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8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 **MARK BAIRD and RICHARD**  
 13 **GALLARDO,**  
 14 Plaintiffs,  
 15 v.  
 16 **ROB BONTA, in his official capacity as**  
 17 **Attorney General of the State of California,**  
 18 **and DOES 1-10,**  
 19 Defendants.

2:19-cv-00617-KJM-AC

**DEFENDANT’S UPDATED REQUEST  
 FOR JUDICIAL NOTICE -  
 COMPENDIUM OF HISTORICAL  
 LAWS**

**VOLUME 3 OF 7**

## **DANGEROUS WEAPONS LAWS**

# DIGEST

OF THE

# LAWS AND ORDINANCES

OF THE

CITY OF LITTLE ROCK,

*WITH THE CONSTITUTION OF THE STATE OF ARKANSAS;  
GENERAL INCORPORATION LAWS; AND ALL ACTS  
OF THE GENERAL ASSEMBLY RELATING TO  
THE CITY; IN FORCE MARCH 10, 1882.*

DIGESTED, COMPILED AND PUBLISHED BY AUTHORITY OF THE COMMON COUNCIL,

By JOHN H. CHERRY.

LITTLE ROCK:

UNION PRINTING AND PUBLISHING COMPANY.

1882.

M/S/L



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any dram-shop, store or other place, for the sale of spirituous, malt or vinous liquors, shall be deemed guilty of a misdemeanor, and on conviction thereof in the police court, shall, for the first offense, be fined not less than ten nor more than twenty dollars, and for each repetition of such offense or violation of said ordinance, shall be fined not less than ten nor more than fifty dollars. *Ib.*, sec. 271, as amended January 15, 1875.

Sec. 399. It shall not be lawful for any person to wear under his clothes, or concealed about his person, any pistol or colt, or slung-shot, or cross-knuckles, or knuckles of lead, brass or other metal; or bowie-knife, dirk-knife, or dirk or dagger, or any knife resembling a bowie-knife, or any other dangerous or deadly weapon, within the city of Little Rock; and whoever shall violate this section, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than ten dollars nor more than twenty-five dollars, and double that sum for each repetition of such offense or violation. *Ib.*, sec. 274, as amended November 22, 1881.

Sec. 400. Nothing in the preceding section shall be so construed as to prevent any United States, state, county or city officer from carrying and wearing such weapons as may be necessary in the proper discharge of his duties. *Ib.*, sec. 275.

Sec. 401. Any person who may, on Sunday, disturb the peace by any noisy, riotous or disorderly conduct, in any street or other public place, or in a place of public resort for amusement or other purposes, shall be fined not less

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# L A W S

C  
7

OF THE

## DISTRICT OF COLUMBIA.

1871-1872.

### PART I.

Organic Act and Subsequent Acts of Congress Affecting the District of Columbia.

### PART II.

Acts of the Regular Session of the First Legislative Assembly.

### PART III.

Acts of the First and Second Special Sessions of the First Legislative Assembly.

### PART IV.

Acts of the Second Legislative Assembly.

WASHINGTON, D. C. :  
CHRONICLE PUBLISHING COMPANY, 511 9TH ST.  
1872.

FIRST LEGISLATIVE ASSEMBLY. SESS. I. CH. 25, 26. 1871.

33

CHAP. XXV.—*An Act to prevent the carrying of concealed weapons.*

August 10, 1871.

*Be it enacted by the Legislative Assembly of the District of Columbia, That it shall not be lawful for any person or persons to carry or have concealed about their persons any deadly or dangerous weapons, such as daggers, air-guns, pistols, bowie-knives, dirk-knives, or dirks, razors, razor-blades, sword-canes, slung-shots, or brass or other metal knuckles, within the District of Columbia; and any person or persons who shall be duly convicted of so carrying or having concealed about their persons any such weapons shall forfeit and pay, upon such a conviction, not less than twenty dollars nor more than fifty dollars, which fine shall be prosecuted and recovered in the same manner as other penalties and forfeitures are sued for and recovered: *Provided*, That the officers, non-commissioned officers, and privates of the United States army, navy, and marine corps, police officers, and members of any regularly organized militia company or regiment, when on duty, shall be exempt from such penalties and forfeitures.*

The carrying of concealed deadly weapons made unlawful.

Penalty.

Proviso.

Approved August 10, 1871.

CHAP. XXVI.—*An Act in relation to intelligence offices.*

August 10, 1871.

*Be it enacted by the Legislative Assembly of the District of Columbia, That licenses may be granted, in the same manner as licenses are now granted in Washington city, for one year, unless sooner revoked after notice and cause, to suitable persons, upon payment by them of five dollars each, to keep offices for the purpose of obtaining employment for domestics, servants, or other laborers, except seamen, or of giving information in relation thereto, or of doing the usual business of intelligence offices, and said licenses shall be signed and the fees therefor received by the same officer or officers as perform those offices in the city of Washington; and no person shall keep such an office without a license, under a penalty not exceeding twenty dollars for every day it is so kept.*

Licenses may be granted intelligence offices.

Penalty for keeping such office without license.

SEC. 2. *And be it further enacted, That the penalty provided in this act may be recovered by complaint before the police court of the District of Columbia, and said sum to be collected and applied as other fines.*

Fine to be recovered by police court and applied as other fines.

SEC. 3. *And be it further enacted, That all acts and parts of acts inconsistent with this act are hereby repealed.*

Prior inconsistent laws repealed.

Approved August 10, 1871.



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," Mississippi - Regular Session : 816-858

AGLC 4th ed.  
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**L A W S**

OF THE

**STATE OF MISSISSIPPI,**

**PASSED AT A REGULAR SESSION**

OF THE

**MISSISSIPPI LEGISLATURE,**

**HELD**

**In the City of Jackson, commencing Jannary 1st, 1871, and ending  
May 13th, 1871.**



**JACKSON, MISS.:**  
**ALCORN & FISHER, PUBLIC PRINTERS.**  
**1871.**

## CHAPTER 33.

### AN ACT IN RELATION TO PUBLIC REVENUE.

- ARTICLE I. What Property Exempt, and what Taxable.
- II. Taxes a Lien, from what date, and where Assessed.
- III. Assessment Rolls Furnished.
- IV. Assessment of Personal Property.
- V. Assessment of Land.
- VI. Assessment of Money Loaned, and Stocks.
- VII. Assessment Returned, and Proceedings thereon.
- VIII. Collection of Taxes.
- IX. Sale of Land for Taxes.
- X. Taxes on Stocks and Money Loaned, how Collected.
- XI. Rights of Purchaser at Tax Sale.
- XII. Insolvency.
- XIII. When Taxes to be paid over, and Remedy therefor.
- XIV. Meetings of Board of Supervisors.
- XV. Tax on Brokers.
- XVI. Sale of Merchandise at Auction.
- XVII. Hawkers and Pedlers.
- XVIII. Transient Vendors and Traders.
- XIX. Certain Privileges Taxed.
- XX. Proceedings on Injunction of the Collection of Taxes.
- XXI. Liability of Assessor and Collector.
- XXII. Proceedings to confirm Tax Titles.

SEC. 2. The fiscal year shall commence on <sup>Fiscal year.</sup> the first day of January, and all taxable property brought into the State or acquired by any person before the first day of January, shall be assessed and pay taxes for the succeeding year.

SEC. 3. Every person shall be assessed in the <sup>Assessment</sup> county in which he resides at the time of the <sup>of property.</sup> assessment; real property shall be assessed in the county where situated; and all personal property owned by any person, in any county other than that of his residence, shall be assessed in the county in which the same may be situated, on the day of the commencement of the fiscal year, and the list thereof may be rendered by an agent; money on deposit, or loaned at interest, in or out of this State, and stocks, in or out of this State, shall be taxed in the county where the owner resides.

SEC. 4. All incorporated banks, or other <sup>Assessment</sup> companies, liable to taxation on their capital <sup>of banks, etc..</sup> stock, shall be assessed for said stock in the county in which the principal office or place of transacting business is situated; and if there shall be no principal office or place of business, then in the county or counties in which the business of such company shall be carried on.

### ARTICLE III.

#### ASSESSMENT ROLLS FURNISHED.

SECTION 1. The Auditor of Public Accounts <sup>Auditor shall</sup> shall, before the first day of February in each <sup>furnish rolls.</sup> year, furnish each clerk of the board of supervisors with three copies of suitable assessment rolls, properly ruled and headed, for the assessment of personal property and polls, in which to enter the following items, viz: The name of the individual, corporation, company, society, partnership or firm, to whom any

property shall be taxable, number of cattle, number of horses, number of mules, number of sheep, number of swine, number of carriages and other wheeled vehicles, pianos, pistols, dirks, bowie-knives, sword-canes, watches, jewelry, and gold and silver plate (with a separate column for the value of each); amount of money employed in merchandise, amount of money employed in manufacture, amount of money, amount of household furniture, amount of stock or shares in any corporation or company, not required by law to be otherwise listed and taxed, amount of all other personal property not otherwise enumerated, and the number of polls, with a column to contain the aggregate of State tax. The cost of said books shall be paid out of the State treasury, on the warrant of the Auditor.

SEC. 2. One of said assessment rolls shall be immediately delivered to the assessor, and the others shall be kept by the clerk of the board of supervisors, to be used in making the copies hereinafter provided for.

SEC. 3. The Auditor of Public Accounts shall, on or before the first day of February in every fourth year, counting from the year 1871, furnish each clerk of the board of supervisors with three copies of suitable land assessment rolls, properly ruled and headed for the assessment of land, so as to enter the following, viz: Name of owner, division of section, section, township, range, value, and amount of State tax, to be paid for out of the State treasury.

SEC. 4. One of said assessment rolls shall be delivered to the assessor, and the others shall be retained for the copies hereinafter required to be made.

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## ARTICLE IV.

### ASSESSMENT OF PERSONAL PROPERTY.

SECTION 1. Between the first day of February, and the first Monday of July, in each

Time of assessing polls, etc.

any tenement in his possession or under his control, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than fifty nor more than five hundred dollars.

SEC. 7. Any person who shall, in this city, keep a bawdy-house, house of ill-fame or of assignation, or shall harbor, secrete, or permit any girl under the age of seventeen years to remain in such bawdy-house, house of ill-fame or of assignation, without immediately notifying the Chief of Police thereof, or who shall be known to be a frequenter of such house of assignation or house of ill-fame, or who shall be found an inmate of such house or houses, or shall knowingly permit any tenement in his possession or under his control to be used for any such purpose, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than one hundred dollars nor more than five hundred dollars.

Bawdy house,  
etc.  
*Ibid.*, § 6.

SEC. 8. Any person who shall be guilty of sticking or putting up in any street, avenue or alley, or on any wall, fence or other public place in this city, any indecent or gross printed or written advertisement, bill or notice of his professional skill or remedies for the curing of venereal, or what are usually called secret diseases, or causing the same to be stuck or put up, or shall cause any such indecent or gross printed or written advertisement, either as a bill or circular, whether enclosed in an envelope or any other form, to be left in any yard or premises attached to any dwelling house, or to be put under the door, or to be given to any servant or other person in or about such dwelling house, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than fifty nor more than one hundred dollars.

Indecent advertisements.  
*Ibid.*, § 7.

SEC. 9. Hereafter it shall not be lawful for any person to wear under his clothes, or concealed about his person, any pistol, or revolver, colt, billy, slung shot, cross knuckles, or knuckles of lead, brass or other metal, bowie knife, razor, dirk knife, dirk, dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon, within the City of St. Louis,

Concealed Weapons.  
*Ibid.*, § 8.

without written permission from the Mayor; and any person who shall violate this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than ten nor more than five hundred dollars for each and every offence.

Certain officers  
may carry weap-  
ons.  
*Ibid.*, § 9.

SEC. 10. Nothing in the preceding section shall be so construed as to prevent any United States, State, county or city officer, or any member of the city government, from carrying or wearing such weapons as may be necessary in the proper discharge of his duties.

Disturbing peace  
on Sunday.  
*Ibid.*, § 10.

SEC. 11. Any person who shall, on Sunday, disturb the peace by any noisy, riotous or disorderly conduct, in any street or other public place, or in any place of public resort for amusement or other purposes, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than five nor more than fifty dollars.

Permitting dis-  
turbance on  
premises.  
*Ibid.*, § 12.

SEC. 12. Any keeper of a dram-shop, beer house or other place of public resort, who shall permit any breach of the peace or disturbance of public order and decorum, by noisy, riotous and disorderly conduct on his premises, when it was in his power to prevent it, or who shall sell any intoxicating drink to any person already intoxicated, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than twenty-five nor more than two hundred and fifty dollars.

Employing  
"beer-jerker."  
*Ibid.*, § 13.

SEC. 13. Any keeper of a dram-shop, beer-house, or other place of public resort, who shall employ a lewd woman, or any woman having the reputation of a prostitute, as a carrier of beer or any other article, either in the day or night time, or to sing or dance in a lewd or indecent manner, or to permit any such lewd woman to act as bar tender in any such house or place, shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined not less than fifty nor more than one hundred dollars.

Rag-pickers to  
have permit.  
*Ibid.*, § 14.

SEC. 14. No person shall, without first procuring a permit from the Police Commissioners, engage in picking or gathering rags, paper, metal or other articles, and such person shall wear a badge or number, and be

Ordinances of Jersey City, Passed By The Board Of Aldermen since May 1, 1871, under the Act Entitled "An Act to Re-organize the Local Government of Jersey City," Passed March 31, 1871, and the Supplements Thereto Page 41, Image 41 (1874) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

An Ordinance To Prevent the Carrying of Loaded or Concealed Weapons within the Limits of Jersey City. The Mayor and Aldermen of Jersey City do ordain as follows: § 1. That it shall not be lawful for any person or persons (excepting policemen and private watchmen when on duty), within the corporate limits of Jersey City, to carry, have, or keep concealed on his or her person any instrument or weapon commonly known as a slung-shot, billy, sand-club or metal knuckles, and any dirk or dagger (not contained as a blade of a pocket-knife), and loaded pistol or other dangerous weapon, under the penalty of not exceeding twenty dollars for each offense. § 2. That it shall not be lawful for any person or persons (excepting policemen and private watchmen when on duty), within the corporate limits of Jersey City, to carry or wear any sword in a cane, or air-gun, under the penalty of not exceeding twenty dollars for each offense. § 3. Any forfeiture on penalty arising under this ordinance may be recovered in the manner specified by the City Charter, and all persons violating any of the provisions aforesaid shall, upon conviction, stand committed until the same be paid.

## AN ORDINANCE

TO PREVENT THE CARRYING OF LOADED OR CONCEALED WEAPONS WITHIN THE LIMITS OF JERSEY CITY. (SEE ORDINANCE APPROVED JUNE 20, 1878.)

*The Mayor and Aldermen of Jersey City do ordain as follows :*

SECTION 1. That it shall not be lawful for any person or persons (excepting policemen and private watchmen when on duty), within the corporate limits of Jersey City, to carry, have, or keep concealed on his or her person any instrument or weapon commonly known as slung-shot, billy, sand-club or metal knuckles, and any dirk or dagger (not contained as a blade of a pocket-knife), and loaded pistol or other dangerous weapon, under the penalty of not exceeding twenty dollars for each offense.

SEC. 2. That it shall not be lawful for any person or persons (excepting policemen and private watchmen when on duty), within the corporate limits of Jersey City, to carry or wear any sword in a cane, or air-gun, under the penalty of not exceeding twenty dollars for each offense.

SEC. 3. Any forfeiture on penalty arising under this ordinance may be recovered in the manner specified by the City Charter, and all persons violating any of the provisions aforesaid shall, upon conviction, stand committed until the same be paid.

SEC. 4. All ordinances in anywise inconsistent with this ordinance are hereby repealed.

Passed July 18, 1871.

GEO. H. FARRIER, *President.*

JOHN E. SCOTT, *City Clerk.*

Approved July 21, 1871.

CHAS. H. O'NEILL, *Mayor.*

Order of the Board of Aldermen. Ordinances of Jersey City, Passed By The Board Of Aldermen since May 1, 1871, under the Act Entitled "An Act to Re-organize the Local Government of Jersey City," Passed March 31, 1871, and the Supplements Thereto. Kennard & Hay Stationery Manufacturing & Printing Company, 1874. The Making of Modern Law: Primary Sources, link.gale.com/apps/doc/DT0102899061/MMLP?u=bloo98297&sid=bookmark-MMLP&pg=41. Accessed 29 Mar. 2023.



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APA 7th ed.

(1879). Revised Statutes of Texas: Adopted by the Regular Session of the Sixteenth Legislature, A.D. 1879. Galveston, A.H. Belo & Co., State printers.

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THE  
REVISED STATUTES

OF

TEXAS:

ADOPTED

BY THE REGULAR SESSION

OF THE

SIXTEENTH LEGISLATURE,

A. D. 1879.

---

PUBLISHED BY AUTHORITY OF THE STATE OF TEXAS.

(PURSUANT TO CHAPTER 151, ACTS 1879.)

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GALVESTON:  
A. H. BELO & CO., STATE PRINTERS.  
1879.

# THE PENAL CODE.

## TITLE I.

### General Provisions relating to the whole Code.

#### CHAPTER ONE.

#### THE GENERAL OBJECTS OF THE CODE, THE PRINCIPLES ON WHICH IT IS FOUNDED, AND RULES FOR THE INTERPRETATION OF PENAL LAWS.

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General rule of construction.....	9	Previous offenses not affected by this Code.....	19
Words specially defined, how understood.....	10	No cumulative penalties.....	20

ARTICLE 1. The design of enacting this Code is to define in plain language every offense against the laws of this state, and affix to each offense its proper punishment. Design of the Code. P.C. 1.

ART. 2. The object of punishment is to suppress crime and reform the offender. Object of punishment. P.C. 2.

ART. 3. In order that the system of penal law in force in this state may be complete within itself, and that no system of foreign laws, written or unwritten, may be appealed to, it is declared that no person shall be punished for any act or omission, unless the same is made a penal offense and a penalty is affixed thereto by the written law of this state. All penalties must be affixed by written law. P.C. 3.

ART. 4. The principles of the common law shall be the rule of construction, when not in conflict with the Penal Code, or Code of Criminal Procedure, or with some other written statute of the state. Common law rule of construction, when (Act Feb. 12, 1858, p. 156.) P.C. 4.

ART. 5. In the construction of this Code each general provision shall be controlled by a special provision on the same subject, if there be a conflict. Special provisions control general. P.C. 5.

ART. 6. Whenever it appears that a provision of the penal law is so indefinitely framed, or of such doubtful construction, that it can not be understood, either from the language in which it is expressed, or from some other written law of the state, such penal law shall be regarded as wholly inoperative. Unintelligible law not operative. P.C. 6.

Tumults, mobs and disturbances at elections. (Act Aug. 23, 1870, p. 311, §25.)

ART. 161. If any person shall disturb any election, by inciting or encouraging a tumult or mob, or shall cause any disturbance in the vicinity of any poll or voting place, he shall be punished by fine of not less than one hundred nor more than five hundred dollars, and, in addition thereto, may be imprisoned in the county jail for a period not exceeding one month.

Intimidation of electors. (Act Aug. 23, 1870, p. 311, §25.)

ART. 162. If any person shall, by force or intimidation, obstruct or influence, or attempt to obstruct or influence any voter in the free exercise of the elective franchise, he shall suffer the punishment prescribed in the preceding article.

Carrying arms about elections. (Act Aug. 23, 1870, p. 311, §25.)

ART. 163. If any person, other than a peace officer, shall carry any gun, pistol, bowie knife, or other dangerous weapon, concealed or unconcealed, on any day of election, during the hours the polls are open, within the distance of one-half mile of any poll or voting place, he shall be punished as prescribed in article 161 of this Code.

CHAPTER FOUR.

MISCELLANEOUS OFFENSES AFFECTING THE RIGHT OF SUFFRAGE.

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Illegal arrest of voter. P.C. 270.

ARTICLE 164. If any magistrate or peace officer shall, knowingly, cause an elector to be arrested in attending upon, going to, or returning from an election, except in cases of treason, felony, or breach of the peace, he shall be punished by fine not exceeding three hundred dollars.

Illegal voting. (P.C. 275 and Act Aug. 23, 1870, p. 310.)

ART. 165. If any person knowing himself not to be a qualified voter, shall, at any election, vote, or offer to vote, for any officer to be then chosen, he shall be punished by confinement in the penitentiary not less than two nor more than five years.

Repeating. (Act Aug. 23, 1870, p. 310, §25.)

ART. 166. If any person shall vote, or attempt to vote more than once at the same election, he shall be punished as prescribed in the preceding article.

Depositing illegal ballots, or tickets folded together.

NOTE.—Chapter 112, acts 1870, after prescribing the kind of ballot to be used at elections, and prohibiting the pasting of the name of one candidate over the name of any other candidate, and the depositing of two or more tickets folded together, adds this penalty: "And any person, who shall deposit any ballot, except as provided in this section, or, shall deposit two or more tickets folded together, at any election in this state, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not exceeding one hundred dollars." See appendix.—L.

Instigating illegal voting. (P.C. 270 and Act Aug. 23, 1870, p. 311, §25.)

ART. 167. Every person who shall procure, aid, assist, counsel, or advise another to give his vote at any election, knowing that the person is not duly qualified to vote, or shall procure, aid, assist, counsel, or advise another to give his vote more than once at such election, shall be fined in a sum not less than one hundred nor more than five hundred dollars, and may, in addition thereto, be imprisoned in the county jail for a period not exceeding one month.

False swearing by voter. P.C. 278.

ART. 168. If any person challenged as unqualified shall be guilty of willful and corrupt false swearing, in taking any oath prescribed by law, he shall be punished by confinement in the penitentiary not less than two nor more than five years.



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L A W S  
OF THE  
STATE OF MARYLAND.

MADE AND PASSED

AT A SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD AT THE  
CITY OF ANNAPOLIS, ON THE THIRD DAY OF JANUARY, 1872,  
AND ENDED ON THE FIRST DAY OF APRIL, 1872.

1872.



BALTIMORE:  
PUBLISHED BY JOHN MURPHY & Co.

*Publishers of the Maryland Code and Supplements, Maryland Reports, &c.*

182 BALTIMORE STREET.

S. S. MILLS, AND L. F. COLTON, STATE PRINTERS.

1872.

## WM. PINKNEY WHYTE, ESQUIRE, GOVERNOR. 57

SEC. 246. It shall not be lawful for any person to carry concealed, in Annapolis, whether a resident thereof or not, any pistol, dirk-knife, bowie-knife, sling-shot, billy, razor, brass, iron or other metal knuckles, or any other deadly weapon, under a penalty of a fine of not less than three, nor more than ten dollars in each case, in the discretion of the Justice of the Peace, before whom the same may be tried, to be collected as other fines and penalties are now collected; *provided*, the provisions of the section shall not apply to any officer of the law, either of the State or city, where any pistol or other weapon is a part of the prescribed outfit of said officer, *and provided further*, that either party, feeling aggrieved at the decision of said Justice of the Peace, shall have the right to appeal to the Circuit Court of Anne Arundel county.

SEC. 2. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved February 26, 1872.

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CHARTER 43.

AN ACT to amend an Act, entitled "An Act to incorporate the President and Directors of the Maryland Fire Insurance Company of Baltimore," passed at January session, eighteen hundred and fifty-eight, by decreasing the capital stock and par value of the shares thereof, and by altering the mode of voting by the stockholders.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the par value of the shares of the capital stock of the President and Directors of the Maryland Fire Insurance Company of Baltimore, be and the same is hereby reduced to five dollars per share, and the said Company may at any time hereafter increase its capital stock to the amount of two

## Gilbert B. Colfield, Laws, Ordinances and Rules of Nebraska City, Otoe County, Nebraska Page 36, Image 36 (1872) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

Ordinance No. 7, An Ordinance Prohibiting the Carrying of Fire Arms and Concealed Weapons, § 1. Be it ordained by the Mayor and Councilmen of the City of Nebraska City, That it shall be, and it is hereby declared to be unlawful for any person to carry, openly or concealed, any musket, rifle, shot gun, pistol, sabre, sword, bowie knife, dirk, sword cane, billy slung shot, brass or other metallic knuckles, or any other dangerous or deadly weapons, within the corporate limits of Nebraska City, Neb; Provided, that nothing herein contained shall prevent the carrying of such weapon by a civil or military officer, or by a soldier in the discharge of his duty, nor by any other person for mere purposes of transportation from one place to another.



