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*W. B. Bunker*

# CONSTITUTION

FOR THE

# STATE OF ARIZONA

As Adopted by the Constitutional  
Convention

FRIDAY, OCTOBER 2nd, 1891.

AND

# ADDRESS

To the People of the Territory.

PHOENIX, ARIZ :  
HERALD BOOK AND JOB PRINT  
1891

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Arizona (Ter.) Constitutional convention, 1891

# CONSTITUTION

FOR THE



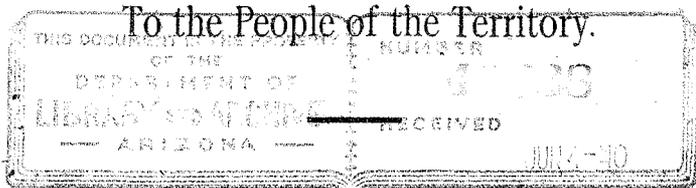
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# ADDRESS

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FELLOW CITIZENS OF ARIZONA:—Your Delegates in Convention assembled to frame a Constitution for the State of Arizona, have completed the work, which is here with submitted for your careful investigation.

They commend to your favorable consideration the Constitution accompanying this address, as the fruits of the untiring labor and united efforts of your chosen representatives, whose interests are identical with your own. The end sought was to frame a Constitution that would secure a just and economical administration in all of the Departments of State. An examination of the instrument submitted cannot fail to show the distinguishing features between a government organized under it and those not only seen but painfully felt by every tax-payer under our present system.

Under Territorial government, limitation of legislative action is almost a stranger and for a long time was not known at all; and official conduct but little watched by the eye and authority of the law. Hence leakage in the treasury, and extravagance in public expenditure, are matters of but little surprise. They must be recognized as the fruits of bad government. Unguarded official action is to be seen all along the line of our Territorial travel, and extravagant legislation has naturally followed. Hence to-day, while we are preparing for a new order of things under an economic and well guarded constitutional form of government, we are brought face to face with an empty treasury and a large outstanding Territorial debt of nearly one million dollars, while the debts of the several counties aggregate nearly three times that sum. A just and economic administration of affairs did not produce this. It should be ended, and hereafter avoided. It can only be done by the most cautious guards, and the impartial reader cannot fail to find such, embodied in this Constitution.

Your Delegates have sought to profit by the wisdom and experience of other States and have therefore by careful selection established a Legislative, Executive and Judicial system, which challenges comparison with the wisest and most economic. The number of officers has been reduced to the lowest practical limit, and salaries fixed at small economic sums. The different departments have been shaped after the system most familiar to our people, that nothing may be hazarded by experiment.

The Judicial Department is so arranged as to insure speedy litigation and avoid unnecessary expense.

## SCHOOLS AND SCHOOL LANDS.

That all children of school age in the State may receive gratuitously, instructions in the common school branches, a free common school system is forever guaranteed. Its funds are preserved intact and the system divorced from all church and creed, and its management and control by sectarianism forever prohibited. Careful provisions are made to preserve the school lands and for their judicious appraisalment, gradual sale and for the highest price. Meantime the pioneer and early settler who has braved the danger of frontier life, and settled upon and improved these lands

is not unprotected. He has the preference to purchase the land so improved at the highest price offered for it. And in the event he may not be able to pay the highest price so offered, the appraisers of the land are required to appraise the improvements separate from the land, and the purchaser must pay him for his improvements before taking possession.

#### CORPORATIONS.

The legislation of old States has been found unequal to the task of protecting the people from the growing, grasping, monopolizing tendencies of railroads and other corporations. It has been thought wise therefore to place positive restrictions on the powers of legislation in these matters. To this end provisions have been made for the destruction of all wild cat schemes and the wiping out of all dormant and sham corporations claiming special and exclusive privileges. All power is taken from the Legislature to create corporations, or to extend or enlarge their power by special law; or to give them rights or privileges irrevocable. Power is given to the Legislature to revoke or annul the charters of corporations that may prove injurious, and the Legislature is required to enact wholesome laws empowering the courts to do the same thing during legislative interum.;

#### COUNTY GOVERNMENT.

A well guarded system of county government is provided for. The Legislature is prohibited from changing county lines and forming new counties unless the same can be done upon a basis of property, area and population, that will insure easy maintenance of such new county government without strain, and at the same time without crippling the county or counties from which it may be formed. The county officers and offices are provided for in a kindred way to the system the people are acquainted with, but that the running machinery of county government may be rendered less expensive the offices have been so blended as to require the official work necessary to the exercise of county government to be done with the fewest official hands practical to its execution. These officers are all made elective every two years, and are thereby made directly responsible to the people whom they serve.

#### ELECTION AND SUFFRAGE.

The right of suffrage is conferred upon every male citizen of the United States over twenty-one years of age, and who has resided in Arizona for one year previous to an election, except Indians not taxed, idiots, lunatics and persons convicted of crimes; and in questions pertaining to schools the right of suffrage is conferred upon both sexes. Female suffrage was strongly urged upon the convention by petitions from a few quarters, and by earnest personal advocates, who were always given an attentive hearing; but after mature deliberation the convention thought it unwise to put woman's suffrage in the Constitution. However, the right of the people to be heard upon this topic, has been recognized, and the Legislature coming directly from the people every two years, is fully authorized to submit this question to the people whenever and as often as may be desired.

#### IRRIGATION.

It is surely safe to say that a just and equitable system of irrigation, suited to this arid region, has been devised. All natural streams and lakes of water capable of being used for irrigation are declared to be the property of the State, and it is provided that the common law doctrine of riparian water rights is not to apply, and that the right to use water heretofore lawfully appropriated to beneficial uses is never to be denied.

The right of the people to appropriate and use the appropriated waters for beneficial purposes is guaranteed, prior appropriation giving the better right.

That capital may not be shut out of the State and its progress retarded, an invita-

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tion has been extended, guaranteeing to all individuals or corporations the right to construct reservoirs and impound and appropriate the surplus and flood waters within the State for sale, rental, domestic, stock or any beneficial purpose.

However, the mode and manner of acquiring and exercising all of said rights is to be subject to legislative control.

### REVENUE AND TAXATION.

It is through the channel of revenue and taxation the public debts are paid, that the necessary sums for running the government are raised, and it is through it that the pockets of the people are directly reached. This is one of the most important roads in government to guard. That government which does not guard this road by proper, wise limitations and restrictions, naturally grows careless and becomes wasteful and extravagant, and is therefore not a good one. The government that does, is always economical and just in all of the affairs of State, and is never found with a depleted treasury, or imposing heavy burdens upon its people.

A Constitution for just such a government as this we have sought to prepare and submit to you; and if we in the deepest measure of our honest endeavors and thoughts, are not deceived, we have succeeded in doing it. To begin with, the State and county governments are prohibited from going into debt for greater sums than their current tax will pay, which virtually puts them on a cash basis, and shuts down the flood gates of the issuance of bonds, warrants and other evidences of indebtedness, which have heretofore under our present regime so strained our Territorial and county credit. The public credit, the one thing which has heretofore settled upon other States, and thrust many of them into financial ruin, and some into repudiation, cannot be loaned at legislative will.

For the current expenses of State and county governments, a limitation of taxation is fixed not to exceed 3 mills for State and 2 per cent. for county purposes, which with the present indebtedness out of the way, would place us far below what we now pay.

The present outstanding indebtedness has not been overlooked. This we must pay some time, and in some way, under whatever form of government we may be. If so, it must be done by an easy, gradual means, or by a heavy strain to be met and endured some time in the future. That it must be met by the one or the other is inevitable. This being so it would be contrary to common sense not to be able to see the wisest and easiest plan. In order, therefore, to meet the principal of our outstanding debts as they fall due, we have declared that a sinking fund shall be created, and for this purpose a State tax of only 1 mill shall be levied annually till the same shall be extinguished, and  $\frac{1}{2}$  mill for county purposes. To be sure this is a light levy, and will not injuriously effect any one; but close calculation shows it to be sufficient to meet the outstandings when they become due. Thus it is that we have sought to take time by the forelock and require a gradual and easy tax to be continuously flowing into the sinking fund—small enough so that no one will be strained by paying it, and yet large enough to foot the bill when presented. This is not its only advantage. It is destined to give lasting and unexcelled credit to our young State, and to its counties; because it will be a declaration to the world by a brave, hardy and debt-paying people, so made that legislative hands cannot change it, that whomsoever we owe we intend to pay, and have provided means in a constitutional way for so doing.

Fellow citizens, the Constitution we submit to you, challenges your investigation. Take it and turn it as you will, and you must necessarily find that, if the last limit of taxation allowed by it for State and county purposes, for paying interest on the public debt, and for the sinking fund, be levied, taken altogether, upon our present valuation, saying nothing of increase (which must follow statehood rapidly), will not cost the taxpayer quite one and one-half dollars on the \$1000 worth of taxable property he owns. Now this is true, and when we consider the difference of statehood under such a Constitution, and Territorial government as we know it to be, and that under such a constitutional government, the people are supreme and choose all of

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their public servants without exception, and when we further consider, that under such a government, we shall have equal representation in the councils of the nation with other States; there certainly cannot be a single independent American citizen in all the land who thus considers, and makes himself conversant with the two systems of government, the independence of the one and the dependence of the other, who will for a moment hesitate to cast his vote for the Constitution and statehood. But this is not all. If we adopt this Constitution, and thereby obtain admission, we bring into the lap of the State millions of wealth, which we cannot possibly obtain while we are a Territory. The enabling acts admitting Washington, Wyoming, Idaho and the two Dakotas, plainly demonstrate this. We call your attention to a few of the advantages in promise for our new State:

First—The 16th and 36th sections of all the lands of the Territory, which are now held in trust for us by the general government, will ripen into title and go into State control. This land amounts to about 4,027,380 acres.

