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ART. 25. Standing armies are dangerous to liberty, and ought not to be raised or kept up, without the consent of the legislature.

ART. 26. In all cases, and at all times, the military ought to be under strict subordination to, and governed by, the civil power.

ART. 27. No soldier, in time of peace, shall be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

ART. 28. No subsidy, charge, tax, impost, or duty shall be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people, or their representatives in the legislature, or authority derived from that body.

ART. 29. The power of suspending the laws, or the execution of them, ought never to be exercised but by the legislature, or by authority derived therefrom, to be exercised in such particular cases only as the legislature shall expressly provide for.

ART. 30. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any action, complaint, or prosecution, in any other court or place whatsoever.

ART. 31. The legislature shall assemble for the redress of public grievances, and for making such laws as the public good may require.

ART. 32. The people have a right, in an orderly and peaceable manner, to assemble and consult upon the common good, give instruction to their representatives, and to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.

ART. 33. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishment.

ART. 34. No person can, in any case, be subjected to law-martial, or to any pains or penalties by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

ART. 35. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws and administration of justice. It is the right of every citizen to be tried by judges as impartial as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, that the judges of the supreme judicial court should hold their offices so long as they behave well,—

subject, however, to such limitations on account of age as may be provided by the constitution of the state,—and that they should have honorable salaries, ascertained and established by standing laws.

ART. 36. Economy being a most essential virtue in all states, especially in a young one, no pension should be granted but in consideration of actual services; and such pensions ought to be granted with great caution by the legislature, and never for more than one year at a time.

ART. 37. In the government of this state, the three essential powers thereof,—to wit, the legislative, executive, and judicial,—ought to be kept as separate from and independent of each other as the nature of a free government will admit, or as is consistent with that chain of connection that binds the whole fabric of the constitution in one indissoluble bond of union and amity.

ART. 38. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to justice, moderation, temperance, industry, frugality, and all the social virtues, are indispensably necessary to preserve the blessings of liberty and good government. The people ought, therefore, to have a particular regard to all those principles in the choice of their officers and representatives; and they have a right to require of their law-givers and magistrates an exact and constant observance of them in the formation and execution of the laws necessary for the good administration of government.

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## PART SECOND.

### FORM OF GOVERNMENT.

ARTICLE I. The people inhabiting the territory formerly called the Province of New Hampshire, do hereby solemnly and mutually agree with each other to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE STATE OF NEW HAMPSHIRE.

#### *General Court.*

ART. 2. The supreme legislative power within this state shall be vested in the Senate and House of Representatives, each of which shall have a negative on the other.

ART. 3. The Senate and House shall assemble *biennially*<sup>(1)</sup> on the first Wednesday of June, and at such other times as they may judge necessary, and shall dissolve and be dissolved seven days next preceding the said first Wednesday of June,

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1. The words "every year" stricken out.

and shall be styled THE GENERAL COURT OF NEW HAMPSHIRE.

ART. 4. The General Court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be holden in the name of the state, for the hearing, trying, and determining all manner of crimes, offences, pleas, processes, plaints, actions, causes, matters, and things whatsoever, arising or happening within this state, or between or concerning persons inhabiting or residing, or brought within the same, whether the same be criminal or civil, or whether the crimes be capital or not capital, and whether the said pleas be real, personal, or mixed, and for the awarding and issuing execution thereon; to which courts and judicatories are hereby given and granted full power and authority; from time to time, to administer oaths or affirmations for the better discovery of truth in any matter in controversy, or depending before them.

ART. 5. And further, full power and authority are hereby given and granted to the said General Court, from time to time, to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties or without, so as the same be not repugnant or contrary to this constitution, as they may judge for the benefit and welfare of this state, and for the governing and ordering thereof, and of the subjects of the same, for the necessary support and defence of the government thereof, and to name and settle *biennially*(1), or provide by fixed laws for the naming and settling of, all civil officers within this state,—such officers excepted, the election and appointment of whom are hereafter in this form of government otherwise provided for,—and to set forth the several duties, powers, and limits of the several civil and military officers of this state, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and also to impose fines, mulcts, imprisonments, and other punishments, and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of and residents within the said state, and upon all estates within the same,—to be issued and disposed of by warrant under the hand of the governor of this state for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of this state, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same. *Pro-*

1. The word "annually" stricken out.