THE STATE CONSTITUTION OF NEW MEXICO. We, the people of New Mexico, grateful to Almighty God for the blessings of liberty, in order to secure the advantages of a State government, do ordain and establish this constitution. 1. The name of this State is New Mexico, and its boundaries are as follows: Beginning at the point where. the thirty-seventh parallel of north latitude intersects the one hundred and third meridian west. from Greenwich; thence along said one hundred and third meridian to the thirty-second parallel of north latitude, thence along said thirty-second parallel to the Rio Grande, also known as the Rio Bravo del Norte, as it existed on the ninth day of September, one thousand eight hundred and fifty; thence, following the main channel of said river, as it existed on the ninth day of September, one thousand eight hundred and fifty, to the parallel of thirty-one degrees forty- seven minutes north latitude; thence west one hundred miles to a point; thence south to the parallel of thirty-one degrees twenty minutes north latitude; thence along said parallel of thirty-one, degrees twenty minutes, to the thirty-second meridian of longitude west from Washington; thence along said thirty- second meridian to the thirty-seventh parallel of north latitude; thence. along said thirty-seventh parallel to the point of beginning. ARTICLE 2 1. The State of New Mexico is an inseparable part of the Federal Union, and the Constitution of the United States is the supreme law of the land. 2. All political power is vested in and derived from the people; all government of right originates with the people, is founded upon their will, and is instituted solely for their good. 3. The people of the State have the sole and exclusive right to govern themselves as a free, sovereign, and independent State. 4. All persons are born equally free, and have certain natural, inherent, and inalienable rights, among which are the rights of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of seeking and obtaining safety and happiness. 5. The rights, privileges, and immunities, civil, political, and religious, guaranteed to the people of New Mexico by the Treaty of Guadalupe Hidalgo shall be preserved inviolate. 6. The people have the right to bear arms for their security and defense, but nothing herein shall be held to permit the carrying of concealed weapons. 7. The privilege of the writ of habeas corpus shall never be suspended, unless, in case of rebellion or invasion, the public safety requires it. 8. All elections shall be free and open, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage. 9. The military shall always be in strict subordination to the civil power; no soldier shall in time of peace be quartered in any house without the consent of the owner; nor in time of war except in the manner prescribed by law. 10. The people shall be secure in their persons, papers, homes; and effects, from unreasonable searches and seizures, and no warrant to search any place, or seize any persons or thing, shall issue without describing the place to be searched, or the persons or things to be seized, nor without a written showing of probable cause, supported by oath or affirmation. 11. Every man shall be free to worship God according to the dictates of his own conscience, and no person shall ever be molested or denied any civil or political right or privilege on account of his religious opinion or mode of religious worship. No person shall be required to attend any place of worship or support any religious sect or denomination; nor shall any preference be given by law to any religious denomination or mode of worship. 12. The right of trial by jury as it has heretofore existed shall be secured to all and remain inviolate. In all cases triable in courts inferior to the district court the, jury may consist of six. The legislature may provide that verdicts in civil cases may be rendered by less than a unanimous vote of the jury. 13. All persons shall be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. 14. No person shall be held to answer for a capital, felonious, or infamous crime. unless on a presentment or indictment of a grand jury, except in cases arising in the militia when in actual service in time of war or public danger. In all criminal prosecutions the accused shall have the right to appear and defend himself in person, and by counsel; to demand the nature and cause of the accusation; to be confronted with the witnesses against him; to have the charge and testimony interpreted to him in a language that he understands; to have compulsory process to compel the attendance of necessary witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed. 15. No person shall be compelled to testify against himself in a criminal proceeding, nor shall any person be twice put in jeopardy for the same offense; and when the indictment, information, or affidavit upon which any person is convicted charges different offenses or different degrees of the same offense and a new trial is granted the accused, he may not again be tried for an offense or degree of the offense greater than the one of which he was convicted. 16. Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. 17. Every person may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true and was published with good motives and for justifiable ends, the party shall be acquitted. 18. No person shall be deprived of life, liberty, or property without due process of law; nor shall any person be denied the equal protection of the laws. 19. No ex post facto law, bill of attainder, nor law impairing the obligation of contracts shall be enacted by the legislature. 20. Private property shall not be taken or damaged for public use without just compensation. 21. No person shall be imprisoned for debt in any civil action. 22. No distinction shall ever be made by law between resident aliens and citizens in regard to the ownership or descent of property. 