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 7 capacity as Attorney General of California*

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 4 OF 7

DANGEROUS WEAPONS LAWS



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Richard A. Ballinger. Ballinger's Annotated Codes and Statutes of Washington, Showing all Statutes in Force, including the Session Laws of 1897 (1897).

ALWD 7th ed.

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Ballinger, R. (1897). Ballinger's Annotated Codes and Statutes of Washington, Showing all Statutes in Force, including the Session Laws of 1897. Supplement, Seattle, Bancroft-Whitney.

Chicago 17th ed.

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McGill Guide 9th ed.

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AGLC 4th ed.

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MLA 9th ed.

Ballinger, Richard A. Ballinger's Annotated Codes and Statutes of Washington, Showing all Statutes in Force, including the Session Laws of 1897. + Supplement, Seattle, Bancroft-Whitney. HeinOnline.

OSCOLA 4th ed.

Ballinger, Richard A. Ballinger's Annotated Codes and Statutes of Washington, Showing all Statutes in Force, including the Session Laws of 1897. + Supplement, Seattle, Bancroft-Whitney. 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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BALLINGER'S
ANNOTATED
CODES AND STATUTES
OF WASHINGTON,

SHOWING ALL
STATUTES IN FORCE, INCLUDING THE SESSION
LAWS OF 1897,

BY

HON. RICHARD A. BALLINGER,
EX-JUDGE OF THE SUPERIOR COURT, AND AUTHOR OF "BALLINGER ON COMMUNITY
PROPERTY."

VOLUME II.

BANCROFT-WHITNEY CO.,
LAW PUBLISHERS AND LAW BOOK SELLERS
SEATTLE AND SAN FRANCISCO.

1897.

§§ 7079-7084.] **OF OFFENSES AND PUNISHMENT.** [TITLE XXXIX.]

§ 7079. Affrays, Defined.

If two or more persons by agreement fight in any public place, the person so offending shall be deemed guilty of an affray, and upon conviction thereof shall be imprisoned in the county jail not more than six months, and be fined in any sum not exceeding three hundred dollars, or be fined only. [L. '54, p. 89, § 68; Cd. '81, § 866; 2 H. P. C., § 99.]

§ 7080. Horse-Racing on Public Highways, etc.

Any persons who shall be guilty of racing horses or driving upon the public highway in a manner likely to endanger the persons or lives of others, or guilty of loud shouting, or the discharging of fire-arms, or any other demonstrations which are calculated or intended to frighten, intimidate, or in any manner disturb other persons, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days. [Cf. Cd. '81, § 864; L. '86, p. 77, § 1; 2 H. P. C., § 97.]

§ 7081. Reckless Shooting, etc.

Every person who shall in a reckless, careless, or negligent manner discharge, in the vicinity of an inhabited dwelling house, or in the streets of an incorporated city or unincorporated town, any fire-arm, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment. [L. '88, p. 100, § 1; 2 H. P. C., § 101.]

§ 7082. Flourishing Dangerous Weapon, etc.

Every person who shall, in a manner likely to cause terror to the people passing, exhibit or flourish, in the streets of an incorporated city or unincorporated town, any dangerous weapon, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine in any sum not exceeding twenty-five dollars. Justices of the peace shall have exclusive original jurisdiction of all offenses arising under the last two preceding sections. [L. '88, p. 100, §§ 2, 3; 2 H. P. C., § 100.]

§ 7083. Exhibiting Dangerous Weapon in Threatening Manner.

Every person who shall, in a rude, angry, or threatening manner, in a crowd of two or more persons, exhibit any pistol, bowie-knife, or other dangerous weapon, shall, on conviction thereof, be imprisoned in the county jail not exceeding one year, and be fined in any sum not exceeding five hundred dollars. [L. '54, p. 80, § 30; Cd. '81, § 810; 2 H. P. C., § 37.]

§ 7084. Carrying Concealed Weapons.