By the conduct of the general government toward all other new States admitted, she promises us as a State on our admission the following:

	Acres.
Lands for public buildings, 50 sections .....	32,000
Lands for State University .....	46,000
Lands for State Asylum, prison and other buildings .....	50,000
Lands for Agricultural College .....	90,000
Lands for School of Mines .....	40,000
Lands for Deaf and Dumb asylum .....	40,000
Lands for State Normal school .....	80,000
Lands for such general purposes as the Legislature shall declare .....	190,000

This will aggregate about 4,595,380 acres of land which we acquire by admission, and none of which can we get before. Not only this, but the general government will direct the United States Land Office Receivers all over the State to pay into the State treasury for State purposes 5 per cent. of the proceeds of all sales of the public lands sold in the State. Such has been the liberal policy of our general government since Colorado's admission and such is in promise for us. Shall we accept it?

Our constitution is liberal in all of its provisions, and challenges the admiration and support of the whole people, whether they be Democrat or Republican, no matter whether they be biased by party feeling or not.

We therefore urge and admonish you most earnestly, each and ever one of you, in the name of American free government and State sovereignty to peacefully but resolutely go to the polls on the 1st of December next and give us for our new State this organic law, for in it we have every promise of a future of peace and of prosperity.

{Signed}

W. A. ROWE, Chairman.  
 J. F. WILSON,  
 M. H. WILLIAMS,  
 H. N. ALEXANDER,  
 W. H. BARNES,  
 FRANK HEREFORD,  
 GEORGE W. CHEYNEY,  
 Committee.

# CONSTITUTION

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## PREAMBLE.

We, the people of Arizona, grateful to the Supreme Being for our liberties, in order to form a more independent and perfect government, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare; and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the State of Arizona.

## ARTICLE I.

The powers of government of the State are divided into three distinct departments The Executive, the Legislative, and Judicial; and no person or collection of persons belonging to one of these departments shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted.

## ARTICLE II.

### BILL OF RIGHTS.

SECTION 1. Governments are instituted among men for the security of life, liberty and property, and derive their just powers from the consent of the governed; and to secure these ends, the right to alter or reform is inherent in the people.

SEC. 2. The union of the States of the United States of America is a bond of government supreme and indissoluble; the power of the general government over any State or people to enforce obedience to the Constitution and laws, and to punish any violation of the same, is supreme and indisputable.

SEC. 3. The military shall at all times 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 but in the manner prescribed by law.

SEC. 4. The right of the people to keep or bear arms for their own defense, and that of the government, shall not be infringed. The Legislature shall have the power to regulate the wearing of arms to prevent crime.

SEC. 5. The civil rights of the people shall not be abridged except on conviction for crime.

SEC. 6. The right of the people to be secure in their persons, houses, papers and effects shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person, or things to be seized.

SEC. 7. No person shall be held to answer for a capital, or otherwise infamous

crime, unless on a presentment or indictment, of a Grand Jury, or by information based upon an affidavit as may be prescribed by law; except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any one be subject, for the same offense, to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor to be deprived of life, liberty or property without due process of law.

SEC. 8. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the county wherein the crime shall have been committed; to be informed of the nature and cause of the accusation by copy of the same; to be confronted with the witnesses against him; depositions of non-residents of the State, or invalid witnesses may be taken in the presence of himself and counsel as the law may prescribe; to have compulsory process for obtaining witnesses, in his favor, free, and to have the assistance of counsel for his defense.

SEC. 9. A person arrested shall immediately be taken before a magistrate having jurisdiction, to be dealt with according to law: before conviction he shall not suffer punishment or indignity beyond the necessary precautions to prevent escape or rescue; he shall be permitted to converse with counsel at all times, and with other persons at reasonable hours and under safe conditions.

SEC. 10. In suits at common law and in the trial of crimes, not felonies, the Legislature may provide that a verdict be by concurrence of three-fourths of the jury.

SEC. 11. In suits at common law where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.

SEC. 12. All prisoners shall be bailable, by sufficient sureties unless for capital offenses when the proof is evident. This provision shall not be so construed as to prevent bail after indictment, found, or information filed, upon examination of the evidence in such manner as may be prescribed by law.

SEC. 13. The writ of habeas corpus, is a writ of right and shall never be suspended. The Legislature shall enact laws to render the remedy speedy and effectual.

SEC. 14. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.

SEC. 15. All courts shall be open, and every person for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law.

SEC. 16. No bill of attainder or ex post facto law or law impairing the obligation of contracts shall be made. No conviction shall work corruption of blood or forfeiture of estate. The gold and silver coin of the United States shall be equally a legal tender for all debts and obligations contracted in this State, any contract to the contrary notwithstanding.

SEC. 17. No person shall ever be imprisoned for debt except in case of fraud.

SEC. 18. No person shall be outlawed, nor shall any person be transported out of the State for any offense committed within the same.

SEC. 19. Perpetuities and monopolies are contrary to the genius of free government, and shall never be allowed. All grants of corporate or other franchises shall be subject to legislative control, repeal or amendment.

SEC. 20. The people shall have the right in a peaceable manner to assemble together for their common good, and apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address or remonstrance.

SEC. 21. The free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be guaranteed in this State, and no person shall be rendered incompetent to hold any office of trust or profit, or to serve as a witness or juror because of his opinion on any matter of religious belief whatever; but the liberty of conscience herein secured shall not be construed so as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the State.

SEC. 22. Bigamy and the practice of polygamy are felonies and persons found guilty of either shall be punished as those convicted of other felonies.

SEC. 23. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty.

SEC. 24. Elections shall be open, free and equal, and no power, civil or military, shall at any time interfere to prevent an untampered exercise of the right of suffrage.

SEC. 25. No property qualifications shall ever be required for any person to vote or hold office.

SEC. 26. Private property shall never be taken or damaged except for public use, and not then without due compensation therefor.

SEC. 27. The following are declared to be public uses: Private ways of necessity, and for reservoirs, drains, flumes, ditches, roads, railroads, tramways, telephone and telegraph lines, pipe lines, sewers, electric lines, and bucket lines, on or across the lands of others for the purpose of agriculture, mining, milling, domestic, live stock or sanitary purposes.

SEC. 28. No lottery shall ever be permitted in this State.

SEC. 29. The right-of-way over mountain passes, and through canons is granted to all upon such terms and regulations as may be prescribed by law.

SEC. 30. The railroads of this State are declared to be public highways.

SEC. 31. No person shall be imprisoned for the purpose of securing his testimony longer than may be necessary to take his deposition, and then only when he fails to give bail to attend the taking of said deposition. Depositions so taken, if in presence of a defendant and his counsel, may be used in evidence.

SEC. 32. The enumeration in this Constitution of certain rights shall not be construed to deny, impair or disparage others retained by the people.

### ARTICLE III.

#### EXECUTIVE DEPARTMENT.

SECTION 1. The Executive Department of this State shall consist of a Governor, Secretary of State, State Auditor, State Treasurer, Attorney General and Superintendent of Public Instruction, all of whom shall hold their offices for a term of four years, and until their successors shall be elected and qualified, each of whom shall, during his term of office, reside and keep his office and the public records and papers belonging thereto, at the seat of government.

SEC. 2. The Chief Executive power of the State shall be vested in the Governor.

SEC. 3. No person shall be eligible to the office of Governor who has not been a citizen of the United States for a period of ten years, and of this State or Territory for a period of four years prior to his election, and who has not attained the age of thirty years, prior thereto.

SEC. 4. The Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, and Superintendent of Public Instruction shall be elected by the qualified electors of the State at large at the time and place of choosing members of the Legislature.

SEC. 5. The returns of each election therefor shall be made in such manner as is, or may be prescribed by law. The person having the highest number of votes for each of the respective offices shall be declared duly elected thereto; but if two or more shall be equal, and highest in votes for the same office, one of them shall be elected by the joint vote of both houses of the Legislature, at its next session after the election at which such tie vote occurred, and a majority of the votes of all the members elected to both houses shall be necessary to a choice.

SEC. 6. The Governor shall be Commander-in-Chief of the military forces of the State, except when they are called into service of the United States, and he may call out such forces to execute the laws, suppress insurrection and repel invasion. He shall have power to convene the Legislature on extraordinary occasions, and shall state the purposes for which the Legislature is convened, and the Legislature shall be limited in its actions when so convened, to the purposes so stated. He shall, at the commencement of each session of the Legislature, communicate to the same by message, information of the condition of the State, and recommend such measures as he shall deem expedient.

SEC. 7. The Governor may at any time require information or reports in writing, from the officers of the Executive Department, on any subject pertaining to the duties of their respective offices, and he may, also, at any time require information or reports in writing from all officers and managers of State institutions upon any subject, relating to the duties of their respective offices, the condition, management, and expenses of their respective offices and institutions, and all such reports or information in writing, hereinbefore named, shall be under oath. And the Governor, may, at any time he deems it necessary, investigate and report upon the condition of any executive office or State institution. And the Governor shall have power to require any of the officers above named for good cause, to execute and file in the proper office, additional bonds, in such amount and in such manner as may be provided by law.