23. The enumeration in this constitution of certain rights shall not be construed to deny, impair, or disparage others retained by the people. ARTICLE 3 1. The powers of the government of this State are divided into three distinct departments, the legislative, executive, and judicial, and no person or collection of persons charged with the exercise of powers properly belonging to one of these departments, shall exercise any powers properly belonging to either of the others, except as in this constitution otherwise expressly directed or permitted. ARTICLE 4 1. The legislative power shall be vested in a senate and house of representatives which shall be designated the Legislature of the State of New Mexico, and shall hold its sessions at the seat of government. The people reserve the power to disapprove, suspend, and annul any law enacted by the legislature, except general appropriation laws; laws , providing for the preservation of the public peace, health, or safety; for the payment of the public debt or interest thereon, or the creation or funding of the same, except as in this constitution otherwise provided; for the maintenance of the public schools or State institutions, and local or special laws. Petitions disapproving any law other than those above excepted, enacted at the last preceding session of the legislature, shall be filed with the secretary of state not less than four months prior to the next general election. Such petitions shall be signed by not less than ten per centum of the qualified electors of each of three-fourths of the counties and in the aggregate by not less than ten per centum of the qualified electors of the state, as shown by the total number of votes cast at the last preceding general election. The question of the approval or rejection of such law shall be submitted by the secretary of state to the electorate at the next general election; and if a majority of the legal votes cast thereon, and not less than forty per centum of the total number of legal votes cast at such general election, be cast for the rejection of such law, it shall be annulled and thereby repealed with the same effect as if the legislature had then repealed it, and such repeal shall revive any law repealed by the act so annulled; otherwise, it shall remain in force unless subsequently repealed by the legislature. If such petition or petitions be signed by not. less than twenty-five per centum of the qualified electors under each of the foregoing conditions, and be filed with the secretary of state within ninety days after the adjournment of the session of the legislature at which such law was enacted, the operation thereof shall be thereupon suspended and the question of its approval or rejection shall be likewise submitted to a vote at the next ensuing general election. If a majority of the votes cast thereon and not less than forty per centum of the total number of votes cast at such general election be cast for its rejection, it shall be thereby annulled; otherwise, it shall go into effect upon publication of the certificate of the secretary of state declaring the result of the vote thereon. It shall be a felony for any person to sign any such petition with any name other than his own, or to sign his name more than once for the same measure, or to sign such petition when he is not a qualified elector in the county specified in such petition; provided, that nothing herein shall be construed to prohibit the writing thereon of the name of any person who can not write, and who signs the same with his mark. The legislature shall enact laws necessary for the effective exercise of the powers hereby reserved. 2. In addition to the powers herein enumerated, the legislature shall have all powers necessary to the legislature of a free State. 3. The senate shall consist of twenty-four, and the house of representatives of forty-nine members, who shall be qualified electors of their respective districts and residents of New Mexico for at least three years next preceding their election. Senators shall not be less than twenty-five, years, and representatives not less than twenty-one years of age at the time of their election. No person shall be eligible to the legislature who, at the time of qualifying, holds any office of trust or profit under the State, county, or National Government, except: notaries public and officers of the militia, who receive no salary. 4. Members of the legislature shall be elected as follows: Senators for the term of four years, and members of the house of representatives for the term of two years. They shall be elected on the day provided by law for holding the general election of State officers or Representatives in Congress. Vacancies in either house shall be filled by an election at a time to be designated by the governor. 5. The first session of the legislature shall begin at twelve o'clock, noon, on the day specified in the proclamation of the governor. Subsequent sessions shall begin at twelve o'clock. noon, on the second Tuesday of January next after each general election. No regular session shall exceed sixty days, and no special session shall exceed thirty days. 6. Special sessions of the legislature may be called by the governor, but no business shall be transacted except such as relates to the objects specified in his proclamation. 7. Each house shall be the judge of the election and qualifications of its own members. A majority of either house shall constitute a quorum to do business, but a less number may effect a temporary organization, adjourn from day to day, and compel the attendance of absent members. 8. The senate shall be called to order in the hall of the senate by the lieutenant governor. The senate shall elect a president pro tempore who shall preside in the absence of the lieutenant governor and shall serve until the next session of the legislature. The house of representatives shall be called to order in the hall of said house by the secretary of state. He shall preside until the election of a speaker, who shall be the member receiving the highest. number of votes for that office. 