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THE  
CODE OF ALABAMA.

1876.

---

PREPARED BY  
WADE KEYES AND FERN. M. WOOD;  
—AND—  
JOHN D. ROQUEMORE, SUCCESSOR TO FERN. M. WOOD.

---

WITH REFERENCES TO THE DECISIONS OF THE SUPREME COURT OF THE STATE  
UPON THE CONSTRUCTION OF THE STATUTES; AND IN WHICH THE  
GENERAL AND PERMANENT ACTS OF THE SESSION OF  
1876-7 HAVE BEEN INCORPORATED.

---

MONTGOMERY, ALA. :  
BARRETT & BROWN, PRINTERS FOR THE STATE.  
1877.

§ 4110. *Carrying, concealed, brass knuckles and slung-shots.*—<sup>b</sup>Any person who carries, concealed about his person, brass knuckles, slung-shot, or other weapon of like kind or description, shall, on conviction thereof, be fined not less than twenty, nor more than two hundred dollars, and may also, at the discretion of the court trying the case, be imprisoned in the county jail, or sentenced to hard labor for the county, for a term not exceeding six months.

<sup>b</sup>April 8, 1873,  
p. 130.

§ 4111. *Carrying rifle or shot-gun walking canes.*—Any person who shall carry a rifle or shot-gun walking cane, shall, upon conviction, be fined not less than five hundred dollars, nor more than one thousand dollars, and be imprisoned in the penitentiary not less than two years.

<sup>c</sup>Aug. 5, 1868,  
p. 11.

## CHAPTER 4.

### OFFENSES AGAINST PUBLIC JUSTICE, AND OFFICIAL DUTY.

§ 4112 (3557). *Perjury on trial for felony.*—Any person who, willfully and corruptly, swears or affirms falsely, in regard to any material matter or thing, on the trial of any person under an indictment for felony, must, on conviction, be imprisoned in the penitentiary, or sentenced to hard labor for the county, for not less than three, nor more than twenty years.<sup>(1)</sup>

§ 4113 (3558). *Perjury in other cases.*—Any person who, willfully and corruptly, swears or affirms falsely, in regard to any material matter or thing, upon any oath or affirmation authorized by law, (except on the trial of any person under an indictment for a felony,) must, on conviction, be imprisoned in the penitentiary, or sentenced to hard labor for the county, for not less than two, nor more than five years.<sup>(1)</sup>

§ 4114 (3559). *Subornation of perjury.*—Any person who corruptly procures another to commit the crime of perjury, as defined in the last two preceding sections, must be punished in the same manner and degree that the person suborned was liable to be punished.

§ 4115. *Perjury by retailer.*—<sup>a</sup>Any person who, having taken the oath required by section 1545 of this Code, to obtain a license to sell vinous or spirituous liquors, shall violate the same, shall be deemed guilty of perjury, and, on conviction, must be punished as prescribed in the second preceding section.

<sup>a</sup>March 7, 1876,  
p. 227, sec. 3.

§ 4116 (3560). *Bribery of executive, legislative or judicial officer.*—Any person who corruptly offers, promises or gives to any executive, legislative or judicial officer, after his election or appointment, either before or after he has been qualified, any gift, gratuity or thing of value, with intent to influence his act, vote, opinion, decision or judgment, on any cause, matter or proceeding which may be then pending, or which may be by law brought before him in

1. To constitute perjury in swearing as to belief, it must appear that defendant knew to contrary of what he swore.—3 Ala. 602. False affidavit to petition for *habeas corpus*, and for writ of attachment; advice of attorney competent to show want of corruption.—41 Ib. 17, 81. Form of indictment in Code for perjury, sufficient.—47 Ib. 47. In perjury for false swearing in a case, record of case must be produced; when secondary evidence allowable.—6 Ib. 324.



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THE  
STATUTES AT LARGE  
OF THE  
STATE OF MINNESOTA

COMPRISING

THE GENERAL STATUTES OF 1866

*As amended by subsequent Legislation to the close of the Session of 1873*

TOGETHER WITH

*ALL LAWS OF A GENERAL NATURE IN FORCE, MARCH 7, A.D. 1873*

WITH REFERENCES TO

JUDICIAL DECISIONS OF THE STATE OF MINNESOTA, AND OF OTHER  
STATES WHOSE STATUTES ARE SIMILAR

TO WHICH ARE PREFIXED

THE CONSTITUTION OF THE UNITED STATES, THE ORGANIC ACT,  
THE ACT AUTHORIZING A STATE GOVERNMENT, AND THE  
CONSTITUTION OF THE STATE OF MINNESOTA

*VOL. II.*

COMPILED AND ARRANGED BY

A. H. BISSELL

ATTORNEY-AT-LAW

CHICAGO  
CALLAGHAN AND COMPANY  
1873

SEC. 64 (1 OF ACT OF FEBRUARY 27, 1869). *Unlawful to set spring guns, etc.*—The setting of a so-called trap or spring gun, pistol, rifle, or other deadly weapon in this state is hereby prohibited, and declared to be unlawful.

SEC. 65 (2 *ib.*) *Punishment for violating the foregoing section.*—Any person offending against the foregoing section shall be punished as follows: If no injury results therefrom to any person, the person so offending shall be punished by imprisonment in the county jail of the proper county for a period not less than six months, or by fine not exceeding five hundred dollars, or by both fine and imprisonment, at the discretion of the court. If death results to any human being from the discharge of a weapon so unlawfully set, the person so offending shall, upon conviction thereof, be punished by imprisonment in the state prison for a term not exceeding fifteen nor less than ten years. If any person is injured, but not fatally, by the discharge of any weapon so unlawfully set, the person so offending, upon conviction thereof, shall be punished by imprisonment in the state prison for a term not exceeding five years, in the discretion of the court.

S. L. 1869, 50.

SEC. 66 (1 OF ACT OF MARCH 5, 1868). *Penalty for obstructing railroad.*—Whoever shall willfully and maliciously obstruct the passage of any carriage upon any railroad, or in any way injure such road or anything appertaining thereto, or any materials or implements for the construction and use thereof, and whoever shall be aiding and abetting in such trespass, shall forfeit to the use of the corporation for every such offense treble the amount of the damages which shall appear on the trial to have been sustained thereby.

SEC. 67 (2). *Penalty for obstructing engine or carriage.*—Whoever shall willfully obstruct any engine or carriage passing upon any railroad, so as to endanger the safety of persons conveyed in and upon the same, or shall assist or aid therein, shall be punished by imprisonment in the state prison not exceeding twenty years.

SEC. 68 (3). *Penalty for aiding in same.*—Whoever shall willfully do or cause to be done anything with intent to obstruct any engine or carriage passing upon any railroad, or with intent to endanger the safety of persons conveyed in or upon the same, or whoever shall aid or assist therein, shall be punished by imprisonment in the state prison not more than five years, or by fine, not exceeding five hundred dollars nor less than one hundred dollars, and by imprisonment in the county jail not more than one year nor less than three months.

SEC. 69 (4). *No prior liabilities to be affected by this act.*—No liabilities already incurred, or proceedings pending, shall be affected by the passage of this act.

S. L. 1868, 96.

## TITLE IV.

### OFFENSES AGAINST PROPERTY.

(This Title is Chapter XCV. of the Statutes of 1866.)

SEC. 70 (1). *Burning dwelling in night time by which human life is destroyed, how punished.*—Whoever willfully and maliciously burns in the night time the dwelling house of another, whereby the life of any person is destroyed, or in the



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THE  
COMPILED LAWS

OF THE  
STATE OF NEVADA.

EMBRACING  
STATUTES OF 1861 TO 1873, INCLUSIVE.

---

PUBLISHED UNDER AUTHORITY OF LAW, BY  
M. S. BONNIFIELD AND T. W. HEALY,  
COMPILERS.

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In Two Volumes.  
VOL. I.



CARSON CITY:  
CHARLES A. V. PUTNAM, STATE PRINTER.  
1873.

## COMPILED LAWS OF NEVADA.

563

whether it shall have been murdered or not, every such mother being convicted thereof, shall suffer imprisonment in the State Prison for a term not exceeding one year; *provided*, however, that nothing herein contained shall be so construed as to prevent such mother from being indicted and punished for the murder of such bastard child.

Punishment.

2341. SEC. 35. If any person shall, by previous appointment or agreement, fight a duel with a rifle, shot-gun, pistol, bowie knife, dirk, smallsword, backsword, or other dangerous weapon, and in so doing shall kill his antagonist, or any person or persons, or shall inflict such wound as that the party or parties injured shall die thereof within one year thereafter, every such offender shall be deemed guilty of murder in the first degree, and upon conviction thereof shall be punished accordingly.

Dueling.

Punishment of.

2342. SEC. 36. Any person who shall engage in a duel with any deadly weapon, although no homicide ensue, or shall challenge another to fight such duel, or shall send or deliver any verbal or written message purporting or intending to be such challenge, although no duel ensue, shall be punished by imprisonment in the State Prison not less than two nor more than ten years, and shall be incapable of voting or holding any office of trust or profit under the laws of this State.

Persons concerned in, disfranchised.

2343. SEC. 37. Any and every person who shall be present at the time of fighting any duel with deadly weapons, either as second, aid, surgeon, or spectator, or who shall advise or give assistance to such duel, shall be a competent witness against any person offending against any of the provisions of this Act, and may be compelled to appear and give evidence before any Justice of the Peace, grand jury, or Court, in the same manner as other witnesses; but the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying.

Persons implicated in, to give evidence.

2344. SEC. 38. If any person shall post another, or, in writing, or print, or orally, shall use any reproachful or contemptuous language to, or concerning another, for not fighting a duel, or for not sending or accepting a challenge, he shall be imprisoned in the State Prison for a term not less than six months nor more than one year, and fined in any sum not less than five hundred nor exceeding one thousand dollars.

Posting for not fighting.

Punishment of.

2345. SEC. 39. If any person, with or without deadly weapons, upon previous concert and agreement, fight, one with another, upon conviction thereof, they, or either, or any of them, shall be punished by imprisonment in the State Prison for a term not less than two years nor more than five years. Should death ensue to any person in such fight, or should any person die from any injury received in such fight, within one year and one day, the person or persons causing such death shall be deemed guilty of murder, and punished accordingly.

Prize fighting.

Punishment of.

2346. SEC. 40. Any person in this State having, carrying, or procuring from another person any dirk, dirk-knife, sword, sword-cane, pistol, gun, or other deadly weapon, who shall, in the presence of two or more persons, draw or exhibit any of said deadly weapons, in a rude, angry, or threatening manner, not in necessary self-defense, or who shall in any manner

Drawing deadly weapons.



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A COMPILATION  
OF THE  
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STATE OF TENNESSEE.

OF A GENERAL AND PERMANENT NATURE, COMPILED ON THE BASIS OF THE  
CODE OF TENNESSEE, WITH NOTES AND REFERENCES, INCLUDING  
ACTS OF SESSION OF 1870-'71.

BY  
SEYMOUR D. THOMPSON,  
AND  
THOMAS M. STEGER.

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VOL. II.

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CONTAINING §§ 2746—5604 OF THE CODE.

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St. LOUIS, MO.

W. J. GILBERT, LAW BOOK PUBLISHER, 209 NORTH FOURTH ST.  
1873.

OFFENCES AGAINST PUBLIC POLICY AND ECONOMY. **4864—4869**

**4864.** Any person who sells, loans, or gives, to any minor <sup>selling weapons to minor.</sup> a pistol, bowie-knife, dirk, Arkansas tooth-pick, hunter's knife, or like dangerous weapon, except a gun for hunting or weapon for defence in traveling, is guilty of a misdemeanor, and shall be fined not less than twenty-five dollars, and be imprisoned in the county jail at the discretion of the court.

[Act 1855-6, ch. 81, § 2.]

Grand Juries have inquisitorial powers in the above cases. § 5087 a.

**[4865.** Selling liquor or weapons to slaves. *Obsolete.*]

ARTICLE III.

POISONING FISH, FIRE-HUNTING, FIRING ABOUT STOCK-YARDS.

SECTION 4866. Misdemeanor to poison fish. 4867. To fire-hunt at night.	SECTION [4868. To send slave to fire-hunt. <i>Obsolete.</i> ] 4869. To fire about stock-yards.
--	--

**4866.** If any person kill or destroy the fish in any of the <sup>Poisoning fish.</sup> waters of this State by putting any poisonous substance in said waters, he is guilty of a misdemeanor, and shall be fined not less than ten nor more than twenty-five dollars, and may be imprisoned not more than thirty days.

[Act 1833, ch. 74; 1841-2, ch. 96.]

And see § 1676. See also the Act for the preservation of Game and fish in certain counties. § 1681 *d, et seq.*

**4867.** If any person be guilty of fire-hunting in the night- <sup>Fire-hunting.</sup> time, and thereby kill or otherwise injure any stock of any kind, he is guilty of a misdemeanor.

[Act 1833, ch. 40, § 2.]

And see § 1674.

**[4868.** Sending slave to fire-hunt. *Obsolete.*]

**4869.** Any person found firing guns or other firearms about <sup>Firing about stock-yards.</sup> stock-yards, barn-yards, or other places where grain is stacked, not being his own premises, is guilty of a misdemeanor.

[Act 1855-6, ch. 66.]

ARTICLE IV.

GAMING.

SECTION 4870. Misdemeanor to game or bet. 4871. Or to encourage gaming or betting.	SECTION 4872. Or to keep gambling house. 4873. Duty of magistrates to issue warrant for gamblers.
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ACTS  
OF THE  
GENERAL ASSEMBLY OF ALABAMA,  
PASSED AT THE  
SESSION OF 1874-5,  
HELD IN THE  
CITY OF MONTGOMERY,  
COMMENCING NOVEMBER 16<sup>TH</sup> 1874.

---

*GEORGE S. HOUSTON, Governor.*  
*ROBERT F. LIGON, Lieutenant-Governor.*  
*D. C. ANDERSON, Speaker of the House.*

---

MONTGOMERY, ALA. :  
W. W. SCREWS, STATE PRINTER.  
1875.

atre as the convenience of said owners or managers may require.

27. For dealers in pistols, bowie knives and dirk knives, whether the principal stock in trade or not, twenty-five dollars. Dealers in pistols, &c.

28. For auctioneers, twenty-five dollars. Auctioneers.

29. For dealers in prize candy, twenty dollars. Prize Candy.

30. For fortune telling, one thousand dollars; and butchers, fifteen dollars. Fortune tellers.

31. For peddlers of patent medicines or other articles of like character, the sum of twenty-five dollars for each county in which they may peddle. Butchers. Patent Medicines.

32. For each sewing machine company selling sewing machines by themselves or their agents, the sum of two hundred dollars. The payment of this tax to the State evidenced by the receipt of any probate judge, shall exempt from payment of this license in any other county. Sewing machine companies.

Sec. 103. *Be it further enacted,* That licenses may be granted for the following occupations for the term hereinafter specified: Temporary licenses.

1. For each exhibition of a circus, fifty dollars.

2. For each exhibition of a menagerie or museum, twenty dollars.

3. For each exhibition of a side show accompanying a circus, menagerie, or museum, ten dollars.

4. For concerts, musical entertainments and public lectures, where charges are made for admission and not given for charitable purposes, each entertainment five dollars. By exhibition in subdivisions 1, 2 and 3 above, is meant for each and every performance.

5. For the business of taking pictures, by whatever mode or on whatever material, ten dollars.

6. For each barber shop or establishment in incorporated towns of less than two thousand inhabitants, ten dollars; in every town or city over two thousand twenty dollars.

7. For each shooting gallery, twenty-five dollars.

8. For each chicken or cock-pit, one hundred dollars.

Sec. 104. *Be it further enacted,* That the courts of county commissioners are hereby authorized to add to the price of licenses, for county purposes, such sums as they may designate, not to exceed fifty per cent. on the State licenses; and the judge of probate is allowed two and a half per cent. for the collection and payment of the license money received under this act to the officer to



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THE  
REVISED STATUTES

OF THE  
STATE OF ILLINOIS.

A. D. 1874.

COMPRISING THE REVISED ACTS OF 1871-2 AND 1873-4, TOGETHER  
WITH ALL OTHER GENERAL STATUTES OF THE STATE,  
IN FORCE ON THE FIRST DAY OF JULY, 1874.

COMPILED AND EDITED BY  
HARVEY B. HURD,  
COMMISSIONER OF REVISION.

---

*BY AUTHORITY OF THE GENERAL ASSEMBLY.*

---

SPRINGFIELD:  
ILLINOIS JOURNAL COMPANY.  
1874.

## CURRENCY UNAUTHORIZED.

**54. ISSUING OR UTTERING.** § 54. Whoever issues or passes any note, bill, order or check, other than foreign bills of exchange, the notes or bills of the United States, or of some bank incorporated by the laws of this state, or of the United States, or of some one of the United States, or by the laws of either of the British provinces in North America, with intent that the same shall be circulated as currency, shall be fined not less than 100 nor more than \$1,000 for each offense, and shall not be permitted to collect any demand arising therefrom. [R. S. 1845, p. 175, § 136; L. 1867, p. 49, § 1.

## DISORDERLY CONDUCT.

**55. PUNISHMENT.** § 55. Whoever shall be guilty of open lewdness, disorderly conduct, or other notorious act of public indecency, tending to debauch the public morals, shall be fined not exceeding \$200. [R. S. 1845, p. 174, § 127.

**56. DISTURBING THE PEACE.]** § 56. Whoever, at a late and unusual hour of the night time, willfully and maliciously disturbs the peace and quiet of any neighborhood or family, by loud or unusual noises, or by tumultuous or offensive carriage, threatening, traducing, quarreling, challenging to fight or fighting, or who ever shall carry concealed weapons, or in a threatening manner display any pistol, knife, slungshot, brass, steel or iron knuckles, or other deadly weapon, day or night, shall be fined not exceeding \$100. [R. S. 1845, p. 171, § 112.

**57. DISORDERLY HOUSE—ILL FAME.]** § 57. Whoever keeps or maintains a house of ill fame or place for the practice of prostitution or lewdness, or whoever patronizes the same, or lets any house, room or other premises for any such purpose, or shall keep a common, ill governed and disorderly house, to the encouragement of idleness, gaming, drinking, fornication or other misbehavior, shall be fined not exceeding \$200. When the lessee or keeper of a dwelling house or other building is convicted under this section, the lease or contract for letting the premises shall, at the option of the lessor, become void, and the lessor may have the like remedy to recover the possession as against a tenant holding over after the expiration of his term. And whoever shall lease to another any house, room or other premises, in whole or in part, for any of the uses or purposes finable under this section, or knowingly permits the same to be so used or occupied, shall be fined not exceeding \$200, and the house or premises so leased, occupied or used shall be held liable for and may be sold for any judgment obtained under this section, but if such building or premises belongs to a minor or other person under guardianship, then the guardian or conservator and his property shall be liable instead of such ward, and his property shall be subject to be sold for the payment of said judgment. [R. S. 1845, p. 174, § 127.

**58. DISTURBING RELIGIOUS MEETING.]** § 58. Whoever, by menace, profane swearing, vulgar language, or any disorderly or unusual conduct, interrupts or disturbs any assembly of people met for the worship of God, shall be fined not exceeding \$100. [R. S. 1845, p. 177, § 147.

**59. DISTURBING CAMP AND FIELD MEETING.]** § 59. Whoever, during the time of holding any camp or field meeting for religious purposes, and within one mile of the place of holding such meeting, hawks or peddles goods, wares or merchandise, or, without the permission of the authorities having charge of such meeting, establishes any tent, booth or other place for vending provisions or refreshments, or sells or gives away, or offers to sell or give away, any spirituous liquor, wine, cider or beer, or practices or engages in gaming or horse-racing, or exhibits or offers to exhibit any show or play, shall be fined not exceeding \$100 for each offense: *Provided*, that whoever has his regular place of business within such limits is not hereby required to suspend his business. [R. S. 1845, p. 177, § 147.

**60. DISTURBING ANY SCHOOL, ETC.]** § 60. Whoever willfully interrupts or disturbs any school or other assembly of people, met for a lawful purpose, shall be fined not exceeding \$100.



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AGLC 4th ed.  
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# ACTS

AND

## JOINT RESOLUTIONS

PASSED BY THE

# GENERAL ASSEMBLY

OF THE

## STATE OF VIRGINIA,

AT THE

SESSION OF 1874--5.

---

RICHMOND:  
R. F. WALKER, SUPT. PUBLIC PRINTING.  
1875.

## SCHEDULE B.

Schedule B,  
classification  
and numbers

6. The classification and numbers under Schedule B, shall be as follows, to-wit:

*Personal estate.*

Assessment of personal estate	First. The aggregate number of horses, mules, asses, and jennots, and the value thereof.
Cattle	Second. The number of cattle, and the value thereof.
Sheep	Third. The number of sheep and goats, and the value thereof.
Hogs	Fourth. The number of hogs, and the value thereof.
Carriages	Fifth. The aggregate number and value of all pleasure carriages, stage-coaches, carts, wagons, carrylogs, spring-wagons, carryalls, gigs, buggies, and vehicles of like kind to either of those enumerated.
Books and pictures	Sixth. The aggregate value of all books and pictures, except so far as the same are exempt by law.
Tools of mechanics	Seventh. The aggregate value of all tools of mechanics.
Farming implements	Eighth. The aggregate value of all farming implements.
Mineral productions	Ninth. The aggregate value of all mineral productions.
Felled timber and bark	Tenth. The aggregate value of all felled timber and bark which has been felled for sale.
Watches	Eleventh. The number of watches, and the value thereof.
Clocks	Twelfth. The number of clocks, and the value thereof.
Musical instruments	Thirteenth. The aggregate number and value of piano fortes, melodeons, harps, organs, and musical instruments of all kinds.
Furniture	Fourteenth. The aggregate value of all household and kitchen furniture.
Plate and jewelry	Fifteenth. The aggregate value of gold and silver plate, plated ware, and jewelry, not including such subjects as are embraced in any other number of this schedule.
Agricultural productions	Sixteenth. The aggregate value of all grain, tobacco, and other agricultural productions, in the hands or possession, legal or constructive, of a purchaser.
Ships, boats, &c.	Seventeenth. The aggregate value of all ships, barges, boats or other watercraft, with their tackle, rigging, and furniture, and all else that pertains to them, or of the share or interest in any such owned by any person residing in Virginia, though the said ships, or any of them, may not be, at the time when the assessment was made, in the waters of Virginia; and the aggregate marketable value of all other personal property not specifically enumerated in this or other schedules, and not exempt from taxation: provided, that grain, tobacco, and other agricultural productions, in the hands of a producer of the same, are hereby declared exempt from taxation as property under this schedule.
All other personal property	
Exemption for agricultural productions	
Fire-arms, knives, and other weapons	Eighteenth. The aggregate value of all rifles, muskets, and other fire-arms, bowie-knives, dirks, and all weapons of a similar kind: provided, that all fire-arms issued by the

state to members of volunteer companies or for purposes of police, shall not be listed for taxation.

*Tax on personal property.*

7. On the personal property mentioned in this schedule there shall be a tax of fifty cents on every hundred dollars value thereof; the proceeds of one-fifth whereof shall be applied to the support of the public free schools of the state.

Tax on personal property

SCHEDULE C.