SEC. 8. He shall expedite all such measures as may be resolved upon by the Legislature, and shall take care that the laws are faithfully executed.

SEC. 9. He shall have power to remit fines and forfeitures, and to grant reprieves, commutations and pardons after conviction, except in cases of impeachment and treason, in such manner as may be prescribed by law, but he shall set forth in writing, fully, the grounds of all such remissions, reprieves, commutations and pardons, and report the same to the Legislature at its next session after the same are made.

SEC. 10. He shall transact all necessary business with the officers of the government, civil and military, appertaining to business concerning the State.

SEC. 11. Every bill which has been passed by the Legislature, shall, before it becomes a law, be presented to the Governor. If he approves it he shall sign it. but if not, he shall return it to the house in which it originated, with his objections thereto, which house shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members elected agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall be likewise reconsidered. and if it be approved by two-thirds of the members elected to that house, it shall become a law, but in all such cases the vote of the two houses shall be determined by the yeas and nays, and the names of the members of each house voting for and against the bill shall be entered upon the journals of each house respectively. If any bills be not returned by the Governor within ten days after its presentation to him, the same shall become a law, unless the Legislature prevents its return by adjournment, in which case it shall become a law, unless he shall within ten days after such adjournment file the same with his objections, in the office of Secretary of State.

SEC. 12. The Governor shall, by and with the advice and consent of the Senate, appoint and commission all State officers whose election is not provided for herein or by law, and he may remove any officer appointed by him, or by him with the advice and consent of the Senate. When any office from any cause becomes vacant, and no mode is provided by this Constitution or by law for filling such vacancy, the Governor shall have power to fill the same by appointment.

SEC. 13. If the Governor be impeached, displaced, resign, or die, or from any other cause whatever shall become incapable, disqualified or incompetent to perform the duties of his office, the Secretary of State shall act as Governor until such vacancy be filled, or the disability removed; and in case the Secretary of State shall also be disqualified from performing such duties, then the President of the Senate shall assume them and act as Governor until the disability be removed, or the vacancy filled.

SEC. 14. Any Governor of this State who asks, receives, or agrees to receive any bribe, upon any understanding that his official opinion, judgment or action shall be influenced thereby, or who gives, or offers to give, or promises his official influence in any manner whatever, in consideration that any member of the Legislature shall give his official vote or influence on any particular side of any subject or matter upon which he is required to act in his official capacity, or who menaces, or attempts to menace any such member by the threatened use of his veto power, or with the threatened use of his official power in any manner whatever, with the intent to influence the official action of said member, shall be punished in the manner now, or that may hereafter be provided by law, and in addition thereto, upon conviction, shall forfeit all right to hold or exercise any office of trust or honor in this State.

SEC. 15. A Seal of State shall be kept by the Secretary of State, used by him officially or under his official sanction, and called the Great Seal of Arizona.

SEC. 16. All grants and commissions shall be issued, "In the name and by the authority of the State of Arizona," signed by the Governor, and attested by the Secretary of State, and sealed with the Great Seal of the State.

SEC. 17. The powers and duties of the Secretary of State, State Auditor, State Treasurer, Attorney General and Superintendent of Public Instruction, shall be such as are or may be prescribed by law.

SEC. 18. Until otherwise provided by law, the Governor shall receive an annual salary of Twenty-five Hundred Dollars; the Secretary of State, Two Thousand Dollars; the State Auditor, One Thousand Dollars; the State Treasurer, One Thousand Dollars; the Attorney General, One Thousand Dollars; and the Superintendent of Public Instruction, One Thousand Dollars; and the salaries of said officers or of any State or County officer shall not be increased or diminished during their term of office, and any and all fees and profits arising from any of said State offices shall be covered into the State Treasury as may be provided by law.

## ARTICLE IV.

### LEGISLATIVE DEPARTMENT.

SECTION 1. The Legislative power shall be vested in a Senate and House of Representatives, which shall be designated the Legislature of the State of Arizona.

SEC. 2. Senators shall be elected for the term of four (4) years and Representatives for the term of two (2) years. The Senators elected at the first election shall be divided by lot into two classes as nearly equal as may be. The seats of Senators of the first-class shall be vacated at the expiration of the first two years, and of the second-class at the expiration of four years. No person shall be a Senator who has not attained the age of twenty-five years, or a Representative who has not attained the age of twenty-one years, and who is not a citizen of the United States and of this State, and who has not resided in this State at least two years, and in the county or district six months next preceding his election.

SEC. 3. Each county shall constitute a Senatorial and Representative district; the Senate and House of Representatives shall be composed of members elected by the legal voters of their counties respectively, every two (2) years. They shall be apportioned among the said counties as nearly as may be according to the number of the inhabitants thereof. Each county shall have at least one Senator and one Representative; but at no time shall the number of members of the House of Representatives be less than twice, nor greater than three times the number of members of the Senate. The Senate and House of Representatives first elected in pursuance of this Constitution, shall consist of twelve and twenty-four members respectively.

SEC. 4. When vacancies occur in either House by death, resignation or otherwise such vacancy shall be filled for the remainder of the term by special election, to be called in such manner as may be prescribed by law.

SEC. 5. Members of the Senate and House of Representatives shall be elected on the day provided by law for the general election of a member of Congress, and their term of office shall begin on the first Monday of January thereafter.

SEC. 6. Each member of the first Legislature, as a compensation for his services, shall receive Five Dollars for each days' attendance, and fifteen cents for each mile traveled in going to and returning from the seat of government to his residence by the usual traveled route, and shall receive no other compensation, perquisite or allowance whatever. No session of the Legislature after the first, which may be ninety days, shall exceed sixty days duration, Sundays and holidays included, except in trials by impeachment. After the first session the compensation of the members of the Legislature shall be as provided by law; but no Legislature shall fix its own compensation.

SEC. 7. The Legislature shall meet at the seat of government at 12 o'clock, noon, on the second Tuesday of January, next succeeding the general election provided by law.

and at 12 o'clock, noon, on the Second Tuesday of January of each alternate year thereafter, and at other times when convened by the Governor.

SEC. 8. No Senator or Representative shall, during the term for which he was elected, be appointed to any civil office under the State, and no member of Congress or other person holding an office (except that of Notary Public or an office in the militia,) under the United States or this State, shall be a member of either House during his continuance in office.

SEC. 9. No member of either house shall, during the term for which he was elected, receive any increase of salary or mileage under any law passed during that term.

SEC. 10. The Senate shall, at the beginning of each regular session, and at such other times as may be necessary, elect one of its members President; the House of Representatives shall elect one of its members Speaker; each house shall choose its other officers and shall judge of the election returns and qualifications of its members.

SEC. 11. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

SEC. 12. Each house shall have the power to determine its rules of procedure, and punish its members or other persons for contempt or disorderly behavior in its presence; to protect its members against violence or offers of bribes or private solicitation, and with the concurrence of two-thirds, to expell a member; and shall have all other powers necessary and usual in the Legislature of a free State; but no imprisonment by either House shall continue beyond thirty days. Punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

SEC. 13. Each house shall keep a journal of its proceedings, and may, in its discretion, from time to time, publish the same, except such part as requires secrecy, and the yeas and nays on any question shall, at the request of two members, be entered on the journal.

SEC. 14. The sessions of each House, and of the Committee of the Whole shall be open unless the business is such as requires secrecy.

SEC. 15. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 16. The members of the Legislature shall, in all cases except treason, felony, violation of their oaths of office, and breach of the peace, be privileged from arrest during their attendance at the sessions of the respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

SEC. 17. The sole power of impeachment shall rest in the House of Representatives: the concurrence of a majority of all the members being necessary to the exercise thereof. Impeachment shall be tried by the Senate, sitting for that purpose, and the Senators shall be upon oath or affirmation to do justice according to law and evidence. When the Governor is on trial the Chief Justice of the Supreme Court shall preside. No person shall be convicted without a concurrence of two-thirds of the Senators elected.

SEC. 18. The Governor and other State and Judicial officers, except Justices of the Peace, shall be liable to impeachment for high crimes and misdemeanors, or malfeasance in office, but judgment in such cases shall only extend to removal from office and disqualification to hold any office of honor, trust or profit under the laws of the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

SEC. 19. All officers, not liable to impeachment, shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law.

SEC. 20. 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.

SEC. 21. The enacting clause of every law shall be as follows: "Be it enacted by the Legislature of the State of Arizona."

SEC. 22. No bill for the appropriation of money, except for the expenses of the Government, shall be introduced within five (5) days of the close of the session, except by unanimous consent of the House in which it is sought to be introduced.

SEC. 23. No bill shall be considered or become a law unless referred to a committee, returned therefrom and printed for the use of the members; nor shall any bill have the force of a law until it has been read at length on three several days in each House; but in case of imperative public necessity, which necessity must be stated in a preamble, or in the body of the bill; two-thirds of the House in which the bill may be pending may suspend this rule, the yeas and nays being taken on the question of suspension, and entered upon the journals.

