally settled and decided.
- 13th. The definitive sentences pronounced, up to the 16th of February 1816, being the day of the arrival at the seat of government, of his excellency the lord high commissioner of the protecting sovereign, are not comprehended in the above clause, provided no petition according to the actual forms, rules, and regulations is now before the local authorities, or the lord high commissioner, regarding the same.
- 14th. It shall possess the power of alone deciding as a court of cassation; and all papers in possession of the courts of cassation, that have hitherto existed in these states, shall be delivered over to the supreme council of justice, for its decision.
- 15th. It shall possess the power of judging in all cases of complaint made by petition, of any violation of any forms directed by the ordinary process, or of any municipal laws, or existing statutes and practice; but in all such instances, a special report shall be made by it to the senate, in the view that the latter may take into consideration the necessity of punishing the judge or judges guilty of such illegal proceedings; but before any steps can be taken towards such punishment of the same, the sanction of the lord high commissioner shall be necessary.
- 16th. It shall have a jurisdiction of appeal, over all the other courts of appeal within these dominions, in extraordinary instances of judicial abuse and malversation; and the parties wishing to appeal direct to the supreme council of justice, without going through any inferior court of appeal, may so do, provided the other party concerned consents.
- 17th. The object of the institution of the supreme council of justice being to give redress in cases where the judges of the courts below may have erred in their judgments, or may have decided in violation of law; it is clearly to be understood, that it possesses the power and authority, not only to adjudge the case, but also to decide how far the petition, introducing such case, is frivolous and vexatious, resting on no solid grounds, but brought forward for the purposes of delay, or of harassing the opponent, and in all cases declared by it to be frivolous and vexatious, it shall possess the power of imposing such fine as to it may appear just and equitable; and the said fine shall be adjudged to the

public, or to the opposite party, according to its decision.

18th. The supreme council of justice shall possess the power of deciding in equity, as well as law, in all instances which may come before it. It shall possess the authority, in its collective capacity, of regulating its own procedure, and establishing its own forms, and of directing such alteration or change in the procedure of the inferior courts (till the new civil and criminal codes are established,) as to it may seem fitting.

19th. It shall, in its collective capacity, possess the authority of nominating its own secretary or secretaries, its own officers, and of electing its own ordinary president; and the ordinary president, thus elected, shall be termed, the most excellent the chief justice, (*prestantissimo capo di Giustizia*,) and shall take rank immediately after his highness the president of the senate of the United States of the Ionian Islands.

20th. It shall possess the power of adjudging all cases of public delinquency on the part of any of the functionaries of government; but, on occasions of exercising this branch of its jurisdiction, it shall consist of the ordinary members, and of four other persons; two to be appointed by the senate, and approved by the lord high commissioner, and two to be nominated, either British or Ionian subjects, by the lord high commissioner. And, in the event of an equality of votes in the council thus constituted, the president of the same shall have the casting vote.

21st. It shall have the power of controlling and taking cognizance of the conduct of all advocates, attorneys, procurators, notaries, and agents of all kinds, when juridically employed; and of punishing, either by imprisonment and fine, or dismissing from their professions, any persons guilty of a breach of the respect due to judges, or want of that decency and decorum, essentially necessary to be maintained, for the honour and dignity of the judicial establishment.

8. Whereas in the preceding article provision is made for establishing a temporary court of justice, denominated, the supreme council of justice of the United States of the Ionian Islands, and for maintaining the same till such time as new codes of civil and criminal law and procedure can be framed and adopted, and which provision operates, for

the time being, as a reservation to a future period of the adjusting the final constitution in these states, as far as regards the judicial authority within the same; it is hereby declared, that whenever such civil and criminal codes and procedure shall be framed, or when the three years shall have expired for which the supreme council of justice is established, the legislative assembly of these states shall, on a message to be transmitted to that effect by his excellency the lord high commissioner, consider itself to be sitting for the immediate consideration of the said reserved matters of the constitution; and all the enactments, then made for the final adjustments of the due courts of law, and of a fitting civil and criminal code and procedure, shall, in the first instance (as in the instance of the constitution itself) be submitted to his Majesty the protecting sovereign; and if ratified, they shall then be considered, to all intents and purposes, as forming an integral part of the constitution itself of these states.