8. The classification and numbers under Schedule C, shall be as follows, to-wit:

Schedule C, classification and numbers

*On personal property in choses in action, moneys, credits, and capital.*

First. The commissioner shall require each person residing in his district, city or town to furnish a list of all bonds, notes, and other evidences of debt, due and payable to such persons, the solvency of which in cases of doubt, as well as the value thereof, shall be determined by the said commissioner, including bonds due from railroad and canal companies, bonds of counties, cities, and towns, and bonds of other states and corporations, demands and claims, however evidenced, owing or coming to such person, whether due or not, from debtors residing out of or within this state or country, deducting from the aggregate amount thereof all such bonds, demands or claims, not otherwise deducted, owing to others from such person as principal debtor and not as guarantor, endorser or surety. The aggregate of principal, interest, and exchange shall constitute the amount of a bond, demand or claim, due and payable, and the principal, with interest rebated when the bond, demand or claim bears no interest, shall constitute the amount of a bond, demand or claim not yet due and payable. But no bond, demand or claim, constituting a part of the capital as defined in this act, of a business done out of this state, shall be included in this section, and it shall be the duty of all clerks of courts to furnish commissioners with a list of all evidences of bonds under the control of commissioners as evidenced by decrees of their courts. If any person shall, with a view to evade the payment of taxes, fail or refuse to give in to the commissioner of the revenue, any bonds, notes, claims, or other evidences of debt, which are subject to assessment and taxation under this act, the same shall not be recoverable by action at law before any of the courts of this commonwealth, until they shall have been listed and the tax paid thereon, with an addition of ten per centum per annum from the time the tax accrued; and the failure to give in said bonds, notes, claims, and so forth, shall be taken

Assessment of personal property in bonds, notes, and other evidences of debt

Clerks to furnish commissioners with lists of evidences of bonds

Penalty on persons failing to give in to commissioners lists of bonds, notes, claims, &c.



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ACTS  
OF THE  
GENERAL ASSEMBLY OF ALABAMA,  
PASSED AT THE  
SESSION OF 1875-6,  
HELD IN THE  
CITY OF MONTGOMERY,  
COMMENCING DECEMBER 28TH, 1875,  
TOGETHER WITH THE NEW CONSTITUTION.

---

GEORGE S. HOUSTON, *Governor.*  
ROBERT F. LIGON, *Lieutenant-Governor.*  
D. C. ANDERSON, *Speaker of the House.*

---

MONTGOMERY, ALA. :  
W. W. SCREWS, STATE PRINTER.  
1876.

# THE REVENUE CODE.

No. 3.] AN ACT [H. B. 341.

To establish a Revenue Code for the State of Alabama.

## CHAPTER I.—DEFINITION OF TERMS.

SECTION 1. *Be it enacted by the General Assembly of* Rules of taxa-  
*Alabama,* That the following rules for the taxation of tion.  
persons and property are hereby established, to-wit: Definitions.  
The term "real property," as used in this act, shall be Real estate.  
held to mean and include, not only land, city, town, and  
village lots, but all things thereunto pertaining, and all  
structures and other things so annexed or attached  
thereto as to pass to a vendee by the conveyance of the  
land or lot. The phrase "personal property," as used Personal prop-  
erty.  
in this act, shall be held to mean and include all things  
other than real property which have any pecuniary value,  
and moneys, credits, investments in bonds, stocks, joint  
stock companies, or otherwise. The term moneys, or Money.  
money, as used in this act, shall be held to mean and  
include gold, silver, and other coin, bills of exchange,  
bank bills, or other bills or notes authorized to be circu-  
lated as money, whether in possession or on deposit  
subject to the draft of the depositor, or the person hav-  
ing the beneficial interest therein, on demand. The term  
"credit," as used in this act, includes every claim and Credit.  
demand for money, labor, merchandise, or other valua-  
ble things, and money or property of any kind secured  
by deed of trust, mortgage, or otherwise. The word  
"person," or "party," or other word or words importing Person or par-  
ty.  
the singular number, as used in this act, shall be held  
to include firms, companies, associations, and corpora-  
tions; and all words in the plural number shall apply to

1875-6.

46

Manner of description and rate of taxation.

shall set forth under oath, to be in every instance administered by the assessor before the listing of his, her or their property, an account of the property held or owned by him or them, whether exempt from taxation or not, as follows; and upon the several items of property so named, except when so much thereof is exempt from taxation under the provisions of section one of chapter two of this act, there is hereby levied a tax at the rate of seventy-five cents on each one hundred dollars of the value thereof:

1. An accurate description of each parcel of land, with the number of acres and the value of the same, including the improvements thereon.

2. All wharves and wharf-boats, toll-bridges and ferries, turnpikes, and all passes, channels, or canals where tolls are charged, street rail roads, printing presses and materials, or their value.

3. Steamboats, vessels and other water-craft plying in the navigable waters of the State.

4. Upon all stocks of goods, wares and merchandise, to be assessed upon the largest amount on hand at any one time during the preceding year; and this shall include all merchandise kept on plantations for sale, or to be dealt out to laborers for profit; *Provided*, That any goods, wares or merchandise offered for sale by any dealer or person commencing business subsequent to the first day of January of the current tax year, shall become at once liable to the tax levied by this act, and must be estimated upon the maximum amount thereof.

5. Upon the value of all household furniture, libraries, jewelry, plate, and silverware, ornaments and articles of taste, pianos and other musical instruments, paintings, clocks, gold and silver watches, and gold safety-chains; upon all wagons, or other vehicles; all mechanical tools and farming implements; all dirks and bowie-knives, sword-canes, pistols and guns; upon all cattle, horses, mules, studs, jacks and jennets, and race horses; all hogs, sheep and goats.

6. Upon all salaries, gains, incomes, and profits for the preceding year.

7. All money hoarded or kept on deposit subject to order, except funds held subject to draft in the prosecution of a regular exchange business.

8. All money loaned, and solvent credits or credits of value, from which credits the indebtedness of the



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bank bills, or other bills or notes authorized to be circ-  
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subject to the draft of the depositor, or the person hav-  
ing the beneficial interest therein, on demand. The term  
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by deed of trust, mortgage, or otherwise. The word  
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to include firms, companies, associations, and corpora-  
tions; and all words in the plural number shall apply to

1875-6.

82

- any kind from which any kind of profit is derived to the keeper.
- Theatres.** 14. For theatre, fifty dollars; *Provided*, That the owners or managers of theatres holding such licenses must issue tickets of admission to all persons whom they admit to their exhibitions, and must thereon assign a particular seat to each such visitor in such part of said theatre as the conveniences of said owners or managers may require.
- Dealers in pistols, &c.** 15. For dealers in pistols, bowie-knives and dirk-knives, whether the principal stock in trade or not, fifty dollars.
- Peddlers of medicine.** 16. For peddlers of medicines or other articles of like character, the sum of twenty-five dollars for each county in which they may peddle.
- Sewing machines.** 17. For each sewing machine company, selling sewing machines by themselves or their agents, the sum of one hundred dollars as a State tax. The payment of this tax to the State, evidenced by the receipt of any probate judge, shall exempt the company from payment of this State tax in any other county; *Provided, however*, That each county in which the company may have an agent, a license of (\$20) twenty dollars shall be paid for county purposes.
- Circus.** 18. For each exhibition of a circus, fifty dollars.
- Menagerie or museum.** 19. For each exhibition of a menagerie or museum, twenty dollars.
- Side shows.** 20. For each exhibition of a side-show accompanying a circus, menagerie or museum, ten dollars.
- Legerdemain.** 21. For each exhibition of feats of legerdemain or sleight-of-hand, or other exhibition or entertainments, ten dollars.
- Concerts, musical entertainments, &c.** 22. For concerts, musical entertainments and public lectures, where charges are made for admission and not given for charitable purposes, each entertainment five dollars.
- Shooting galleries.** 23. For each shooting gallery, twenty-five dollars.
- Cock pits.** 24. For each chicken or cock-pit, twenty-five dollars.
- Addition for county purposes.** SEC. 8. *Be it further enacted*, That the courts of county commissioners are hereby authorized to add to the price of licenses, for county purposes, such sums as they may designate, not to exceed fifty per centum on the State licenses, except as herein otherwise provided, and the judge of probate is allowed two and a half per cent. for the collection and payment of the license money re-
- Commission of probate judge.**



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ACTS,  
RESOLUTIONS AND MEMORIALS  
OF THE  
GENERAL ASSEMBLY  
OF THE  
STATE OF ARKANSAS,

*Passed at the Session Held at the Capitol, in the City of Little  
Rock, which Began on the Tenth Day of November, 1874,  
and Adjourned on the Fifth Day of March, 1875.*

REPRINT,  
BY  
ALBERT W. ASSELL

LITTLE ROCK:  
UNION PRINTING AND PUBLISHING COMPANY.  
1882.

**ACTS OF ARKANSAS.**

156

**AN ACT** entitled an act to prohibit the carrying of side-arms, and other deadly weapons.

**SECTION**

1. Penalty for carrying weapons; exceptions to same.
2. Disposal of fines collected under this act.
3. Penalty of Justices of the Peace for non-observance of this act.
4. Penalty on other officers.
5. Conflicting laws repealed and this act in force ninety days after passage.

*Be it enacted by the General Assembly of the State of Arkansas:*

**SECTION 1.** That any person who shall wear or carry any pistol of any kind whatever, or any dirk, butcher or bowie knife, or a sword or a spear in a cane, brass or metal knucks, or razor, as a weapon, shall be adjudged guilty of a misdemeanor, and upon conviction thereof, in the county in which said offense shall have been committed, shall be fined in any sum not less than twenty-five nor more than one hundred dollars, to be recovered by presentment or indictment in the Circuit Court, or before any Justice of the Peace of the county wherein such offense shall have been committed; *Provided*, That nothing herein contained shall be so construed as to prohibit any person wearing or carrying any weapon aforesaid on his own premises, or to prohibit persons traveling through the country, carrying such weapons while on a journey with their baggage, or to prohibit any officer of the law wearing <sup>\*</sup>or car- [ \*156 ] rying such weapons when engaged in the discharge of his official duties, or any person summoned by any such officer to assist in the execution of any legal process, or any private person legally authorized to execute any legal process to him directed.

**SEC. 2.** That the fines collected by any officer, under and by virtue of this act, shall be immediately paid into the county treasury by the officer collecting the same, and he shall take from the Treasurer duplicate receipts therefor, one of which he shall file in the Clerk's office of his county; and the County Treasurer shall hold the fines collected and paid over as aforesaid as part and parcel of the school fund of his county, and shall be responsible on his official bond for the safe-keeping and disbursement of the same.

**SEC. 3.** That any Justice of the Peace in this State, who, from his own knowledge or from legal information received, knows, or has reasonable grounds to believe, any person guilty of the offense in section one, of this act described, and shall fail or refuse to proceed against such person, shall be adjudged guilty of a nonfeasance in office, and upon conviction thereof shall be fined in any sum not less than twenty-five nor more than three hundred dollars, to be recovered by presentment or indictment in the Circuit Court of the county wherein such offense shall have been committed, and shall moreover be removed from office.

SEC. 4. That any Sheriff, Coroner, Constable, or any police officer, of any city in this State, who may have personal knowledge of the commission of the offense, in the first section of this act described, and shall fail or refuse to arrest such offender and bring him to trial, shall be adjudged guilty of a nonfeasance in office, and upon conviction thereof, shall be punished as provided for Justices of the Peace in the foregoing section of this act.

SEC. 5. That all laws and parts of laws in conflict with this act are hereby repealed, and that this act take effect and be in force ninety days after its passage.

Approved February 16, 1875.

[ 157 ] "AN ACT to encourage Mining and Manufacturing in the State of Arkansas."

PREAMBLE.

SECTION

1. What capital may be exempt from taxation; limit; how old corporations may receive benefit of act.
2. Statement required by persons wishing to avail themselves of provisions of act; duty of Assessor.
3. Proceedings when Assessor believes property is not really exempt under act.
4. Act in force from passage.

WHEREAS, The Constitution of the State of Arkansas, article ten, section three, provides that the General Assembly may, by general law, exempt from taxation for a term of seven years from the ratification of said Constitution, the capital invested in any and all kinds of mining and manufacturing business in this State, under such regulations and restrictions as may be prescribed by law; therefore,

*Be it enacted by the General Assembly of the State of Arkansas:*

SECTION 1. All capital which is or may hereafter be invested and exclusively used in the manufacture of cotton and woolen goods, yarn, farming implements, tanneries, cotton seed oil, in mining and smelting furnaces, shall be exempt from taxation for a period of seven years from and after the thirtieth day of October, eighteen hundred and seventy-four, the date of the ratification of said Constitution; *Provided*, That the capital invested in such manufacturing establishments shall exceed two thousand dollars (\$2,000); and, *Provided further*, That no person, corporation or company having prior to the passage of this act, invested capital in any such manufacturing enterprise in this State shall be entitled to the exemption herein provided for, unless the capital stock so invested shall be increased twenty-five per centum of its value, as determined by the last annual assessment.

SEC. 2. All persons desiring to avail themselves of the provisions of this act shall annually, at the time provided

THE  
COMPILED AND REVISED  
LAWS  
OF THE  
TERRITORY OF IDAHO.

OF A GENERAL NATURE PASSED AT, OR CON-  
TINUED IN FORCE BY THE

EIGHTH SESSION

OF THE  
LEGISLATIVE ASSEMBLY

CONVENED ON THE SEVENTH DAY OF  
DECEMBER, A. D. 1874, AT

BOISE CITY.

TOGETHER WITH THE CONSTITUTION OF THE  
UNITED STATES, DECLARATION OF INDEPENDENCE  
AND ACTS OF CONGRESS CONCERNING THE  
TERRITORY.

---

MILTON KELLY, TERRITORIAL PRINTER.

1875.

*mb*

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or liquors, every person so offending shall be fined not more than five hundred dollars, or imprisoned in the county jail not more than six months.

Defacing or  
tearing  
down adver-  
tisements,  
etc.

SEC. 132. If any person shall intentionally deface or obliterate, tear or destroy, in whole or in part, any copy or transcript, or extract from or of any law of the United States or of this Territory, or any proclamation, advertisement or notification set up at any place in this Territory by authority of any law of the United States or of this Territory, or by order of any court, such person, on conviction, shall be fined not more than one hundred dollars nor less than twenty dollars, or be imprisoned in the county jail not more than one month; *provided*, this section shall not extend to defacing, tearing down, obliterating or destroying any law, proclamation, publication, notification, advertisement or order after the time for which the same was by law to remain set up, shall have expired.

Possessing  
instru-  
ments of  
burglary.

SEC. 133. If any person shall have found upon him or her any pick-lock, crow-key, bit or other instrument or tool, with intent feloniously to crack and enter into any dwelling-house, store, shop, warehouse, or other building containing valuable property, or shall be found in the aforesaid buildings with intent to steal any money, goods and chattels, every person so offending shall, on conviction thereof, be imprisoned in the Territorial prison for a term not less than one year nor more than five years; and if any person shall have upon him or her any pistol, gun, knife, dirk, bludgeon, or other offensive weapon, with intent to assault any person, every such person, on conviction, shall be fined not more than one hundred dollars, or imprisoned in the county jail not more than three months.

Carrying  
deadly  
weapons  
with intent.

Refusing to  
join *posse  
comitatus*.

SEC. 134. Every male person above eighteen years of age who shall neglect or refuse to join the *posse comitatus*, or power of the county, by neglecting or refusing to aid and assist in taking or arresting any person or persons against whom there may be issued any process, or by neglecting to aid and assist in retaking any person or persons who, after being arrested or confined, may have escaped from such arrest or imprisonment; or by neglecting or refusing to aid and assist in preventing any breach of the peace or the commission of any criminal offense, being thereto lawfully required by the sheriff, deputy sheriff, coroner, constable, judge or justice of the peace, or other officer concerned in the administration of justice, shall, upon conviction, be fined in any sum not less than fifty nor more than one thou-



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1875 62 .

ALWD 7th ed.  
, , 1875 62 .

Chicago 17th ed.  
," Indiana - Special Session : 62-62

AGLC 4th ed.  
" Indiana - Special Session 62

OSCOLA 4th ed.  
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L A W S  
OF THE  
STATE OF INDIANA

PASSED AT  
THE SPECIAL SESSION

OF THE  
GENERAL ASSEMBLY,

BEGUN ON THE NINTH DAY OF MARCH, A. D. 1875.

BY AUTHORITY.

INDIANAPOLIS:  
SENTINEL COMPANY, PRINTERS.  
1875.

Unlawful for person, without consent, &c., to fill such bottles with Mineral Water, Ale, &c. and offer same for sale, &c.

SEC. 2. That it is hereby declared unlawful for any person or persons, hereafter, without the consent in writing of the owner or owners thereof, to fill with ale, porter, mineral water or other beverages, any bottle or bottles marked as in this act provided, to offer for sale, or to traffic in any such bottle and not purchased by him or her of such owner or owners who have complied with the provisions of this act, and every person so offending shall be liable to a fine of one dollar for every bottle so filled or sold, or used, or disposed of, or purchased, or trafficked in for the first offence, and a fine of five dollars for every subsequent offence, to be recovered as other fines are now recovered by law, and all fines so recovered, when collected, shall be paid over to the school fund.

Penalty.

Fines, so collected, shall be paid into School Fund.

Fee of Clerk for recording such description.

SEC. 3. That the County Clerk shall be entitled to receive for his services, in recording said description, a fee of one dollar.

Emergency.

SEC. 4. It is hereby declared that an emergency exists for the immediate taking effect of this act, and that it shall be in force from and after its passage.

CHAPTER XVII.

AN ACT defining certain misdemeanors, and prescribing penalties therefor.

[APPROVED MARCH 13, 1875.]

Misdemeanor to draw or threaten to use pistol, knife, or other deadly weapon, and penalty therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That if any person shall draw or threaten to use any pistol, dirk, knife, slung-shot, or any other deadly or dangerous weapon upon any other person, he shall be deemed guilty of a misdemeanor, and, upon conviction therefor, shall be fined in any sum not less than one nor more than five hundred dollars, to which may be added imprisonment in the county jail not to exceed six months; *Provided,* That the provisions of this act shall not apply to persons drawing or threatening to use such dangerous or deadly weapons in defense of his person or property, or in defense of those entitled to his protection by law.

Provisions of act not to apply to persons in case of self defense, &c.



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1875 136 .

ALWD 7th ed.  
, , 1875 136 .

Chicago 17th ed.  
," Michigan - Public Acts, Regular Session : 136-136

AGLC 4th ed.  
" Michigan - Public Acts, Regular Session 136

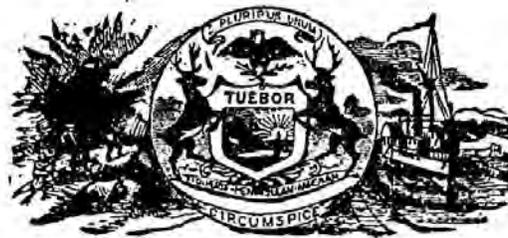
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PUBLIC ACTS  
AND  
JOINT AND CONCURRENT RESOLUTIONS  
OF  
THE LEGISLATURE  
OF THE  
STATE OF MICHIGAN,  
PASSED AT THE  
REGULAR SESSION OF 1875,  
WITH AN APPENDIX.



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BY AUTHORITY.

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LANSING:  
W. S. GEORGE & CO., STATE PRINTERS AND BINDERS.  
1875.

erection or construction of said State house of correction or the furnishing of labor or materials for the same.

Commissioners  
may draw from  
general fund for  
immediate use.

SEC. 12. Said board of commissioners are hereby authorized at any time to draw from the general fund of the State Treasury such amounts of money within the appropriation made by this act, as they shall deem necessary for the immediate commencement and carrying on of the erection of said State house of correction. The amounts so drawn shall be considered as an advance to the said State house of correction upon the appropriation made by this act, and such amounts shall be deducted from said State house of correction fund and returned to the general fund when such appropriation shall have been collected and paid into the State Treasury.

Reimbursement.

SEC. 13. This act shall take immediate effect.

Approved April 22, 1875.

[ No. 97. ]

AN ACT to prevent the setting of guns and other dangerous devices.

Setting of a  
spring gun, etc.,  
deemed a mis-  
demeanor.

SECTION 1. *The People of the State of Michigan enact*, That if any person shall set any spring or other gun, or any trap or device operating by the firing or explosion of gunpowder or any other explosive, and shall leave or permit the same to be left, except in the immediate presence of some competent person, he shall be deemed to have committed a misdemeanor; and the killing of any person by the firing of a gun or device so set shall be deemed to be manslaughter.

Killing of person  
by gun so set  
deemed man-  
slaughter.

SEC. 2. This act shall take immediate effect.

Approved April 22, 1875.

[ No. 98. ]

AN ACT to amend section twelve of article two, and sections one, two, four, seven, thirteen, and fifteen of article four of act number one hundred and ninety-eight, of the session laws of eighteen hundred and seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May one, eighteen hundred and seventy-three.

Sections  
amended.

SECTION 1. *The People of the State of Michigan enact*, That section twelve of article two, and sections one, two, four, seven, thirteen, and fifteen, of article four of act number one hundred and ninety-eight of the session laws of eighteen hundred and seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running



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1875 33 .

ALWD 7th ed.  
, , 1875 33 .

Chicago 17th ed.  
", " Pennsylvania - General Assembly, Regular Session : 33-33

AGLC 4th ed.  
" Pennsylvania - General Assembly, Regular Session 33

OSCOLA 4th ed.  
" 1875 33 Please note: citations are provided as a general guideline.  
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# L A W S

OF THE

## GENERAL ASSEMBLY

OF THE

# STATE OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1875,

IN THE NINETY-NINTH YEAR OF INDEPENDENCE,

TOGETHER WITH

A Proclamation by the Governor, declaring that he has filed certain Bills in the Office of the Secretary of the Commonwealth, with his objections thereto, and a List of Charters of Corporations organized under general corporation act of April 29, 1874.

BY AUTHORITY.

HARRISBURG:  
B. F. MEYERS, STATE PRINTER.  
1875.

No. 37.  
AN ACT

To authorize the attorney general, auditor general and state treasurer, to settle all outstanding claims due for work done and material furnished the constitutional convention.

SECTION 1. *Be it enacted, &c.*, That the attorney general, auditor general and state treasurer are hereby authorized to settle with all persons having unsettled claims against the state on account of work done and material furnished for the constitutional convention, and the state treasurer is hereby authorized to pay all claims on warrants of the auditor general therefor, upon recommendation in writing from said board, including the claim of D. F. Murphy, stenographic reporter for the convention, if, upon examination, the same is found to be valid: *Provided*, That this act shall in no wise be so construed as to authorize the payment of any claim for advertising the new constitution.

APPROVED—The 18th day of March, A. D. 1875.

J. F. HARTRANFT.

No. 38.  
AN ACT

To punish persons for carrying concealed weapons within this Commonwealth.

SECTION 1. *Be it enacted, &c.*, That any person within this commonwealth who shall carry any fire-arms, slung-shot, handy-billy, dirk-knife, razor or any other deadly weapon, concealed upon his person, with the intent therewith unlawfully and maliciously to do injury to any other person, shall be deemed guilty of a misdemeanor, and upon the conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate or solitary confinement not exceeding one year, or either or both, at the discretion of the court, and the jury trying the case may infer such intent as aforesaid, from the fact of the said defendant carrying such weapons in the manner as aforesaid.

APPROVED—The 18th day of March, A. D. 1875.

J. F. HARTRANFT.



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THE  
CODE OF ALABAMA.

1876.

---

PREPARED BY  
WADE KEYES AND FERN. M. WOOD;  
—AND—  
JOHN D. ROQUEMORE, SUCCESSOR TO FERN. M. WOOD.

---

WITH REFERENCES TO THE DECISIONS OF THE SUPREME COURT OF THE STATE  
UPON THE CONSTRUCTION OF THE STATUTES; AND IN WHICH THE  
GENERAL AND PERMANENT ACTS OF THE SESSION OF  
1876-7 HAVE BEEN INCORPORATED.