SEC. 24. No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall be passed containing more than one subject, which subject shall be clearly expressed in its title, but if any subject is embraced in any act which is not expressed in its title, such act shall be void only as to so much thereof as shall not be so expressed.

SEC. 25. No bill shall become a law, except by a vote of a majority of all the members elected to each House, nor, unless on its final passage, the vote be taken by yeas and nays and the names of those voting be entered on the journal.

SEC. 26. No law shall be revised or amended or the provisions thereof extended by reference to its title only, but so much thereof as is revised, amended or extended shall be re-enacted and published at length.

SEC. 27. The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: For granting divorces; laying out, opening, altering or working roads or highways; vacating roads, town plats, streets, alleys or public grounds; locating or changing county seats, regulating county or township affairs; the incorporation of cities, towns or villages or changing or amending the charters of any cities, town or villages; regulating the practice in courts of justice; regulating the jurisdiction and duties of justices of the peace, police magistrates or constables; changing the rules of evidence in any trial or inquiry; providing for changes of venue in civil or criminal cases; declaring any person of age; the limitation of civil actions giving effect to any informal or invalid deed; summoning or impaneling grand or petit juries; providing for the management of common schools; regulating the rate of interest on money; the opening or conducting of any election, or designating the place of voting; the sale or mortgage of real estate belonging to minors or others under disability; chartering or licensing ferries or bridges or toll roads; chartering banks, insurance companies and loan and trust companies; remitting fines, penalties or forfeitures; creating, increasing or decreasing fees, percentages or allowances of public officers; changing the law of descent; granting to any corporation, association or individual the right to lay down railroad track or any special or exclusive privilege, immunity or franchise whatever, or amending existing charter for such purpose; the punishment of crimes; changing names of persons or places; the assessment or collection of taxes; or law effecting estates of deceased persons, minors or others under legal disabilities; extending the time for the collection of taxes; refunding money paid into the State Treasury; relinquishing or extinguishing in whole or in part the indebtedness, liabilities or obligations of any person or corporation to this State, or to any municipal corporation therein; legalizing, except as against the State, the unauthorized or invalid act of any officer; exempting property from taxation; restoring to citizenship persons convicted of infamous crime; authorizing the creation, extension or impairing of liens; creating offices or prescribing the powers or duties of officers in counties, cities, townships or school districts; or law authorizing the adoption or legitimation of children. In all other cases where a general law can be made applicable, no special law shall be enacted.

SEC. 28. The presiding officer of each House shall, in the presence of the House over which he presides, sign all bills and joint resolutions passed by the Legislature immediately after their titles have been publicly read and the fact of signing shall be at once entered upon the journal.

SEC. 29. The first Legislature convened under this Constitution shall have no more than seven clerks, two sergeant-at-arms, two pages and two door keepers, whose compensation shall not exceed five dollars each per day. Said Legislature shall prescribe by law the number and compensation of the officers and employees of each House, and no payment shall be made from the State Treasury, or be in any way authorized to any such person except to an acting officer or employee elected or appointed in pursuance of law. No law passed increasing the number or compensation of employees shall take effect during the session in which it was passed.

SEC. 30. No bill shall be passed giving an extra compensation to any public officer, servant or employee, agent or contractor after services have been rendered or contract made.

SEC. 31. All stationery, printing, paper, fuel and lights used in the Legislative and other departments of government shall be furnished and the printing and binding of the laws, journals and department reports and other printing and binding and the repairing and furnishing of the halls and rooms used for the meeting of the Legislature and its committees shall be performed under contract, to be given to the lowest responsible bidder below such maximum price and under such regulations as may be prescribed by law. No member or officer of any department of the Government shall be in any way interested in any such contract, and all such contracts shall be subject to the approval of the Governor and State Treasurer.

SEC. 32. Except as otherwise provided in this Constitution no law shall extend the term of any public officer or increase or diminish his salary or emoluments after his election or appointment, but this shall not be construed to forbid the Legislature from fixing the salaries or emoluments of those officers first elected or appointed under this Constitution, if such salaries or emoluments are not fixed by its provisions.

SEC. 33. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments as in case of other bills.

SEC. 34. The general appropriation bills shall embrace nothing but appropriations for the ordinary expenses of the Legislative, Executive and Judicial Departments of the State, interest on public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject.

SEC. 35. Except for interest on public debt money shall be paid out of the Treasury only on appropriations by the Legislature, and in no case otherwise than upon warrant drawn by the proper officer in pursuance of law.

SEC. 36. No appropriation shall be made for charitable, industrial, educational or benevolent purposes, to any person, corporation or community not under the absolute control of the State, nor to any denominational or sectarian institution or association.

SEC. 37. The Legislature shall not delegate to any special commissioner, private corporation or association any power to make, supervise or interfere with any municipal improvements, moneys, property or effects, whether held in trust or otherwise, nor to levy taxes, nor to perform any municipal functions whatever.

SEC. 38. No act of the Legislature shall authorize the investment of trust funds by executors, administrators, guardians or trustees in the bonds or stock of any private corporation.

SEC. 39. The Legislature shall have no power to pass any law authorizing the State, or any county in the State or municipal corporation, to contract any debt or obligation in aid of any private enterprise, nor to give or loan its credit to or in aid of the same; but neither the State nor any political subdivision thereof shall be prohibited from loaning its credit or giving aid to the construction and maintenance of railroad, toll roads, street railways, canals, reservoirs, water works, sewers or bridges; provided that the proposition to lend such aid shall first be submitted to a vote of the qualified electors of the political subdivision affected thereby, and two-thirds of those voting shall vote in favor thereof.

SEC. 40. Every order, resolution or vote in which the concurrence of both Houses may be necessary, except on the question of adjournment or relating solely to the transaction of the business of the two Houses, shall be presented to the Governor, and

before it shall take effect be approved by him, or, on being disapproved, be repassed by two-thirds of both Houses, as prescribed in the case of a bill.

SEC. 41. A member who has a personal or private interest in any measure or bill proposed or pending before the Legislature shall disclose the fact to the House of which he is a member, and shall not vote thereon.

#### APPORTIONMENT.

SECTION 1. One Representative in the Congress of the United States shall be elected from the State at large, at the first general election under this Constitution, and thereafter at such times and places, and in such manner as may be prescribed by law. When a new apportionment shall be made by Congress, the Legislature shall divide the State into congressional districts accordingly.

SEC. 2. Until an apportionment of Senators and Representatives is otherwise provided by law, they shall be divided among the several counties of the State in the following manner: Apache county, one member of the Senate, and two members of the House of Representatives; Cococino, one Senator and one Representative; Cochise one Senator and three Representatives; Gila, one Senator and one Representative. Graham, one Senator and two Representatives; Maricopa, one Senator and four Representatives; Mohave, one Senator and one Representative; Pima, one Senator and four Representatives; Pinal, one Senator and two Representatives; Yavapai, one Senator and three Representatives; Yuma, one Senator and one Representative. And the several counties of the State shall elect one Senator at large.

#### ARTICLE V.

##### JUDICIAL DEPARTMENT.

SECTION 1. The Judicial power of the State of Arizona shall be vested in one Supreme Court, District Courts, Probate Courts, Justices of the Peace, and such inferior courts for incorporated cities, towns and villages as may be provided by law.

##### SUPREME COURT.

SEC. 2. The Supreme Court shall consist of three judges, and shall have original jurisdiction in quo warranto, in mandamus and habeas corpus, and appellate jurisdiction in all other cases. One of said judges shall be Chief Justice; two shall constitute a quorum, and the concurrence of the two shall be necessary to every decision.

SEC. 3. The judges of the Supreme Court shall be elected by the qualified electors of the State at large, and, except the first election for judges under this Constitution, said judges shall be elected at general elections.

SEC. 4. The term of office of the judges of the Supreme Court, except as in this article otherwise provided, shall be six years, and they shall hold their offices until their successors are duly qualified.

SEC. 5. The judges of the Supreme Court shall, immediately after the first election under this Constitution, be classified by lot, so that one shall hold his office for the term of two years, one for the term of four years, and one for the term of six years from the first Monday in January, after the Constitution takes effect. The lots shall be drawn by the judges, who shall for that purpose assemble at the seat of government and they shall cause the result thereof to be certified to the Secretary of the Territory and filed in his office, unless the Secretary of the State of Arizona shall have entered upon the duties of his office, in which event said certification shall be filed therein. The judge having the shortest term to serve, not holding his office by election or appointment to fill a vacancy, shall be Chief Justice, and shall preside at all terms of the Supreme Court, and in case of his absence, the judge having in like manner the next shortest term to serve, shall preside in his stead.

SEC. 6. There shall be a clerk and also a reporter of the Supreme Court, who shall be appointed by the judges thereof, and who shall hold their offices during the pleasure of the judges, and whose duties and emoluments shall be prescribed by law and by rules of the Supreme Court not inconsistent with law. The Legislature shall make provision

for the publication and distribution of the decisions of the Supreme Court and for the sale of the published volumes thereof.

SEC. 7. No person shall be eligible to the office of Judge of the Supreme or District Courts unless he be learned in the law, be at least thirty years of age and a citizen of the United States, nor unless he shall have resided in the State or Territory of Arizona three years next preceding his election and in the district one year.

SEC. 8. No duties shall be imposed by law upon the Supreme Court, or any of the judges thereof, except such as are judicial, nor shall any of the judges thereof exercise any power of appointment except as herein provided.