If any person shall carry upon his person any concealed weapon, consisting of either a revolver, pistol, or other fire-arms, or any knife, (other than an ordinary pocket knife), or any dirk or dagger, sling-shot, or metal knuckles, or any instrument by the use of which injury could be inflicted upon the person or property of any other person, shall be deemed guilty of a misdemeanor,



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Washington (State). Code of Washington Containing All Acts of a General Nature Revised and Amended by the Legislative Assembly of the Territory of Washington, during the Eighth Biennial Session, and the Extra Session, Ending December 7, 1881 (1881).

ALWD 7th ed.

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APA 7th ed.

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OSCOLA 4th ed.

Washington (State). Code of Washington Containing All Acts of a General Nature Revised and Amended by the Legislative Assembly of the Territory of Washington, during the Eighth Biennial Session, and the Extra Session, Ending December 7, 1881.

CODE OF WASHINGTON
1881.

C. B. BAGLEY, PUBLIC PRINTER, OLYMPIA, W. T.

CODE OF WASHINGTON

CONTAINING ALL

ACTS OF A GENERAL NATURE

REVISED AND AMENDED BY THE LEGISLATIVE ASSEMBLY OF THE TERRITORY
OF WASHINGTON, DURING THE EIGHTH BIENNIAL SESSION, AND THE
EXTRA SESSION, ENDING DECEMBER 7, 1881; THE CONSTITUTION
OF THE UNITED STATES AND AMENDMENTS THERETO; THE
ACTS OF CONGRESS APPLICABLE TO THE TERRITORY OF
WASHINGTON; AND THE NATURALIZATION LAWS.

Published by Authority.

OLYMPIA:

C. B. BAGLEY, PUBLIC PRINTER.

1881.

fail to return a certificate thereof, within the time prescribed by law, shall be fined in any sum not exceeding three hundred dollars.

SEC. 926. Every person who shall undertake to join parties in marriage, knowing that he is not authorized so to do, shall, upon conviction thereof, be imprisoned in the county jail not more than three months or fined in any sum not exceeding five hundred dollars.

SEC. 927. Every person who shall willfully or maliciously remove any monuments of stone, wood or other durable material, lawfully erected for the purpose of designating the corner or any other point in the boundary of any lot or tract of land, or any post or stake lawfully fixed or driven in the ground for the purpose of designating a point in the boundary of any lot or tract of land, or alter the marks upon any tree, post, or other monument lawfully made for the purpose of designating any point, course, or line in the boundary of any lot or tract of land, or shall cut down or remove any tree upon which any such marks shall be made for such purpose, with the intent to destroy such marks, shall, upon conviction thereof, be imprisoned in the county jail.

SEC. 928. Every person who shall moor or chain any steamer, sloop, scow or other vessel, or raft, or boom of logs to the piling, piers, abutments, or other supports of any bridge within this territory, shall, on conviction thereof, be fined in any sum not exceeding three hundred dollars nor less than fifty dollars.

SEC. 929. If any person carry upon his person any concealed weapon, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not more than one hundred dollars, or imprisoned in the county jail not more than thirty days: *Provided*, That this section shall not apply to police officers and other persons whose duty it is to execute process or warrants, or make arrests.

SEC. 930. If any person torture, torment, deprive of necessary sustenance, cruelly beat, mutilate, cruelly kill or over drive any animal; or cruelly drive or work the same when unfit for labor; or cruelly abandon the same; or carry or cause the same to be carried on any vehicle, or otherwise, in an unnecessarily cruel and inhuman manner, he shall be punished by imprisonment in the county jail not exceeding thirty days, or by fine not exceeding one hundred dollars.

SEC. 931. That any person or persons riding or driving faster than a walk, over any bridge located on any county or territorial road, composed of one or more spans, upon conviction thereof, shall be fined in any sum not to exceed ten dollars nor less than five dollars, to be collected by any court having competent jurisdiction thereof; and all moneys, so collected, shall be paid into the county treasury and become a part of the school fund: *Provided*, That this section shall apply *only* to bridges over thirty feet in length.