---

MONTGOMERY, ALA. :  
BARRETT & BROWN, PRINTERS FOR THE STATE.  
1877.

the jury, by imprisonment in the penitentiary for two years, or by hard labor for the county for two years.(1)

§ 4105 (3552). *Publishing as coward.*—Any person who, in any newspaper, handbill, or other advertisement, written or printed, publishes or proclaims another person as a coward, or uses any other opprobrious or abusive language, for not accepting a challenge to fight a duel, or for not fighting a duel, must be punished, on conviction, by a fine of not less than two hundred, nor more than five hundred dollars, and by imprisonment in the county jail, or hard labor for the county, for not less than six, nor more than twelve months.

§ 4106 (3553). *Libel, and threatening or abusive letters.*—Any person who publishes a libel of another person, or who sends to another person a threatening or abusive letter, which may tend to provoke a breach of the peace, must be punished, on conviction, by fine and imprisonment in the county jail, or hard labor for the county; the fine not to exceed in any case five hundred dollars, and the imprisonment, or hard labor, not to exceed six months.(2)

a Feb. 15, 1871,  
p. 51, sec. 1.

§ 4107. *Defamation.*—a Any person who writes, prints, or speaks of and concerning any female, falsely and maliciously imputing to her a want of chastity; and any person who speaks, writes, or prints, of and concerning another, any accusation, falsely and maliciously importing the commission by such person of a felony, or any other indictable offense involving moral turpitude, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine not exceeding five hundred dollars, and imprisonment in the county jail, or sentenced to hard labor for the county, not exceeding six months; one or both, at the discretion of the jury trying the same.

§ 4108 (3554). *Refusal to testify by printer of libel, &c.*—The printer or proprietor of any newspaper, handbill, advertisement, or libel, the publication of which is punishable under the preceding sections, who refuses, when summoned, to appear and testify, before either the grand jury or the petit jury, respecting the publication of such newspaper, handbill, advertisement, or libel, (not having a good excuse, to be determined by the court,) is guilty of a contempt, and also of a misdemeanor; and on conviction for such misdemeanor, must be fined not less than twenty, nor more than three hundred dollars; and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.

§ 4109 (3555). *Carrying concealed weapons.*—Any person who, not being threatened with, or having good reason to apprehend, an attack, or traveling, or setting out on a journey, carries concealed about his person a bowie knife, or any other knife or instrument of like kind or description, or a pistol, or fire arms of any other kind or description, or an air gun, must be fined, on conviction, not less than fifty, nor more than three hundred dollars; and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.\*(3)

\* (3556) transposed to "Offenses against Property."

1 What necessary to allege and prove to constitute offense.—12 Ala. 276.

2 What is libel; innuendo; what necessary to aver in setting out writing; publication of libel necessary --6 Ala. 881.

3. Not unconstitutional.—1 Ala. 612. Co-extensive only with necessity.—49 Ala. 355. What constitutes carrying weapon concealed.—31 Ib. 387; 51 Ib. 16. What constitutes "bowie knife" or pistol --33 Ib. 347; 46 Ib. 88. What constitutes "traveling." 47 Ib. 82; 49 Ib. 350, 355. "Being threatened."—49 Ib. 350.



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THE  
CODE OF ALABAMA.

1876.

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PREPARED BY  
WADE KEYES AND FERN. M. WOOD;  
—AND—  
JOHN D. ROQUEMORE, SUCCESSOR TO FERN. M. WOOD.

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WITH REFERENCES TO THE DECISIONS OF THE SUPREME COURT OF THE STATE  
UPON THE CONSTRUCTION OF THE STATUTES; AND IN WHICH THE  
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1876-7 HAVE BEEN INCORPORATED.

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MONTGOMERY, ALA. :  
BARRETT & BROWN, PRINTERS FOR THE STATE.  
1877.

in part, of the state, or of a county or corporation, are not public offenses within the meaning of this Code.\*

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## CHAPTER 2.

### OFFENSES AGAINST THE STATE SOVEREIGNTY.

§ 4098 (3545). *Treason, definition of.*—Treason against the state consists only in levying war against it, or adhering to its enemies, giving them aid and comfort.

§ 4099 (3546). *Same, proof of.*—No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or on his own confession in open court.

§ 4100 (3547). *Same, punishment of.*—The punishment of treason, on conviction, is either death, confinement in the penitentiary for life, or hard labor for the county for life.

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## CHAPTER 3.

### OFFENSES AGAINST THE PUBLIC PEACE.

§ 4101 (3548). *Affrays.*—All persons guilty of an affray, must, on conviction, be fined not more than five hundred dollars; and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.(1)

§ 4102 (3549). *Unlawful assemblies.*—If three or more persons meet together, to commit a breach of the peace, or to do any other unlawful act, each of them is guilty of a misdemeanor, and must, on conviction, be punished, at the discretion of the jury, by fine, imprisonment in the county jail, or hard labor for the county, for not more than six months.

§ 4103 (3550). *Riots, and routs.*—If any persons, unlawfully assembled, demolish, pull down, or destroy, or begin to demolish, pull down, or destroy any dwelling house, or other building, or any ship or vessel, they must each be punished, on conviction, at the discretion of the jury, by fine and imprisonment in the county jail, or by confinement in the penitentiary, for not less than two, nor more than five years, or by hard labor for the county, for not more than five years.

§ 4104 (3551). *Challenge to fight duel.*—Any person who gives, accepts, or knowingly carries a challenge, in writing or otherwise, to fight in single combat, with any deadly weapon, either in or out of this state, must be punished, on conviction, at the discretion of

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\* (3544) transposed to chapter 14 of this title.

1. Party bringing on attack by words, who does not fight, not guilty of affray.—16 Ala. 65. What constitutes public place.—22 Ib. 15; 35 Ib. 392.

the jury, by imprisonment in the penitentiary for two years, or by hard labor for the county for two years.(1)

§ 4105 (3552). *Publishing as coward.*—Any person who, in any newspaper, handbill, or other advertisement, written or printed, publishes or proclaims another person as a coward, or uses any other opprobrious or abusive language, for not accepting a challenge to fight a duel, or for not fighting a duel, must be punished, on conviction, by a fine of not less than two hundred, nor more than five hundred dollars, and by imprisonment in the county jail, or hard labor for the county, for not less than six, nor more than twelve months.

§ 4106 (3553). *Libel, and threatening or abusive letters.*—Any person who publishes a libel of another person, or who sends to another person a threatening or abusive letter, which may tend to provoke a breach of the peace, must be punished, on conviction, by fine and imprisonment in the county jail, or hard labor for the county; the fine not to exceed in any case five hundred dollars, and the imprisonment, or hard labor, not to exceed six months.(2)

a Feb. 15, 1871,  
p. 51, sec. 1.

§ 4107. *Defamation.*—a Any person who writes, prints, or speaks of and concerning any female, falsely and maliciously imputing to her a want of chastity; and any person who speaks, writes, or prints, of and concerning another, any accusation, falsely and maliciously importing the commission by such person of a felony, or any other indictable offense involving moral turpitude, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine not exceeding five hundred dollars, and imprisonment in the county jail, or sentenced to hard labor for the county, not exceeding six months; one or both, at the discretion of the jury trying the same.

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§ 4109 (3555). *Carrying concealed weapons.*—Any person who, not being threatened with, or having good reason to apprehend, an attack, or traveling, or setting out on a journey, carries concealed about his person a bowie knife, or any other knife or instrument of like kind or description, or a pistol, or fire arms of any other kind or description, or an air gun, must be fined, on conviction, not less than fifty, nor more than three hundred dollars; and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.\*(3)

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THE

CODE OF ALABAMA.

1876.

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PREPARED BY

WADE KEYES AND FERN. M. WOOD;

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WITH REFERENCES TO THE DECISIONS OF THE SUPREME COURT OF THE STATE  
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MONTGOMERY, ALA. :  
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1877.

## CHAPTER 6.

## OFFENSES AGAINST PUBLIC HEALTH, PUBLIC SAFETY, AND CONVENIENCE.

§ 4219 (3631). *Selling tainted or diseased meat.*—Any butcher, or other person, who sells, or offers or exposes for sale, or suffers his apprentice, servant, agent, or other person, for him, to sell, offer, or expose for sale, any tainted, putrid, or unwholesome fish or flesh, or the flesh of any animal dying otherwise than by slaughter, or slaughtered when diseased, for the purpose of being sold, or offered for sale, must, on conviction, be fined not less than twenty, nor more than two hundred dollars; and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.

§ 4220 (3632). *Selling unwholesome bread.*—Any baker, or other person, who sells, or offers, or exposes for sale, or suffers his servant, apprentice, agent, or other person, for him, to sell, offer, or expose for sale, any bread made from sour or unwholesome flour, must, on conviction, be fined not less than twenty, nor more than two hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.

As amended  
March 6, 1876,  
p. 182.

§ 4221 (3633). *Adulterating sugar, syrup, or molasses.*—a Any merchant, grocer, or other person, who mixes any foreign matter or substance with sugar, syrup, or molasses, so as to deteriorate or change the quality thereof, and sells, or offers, or exposes for sale, such adulterated sugar, syrup, or molasses, or who suffers his servant, agent, apprentice, or other person for him, so to adulterate or to sell, offer, or expose for sale, such adulterated sugar, syrup, or molasses, must, on conviction, be fined not less than twenty, nor more than two hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.

§ 4222 (3634). *Adulterating liquors.*—Any manufacturer, brewer, distiller, grocer, tavern-keeper, retailer of wines, or of spirituous or fermented liquors, or other person, who sells or offers, or exposes for sale, or permits his servant, apprentice, agent, or other person, for him, to sell, offer, or expose for sale, any wines, or spirituous or fermented liquors, which have been adulterated by the mixture of any poisonous or unwholesome substance, must, on conviction, be fined not less than one hundred, nor more than five hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than twelve months.

§ 4223 (1213). *Penalty for violation of quarantine regulations of ships and vessels.*—If any person violate the regulations prescribed by the corporate authorities of any town or city in relation to vessels arriving in the harbor or in the vicinity of such town or city, after notice thereof has been given for five days in some newspaper printed in such town, or when there is none, by notice posted up at some public place therein for the same length of time, he is guilty of a misdemeanor, and, on conviction thereof, must be fined not less than fifty dollars.\*

§ 4224 (1215). *Refusal of information to health officer; penalty.*—

\* See sections 1508 (1211), 1509, 1510 (1212), and 1511 (1214).

If any master, seaman, or passenger, belonging to any vessel supposed to have any infection on board, or from a port where any dangerous infectious disease prevails, refuses to answer on oath such inquiries as are made by any health officer, relating to any infection or disease, he is guilty of a misdemeanor, and, on conviction, must be fined not less than one hundred dollars.\*

§ 4225 (1216). *Breach of quarantine; penalty.*—The master of any vessel ordered to perform quarantine, must deliver to the officer appointed to see it performed, his bill of health, and manifest, log book, and journal; if he fail so to do, or to repair in proper time, after notice, to the quarantine ground, or departs thence without authority, he is guilty of a misdemeanor, and, on conviction, must be fined not less than two hundred dollars.\*

§ 4226 (1218). *Travelers by land from infected district may be compelled to perform quarantine; breach; penalty.*—Any person coming into town, by land, from a place infected with a contagious disease, may be compelled to perform quarantine by the health officer, and restrained from traveling until discharged; and any person thus restrained, traveling before he is discharged, is guilty of a misdemeanor, and, on conviction, must be fined not less than one hundred dollars.\*

§ 4227 (1220). *Disposition of fines.*—All fines recovered under the three preceding sections, must be paid into the town treasury.\*

§ 4228 (3671). *Using fire arms while fighting in public place.*—Any person who, while fighting in the streets of any city or town, or at a militia muster, or at any public place, whether public in itself, or made public at the time by an assemblage of persons, uses, or attempts to use, except in self-defense, any kind of fire arms, must, on conviction, be fined not less than two hundred, nor more than five hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.†

§ 4229 (3694). *Shooting and horse-racing on public road.*—Any person who discharges a gun, or any other kind of fire-arms, along or across any public road, or engages in a horse race on any public road, must, on conviction, be fined not less than ten, nor more than fifty dollars.

§ 4230 (3751). *Selling, giving, or lending, pistol or bowie knife, or like knife, to boy under eighteen.*—Any person who sells, gives, or lends, to any boy under eighteen years of age, any pistol, or bowie knife, or other knife of like kind or description, must, on conviction, be fined not less than fifty, nor more than five hundred dollars. (1)

§ 4231 (3674). *Endangering life by bursting boiler of steamboat.*—If the captain of any steamboat used for the conveyance of passengers or freight, or any other officer or person having charge thereof, or the engineer having charge of the machinery, or of any part of the apparatus for the generation of steam, from gross negligence, or from ignorance, creates or allows to be created such an undue quantity of steam as to burst the boiler, or other apparatus in which such steam is generated, or any apparatus or machinery therewith connected, and human life is thereby endangered, such captain, engineer, or other officer or person, must, on conviction, be imprisoned in the penitentiary, or sentenced to hard labor for the county, for not less than two years.

\* See note with star on preceding page.

† (3672) (3673) transposed to "offenses against the person."

1. What constitutes offense; lending or permitting minor to take pistol of another.  
32 Ala. 581.

## CITY OF SACRAMENTO.

173

ment is played, to stand or be at or in the vicinity of any door or window of any such saloon, or on the sidewalk in front thereof, and by position, looks, motions, gestures, or words entice, or endeavor to entice, any person to enter such saloon.

SEC. 2. Any person violating the provisions of this ordinance shall be punished by fine not exceeding five hundred dollars, or by imprisonment in the city prison not exceeding ten days, or by both such fine and imprisonment. *Amendment, by Ordinance 95, passed July 17, 1876.*

## ORDINANCE NO. 83.

Establishing the grade of certain streets, passed April 24, 1876.

*The Board of Trustees of the City of Sacramento ordain as follows:*

SECTION 1. The grades of Second, Third, Fourth, Sixth, and Eighth streets, between I and J streets, shall be as determined by right lines drawn from the established grade of J street to points to the several adjacent alleys, six inches below the grade of J street, thence to the established grade of I street.

SEC. 2. The grades of Second, Third, Sixth, and Eighth streets, between J and K streets, shall be as determined by right lines drawn from the present established grade of K street to points at the several adjacent alleys, six inches below K street, thence to the established grade of J street.

SEC. 3. So much of section four, chapter five, of the City Ordinance as conflict with this ordinance is hereby repealed.

## ORDINANCE NO. 84.

Prohibiting the carrying of concealed deadly weapons, passed April 24, 1876.

*The Board of Trustees of the City of Sacramento ordain as follows:*

SECTION 1. It shall be unlawful for any person, not being a public officer or traveler, or not having a permit from the Police Commissioners of the City of Sacramento, to wear or carry, concealed, any pistol, dirk, or other dangerous or deadly weapon.

SEC. 2. Any person violating the provisions of this ordinance shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the city prison not exceeding ten days, or by both such fine and imprisonment. *Amendment, by Ordinance 95, passed July 17, 1876.*

SEC. 3. The Police Commissioners of the City of Sacramento may grant written permission to any peaceable person, whose profession or occupation may require him to be out at late hours of the night, to carry concealed deadly weapons for his protection.

SEC. 4. This ordinance shall be in force from and after its passage.



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", " Colorado - General Assembly, 1st Session : 261-342

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" Colorado - General Assembly, 1st Session 261

OSCOLA 4th ed.  
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viction, be deemed a vagrant, and punished by confinement in the penitentiary for a term not exceeding two years.

Carrying concealed weapons.

748. SEC. 153. If any person or persons shall, within any city, town or village in this state, whether the same is incorporated or not, carry concealed upon his or her person any pistol, bowie-knife, dagger or other deadly weapon, such person shall, on conviction thereof before any justice of the peace of the proper county, be fined in any sum not less than five, nor more than thirty-five dollars. The provisions of this section shall not be construed to apply to sheriffs, constables and police officers, when in the execution of their official duties.

Carrying offensive weapon with intent to assault.

749. SEC. 154. If any person shall have upon him any pistol, gun, knife, dirk, bludgeon or other offensive weapon, with intent to assault any person, every such person, on conviction shall be fined in any sum not exceeding five hundred dollars, or imprisoned in the county jail not exceeding six months.

Refusing or neglecting to join posse comitatus.

750. SEC. 155. Every male person above eighteen years of age who shall neglect or refuse to join the *posse comitatus*, or the power of the county, by neglecting or refusing to aid and assist in taking or arresting any person or persons against whom there may have been issued any civil or criminal process, or by neglecting or refusing to aid and assist in retaking any person or persons who after having been arrested or confined may have escaped from such arrest or imprisonment, or neglecting or refusing to aid and assist in preventing any breach of the peace, or commission of any criminal offense, being thereto lawfully required by any sheriff, coroner, constable, judge or justice of the peace, or other officer concerned in the administration of justice, shall, upon conviction, be fined in any sum not less than twenty dollars nor more than two hundred dollars.

Opening grave and removing body for dissection.

751. SEC. 156. If any person or persons shall open the grave or tomb, where the body or bodies of any deceased person or persons shall have been deposited, and shall remove the body or bodies or remains of any deceased person or persons from the grave or place of sepulture for the purpose of dissection, or any surgical or anatomical experiment, or for any other purpose, without the knowledge and



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# ACTS AND RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

# STATE OF GEORGIA,

PASSED AT

## THE REGULAR SESSION

OF JANUARY, 1876.

THOMAS B. IRWIN, COMPILER.

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PUBLISHED BY AUTHORITY.

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H. G. WRIGHT, PUBLIC PRINTER.

1876.

Penalties—Cruelty to animals; Furnishing weapons to minors; Escapes from chain gang.

No. CXXVII.—(O. No. 230.)

SECTION 1. Punishment for cruelty to animals.

*An Act to alter and amend an Act entitled an Act for the prevention of cruelty to animals, approved March 1, 1875.*

Punishment for cruelty to animals

SECTION I. *Be it enacted, etc.,* That from and after the passage of this Act, that the Act entitled an Act for the prevention of cruelty to animals be altered and amended by striking out the words, in the last line of said Act, "be fined in a sum not to exceed fifty dollars," and insert in lieu thereof the words "be punished as prescribed in section 4310 of the Code of 1873."

SEC. II. Repeals conflicting laws.

Approved February 23, 1876.

No. CXXVIII.—(O. No. 63.)

SECTION 1. Furnishing deadly weapons to minors prohibited.

*An Act to punish any person or persons who shall sell, give, lend or furnish any minor or minors with deadly weapons herein mentioned, and for other purposes.*

Furnishing deadly weapons to minors prohibited

Penalty for violation

Proviso

SECTION I. *Be it enacted, etc.,* That from and after the passage of this Act it shall not be lawful for any person or persons knowingly to sell, give, lend or furnish any minor or minors any pistol, dirk, bowie knife or sword cane. Any person found guilty of a violation of this Act shall be guilty of a misdemeanor, and punished as prescribed in section 4310 of the Code of 1873: *Provided,* that nothing herein contained shall be construed as forbidding the furnishing of such weapons under circumstances justifying their use in defending life, limb or property.

SEC. II. Repeals conflicting laws.

Approved February 17, 1876.

No. CXXIX.—(O. No. 184.)

SECTION.  
1. Penalty for escapes.

SECTION.  
2. *Particeps criminis.*

*An Act to provide a penalty for escapes from the "chain gang," and for other purposes.*

Penalty for escapes

SECTION I. *Be it enacted, etc.,* That from and after the passage of this Act, if any person or persons shall be convicted of any offense below the grade of felony, and such person or persons shall escape from the "chain gang," or from any other place of

less than five dollars, and not exceeding one hundred dollars, and to like fine for every day the same shall remain after notice given by any policeman of said village to remove or reconstruct the same.

SEC. 32. No person shall raise or fly a kite, in any part of any street, avenue or alley of this village devoted to business, under a penalty of one dollar for every offense.

SEC. 33. No person shall sell, offer to sell, or dispose of any impure, unwholesome, adulterated, or diluted milk.

SEC. 34. No person shall sell or offer to sell any emaciated, tainted, putrid, decayed, or unwholesome meat, fruit, vegetables, or provisions.

SEC. 35. No person shall sell any impure ice, or any ice which shall contain filth or any other matter, substance, or thing which, when melted, will render the water impure, or the use of the same unhealthful.

SEC. 36. No person shall burn any standing hay or grass, nor set fire to nor burn any leaves or other combustible matter in any street, alley, park or public ground.

SEC. 37. No person shall burn or set fire to any combustible matter within the limits of the village, nearer than one hundred feet to any house, fence, barn, shed, or wooden building, unless by the written permission of the Superintendent of Public Works or Captain of Police.

SEC. 38. No person shall allow or suffer any dog, horse, or other animal belonging to him, or in his charge, which may have come to its death, to lie upon any street, alley, road, or other ground, or public or private place.

SEC. 39. No person, except peace officers, shall carry or wear under their clothes, or concealed about their person, any pistol, revolver, slung-shot, knuckles, bowie-knife, dirk-knife, dirk, dagger, or any other dangerous or deadly weapon, except by written permission of the Captain of Police.

SEC. 40. Any such weapon duly adjudged by a competent court to have been worn or carried by any person, in violation of the last section, shall be forfeited or confiscated to the Village of Hyde Park, in addition to other penalties provided.

SEC. 41. Vagrants, mendicants, idle and dissolute persons, who go about begging, or place themselves in any highway to beg or receive alms, persons who use any juggling or unlawful games, common drunkards, prostitutes, lewd, wanton, and lascivious per-

Willett, Consider H., and Ordinances, Etc. Hyde Park . Board of Trustees. Laws and Ordinances Governing the Village of Hyde Park Together with Its Charter and General Laws Affecting Municipal Corporations; Special Ordinances and Charters under Which Corporations Have Vested Rights in the Village. Also, Summary of Decisions of the Supreme Court Relating to Municipal Corporations, Taxation and Assessments. Hazlitt & Reed, 1876. The Making of Modern Law: Primary Sources, [link.gale.com/apps/doc/DT0106130236/MMLP?u=bloo98297&sid=bookmark-MMLP&pg=64](https://link.gale.com/apps/doc/DT0106130236/MMLP?u=bloo98297&sid=bookmark-MMLP&pg=64). Accessed 29 Mar. 2023.



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BY AUTHORITY OF THE LEGISLATIVE ASSEMBLY.

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REVISED STATUTES  
OF  
WYOMING.

---

IN FORCE JANUARY 1, 1887.

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INCLUDING  
THE DECLARATION OF INDEPENDENCE, THE ARTICLES  
OF CONFEDERATION, THE CONSTITUTION OF  
THE UNITED STATES, THE ORGANIC  
ACT OF WYOMING,

AND ALL  
LAWS OF CONGRESS AFFECTING THE TERRITORIAL  
GOVERNMENT.

---

PREPARED AND EDITED BY  
JOHN W. BLAKE, WILLIS VAN DEVANTER,  
AND  
ISAAC P. CALDWELL,  
COMMISSIONERS.

---

CHEYENNE, WYOMING :  
THE DAILY SUN STEAM PRINTING HOUSE.  
1887.

of being a vagrant under this section shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding three months, or both, in the discretion of the court. [C. L. 1876, ch. 117, § 1 and 2.]

**Having possession of burglars' tools.**

SEC. 1026. If any person shall be found having upon him or her any pick lock, cow key, bit or other instrument or tool, with intent feloniously to break and enter into any dwelling house, store, warehouse, shop or other building containing valuable property, or shall be found in any of the aforesaid buildings with intent to steal any goods and chattels, every such person so offending shall, on conviction, be deemed a vagrant, and punished by confinement in the penitentiary for a term not exceeding two years nor less than one year. [C. L. 1876, ch. 35, § 126. S. L. 1882, ch. 52, § 1.]

**Having possession of offensive weapons.**

SEC. 1027. If any person or persons shall have upon him any pistol, gun, knife, dirk, bludgeon or other offensive weapon, with intent to assault any person, every such person, on conviction, shall be fined in any sum not exceeding five hundred dollars, or imprisoned in the county jail not exceeding six months. [C. L. 1876, ch. 35, § 127.]