SEC. 9. The style of process shall be: "The State of Arizona." All prosecutions shall be carried on in the name and by the authority of the State of Arizona, and conclude, "against the peace and dignity of the State of Arizona." There shall be at least three terms of the Supreme Court in each year, as may be provided by law. Until the law does so provide, the Court may, by an order entered of record, fix the time and places of such terms of court.

SEC. 10. Any vacancy happening by death, resignation or otherwise, in the office of Judge of the Supreme Court, shall be filled by appointment by the Governor, which appointment shall continue until the first general election thereafter, when said vacancy shall be filled by election.

SEC. 11. In case a Judge of the Supreme Court shall be in any way interested in a cause brought before said court, the remaining judges of said court shall call one of the District Judges not interested, to sit with them, on the hearing of said cause.

#### DISTRICT COURTS.

SEC. 12. Until otherwise provided by law, the State shall be divided into three judicial districts. The counties of Graham, Cochise and Pima shall constitute the first district; the counties of Yuma, Maricopa, Gila and Pinal shall constitute the second district, and the counties of Mohave, Yavapai, Coconino and Apache shall constitute the third district.

SEC. 13. One judge shall be elected from each district, who shall hold his office for a term of four years. The term of the first District Judges elected under this Constitution shall terminate four years after the first day of January, after this Constitution takes effect.

SEC. 14. The District Courts shall have original general jurisdiction of all causes in law and equity, and such appellate jurisdiction as may be provided by law, and shall hold at least two terms each year in each county.

SEC. 15. Appeals and writs of error shall be allowed from the District Court to the Supreme Court from all final determinations, and from all determinations affecting substantial rights.

SEC. 16. Any Judge of the Supreme Court may, in cases of emergency, sit as a District Judge. A Judge of the District Court shall be designated by the Supreme Court to sit in the Supreme Court, to hear and determine appeals from causes heard before a Judge of the Supreme Court sitting as a District Judge.

SEC. 17. The compensation of the Supreme Judges shall be Four Thousand (\$4,000) Dollars, and District Judges shall be Three Thousand Five Hundred (\$3,500) Dollars per annum.

SEC. 18. The Legislature may provide that at the end of the first term of office of District Judges herein provided, the number of Judicial Districts may be increased by one. An increase may be made thereafter, but not before four years have elapsed since the last increase, and by not more than one District at a time. Each increase shall be only when two-thirds of each House shall concur therein. Such increase of Districts shall not affect the official term of any Judge. Elections for Judges of such new Districts shall be only when the Judges of the other Districts are elected.

SEC. 19. A Judge of the Supreme or District Court shall not practice law in any Court.

## PROBATE COURTS.

SEC. 20. There shall be established in each county a Probate Court which shall be a Court of Record, open at all times, and holden by one Judge, elected by the electors of the county, and whose term of office shall be two years.

SEC. 21. The Probate Court shall have original jurisdiction in all probate and testamentary matters, the appointment of administrators and guardians, the settlement of accounts of executors, administrators and guardians, and such other probate jurisdiction as is now or may be conferred upon it, and in proceedings for the collection of taxes and assessments; provided, that the Legislature may, by local or general law, increase the jurisdiction of Probate Courts as follows, to-wit: By giving said court in any county concurrent jurisdiction with the District Court in all actions at law where the amount in controversy does not exceed one thousand dollars, and where the title to real estate is not in question, and in all criminal actions below the grade of felony.

SEC. 22. Appeals from all matters of Probate shall be to the District Court where the trial shall be *de novo*.

SEC. 23. The qualifications of the Judges of Probate Courts in counties where the jurisdiction of said courts shall have been increased, shall be the same as those of a District Judge, except that he shall be a resident of the county at the time of his election.

## JUSTICES OF THE PEACE.

SEC. 24. The Legislature shall provide for the election of Justices of the Peace, in each county in this State. They shall have jurisdiction in all actions at law, where the amount in controversy, exclusive of costs, does not exceed three hundred dollars, and where the title to real estate is not in issue; and shall have such jurisdiction to hear and determine cases of misdemeanor as may be provided by law.

SEC. 25. Appeals may be taken to either the District Court or the Probate Court, as may be provided by law. Such actions on appeals shall be tried *de novo*.

SEC. 26. Until otherwise provided by law, the Judges of the District Court by an order entered of record in each county, may fix the time of holding court in each county. The District Court shall always be open for business when the Judge is present in court.

SEC. 27. There shall be elected in each county a District Attorney, who shall be learned in the law, and who shall hold his office for a term of two years, the first term ending two years after the first day of January, after this Constitution takes effect, and who shall perform such duties and receive such compensation as may be prescribed by law.

## ARTICLE VI.

## TAXATION AND REVENUE.

SECTION 1. The fiscal year shall commence on the first Monday in June in each year, unless otherwise provided by law.

SEC. 2. All lands and improvements thereon shall be listed for assessment, valued for taxation, and assessed separately except as hereinafter provided.

SEC. 3. For State revenue there shall be levied annually a tax not to exceed three (3) mills on the dollar of the assessed valuation of the property in the State, except for the support of State, educational and charitable institutions, the payment of the State debt, and the interest thereon.

SEC. 4. For county revenue there shall be levied annually a tax not to exceed two per centum on the dollar for all purposes, including general school tax, except for the payment of its public debt and the interest thereon and exclusive of State revenue. An additional tax of two dollars for each male person between the ages of twenty one years and sixty years, inclusive, shall annually be levied for county school purposes, unless otherwise provided by law.

SEC. 5. No incorporated city or town shall levy tax to exceed eight mills on the dollar in any one year, except for the payment of its public debt and the interest thereon.

SEC. 6. There shall be annually assessed and collected in the same manner as other State revenue may be assessed and collected, and returned to the State Treasurer, a tax of one mill upon each dollar's worth of taxable property, in addition to all other taxes, to be applied as follows, viz: The fund so created shall be kept separate, and shall, annually, on the first day of January be apportioned and paid over pro rata upon all such State indebtedness as may for that purpose be presented by the holders of the same, to be entered as a credit upon, and to that extent, in extinguishment of the principal of said indebtedness. If no indebtedness be presented the fund shall be a sinking fund to be devoted to the extinguishment of the principal of the State debt. When sufficient money has been accumulated in the sinking funds to liquidate outstanding indebtedness, this Section shall cease to be operative. And there shall be annually assessed and collected in each county whose debt exceeds in the aggregate Fifty Thousand (\$50,000) Dollars, in like manner, a tax of one half mill, as aforesaid, the fund to be applied in the same way in extinguishment of county debts. The Legislature may provide by law for the investment of any balances of the sinking funds in the State and county securities until the funds can be devoted to extinguishment of the indebtedness.

SEC. 7. The State Treasurer shall keep a separate account of each fund in his hands, and shall, at the end of each quarter of the fiscal year, report to the Governor in writing under oath, the amount of all moneys in his hands, to the credit of every such fund; the place where the same are kept or deposited, and the number and amount of every warrant received, and the number and amount of every warrant paid therefrom during the quarter. Wilfully swearing falsely to any such report, shall be deemed perjury. The Governor shall cause every such report to be immediately published in at least one newspaper, printed at the seat of government, and otherwise as the Legislature may require. The Legislature may provide by law for further regulations for the safe keeping and management of the public funds in the hands of the Treasurer. But notwithstanding any such regulations the Treasurer and his sureties, in all cases, shall be held responsible therefor.

SEC. 8. The making of profit, directly or indirectly, out of State, county, city, town, school district or other public fund, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law.

SEC. 9. There shall be a State Board of Equalization composed of the Secretary of State, State Auditor, and Treasurer. The duties of the State Board of Equalization shall be to assess and equalize, at their actual value, the franchises, roadways, roadbeds, rails and rolling stock and all other property used in the operation of all railroads and other common carriers, except machine shops, rolling mills, hotels, and station houses in this State, which shall be assessed by the local assessor in the several counties where situated. Such assessed valuation shall be apportioned to the counties in which said roads and common carriers are located, as a basis for taxation of such property; provided, that the assessment so made shall not apply to incorporated towns and cities. Said Board shall perform such other duties as may be prescribed by law.

SEC. 10. There shall be a County Board of Equalization in each county of this State, composed of the Board of Supervisors of the respective counties. The duty of the County Board of Equalization shall be to adjust and equalize valuations of property made, listed and reported by the assessor of the respective counties, and such other duties as may be prescribed by law.

SEC. 11. All property except as in this Constitution otherwise provided, shall be uniformly assessed for taxation, and the Legislature shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal. License taxes shall be as hereafter provided by law.

SEC. 12. The property of the United States, the State, counties, cities, towns, school districts, municipal corporations, public libraries, lots with the buildings thereon used exclusively for religious worship, and public cemeteries, shall be exempt from taxation, and such other property as the Legislature by a two-thirds vote of each house may by general law provide.

SEC. 13. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 14. The power of taxation shall never be surrendered or suspended, by any grant or contract to which the State or any county or other municipal corporation shall be a party.

## ARTICLE VII.

### PUBLIC INDEBTEDNESS.

SECTION 1. The State of Arizona shall not in any manner create any indebtedness, excluding debts existing at the adoption of this Constitution, exceeding one per centum on the assessed value of the taxable property in the State, as shown by the last general assessment for taxation proceeding, except to suppress insurrection or to provide for the public defense.