9. The legislature shall choose its own officers and employees and fix their compensation, but the number and compensation shall never exceed the following: For each house, one chaplain at three dollars per day; one chief clerk and one sergeant-at-arms, each at six dollars per day, one assistant chief clerk and one assistant sergeant at arms, each at five dollars per day; two enrolling clerks and two reading clerks, each at five dollars per day; six stenographers for the senate and eight for the house, each at six dollars per day; and such subordinate employees in addition to the above as they may require, but the aggregate compensation of such additional employees shall not exceed twenty dollars per day for the senate and thirty dollars per day for the house. 10. Each member of the legislature shall receive as compensation for his services the sum of five dollars for each day's attendance during each session and ten cents for each mile traveled in going to and returning from the seat of government by the usual traveled route, once each session, and he shall receive no other compensation, perquisite, or allowance. 11. Each house may determine the rules of its procedure, punish its members or others for contempt or disorderly behavior in its presence, and protect its members against violence; and may, with the concurrence of two-thirds of its members, expel a member, but not a second time for the same act. Punishment for contempt or disorderly behavior or by expulsion shall not be a bar to criminal prosecution. 12. All sessions of each house shall be public. Each house shall keep a journal of its proceedings, and the yeas and nays on any question shall, at the request of one-fifth of the members present, be entered thereon. The original thereof shall be filed with the secretary of state at the close of the session, and shall be printed and published under his authority. 13. Members of the legislature shall in all cases, except treason felony, and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and on going to and returning from the same. And they shall not be questioned in any other place for any speech or debate or for any vote cast in either house. 14. Neither house shall, without the consent of the other, adjourn for more than three days, Sundays excepted; nor to any other place than that where the two houses are sitting; and on the day of the final adjournment they shall adjourn at twelve o'clock, noon. 15. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose. The enacting clause of all bills shall be: "Be it enacted by the Legislature of the State of New Mexico." Any bill may originate in either house. No bill, except bills to provide for the public peace, health, and safety and the codification or revision of the laws, shall become a law unless it has been printed , and read three different times in each house, not more than two of which readings shall be on the same day, and the third of which shall be in full. 16. The subject of every bill shall be clearly expressed in its title, and no bill embracing more than one subject shall be passed except general appropriation bills and bills for the codification or revision of the laws; but if any subject is embraced in any act which is not expressed in its title, only so much of the act as is not so expressed shall be void. General appropriation bills shall embrace nothing but appropriations for the expense of the executive, legislative, and judiciary departments, interest, sinking fund, payments on the public debt, public schools, and other expenses required by existing laws; but if any such bill contain any other matter, only so much thereof as is hereby forbidden to be placed therein shall be void. All other appropriations shall be made by separate bills. 17. No bill shall be passed except by a vote of a majority of the members present in each house, nor unless on its final passage a vote be taken by yeas and nays, and entered on the journal. 18. No law shall be revised or amended, or the provisions thereof extended by reference to its title only; but each section thereof as revised, amended, or extended shall be set out in full. 19. No bill for the appropriation of money, except for the current expenses of the government, and no bill for the increase of compensation of any officer, or for the creation of any lucrative office, shall be introduced after the tenth day prior to the expiration of the session, as provided herein, except by unanimous consent of the house in which it is introduced. No bill shall be acted upon at any session unless introduced at that session. 20. Immediately after the passage of any bill or resolution, it shall be enrolled and engrossed, and read publicly in full in each house, and thereupon shall be signed by the presiding officers of each house in open session, and the fact of such reading and signing shall be entered on the journal. No interlineation or erasure in a signed bill shall be effective unless certified thereon in express terms by the presiding officer of each house quoting the words interlined or erased, nor unless the fact of the making of such interlineation or erasure be publicly announced in each house and entered on the journal. 21. Any person who shall, without lawful authority, materially change or alter, or make away with, any bill pending in or passed by the legislature, shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years. 