SEC. 932. If any person knowingly bring within this territory any pauper or poor person, with the intent of making him a charge on any county or counties therein, he shall be punished by fine not exceeding five hundred dollars and stand charged with his support.

SEC. 933. If any person knowingly import or bring within this territory, any horse, mule, or ass, affected by the disease known as nasal gleet, glanders, or button farcy, or suffer the same to run at large upon any common, highway, or uninclosed land, or use or tie the same in any pub-



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," Washington - 8th Biennial and Special Sessions : 73-79

AGLC 4th ed.
" Washington - 8th Biennial and Special Sessions 73

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" 1881 73 Please note: citations are provided as a general guideline.
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L A W S

OF

WASHINGTON TERRITORY,

ENACTED BY THE

LEGISLATIVE ASSEMBLY

IN THE YEAR 1881.

Published by Authority.

OLYMPIA:

C. B. BAGLEY, PUBLIC PRINTER

1881.

be kept for hire, and to fix the rates thereof; to license, tax and regulate or prohibit theatrical shows and other exhibitions and public amusements; and to license, tax and regulate auctioneers, hawkers, peddlers, brokers, pawnbrokers and all such callings, trades and employments as the public good may require to be licensed and regulated, as are not prohibited by law;

14. To establish and maintain a day and night police, or either of them, and to provide for the election or appointment of such number of police officers as may be necessary, which officers shall have full power and authority to make arrests with or without warrants within the limits of the city; to summon aid and to exercise all other powers necessary and requisite for the prevention of disorder or apprehension of offenders;

15. To prevent injury or annoyance from anything dangerous, offensive or unhealthy, and to cause any nuisance to be abated; to suppress and restrain disorderly houses, houses of ill-fame or gambling houses, and to authorize the destruction of all instruments or devices used for purposes of gaming; to regulate the transportation, storage and sale of gunpowder, giant powder, dynamite, nitro-glycerine, or other combustibles, and to provide or license magazines for the same, and to prevent by all possible and proper means, danger or risk of injury or damages by fire arising from carelessness, negligence or otherwise; to prevent and punish fast or immoderate driving of horses through the streets; to regulate the speed of trains and locomotives on railways over the streets or through the limits of the city; to prevent any riots, noise, disturbance or disorderly assemblages, and to protect the property of the corporation and its inhabitants, and to preserve peace and order therein; to regulate and prohibit the carrying of deadly weapons in a concealed manner; to regulate and prohibit the use of guns, pistols and fire-arms, fire-crackers, bombs and detonating works of all descriptions; to restrain and punish intoxication, fighting and quarreling on the streets; to control and regulate slaughter houses, wash houses and public laundries, and to provide for their exclusion from the city limits, or from any part thereof; to regulate the driving of stock through the streets; to compel all persons erecting or maintaining privies or cesspools within one hundred feet of any street in which a sewer has been or may hereafter be constructed, to connect the same therewith; to regulate the opening of street surfaces, the laying of gas and water mains, the building and repairing of sewers and the erection of gas lights; to regulate and prevent public criers and advertising noises, steam whistles, the ringing of bells in the streets, and to control and limit traffic on the streets, avenues and public places; to regulate the use of the streets and sidewalks for the use of signs, sign posts, telegraph posts, awning posts and other



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", " Georgia - General Assembly, Acts and Resolutions : 34-40

AGLC 4th ed.
" Georgia - General Assembly, Acts and Resolutions 34

OSCOLA 4th ed.
" 1882-1883 34 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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ACTS AND RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA.

1882-83.

COMPILED AND PUBLISHED BY AUTHORITY.

ATLANTA, GA.:
JAS. P. HARRISON & CO., PRINTERS.
1883.

PART I.—TITLE II.—TAXES.

For Support of State Government 1883-84.

TITLE II.

TAXES.

ACTS.

FOR SUPPORT OF STATE GOVERNMENT 1883-84.

