

LAWS

OF THE

TERRITORY OF NEW MEXICO,

PASSED BY THE SECOND

LEGISLATIVE ASSEMBLY

IN THE CITY OF SANTA FÉ,

AT A SESSION BEGUN ON THE SIXTH DAY OF DECEMBER,
1852.

SANTA FÉ:

JAMES L. COLLINS & CO., PRINTERS.

MDCCLIII.

the Justices of the Peace or Court in which the suit may be brought, with imprisonment for a time demanded by the gravity of the offence.

SEC. 4. All acts and parts of acts repugnant to this act shall be and are by these presents repealed.

SEC. 5. This act shall take effect, from and after its approval.

Translation.

AN ACT

Prohibiting the carrying a certain class of Arms, within the Settlements and in Balls.

Sec. 1. Kind of arms prohibited.

Sec. 2. Duties of sheriffs and constables.

Sec. 3. Licenses for dances, obligations required from judge of probate.

Sec. 4. Punishment for violation of this law.

Sec. 5. Disposition of fines.

Be it enacted by the Legislative Assembly of the Territory of New Mexico :

SEC. 1. That each and every person is prohibited from carrying short arms, such as pistols, daggers, knives, and other deadly weapons, about their persons concealed, within the settlements, and any person who violates the provisions of this act, shall be fined in a sum not exceeding ten dollars, nor less than two dollars, or shall be imprisoned for a term not exceeding fifteen days nor less than five days.

SEC. 2. That the Sheriffs of the different counties, and Constables of the different precincts, are hereby required to enforce the observance and compliance of the provisions of the preceding section, having power to take with them, two or more armed persons, when they are on patrol at night, in order to make themselves respected while on such duty, and it is hereby made the duty of the Probate Judges and Justices of the Peace to aid and assist said officers in the prompt discharge of their duties.

SEC. 3. Any person desiring to give a Ball or Fandango, they shall apply to the Probate Judge or a Justice of the Peace

Juez de Paz para obtener la licencia, quien, habiendola concedida le impondrá al impetrante, que debe conserbar el Lien orden, y para esto le recibirá juramento de que procederá fielmente como un oficial de policia, que ejercera durante el baile ó Fandango poseyendo las facultades de un Alguacil y que no permitirá el, que ninguna persona entre al baile ó pieza contigua donde se venda Licor ó que permanezca en ellas con armas, fierros ú otros instrumentos destructores, ya sean mostrados ù ocultos, sobre su persona, y si alguna persona ó personas entraren à dicho baile ó antesala, con armas peligrosas sobre su persona, al ser convicta de tal ofensa ante el Juez de Pruebas ó Juez de Paz sufrirá las mismas penas descriptas en la seccion primera de este decreto.

Proveido, que si la persona que solicita la licencia para baile ó Fandango, no fuera competente, el Juez de Pruebas ó Juez de Paz como sea el caso, le impondrá que le presente una persona competente que deba funcionar como un oficial de policia y le recibirá el juramento como prescripto en la anterior seccion :

SEC. 4 Que la persona ó personas que den Fandangos ó bailes serán suceptibles á las penas designadas en las anteriores secciones de este decreto, si permiten que permanescan persona ó personas armadas en dicho baile y así tambien está sugeto á las mismas penas el oficial de policia que falte ó quebrante lo prevenido en este decreto.

SEC. 5. Que todas las multas que resulten de las provsiones de este decreto serán cobradas para el uso del respectivo condado.

Aprobado Enero 14 de 1853.

UN ACTO

Proveyendo para el pagamento de los Salarios de Oficiales Territoriales, no proveido de otro modo por la ley.

Sec. 1. Pagamento de oficiales segun el codigo de Kearney.

Sec. 2. Aprobados y pagados, como.

for a License for the same—who, after having granted such license, shall inform the applicant, that he must maintain good order, and for this purpose he shall swear him to faithfully discharge his duties as police officer and perform said duties during such Ball or Fandango, possessing the powers of a Sheriff, and that he will not permit any person to enter said Ball or room adjoining said ball where Liquors are sold, or to remain in said balls or Fandangos with fire arms or other deadly weapons, whether they be shown or concealed upon their persons and if any person or persons shall enter said Balls or Fandangos or ante-chamber, with deadly weapons upon their person, upon conviction for such offence before any Probate Judge or Justice of the Peace, they shall suffer the punishment prescribed in the first section of this Law.

Provided, that, in case any person desires a license for a ball or fandango, who shall not be competent, the Probate Judge or Justice of the Peace as the case may be, shall require him to present a competent person, who shall discharge the duties of a Police Officer, and shall swear him as prescribed in the foregoing section.

SEC. 4. That any person or persons giving Balls or Fandangos shall be liable to the punishments prescribed in the foregoing sections of this Law—if they permit any person or persons armed to remain in said Balls or Fandangos, they shall also be subject to the same penalties of the Police Officers who fail to discharge their duties or violate the provisions of this Law.

SEC. 5. That all fines collected by the provisions of this Law shall be applied to the use of the respective counties.

Translation.

AN ACT

Providing for the payment of the Salaries of Territorial Officers, not otherwise provided for by Law.

Sec. 1. Payment of officers under the Kearney code.

Sec. 2. How audited and paid.