Chapter VII.—Miscellaneous.

Section 1.—Of Privilege and Malversation in Office.

1. The members of the legislative assembly of the United States of the Ionian Islands cannot, on civil process, be deprived of their personal liberty when parliament is met.

2. His highness the president of the senate of the United States of the Ionian Islands, the senators thereof, and the regents of the different islands composing the said states, shall be equally protected against the loss of personal liberty, on civil process, during the term of their holding their high employments.

3. All public functionaries shall be amenable to the law of the land, in all cases, civil and criminal, save and except as may hereinafter be provided for.

4. All public functionaries shall be liable to be suspended for malversation in office, and otherwise punished for the same, as may hereinafter be directed.

5. The power of suspension for malversation in office, shall be vested in the authority which appoints to the said office, with the concurrence however of the authority which approves of the said appointment, save and except in the instance of the municipal officers, when the power of suspension is vested in the regents of the islands, and the power of approving such suspension in the senate.

6. The power of suspension shall, in like manner, be vested in the authority which approves, with the concurrence of that which appoints.

7. In all cases of suspension for malversation in office, the grounds on which

It is made shall be recorded previous to any order being issued for the same, and a copy of such record shall be sent to the functionary suspended.

8. All public functionaries, suspended for malversation of office, shall have a right, within one month after such suspension shall have taken place, to apply by petition to the legislative assembly, praying that the grounds of the same may be investigated, and the legislative assembly shall immediately enter into such investigation.

9. Should the legislative assembly not be sitting at the time, such petition shall be transmitted to the most illustrious the president thereof within the same period; and it shall be considered, to all intents and purposes, the same as if transmitted to the legislative assembly when sitting; and on such petition so presented, the legislative assembly, upon its meeting, shall forthwith proceed to decide.

10. The suspension of any public functionary shall not be removed, unless two-thirds of the members present of the legislative assembly, do concur in the necessity of so doing, and vote for the same.

11. In all cases when no application, as already stated, shall be made to the legislative assembly, within one month from the date of suspension of any public functionary, or where the legislative assembly does not agree, in the manner above stated, to remove the suspension, he shall be considered as dismissed, and his place filled up by the proper authorities.

12. The legislative assembly shall itself possess the power of suspending any public functionary, in all cases where two-thirds of the members thereof present shall concur in a vote to that effect; provided always, the authority which approves the appointment of the suspended functionary shall consent, and against such form of suspension there shall be no appeal.

13. His highness the president of the senate cannot in any way be suspended from office, during the period he remains in that high situation.

14. He may be impeached for any malversation in office, within six months after he shall have retired from the same; provided always, that the legislative assembly shall, by a vote of at least twenty-six of its members, concur in the propriety of the measure, and that the senate, and the lord high commissioner, shall also agree to the same.

15. The sentence of the supreme council of justice, in regard to the trial before it, on the impeachment of his highness the president of the senate, shall not be

carried into effect, until it shall have received the approval of his Majesty the protecting sovereign.

16. All public functionaries suspended, or virtually dismissed for malversation of office, are liable to be brought before the supreme council of justice, by any of the authorities who directed the said suspension or virtual dismissal, to be tried by the said supreme council of justice, on such charges, state crime or crimes, as may be deemed necessary; and on the conviction of the public functionary the dismissal from office is in no instance, to be considered as any grounds for mitigation of punishment.

17. A specific law hereafter shall be framed, defining the state crimes and malversation of office, together with the punishment to be attached to the same, and also the mode of preferring accusations in regard to them. But no suspension or virtual dismissal can take place, no impeachment can lay or trial be held before the supreme council of justice, except individually; and no body of public functionaries, as a body, can be either suspended, virtually dismissed, impeached, or tried.

18. The power of dismissal from office of any public functionary, is reserved to the protecting sovereign, save and except in the instance of his highness the president of the senate, the members thereof, and the members of the legislative assembly; but the pleasure of His Majesty must be declared, by warrant under the signature of his Secretary of State.