SEC. 2. No debt in excess of the taxes for the current year shall in any manner be created in the State of Arizona, unless the proposition to create such debt shall have been submitted to a vote of the people, and by them approved, except to suppress insurrection or to provide for the public defense.

SEC. 3. No county in the State of Arizona shall in any manner create any indebtedness, excluding debts existing at the adoption of this Constitution, exceeding two per centum on the assessed value of taxable property in such county, as shown by the last general assessment preceding; provided, however, that any county, city, town, village or other sub-division of the State of Arizona, may bond its public debt existing at the time of the adoption of this Constitution.

SEC. 4. No debt in excess of the taxes for the current year shall in any manner be created by any county or sub-division thereof, or any city, town or village or any sub-division thereof, in the State of Arizona, unless the proposition to create such debt shall have been submitted to a vote of the people thereof, and by them approved.

SEC. 5. No city, town or village, or any sub-division thereof, or any sub-division of any county of the State of Arizona, shall in any manner create any indebtedness exceeding two per centum on the assessed value of the taxable property herein; provided, however, that any city, town or village may be authorized to create an additional indebtedness not exceeding four per centum on the assessed value of the taxable property therein, as shown by the last preceding general assessment for the purpose of building sewerage therein. Debts contracted for supplying water to such city or town, and the debt existing at the time of the adoption of this Constitution are excepted from the operation of this Section.

SEC. 6. No money shall be paid out of the State Treasury except upon appropriation by law and a warrant drawn by the proper officer, and no bills, claims, accounts, or demands against the State, or any county or political sub-division thereof, shall be audited, allowed or paid until a full itemized statement in writing verified by affidavit, shall be filed with the officer or officers whose duty it may be to audit the same.

SEC. 7. No bond or evidence of indebtedness of the State shall be valid unless the same shall have endorsed thereon a certificate signed by the Auditor and Secretary of State, that the bond or evidence of debt is issued pursuant to law, and is within the debt limit. No bond of any county or bond of any township or other political sub-division, shall be valid unless the same shall have endorsed thereon a certificate signed by the Chairman of the Board of Supervisors, or other officer author-

ized by law to sign such certificate, stating that said bond is issued pursuant to law, and is within the debt limit.

## ARTICLE VIII.

### EDUCATION.

SECTION 1. The Legislature at its first session after the adoption of this Constitution, shall establish and maintain a uniform system of free common schools.

SEC. 2. The schools shall be open to all children of the State of Arizona, excepting the children of Indians not taxed.

SEC. 3. All common schools, universities and other educational institutions, for the support of which lands have been granted to the State, or which are supported by a public tax, shall remain under the absolute and exclusive control of the State, and no money raised for the support of the public schools of the State shall be appropriated or used for the support of any educational institution, wholly, or in part, under sectarian or ecclesiastical control. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as teacher or student. No sectarian or religious tenets or doctrines shall ever be taught in the public schools, nor shall any books, papers, tracts or documents of a political, sectarian or denominational character be used or introduced in any school established under the provisions of this Article. All public school exercises in this State shall be conducted in the English language, and all teachers employed in the educational institutions under the control of the State shall be citizens of the United States.

SEC. 4. The general supervision of the common schools of the State shall be vested in a Board of Education, consisting of the Governor, the Superintendent of Public Instruction, and the State Treasurer, the powers and duties of which shall be prescribed by law, and who shall serve as such Board without compensation.

SEC. 5. A Superintendent of Public Instruction shall be elected, whose term of office, powers, duties and compensation shall be prescribed by law.

## ARTICLE IX.

### COMMON SCHOOL FUNDS AND LANDS.

SECTION 1. All proceeds of the public lands that have theretofore been, or may be hereafter granted, by the United States for the support of the school system in this State; all such per centum as may be granted by the United States on the sale of public lands; the proceeds of property that shall fall to the State by escheat; the proceeds of any gifts and donations to the State for the common schools, not otherwise appropriated by the terms of the gift; all moneys which shall be paid by persons as equivalent for exemption from military duty; together with such other means as the Legislature may provide, by tax or otherwise, shall be inviolably appropriated to the support of the common schools. Provided, that the proceeds of all lands that have heretofore, or may hereafter be appropriated or granted for the maintenance of the University of Arizona, shall be inviolably applied to the specific use of the original grant. Provided, that the proceeds of all lands that have been heretofore, or may hereafter be appropriated or granted for the maintenance of Territorial Normal Schools, shall be inviolably applied to the specific use of the original grant.

SEC. 2. The Legislature shall provide for the disposal of the lands heretofore granted or which may hereafter be granted to the State for educational purposes, by lease and sale, the proceeds of which shall constitute a permanent and inviolate fund the interest of which, only, shall be used, and for the equitable distribution of such interest within the counties of the State, in proportion to the children of school age thereof. Said proceeds, with any unexpended interest, or rental, shall be invested, in bonds of the United States, bonds of the State of Arizona, bonds of school corporations, or in first mortgage on farm lands within the State, not exceeding in amount one third the actual value of any sub-division on which the same may be loaned.

SEC. 3. The custodians of said funds shall be the same as provided by law for State and county funds, and any losses shall be made good by the State, principal and interest.

SEC. 4. The State Board of Education shall cause all the lands to be appraised by sworn appraisers, part of whom at least shall be residents of the county wherein the lands to be appraised are situate, and after all such lands shall have been appraised, said Board shall designate for sale such lands as they may think most advantageous for the public interest to be sold, and classify the same by the uses to which they may be applied. But not more than one-fourth of the lands belonging to any one of the said classes shall be sold during any period of five years, commencing with the date on which this Constitution goes into effect.

SEC. 5. The Legislature shall prescribe by law the limit to the quantity of land which may be leased or sold to any one individual, company or corporation, and no laws shall ever be passed granting to any person, corporation or association, any privilege, by reason of occupation or cultivation of any school lands, by said person, corporation or association, subsequent to the survey thereof, of the general government. No claim for the occupation, or cultivation of any school lands shall ever be recognized, nor shall such occupation, or cultivation of any school lands ever be used to diminish, either directly or indirectly, the sale or rental value of said lands. But the said board shall cause to be appraised the permanent improvements made on any school lands, and the value of the land separately. When such land is sold the purchaser thereof in addition to the value of the land paid to the State, shall pay to the owner of such permanent improvements the amount of their appraised value. The owner of such permanent improvements shall have the option to become the purchaser of said lands at the highest offered price and on such terms as the Legislature may by general law provide.

SEC. 6. No land shall be leased for a period longer than ten years, nor shall any land be sold for less than the appraised value, and in no case for less than \$10 00 per acre unless otherwise provided in the Enabling Act admitting Arizona as a State: nor shall any land be sold or leased in any other manner than at public auction, and in accordance with such rules and regulations as may be prescribed by law.

## ARTICLE X.

### SUFFRAGE.

SECTION 1. Every male citizen of the United States of the age of twenty-one year and upwards (except idiots, lunatics, soldiers, seamen, or mariners in the army or navy of the United States, Indians not taxed, and persons convicted of any infamous or capital crime), who has resided in the State or Territory one year and in the county wherein such residence is located ninety days next preceding any election shall be entitled to vote at such election, provided that in school elections there shall be no denial of the elective franchise on account of sex.

SEC. 2. Nothing herein shall be construed to deprive any person of the right to vote who has such right at the time of the adoption of this Constitution.

SEC. 3. The Legislature shall be empowered to make further extensions of suffrage hereafter, at its discretion, to all citizens of mature and sound mind, not convicted of any capital or infamous crime, without regard to sex. But no law extending or restricting the right of suffrage shall be enforced until adopted by a majority of the electors of the State voting at a general election.

SEC. 4. The mode and manner of holding elections and making returns thereof shall be as they now are, or may hereafter be prescribed by law.

## ARTICLE XI.

### SEAT OF GOVERNMENT.

The seat of government shall be, and remain permanent, at the city of Phoenix, in the county of Maricopa, until otherwise ordered by a two-thirds ( $\frac{2}{3}$ ) vote of the Legislature, and a majority vote of the people, legally authorized to vote at any general

election. Whenever the question of removal shall have been submitted to the people as herein provided, it shall not again be submitted until after the term of ten (10) years, and in the manner herein prescribed.

## ARTICLE XII.

## MILITIA.

SECTION 1. The militia of the State shall consist of all able bodied male citizens of the State, between the ages of 18 and 45 years, except such as are exempted by the laws of the United States or the State. But all citizens having scruples of conscience averse to bearing arms, shall be excused therefrom upon such conditions as shall be prescribed by law.

SEC. 2. The Legislature may provide by law, for the enrollment, equipment and discipline of the militia, to conform as nearly as practicable to the regulations for the government of the armies of the United States.

SEC. 3. All militia officers shall be commissioned by the Governor, the manner of their selection to be provided by law, and may hold their commissions for such period of time as the Legislature may provide.

SEC. 4. No military organization under the laws of the State shall carry any banner or flag representing any sect or society or the flag of any nationality but that of the United States.

## ARTICLE XIII.

## NAME AND BOUNDARY.

SECTION 1. The name of this State shall be "Arizona."

