

San Francisco Police Code

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**SEC. 613.9.5. FINDINGS.**

1. "Enhanced-lethality ammunition" means the ammunition that licensees may not sell, lease or otherwise transfer under Police Code Sec. 613.10(g).

2. Enhanced-lethality ammunition is designed to tear larger wounds in the body by flattening and increasing in diameter on impact and/or exploding and dispersing shrapnel throughout the body. These design features increase the likelihood that the bullet will hit a major artery or organ, that it will take a more circuitous path through the body to create more widespread damage, and that it will release all of its propulsive force inside the body to cause maximum injury. Accordingly, enhanced-lethality ammunition is more likely to cause severe injury and death than is conventional ammunition that does not flatten or fragment upon impact.

3. Enhanced-lethality ammunition has been used in shooting massacres both in San Francisco and abroad. On July 1, 1993, heavily armed gunman Gian Luigi Ferri shot and killed eight people, then himself, in the 101 California Street high-rise in San Francisco using hollow-point bullets. Most recently, on July 24, 2011, Anders Behring Breivik used lethality-enhanced bullets designed to fragment inside the body and cause maximum internal damage to kill and grievously wound dozens of children at a youth camp in Norway.

4. Banning the sale of enhanced-lethality ammunition in San Francisco does not substantially burden the right of self defense. The right to use firearms in self defense can be fully exercised using conventional, non-collapsing, non-fragmenting ammunition. Enhanced-lethality ammunition is not in general use, and this unusually injurious ammunition has been banned outside the United States. For example, the Hague Convention of 1899, Declaration III, has for more than a century prohibited the use in warfare of bullets that easily expand or flatten in the body.

5. Personal firearms kept in the home are more likely to be used against family and friends than intruders. Home firearms may also be used in suicide attempts, accidental shootings and criminal assaults.

6. The City and County of San Francisco has a legitimate, important and compelling governmental interest in reducing the likelihood that shooting victims in San Francisco will die of their injuries by reducing the lethality of the ammunition sold and used in the City and County of San Francisco.

(Added by Ord. 206-11, File No. 110901, App. 10/11/2011, Eff. 11/10/2011)

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**SEC. 613.10. LICENSE-CONDITIONS.**

In addition to all other requirements and conditions stated in this Article, each license shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the license by the Chief of Police:

(a) The business shall be carried on only in the building located at the street address shown on the license, except as otherwise authorized under Section 12071(b)(1) of the California Penal Code.

(b) The licensee shall comply with Sections 12073, 12074, 12076, 12077 and 12082 of the California Penal Code, to the extent that the provisions remain in effect.

(c) The licensee shall not deliver any pistol or revolver to a purchaser earlier than 10 days after the application for the purchase, lease or transfer, unless otherwise provided by State or federal law.

(d) The licensee shall not deliver any firearm to a purchaser, lessee or other transferee unless the firearm is unloaded and securely wrapped or unloaded in a locked container.

(e) The licensee shall not deliver any firearm, firearm ammunition, or firearm ammunition component to a purchaser, lessee or other transferee unless the purchaser, lessee or other transferee presents clear evidence of his or her identity and age to the seller. As used in this Section, "clear evidence of his or her identity and age" includes, but is not limited to, a motor vehicle operator's license, a State identification card, an armed forces identification card, an employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides the seller reasonable assurance of the identity and age of the purchaser.

(f) The licensee shall not display in any part of the premises where it can be readily seen from outside the premises, any firearm, firearm ammunition or imitation thereof, or placard advertising the sale or other transfer thereof, other than a sign identifying the name of the business.

(g) The licensee shall not sell, lease or otherwise transfer to any person any ammunition that:

(1) Serves no sporting purpose;

(2) Is designed to expand upon impact and utilize the jacket, shot or materials embedded within the jacket or shot to project or disperse barbs or other objects that are intended to increase the damage to a human body or other target (including, but not limited to, Winchester Black Talon, Speer Gold Dot, Federal Hydra-Shok, Hornady XTP, Eldorado Starfire, Hollow Point Ammunition and Remington Golden Sabre ammunition; or

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(3) Is designed to fragment upon impact (including, but not limited to, Black Rhino bullets and Glaser Safety Slugs).

This subsection does not apply to conventional hollow-point ammunition with a solid lead core when the purchase is made for official law enforcement purposes and the purchaser is authorized to make such a purchase by the director of a public law enforcement agency such as the Chief of the San Francisco Police Department or the Sheriff of the City and County of San Francisco.

(h) The licensee shall post within the licensee's premises a notice stating the following:

"THE CALIFORNIA PENAL CODE PROHIBITS THE SALE OF FIREARMS OR FIREARMS AMMUNITION TO PERSONS UNDER THE AGE OF 18, AND FURTHER GENERALLY PROHIBITS THE SALE OF A PISTOL, REVOLVER, OR FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON TO ANY PERSON UNDER THE AGE OF 21."

The posted notice shall be in a conspicuous location, shall be in 36 point type block letters in black ink on a white background, and shall be located so that the notice can easily and clearly be seen by all prospective purchasers of firearms and firearm ammunition.

(i) The licensee shall not sell, lease or otherwise transfer any ultracompact firearm except as authorized by Section 613.10-2 or any 50 caliber firearm or 50 caliber cartridge except as authorized by Section 613.10-1.

(j) Any license issued pursuant to this Article shall be subject to such additional conditions as the Chief of Police finds are reasonably related to the purpose of this Article.

(k) The licensee shall comply with the requirements of Section 613.10-3 and shall, in addition, post the appropriate notice or notices, as specified below, in a conspicuous location at the entrance of the licensee's premises (or at the entrance to the separate room or enclosure pursuant to Section 613.10-3(c)). Such notice shall be in 36 point type block letters in black ink on a white background.

(1) Licensees that sell, lease or otherwise transfer firearms, other than firearms capable of being concealed on the person, shall post a notice at the entrance to the premises (or at the entrance to the separate room or enclosure pursuant to Section 613.10-3(c)) stating the following:

"THE SAN FRANCISCO POLICE CODE REQUIRES THAT FIREARMS DEALERS PROHIBIT ENTRY BY PERSONS UNDER AGE 18, AND FURTHER PROHIBITS ENTRY BY (1) PERSONS CONVICTED OF A VIOLENT OFFENSE WHO ARE PROHIBITED FROM POSSESSING FIREARMS PURSUANT TO CALIFORNIA PENAL CODE SECTIONS 12021 OR 12021.1; AND (2) PERSONS WHO ARE CURRENTLY PROHIBITED

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FROM POSSESSING FIREARMS BECAUSE THEY HAVE BEEN ADJUDICATED AS MENTALLY DISORDERED, NOT GUILTY BY REASON OF INSANITY OR INCOMPETENT TO STAND TRIAL."

