

## The Arizona Constitution: 1912 Edition

## PREAMBLE.

We, the People of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution.

## **ARTICLE I. STATE BOUNDARIES.**

The boundaries of the State of Arizona shall be as follows, namely: Beginning at a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers, as fixed by the Gadsden Treaty between the United States and Mexico, being in latitude thirty-two degrees, twenty-nine minutes, forty-four and forty-five onehundredths seconds north and longitude one hundred fourteen degrees, forty-eight minutes, forty-four and fifty-three one -hundredths seconds west of Greenwich; thence along and with the international boundary line between the United States and Mexico in a southeastern direction to Monument Number 127 on said boundary line in latitude thirty-one degrees, twenty minutes north; thence east along and with said parallel of latitude, continuing on said boundary line to an intersection with the meridian of longitude one hundred nine degrees, two minutes, fifty-nine and twenty-five one-hundredths seconds west, being identical with the southwestern corner of New Mexico; thence north along and with said meridian of longitude and the west boundary of New Mexico to an intersection with the parallel of latitude thirty-seven degrees north, being the common corner of Colorado, Utah, Arizona, and New Mexico; thence west along and with said parallel of latitude and the south boundary of Utah to an intersection with the meridian of longitude one hundred fourteen degrees, two minutes, fifty-nine and twenty-five one-hundredths seconds west, being on the east boundary line of the State of Nevada; thence south along and with said meridian of longitude and the east boundary of said State of Nevada, to the center of the Colorado River; thence down the mid-channel of said Colorado River in a southern direction along and with the east boundaries of Nevada, California, and the Mexican Territory of Lower California, successively, to the place of beginning.



## Section 1.

A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.

## Section 2.

All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

## Section 3.

The Constitution of the United States is the supreme law of the land.

## Section 4.

No person shall be deprived of life, liberty, or property without due process of law.

## Section 5.

The right of petition, and of the people peaceably to assemble for the common good, shall never be abridged.

## Section 6.

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

## Section 7.

The mode of administering an oath, or affirmation, shall be such as shall be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.



#### Section 8.

No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

## Section 9.

No law granting irrevocably any privilege, franchise, or immunity shall be enacted.

## Section 10.

No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

## Section 11.

Justice in all cases shall be administered openly, and without unnecessary delay.

## Section 12.

The liberty of conscience secured by the provisions of this Constitution shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State. No public money or property shall be appropriated for or applied to any religious worship, exercise, or instruction, or to the support of any religious establishment. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror in consequence of his opinion on matters of religion, nor be questioned touching his religious belief in any court of justice to affect the weight of his testimony.

## Section 13.

No law shall be enacted granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which, upon the same terms, shall not equally belong to all citizens or corporations.

## Section 14.

The privilege of the writ of habeas corpus shall not be suspended by the authorities of the State.



## Section 15.

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

## Section 16.

No conviction shall work corruption of blood, or forfeiture of estate.

## Section 17.

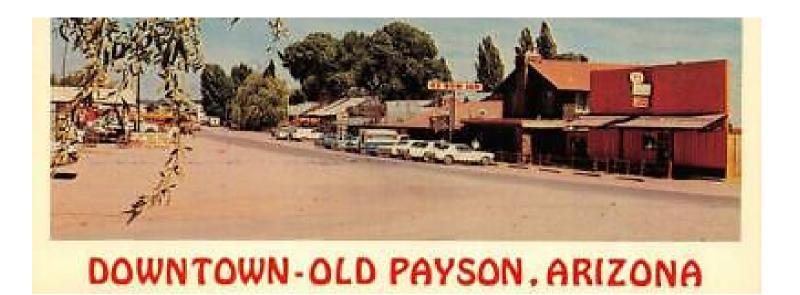
Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for mining, agricultural, domestic and sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right of way shall be appropriated to the use of any corporation other than municipal, until full compensation thereof be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.

## Section 18.

There shall be no imprisonment for debt, except in cases of fraud.

## Section 19.

Any person having knowledge or possession of facts that tend to establish the guilt of any other person or corporation charged with bribery or illegal rebating, shall not be excused from giving testimony or producing evidence, when legally called upon to do so, on the ground that it may tend to incriminate him under the laws of the State; but no person shall be prosecuted or subject to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he may so testify or produce evidence.



## Section 20.

The military shall be in strict subordination to the civil power.

## Section 21.

All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

## Section 22.

All persons charged with crime shall be bailable by sufficient sureties except for capital offenses when proof is evident or the presumption great.

## Section 23.

The right of trial by jury shall remain inviolate, but provision may be made by law for a jury of a number of less than twelve in courts not of record, and for a verdict by nine or more jurors in civil cases in any court of record, and for waiving of a jury in civil cases where the consent of the parties interested is given thereto.

## Section 24.

In criminal prosecutions, the accused shall have the right to appear and defend in person, and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed, and the right to appeal in all cases; and in no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed.

## Section 25.

No bill of attainder, ex-post-facto law, or law impairing the obligation of a contract, shall ever be enacted.



## Section 26.

The right of the individual citizen to bear arms in defense of himself or the State shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.

## Section 27.

No standing army shall be kept up by this State in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

## Section 28.

Treason against the State shall consist only in levying war against the State, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

## Section 29.

No hereditary emoluments, privileges, or powers shall be granted or conferred, and no law shall be enacted permitting any perpetuity or entailment in this State.

## Section 30.

No person shall be prosecuted criminally in any court of record for felony or misdemeanor, otherwise than by information or indictment; no person shall be prosecuted for felony by information without having had a preliminary examination before a magistrate or having waived such preliminary examination.

## Section 31.

No law shall be enacted in this State limiting the amount of damages to be recovered for causing the death or injury of any person,



# Payson, AZ Rangers

## Section 32.

The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.

## Section 33.

The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.



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