SEC. 2. The boundaries of this State are, and shall remain as follows: Beginning at the southwest corner of the State of Colorado, the same being the northwest corner of the Territory of New Mexico, as established by Act of Congress February 24th, 1853; thence west with the thirty-seventh parallel of north latitude, to its intersection with the east boundary line of the State of Nevada; thence south with that boundary line to its intersection with the center of the Colorado river; thence following down the center of said river to a point on the boundary line established by treaty between the United States and the Republic of Mexico, dated December 30th, 1853; thence easterly, following said treaty line to its intersection with 109 degrees 2 minutes 59 seconds 25-100 of longitude west of Greenwich; thence north with that degree to the place of beginning.

SEC. 3. There shall be a seal of the State which shall be kept by the Secretary of State, and shall be called the "Great Seal of the State of Arizona," and the seal of the Territory of Arizona shall be the seal of the State until otherwise provided by law.

## ARTICLE XIV.

## COMPACT WITH THE UNITED STATES.

SECTION 1. The State of Arizona is an inseparable part of the Federal Union, and the Constitution of the United States is the supreme law of the land.

SEC. 2. The legal debts and liabilities of the Territory shall be assumed and paid by this State.

SEC. 3. The people inhabiting this State do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes, and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; that the lands or other property belonging

to citizens of the United States residing without this State, shall never be taxed at a higher rate than the lands or other property belonging to residents thereof; that no tax shall be imposed by the State on lands or property therein, belonging to or which may hereafter be purchased by the United States or reserved for its use. But nothing herein shall preclude the State from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person or source, a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands, thus granted, from taxation; but all such lands shall be exempt from taxation by this State so long and to such extent as such Act of Congress may prescribe.

## ARTICLE XV.

## COUNTY GOVERNMENT.

SECTION 1. The several counties in the Territory of Arizona as they shall exist at the time of the admission of said Territory as a State, are hereby declared to be the counties of the State of Arizona.

SEC. 2. The Legislature shall provide by general law for organizing new counties, locating the county seats thereof temporarily, and changing county lines; but no new county shall be formed that does not contain at least one thousand square miles, and shall leave the county or counties from which it is formed to contain not less than one thousand square miles each, and that shall also contain within the limits of said new county property of the value of one million dollars as shown by the last preceding tax returns; and not then unless the old county or counties from which it is formed shall each be left to contain at least one and one half million dollars of taxable property as shown by said last tax returns. And no new county shall be organized nor shall any old county be so reduced as to contain a population of less than fifteen hundred actual and bona fide inhabitants.

SEC. 3. Every new county shall assume and be holden for its pro rata of the indebtedness of the county or counties from which it may be formed.

SEC. 4. The Legislature shall establish, subject to this article, a system of county governments which shall be uniform throughout the State; and by general law shall provide for township and precinct organization and government.

SEC. 5. The Legislature shall provide by general and uniform laws for the election, biennially, in each of the several counties of this State, of a Board of Supervisors, a Sheriff who shall be ex-officio Tax Assessor until otherwise provided by law.

A County Treasurer who shall be ex-officio Tax Collector until otherwise provided by law.

A Probate Judge who shall be ex-officio County Superintendent of public schools

A County Clerk who shall be Clerk of the District Court, and County Recorder until otherwise provided by law, and a District Attorney.

The Legislature shall provide for the strict accountability of county, township, precinct and municipal officers, for all money and fees which may be collected by them, or shall officially come into their hands.

SEC. 6. The Sheriff, Clerk and ex-officio Recorder may be empowered by the County Board of Supervisors to appoint such deputies and clerical assistance as the business of their offices may require; and said deputies and clerical assistance shall receive such compensation as may be fixed by the Board of Supervisors.

SEC. 7. The officers provided for herein shall receive such compensation for their annual services as may be provided by law.

SEC. 8. The Legislature shall provide by general law, for such regulation of county government and the election and compensation of such county officers as may become necessary.

## CONSTITUTION.

ARTICLE XVI  
STATE INSTITUTIONS.

SECTION 1. Educational, reformatory and penal institutions, and those for the benefit of the insane, blind, deaf and dumb, and such other public institutions as the public good may require, may be established, and shall be maintained and controlled by the State, in such manner, and under such regulations, as may be prescribed by law.

SEC. 2. All property and institutions of the Territory of Arizona shall, upon the adoption of this constitution, become the property and institutions of the State of Arizona.

ARTICLE XVII.  
CORPORATIONS

SECTION 1. All existing charters or grants of special or exclusive privileges under which the corporators or grantees shall not have organized and commenced business in good faith at the time of the adoption of this constitution shall thereafter have no validity except such corporations or grantees whose time to organize under their charter or grant has not expired at the time of the adoption of this Constitution.

SEC. 2. No charter of incorporation shall be granted, extended, changed or amended by special laws; but the Legislature shall prescribe by general law for the organization of all corporations, private, public and municipal hereafter to be created.

SEC. 3. The Legislature in addition to the powers granted in this Constitution, shall provide by law the method whereby the court may revoke or annul any charter or incorporation existing and revokable at the time this Constitution goes into effect, or that may thereafter be created, whenever it may be injurious to the citizens of the State, and in such manner that no injustice be done to the corporators or creditors.

SEC. 4. Any association or corporation organized for the purpose, shall have the right to construct and operate railroads, telegraph lines, or canals for carrying water, between any designated points within this State.

SEC. 5. All individuals, associations, or corporations shall be given equal rights of transportation by common carriers, and no undue or unreasonable discrimination shall be made in charges or facilities of said transportation by such common carrier.

SEC. 6. The right of eminent domain shall never be abridged, or construed so as to prevent the Legislature from taking the property and franchise of incorporations and subjecting them to public use the same as the property of the individual citizen.

SEC. 7. All fictitious increase of capital stock or indebtedness of corporations shall be void.

SEC. 8. Any corporation existing under the laws of the Territory prior to the adoption of this Constitution may by resolution of its directors, authenticated by the signatures of its officers, and seal, elect to come under and enjoy the conditions and advantages of this article by filing said resolution in the office of the Secretary of State.

SEC. 9. Any president, director, manager, cashier or other officer of any banking institution who shall receive or assent to the reception of deposits of money after he shall have knowledge of the fact that such banking institution is insolvent, shall be individually responsible for such deposits so received and shall be punished criminally.

SEC. 10. All corporations shall always be subject to the power of the State.

ARTICLE XVIII.  
WATER AND WATER RIGHTS.

SECTION 1. All natural streams and lakes within the boundaries of this State, capable of being used for the purposes of navigation or irrigation, are hereby declared to be the property of the State.

SEC. 2. The common law doctrine of riparian water rights shall never be applied in this State, nor shall the right to use water heretofore lawfully appropriated to beneficial uses ever be denied.

SEC. 3. The right of the people to appropriate and use the unappropriated waters of this State, for beneficial purposes, shall never be denied: priority of appropriation shall give the better right always.

SEC. 4. The right of individuals or corporations to construct reservoirs and impound and appropriate the surplus and flood waters in this State, for sale, rental, domestic, stock, or any beneficial purpose, shall never be denied. The first locator of a reservoir right shall have priority. A failure to construct reservoirs and canals within a reasonable time after location, and a failure to use reasonable diligence to maintain the same so as to supply water, shall be held to work a forfeiture of such right.

SEC. 5. Every appropriator of water shall use the same reasonably and economically.

SEC. 6. The mode and manner of acquiring and exercising all of said rights shall be subject to Legislative control.

SEC. 7. The Legislature shall have power to authorize the organization of districts and the creation of a debt for the construction or purchasing of dams, canals and ditches and other appliances required to supply water to land in said districts; but such debt, principal and interest, shall subject only the lands benefitted or reclaimed to taxation to pay the same.

SEC. 8. The Legislature shall pass laws requiring the owner or owners of every ditch or canal from which water is rented or sold to other parties, to use reasonable diligence in keeping such ditch or canal in such good condition and repair as to supply the water required.

#### ARTICLE XIX.

##### FORESTRY.

The Legislature shall enact laws to prevent the destruction of and to preserve the forests on the lands of the State, and upon any part of the public domain, the control of which may be conferred by Congress upon this State.

#### ARTICLE XX.

##### LABOR.

Eight hours shall constitute a day's labor on all State works.

#### ARTICLE XXI.

##### AMENDMENTS.

SECTION 1. Any amendment or amendments to this Constitution may be proposed in either branch of the Legislature, and if same shall be agreed to by a majority of the members of each of the two houses, voting separately, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered on their journals and it shall be the duty of the Legislature to submit such amendment or amendments to the electors of the State at the next general election, and cause the same to be published without delay for at least six consecutive weeks prior to said election, in not less than one newspaper of general circulation published in each county; and if a majority of the electors shall ratify the same, such amendment or amendments shall become a part of this Constitution.

SEC. 2. If two or more amendments are proposed, they shall be submitted in such manner that the electors shall vote for or against each of them separately.

SEC. 3. Whenever a majority of the members elected to each branch of the Legislature shall deem it necessary to call a convention to amend or revise this Constitution, they shall submit the proposition to the next succeeding Legislature and if a majority elected to each branch of that Legislature shall concur therein, they shall recommend to the electors to vote at the next general election for or against a Convention, and if a majority of all the electors voting at said election shall have voted for a Convention, the Legislature shall at the next session provide by law for calling the

same; and such Convention shall consist of a number of members not less than double the number of the most numerous branch of the Legislature.