(2) Licensees that sell, lease or otherwise transfer firearms capable of being concealed on the person shall post a notice at the entrance to the premises (or at the entrance to the separate room or enclosure containing such firearms pursuant to Section 613.10-3(c)) stating the following:

"THE SAN FRANCISCO POLICE CODE REQUIRES THAT FIREARMS DEALERS PROHIBIT ENTRY BY PERSONS UNDER AGE 21, AND FURTHER PROHIBITS ENTRY BY (1) PERSONS CONVICTED OF A VIOLENT OFFENSE WHO ARE PROHIBITED FROM POSSESSING FIREARMS PURSUANT TO CALIFORNIA PENAL CODE SECTIONS 12021 OR 12021.1; AND (2) PERSONS WHO ARE CURRENTLY PROHIBITED FROM POSSESSING FIREARMS BECAUSE THEY HAVE BEEN ADJUDICATED AS MENTALLY DISORDERED, NOT GUILTY BY REASON OF INSANITY OR INCOMPETENT TO STAND TRIAL."

(3) Licensees that sell, lease or otherwise transfer firearms capable of being concealed on the person, but who keep such firearms in a separate room or enclosure in accordance with Section 613.10-3(c) shall post the notice required by paragraph (1) at the entrance to the premises or separate room or enclosure containing firearms that are not capable of being concealed on the person, and shall post the notice required by paragraph (2) at the entrance to the separate room or enclosure containing firearms capable of being concealed on the person.

(l) The licensee shall notify the Chief of Police of the name, age and address of, and submit a certificate of eligibility under Penal Code Section 12071 from the State Department of Justice for, any person not listed on the licensee's application under Section 613.2(a)(1) who will be given access to, or control of, workplace firearms, firearm ammunition, or firearm ammunition components. The licensee shall submit the required information and certificate within 10 days of such person being employed or otherwise being given access to, or control over workplace firearms, firearm ammunition, or firearm ammunition components.

(m) Within the first five business days of April and October of each year, licensees shall cause a physical inventory to be taken that includes a listing of each firearm held by the licensee by make, model, and serial number, together with a listing of each firearm the licensee has sold since the last inventory period. In addition, the inventory shall include a listing of each firearm lost or stolen that is required to be reported pursuant to Penal Code Section 12071(b)(13). Licensees shall maintain a copy of the inventory on the premises for which the license was issued. Immediately upon completion of the inventory, licensees shall forward a copy of the inventory to the address specified by the Chief of Police, by such means as specified by the Chief of Police. With each copy of the inventory, licensees shall include an affidavit signed by the licensee (or, if the licensee is not a natural person, by an officer, general manager,

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or other principal of the licensee) stating under penalty of perjury that within the first five business days of that April or October, as the case may be, the signer personally confirmed the presence of the firearms reported on the inventory.

(Added by Ord. 91-94, App. 2/25/94; amended by Ord. 290-95, App. 9/1/95; Ord. 225-96, App. 6/11/96; Ord. 283-96, App. 7/3/96, Eff. 1/1/97; Ord. 62-00, File No. 000197, App. 4/14/2000; Ord. 242-00, File No. 000950, App. 10/27/2000; Ord. 260-04, File No. 031932, App. 11/4/2004; Ord. 192-07, File No. 070684, App. 8/1/2007)

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**SEC. 4511. FINDINGS.**

1. Firearm injuries have a significant public health impact both nationally and locally.

a. In the United States, firearm injuries accounted for 6.6 percent of premature deaths from 1999-2007. Shootings are a leading cause of injury deaths in the nation, second only to motor vehicle crashes. On average, there were 30,125 firearm deaths in the United States annually between 2000 and 2007, inclusive. In 2007, 31,224 Americans died in firearm-related homicides, suicides, and unintentional shootings – the equivalent of 85 deaths each day and more than three deaths each hour.

b. Nationally, more than two thirds of homicides and over half of all suicides are committed with firearms.

c. Unintentional shootings killed over 5,700 people in the U.S. between 2000 and 2007. In 2009, over 18,000 people were treated for unintentional gunshot wounds in the United States.

d. The firearm-related homicide, suicide, and unintentional death rates for children 5-14 years old in the United States are significantly higher than those other industrialized nations.

e. Over the last five years, firearm injuries have ranked third of all causes of injury death in San Francisco, after pedestrian fatalities and falls, respectively. Almost two thirds of these firearm deaths were homicides. In addition, gunshot wounds were the third most common reason for injury-related hospitalizations in San Francisco from 2005 to 2008 and fourth in 2009. Firearm-related suicides accounted for 16.2 percent of the suicide deaths in San Francisco in Fiscal Year 2009-2010.

f. San Francisco General Hospital, as the only trauma center in San Francisco, treats approximately 98 percent of the city's shooting victims annually. Approximately 80 percent of the individuals treated for violent injuries at San Francisco General Hospital are uninsured.

2. Having a loaded or unlocked gun in the home is associated with an increased risk of gun-related injury and death.

a. A firearm stored loaded or unlocked increases the risk of an accidental shooting.

b. All U.S. case control studies (12 to date) have found that people who die by suicide are more likely to have lived in a home with a gun than similar people who did not die by suicide. Studies have also shown that the risk of suicide increases in homes where guns are kept loaded or unlocked.

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c. A 2007 study compared the 40 million people who live in the states with the lowest firearm prevalence (Hawaii, Massachusetts, Rhode Island, New Hampshire, Connecticut, and New York) to about the same number living in the states with the highest firearm prevalence (Wyoming, South Dakota, Alaska, West Virginia, Montana, Arkansas, Mississippi, Iowa, North Dakota, Alabama, Kentucky, Wisconsin, Louisiana, Tennessee, and Utah). Although non-firearm suicides were about equal in the two groups, total suicides were almost twice as high in the high-gun states.

d. Keeping unsecured guns in the home increases the flow of illegal guns into the community. More than half a million firearms are stolen each year in the United States and many are subsequently sold illegally.