**Refusing to join posse comitatus.**

SEC. 1028. Every male person above eighteen years of age, who shall neglect or refuse to join the *posse comitatus*, or the power of the county, by neglecting or refusing to aid and assist in taking or arresting any person or persons, against whom there may have been issued any civil or criminal process, or by neglecting or refusing to aid and assist in retaking any person or persons who, after having been arrested or confined, may have escaped from such arrest or imprisonment, or neglecting or refusing to aid and assist in preventing any breach of the peace, or commission of any criminal offense, being thereto lawfully required by any sheriff, coroner, constable, judge or justice of the peace, or other officer concerned in the administration of justice, shall, upon conviction, be fined in any sum not less than twenty dollars nor more than two hundred dollars. [C. L. 1876, ch. 35, § 128.]

**Grave robbing.**

SEC. 1029. If any person or persons shall open the grave or tomb, where the body or bodies of any person or persons shall have been deposited, and shall remove the body or bodies or remains of any deceased person or persons from the grave or place of sepulture for the purpose of dissection, or any surgical or anatomical experiment, or for any other purpose, without the knowledge and consent of the near relations of the deceased, or shall in any way aid, assist, counsel or procure the same to be done, every such person or persons so offending shall, on conviction, be fined not less than one hundred dollars nor more than five hundred dollars; *Provided*, That this section shall not extend to the dissection of any criminal, where the same shall be directed to be delivered up for that purpose by competent authority; *And, provided, also*, That this section shall not be construed to prevent any person from removing the body or bodies of their deceased relations or intimate friends to any other place of sepulture that he or she may think proper. [C. L. 1876, ch. 35, § 129.]

**Illegal voting.**

SEC. 1030. If any person, being an elector, shall vote more than once at any election which may or shall be held by virtue of any law of this territory, or shall vote at any place or polls in, and at which he is not a voter, he shall, on conviction thereof, be fined in any sum not exceeding five hundred dollars, or imprisoned in the county jail not more than six months. [C. L. 1876, ch. 35, § 130.]

Edward O. Wolcott, *The Ordinances of Georgetown Passed June 7th, A.D. 1877, Together with the Charter of Georgetown, and the Amendments Thereto: A Copy of the Patent Heretofore Issued to Georgetown by the Government of the United States, and the Rules and Order of Business* Page 100, Image 101 (1877) available at [The Making of Modern Law: Primary Sources](#). | Duke Center for Firearms Law

Offenses Affecting Streets and Public Property, § 9. If any person or persons, within the corporate limits of Georgetown, shall be found carrying concealed, upon his or her person, any pistol, bowie knife, dagger, or other deadly weapon, such person shall, on conviction thereof, be fined in a sum not less than five dollars, nor more than fifty dollars.

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OF THE

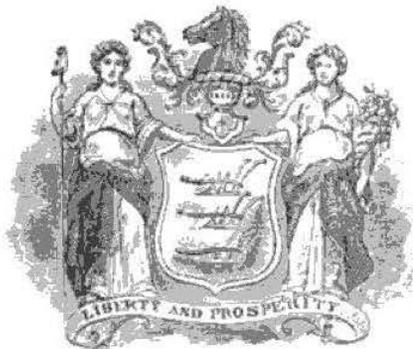
# STATUTES OF NEW JERSEY.

PUBLISHED

UNDER THE AUTHORITY OF

THE LEGISLATURE.

BY VIRTUE OF AN ACT APPROVED APRIL 4, 1871.



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1877.

settlement; and all persons who shall go about from door to door, or place themselves in streets, highways or passages, to beg, crave charity or collect alms, or who shall wander abroad and lodge in taverns, inns, beer-houses, out-houses, houses of entertainment, market houses, barns or other places, or in the open air, and not give a good account of themselves, or who shall wander abroad, and beg or solicit charity, under pretence of being or having been soldiers, mariners or seafaring men, or of loss by fire or other casualty, or of loss by the Indians, or by war, or other pretence or thing; and all persons who shall leave, or threaten to leave their families to be maintained by the city, township or county, or to become chargeable thereto, or who, not having sufficient property or means for their subsistence or support, shall live idle, or not engage in some honest employment, or not provide for themselves or families; and all persons who shall use, or pretend to use, or have any skill in physionomy, palmistry, or like crafty science, or who shall pretend to tell destinies or fortunes; and all runaway servants or apprentices, and all vagrants or vagabonds, common drunkards, common thieves, burglars or pickpockets, common night walkers, and common prostitutes, shall be deemed and adjudged to be disorderly persons.

Further description of disorderly persons.  
Ib. § 2.

2. *And whereas*, divers ill-disposed persons are frequently apprehended, having upon them implements for house-breaking, or offensive weapons, or are found in or upon houses, warehouses, stables, barns or out-houses, areas of houses, coach-houses, smoke-houses, enclosed yards, or gardens belonging to houses (as well as in places of public resort or assemblage), with intent to commit theft, misdemeanors or other offences; and although their evil purposes are thereby manifested, the power of the justices of the peace to demand of them sureties for their good behavior hath not been of sufficient effect to prevent them from carrying their evil purposes into execution; if any person shall be apprehended, having upon him or her any picklock, key, crow, jack, bit or other implement with an intent to break and enter into any building; or shall have upon him or her any pistol, hanger, cutlass, bludgeon, or other offensive weapon, with intent to assault any person; or shall be found in or near any dwelling house, warehouse, stable, barn, coach-house, smoke-house or out-house, or in any enclosed yard or garden, or area belonging to any house, or in any place of public resort or assemblage for business, worship, amusement, or other lawful purposes, with an intent to steal any goods or chattels, then he or she shall be deemed and adjudged to be a disorderly person.

Liquor not to be sold to habitual drunkards.  
Dealers to be warned.

P. L. 1867, p. 273.  
§ 1.

3. Whenever any person, according to the provisions of this act, shall be convicted of being a common drunkard, or of deserting or wilfully refusing or neglecting to provide for or maintain his family, and it shall appear to the satisfaction of said justices that the cause of such neglect is the habitual excessive use of intoxicating liquor by said convict, it shall be the duty of said justice or justices to make an order directed to the overseer of the poor of said township in which said conviction shall be made, warning all persons selling intoxicating liquor, to desist from selling any intoxicating liquor to said convict, and it shall be the duty of said overseer within five days after the receipt by him of said order, to serve a copy of said order upon all dealers of intoxicating liquor, from whom said convict would be liable to procure such liquor, and also to post up in three of the most public places in said township a copy of said order, and to make and preserve a record of the time and places when and where said copies were posted, and of the time and persons when and on whom said copies were served.

Penalty for selling or furnishing liquor to habitual drunkards.  
Ib. § 2.

4. If any innkeeper, distiller, grocer, or other person, shall sell, furnish or supply any intoxicating liquor to any habitual drunkard, or to any person for him or her, and take in exchange or pledge therefor, any article of wearing apparel belonging to the wife or children of the said habitual drunkard, or any article of fuel, or any article of provision or household goods, for the comfort and sustenance of the said habitual drunkard, or his or her family, or any other goods or chattels belonging to said habitual drunkard, and necessary for the comfort and support of said habitual drunkard, or his or her family; such innkeeper, distiller, grocer, or other person shall be deemed guilty of a disorderly act, and may be proceeded against by warrant in manner and form as authorized for proceeding



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THE  
REVISED CODES  
1903  
STATE OF SOUTH DAKOTA.

Comprising the

Political Code, Civil Code, Code of Civil Procedure,  
Probate Code, Justices Code, Penal Code  
and Code of Criminal Procedure.

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Compiled and Revised by  
G. C. MOODY, BARTLETT TRIPP and JAMES M. BROWN,  
A Commission duly appointed pursuant to Chapter 183  
of the Laws of the State of South Dakota.

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Printed Pursuant to Act of the Legislature  
of 1903.

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OFFICIAL STATE EDITION.

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STATE PUBLISHING  COMPANY, PIERRE.

Disposing of tainted food.s. 454, Pen. C.  
C. L. § 0055.

same as unadulterated or undiluted, knowing it to have been adulterated or diluted, is guilty of a misdemeanor.

§ 468. Every person who knowingly sells, or keeps or offers for sale, or otherwise disposes of any article of food, drink, drug or medicine, knowing that the same has become tainted, decayed, spoiled or otherwise unwholesome or unfit to be eaten or drank, with intent to permit the same to be eaten or drank by any person or animal, is guilty of a misdemeanor.

Manufacturing slung shot.s. 455, Pen. C.  
C. L. § 0050.

§ 469. Every person who manufactures or causes to be manufactured, or sells or offers or keeps for sale, or gives or disposes of any instrument or weapon of the kind usually known as slung shot, or of any similar kind, is guilty of a misdemeanor.

Carrying or using slung shot.s. 456, Pen. C.  
C. L. § 0057.

§ 470. Every person who carries upon his person, whether concealed or not, or uses or attempts to use against another, any instrument or weapon of the kind usually known as slung shot, or of any similar kind, is guilty of a felony.

Concealed weapons.s. 457, Pen. C.  
C. L. § 0058.

§ 471. Every person who carries concealed about his person any description of firearms, being loaded or partly loaded, or any sharp or dangerous weapon, such as is usually employed in attack or defense of the person, is guilty of a misdemeanor.

Willful prairie fires.s. 458, Pen. C.  
C. L. § 0050.

§ 472. Every person who shall wilfully set on fire, or cause to be set on fire, any woods, marshes or prairies, with intention to injure the property of another, shall be deemed guilty of a misdemeanor, and shall be liable for all damages done by such fire.

Negligent prairie fires.s. 459, Pen. C.  
C. L. § 0060.

§ 473. Every person who negligently or carelessly sets on fire, or causes to be set on fire, any woods, marshes or prairies, or who, having set the same on fire, or caused it to be done, negligently or carelessly, or without full precaution or efforts to prevent, permits it to spread beyond his control, shall, upon conviction, be fined not exceeding one hundred dollars and not less than ten dollars, and shall be liable to injured parties for all damages occasioned thereby. One-half of such fine shall, when collected, go to the informer.

Refusing to aid at fires.s. 460, Pen. C.  
C. L. § 0061.

§ 474. Every person who, at the burning of a building, is guilty of any disobedience to lawful orders of any public officer or fireman, or of any resistance to or interference with the lawful efforts of any fireman or company of firemen to extinguish the same, or of any disorderly conduct calculated to prevent the same from being extinguished, or who forbids, prevents or dissuades others from assisting to extinguish the same, is guilty of a misdemeanor.

Ferries must be licensed.s. 1, c. 21, 1879.  
C. L. § 0062.

§ 475. Every person who maintains a ferry for profit or hire upon any waters within this state, without having first obtained a license as provided by law, is guilty of a misdemeanor. And any license or lease granted by the board of county commissioners of the proper county shall be exclusive to the lessee or licensee for a distance of two miles from the place where such ferry is located, up and down such stream either way; and any person who shall ferry, transport or carry or attempt to ferry, transport or carry, any passengers, goods, chattels, or merchandise, or who shall have, keep, or maintain any scow, skiff, or boat for the purpose of ferrying, transporting, or carrying any passengers, goods, chattels, or merchandise upon any water of this state, within a distance of two miles of any licensed ferry, shall be guilty of a misdemeanor, and may be punished by a fine not exceeding one hundred dollars, or thirty days' imprisonment in the county jail, or by both fine and imprisonment; when such ferry is upon waters dividing two counties, the offenders may be prosecuted in either county.

Ferry bond violated.s. 462, Pen. C.  
C. L. § 0063.

§ 476. Every person who, having entered into a bond or obligation, as provided by his ferry charter or any general law on the subject

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**T H E**  
**REVISED ORDINANCES**

OF

**PROVO CITY,**

CONTAINING

**ALL THE ORDINANCES IN FORCE**

**ON THE FIRST DAY OF FEBRUARY, A. D. 1877, AND THE RULES AND  
ORDER OF BUSINESS OF PROVO CITY COUNCIL.**

TO WHICH IS PREFIXED

**THE ORGANIC ACT OF UTAH,**

AND

**THE CITY CHARTER, WITH AMENDMENTS THERETO.**

Revised, Consolidated and Published

**BY AUTHORITY.**

PRINTED AT THE DESERET NEWS STEAM PRINTING ESTABLISHMENT,  
SALT LAKE CITY, UTAH,  
1877.

## OF PROVO CITY.

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on, is guilty of an offense, and liable to a fine in any sum not exceeding ten dollars.

SEC. 175. Every group of men, or boys, who shall collect on any sidewalk, so as to obstruct the free passage thereon, or collect upon any stairway, door-way, or around any business or dwelling house, theatre, lecture room, or church, or the grounds thereof, to the annoyance of persons entering or occupying such building or premises; or who shall fraudulently enter any theatre, concert, lecture or ball room, is guilty of an offense, and each offender, shall be liable to a fine in any sum, not exceeding ten dollars.

Men or boys collecting on sidewalks.

Fraudulently entering theatres, etc.

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**CHAPTER 5.—Offenses against the Person.**

SEC. 176. Every person who shall threaten to maim, disfigure, or seriously wound, the person of another, or to molest any public officer, in the discharge of his duty, is guilty of an offense.

Threatening to maim or disfigure another.

SEC. 177. Every person who shall assault or assault and beat another, or who shall provoke another to an assault, by menacing, insulting, slanderous or abusive language, is guilty of an offense and liable to a fine in any sum, less than one hundred dollars, or imprisonment not exceeding one hundred days or both.

Assault.

SEC. 178. Every two or more persons who shall engage in a fight, or violently assault each other, are each, guilty of an offense and liable to a fine in any sum not less than five, nor more than fifty dollars.

Engaging in a fight.

**CHAPTER 6.—Offenses against the Peace of the City.**

Riots.

Proclama-  
tions.

SEC. 179. When three or more persons shall be riotously, unlawfully or tumultuously assembled, the Mayor or any Justice of the Peace, who shall have a knowledge or be informed thereof, is hereby authorized to make proclamation among the persons so assembled, or as near to them as he can safely approach, charging and commanding them immediately to disperse and peacefully depart to their habitations or lawful pursuits; and if, upon proclamation having been made, such persons shall not obey, the Mayor or Justice of the Peace may command the Marshal and any number of policemen, and all persons there being, and the full power of the city, and order that the offenders be brought before him to be dealt with according to law.

Refusal to  
give  
prompt  
assistance.

SEC. 180. Every person who shall refuse to give prompt assistance, after proclamation and a call for his services have been made to secure an offender, as mentioned in the preceding section, is guilty of an offense.

Disturbing  
the quiet  
of street,  
etc.

SEC. 181. Every person who shall wilfully disturb the quiet of any street, alley, public or private building, neighborhood, private family or person or any lawful assembly or religious meeting, by giving false alarms of fire, by loud or unusual noises, ringing of bells, blowing of horns, or other instruments, or by indecent or obscene language, conversation or conduct, or by threatening or quarreling, or by any other device or means whatever, is guilty of an offense, and liable to a fine in any sum less than one hundred dollars.

SEC. 182. Every person who shall wear, or carry upon his person any pistol, or other firearm, slungshot,

## OF PROVO CITY.

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false knuckles, bowieknife, dagger, or any other dangerous or deadly weapon, is guilty of an offense, and liable to a fine in any sum not exceeding twenty-five dollars; *Provided*, that nothing in this section, shall be construed to apply to any peace officer, of the United States, the Territory of Utah, or of this city.

Carrying  
deadly  
weapons  
prohibited

Proviso.

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**CHAPTER 7.—Offenses against the Elective Franchise.**

SEC. 183. Every person who shall vote more than once at the same election, or knowingly offer to deposit two or more ballots in the ballot box, or who shall change any ballot, after the same has been deposited in the ballot box; or who, after the election, adds or attempts to add, any ballot to those legally polled, is guilty of an offense, and liable to a fine in any sum less than one hundred dollars, or imprisonment not exceeding one hundred days, or both.

Fraudulent vot-  
ing, chang-  
ing bal-  
lots, etc.

SEC. 184. Every person who shall offer any bribe, threat, or intimidation to any elector, for the purpose of influencing his vote, or the vote of any elector, is guilty of an offense, and liable to a fine in any sum less than one hundred dollars, or imprisonment not exceeding one hundred days, or both.

Bribing or  
intimidat-  
ing  
electors.

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**CHAPTER 8.—Offenses against Good Morals.**

SEC. 185. Every person who shall fish, hunt, or indulge in any secular out-door amusements, or conspicuous or noisy secular labor, on the day of the week

Sunday,  
fishing,  
amuse-  
ments and  
business  
prohibited  
on.



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ACTS

OF THE

GENERAL ASSEMBLY OF ALABAMA,

PASSED AT THE

SESSION OF 1878-9.

HELD IN

THE CITY OF MONTGOMERY,

COMMENCING 2<sup>D</sup> TUESDAY IN NOVEMBER, 1878.

---

*RUFUS W. COBB, Governor.*  
*W. G. LITTLE, Jr., President of the Senate.*  
*DAVID CLOPTON, Speaker of the House.*

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MONTGOMERY, ALA. :  
RETT & BROWN, STATE PRINTERS.  
1879.

1878-9.

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No. 314.]

AN ACT

[S. B. 250.]

To amend an act, approved February 7, 1870, to incorporate the town of Uniontown, in Perry county.

**CORPORATE NAME.** SECTION 1. *Be it enacted by the General Assembly of Alabama,* That the corporation of the town of Uniontown shall hereafter consist of a mayor and board of councilmen, and shall be known and styled, the mayor and council of the town of Uniontown, and by that corporate name may sue and be sued, plead and be impleaded, grant, receive, and do all other acts as natural persons, in respect to the powers herein granted, and may purchase and hold real and personal property for the benefit of said town, or dispose of the same, and may have and use a seal, which may be broken or altered at pleasure.

**LIMITS.** SEC. 2. *Be it further enacted,* That the corporate limits and boundaries of the town of Uniontown, in the county of Perry shall be, and the same are hereby designated and established, as follows: That the corporate limits of said town embrace one half a mile square, the public cistern, where it now is, to be the center of the same, and the lines defining said corporate limits to be run east and west, north and south.

SEC. 3. *Be it further enacted,* That no person shall be eligible to the office of mayor or councilman unless he is a qualified voter of said town.

**ELECTIONS.** SEC. 4. *Be it further enacted,* That the mayor and councilmen shall be elected, by ballot, by the male inhabitants of said town of or over the age of twenty-one years, who are citizens of the United States, or who have legally declared their intention to become so, and have resided in this State six months, and in the town three months immediately preceding the election. But no person or persons convicted of any crime, rendering him or them infamous, shall vote in any election or for any officer of said town.

**TERMS OF OFFICE.** SEC. 5. *Be it further enacted,* That the election of officers shall be held annually on the first Monday in March; and the town officers so elected shall hold their several offices for the term of one year, and until their successors are duly elected and qualified. For the time being, the present mayor and councilmen now in office are constituted mayor and councilmen, and are to con-

tinue in office until the election and qualification of their successors as hereinafter provided, and in case of a vacancy from any cause, either in the office of mayor or councilmen, the vacancy shall be filled by election by the remaining members of the board.

SEC. 6. *Be it further enacted,* That the mayor and councilmen shall appoint their inspectors, who shall be legal voters of said town, to preside at the election for town officers, or at any and all elections in said town, who shall receive the legal votes cast and certify the number of votes polled for each person for town officers, or for any other officers or thing voted for, which certificate shall show which are the highest on the list, and the inspectors shall return and file said certificate with the clerk of the town, and from the general certificate of the inspectors the mayor and councilmen shall ascertain and declare who are duly elected by the votes cast, and the persons who shall receive the greatest number of all votes cast, which were given in for the respective officers shall be declared elected. Inspectors.

SEC. 7. *Be it further enacted,* That the mayor for the time being and his successors in office, shall give fifteen days notice, by advertising in a newspaper published in said town, or by posting up such notice in three or more public places in said town of the time and place of holding said elections, and the said inspectors shall have full power and authority to keep order at the place of holding said election, and to commit to the calaboose of said town for a time not exceeding twenty-four hours, any person or persons who shall make or attempt to make any disturbance at the place of holding said elections, so as to interfere with the peaceable and orderly conducting said elections, and the town marshal is hereby commanded to obey and carry into execution all orders or process issued by the said inspectors as aforesaid in pursuance of this act. Election no-  
tice.

SEC. 8. *Be it further enacted,* That should there be an equal number of votes between any two or more persons who shall have been voted for at said election and an election shall thereby fail, it shall be the duty of the mayor and councilmen, and in case there be no mayor, or in case the mayor fail or neglect so to do, then the councilmen to declare the fact that no election has taken place because of the tie vote, and to issue a notice for a new election to be held in twenty days thereafter to fill Ties.

1878-9.

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the place or places not filled by reason of a failure to elect, which notice shall be given and a new election held in the same manner and form as required by this act for the regular election.

Contests.

SEC. 9. *Be it further enacted*, That if any election in and for the town of Uniontown, shall be contested, it shall be contested before the judge of the circuit court of Perry county; testimony may be taken by a justice of the peace, or by a commissioner appointed by the court for that purpose, or witnesses may be required to depose before the judge of said court, and the judge may hear and determine the same, in term time or in vacation.

Returns.

SEC. 10. *Be it further enacted*, That the inspectors, after counting the ballots, shall carefully seal them up in a package, and endorse the date of the election and their names as inspectors on said package, and said inspectors shall not allow the same to be examined, except by themselves or their assistants who hold said election, and shall return the ballots so cast so sealed up to the town clerk, together with a list of voters at said election held by them, who shall preserve the same for fifteen days, and if there be no contest, said town clerk shall cause the same to be burned, in his presence and that of the mayor; but in the event of a contest, they shall be delivered to the court trying the same.

SEC. 11. *Be it further enacted*, That the party contesting shall file his application and give notice of said contest to the judge of the circuit court of Perry county, and the person or persons whose elections are so contested within fifteen days next succeeding such election.

Notice of contest.

SEC. 12. *Be it further enacted*, That where testimony is taken under this act, the opposite party shall have ten days' notice of the time and place, and the officer or commissioner taking said testimony shall receive legal fees for taking the same, to be paid by the party at whose instance the service is performed.

SEC. 13. *Be it further enacted*, That after the testimony on both sides is completed, the judge trying the cause may examine the poll list and ballots, and pronounce judgment in the case according to the facts.

SEC. 14. *Be it further enacted*, That the mayor and councilmen shall have full power and authority to regulate the running of trains of cars, and the landing of articles or goods and merchandise in the limits of said

town, to prevent the introduction of contagious or infectious diseases, and to establish a quarantine to prevent nuisances, and to declare and remove nuisances; to provide for licensing and regulating retailers of liquors, and to fix the sum to be paid for the same, and annulling the same on good and sufficient complaint being made against any person holding such license, and to prohibit the retailing of liquors within the limits of said town when deemed proper, and to close up retail establishments for such time as they may deem necessary for the public good; to regulate and license theatrical and other public amusements; to license peddlers in a wagon, on horseback or on foot; to license bowling alleys and billiard tables, or any table or device of any kind from which any kind of profit is derived to the keeper; to license dealers in pistols, bowie-knives and dirk-knives; to license peddlers of medicines or other articles of like character; to license the selling of sewing machines; to license auctioneers, and all transient persons who offer goods of any kind for sale at auction on the streets or in a storehouse; to license circus, menagerie or museum exhibitions, or a side-show accompanying a circus; to license feats of legerdemain or sleight-of-hand, or other exhibition or entertainment; to license concerts and musical entertainments; and to license shooting galleries: *Provided*, the sums charged for said licenses do not exceed the sums established by the revenue laws of the State: and to regulate and license the selling of fruit, beef, pork, mutton, fish, and other like commodity, upon the streets of said town; and to regulate and license carriages, wagons, carts and drays kept for public use; to tax and license livery stables and horse and mule drovers, keepers of stud horses and jacks; to establish, regulate and license markets; to erect and repair bridges, and to establish fire limits; to keep in repair all necessary streets, and to open up new streets, or change the direction of streets, in said town, upon making compensation to the owners of the lands taken for the public use; to enact by-laws for the extinguishment of fire; to take care of, preserve, remove, designate and regulate the public cemetery; to regulate weights and measures—when necessary and expedient, to erect public scale-house, with proper scales, weights and measures, and to appoint weighers and measurers to weigh and measure wood, coal, iron,

General powers of mayor and council.