22. Every bill passed by the legislature shall, before it becomes a law, be presented to the governor for approval. If he approve, he shall sign it, and deposit it with the secretary of state; otherwise, he shall return it to the house in which it originated, with his objections, which shall be entered at large upon the journal; and such bill shall not become a law unless thereafter approved by two-thirds of the members present and voting in each house by yea and nay vote entered upon its journal. Any bill not returned by the governor within three days, Sundays excepted, after being presented to him, shall become a law, whether signed by him or not, unless the legislature by adjournment prevent such return. Every bill presented to the governor during the last three days of the session shall be approved or disapproved by him within six days after the adjournment, and shall be by him immediately deposited with the secretary of state. Unless so approved and signed by him such bill shall not become a law. The governor may in like manner approve or disapprove any part or parts, item or items, of any bill appropriating money, and such parts or items approved shall become a law, and such as are disapproved shall be void, unless passed over his veto, as herein provided. 23. Laws shall go into effect ninety days after the adjournment of the legislature enacting them, except general appropriation laws, which shall go into effect immediately upon their passage and approval. Any act necessary for the preservation of the public peace, health, or safety shall take effect immediately upon its passage and approval, provided it be passed by two-thirds vote of each house and such necessity be stated in a separate section. 24. The legislature shall not pass local or special laws in any of the following cases. Regulating county, precinct, or district affairs; the jurisdiction and duties of justices of the peace, police magistrates, and constables; the practice in courts of justice; the rate of interest on money; the punishment for crimes and misdemeanors; the assessment or collection of taxes or extending the time of collection thereof; the summoning and impaneling of jurors; the management of public schools; the sale or mortgaging of real estate of minors or others under disability; the change of venue in civil or criminal cases. Nor in the following cases: Granting divorces; laying out, opening, altering, or working roads or highways, except as to State roads extending into more than one county, and military roads; vacating roads, town plats., streets, alleys, or public grounds; locating or changing county seats, or changing county lines, except in creating new counties; incorporating cities, towns, or villages, or changing or amending the charter of any city, town, or village; the opening or conducting of any election or designating the place of voting; declaring any person of age; chartering or licensing ferries, toll bridges, toll roads, banks, insurance companies, or loan and trust companies; remitting fines, penalties, forfeitures, or taxes; or refunding money paid into the State treasury, or relinquishing, extending, or extinguishing, in whole or in part, any indebtedness or liability of any person or corporation to the State or any municipality therein; creating, increasing, or decreasing fees, percentages, or allowances of public officers; changing the laws of descent; granting to any corporation, association, or individual the right, to lay down railroad tracks or any special or exclusive privilege, immunity, or franchise, or amending existing charters for such purpose; changing the rules of evidence in any trial or inquiry; the limitation of sections; giving effect to any informal or invalid deed, will, or other instrument; exempting property from taxation; restoring to citizenship any person convicted of an infamous crime; the adoption or legitimizing of children; changing the names of persons or places; and the creation, extension, or impairment of liens. In every other case where a general law can be made applicable no special law shall be enacted. 25. No law shall be enacted legalizing the unauthorized or invalid act of any officer remitting any fine, penalty, or judgment against any officer, or validating any illegal use of public funds. 26. The legislature shall riot grant to any corporation or person any rights, franchises, privileges, immunities, or exemptions, which shall not, upon the same terns and under like conditions, inure equally to all persons or corporations; no exclusive right, franchise, privilege, or immunity shall be granted by the legislature or any municipality in this State. 27. No law shall be enacted giving any extra compensation to any public officer, servant, agent, or contractor after services are rendered or contract made; nor shall the compensation of any officer be increased or diminished during his term of office, except as otherwise provided in this constitution. 28. No member of the legislature shall, during the term for which he is elected, be appointed to any civil office in the State, nor shall he within one year thereafter be appointed to any civil office created or the emoluments of which were, increased during such term; nor shall any member of the legislature during the term for which he was elected, nor within one year thereafter, be interested directly or indirectly in any contract with the State or any municipality thereof, which was authorized by any law passed during such term. 29. No law authorizing indebtedness shall be enacted which does not provide for levying a tax sufficient to pay the interest and for the payment at maturity of the principal. 30. Except interest or other payments on the public debt, money shall be paid out of the treasury only upon appropriations made by the legislature. N o money shall be paid therefrom except upon warrant drawn by the proper officer. Every law making an appropriation shall distinctly specify the sum appropriated and the object to which it is to be applied. 