3. Children are particularly at risk of injury and death, or causing injury and death, when they can access guns in their own homes or homes that they visit.

a. The authors of a 2005 study found that an estimated 1.69 million children age 18 and under are living in households with loaded and unlocked firearms. Many young children, including children as young as three years old, are strong enough to fire handguns.

b. A significant majority of the guns used in youth suicide attempts and unintentional injuries were stored in the residence of the victim, a relative, or a friend. Of youths under who died by firearm suicide, the vast majority used a family member's gun, usually a parent's. And more than two thirds of school shooters obtained their gun(s) from their own home or that of a relative.

c. Quick access to loaded firearms heightens the risk that a young person's impulsive decision to commit suicide will be carried out without reflection or seeking help, and that the impulsive attempt will be fatal. One third of youths who died by suicide had faced a crisis within the previous 24 hours. Among people who nearly died in a suicide attempt, almost a quarter indicated that fewer than five minutes had passed between deciding on suicide and making the attempt. While fewer than 10 percent of suicide attempts by other means are fatal, at least 85 percent of firearm suicide attempts end in death.

4. Guns kept in the home are most often used in suicides and against family and friends rather than in self-defense.

a. Guns kept in a home are more likely to be involved in an unintentional shooting, criminal assault, or suicide attempt than to kill or injure in self-defense.

b. Only one in ten firearm homicides in the shooter's home is considered justifiable, meaning the shooter was not the assailant. Of every ten firearm homicide victims killed at the shooter's residence, six were intimate partners or family members of the shooter, three were friends or acquaintances of the shooter, and only one was a stranger to the shooter.

5. Applying trigger locks or using lock boxes when storing firearms in the home

San Francisco Police Code

reduces the risk of firearm injury and death.

a. Keeping a firearm locked when it is not being carried ensures that it cannot be accessed and used by others without the owner's knowledge or permission. This simple measure significantly decreases the risk that the gun will be used to commit suicide, homicide, or inflict injury, whether intentionally or unintentionally.

b. Safe storage measures have a demonstrated protective effect in homes with children and teenagers where guns are stored.

6. There is a wide consensus among medical professionals, police chiefs, gun control advocates and gun rights groups that applying trigger locks or using lock boxes to store unsupervised guns in the home promotes health and safety.

a. The International Association of Chiefs of Police recommends that state and local governments mandate safe storage of firearms.

b. The American Academy of Pediatrics recommends that if families must have firearms in their homes, the firearms should be stored locked, unloaded, and separate from locked ammunition.

c. Both gun control and gun rights advocates endorse the use of locking devices when storing guns to ensure that unauthorized or untrained persons cannot use the gun to inflict injury or death. For example, the National Rifle Association's Home Firearm Safety Handbook, developed and used as part of the National Rifle Association (NRA) Basic Firearm Training Program, emphasizes that "there is one general rule that must be applied under all conditions: Store guns so they are not accessible to untrained or unauthorized persons." The NRA Guide To The Basics Of Personal Protection In The Home further explains that "all storage methods designed to prevent unauthorized access utilize some sort locking method."

7. Requiring unsupervised firearms stored to be secured with trigger locks or in a locked container does not substantially burden the right or ability to use firearms for self-defense in the home.

a. The locking requirements apply only to handguns that are not being carried. Gun owners and adults over 18 may carry loaded and unlocked handguns in the home at any time. The safe storage requirements also permit owners who wish to do so to store their handguns fully loaded.

b. Gun security does not preclude quick access. For example, affordable lockboxes using Simplex-type locks, which pop open immediately when several keys or pushbuttons are touched in a preset sequence, are widely available. Users report that they can retrieve a loaded weapon in just two to three seconds, and that the locks are also easy to open in the dark. The NRA describes this type lockbox as providing "a good combination of security and quick access." Some lockboxes also feature biometric locks, which provide immediate access when they scan the owner's fingerprint.



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c. Portable lockboxes can store loaded weapons such that they are always within easy reach on counters, tables or nightstands. Such safely stored weapons are more quickly and easily retrieved for use in self-defense than unlocked guns that have been hidden away in seldom-used locations.

(Added by Ord. 206-11, File No. 110901, App. 10/11/2011, Eff. 11/10/2011)

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**SEC. 4512. HANDGUNS LOCATED IN A RESIDENCE TO BE KEPT IN A LOCKED CONTAINER OR DISABLED WITH A TRIGGER LOCK.**

(a) **Prohibition.** No person shall keep a handgun within a residence owned or controlled by that person unless the handgun is stored in a locked container or disabled with a trigger lock that has been approved by the California Department of Justice.

(b) **Definitions.**

(1) "Residence." As used in this Section, "residence" is any structure intended or used for human habitation including but not limited to houses, condominiums, rooms, in law units, motels, hotels, SRO's, time-shares, recreational and other vehicles where human habitation occurs.

(2) "Locked container." As used in this Section, "locked container" means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock or similar locking device.

(3) "Handgun." As used in this Section, "handgun" means any pistol, revolver, or other firearm that is capable of being concealed upon the person, designed to be used as a weapon, capable of expelling a projectile by the force of any explosion or other form of combustion, and has a barrel less than 16 inches in length.

(4) "Trigger lock." As used in this Section, a "trigger lock" means a trigger lock that is listed in the California Department of Justice's list of approved firearms safety devices and that is identified as appropriate for that handgun by reference to either the manufacturer and model of the handgun or to the physical characteristics of the handgun that match those listed on the roster for use with the device under Penal Code Section 12088(d).

(c) **Exceptions.** This Section shall not apply in the following circumstances:

(1) The handgun is carried on the person of an individual over the age of 18.

(2) The handgun is under the control of a person who is a peace officer under Penal Code Section 830.

(d) **Lost or Stolen Handguns.** In order to encourage reports to law enforcement agencies of lost or stolen handguns pursuant to San Francisco Police Code Section 616, a person who files a report with a law enforcement agency notifying the agency that a handgun has been lost or stolen shall not be subject to prosecution for violation of Section 4512(a) above.

(e) **Penalty.** Every violation of this Section shall constitute a misdemeanor and upon conviction shall be punished by a fine not to exceed \$1,000.00 or by imprisonment in the county

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jail not to exceed six months, or by both.

(f) **Severability.** If any provision, clause or word of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision, clause, word or application of this Section which can be given effect without the invalid provision, clause or word, and to this end the provisions of this Section are declared to be severable.