19. The power of respiting the sentence, in the instance of state delinquencies, shall be vested in the lord high commissioner; but the power of pardon in regard to the same, shall alone be vested in his Majesty the protecting sovereign.

Section 2.—Military Establishment.

1. The military defence of the United States of the Ionian Islands being placed in the hands of the protecting sovereign, the sole regular military establishment shall consist of the forces of His Majesty.

2. Independent of the regular troops of his Majesty the protecting sovereign, there shall be established in each island a corps of militia.

3. The organization of the militia of the United States of the Ionian Islands shall be left to the commander in chief of the forces of the protecting sovereign within the same, subject to the approbation of the senate, and of the lord high commissioner.

4. The general charge of preserving the tranquillity of the country, being immediately and directly connected with

the military establishment, the high police of the United States of the Ionian Islands shall be placed under the direct management of the lord high commissioner and His Majesty's commander in chief.

5. No officer can be appointed to any corps of the militia of the Ionian Islands, who is not a native born subject of the same.

6. His Majesty the protecting sovereign shall appoint inspectors and sub-inspectors of the militia of the Ionian states, who shall be either British or Ionian officers.

7. The corps of the militia of each island, shall be placed under the control of the inspectors or sub-inspectors of the militia, appointed by His Majesty the protecting sovereign.

8. The regular forces of His Majesty the protecting sovereign, shall, in all instances of civil suit, be amenable to the laws of the land within the United States of the Ionian Islands.

9. The regular forces of the protecting sovereign in these states shall, in respect to criminal jurisdiction, be alone subject to the martial law of His Majesty.

10. The militia within these states is of course subject to the laws of the land; but when it shall have been duly organized and called out, it shall be amenable to the martial law of the protecting power, and liable, by it alone, to be tried for criminal offences.

11. The regular established number of His Majesty's troops for the garrison of these islands, shall be considered as consisting of three thousand men; but it shall be competent to increase or diminish that number, as His Majesty's commander in chief may deem fitting.

12. All expense of quartering the regular forces of his Majesty the protecting sovereign, and, generally speaking, all military expense of every kind, to be incurred by these states (as far as relates to the three thousand men above named) shall be paid out of the general treasury of the same.

Section 3.—Treasury and Finance.

1. At the head of the general treasury of the United States of the Ionian Islands there shall be a treasurer, and the said treasurer shall be either a natural born British or Ionian subject, and his style and title shall be, General Treasurer.

2. The nomination and appointment of the general treasurer of the United States of the Ionian Islands, is left to his excellency the lord high commissioner of the protecting sovereign; and under the said treasurer the local trea-

surers in the various islands shall be directly placed.

3. The general treasurer of the United States of the Ionian Islands shall be responsible for the whole of the receipt and expenditure of the said United States, and shall transmit an accurate monthly statement of the said receipt and expenditure to the senate, and to his excellency the lord high commissioner of the protecting sovereign.

4. The finance year in the United States of the Ionian Islands shall commence the first day of February, and end the last day of January; and the general treasurer shall submit to the legislative assembly, within three days after the meeting of parliament, a full and detailed statement of the whole receipt and expenditure for the past year.

5. The general treasurer shall not possess the power of disbursing from the public treasury the smallest sum, without the previous sanction in writing, of the senate and his excellency the lord high commissioner of the protecting sovereign, except for payment of the civil list, sanctioned by the legislative assembly, and already provided for in chapter III, section 3, article 33.

6. The general constitutional rule to be observed (although it may not be possible to adhere strictly to the same) in case of extra expense in the several islands, shall be, that each island has a right to incur extra expenditure, in proportion to the surplus of revenue paid in by it to the general treasury, after the expense of the civil list for such island is defrayed; but the amount of such extra expenditure shall be settled by the senate, and his excellency the lord high commissioner of the protecting sovereign, with reference to the repairs of works, and other necessary general military purposes.

7. The general treasurer, in submitting the annual accounts of expenditure to the legislative assembly, shall divide them into two heads, viz. Ordinary, and Extraordinary; and the legislative assembly shall have the power of approving or disapproving, as far as regards the accuracy of the accounts thus laid before them.