1878-9.

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hay, fodder, cotton and corn ; and to pass all such resolutions, by-laws and ordinances as they may deem necessary and proper for the good government of said town, not contrary to the laws of this State, and carry into effect the powers conferred by law on the mayor and councilmen ; and to impose fines, forfeitures and penalties for the violation or breach of their ordinances or by-laws, *provided*, no fine for any one offense shall exceed fifty dollars, and in case of the inability of any person upon whom any fine has been imposed to satisfy the fine and the costs that may have accrued against such person, then to sentence such person to hard labor under such regulations as they may provide, not to exceed ninety days.

Preserving  
the peace.

SEC. 15. *Be it further enacted*, That the mayor and each of the councilmen shall be conservators of the peace in and for the town of Uniontown, and shall have power to examine and commit, or discharge, or bail all persons charged with criminal offenses, in the same manner as justices of the peace.

Taxation.

SEC. 16. *Be it further enacted*, That the said mayor and councilmen shall have power to levy taxes on real and personal property, auction sales and sales of merchandise, capital employed in business, and income, within said town; and a poll tax not to exceed three dollars upon all male inhabitants over the age of twenty-one and under the age of forty-five years ; that the said tax upon the real and personal property be laid in pursuance of the assessment and valuation made by the tax assessor of Perry county upon said real and personal property : *Provided*, that no tax shall be laid on sales under judicial proceedings, guardians', executors' and administrators' sales, and sales of property under provisions of deeds of trust or mortgages for the security of or the payment of debt ; and it is expressly understood that the duties of the tax collector for the collection of taxes upon the sale of merchandise shall in no way relate to sales of cotton : *And provided further*, that the taxes assessed upon the property herein named shall not exceed one-half of one per centum of the value of such property as assessed for State taxation the preceding year. When the assessment upon the property named in this section has been made, such assessment has the force and effect of an execution issued upon a judgment at law, and the person appointed

to collect such taxes may, on failure to pay on or by the 1st day of January in each year, collect the same by levy and sale of the property of the person to whom assessed, and if assessed to an owner unknown, by a sale of the property. It shall be the duty of the tax collector to give at least ten days' notice of the time and place of the sale of personal property for taxes, and thirty days' notice for the sale of real estate, which shall be advertised in the town paper or posted in three or more public places, and shall fully describe the property levied on, and the name of the person to whom it is assessed. Any real estate sold under this section may be redeemed at any time within two years by paying all the taxes that may have been paid out by the purchaser, the expense of the sale, and twelve per cent. per annum. Infants and married women may redeem within two years after the removal of their disabilities.

SEC. 17. *Be it further enacted*, That said mayor and councilmen shall have power to appoint a treasurer, assessor, collector, marshal, and clerk, and other officers as they may deem necessary, and require of them severally good and sufficient bonds, and to establish such fees or salary for the several officers as they may see fit, and to fix, by ordinance, the salary of the mayor; *Provided*, That the marshal, upon entering into a good and sufficient bond, as is now required by law of constables, to be approved by the mayor and councilmen, and recorded in the office of the probate court of Perry county, may exercise and perform in Uniontown beat, in said county, all the duties that are required of constables, and be subject to the same penalties and liabilities.

Subordinate officers.

SEC. 18. *Be it further enacted*, That the mayor of said town be, and he is hereby authorized and empowered to exercise all the duties and powers which appertain to, and are exercised by, justices of the peace in said town; *Provided*, He shall make and execute a bond, with good and sufficient security, to be approved and filed as now required by law of justices of the peace. And whenever he may deem it expedient and necessary, he may require the board of councilmen, or any number of them, to sit with him in the trial of any cause.

Mayor is justice of the peace.

SEC. 19. *Be it further enacted*, That any person, or persons, violating the provisions of this law, or any of the ordinances, or by-law that may be passed in pursuance hereof, upon complaint made and verified by affi-

Violation of ordinances.

1878-9.

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Appeals.

daunt before the mayor, or either of the said councilmen, he, or either of them, may issue a warrant for the arrest of the person, or persons, so accused, or if an offense is committed in view of the mayor or either of the councilmen, he, or either of them, may order the arrest of the person, or persons so offending, and the mayor, and in his absence either of the councilmen, shall try the cause as soon thereafter as practicable; and from the decision of all causes arising under this act the right of appeal is hereby allowed, without the prepayment of cost, to the circuit court of Perry county, upon the party taking the appeal entering into a bond, with good and sufficient security, to pay and satisfy the judgment, with costs, that may be rendered against him in said court.

Punishment.

SEC. 20. *Be it further enacted*, That if any person, or persons, who may be convicted under this act for any offense, shall fail, or refuse, to pay, or discharge, the fine and costs that may be assessed against such person, or persons, and no appeal is taken, as is provided for in the previous section, the mayor, or the officer trying the same, is authorized to require such person, or persons, to be imprisoned in the town calaboose for not exceeding twenty days, or perform hard labor for said town under the regulations provided for in section fourteen of this act.

SEC. 21. *Be it further enacted*, That all laws or parts of laws that conflict with this act, so far as the same shall apply to the corporation of Uniontown, be, and the same are hereby repealed.

Approved February 13, 1879.

No. 315.]

AN ACT

[S. B. 169.

To repeal section four of an act entitled "an act to authorize the city council of Eufaula to adjust and settle all claims of indebtedness now outstanding against said city," approved February 6, 1877.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That section four of an act entitled "an act to authorize the city council of Eufaula to adjust and settle all claims of indebtedness now outstanding against said

# William. M. Caswell, Revised Charter and Compiled Ordinances and Resolutions of the City of Los Angeles Page 85, Image 83 (1878) available at The Making of Modern Law: Primary Sources.

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- Carrying Weapons (<https://firearmslaw.duke.edu/subjects/carrying-weapons/>)

## Jurisdiction(s):

- California (<https://firearmslaw.duke.edu/jurisdictions/california/>)

## Year(s):

1878

Ordinances of the City of Los Angeles, § 36. In future, no persons, except peace officers, and persons actually traveling, and immediately passing through Los Angeles city, shall wear or carry any dirk, pistol, sword in a cane, slung-shot, or other dangerous or deadly weapon, concealed or otherwise, within the corporate limits of said city, under a penalty of not more than one hundred dollars fine, and imprisonment at the discretion of the Mayor, not to exceed ten days. It is hereby made the duty of each police officer of this city, when any stranger shall come within said corporate limits wearing or carrying weapons, to, as soon as possible, give them information and warning of this ordinance; and in case they refuse or decline to obey such warning by depositing their weapons in a place of safety, to complain of them immediately.



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PASSED AT A REGULAR SESSION  
OF THE  
MISSISSIPPI LEGISLATURE,  
HELD IN THE  
CITY OF JACKSON,

Commencing Jan. 8th, 1878, and Ending March 5th, 1878.

PRINTED BY AUTHORITY.

JACKSON, MISS.  
POWER & BARKSDALE, STATE PRINTERS.  
1878.

## CHAPTER XLVI.

AN ACT to prevent the carrying of concealed weapons, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi.* That any person, not being threatened with, or having good and sufficient reason to apprehend an attack, or traveling (not being a tramp) or setting out on a journey, or peace officers, or deputies in discharge of their duties, who carries concealed, in whole or in part, any bowie knife, pistol, brass knuckles, slung shot or other deadly weapon of like kind or description, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished for the first offence by a fine of not less than five dollars nor more than one hundred dollars, and in the event the fine and cost are not paid shall be required to work at hard labor under the direction of the board of supervisors or of the court, not exceeding two months, and for the second or any subsequent offence, shall, on conviction, be fined not less than fifty nor more than two hundred dollars, and if the fine and costs are not paid, be condemned to hard labor not exceeding six months under the direction of the board of supervisors, or of the court. That in any proceeding under this section, it shall not be necessary for the State to allege or prove any of the exceptions herein contained, but the burden of proving such exception shall be on the accused.

When concealed weapons may be carried.

Penalty for carrying weapons.

Burden of proof on accused.

SEC. 2. *Be it further enacted,* That it shall not be lawful for any person to sell to any minor or person intoxicated, knowing him to be a minor or in a state of intoxication, any weapon of the kind or description in the first section of this Act described, or any pistol cartridge, and on conviction shall be punished by a fine not exceeding two hundred dollars, and if the fine and costs are not paid, be condemned to hard labor under the direction of the board of supervisors or of the court, not exceeding six months.

Minors, or persons intoxicated.

Minor under  
16 years.

SEC. 3. *Be it further enacted*, That any father, who shall knowingly suffer or permit any minor son under the age of sixteen years to carry concealed, in whole or in part, any weapon of the kind or description in the first section of this Act described, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than twenty dollars, nor more than two hundred dollars, and if the fine and costs are not paid, shall be condemned to hard labor under the direction of the board of supervisors or of the court.

Students.

SEC. 4. *Be it further enacted*, That any student of any university, college or school, who shall carry concealed, in whole or in part, any weapon of the kind or description in the first section of this Act described, or any teacher, instructor, or professor who shall, knowingly, suffer or permit any such weapon to be carried by any student or pupil, shall be deemed guilty of a misdemeanor, and, on conviction, be fined not exceeding three hundred dollars, and if the fine and costs are not paid, condemned to hard labor under the direction of the board of supervisors or of the court.

Tax fee of  
justice.

SEC. 5. *Be it further enacted*, That each justice of the peace before whom a conviction is had, shall, in addition to the costs now allowed by law, be entitled to a tax fee of two dollars and a half.

Act to be  
read in courts

SEC. 6. *Be it further enacted*, That immediately after the passage of this Act, the Secretary of State shall transmit a copy to each circuit judge in the State, who shall cause the same to be read in open court on the day for the calling of the State docket of the court.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage.

APPROVED, February 28, 1878.

THE  
CODE OF ORDINANCES

OF THE  
CITY COUNCIL OF MONTGOMERY,

WITH THE  
CHARTER,  
AND CAPTIONS OF ALL ACTS OF THE GENERAL ASSEMBLY  
OF ALABAMA AFFECTING THE CHARTER OF  
THE CITY OF MONTGOMERY.

---

COMPILED BY WM. S. THORINGTON.

---

PREPARED AND PUBLISHED BY AUTHORITY OF THE CITY COUNCIL  
OF MONTGOMERY.

---

MONTGOMERY, ALA. :  
BROWN PRINTING CO., PRINTERS AND BINDERS.  
1888.

the annoyance or disturbance of the neighborhood, must, on conviction, be fined not less than one, nor more than one hundred dollars.

SEC. 518. Any person who carries concealed about his person a bowie-knife or any other knife or instrument of like kind or description, or a pistol or fire-arms of any kind or description, or any air-gun, slung-shot, brass-knuckles, or any other deadly or dangerous weapon, must, on conviction, be fined not less than fifty, nor more than one hundred dollars; or may be sentenced to hard labor for the city for not more than one hundred days; *Provided*, that evidence that the defendant has good reason to apprehend an attack, may be admitted in mitigation of the punishment, or in justification of the offense. And it shall be the duty of the recorder and the chief of police to take this ordinance under special charge; and cause all persons guilty of its violation to be arrested and prosecuted, whether a prosecutor appears or not, whenever the same is brought to the knowledge or attention of either.

SEC. 519. Any person who shall participate in or be connected with any masked ball not authorized by the mayor, must, on conviction, be fined not less than one, nor more than one hundred dollars.

SEC. 520. Any person who interrupts or disturbs any congregation or assemblage of people met for religious worship by noise, profane discourse, rude or indecent behavior, or any other act at or near such place of worship, must, on conviction, be fined not less than one, nor more than one hundred dollars.

SEC. 521. Any person who quarrels, or is guilty of noisy or disorderly conduct, while in charge as driver of any public vehicle of any kind, or who refuses to stop his team or vehicle when hailed by a policeman, must, on conviction, be fined not less than one, nor more than one hundred dollars.

SEC. 522. The owner of, or any person having the custody or control of any horse, mule or cow, or animal of the like kind, who permits the same to run at large in any portion of the city, must, on conviction, be fined not less than one, nor more than one hundred dollars.

SEC. 523. The owner of, or any person having the custody or control of any hog, sheep or goat, who permits the same to run at large in any portion of the city, must, on conviction, be fined not less than one, nor more than one hundred dollars.

SEC. 524. The owner of, or any person having the custody or control of any vicious dog, or bitch when in heat, who per-

## Charter and Revised Ordinances of Boise City, Idaho. In Effect April 12, 1894 Page 118-119, Image 119-120 (1894) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

Carrying Concealed Weapons, § 36. Every person not being a sheriff, deputy sheriff, constable or other police officer, who shall carry or wear within the incorporated limits of Boise City, Idaho, any bowie knife, dirk knife, pistol or sword in cane, slung-shot, metallic knuckles, or other dangerous or deadly weapons, concealed, unless such persons be traveling or setting out on a journey, shall, upon conviction thereof before the city magistrate of said Boise City, be fined in any sum not exceeding twenty-five dollars for each offense, or imprisoned in the city jail for not more than twenty days, or by both such fine and imprisonment.

CONSTITUTION  
OF THE  
STATE OF LOUISIANA

ADOPTED IN CONVENTION,

At the City of New Orleans, the Twenty-third

Day of July, A. D. 1879.



NEW ORLEANS:  
PRINTED BY JAS. H. COSGROVE, CONVENTION PRINTER.  
1879.

# CONSTITUTION.

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## PREAMBLE.

We, the people of the State of Louisiana, in order to establish justice, insure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, acknowledging and invoking the guidance of Almighty God, the author of all good government, do ordain and establish this constitution.

## BILL OF RIGHTS.

ARTICLE 1. All government of right originates with the people, is founded on their will alone, and is instituted solely for the good of the whole, deriving its just powers from the consent of the governed. Its only legitimate end is to protect the citizen in the enjoyment of life, liberty and property. When it assumes other functions it is usurpation and oppression.

ART. 2. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue except upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

ART. 3. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be abridged. This shall not prevent the passage of laws to punish those who carry weapons concealed.

ART. 4. No law shall be passed respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and petition the government for a redress of grievances.

ART. 5. There shall be neither slavery nor involuntary servitude in this State otherwise than for the punishment of crime, whereof the party shall have been duly convicted. Prosecutions shall be by indictment or information; *provided*, that no person shall be held to answer for a capital crime unless on a presentment or



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1879 41 .

ALWD 7th ed.  
, , 1879 41 .

Chicago 17th ed.  
" , " Montana - 12th Legislative Assembly, Regular Session; 11th Legislative Assembly, Special Session : 41-672

AGLC 4th ed.  
" Montana - 12th Legislative Assembly, Regular Session; 11th Legislative Assembly, Special Session 41

OSCOLA 4th ed.  
" 1879 41 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

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THE  
REVISED STATUTES OF MONTANA,  
ENACTED AT THE  
REGULAR SESSION  
OF THE  
TWELFTH LEGISLATIVE ASSEMBLY OF MONTANA,

EMBRACING

THE LAWS OF A GENERAL AND PERMANENT NATURE, IN FORCE AT THE  
EXPIRATION OF THE ELEVENTH REGULAR SESSION OF THE  
LEGISLATIVE ASSEMBLY, ON THE 21ST DAY OF  
FEBRUARY, A. D. 1879.

TO WHICH ARE PREFIXED

THE CONSTITUTION OF THE UNITED STATES AND AMENDMENTS THERETO,  
PROVISIONS OF THE REVISED STATUTES OF THE UNITED STATES COM-  
MON TO ALL TERRITORIES, AND THOSE PARTICULARLY RELATING TO  
MONTANA, AND SESSION LAWS OF THE UNITED STATES RELAT-  
ING TO MONTANA ENACTED SUBSEQUENT TO THE REVISION.

---

Published by Authority of the United States.

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GEO. E. BOOS,  
PUBLIC PRINTER AND BINDER,  
HELENA, MONTANA.  
1881

SEC. 22. If any person, with or without deadly weapons, upon a previous agreement, fight with another, and death ensue to any person in such contest within a year and a day, the person or persons causing such death shall be deemed guilty of murder in the first degree.

SEC. 23. If any person shall, by previous appointment or agreement, fight a duel with a rifle, shot-gun, pistol, bowie-knife, dirk, small-sword, back-sword, or other dangerous weapon, and in so doing shall kill his antagonist, or any person or persons, or shall inflict such wound as that the party or parties injured shall die thereof within one year thereafter, every such offender shall be deemed guilty of murder in the first degree, and, upon conviction thereof, shall be punished accordingly.

SEC. 24. In all trials for murder the jury shall designate in their verdict the degree of murder of which they find the defendant guilty, except when parties are indicted under either of the two preceding sections.

SEC. 25. Every person who shall be convicted of murder in the first degree shall suffer the penalty of death by hanging; and every person who shall be convicted of murder in the second degree shall suffer the penalty of imprisonment in the Territorial prison for a term of not less than ten years, and which may be extended for life.

SEC. 26. Manslaughter is the unlawful killing of a human being without malice or any mixture of deliberation; it may be voluntary or involuntary.

SEC. 27. Voluntary manslaughter is the killing of a human being by another person upon a sudden heat or passion, caused by a provocation apparently sufficient to make the passion irresistible in a reasonable person. The provocation must be a serious and highly provoking injury, inflicted or attempted to be inflicted upon the person killing, sufficient to excite such an irresistible passion; and the killing must follow so soon after the provocation, that there is not time for the passions to cool; for if there should have been an interval between the provocation given and the killing, sufficient for the voice of reason to be heard, the killing shall be attributed to deliberate revenge, and shall be deemed murder in the first degree.

SEC. 28. Involuntary manslaughter is the killing of a human being by another, without any intention to do so, in the performance of an unlawful act not felonious, or which would not naturally tend to destroy human life; or in the performance of a lawful act, without that due care and caution which every reasonable man should exercise in doing any act which might result in the destruction of human life.

SEC. 29. Every person who shall be convicted of the crime of manslaughter shall be punished by imprisonment in the Territorial prison for a period of time not less than one year, nor more than ten years.

SEC. 30. In order to make the killing either murder or manslaughter, it is requisite that the party die within a year and a day after the stroke was received, or the cause of death administered, in the computation of which the whole of the day on which the act was done shall be reckoned the first.

SEC. 31. If the injury be inflicted in one county and the party die in another county, or without the Territory, the accused shall be tried in the county where the act was done, or the cause of death adminis-



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OSCOLA 4th ed.  
" 1879 231 Please note: citations are provided as a general guideline.  
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# LAWS AND RESOLUTIONS

OF THE

## State of North Carolina,

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1879,

BEGUN AND HELD IN THE CITY OF RALEIGH,

ON WEDNESDAY, THE EIGHTH DAY OF JANUARY, A. D. 1879.

TO WHICH ARE PREFIXED

A REGISTER OF STATE OFFICERS, MEMBERS OF THE GENERAL  
ASSEMBLY, JUDICIARY, A LIST OF COMMISSIONERS OF  
AFFIDAVITS, AND STATE CONSTITUTION.

---

PUBLISHED BY AUTHORITY.

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RALEIGH:

THE OBSERVER, STATE PRINTER AND BINDER.

1879.

## CHAPTER 127.

AN ACT TO MAKE THE CARRYING OF CONCEALED WEAPONS  
A MISDEMEANOR.

*The General Assembly of North Carolina do enact :*

SECTION 1. That it shall be unlawful for any person in this state, except when upon his own premises, to carry concealed about his person any pistol, bowie-knife, dirk, dagger, slung-shot, loaded cane, brass, iron or metallic knuckles, or other deadly weapon of like kind. Unlawful to carry concealed weapons.

SEC. 2. That any person offending against section one of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned in the discretion of the court. Misdemeanor.

SEC. 3. The following persons shall be exempt from the provisions of section one of this act: officers and soldiers of the United States army, civil officers of the United States while in the discharge of their official duties, officers and soldiers of the militia of this state when called into actual service, officers of this state or of any county, city or town of this state, charged with the execution of the laws of this state, while in the discharge of his official duties. Who exempt from provisions of this act.

SEC. 4. Any person being off his own premises and having upon his person any deadly weapon described in section one, such possession shall be *prima facie* evidence of the concealment thereof. Having weapon on person prima facie evidence of concealment.

SEC. 5. This act shall go into effect on the first day of July, Anno Domini one thousand eight hundred and seventy-nine.

Ratified the 5th day of March, A. D. 1879.



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1879 135 .

ALWD 7th ed.  
, , 1879 135 .

Chicago 17th ed.  
", " Tennessee - 41st General Assembly, 1st Session : 135-136

AGLC 4th ed.  
" Tennessee - 41st General Assembly, 1st Session 135.

OSCOLA 4th ed.  
" 1879 135

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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.*

---

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

[ 136 ]

*Sale of pistols forbidden.* 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.

*Penalty.* 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.

*Judges to change.* 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.

*Grand jury powers.* 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.

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.*

## 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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THE  
CODE OF TENNESSEE,  
BEING A COMPILATION  
OF THE  
STATUTE LAWS  
OF THE  
STATE OF TENNESSEE,

OF A  
GENERAL NATURE, IN FORCE JUNE 1, 1884.

BY

W. A. MILLIKEN AND JOHN J. VERTREES.

---

NASHVILLE, TENN.:  
MARSHALL & BRUCE, PRINTERS AND PUBLISHERS.  
1884.

1060

## OFFENSES AGAINST THE PUBLIC PEACE.

Drawing such  
weapons  
(4748)

**5524.** If any person shall maliciously draw, or attempt to draw, any such knife or weapon from under his clothes, or any place of concealment about his person, for the purpose of sticking, cutting, awing, or intimidating another, he is guilty of a felony, and, upon, conviction, shall be imprisoned in the penitentiary not less than three nor more than five years.

The fact that the weapon was drawn in self-defense is no justification to an indictment under this section. 5 Sneed, 496, 500; 4 Lea, 245.

Stabbing with  
such weapons.  
(4749)

**5525.** If any person carrying such knife or weapon shall, in a sudden rencounter, cut or stab another therewith, he is guilty of a felony, whether death ensues or not, and, upon conviction, shall be imprisoned in the penitentiary not less than three nor more than fifteen years.

Officer's fee for  
arresting.  
(4750)

**5526.** Any civil officer arresting and prosecuting to conviction any person guilty of any of the offenses enumerated in this article, shall be entitled to the sum of fifty dollars, to be taxed in the bill of costs.

A special deputy sheriff appointed for one year to preserve the peace and prevent infractions of the law, and to make arrests and deliver all prisoners to the county jail, is a civil officer within the meaning of this section. 11 Lea, 125.

Attorney's fee.  
(4751)

**5527.** The attorney-general is entitled to a tax fee of twenty dollars in each case when a defendant is convicted of any of the offenses enumerated in this article.

This does not authorize the taxing of such a fee upon conviction for unlawfully carrying a pistol. 4 Lea, 224.

Prosecutor.  
(4752)

**5528.** No prosecutor is required on any presentment or indictment under the provisions of this article.

Dangerous  
weapons.  
(4753)

**5529.** No person shall publicly ride or go armed to the terror of the people; or privately carry any dirk, large knife, pistol, or other dangerous weapon, to the fear or terror of any person.

Sureties for good  
behavior.  
(4754)

**5530.** Every such offender may be required to find sureties for his good behavior; and for that purpose any judge or justice of the peace may, upon his own view, or upon the information of any other person upon oath, issue his warrant, and thereupon cause such offender to be arrested and brought before him, and may bind him to his good behavior.

Commitment.  
(4755)

**5531.** If the party arrested failed to find sureties, the judge or justice shall commit him to jail for not exceeding ten days, and until he pays the costs of the proceedings against him, or be legally discharged.