(Added by Ord. 193-07, File No. 070683, App. 8/1/2007)

**A DIGEST**  
**OF THE**  
**STATUTE LAWS**  
**OF THE**  
**STATE OF GEORGIA,**  
**IN FORCE PRIOR TO THE**  
**SESSION OF THE GENERAL ASSEMBLY OF 1851,**  
**WITH EXPLANATORY NOTES AND REFERENCES;**  
**AND ALSO,**  
**WITH NOTES, GIVING THE EXPOSITION OF THE STATUTES, BY THE**  
**SUPREME COURT OF THE STATE;**  
**TOGETHER WITH**  
**AN APPENDIX,**  
**CONTAINING**  
**THE CONSTITUTION OF THE UNITED STATES;**  
**THE CONSTITUTION OF THE STATE OF GEORGIA;**  
**THE STATUTE OF FRAUDS AND PERJURIES;**  
**THE HABEAS CORPUS ACT;**  
**THE JUDICIARY ACT OF 1799; AND**  
**THE LOCAL LAWS APPLICABLE TO EACH COUNTY.**

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**COMPILED AND PUBLISHED UNDER THE AUTHORITY OF THE GENERAL ASSEMBLY,**  
**BY THOMAS R. R. COBB.**

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**VOL. II.**

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**A T H E N S , G A .**

**PUBLISHED BY CHRISTY, KELSEA & BURKE.**

1851  
A-12

## Change bills—Deadly weapons.

at the opening of each Court, to give the provisions of this Act specially in charge to Grand Juries; and that all laws and parts of laws militating against the provisions of this Act be, and the same are hereby repealed.

*An Act to amend the laws of this State regulating the circulation of Change Bills, and to repeal so much thereof as makes it penal and criminal for innocent holders of such bills to pass or circulate the same.*—Assented to 28th Dec. 1842. Pam. 39.

Innocent  
holders not  
embraced.

366. SEC. I. *Be it enacted*, That from and after the passage of this Act, all laws of this State, making it penal or criminal for innocent holders of change bills to pass or circulate the same, be, and the same is hereby repealed: *Provided always*, That no part of this Act shall be so construed, as to relieve the makers of change bills from the penalties of the law.

SEC. II. All laws and parts of laws militating against this Act be, and the same are hereby repealed.

[Statute omitted as superseded. Act of 1840. Pam. 28.]

## 3. DEADLY WEAPONS.—1837-'45.

*An Act to guard and protect the citizens of this State, against the unwarrantable and too prevalent use of deadly weapons.*—Assented to 25th Dec. 1837. Pam. 90.

Bowie  
knives  
pistols &c.  
shall not be  
sold or car-  
ried.

367. SEC. I. *Be it enacted*, That from and after the passage of this Act, it shall not be lawful for any merchant, or vender of wares or merchandize in this State, or any other person or persons whatsoever, to sell, or offer to sell, or to keep, or to have about their person or elsewhere, any of the hereinafter described weapons, to wit: Bowie or any other kind of knives, manufactured and sold for the purpose of wearing, or carrying the same as arms of offence or defence; pistols, dirks, sword canes, spears, &c., shall also be contemplated in this Act, save such pistols as are known and used as horseman's pistols, &c.<sup>1</sup>

Violation,  
a light mis-  
demeanor,

368. SEC. II. Any person or persons within the limits of this State, violating the provisions of this Act, except as hereafter excepted, shall for each and every such offence, be deemed guilty of a high misdemeanor, and upon trial and conviction thereof, shall be fined, in a sum not exceeding five hundred dollars for the first offence, nor less than one hundred dollars at the direction [discretion] of the Court; and upon a second conviction, and every after conviction of a like offence, in a sum not exceed one thousand dollars, nor less than five hundred dollars, at the discretion of the Court.\*

1st offence  
2d offence.

\*But see next Act.

(1.) This whole Statute considered and declared *unconstitutional* so far as it prohibits the carrying of weapons; and *constitutional*, as it prescribes the mode of carrying them.  
1 Kelly, 213.

THE  
**CHARTER**  
OF  
*council*  
**THE CITY OF BOSTON,** *Mass.*  
AND

**ORDINANCES MADE AND ESTABLISHED**

BY THE

**MAYOR, ALDERMEN, AND COMMON COUNCIL,**

WITH SUCH ACTS OF THE

**LEGISLATURE OF MASSACHUSETTS,**

AS RELATE TO THE

**Government of said City.**

=====  
COMPILED AND ARRANGED IN PURSUANCE OF AN ORDER OF  
THE CITY COUNCIL.  
=====

*c* **BOSTON:**  
**TRUE AND GREENE, CITY PRINTERS.**  
.....  
1827.

## GUNPOWDER.

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## CHAP. XXIV.

*Gunpowder.*

## ACTS OF THE LEGISLATURE.

An act in addition to the several acts already made for the prudent storage of Gun powder within the town of Boston.

WHEREAS the depositing of loaded arms in the houses of the town of Boston, is dangerous to the lives of those who are disposed to exert themselves when a fire happens to break out in said town. Preamble

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That if any person shall take into any dwelling house, stable, barn, out house, ware house, store, shop or other building within the town of Boston, any cannon, swivel, mortar, howitzer, cohorn, or fire arm, loaded with or having gunpowder in the same, or shall receive into any dwelling house, stable, barn, out house, store, ware house, shop, or other building within said town, any bomb, grenade, or other iron shell, charged with, or having gun powder in the same, such person shall forfeit and pay the sum of *ten pounds*, to be recovered at the suit of the Firewards of the said town, in an action of debt before any court proper to try the same; one moiety thereof, to the use of said Firewards, and the other moiety to the support of the poor of said town of Boston. Taking loaded arms into houses prohibited.  
Penalty

SEC. 2. *Be it further enacted,* That all cannons, swivels, mortars, howitzers, cohorns, fire arms, bombs, grenades and iron shells of any kind, that shall be found in any dwelling house, out house, stable, barn, store, ware house, shop or other building, charged with or having in them any gunpowder, shall be Loaded arms in houses to be seized.