- To extend time for returning wild lands and payment of taxes thereon for 1882.
- Taxation of railroads by counties and municipal corporations on property not used in their ordinary business.
- For taxing rolling stock and personal property of railroads partly in this and partly in other States.
- Amending of Act of, September 28th, 1881, as to record of wild land returns, notification to owner, etc.

FOR SUPPORT OF STATE GOVERNMENT 1883-84.

No. 18

An Act to levy and collect a tax for the support of the State Government and the public institutions; to pay the interest and maturing principal of the public debt and for educational and other purposes herein mentioned for each of the fiscal years eighteen hundred and eighty-three and eighteen hundred and eighty-four.

Tax for 1883-4.

Not to exceed two and one-half tenths of one per cent.

Specific taxes.

SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the Governor be authorized and empowered, with the assistance of the Comptroller-General, to assess and levy a tax on the taxable property of the State, which will not exceed two and one-half tenths of one per cent. for each of the fiscal years eighteen hundred and eighty-three and eighteen hundred and eighty-four.

SEC. II. *Be it further enacted by the authority aforesaid,* That in addition to the *ad valorem* tax on real and personal property, as required by the Constitution, and provided for in the preceding section, the following specific taxes shall be levied and collected for each of said fiscal years of eighteen hundred and eighty-three and eighteen hundred and eighty-four :

PART I.—TITLE II.—TAXES.

37

For Support of State Government 1883-84.

more than one hundred dollars, at the discretion of the court trying same, and one-half of such fine shall go to any person who shall report the violation of this law.

Eighteenth—And upon all dealers in pistols, revolvers, dirk or Bowie knives, the sum of twenty-five dollars for each place of business in each county where the same are sold, and said tax shall be for educational purposes. The tax provided by this paragraph shall be assessed against all dealers in the articles herein enumerated, on and after the first day of April, 1883, and such dealer shall not be liable for said tax of twenty-five dollars prior to the first of April, 1883.

SEC. III. *Be it further enacted by the authority aforesaid,* That the taxes provided for in paragraphs 1, 2 and 13, shall be returned to the tax receiver in the county of the residence of the person liable for such tax, and shall by the receiver of tax returns be entered upon his digest of taxable property; and that the taxes provided for in paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17 and 18 of section II of this Act, shall be returned and paid to the tax collectors of the counties where such vocations are carried on.

SEC. IV. *Be it further enacted by the authority aforesaid,* That the taxes provided for in paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17 and 18, of section II of this Act, shall be paid in full for the fiscal years for which they are levied to the tax collectors of the counties where such vocations are carried on at the time of commencing to do business specified in said paragraphs.

SEC. V. *Be it further enacted by the authority aforesaid,* That all foreign and home insurance companies doing business in this State shall pay one per cent. on all premiums in money or otherwise received by them, and in addition to the tax imposed by this Act on the gross receipts of such insurance companies; all such companies doing a brokerage business in this State, such as discounting notes, bills, drafts or exchange, lending money, or in any manner doing a business pertaining to banking or brokerage business, shall be taxed upon the capital so employed in the same manner and at the same rate as other moneyed capital in the hands of *private* individuals is taxed; and every individual or firm engaged in the business of selling or buying farm products for future delivery (commonly called "futures") shall pay a tax of two hundred dollars each per annum; *provided,* that this tax shall not be demanded of any cotton warehouseman, dealer in actual cotton, or any provision broker who takes orders in the regular course of their trade.

SEC VI. *Be it further enacted by the authority aforesaid,* That the president of all building and loan associations, or associations of like character, shall be required to return to the tax receiver of the county where such associations are located, at its true market value, the stock of such associations owned by the stockholders thereof, upon which, as shown by the books of such associations, no advance has been made on money borrowed thereon by the individual stockholders therein, to be taxed as other money capital in the hands of private individuals is taxed; *provided,* that no tax shall be re-

Dealers in weapons.

Returns for taxes in certain paragraphs.

Of counties where avocations are carried on.

Payments of certain taxes.

Insurance companies.