31. No appropriation shall be made for charitable, educational, or other benevolent purposes to any person, corporation, association, institution, or community not under the absolute control of the State, but the legislature. may, in its discretion, make appropriations for the charitable institutions and hospitals, for the maintenance of which annual appropriations were made by the legislative assembly of nineteen hundred and nine. 32. No obligation or liability of any person, association, or corporation, held or owned by or owing to the State, or any municipal corporation therein, shall ever be exchanged, transferred, remitted, released, postponed, or in any way diminished by the legislature, nor shall any such obligation or liability be extinguished except by the payment thereof into the proper treasury, or by proper proceedings in court. 33. No person shall be exempt from prosecution and punishment for any crime or offenses against any law of this State by reason of the subsequent repeal of such law. 34. No act of the legislature shall affect the right or remedy of either party, or change the riles of evidence or procedure in any pending case. 35. The sole lower of impeachment shall be vested in the use of representatives, and a concurrence of a majority of all the members elected shall be necessary to the proper exercise thereof. All impeachments shall be tried by the senate. When sitting for that purpose, the senators shall be tinder oath or affirmation to do justice according to the law and the evidence. When the governor or lieutenant governor is on trial, the chief justice of the supreme court shall preside. No person shall be convicted without the concurrence of two-thirds of the senators elected. 36. All State officers and judges of the district court shall be liable to impeachment for crimes, misdemeanors, and malfeasance in office, but judgment in such cases shall not extend further than removal from office and disqualification to hold any office of honor, trust, or profit, or to vote under the laws of this State; but such officer or judge, whether convicted or acquitted shall, nevertheless, be liable to prosecution, trial, judgment, punishment, or civil action according to law. No officer shall exercise any powers or duties of his office after notice of his impeachment is served upon him until he is acquitted. 37. It shall not be lawful for a member of the legislature to use a pass, or to purchase or receive transportation over any railroad upon terms not open to the general public; and the violation of this section shall work a forfeiture of the office. 38. The legislature shall enact laws to prevent trusts, monopolies, and combinations in restraint of trade. 39. Any member of the legislature who shall vote or use his influence for or against any matter pending either house in consideration of any money, thing of value, or promise thereof, shall be deemed guilty of bribery; and any member of the legislature or other person who shall directly or indirectly offer, give, or promise any money, thing of value, privilege, or personal advantage to any number of the legislature to influence him to vote or work for or against any matter pending in either house; or any member of the legislature who shall solicit from any person or corporation any money, thing of value, or personal advantage for his vote or influence as such member shall be deemed guilty of solicitation of bribery. 40. Any person convicted of any of the offenses mentioned in sections thirty-seven and thirty-nine hereof, shall be deemed guilty of a felony, and upon conviction shall be punished by fine of not more than one thousand dollars or by imprisonment in the penitentiary for not less than one nor more than five years. 41. Any person may be compelled to testify in any lawful investigation or judicial proceeding against another charged with bribery or solicitation of bribery as defined herein, and shall not be permitted to withhold his testimony on the ground that it might incriminate or subject him to public infamy; but such testimony shall not be used against him in any judicial proceeding against him except for perjury in giving such testimony. APPORTIONMENT. Until changed by law as hereinafter provided, the legislative districts of the State shall be constituted as follows. SENATORIAL DISTRICTS. First: The county of San Miguel, one senator. Second: The counties of San Miguel and Mora, one senator to be a resident of Mora County, and to be elected by the electors of Mora and San Miguel Counties. Third: The counties of Guadalupe and San Miguel, one senator. Fourth: The county of Rio Arriba, one senator. Fifth: The counties of Bernalillo, San Juan, and Sandoval, one senator. Sixth: The counties of Rio Arriba and Sandoval, one senator. Seventh: The county of Bernalillo, one senator. Eighth: The county of Colfax, one senator. Ninth: The counties of Union and Colfax, one senator, to be a resident of Union County and to be elected by the qualified electors of Union and Colfax Counties. Tenth: The county of Santa Fe, one senator. Eleventh: The county of Taos, one senator. Twelfth: The county of Valencia, one senator. Thirteenth: The counties of Sierra, Grant, Luna, and Socorro, one senator. Fourteenth: The county of Socorro, one senator. Fifteenth: The counties of Torrance, Otero, Lincoln, and Socorro, one senator. Sixteenth: The county of Dona Ana, one senator. Seventeenth: The county of McKinley, one senator. Eighteenth: The counties of Otero and Lincoln, one senator. Nineteenth: The county of Chaves, one senator. Twentieth: The county of Eddy, one senator. Twenty-first: The county of Roosevelt, one senator. Twenty-second : The county of Quay, one senator. Twenty-third : The county of Curry, one senator. Twenty-fourth: The county of Grant, one senator. REPRESENTATIVE DISTRICTS. First: The county of Valencia, two members. Second: The county of Socorro, two members. Third: The county of Bernalillo, three members. Fourth: The county of Santa Fe, two members. Fifth: The county of Rio Arriba, two members. Sixth: The county of San Miguel, three members. Seventh: The county of Mora, two members. Eighth: The county of Colfax, two members. Ninth: The county of Taos, two members. Tenth: The county of Sandoval, one member. Eleve