8. The collection of the revenue in the different islands, in all its branches, shall be regulated by the senate, with the approbation of his excellency the lord high commissioner of the protecting sovereign; and all persons employed in the collection of the said revenue, must be approved of by them.

9. The regulating the mode of farming

and managing the revenue of these states, shall rest with the senate, subject to the approbation of his excellency the lord high commissioner of the protecting sovereign.

10. All additions, alterations, or amendments in the present system of taxation, shall only be made by a bill presented in the due forms to the legislative assembly.

11. It being of the utmost importance, that the various duties and taxes in the different islands should be, as far as is compatible with the difference of local circumstances, equalized and put on a similar and proportional footing, it is declared to be an article of the first importance, to adopt legislative measures on this head.

12. The equalization of weights and measures, and the establishment of a national currency, being in like manner considerations of the first importance for any state, similar measures shall be adopted on this head.

Section 4.—Of Foreign Relations,

1. Whereas in the latter part of the seventh article of the treaty of Paris, it is agreed, "that no person from any power whatsoever, shall be admitted within these states, possessing or pretending to possess any powers beyond those which are defined in the aforesaid article;" it is hereby declared, that any person who shall assume to himself any authority, as an agent for a foreign power, except as therein directed, shall be amenable to be tried before the supreme council of justice, and be liable, if found guilty, to punishment, as in cases of high treason against the state.

2. No native or subject of the United States of the Ionian Islands, shall be held competent to act as consul or vice-consul for any foreign power, within the same.

3. The British consuls, in all ports whatsoever, shall be considered to be the consuls and vice-consuls of the United States of the Ionian Islands, and the subjects of the same shall be entitled to their fullest protection.

4. All applications necessary to be made by these states to any foreign power, shall be transmitted by the senate to the lord high commissioner who shall forward the same to the ambassador or minister of the protecting sovereign, resident at the court of the said foreign power.

5. The approval of the appointments of all foreign agents or consuls, in the United States of the Ionian Islands, shall be by the senate, through the medium of his highness the president thereof, with the concurrence of the lord high commissioner.

6. *With a view to ensure the most perfect protection to the commerce of these islands, every vessel, navigating under the Ionian flag, shall be bound, before leaving the port of the Ionian states to which she belongs, to provide herself with a pass, signed by his excellency the lord high commissioner of the protecting sovereign; and no vessel sailing without such pass, shall be considered as navigating according to law. But it is reserved to His Majesty the protecting sovereign to decide how far it may be necessary, that, independent of such pass, they should further be bound to supply themselves with Mediterranean passes.*

Section 5.—Of the Sanità.

1. Whereas the protecting and protected state have an equal right and interest in the great object of the preservation of the public health; it is hereby declared, the control of the Sanità, throughout the United States of the Ionian Islands, shall be vested in the hands of his excellency the lord high commissioner of the protecting sovereign, who shall regulate, according to the rules of Sanità, the relative quarantines to be performed in all instances, giving due notice of the same, shall fix the number of officers to be employed, and name in each island the heads of the office of Sanità, being either British or Ionian subjects; but all other appointments made upon this head, shall be subject to the approbation of the senate, and, as far as relates to numbers and amount of salary, to the consideration of the legislative assembly, as hereinbefore stated in regard to the civil list.

2. The post office in each island shall hereafter be considered as an integral part of the Sanità.

Section 6.—Of the National Colours and Armorial Bearings.

1. *The national commercial flag of the United States of the Ionian Islands, as directed by the seventh article of the treaty of Paris, shall be the original flag of these states, with the addition of the British Union, to be placed in the upper corner, next to the flag-staff.*

2. On usual days the British colours shall be hoisted on all the forts within the United States of the Ionian Islands; but a standard shall be made, to be hoisted on days of public rejoicing and festivity, according to the model of the armorial bearings of the said states.

3. The arms or armorial bearings of the United States of the Ionian Islands shall hereafter consist of the British arms in the centre, surrounded by the arms of each of the islands composing the said states.

4. The armorial bearings of each of the islands shall consist of the individual

arms of the island, and such emblem, denoting the sovereign protection, as may be deemed advisable.