When brokerage business is done.

Farm products for future delivery.

Proviso.

Building and loan associations.

Proviso.

obstruct or impede any member of the police force in the discharge of his duty.

SEC. 6. No person shall refuse to assist any policeman Refusing to assist an officer. in making any arrest, when thereto lawfully required by any peace officer, police officer or policeman.

SEC. 7. No person shall intentionally give, make, or False fire alarms. cause to be given or made, any false alarm of fire.

SEC. 8. No person shall ring or sound, or cause to be Bell ringing. rung or sounded, in or upon, or near any street, avenue, alley or public place, or upon any piazza, porch, balcony, steps or platform, any bell, gong or other sounding instrument as a means of attracting people to any auction, store, hotel or any other business place.

SEC. 9. No person shall make or excite any disturb- Disturbing public meetings. ance at any public meeting lawfully assembled, nor make any noise or disturbance for the purpose of annoying such meeting, or to cause a breach of the peace.

SEC. 10. Any person violating, failing or refusing to Penalty. comply with any provision or requirement of any of the provisions of this ordinance, or of any section thereof, shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars or by imprisonment not exceeding thirty days.

Passed this 9th day of June, 1882.

WM. Z. SWARTS, Mayor.

E. C. PETERS, City Clerk.

PUBLIC SAFETY.

AN ORDINANCE to provide for the public safety.

SEC. 1. *Be it ordained by the city council of the city of Sioux City,* That no person shall ride or drive, or cause Immoderate riding and driving. to be ridden or driven, any animal in any street, avenue, alley, highway, thoroughfare or other public place faster than the rate of six miles per hour; or shall ride or drive, or cause to be ridden or driven, any such animal or any vehicle or other thing thereto attached, in such a manner as to come into collision with or strike any other object or person.

SEC. 2. No person shall leave any animal used as a Leaving animals unsecured. beast of burden, or to which any vehicle or other thing

shall be attached, on any street, avenue, alley or other public place, without being securely fastened or guarded so as to prevent its running away; or turn any such animal loose on any such street, avenue, alley or other public place.

Cruelty to animals.

SEC. 3. No person shall inhumanly beat, injure or abuse any dumb animal, nor allow the same to be upon the public places of the city without food and drink for the space of four consecutive hours.

Concealed weapons.

SEC. 4. No person shall, within the limits of the city, wear under his clothes, or concealed about his person, any pistol, revolver, slung-shot, cross-knuckles, knuckles of lead, brass or other metal, or any bowie-knife, razor, billy, dirk, dirk-knife, or dagger, or any knife resembling a dirk-knife or bowie-knife, or other dangerous weapon. *Provided*, that this section shall not be so construed as to prevent any United States, State, county, or city officer or officers, or member of the city government, from carrying any such weapon as may be necessary in the proper discharge of his official duties.

Sports on streets.

SEC. 5. No person shall in any public place within the city, fly a kite, or indulge in any sport liable to frighten horses, or obstruct or interfere with the passage of vehicles or pedestrians.

Vehicles on sidewalks.

SEC. 6. No person shall push, draw, lead, or ride, or drive any horse, wagon, sleigh, wheelbarrow or other vehicle upon any sidewalk, unless it be in crossing the same to go into any yard or lot, which shall be done on a walk, or for the purpose of unloading such vehicle.

Driving upon sidewalks.

SEC. 7. No person shall drive upon and leave any carriage, wagon, cart, sleigh or other vehicle, with or without horses attached thereto, standing across or upon any sidewalk or crosswalk, or shall hitch any team so as to obstruct the free use of the same, nor drive any team through any funeral procession in such manner as to disturb the same.

Discharging fire arms.

SEC. 8. No person shall discharge any gun, pistol or other firearm, except upon his own premises, and there only in proper and necessary cases. *Provided*, that this section shall not apply nor be so construed to prevent any United States officer, State, county or city officer from

Quincy, S. J. Revised Ordinances of the City of Sioux City. Daily Journal Steam Printing House, 1882. The Making of Modern Law: Primary Sources, link.gale.com/apps/doc/DT0106134765/MMLP?u=bloo98297&sid=bookmark-MMLP&pg=61. Accessed 29 Mar. 2023.