## GUNPOWDER.

How disposed of  
in cases of for-  
feiture.

liable to be seized by either of the Firewards of the said town; and upon complaint made by the said Fire-wards to the Court of Common Pleas, of such cannon, swivels, mortars, or howitzers, being so found, the Court shall proceed to try the merits of such complaint by a jury; and if the jury shall find such complaint supported, such cannon, swivel, mortar; or howitzer, shall be adjudged forfeit, and sold at public auction; and one half of the proceeds thereof shall be disposed of to the Firewards, and the other half to the use of the poor of the town of Boston. And when any fire arms, or any bomb, grenade or other shell, shall be found in any house, out-house, barn, stable, store, ware-house, shop or other building, so charged, or having gun powder in the same, the same shall be liable to be seized in manner aforesaid; and on complaint thereof, made and supported before a Justice of the Peace, shall be sold and disposed of, as is above provided for cannon.

Appeals allowed

SEC. 3. *Be it further enacted*, That appeals shall be allowed in prosecutions upon this act, as is usual in other cases.

[Passed March 1, 1783.]

[An act in addition to the several acts now in force, which respect the carting and transporting Gunpowder through the streets of the town of Boston, and the storage thereof in the same town.] (Repealed by the provisions of the act of 3d February, 1821, see post and 5 vol. special laws, 401.

An act to provide for the storing and safe keeping of Gunpowder in the town of Boston, and to prevent damage from the same. Passed June 19, 1801. Repealed by the provisions of the act of 3d February, 1821, see post (and 5 vol. special laws 401.

An act in addition to the several acts now in force, which respect the transporting, storing and safe keeping of Gunpowder in the town of Boston. Passed March 7th, 1804—and repealed by the provisions of the act of 3d February 1821, see post and 5 vol special laws, 401.



**L A W S**

OF THE

**STATE OF NEW - YORK,**

PASSED AT THE

**FIRST MEETING OF THE SEVENTH SESSION OF THE LEGISLATURE  
OF SAID STATE.**

**CHAP. 1.**

AN ACT to lay a duty of tonnage on vessels for defraying the  
expence of the lighthouse at Sandy Hook.

PASSED the 12th of February, 1784.

*1. Be it enacted by the People of the State of New York represented in Senate and Assembly and it is hereby enacted by the authority of the same,* Duty levied.  
That a duty of four pence per ton shall be levied and collected on all vessels which shall arrive from sea into the port of New York excepting vessels the property of citizens of this State while actually employed on whaling or coasting voyages, and all vessels the entire property of citizens of any of the United States, which shall not exceed the burthen of sixty tons carpenters tonnage.

That for the orderly collection of the said duty it shall be lawful for the master and wardens of the port of New York, who are or shall be appointed by the council of appointment, to appoint a clerk to execute the duties enjoined upon him by this act. Clerk to be appointed to collect same.

That every master or commander of a vessel claiming an exemption from the said duty shall if required make oath before the said clerk or in his absence before any of the said wardens who are hereby respectively empowered to administer the same. That according to the best of his knowledge and belief such vessel is a whaling or a coasting vessel entitled to exemption from the said duty, according to the true intent meaning of this act; and in case of refusal to take the said oath such master or commander shall be liable not only to the duty of tonnage the penalties in such cases to be imposed by this act. That every master of a vessel subject to the said duty who shall not within twenty-four Masters claiming exemption to make oath. Penalty for failure to report to clerk on arrival.

CHAP. 28.]

SEVENTH SESSION.

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*And be it further enacted by the authority aforesaid* That whenever any person shall refuse to appear and make affidavit in pursuance of such summons, a warrant shall issue from such judge or magistrate to compel his appearance, and if on his appearance he shall refuse to make affidavit, or affirmation if a Quaker, of the fact which may be within his knowledge touching the matters in question, he shall be committed to the common gaol of the county, there to remain without bail or mainprise for the term of six callender months.

Warrant  
to issue  
against  
witnesses  
refusing  
to appear.

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## CHAP. 27.

AN ACT to repeal an act entitled An act to revive and amend an act entitled an act more effectually to prevent robberies within this State.

PASSED the 10th of April, 1784.

*Be it enacted by the People of the State of New York, represented in Senate and Assembly, and it is hereby enacted by the authority of the same,* That the act entitled "An act to revive and amend an act more effectually to prevent robberies within this State," passed the first day of July, one thousand seven hundred and eighty, shall be, and the same is hereby repealed.

Act named  
repealed.

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## CHAP. 28.

AN ACT to prevent the danger arising from the pernicious practice of lodging gun powder in dwelling houses, stores, or other places within certain parts of the city of New York, or on board of vessels within the harbour thereof.

PASSED the 13th of April, 1784.

WHEREAS the storing of gun powder within the city of New York is dangerous to the safety thereof.

Preamble.

*Be it therefore enacted by the People of the State of New York, represented in Senate and Assembly, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, it shall not be lawfull for any merchant, shopkeeper, or retailer, or any other person, or persons whatsoever, to have or keep any quantity of gun powder exceeding twenty-eight pounds weight, in any one place, less than one mile to the northward of the city hall of the said city, except in the public magazine at the Fresh-water, and the said quantity of twenty-eight pounds weight, which shall be lawfull for any person to have and keep at any place within this city, shall be seperated into four stone jugs or tin canisters, which shall not contain more than seven pounds each, on pain of forfeiting all such gun powder, and the sum of fifty pounds for every hundred weight, and in that proportion for a greater or lesser quantity, and upon pain of forfeiting such quantity which any person may lawfully keep as aforesaid, and which shall not be seperated as above directed, with full costs of suit to any person, or persons, who will inform and sue for the same, by any action, bill, or information, in any of the courts of record, in this city, who are hereby impowered, and required, to give special judgment in such action bills or informations, to be brought

Unlawful  
to keep  
gunpow-  
der in  
quantities  
exceeding  
twenty-  
eight  
pounds  
except in  
public  
magazine,  
etc.

Penalty.

by virtue of this act, as well for the recovery of the value of such gun powder in specie, as for the penalty aforesaid, besides costs, and to award, effectual execution thereon, provided always that all suits, actions, or prosecutions to be brought, commenced, or prosecuted, against any person or persons, for any thing done in pursuance of this act, shall be commenced and prosecuted without willful delay, within two callender months next after the fact was committed, and not otherwise.

*And whereas* vessels arriving from sea, and having onboard as part of their cargo a quantity of gun powder.

Gunpow-  
der on  
vessels to  
be landed  
before  
vessel  
hauls  
alongside  
of wharf,  
etc.