Section 7.—General Clauses.

I. It is reserved to his excellency the lord high commissioner of the protecting sovereign, to have the power, by message to the legislative assembly, to call the attention of parliament to any point or points which may hereafter appear to have been omitted or neglected in the present constitutional chart; and on receiving such message the legislative assembly shall decree itself to be sitting under this clause, and shall proceed forthwith to the consideration of the point or points submitted to them by his excellency the lord high commissioner of the protecting sovereign; but on all such occasions, whatever may be agreed on by the parliament, must be ratified by His Majesty the protecting sovereign; after which it shall be considered as forming part of the constitutional chart itself.

II. As many cases may arise, where no specific provision is made in the present constitutional chart, on all such occasions reference shall be had, by analogy, to the chart itself, and the general principle and rule laid down in one case is to be considered as applicable to another of a similar nature, which admits of such application, though such case itself is not stated specifically in the said constitutional chart.

III. In the instance of all maritime transactions, and the collection of customs, it shall be competent for the proper authorities to employ either British or Ionian subjects.

IV. There shall be a general printing-office in the United States of the Ionian Islands, which shall be established at the permanent seat of the government thereof, and the press shall be placed under the immediate control of the senate, and of his excellency the lord high commissioner of the protecting sovereign, and under the superintendence of the secretary of the general department of the senate; and no other printing-press shall be set up and employed, without the previous license of the senate, and the sanction of his excellency the lord high commissioner of the protecting sovereign.

V. A specific law shall settle the terms, time, and mode for the naturalization of foreign subjects in these states; but the subjects of the protecting power shall, in all instances, be entitled to naturalization in half the time that is required for those of any foreign power; and a subject of the protecting power, or of any other power, may be at once naturalized by a bill to that effect, without reference to any fixed time of residence

in these states, which shall be laid down in the law itself.

VI. His excellency the lord high commissioner of the protecting sovereign, independent of all other powers already vested in him, shall possess the right of being present at the sittings of the legislative assembly, or of the senate, whenever he shall deem it fitting or necessary.

VII. Notwithstanding the provisions made in the first section of the present chapter, relative to the general mode of proceeding in all instances of malversation in office, the power of suspension or dismissal, as far as relates to British subjects, rests with and is reserved to his excellency the lord high commissioner of the protecting sovereign exclusively.

VIII. The right of representation and petition, whether in bodies or by individuals, to the protecting sovereign or his ministers, shall be granted, in the fullest manner, to the Ionian people; but the petition of individuals must be addressed to His Majesty's secretary of state, and that of bodies of public functionaries may be directed to His Majesty, through the means of his secretary of state; provided always, such representation or petition (of whatever nature it may be) shall be transmitted through the medium of his excellency the lord high commissioner of the protecting sovereign, and a correct copy of the same be sent to him at the time such representation, memorial, or petition shall be transmitted.

IX. In the case of the death, necessary absence, or indisposition of his excellency the lord high commissioner of the protecting sovereign, the person or persons charged by him, by warrant under his hand and seal, with the execution of the high functions confided to him by his sovereign, shall be considered, *pro tempore*, as possessing all the powers and authorities vested in his excellency the lord high commissioner himself.

X. Whereas it appears that heretofore the secretaries and others considered themselves as having certain responsibility attached to their offices, and that they had a latitude of acting or not acting in their various situations, according to their own judgment; it is clearly to be understood, that all responsibility shall cease in the instance of every ministerial officer; and that all such shall be bound, *ex officio*, to execute the orders of his superior or superiors, all responsibility resting with them.

XI. It is clearly to be understood, that in the instance of all successions, where a vacancy occurs, either by death or otherwise, that the person or persons succeeding to such situation or situations, shall only hold his or their office for

the period of time the person to whom they did so succeed was entitled to hold it.

XII. Whereas the basis of the new constitution of these states is only generally laid down in the present constitutional chart; and whereas it is of the first necessity that no time should be lost in bringing forward the necessary laws to give it effect; it is declared, that the present legislative assembly, on their meeting subsequent to the signification of the pleasure of the protecting sovereign, in regard to the ratification of the said chart, shall be held to be the first parliament of the United States of the Ionian Islands; and that the session in lieu of commencing the 1st of March, as ordered in the chart, shall commence three days after the promulgation of the ratification; its operations, and the second session, shall commence under the constitutional chart, the 1st of March, 1819.