THE
MUNICIPAL CODE
OF
SAINT PAUL:

COMPRISING THE
LAWS OF THE STATE OF MINNESOTA RELATING TO THE CITY OF
SAINT PAUL,

AND THE
ORDINANCES OF THE COMMON COUNCIL;

REVISED TO DECEMBER 1, 1884,

BY

W. P. MURRAY, CITY ATTORNEY.

PUBLISHED BY AUTHORITY OF THE COMMON COUNCIL.

ST. PAUL:
DAILY GLOBE.
1884.

ARTICLE XVIII.**CONCEALED WEAPONS—LICENSE.**

[Passed January 17, 1882.]

308. SECTION 1. It shall be unlawful for any person, within the limits of the city of St. Paul, to carry or wear under his clothes, or concealed about his person, any pistol or pistols, dirk, dagger, sword, slungshot, cross-knuckles, or knuckles of lead, brass or other metal, bowie-knife, dirk-knife or razor, or any other dangerous or deadly weapon.

Concealed
weapons, un-
lawful to carry.

309. SEC. 2. Any such weapon or weapons, duly adjudged by the municipal court of said city to have been worn or carried by any person, in violation of the first section of this ordinance, shall be forfeited or confiscated to the said city of St. Paul, and shall be so adjudged.

Confiscation of.

310. SEC. 3. Any policeman of the city of St. Paul, may, within the limits of said city, without a warrant, arrest any person or persons, whom such policeman may find in the act of carrying or wearing under their clothes, or concealed about their person, any pistol or pistols, dirk, dagger, sword, slungshot, cross-knuckles, or knuckles of lead, brass or other metal, bowie-knife, dirk-knife or razor, or any other dangerous or deadly weapon, and detain him, her or them in the city jail, until a warrant can be procured, or complaint made for the trial of such person or persons, as provided by the charter of the city of St. Paul, for other offenses under said charter, and for the trial of such person or persons, and for the seizure and confiscation of such of the weapons above referred to, as such person or persons may be found in the act of carrying or wearing under their clothes, or concealed about their persons.

Policeman may
arrest person
carrying.

311. SEC. 4. Upon complaint made under oath or affirmation, to the municipal court of the city of St. Paul, that any person has been guilty of violating any of the provisions of section one of this ordinance, a warrant shall issue for the arrest of the offender or offenders, returnable as other warrants are returnable; upon the return of such warrant, the municipal court shall proceed to the hearing

Warrant shall
issue upon com-
plaint made.

Proceeding
upon return of
warrant.

and determination of the matter, and if it shall be adjudged that such person or persons has or have incurred any of the penalties fixed by this ordinance, such court shall so adjudge, and order that the weapon or weapons concerning the carrying or wearing of which such penalty shall have been incurred, shall be confiscated to the city of St. Paul. And further, every such person or persons so offending, on conviction, shall be required to find sureties for keeping the peace for a term not exceeding six months.

Fine upon conviction.

312. SEC. 5. Any person or persons violating any of the provisions of section one of this ordinance, shall pay a fine of not less than \$5 nor more than \$100, or be imprisoned for a term not exceeding 90 days, or both, in the discretion of the municipal judge, before whom such conviction shall be had.

Prohibition not to apply, to whom.

313. SEC. 6. The prohibition of this ordinance shall not apply to the officers and members of the police force of said city, when on duty, nor to any officer of any court whose duty may be to secure warrants or to make arrests, nor to persons whose business or occupation may seem to require the carrying of weapons for protection, and who shall have obtained from the mayor of said city a license so to do, as hereinafter provided.

Mayor may grant license, and revoke same.

314. SEC. 7. The mayor of the city of St. Paul may grant to so many, and to such persons as he may think proper, licenses to carry concealed weapons; and may revoke any and all of such licenses at his pleasure.