Forfeiture.  
(4756)

**5532.** If such person continue so to offend, he shall forfeit his recognizance, and be guilty of a misdemeanor.

An indictment for this offense is good which charges the defendant with carrying the weapon "to the fear and terror of certain persons," without naming them. 6 Lea, 206.

Unlawful to  
carry certain  
weapons.  
1879, ch. 186.

**5533.** It shall not be lawful for any person to carry, publicly or privately, any dirk, razor concealed about his person, sword cane, loaded cane, slung-shot or brass knucks, Spanish stiletto, belt or pocket pistol, revolver, or any kind of pistol,

## OFFENSES AGAINST THE PUBLIC PEACE.

1061

except the army or navy pistol, usually used in warfare, which shall be carried openly in the hand.

**5534.** Any person guilty of such offense shall be subject to presentment or indictment, and on conviction shall be fined fifty dollars, and imprisoned in the county jail of the county where the offense was committed, the imprisonment only in the discretion of the court; *Provided*, the defendant shall give good and sufficient security for all the costs, fine, and any jail fees that may accrue by virtue of his imprisonment.

Punishment.  
(*Id.*)

**5535.** The provisions of the above sections shall not apply to any person employed in the army, navy, or marine service of the United States, or to any officer or policeman while *bona fide* engaged in his official duties, in the execution of process, or while searching for or engaged in arresting criminals, nor to persons who may have been summoned by such officers or policeman in the discharge of their said duties, and in arresting criminals and transporting and turning them over to the proper authorities. Persons who may be employed in the army, navy, or marine service, as aforesaid, shall only carry such pistols as are prescribed by the army and navy regulations.

Persons employed in U. S. army, navy or marine service, policemen and possees, excepted  
(*Id.*)

**5536.** Any person convicted of this offense shall not be deprived of the right of voting or holding office.

*b.)*

The word "carrying" is used in the sense of wearing weapons, or going armed. A single act of wearing or carrying a forbidden weapon when carried with the intent of going armed, is criminal. 3 Heis., 199. Foot note. 7 Bax., 59; 3 Leg. Rep., 114. It is the intention of going armed that makes the offense. *Id.* Borrowing a pistol and carrying it, for the purpose of wearing it on a bear chase is not going armed in the sense of the law. 5 Lea, 345. Carrying a navy six in a scabbard hung on the saddle, is indictable. 7 Bax., 105. Carrying an army pistol in a pack, is not a violation of the law unless so carried with the intent of going armed. 3 Leg. Rep., 114; 3 Heis., 198; 3 Heis., 165; 7 Bax., 60.

Carrying a forbidden weapon on one's own premises, is a violation of the statute. 6 Lea, 585. Imprisonment for unlawfully carrying a pistol is within the discretion of the court trying the case, and this discretion will not be interfered with by the Supreme Court, except in cases of gross abuse. 4 Lea, 483. The court has no power to remit the fine fixed by statute for this offense. Section 6092 does not apply to such cases. 4 Lea, 485. To give an officer the benefit of the exemption of the statute he must produce the process under which he claims to have acted, or a certified copy thereof, if in existence. 5 Lea, 705. The exemption only applies in favor of an officer while actually engaged in executing criminal process, or searching for and arresting criminals. 5 Lea, 706; 6 Lea, 336; 4 Lea, 466; 6 Bax., 450, 446. It applies to a justice of the peace while carrying a prisoner to jail, and he may still wear the weapon on his way home if he return in a reasonable time. 6 Bax., 50, 446. This exception does not protect a detective when not executing criminal process. 6 Lea, 336.

**5537.** It shall be the duty of all peace officers in this State to see that section 5533 is strictly enforced, and if they know of its violation, it is hereby made their duty to report the same to the grand jury of their county at its next term after such violation, who shall proceed to make presentment without a prosecutor. All sheriffs, deputy sheriffs, coroners, justices of the peace and constables shall be deemed peace officers under the provisions of this section.

Duty of officers.  
1870, ch. 13.  
(4759c)



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THE  
REVISED STATUTES  
AND  
OTHER ACTS OF A GENERAL NATURE  
OF THE  
STATE OF OHIO,  
IN FORCE JANUARY 1, 1880.

---

EDITED AND ANNOTATED BY  
M. A. DAUGHERTY, JOHN S. BRASEE,  
GEORGE B. OKEY,  
*Commissioners to Revise and Consolidate the Statutes.*

---

IN TWO VOLUMES.  
VOL. II.

---

**PUBLISHED FOR THE STATE.**

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COLUMBUS, O.:  
H. W. DERBY & CO., PUBLISHERS.  
1879.

## CHAPTER 5.

## OFFENSES AGAINST PUBLIC PEACE.

SECTION  
 6886. Unauthorized military expeditions.  
 6887. Dueling.  
 6888. Prize-fighting.  
 6889. Aiding a prize-fight.  
 6890. Affray.  
 6891. Challenging to fight, or provoking breach  
 of the peace.  
 6892. Carrying concealed weapons.

SECTION  
 6893. Riot.  
 6894. All peace officers to warn rioters to dis-  
 perse, and may call to their aid all per-  
 sons of the county.  
 6895. Rioters injured or killed in resisting offi-  
 cers, the slayer held guiltless.  
 6896. Disturbing meetings.

SEC. 6886. Whoever begins, or sets on foot, or provides or pre-  
 pares the means for, any unauthorized military expedition or enterprise,  
 to be carried on from this state against the territory or people of any  
 state of the United States, shall be imprisoned in the penitentiary not  
 more than ten years nor less than one year. [58 v. 110, § 3.]

Unauthorized  
 military expedi-  
 tions.

SEC. 6887. Whoever fights a duel, or is second to a person who  
 fights a duel, or challenges another to fight a duel, or accepts a challenge  
 to fight a duel, or is knowingly the bearer of such challenge, shall be  
 imprisoned in the penitentiary not more than ten years nor less than  
 one year. [33 v. 33, § 25.]

Dueling.

SEC. 6888. Whoever engages as principal in any prize-fight shall  
 be imprisoned in the penitentiary not more than ten years nor less than  
 one year. [65 v. 29, § 1.]

Prize-fighting.

SEC. 6889. Whoever aids, assists, or attends any prize-fight, as  
 backer, trainer, second, umpire, assistant, or reporter, shall be fined not  
 more than five hundred nor less than fifty dollars, and imprisoned not  
 more than three months nor less than ten days. [65 v. 29, § 2.]

Aiding a prize-  
 fight.

SEC. 6890. Any two persons who agree and willfully fight or box  
 at fisticuffs, are guilty of an affray, and shall be fined not more than  
 fifty dollars, or imprisoned not more than ten days, or both. [29 v.  
 144, § 17.]

Affray.

SEC. 6891. Whoever challenges another to fight at fisticuffs, or with  
 cudgels, or provokes or attempts to provoke another to commit a breach  
 of the peace, shall be fined not more than ten dollars nor less than one  
 dollar. [73 v. 10, § 1.]

Challenging to  
 fight, or provok-  
 ing breach of the  
 peace.

SEC. 6892. Whoever carries any pistol, bowie-knife, dirk, or other  
 dangerous weapon, concealed on or about his person, shall be fined not  
 more than two hundred dollars, or imprisoned not more than thirty days,  
 and, for a second offense, fined not more than five hundred dollars, or  
 imprisoned not more than three months, or both. [56 v. 56, § 1.]

Carrying con-  
 cealed weapons.

SEC. 6893. When three or more persons assemble together to do  
 an unlawful act with force and violence, or, being assembled, do an  
 unlawful act as aforesaid, or agree with each other to do an unlawful  
 act with force and violence, and make any preparation or movement  
 therefor, or continue together after proclamation made as provided in  
 the next section, or attempted to be made, and prevented by rioters,  
 they are guilty of riot, and shall each be fined not more than five hun-  
 dred dollars, or imprisoned not more than thirty days, or both, and  
 shall give security for good behavior and to keep the peace for one year.  
 [70 v. 144, § 5; 29 v. 144, § 7.]

Riot.

SEC. 6894. Whenever three or more persons are unlawfully or  
 riotously assembled, it shall be the duty of all judges, justices of the  
 peace, sheriffs, and all other ministerial officers, immediately upon view,

All peace officers  
 to warn rioters to  
 disperse, and may  
 call to their aid  
 all persons of the  
 county.

§ 6890. An assault and battery and an affray are distinct offenses; proof of an affray will not support a charge of assault and battery. *Champer v. State*, 14 O. S. 437.



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ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED AT THE

REGULAR SESSION OF 1880.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED TO  
FORM A PART OF THE SEVENTEENTH VOLUME OF THE **STATUTES**  
AT LARGE, COMMENCING WITH THE ACTS OF 1879.

COLUMBIA, S. C.:  
JAMES WOODROW, STATE PRINTER.

1881.

OF SOUTH CAROLINA.

447

Young, and their associates and successors, are hereby made and created a body politic and corporate, by the name of the Board of Trustees of the Associate Reformed Presbyterian Synod of the South, with all the powers and prerogatives of a corporate body, and may from time to time make such rules and by-laws for their government and for the management of the property under their charge as shall be approved by a majority of said Board of Trustees, and are not inconsistent with laws of the land.

A. D. 1880.

Name.

SEC. 2. That the said corporation shall have power to hold in trust any property heretofore given or acquired, or hereafter to be given or acquired, for objects connected with said Associate Reformed Presbyterian Synod of the South, other than that now held by other corporations, and also all property belonging to any of the corporations, or single churches, or dormant congregations, either now or heretofore connected with said Associate Reformed Presbyterian Synod of the South, but which have now ceased to have any active operation, and also any property now or hereafter belonging to individual congregations, Presbyteries, or corporations in connection with the said Associate Reformed Presbyterian Synod of the South, which may desire to surrender or convey the same to said Board of Trustees, or whose charters of incorporation may have expired.

Power to hold property.

SEC. 3. The title to the real and personal property described in the second Section hereof, shall become vested in the said Board of Trustees by operation of law without further deed or conveyance other than that which is therein specified, and the said Board of Trustees shall report annually to the Synod of the Associate Reformed Presbyterian Church, by which Ecclesiastical Court all vacancies in said Board of Trustees shall be filled.

Title—how vested.

SEC. 4. That the said corporation shall have a corporate existence for the term of twenty-one years, and until the adjournment of the General Assembly of this State which shall convene next after the expiration of said term, and may sue and be sued in any of the Courts of this State.

Corporate existence.

Approved December 24, 1880.

AN ACT TO PROVIDE A PUNISHMENT FOR CARRYING ANY DEADLY WEAPON CONCEALED ABOUT THE PERSON.

No. 362.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1880. General Assembly, and by the authority of the same, That any person carrying a pistol, dirk, dagger, sling shot, metal knuckles, razors, or other similar deadly weapon usually used for the infliction of personal injury, concealed about his person, shall be guilty of a misdemeanor, and, upon conviction thereof, before a Court of competent jurisdiction, shall forfeit to the County the weapon so carried concealed and be fined in a sum not more than two hundred dollars, or imprisoned for not more than twelve months, or both, in the discretion of the Court.

**Punishment.** **Duty of peace officers.** SEC. 2. It shall be the duty of every Trial Justice, Sheriff, Constable, or other peace officer, to cause all persons violating this Act to be prosecuted therefor whenever they shall discover a violation hereof.

**Disposition of fines collected.** SEC. 3. In all convictions hereunder, the fine imposed shall, if collected, be paid into the treasury of the County wherein the prosecution is located.

**Exceptions.** SEC. 4. Nothing herein contained shall be construed to apply to peace officers while in the actual discharge of their duties as such officers, nor to persons carrying concealed weapons while upon their own premises.

**Further punishment.** SEC. 5. That if any person be convicted of assault, assault and battery, assault, or assault and battery with intent to kill, or of manslaughter, and it shall appear upon the trial that the assault, assault and battery, assault, assault and battery with intent to kill, or manslaughter, shall have been committed with a deadly weapon of the character specified in Section one (1) of this Act, carried concealed upon the person of the defendant so convicted, the presiding Judge shall, in addition to the punishment provided by law for such assault, assault and battery, assault, or assault and battery with intent to kill, or manslaughter, inflict further punishment upon the person so convicted of confinement in the Penitentiary for not less than three months nor more than twelve months, with or without hard labor, or fined in a sum of not less than two hundred dollars, or both fined and imprisoned, at the discretion of the said Judge.

SEC. 6. That this Act shall go into effect on the first day of January, A. D. 1881.

Approved December 24, 1880.



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# ACTS

OF THE

## General Assembly of Alabama,

PASSED AT THE

SESSION OF 1880-81,

HELD IN

THE CITY OF MONTGOMERY,

COMMENCING 2<sup>D</sup> TUESDAY IN NOVEMBER, 1880.

---

*RUFUS W. COBB, Governor,*  
*JOHN D. RATHER, President of Senate.*  
*N. H. R. DAWSON, Speaker of House.*

---

MONTGOMERY, ALA.:  
ALFRED & BEERS, STATE PRINTERS,  
1881.

1880-81.

38

must be discharged from such sentence on the payment of said costs, or any balance thereof, by the hire of such convict or otherwise, and the certificate of the judge or clerk of the court in which the conviction was had that the costs, or the residue thereof, after deducting the amount realized from the hire of the convict, have been paid, or that the hire or labor of the convict, as the case may be, amounts to a sum sufficient to pay the costs, shall be sufficient evidence to authorize such discharge.

Approved February 26, 1881.

No. 44.]

AN ACT

[s. 57.

To amend section 4109 of the Code, and to provide for its enforcement.

SECTION 1. *Be it enacted by the General Assembly of Alabama,* That section 4109 of the Code of Alabama be amended so as to read as follows, to-wit: §4109 (3555).

Penalty for carrying concealed weapons.

*Carrying concealed weapons.*—Any person who carries concealed about his person, a bowie knife, or any other knife, or instrument of like kind or description, or a pistol, or fire arms of any other kind or description, or any air gun, must be fined, on conviction, not less than fifty, nor more than five hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months; *Provided,* That evidence, that the defendant has good reason to apprehend an attack, may be admitted in the mitigation of the punishment, or in justification of the offense.

Justification.

SEC. 2. *Be it further enacted,* That the grand juries of the several counties in this State shall have no discretion as to finding indictments for a violation of this act, whether a prosecutor appears or not; if the evidence justifies it, it shall be their duty to find and present the indictment.

SEC. 3. *Be it further enacted,* That the judges of the circuit and city courts shall give this act in special charge to the grand juries.

SEC. 4. *Be it further enacted*, That the fines under this act shall be collected in money only.

Approved February 19, 1881.

No. 45.]

AN ACT

[H. B. 110.]

To amend section 2944 of the Code.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That section 2944 of the Code of Alabama be, and the same is, hereby amended so as to read as follows:

§2944 (2595). *Value of each article to be assessed separately, with damages for its detention; judgment in such suits.*—Upon the trial of any cause for the recovery of property in specie, the jury must, if they find for the plaintiff, if practicable, assess the value of each article of the property separately, and also assess damages for its detention; if they find for the defendant, they must in like manner assess its value, and if in the possession of the plaintiff, assess the damages for its detention. Judgment against either party must be for the property sued for, or its alternate value, with damages for the detention to the time of the trial; *Provided*, That in suits where the title of the plaintiff is derived from a mortgage, the defendant may put in issue the amount due upon the mortgage, and may, upon the payment of the amount found to be due by the jury, besides costs, within thirty days thereafter, have the title and possession of the property.

Trials for recovery of property in specie and mode of ascertaining damages.

Approved February 8, 1881.

No. 46.]

AN ACT

[s. 204.]

To amend section 290 of the Code.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That section 290 of the Code be so amended as to read as follows: The precinct inspectors, clerks and returning officers shall each be entitled to one dol-

Pay of inspectors and election officers.



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Citations:

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1881 191 .

ALWD 7th ed.  
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Chicago 17th ed.  
", " Arkansas - 23rd General Assembly, Regular Session : 191-192

AGLC 4th ed.  
" Arkansas - 23rd General Assembly, Regular Session 191.

OSCOLA 4th ed.  
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buildings and grounds shall hereafter be used exclusively for State purposes, the title to the same being in the State.

SEC. 2. That this act take effect and be in force thirty days after its passage, allowing that time for said county to vacate said rooms, &c.

Approved, April 1st, 1881.

---

No. *XCVI.*

AN ACT To Preserve the Public Peace and Prevent Crime.

SECTION

- 1 Carrying of certain weapons constituted a misdemeanor; *proviso*, excepting officers, and persons journeying.
- 2 Carrying such weapons otherwise than in the hand, a misdemeanor.
- 3 Selling or disposing of such weapons, a misdemeanor.
- 4 Violation of act punishable by fine from \$50 to \$200.
- 5 Justices of the Peace knowing of violations of provisions of act and refusing to proceed, to be fined and removed.
- 6 Same penalty denounced any other officer knowing of such offense.
- 7 Violators of act how proceeded against.
- 8 Conflicting laws repealed; act in force 90 days after passage.

*Be it enacted by the General Assembly of the State of Arkansas:*

SECTION 1. That any person who shall wear or carry, in any manner whatever, as a weapon, any dirk or bowie knife, or a sword, or a spear in a cane, brass or metal knucks, razor, or any pistol of any kind whatever, except such pistols as are used in the army or navy of the United States, shall be guilty of a misdemeanor; *Provided*, That officers, whose duties require them to make arrests, or to keep and guard prisoners, together with the persons summoned by such officers, to aid them in the discharge of such duties, while actually engaged in such duties, are exempted from the provisions of this act. *Provided, further*, That nothing in this act be so construed as to prohibit any person from carrying any weapon when upon a journey, or upon his own premises.

SEC. 2. Any person, excepting such officers, or persons on a journey, and on his premises, as are mentioned in section one of this act, who shall wear or carry any such pistol as in [is] used in the army or navy of the United States, in any manner except uncovered, and in his hand, shall be deemed guilty of a misdemeanor.

SEC. 3. Any person who shall sell, barter or exchange, or otherwise dispose of, or in any manner furnish to any person *any person* any dirk or bowie knife, or a sword or a spear in a cane, brass or metal knucks, or any pistol, of any kind whatever, except such as are used in the army or navy of the United States, and known as the navy pistol, or any kind of cartridge, for any pistol, or any person who shall keep any such arms or cartridges for sale, shall be guilty of a misdemeanor.

SEC. 4. Any person convicted of a violation of any of the provisions of this act, shall be punished by a fine of not less than fifty nor more than two hundred dollars.

SEC. 5. Any justice of the peace in this State, who, from his own knowledge, or from legal information, knows, or has reasonable grounds to believe, any person guilty of the violation of the provisions of this act, and shall fail or refuse to proceed against such person, shall be deemed guilty of a non-feasance in office, and upon conviction thereof, shall be punished by the same fines and penalties as provided in section four of this act, and shall be removed from office.

SEC. 6. Any officer in this State, whose duty it is to make arrests, who may have personal knowledge of any person carrying arms contrary to the provisions of this act, and shall fail or refuse to arrest such person and bring him to trial, shall be punished, as provided in section four of this act.

SEC. 7. All persons violating any of the provisions of this act may be prosecuted in any of the courts of this State, having jurisdiction to try the same.

SEC. 8. All laws or parts of laws, in conflict with the provisions of this act are hereby repealed, and this act to take effect and be in force ninety days after its passage.

Approved, April 1st, 1881.



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AGLC 4th ed.  
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OSCOLA 4th ed.  
" 1881 17 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

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L A W S

PASSED AT THE

THIRD SESSION

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF COLORADO,

CONVENED AT DENVER

ON THE

FIFTH DAY OF JANUARY, A. D. 1881.

PUBLISHED BY AUTHORITY.

DENVER, COLO.:

THE TRIBUNE PUBLISHING COMPANY, STATE PRINTERS.

1 8 8 1.

both such fine and imprisonment, and such person may be made to work out such fine and costs by hard labor upon the highways of the county. Such prisoner shall be credited with the sum of two dollars per day for each day of eight hours labor, towards the payment of such fine and costs; and in case such prisoner shall refuse to work as aforesaid, he may be put in irons and kept on bread and water until he shall comply with such requirements.

Approved February 12, 1881.

---

AN ACT

TO AMEND SECTION ONE HUNDRED AND FIFTY-THREE OF CHAPTER TWENTY-FOUR OF GENERAL LAWS, ENTITLED CRIMINAL CODE.

*Be it enacted by the General Assembly of the State of Colorado:*

Carrying concealed weapons unlawful.

Penalty.

SECTION 1. That section one hundred and fifty-three of said chapter twenty-four be amended so as to read as follows: Sec. 153. If any person or persons shall, within any city, town or village, in this state, whether the same be incorporated or not, carry concealed upon his person any pistol, bowie knife, dagger or other deadly weapon, such person shall, upon conviction thereof, be punished by imprisonment in the county jail for a term of not less than ten nor more than thirty days, and fined not less than fifty nor more than one hundred dollars; *provided*, that this section shall not be construed to apply to sheriffs or other officers of the peace while on duty.

Approved February 1, 1881.



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Chicago 17th ed.  
", " Delaware - General Assembly, Regular Session : 716-717

AGLC 4th ed.  
" Delaware - General Assembly, Regular Session 716

OSCOLA 4th ed.  
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# LAWS

OF THE

# STATE OF DELAWARE,

PASSED AT A SESSION

OF THE

# GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER,

ON TUESDAY, THE FOURTH DAY OF JANUARY,

A. D. 1881,

AND OF THE

INDEPENDENCE OF THE UNITED STATES,  
THE ONE HUNDRED AND FIFTH.

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*VOL. 16.—PART 2.*

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DOVER, DELAWARE:  
PRINTED AT THE DELAWAREAN OFFICE,  
1881.

OF CRIMES AND PUNISHMENTS.

Penalty. be found the court shall impose a fine on the person so found guilty of the breaking and entering, not exceeding three hundred dollars, or shall imprison him for a term not exceeding three years, or both, at the discretion of the court.

*Passed at Dover, February 24, 1881.*

CHAPTER 548.

OF OFFENSES AGAINST PUBLIC JUSTICE.

Title. AN ACT providing for the punishment of persons carrying concealed deadly weapons.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Unlawful to carry concealed deadly weapons. Punishment. SECTION 1. That if any person shall carry concealed a deadly weapon upon or about his person other than an ordinary pocket knife, or shall knowingly sell a deadly weapon to a minor other than an ordinary pocket knife, such person shall, upon conviction thereof, be fined not less than twenty-five nor more than one hundred dollars or imprisoned in the county jail for not less than ten nor more than thirty days, or both at the discretion of the court: *Provided*, that the provisions of this section shall not apply to the carrying of the usual weapons by policemen and other peace officers.

Discharging fire-arms in any public road, a misdemeanor. Penalty. SECTION 2. That if any person shall, except in lawful self-defence discharge any fire-arm in any public road in this State, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine not exceeding fifty dollars or by imprisonment not exceeding one month, or both at the discretion of the court.

Unlawful to point a gun or pistol at another. SECTION 3. That it shall be unlawful for any person, either in jest or otherwise, intentionally to point a gun, pistol or other fire-arms at or towards any other person at any time or place. Any person violating any provision of this section shall, upon conviction thereof, pay a fine of not less than ten dollars nor more than one hundred dollars and the cost of prosecution, and should

LAWS OF DELAWARE.

717

OF CRIMES AND PUNISHMENTS.

death result to any person by the discharge of such gun, pistol or other fire-arm while so pointed, the person pointing the same shall be guilty of manslaughter when such killing shall not amount to murder, and shall be punished accordingly. <sup>Penalty.</sup>

*Passed at Dover, April 8, 1881.*

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CHAPTER 549.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

AN ACT to amend Chapter 133 of the Revised Code, (General Provisions Title Concerning Crimes, &c.)