*Be it enacted by the authority aforesaid,* That the commander, or owner or owners, of all such ships or vessels, having gun powder onboard, shall, within twenty-four hours after her arrival in the harbour, and before they hawl along side of any wharf, pier or key within the city, land the said gun powder, by means of their boat or boats, or any other craft, at any place along the ship yards on the East river, or at any place to the northward of the air furnace on the North river, which may be most contiguous to the magazine at Fresh water, and shall cause the same to be stored there, or in any other proper magazine, which now is or hereafter may be built for that purpose, at any place to the northward thereof, on pain of forfeiting all such gun powder, to any person or persons, who will inform and sue for the same, in like manner, as is herein before directed, with respect to the having and storing of gun powder within the city as aforesaid.

How gun-  
powder to  
be trans-  
ported  
through  
streets of  
city.

And in order to prevent any fatal consequences which may arise, from the carriage of gun powder, in and through the streets of the city of New York, by carts, carriages, or by hand, or otherways, it shall be in tight cask, well headed and hooped, and shall be put into bags or leather-cases, and intirely covered therewith, so as that none be spilt or scattered in the passage thereof, on pain of forfeiting all such gun powder, as shall be conveyed through any of the streets aforesaid in any other manner than is herein directed, and it shall and may be lawfull for any person or persons, to seize the same to his or their own use and benefit—provided the person or persons so offending, be thereof lawfully convicted, before the mayor, recorder, or any two justices of the city aforesaid. And that it shall and may be lawfull, for the mayor recorder, or any two justices of the peace of the city and county of New York, upon demand made by any inhabitant or inhabitants of the said city, who assigning a reasonable cause of suspicion on oath, of the sufficiency of which the said mayor or recorder, or justices, is and are to judge, to issue his or their warrant or warrants, under his or their hands and seals, for searching in the day time for gun powder in any building or place whatsoever, within the limits aforesaid, or any ship or vessel within forty eight hours after her arrival in the harbour, or at any time after any such ship or vessel shall and may have hawled alongside of any wharf pier or key within the limits aforesaid, and that upon any such search, it shall be lawfull for the searchers or persons finding the same, immidiatly to seize, and at any time within twelve hours after such seizure, to cause the same to be removed to the magazine at Fresh water, or to any other proper magazine, which now is or hereafter may be at any place north of Fresh water aforesaid, and the same being so removed, it shall be lawfull to detain and keep the same untill it shall be determined by the mayor, recorder or any two of the justices of the peace of the city and county aforesaid, whether the same shall be forfeited by virtue of this act, and the person or persons so detaining the same, shall not be subject or liable to any action or suit, for the detention thereof, provided always that nothing in the act con-

Warrant  
to search  
in day  
time for  
gun pow-  
der unlaw-  
fully  
stored  
may be  
issued,  
etc.

tained, shall be construed to authorize any person, having such warrant to take advantage of the same, for serving any civil process of any kind whatsoever.

*And be further enacted by the authority aforesaid,* That if any gun powder, exceeding the quantity which any person by this act may lawfully keep in his custody, shall be found during any fire, or alarm of fire, in the said city, by any of the firemen of the said city, it shall be lawful for him to seize the same, without warrant from a majestrate, and to hold and have the same to his own use, any thing in this act to the contrary notwithstanding. This act to be and continue in force from the passing thereof, untill the twenty-eight day of February in the year of our Lord one thousand, seven hundred and eighty six.

If found during any fire may be seized without warrant.

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## CHAP. 29.

AN ACT to lengthen the terms of the inferior courts of common pleas and general sessions of the peace, in the counties of Westchester, Queens and Richmond; and for other purposes therein mentioned.

PASSED the 13th of April, 1784.

WHEREAS the duration of the terms of the inferior courts of common pleas and general sessions of the peace, in the counties of Westchester, Queens and Richmond; which, in the county of Westchester, continue from the fourth Tuesday in May until the Friday following, and from the first Tuesday in November until the Friday following, in every year; in Queens county, from the third Tuesday in May until the Friday following, and from third Tuesday in September until the Friday following, in every year; and in Richmond county, from the first Tuesday in May until the Friday following, and from the last Tuesday in September until the Friday following, in every year, are found from experience, to be too short for the discharge of the necessary business in the said respective courts.

Preamble.

*Be it therefore enacted by the People of the State of New York represented in Senate and Assembly, and it is hereby enacted by the authority of the same,* That the terms of the inferior courts of common pleas and general sessions of the peace in the county of Westchester, shall hereafter commence on the fourth Monday in May and first Monday in November, in every year, and shall continue until the several Saturdays next following, inclusive; that the terms of the inferior courts of common pleas and general sessions of the peace in Queens county, shall commence on the third Mondays in May and September, in every year, and shall continue until the several Saturdays next following, inclusive; and that the inferior courts of common pleas and general sessions of the peace in the county of Richmond, shall commence on the first Monday in May and last Monday in September, in every year, and shall continue until the several Saturdays next following, inclusive. That all process issued out of the said respective courts, and made returnable on the usual return days, and all recognizances by which any person or persons shall be bound to appear on the said usual return days, shall be deemed good and valid on such days, although such days of return and appearance, are by this act, respectively altered.

Terms of the courts, when to commence and when to close.

Process issued returnable on usual return days valid.

# L A W S

OF THE

COMMONWEALTH

OF

PENNSYLVANIA,

FROM THE FOURTEENTH DAY OF OCTOBER, ONE THOUSAND  
SEVEN HUNDRED, TO THE SIXTH DAY OF APRIL,  
ONE THOUSAND EIGHT HUNDRED AND TWO.



REPUBLISHED,

UNDER THE AUTHORITY OF THE LEGISLATURE,

BY

M. CAREY AND J. BIOREN.

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VOL. II.

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MATHEW CAREY AND SELF.

1803.

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## CHAPTER DCCCCLVII.

1782.

*An ACT for the relief of John Amiel, an insolvent debtor, confined in the old gaol of the city and county of Philadelphia.*

Passed 13th April, 1782.—Private Act.—Recorded in Law Book No. I. page 492.

## CHAPTER DCCCCLVIII.

*An ACT for erecting the town of Carlisle, in the county of Cumberland, into a borough; for regulating the buildings, preventing nuisances and encroachments on the commons, squares, streets, lanes and alleys of the same, and for other purposes therein mentioned.*

**SECT. I.** WHEREAS the inhabitants of the town of Carlisle have represented, by their petition to the Assembly, that the said town has greatly improved, and is yearly encreasing in buildings and number of inhabitants; that a good court-house and gaol, and three churches or houses for public worship are erected, and that the courts of justice for the county are held there; that encroachments and nuisances have been committed in the public squares, streets, lanes, alleys and commons of said town; that contentions happen relative to partition walls and fences, and a variety of other matters, to the great annoyance and inconvenience of the inhabitants.