Application for license, how made.

315. SEC. 8. Application for such licenses shall be made to the mayor of said city, in writing, and when granted, the person applying therefor, shall pay into the city treasury the sum of two dollars, and thereupon a license shall be issued by the city clerk, and signed by the mayor.

License shall state what—expiration of.

316. SEC. 9. Every such license shall state the name, age, occupation and residence of the person to whom it is granted, and shall expire on the 31st day of December of each and every year.



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Chicago 17th ed.
", " West Virginia - 15th Legislature, Adjourned Session : 421-424

AGLC 4th ed.
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OSCOLA 4th ed.
" 1882 421 Please note: citations are provided as a general guideline.
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of his duty as such, or by any means obstruct or impede, or attempt to obstruct or impede the administration of justice in any court, he shall be guilty of a misdemeanor, and unless otherwise provided by law he shall be fined not less than twenty-five nor more than two hundred dollars, and be imprisoned in the county jail not exceeding six months.

Punishment prescribed.

[Approved March 29, 1882.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER CXXXV.

AN ACT amending and re-enacting section seven of chapter one hundred and forty-eight of the code of West Virginia, and adding additional sections thereto for the punishment of unlawful combinations and conspiracies to injure persons or property.

[Passed March 24, 1882.]

Be it enacted by the Legislature of West Virginia:

1. That section seven of chapter one hundred and forty-eight of the code of West Virginia be, and the same is hereby, amended and re-enacted so as to read as follows:

Code amended; section 7 of chapter 148 of.

7. If a person carry about his person any revolver or other pistol, dirk, bowie knife, razor, slung shot, billy, metallic or other false knuckles, or any other dangerous or deadly weapon of like kind or character, he shall be guilty of a misdemeanor, and fined not less than twenty-five nor more than two hundred dollars, and may, at the discretion of the court, be confined in jail not less than one, nor more than twelve months; and if any person shall sell or furnish any such weapon as is hereinbefore mentioned to a person whom he knows, or has reason, from his appearance or otherwise, to believe to be under the age of twenty-one years, he shall be punished as hereinbefore provided; but nothing herein contained shall be so construed as to prevent any person from keeping or carrying about his dwelling house or premises any such revolver or other pistol, or from carrying the same from the place of purchase to his dwelling house, or from his dwelling house to any place where repairing is done, to have it repaired, and back again. And if upon the trial of an indictment for carrying any such pistol, dirk, razor or bowie knife, the

Deadly weapons; penalty for carrying.

Selling certain weapons to minors; penalty. Acts of persons to which sections do not apply.

Upon trial of indictment for carrying deadly

cealed weapons, when jury to find accused not guilty.

Provisions of section not to apply to officers of the law.

Additional sections added.

Combinations or conspiracies to injure etc, persons and property, deemed a misdemeanor.

Penalty.

Injury, etc., inflicted by such combination, etc., upon any person or property, deemed a felony. Punishment. When such combination or conspiracy to be presumed.

Aiders and abettors deemed conspirators.

No witness excused from answering, because such answers would,

defendant shall prove to the satisfaction of the jury that he is a quiet and peaceable citizen, of good character and standing in the community in which he lives, and at the time he was found with such pistol, dirk, razor or bowie knife, as charged in the indictment, he had good cause to believe and did believe that he was in danger of death or great bodily harm at the hands of another person, and that he was, in good faith, carrying such weapon for self defense and for no other purpose, the jury shall find him not guilty. But nothing in this section contained shall be so construed as to prevent any officer charged with the execution of the laws of the state from carrying a revolver or other pistol, dirk or bowie knife.