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

SECTION 1. That Section 10 of Chapter 133 of the Revised Code, be amended by adding thereto as follows: If no order has been made by the court at the term when the sentence was made, or at a succeeding term, the resident judge of the county, shall have power to make such order upon petition and proof of inability; and the said order when made and filed with the Clerk of the Peace, shall be sufficient authority for the discharge of the prisoner. It shall be the duty of the Clerk of the Peace to furnish the sheriff at once with a certified copy of said order.

Section 10,  
Chap. 133,  
R. Code,  
amended.

*Passed at Dover, January 26, 1881.*



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ALWD 7th ed.  
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Chicago 17th ed.  
," Illinois - 32nd General Assembly, 1st Session : 1-158

AGLC 4th ed.  
" Illinois - 32nd General Assembly, 1st Session 1

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" 1881 1 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

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CRIMINAL CODE.

DEADLY WEAPONS.

REGULATES TRAFFIC AND PREVENTS SALE TO MINORS.

- |   |  |
|---|--|
| <p>§ 1. Forbids possession or sale of slung-shots or knuckles—penalty.</p> <p>§ 2. Forbids sale, loan or gift to minors, of fire-arms or other deadly weapons—penalty.</p> <p>§ 3. Provides for registry of sales by dealers in deadly weapons—Form of register—penalty for failure to keep same.</p> <p>§ 4. Penalty for carrying deadly weapons or display of same.</p> | <p>§ 5. Fines and penalties—how recovered—Increased penalty for second offense.</p> <p>§ 6. Exempts sheriffs, coroners, constables, policemen or peace officers from provisions of this act.</p> <p>§ 7. Repealing clause for acts in conflict.<br/>In force July 1, 1881.</p> |
|---|--|

AN ACT to regulate the traffic in deadly weapons, and to prevent the sale of them to minors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever shall have in his possession, or sell, give or loan, hire or barter, or whoever shall offer to sell, give, loan, hire or barter, to any person within this state, any slung-shot or metallic knuckles, or other deadly weapon of like character, or any person in whose possession such weapons shall be found, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten dollars (\$10) nor more than two hundred dollars (\$200).

§ 2. Whoever, not being the father, guardian or employer of the minor herein named, by himself or agent, shall sell, give, loan, hire or barter, or shall offer to sell, give, loan, hire or barter to any minor within this state, any pistol, revolver, derringer, bowie knife, dirk or other deadly weapon of like character, capable of being secured upon the person, shall be guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 3. All persons dealing in deadly weapons, hereinbefore mentioned, at retail within this state shall keep a register of all such weapons sold or given away by them. Such register shall contain the date of the sale or gift, the name and age of the person to whom the weapon is sold or given, the price of the said weapon, and the purpose for which it is purchased or obtained. The said register shall be in the following form:

No. of weapon.	To whom sold or given.	Age of purchaser.	Kind and description of weapon.	For what purpose purchased or obtained.	Price of weapon.
----------------	------------------------	-------------------	---------------------------------	---	------------------

Said register shall be kept open for the inspection of the public, and all persons who may wish to examine the same may do so at all reasonable times during business hours. A failure to keep such register, or to allow an examination of the same, or to record

therein any sale or gift of a deadly weapon, or the keeping of a false register, shall be a misdemeanor, and shall subject the offender to a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 4. Whoever shall carry a concealed weapon upon or about his person of the character in this act specified, or razor as a weapon, or whoever, in a threatening or boisterous manner, shall display or flourish any deadly weapon, shall be guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 5. All fines and penalties specified in this act may be recovered by information, complaint or indictment, or other appropriate remedy, in any court of competent jurisdiction; and, when recovered, shall be paid into the county treasury of the county where the conviction is had, and become a part of the current revenue of the county; or the said fines and penalties may be recovered by *qui tam* action, one-half to be paid to the informer, and the other half to be paid into the county treasury, as aforesaid. For a second violation of any of the provisions of this act the offender shall be fined in double the amount herein specified, or may be committed to the county jail for any term not exceeding twenty days, in the discretion of the court.

§ 6. Section four (4) of this act shall not apply to sheriffs, coroners, constables, policemen or other peace officers, while engaged in the discharge of their official duties, or to any person summoned by any of such officers to assist in making arrest, or preserving the peace, while such person so summoned is engaged in assisting such officer.

§ 7. All acts and parts of acts in conflict with this act are hereby repealed.

APPROVED April 16, 1881.

PENALTY FOR ADULTERATION OF BUTTER AND CHEESE.

§ 1. Manufacture of imitations or adulteration of butter and cheese prohibited—Penalty.

§ 2. Repealing clause.  
In force July 1, 1881.

*AN ACT to prevent the adulteration of butter and cheese, or the sale or disposal of the same, or the manufacture or sale of any article as a substitute for butter or cheese, or any article to be used as butter and cheese.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That whoever manufactures out of any oleaginous substances, or any compound of the same other than that produced from unadulterated milk, or cream from the same,*



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Revised Statutes of the State of Indiana, Embracing the Revision of 1881 and All General Laws Enacted Subsequent to That Revision (1888).

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## 1953-1958 §§

## CRIMES.

one thousand dollars, and disfranchised and rendered incapable of holding any office of trust or profit for any determinate period.

**1953. Selling or secreting State arms.** 52. Whoever unlawfully sells, disposes of, hides, secretes, or detains or refuses to give up, to any person authorized to demand and receive them, any of the arms, accoutrements, ordnance stores, camp or garrison equipage belonging to this State, shall be fined in any sum not more than five hundred dollars nor less than five dollars, to which may be added imprisonment in the county jail not more than six months nor less than ten days.

**1954. Removing mortgaged goods.** 53. A mortgagor of personal property, in possession of the same, who, without the consent of the owner of the claim secured by the mortgage, removes any of the property mortgaged out of the county where it was situated at the time it was mortgaged, or secretes or converts the same or any part thereof to his own use, or sells the same or any part thereof to any person, without informing him of the existence of such mortgage, shall be fined in any sum not more than two hundred dollars nor less than five dollars.

**1955. Malicious trespass.** 54. Whoever maliciously or mischievously injures or causes to be injured any property of another or any public property is guilty of a malicious trespass, and, upon conviction thereof, shall be fined not more than two-fold the value of the damage done, to which may be added imprisonment in the county jail for not more than twelve months.

1. As to the indictment, see *State v. Peden*, 2 Blackf. 371; *State v. Merrill*, 3 id. 346; *State v. Kuns*, 5 id. 314; *State v. Slocum*, 8 id. 315; *State v. Jackson*, 7 Ind. 270; *State v. Clevinger*, 14 id. 366; *Hayworth v. State*, id. 590; *State v. Williams*, 21 id. 206; *Harness v. State*, 27 id. 425; *Croy v. State*, 32 id. 384; *State v. Sparks*, 60 id. 298; *State v. Pitzer*, 62 id. 362.

2. As to the evidence, see *State v. Bush*, 29 Ind. 110; *Croy v. State*, 32 id. 384; *Palmer v. State*, 45 id. 388; *Lowe v. State*, 46 id. 305; *Dawson v. State*, 52 id. 478; *Gaskill v. State*, 56 id. 550; *Squires v. State*, 59 id. 261; *Lossen v. State*, 62 id. 437; *Gundy v. State*, 63 id. 528.

**1956. Injuring telegraph or telephone poles or wires.** 55. Whoever maliciously or mischievously injures any telegraph-pole or telephone-pole, or the wire or any part of the apparatus thereof, upon conviction thereof, shall be fined not more than five hundred dollars nor less than five dollars, and imprisoned in the county jail not more than six months nor less than thirty days.

**1957. Attacking public conveyance.** 56. Whoever maliciously or mischievously shoots a gun, rifle, pistol, or other missile or weapon, or throws a stone, stick, club, or other substance whatever, at or against any stage-coach, locomotive, railroad-car, or train of cars, or street-car on any railroad in this State, or at or against any wharf-boat, steamboat, or other water-craft, shall be imprisoned in the county jail not more than one year nor less than thirty days, and fined not more than one hundred dollars nor less than ten dollars.

**1958. Penalty if person is wounded or killed.** 57. In case any person on such stage-coach, locomotive, car, train of cars, street-car, or wharf-boat, steamboat, or other water-craft, shall be injured or wounded by any such act as is specified in the preceding section, the person so offending shall be deemed guilty of an assault and battery with intent to commit murder, and, upon conviction thereof, shall be imprisoned in the State prison not more than fourteen years nor less than two years; and if death



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, , 1881 174 .

Chicago 17th ed.  
," Indiana - Special Session : 174-239

AGLC 4th ed.  
" Indiana - Special Session 174

OSCOLA 4th ed.  
" 1881 174 Please note: citations are provided as a general guideline.  
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affray, and shall be fined not exceeding twenty dollars, or imprisoned in the county jail not exceeding five days each.

SEC. 78. If three or more persons shall do an act in a violent and tumultuous manner, they shall be deemed guilty of a riot, and upon conviction thereof shall be fined not exceeding five hundred dollars each, to which may be added imprisonment in the county jail for any time not exceeding three months.

SEC. 79. If three or more persons shall meet together to do an unlawful act upon a common cause, and shall make advances toward the commission thereof, they shall be deemed guilty of a rout, and upon conviction, shall be fined not exceeding one hundred dollars each, or they may be imprisoned in the county jail not exceeding sixty days.

SEC. 80. Whoever, by words, signs or gestures, provokes or attempts to provoke another, who has the present ability to do so, to commit an assault or an assault and battery upon him, is guilty of criminal provocation, and on conviction thereof, shall be fined in any sum not exceeding twenty dollars.

SEC. 81. Whoever draws, or threatens to use any pistol, dirk, knife, slung shot or any other deadly or dangerous weapon, already drawn upon any other person, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than one nor more than five hundred dollars, to which may be added imprisonment in the county jail not exceeding six months: *Provided*, That the provisions of this section shall not apply to a person drawing or threatening to use such dangerous or deadly weapons in defense of his person or property, or in defense of those entitled to his protection by law.

SEC. 82. Every person, not being a traveler, who shall wear or carry any dirk, pistol, bowie-knife, dagger, sword in cane, or any other dangerous or deadly weapon, concealed, or who shall carry or wear any such weapon openly, with the intent or avowed purpose of injuring his fellow-man, shall, upon conviction thereof, be fined in any sum not exceeding five hundred dollars.

SEC. 83. Whoever, by any loud or unnecessary talking, hallooing, or by any threatening, abusive, profane, or obscene language, or violent actions, or by any other rude behavior, interrupts, molests or disturbs any collection of any inhabitants of this State, convened for the purpose of worship, or any agricultural fair or exhibition, or any person present thereat, or going to or returning therefrom, or who, in like manner, interrupts, molests or disturbs any

THE  
REVISED CHARTER

AND

ORDINANCES, etc.

OF THE

CITY OF BOONVILLE, Mo.

---

REVISED AND COLLATED, A. D. 1881.

BY

J. H. JOHNSTON, ATTORNEY.

---

By Authority of the Mayor and Board of Councilmen of the  
City of Boonville, Mo.

---

SEDALIA, MO..

J. WEST GOODWIN, STEAM PRINTER, BINDER AND BLANK BOOK MANUFACTURER,

1881.

CC  
Boonville  
3  
1888

43-612

ORDINANCES.

the owner or occupant of the premises from which the same may have been removed, by action of debt in any court of competent jurisdiction.

SEC. 21. All ordinances or parts of ordinances conflicting with this ordinance, are hereby repealed.

SEC. 22. This ordinance to take effect and be in force from and after its passage.

Approved January 31, 1881.

J. F. GMELICH, Mayor.

---

(NO. 17.)

AN ORDINANCE concering misdemeanors.

ARTICLE I.

OFFENSES AFFECTING THE PUBLIC PEACE.

- SEC. 1. Three or four persons assembling to do an unlawful act.
- SEC. 2. Disturbance of the peace by noise, etc.
- SEC. 3. Disturbance of religious worship.
- SEC. 4. Disturbance of lawful assemblies.
- SEC. 5. False alarm of fire.
- SEC. 6. Carrying concealed weapons, etc.
- SEC. 7. Lodging in and loitering about houses of ill-fame.
- SEC. 8. Women found on the street at unseasonable hours.

*Be it ordained by the Mayor and Councilmen of the City of Boonville :*

SECTION 1. Any three or more persons who shall in this city, assemble together with an intent, or being assembled, shall mutually agree to do any unlawful act, with force or violence against the property of this city, or the person or property of others, or against the peace, or to the terror of others, and shall make any movement or preparation therefor, and any person present at such meeting or assembly who shall not endeavor to prevent the commission or perpetration of such unlawful act, shall be deemed guilty of a misdemeanor.

SEC. 2. Whoever shall in this city disturb the peace of others by violent, tumultuous or offensive conduct, or carriage, or by loud and unusual noises, or by unseemly, profane, obscene or offensive language, calculated to provoke a breach of the peace, or by assaulting, fighting, or striking another; and whoever shall in this city, permit

any such conduct in or about any house or premises, owned or possessed by him or under his management or control, so that others in the vicinity are disturbed thereby, shall be deemed guilty of a misdemeanor.

SEC. 3. Whoever shall in this city disquiet or disturb any congregation or assembly met for religious worship, by making a noise, or by rude or indecent behavior, or by profane discourse within their place of worship, or so near the same as to disturb the order or solemnity of the meeting, shall be deemed guilty of a misdemeanor.

SEC. 4. Whoever shall in this city, disturb any lawful assemblage of people by rude and indecent behavior, or otherwise, shall be deemed guilty of a misdemeanor.

SEC. 5. Whoever shall in this city, intentionally give or make a false alarm of fire, shall be deemed guilty of a misdemeanor.

SEC. 6. If any person shall carry concealed upon or about his person any pistol, revolver, dirk, dagger, slungshot, knuckles of metal, or other deadly or dangerous weapon, within said city, or shall, in the presence of any one, exhibit such weapon in a rude, angry or threatening manner, or shall have or carry any such weapon upon or about his person while intoxicated, he shall upon conviction thereof be fined not less than five nor more than ninety dollars: *Provided*, That nothing herein contained shall prevent any police officer, or any officer or person whose duty it is to execute process or warrants, or to suppress breaches of the peace or make arrests, from carrying such weapons in the necessary discharge of his duty.

SEC. 7. Whoever shall in this city, be found loitering about or lodging in or lurking around any house of ill-fame or bawdy house, at unseasonable hours, without being able to give a good account of himself or herself, shall be deemed guilty of a misdemeanor.

SEC. 8. All women who shall be found wandering about the streets at unreasonable hours of the night, without being able to give a satisfactory account of themselves, and all women who are in the habit of perambulating the streets at unreasonable hours of the night, conducting themselves in a disorderly and boisterous manner, calculated to disturb the peace, shall be deemed guilty of a misdemeanor.



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**SEC. 21. [Aiding and abetting same.]**—Every person who shall harbor or conceal, with intent to detain from its parent or parents, or guardian, any child under the age of ten years, so led, taken, carried, decoyed or enticed away, as in the preceding section specified, shall, upon conviction thereof, be imprisoned in the penitentiary not more than seven years nor less than one year.

**CHAPTER V.—OFFENSES AGAINST PUBLIC PEACE AND JUSTICE.**

**SEC. 22. [Treason.]**—Any person or persons residing in this state, who shall levy war against this state, or the United States of America, or shall knowingly adhere to the enemies of this state, or the United States, giving them aid and comfort, shall be deemed guilty of treason against the state of Nebraska, and shall be imprisoned in the penitentiary during life.

**SEC. 23. [Accessories.]**—Any person or persons residing within this state, who shall surrender or betray, or be in any way concerned in the surrendering or betraying any military post, fortification, arsenal or military stores of this state, or the United States, into the possession or power of any enemies of either, or shall supply arms or ammunition or military stores to such enemies, or who shall unlawfully and without authority, usurp possession and control of any such military post, fortification, arsenal or military stores, or having knowledge of any treason against this state or the United States, shall wilfully omit or refuse to give information thereof to the governor, or some judge of this state, or to the president of the United States, shall be imprisoned in the penitentiary not less than ten years nor more than twenty years.

**SEC. 24. [Military expeditions against other states.]**—If any person shall, within this state, begin or set on foot, or provide or prepare the means for any unauthorized military expedition or enterprise, to be carried on from thence against the territory or people of any of the United States, every person so offending shall be punished by imprisonment in the penitentiary not less than one nor more than ten years.

**SEC. 25. [Carrying concealed weapons.]**—Whoever shall carry a weapon or weapons, concealed on or about his person, such as a pistol, bowie-knife, dirk, or any other dangerous weapon, on conviction of the first offense shall be fined not exceeding one hundred dollars, or imprisoned in the county jail not more than thirty days, and for the second offense not exceeding one hundred dollars or imprisoned in the county jail not more than three months, or both, at the discretion of the court; *Provided, however,* If it shall be proved from the testimony on the trial of any such case, that the accused was, at the time of carrying any weapon or weapons as aforesaid, engaged in the pursuit of any lawful business, calling or employment, and the circumstances in which he was placed at the time aforesaid were such as to justify a prudent man in carrying the weapon or weapons aforesaid, for the defense of his person, property or family, the accused shall be acquitted. [Amended 1875, 3.]

**SEC. 26. [Unlawful assembly and rout.]**—If three or more persons shall assemble together with intent to do any unlawful act, with force and violence, against the person or property of another, or to do any unlawful act against the peace; or, being lawfully assembled, shall agree with each other to do any unlawful act as aforesaid, and shall make any movement or preparation therefor, the persons so offending, shall be fined in any sum not exceeding one hundred dollars, and be imprisoned in the jail of the county not exceeding three months. [Id.]

**SEC. 27. [Proclamation dispersing rioters—Disobedience—Power of the county—Persons refusing assistance.]**—Whenever three or more persons shall be assembled as aforesaid, and proceed to commit any of the offenses aforesaid, it shall be the duty of all judges, justices of the peace, and sheriffs, and all ministerial officers, immediately, upon actual view, or as soon as may be, on information, to make proclamation in the hearing of such offenders, commanding them in the name of the state of Nebraska, to disperse and depart to their several homes or lawful employments; and if, upon such proclamation,



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THE  
GENERAL STATUTES  
OF THE  
STATE OF NEVADA.  
IN FORCE.

FROM 1861 TO 1885, INCLUSIVE.

WITH CITATIONS OF THE DECISIONS OF THE SUPREME  
COURT RELATING THERETO.

---

ARRANGED AND ANNOTATED BY

DAV. E. BAILY AND JOHN D. HAMMOND.



CARSON CITY :

JOSIAH C. HARLOW, SUPERINTENDENT OF STATE PRINTING.

1885.

## CRIMES AND PUNISHMENTS.

Sec. 4848.

*An Act to prohibit the carrying of concealed weapons by minors.*

Approved March 4, 1881, 143.

4844. SECTION 1. Every person under the age of twenty-one (21) years who shall wear or carry any dirk, pistol, sword in case, slung shot, or other dangerous or deadly weapon concealed upon his person, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined not less than twenty nor more than two hundred (\$200) dollars, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment. —As amended, Stats. 1885, 51.

*An Act to more fully define the crime of larceny.*

Approved February 9, 1883, 34.

4845. SECTION 1. Every person who shall convert any manner of real estate, of the value of fifty dollars or over, into personal property, by severing the same from the realty of another, with felonious intent to and shall so steal, take and carry away the same, shall be deemed guilty of grand larceny, and, upon conviction thereof, shall be punished by imprisonment in the state prison for any term not less than one year nor more than fourteen years.

4846. SEC. 2. Every person who shall convert any manner of real estate, of the value of under fifty dollars, into personal property, by severing the same from the realty of another, with felonious intent to and shall so steal, take and carry away the same, shall be deemed guilty of petit larceny, and, upon conviction thereof, shall be punished by imprisonment in the county jail for a period of not more than six months, or by fine not exceeding five hundred dollars, or by both such fine and imprisonment.

*An Act for the better observance of the Lord's day.*

Approved November 21, 1861, 39.

4847. SECTION 1. No person shall keep open any play-house or theater, race-ground, cock-pit, or play at any game of chance for gain, or engage in any noisy amusement, on the first day of the week, commonly called Lord's day.

4848. SEC. 2. No judicial business shall be transacted by

15 Jan  
ORDINANCES

OF THE

CITY OF NASHVILLE,

TO WHICH ARE PREFIXED THE

State Laws Chartering and Relating to the City.

WITH AN APPENDIX.

COMPILED BY

WILLIAM K. McALISTER, JR.,

CITY ATTORNEY.

NASHVILLE, TENN.:  
MARSHALL & BRUCE, STATIONERS.

1881.

## CHAPTER 108.

## CARRYING PISTOLS, BOWIE-KNIVES, ETC.

## SECTION

1. Penalty imposed for carrying pistols, bowie-knives, etc.
2. Duty of the police to arrest all persons carrying such weapons.
3. Penalty imposed on police officer for failing to arrest persons carrying deadly weapons.

## SECTION

4. Police Commissioners instructed to increase number of patrolmen to thirty-four.
5. Provisions against carrying deadly weapons do not extend to police officers.

SECTION 1. That every person found carrying a pistol, bowie-knife, dirk-knife, slung-shot, brass knucks or other deadly weapon, shall be deemed guilty of a misdemeanor, and, upon conviction of such first offense, shall be fined from ten to fifty dollars, at the discretion of the court, but upon conviction of every such subsequent offense, shall be fined fifty dollars; *Provided, however,* That no ordinary pocket-knife and common walking-canes shall be construed to be deadly weapons.

SEC. 2. That it shall be the duty of every police officer who sees any person or persons with, or knows of any person carrying, such deadly weapons, to immediately arrest every such person, that they may be dealt with according to the provisions of this act.

SEC. 3. That every police officer who may refuse or neglect to immediately arrest every such person seen with or known to be carrying such deadly weapons, shall be deemed guilty of dereliction of duty, and, upon conviction thereof, shall be dismissed from service, and any two respectable citizens shall be deemed competent to prefer charges to the proper authorities against such police officer for such dereliction of duty.

SEC. 4. To the end that the provisions of this act may be more fully carried out, the Police Commissioners be, and are hereby, instructed to increase the number of patrolmen to thirty-four, to be uniformed, paid and controlled in accordance with the present police law.

SEC. 5. It is expressly understood that the provisions of this act relating to carrying such deadly weapons as are mentioned in the preceding sections, do not extend to police or other officers, or persons that are entitled by law to carry

## ORDINANCES.

341

such deadly weapons, nor does it extend to the act of handling or moving such deadly weapons in any ordinary business way.

SEC. 6. That all laws and parts of laws in conflict with this act are hereby repealed, and this act to take effect from and after its passage, the public welfare requiring it.

Approved December 26, 1873.

## CHAPTER 109.

## SABBATH.

## SECTION

1. No water-craft to unload on Sunday.
2. No vehicle to be laden on Sunday.
3. No grocery or other place of ordinary business to be kept open on the Sabbath; tavern-

## SECTION

- keepers and apothecaries excepted.
4. Vendors of ice, ice-cream, soda water, cigars and tobacco excepted.
5. No games allowed on Sunday.

SECTION 1. That if any owner or owners of any steamboat, keel-boat, barge or other water-craft, should load or unload, or cause to be laden or unladen, any such steamboat, keel-boat, barge or other water-craft, on the Sabbath day, within the limits of the corporation of Nashville, unless by the written permission of the Mayor, every person so offending shall forfeit and pay, on conviction thereof, not less than twenty-five nor more than fifty dollars for every such offense.

SEC. 2. That if any person or persons shall load, or cause to be laden, any wagon, cart or dray on the Sabbath day, with any article or package of merchandise, cotton, tobacco or any produce of the country, or unload, or cause to be unladen, any such wagon, cart or dray, or shall receive into his, her or their house, store or warehouse, any such article or package of merchandise, cotton, tobacco, or produce of the country, every person so offending shall forfeit and pay the sum of one dollar for each and every offense.

SEC. 3. That no person or persons shall be allowed to keep his, her or their grocery, dram-shop, confectionery or other place of ordinary business open on the Sabbath day, nor to sell any spirituous liquors on said day, or to deal out the same