**SECT. II.** And whereas it is necessary, as well for the benefit of the inhabitants of the said town, as those who trade and resort there, and for the advantages of the public in general, that the encroachments, nuisances, contentions, annoyances and inconveniences, in the said town, and commons thereto, belonging, should for the future be prevented:

**SECT. III.** *Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That the said town of Carlisle and commons shall be, and the same is hereby, erected into a borough, which shall be called "The Borough of Carlisle," for ever; the extent of which borough is and shall be comprised within the following boundaries, viz. beginning at a walnut corner tree of land, now of Thomas Wilson's heirs, being a post at the corner of the widow M'Donald's out-lots; thence by the said land of Thomas Wilson's heirs, adjoining the out-lots, south twenty-four degrees and one quarter east, two hundred and thirty-three perches, to a post on Letort's Spring; thence down the said spring, the different courses thereof, fifty-nine perches, to a white oak, at the corner of Jonathan Holme's land; thence by the same and adjoining out-lots, south twenty-six degrees east, one hundred and twenty perches, to a post: thence by the same, south sixty-one

Incorporating clause.

Boundaries.

faid nuisance, or cause the same to be removed; and on failure thereof by the space of three days next after notice to him, her or them, for that purpose given, by order of the Burges- ses of the said borough, or by the said regulators, or any two of them, then, and in that case, the regulators aforesaid, or any of them, shall and may remove the same, or cause the same to be removed; and the costs and expences attending such removal shall be paid by the party or parties so offending.

1782.

SECT. XL. *And be it further enacted by the authority aforesaid,* That the owner or owners of every house within the said borough, having, at the publication hereof, any porch, cellar-door or step, extending into any street beyond the limits aforesaid, or having fixed or fastened to such house any bulk, jut-window, or other incumbrance whatsoever, shall, yearly and every year, pay to the supervisors of the said streets, lanes, alleys and highways, to be applied towards repairing and amending the same, such sum or sums of money as the said Burges- ses and Assistants shall assess, until such porch, cellar-door or step, to him, her or them, respectively belonging, shall be reduced to the limits aforesaid, or such bulk, jut-window, or other incumbrance, shall be removed and taken away; and every owner or owners of any house or houses, whereunto any spouts or gutters shall, at the time of the publication hereof, be so fixed or placed, that the waters thereby discharged may incommode persons passing in the streets, lanes or alleys, shall, and they are hereby enjoined and required, forthwith to remove, or effectually to alter or amend the same.

Owners of porches, &c. exceeding the above limitation, to be assessed, till reduced or taken away.

SEC. XLI. *And be it enacted by the authority aforesaid,* That if any person or persons, after the publication of this act, shall wilfully or maliciously remove, misplace, or injure any pipes or trunks already fixed or placed, or that may or shall be here- after fixed or placed, by direction of the Burges- ses and Assis- tants of the said borough, for conveying water to, from or through any part of the said borough; or if any person or per- sons shall wilfully and maliciously, without the consent and di- rection of the Burges- ses and Assistants aforesaid, by any ways or means whatsoever, obstruct or prevent the course of such waters in or through any such trunks, pipes or conduits, as are or shall, or may be placed as aforesaid, or shall spoil or injure any cistern which shall or may be placed for the reception of such water, every person so offending, and being thereof le- gally convicted before the Burges- ses of the said borough, or either of them, or before any Justice of the peace for the county aforesaid, shall forfeit and pay the sum of five pounds for every such offence, and shall pay the costs of repairing and putting such trunks, pipes, conduits or cisterns in good order and repair.

Penalty on persons re- moving or damaging the pipes or trunks for convey- ing water, &c.

SECT. XLII. And whereas it hath been usual for the mer- chants and traders within the said borough to keep large quan- tities

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1782. *tities of gun-powder in their dwelling houses and shops, to the manifest danger of the inhabitants: Be it therefore enacted by the authority aforesaid, That no person or persons whatsoever, within the limits of said borough, shall, from and after the publication of this act, keep in any house, shop, cellar, store or other place, within the said borough, any more or greater quantity than twenty-five pounds weight of gun-powder, which shall be kept in the highest story of the house, at any one time, unless it be at least fifty yards from any dwelling house, under the penalty of ten pounds.*

No persons  
to keep  
more than  
25lb. of  
gun pow-  
der in their  
houses, &c.

Buildings,  
&c. erected  
on the com-  
mons, de-  
clared nu-  
fances.

SECT. XLIII. And whereas several persons, without right or legal authority, have built on and fenced in many parts of the said commons, which by this act are included in and made part of the said borough, which commons ought to be not only beneficial and convenient for the inhabitants for an out-lot for their cattle in the mean time, but in time to come may be appropriated for the further extension and increase of the buildings in the said borough: *Be it therefore enacted by the authority aforesaid, That all such buildings, fences, or other erections whatsoever, already made or erected, or which shall or may hereafter be so made or erected, by any person or persons whatsoever, on any part of the said commons, shall be deemed, held and taken for nuisances, and as such may be abated, prostrated, thrown down and removed; and that it shall and may be lawful for the Burgesses, Assistants, regulators and supervisors aforesaid, for the time being, or the majority of them, with the consent and approbation of the Chief Burgesses, to abate, prostrate, throw down and remove all such buildings, fences and erections, as are now erected and built, or that hereafter may be erected and built on the same commons. And in case the said Burgesses, Assistants, regulators and supervisors, or the majority of them as aforesaid, with the consent and approbation of the Chief Burgesses, shall be opposed in abating, prostrating, throwing down and removing the said buildings, fences or other erections, that then it shall and may be lawful for the said Burgesses, Assistants, regulators and supervisors, or the majority of them, as aforesaid, to call to their assistance all or any of the inhabitants of the said borough, who are hereby enjoined and required to be aiding and assisting to the Burgesses, Assistants, regulators and supervisors, or the majority of them, as aforesaid, in abating, prostrating, throwing down and removing all such buildings, fences and erections, by this act declared nuisances, as aforesaid.*

Penalty on  
persons  
erecting  
buildings,  
&c. on the  
commons,

SECT. XLIV. *And be it further enacted by the authority aforesaid, That if any person or persons shall, at any time after the publication of this act, presume to erect or build any buildings, fences, or other erection whatsoever, on the said commons, that then the said buildings, fences or other erections, shall be abated, prostrated, thrown down and removed as aforesaid;*



CODE OF LAWS  
OF  
**South Carolina**  
1902.