(Signed) B. Theotoky, President.

Cav. Calichiopulo.
Alessandro Mariotti.
Nicolì Anino.
Vittor Carriadi.
Demetrio Foscardi.
Dionisio Bulzo.
Felice Zambelli.
Basilio Zavo.
Valerio Stai.
Giovanni Morichi.
Steffano P. Scordilli.
Anastasio Battali.
Anastasio Casamati.
Giacomo C. Mansaro.
Spiridion Giallina Anastasio.
Antonio Lefcochilo, Cav'.
Nicolò Agorazzo.
Marino Vega.
Nicolò D. Dallaporta.
Spiridion Metaxa Lisco.
Sebastiano Schiadan.
Pietro Coidan.
Daniel Coidan.
Paolo Gentilini.
Spiridion Tocea.
Demetrio Arranitaché.
Dionisio Geminatà.
Giulio Domenighini.
Francisco Muzzan.
Michele Mercati.
Giovanni Melissino.
Marino J. Steffano.
Angelo Condari.
Nicolò Cavada.
Pietro Petrozopulo.
Giv. Psoma.
Nicolò Viedo.
Steffano Tanariotti.

(Signed) R. Plasket, Secy.

(Signed) Sidney Osborne,
Secretary.

(Signed) Demetrio Count Valsamachi,
Secretary.

JONK or JUNK.—(Fr. *Sorté de bâtiment Chinois.*)

Is a kind of ship, common in the East Indies and China. The Chinese jonk is a flat bottomed vessel from 100 to 500 tons burden, with three masts, and a short bowsprit placed on the starboard bow. The masts are supported by two or three shrouds, which at times are all carried on the windward side.—*Falconer.*

JOURNAL.—See BOOK-KEEPING.

IPECACUANHA.—(DA. *Brakrod.*—Du. *Braakworstel, Roodenloepwortel.*—Fr. *Ipecacuanha.*—GER. *Amerikanische brechwurzel.*—IT. *Ipecoacanna.*—LAT. *Radix Ipecucuanha.*—POR. *Cipo de camaras, Ipecacuanha.*—SP. *Ipecacuana, Raiz de oro.*—Sw. *Kräkrot.*)

The root of a plant brought from South America, of which there are two sorts, Peruvian and Brazilian; the grey, or Peruvian, is that most esteemed, the other is brown; the grey is a small wrinkled root, bent and twisted into different figures, with a small white fibre or nerve, which runs into the middle of each piece. The brown sort is smaller, and more wrinkled.

The roots of ipecacuanha ought to be chosen new, plump, and unmixed with suckers or filaments.

IPSWICH, a borough town, seated on the Orwell, in the county of Suffolk, with a good coasting trade. The tide rises here about 12 feet, but vessels of burthen do not come up to the town. It has a custom-house establishment. E. Lon. 1.16. N. Lat. 52.8.

Ipswich is a warehousing port for certain articles.—See WAREHOUSING.

IRELAND, an island lying to the west of that of Great Britain, bounded on the east by St. George's Channel, and the Irish Sea, which separates it from England and Wales; on the north east by a channel, called the North Channel, 34 miles broad, which separates it from Scotland; and on every other side by the Atlantic Ocean.

The principal produce of Ireland, is corn, cattle, flax, and hemp. The most important manufacture is its fine linen cloth, celebrated throughout the world.

The quantity of Irish linens imported into England in the year ending the 5th January, 1817, was 41,204,854 yards of which 32,603,032 yards were retained for home consumption.

By 55 Geo. 3. c. 25. s. 1, it is enacted that no person shall sell or expose for sale any piece of brown linen in any of the linen markets of Ireland, of the denomination called three quarter wiles, being of or under the set of six hundred, which shall not be full 28 inches broad, and if exceeding 52 yards in length, which shall not be 70 yards long, under the penalty