SEC. 4. Any constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

## ARTICLE XXII.

### SCHEDULE.

SECTION 1. That no inconvenience may arise from a change of the Territorial government to a permanent State government, it is declared that all writs, actions, prosecutions, claims, liabilities and obligations against the Territory of Arizona, of whatever nature, and rights of individuals, and of bodies corporate, shall continue as if no change had taken place in this government.

And all process which may, before the organization of the Judiciary Department under this Constitution, be issued under the authority of the Territory of Arizona, shall be as valid as if issued in the name of the State.

SEC. 2. All property, real and personal, and all moneys, credits, claims and choses in action belonging to the Territory of Arizona at the time of the adoption of this Constitution, shall be vested in and become the property of the State of Arizona.

SEC. 3. All laws now in force in the Territory of Arizona, which are not repugnant to this Constitution, shall remain in force until they expire by their own limitation, or shall be altered or repealed by the Legislature.

SEC. 4. All fines penalties, forfeitures and escheats, accruing to the Territory of Arizona, shall accrue to the use of the State.

SEC. 5. All recognizances, bonds, obligations or other undertakings heretofore taken, or which may be taken before the organization of the judicial department, under this Constitution, shall remain valid, and shall pass over to and may be prosecuted in the name of the State, and all bonds, obligations or other undertakings executed to this Territory, or by any officer in his official capacity, shall pass over to the proper State authority and their successors in office, for the uses therein respectively expressed, and may be sued for and recovered accordingly. All criminal prosecutions and penal actions which have arisen or which may arise before the organization of the judicial department under this Constitution, and which shall then be pending may be prosecuted to judgment and execution in the name of the State.

SEC. 6. All officers, civil and military, holding their offices and appointments in this Territory, under authority of the United States, or under the authority of this Territory, shall continue to hold and exercise their respective offices and appointments until the State government becomes operative under this Constitution.

SEC. 7. This Constitution shall be submitted for adoption or rejection to a vote of the qualified electors of this Territory, at an election to be held on the first Tuesday in December, A. D. 1891. Said election, as nearly as may be, shall be ordered and conducted in all respects in the same manner as provided by the laws of the Territory, except that persons entitled to vote for or against the adoption of this Constitution, shall be as follows to-wit: All male persons over twenty-one years of age, excluding Indians not taxed, who shall not have been convicted of any capital or infamous crime, and who shall be citizens of the United States, and who shall have actually resided in the Territory for sixty days, and in the county for ten days next preceding the election. No registration of electors shall be required for the purpose of voting at the election herein provided for. The Governor of the Territory shall make proclamation of the time of the submission of this Constitution to the electors of the Territory at least thirty (30) days before the time fixed for submission, and he shall cause said proclamation to be published in at least one newspaper published in each county of the Territory. At the said election the ballots shall be in the following form: "For the Constitution, 'Yes' 'No.'" Any person may have printed or written on his ballot only the words "For the Constitution" or "Against the Constitution" and such ballots shall be counted for or against the Constitution accordingly. All votes cast at such election, for or against said Constitution, shall be counted and returned to the Secretary of the Territory in the same manner as votes for delegates

to Congress, and he shall canvass and make known the result within forty days after said election, and the Governor is required to declare the result of the vote cast and returned, on the adoption or rejection of the Constitution, by proclamation, when the same is certified to him by the Secretary of the Territory.

SEC. 8. This Constitution shall take effect and be in full force immediately upon the admission of the Territory as a State.

SEC. 9. Immediately upon the admission of the Territory as a State, the Governor of the Territory, or, in case of his absence or failure to act, the Secretary of the Territory, or, in case of his absence or failure to act, the President of this convention, shall issue a proclamation which shall be published and a copy thereof mailed to the Chairman of the Board of Supervisors of each county, calling an election by the people for all State, district and other officers, created and made elective by this Constitution, and fixing a day for such election, which shall not be less than forty days after the date of such proclamation, nor more than ninety days after the admission of the Territory as a State.

SEC. 10. The Boards of Supervisors of the several counties shall thereupon order such election for said day, and shall cause notice thereof to be given in the manner and for the length of time provided by the laws of the Territory in cases of general elections for delegates to Congress and county and other offices. Every qualified elector of the Territory who shall have been registered at the date of said election shall be entitled to vote thereat. Said election shall be conducted in all respects in the same manner as provided by the laws of the Territory for general elections, and the returns thereof shall be made to the Canvassing Board hereinafter provided for.

SEC. 11. The Governor, Secretary of the Territory and President of this Convention, or a majority of them, shall constitute a Board of Canvassers to canvass the vote of such election for members of Congress, Judges of the Supreme Court, all State and district officers and members of the Legislature. The said board shall assemble at the seat of government of the Territory on the thirtieth (30) day after the day of such election (or on the following day if such day fall on Sunday) and proceed to canvass the votes for all State and district officers, Judges of the Supreme Court and members of the Legislature, in the manner provided by the laws of the Territory for canvassing the vote for delegate to Congress, and they shall issue certificates of election to the persons found to be elected to said offices, severally, and shall make and file with the Secretary of the Territory an abstract certificate by them, of the number of votes cast for each person, for each of said offices and of the total number of votes cast in each county.

SEC. 12. All officers elected at such election, except members of the Legislature, shall, within thirty days after they have been declared elected, take the oath required by law, and give the same bond required by the law of the Territory to be given in case of like officers of the Territory or district, and shall thereupon enter upon the duties of their respective offices, except as otherwise provided in this Constitution, but the Legislature may require by law all such officers to give other or further bonds as a condition of their continuance in office.

SEC. 13. The Governor-elect of the State immediately upon his qualifying and entering upon the duties of his office, shall issue his proclamation convening the Legislature of the State at the seat of government, on a day to be named in said proclamation, and which shall not be less than thirty nor more than sixty days after the date of said proclamation. Within ten days after the organization of the Legislature both houses of the Legislature shall then and there proceed to elect as provided by law, two Senators of the United States, for the State of Arizona. At said election the two persons who shall receive the majority of all votes cast by said Senators and Representatives shall be elected as such United States Senators, and shall be so declared by the presiding officers of both houses.

The presiding officers of the Senate and House shall issue a certificate to each of said Senators certifying his election, which certificates shall also be signed by the Governor and attested by the Secretary of State.

SEC. 14. The Legislature shall pass all necessary laws to carry into effect the provisions of this Constitution.

SEC. 15. Whenever any two of the Judges of the Supreme Court of the State, elected under the provisions of this Constitution, shall have qualified in their offices, the causes then pending in the Supreme Court of the Territory on appeal or writ of error from the District Court of any county or subdivision within the limits of this State, and the papers, records and proceedings of said court, shall pass into the jurisdiction and possession of the Supreme Court of the State, except as otherwise provided in the Enabling Act of Congress, and until so suspended, the Supreme Court of the Territory, and the judges thereof, shall continue with like power and jurisdiction, as if this Constitution had not been adopted.

Whenever the Judge of the District Court of any district, elected under the provisions of this Constitution, shall have qualified in his office, the several causes then pending in the District Court of the Territory within any county in such district, and the records, papers and proceedings of said District Court and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the District Court of the State for such county, except as provided in the enabling act of Congress; until so suspended the District Court and the judges thereof shall continue with the same jurisdiction and power to be exercised in the same judicial districts respectively as heretofore constituted under the laws of the Territory.

SEC. 16. The first regular election that would otherwise occur following the first session of the first Legislature, shall be omitted, and all county and precinct officers elected at the first election held under this Constitution, shall hold their offices for the full term thereof, commencing at the expiration of the term of the county and precinct officers then in office, or the date of their qualification.

SEC. 17. If the first session of the Legislature under this Constitution shall be concluded within twelve months of the time designated for a regular session thereof, then the next regular session following said special session shall be omitted.

SEC. 18. Members of the Legislature and all State officers, District and Supreme Judges elected at the first election held under this Constitution, shall hold their respective offices for the full term next ensuing such election in addition to the period intervening between the date of their qualifications and the commencement of said full term.

SEC. 19. All county and precinct officers who may be in office at the adoption of this Constitution shall hold their respective offices for the full term for which they may have been elected and until such time as their successors may be elected and qualified as may be provided by law, and the official bonds of all such officers shall continue in full force and effect as though the Constitution had not been adopted.

SEC. 20. In behalf of the people of Arizona, we, in convention assembled, have framed this Constitution, and hereby submit the same to the qualified electors of the Territory

Done in open Convention, at the City of Phenix, in the Territory of Arizona, this 2d day of October, A. D. 1891.

W. A. ROWE, President,  
H. N. ALEXANDER,  
J. W. ANDERSON,  
ALONZO BAILEY,  
WILLIAM HENRY BARNES,  
BEN M. CRAWFORD,  
GEORGE W. CHEYNEY,  
THOMAS DAVIS,  
FOSTER S. DENNIS,  
THOMAS GATES,  
W. A. HARTT,

JOHN HUNT,  
WILLIAM HERRING,  
FRANK H. HEREFORD,  
T. C. JORDAN,  
ART McDONALD,  
THOMAS G. NORRIS,  
A. M. PATTERSON,  
MARCUS A. SMITH,  
MARSHALL H. WILLIAMS,  
J. F. WILSON,

Attest: ALLEN C. BERNARD, Secretary.