IN TWO VOLUMES

VOLUME IV

Code of Civil Procedure

Criminal Code

THE STATE COMPANY, STATE PRINTERS  
COLUMBIA, S. C.

OF SOUTH CAROLINA.

County wherein the violation takes place to be recovered as other fines and forfeitures: *Provided*, this Act shall not apply to peace officers in the actual discharge of their duties, or to persons while on their own premises.

SEC. 2. That the fines and forfeitures above provided for, when collected, shall go to the school fund of the County where the violation occurred.

SEC. 3. In case it shall appear to the satisfaction of the presiding Judge or Magistrate before whom such offender is tried that the defendant had good reason to fear injury to the person or property and carried a good weapon to protect himself or property he may in his discretion suspend sentence.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved the 20th day of February, A. D. 1901.

No. 436.

AN ACT TO PROVIDE A PENALTY FOR LARCENY OF BICYCLES.

SECTION 1. *Be it enacted* by the General Assembly of the State of South Carolina: From and after the passage of this Act, the larceny of any bicycle shall be punishable as now prescribed by law for the larceny of live stock.

Approved the 20th day of February, A. D. 1901.

No. 437.

AN ACT TO REGULATE THE BONDS OF PUBLIC OFFICERS AND TO PROVIDE A PENALTY FOR ANY PERSON WHO ASSUMES OR ATTEMPTS TO ASSUME, THE DUTIES OF ANY OFFICE, WITHOUT GIVING THE REQUIRED BOND.

SECTION 1. *Be it enacted* by the General Assembly of the State of South Carolina: That Bonds of County Officers shall be recorded in the office of the Clerk of Court or Register of Meane Conveyance, of the County of which the aforesaid officers are residents, and shall immediately thereupon be transmitted to the Secretary of State, who shall file them in the office of the State Treasurer.

STATUTES AT LARGE

No. 434.

AN ACT TO ALLOW DAMAGES AGAINST TELEGRAPH COMPANIES DOING BUSINESS IN THIS STATE, FOR MENTAL ANGUISH OR SUFFERING, EVEN IN THE ABSENCE OF BODILY INJURY CAUSED BY NEGLIGENCE IN RECEIVING, TRANSMITTING OR DELIVERING MESSAGES.

SECTION 1. *Be it enacted* by the General Assembly of the State of South Carolina: That from and after the passage of this Act, all telegraph companies doing business in this State, shall be liable in damages for mental anguish or suffering even in the absence of bodily injury, for negligence in receiving, transmitting or delivering messages.

SEC. 2. That nothing contained in this Act shall abridge the rights or remedies now provided by law against telegraph companies, and the rights and remedies provided for by this Act shall be in addition to those now existing.

SEC. 3. That in all actions under this Act the jury may award such damages as they conclude resulted from negligence of said Telegraph companies.

Approved the 20th day of February, A. D. 1901.

No. 435.

AN ACT TO REGULATE THE CARRYING, MANUFACTURE AND SALE OF PISTOLS AND TO MAKE A VIOLATION OF THE SAME A MISDEMEANOR.

SECTION 1. *Be it enacted* by the General Assembly of the State of South Carolina: That from and after the first day of July 1902 it shall be unlawful for any one to carry about the person whether concealed or not any pistol less than 20 inches long and 3 pounds in weight. And it shall be unlawful for any person, firm or corporation to manufacture, sell or offer for sale, or transport for sale or use into this State, any pistol of less length and weight. Any violation of this Section shall be punished by a fine of not more than one hundred dollars, or imprisonment for not more than thirty days and in case of a violation by a firm or corporation it shall forfeit the sum of one hundred dollars to and for the use of the school fund of the

ACTS

OF

THE STATE OF TENNESSEE,

PASSED BY THE

FORTY-FIRST GENERAL ASSEMBLY.

1879.

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1879.

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#### CHAPTER XCV.

AN ACT to change the day in which the Criminal Docket shall be taken up for Marshall County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed March 22nd, 1877, entitled, "An Act to repeal the Act establishing a Criminal Court in the counties of Williamson, Maury, Giles and Marshall," be so amended that Section 5 of said Act shall hereafter read, that the Criminal Docket shall be taken up on the second Monday of the term of court, instead of the first Thursday of the term, as heretofore fixed by said Act, and that the second Monday of the term shall be the day on which the criminal part of said term of court shall commence for said Marshall County hereafter.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

H. P. FOWLKES,

*Speaker of the House of Representatives.*

J. R. NEAL,

*Speaker of the Senate.*

Approved March 17, 1879.

ALBERT S. MARKS,

*Governor.*

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#### CHAPTER XCVI.

AN ACT to Prevent the Sale of Pistols.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to sell, or offer to sell, or to bring into the

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State for the purpose of selling, giving away, or otherwise disposing of belt or pocket pistols, or revolvers, or any other kind of pistols, except army or navy pistol; *Provided* that this Act shall not be enforced against any persons now having license to sell such articles until the expiration of such present license.

Sale of pistols  
forbidden.

SEC. 2. *Be it further enacted*, That any person guilty of a violation of this Act, shall be subject to presentment or indictment, and on conviction, shall pay a fine of not less than twenty-five nor more than one hundred dollars, and be imprisoned at the discretion of the court.

Penalty.

SEC. 3. *Be it further enacted*, That it shall be the duty of the Criminal and Circuit Judges, and other Judges whose courts have criminal jurisdiction, to give this Act specially in charge to the grand jury at each term of the court.

Judges to  
charge.

SEC. 4. *Be it further enacted*, That it shall be the duty of the grand juries to send for witnesses, in all cases where they have good reason to believe, that the provisions of this Act have been violated. And upon satisfactory evidence of its violation, they shall make presentments of the same without a prosecutor.

Grand jury  
powers.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

SEC. 6. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

H. P. FOWLKES,  
*Speaker of the House of Representatives.*  
J. R. NEAL,  
*Speaker of the Senate.*

Approved March 17, 1879.

ALBERT S. MARKS,  
*Governor.*

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## CHAPTER. XCVII.

AN ACT to amend the Law Taxing Wagons.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sub-Section 38 of Section 553a

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