2. That the said chapter be and the same is hereby amended by adding thereto the following additional sections, as parts thereof, to-wit:

9. If two or more persons under the name of "Red Men," "Regulators," "Vigilance Committee," or any other name or without a name, combine or conspire together for the purpose of inflicting any punishment, or bodily injury upon any other person, or persons, or for the purpose of destroying, injuring, or taking and carrying away any property, real or personal, not their own, every such person, whether he has done any act in pursuance of such combination or conspiracy or not, shall be guilty of a misdemeanor and fined not less than fifty, nor more than five hundred dollars, and may, at the discretion of the court, be confined in jail not less than one, nor more than twelve months.

10. If any person, in pursuance of such combination or conspiracy as is mentioned in the next preceding section, shall inflict any punishment or bodily injury upon another person, or shall destroy, injure, or take and carry away, any property, real or personal, not his own, he shall be guilty of a felony, and confined in the penitentiary not less than two nor more than ten years. And if, on the trial of an indictment under this section it be proved that two or more persons, the defendant being one, were present, aiding and abetting in the commission of the offense charged therein, it shall be presumed that such offense was committed in pursuance of such combination or conspiracy, in the absence of satisfactory proof to the contrary. And all persons who shall be present, aiding and abetting, at the commission of any offense mentioned in this section shall be deemed conspirators within the meaning of this, and the next preceding section.

11. No person called as a witness for the state on the trial of any person for an offense mentioned in either of the two next preceding sections, shall be excused from answering any question which may be asked him as such

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OF THE

CITY OF DANVILLE,

ILLINOIS.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

Revised and Arranged by
E. R. E. KIMBROUGH and W. J. CALHOUN.

C. M. Woodbury.
4/28/93.

1892.

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CONCEALED WEAPONS. § 23. Whoever shall carry concealed upon or about his person any pistol, revolver, derringer, bowie-knife, dirk, slungshot, metallic knuckles or a razor as a weapon, or any other deadly weapon of like character capable of being concealed upon the person, or whoever shall in a threatening or boisterous manner flourish or display the same, shall be fined not less than five dollars, nor more than one hundred dollars, and in addition to the said penalty shall, upon the order of the magistrate before whom such conviction is had, forfeit the weapon so carried to the city.

DISORDERLY HOUSE. § 24. Whoever 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 two hundred dollars.

DISTURBING FUNERAL. § 25. Whoever shall willfully interrupt or disturb any funeral assembly or funeral procession, shall be fined not less than three dollars, nor more than two hundred dollars.

PLACES OF AMUSEMENT OPEN ON SUNDAY. § 26. Whoever shall, on Sunday, keep open any billiard room, ball or pin alley, house, beer garden, ground or other place of amusement, or shall suffer or permit persons to assemble therein for the purpose of amusement or play, shall be subject to a penalty of not less than five dollars, and not exceeding one hundred dollars.

AMUSEMENTS ON SUNDAY. § 27. Whoever shall, on Sunday, play ball, or disturb the peace or good order of society by any play or amusement, shall be subject to a penalty of not less than five dollars, and not exceeding one hundred dollars.

PLACE OF BUSINESS OPEN ON SUNDAY. § 28. Whoever shall, on Sunday, (except in cases of necessity or for charitable purposes, or where the party shall conscientiously and on religious principle observe some other day of the week as the Sabbath,) keep open his place of business or pursue his daily business or avocation, or shall require or permit any hand, servant or employee to labor or work at such business or avocation, shall be fined not less than five dollars, and not exceeding one hundred dollars: *Provided*, This section shall not apply to hotels, eating houses, livery stables, or the operation of street or other railways.

CRUELTY TO ANIMALS. § 29. Whoever shall, in any manner or by any means, be guilty of cruelty to any dumb animal, or shall be guilty of turning out and abandoning any old, decrepid or worthless animal upon the public streets or commons, shall be fined not less than five dollars, nor more than one hundred dollars.



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ACTS AND RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA.

1882-83.

COMPILED AND PUBLISHED BY AUTHORITY.

ATLANTA, GA.:
JAS. P. HARRISON & CO., PRINTERS.
1883.

PART I.—TITLE IV. — CODE AMENDMENTS.

Punishment for Escapes from Penitentiary.—Carrying Concealed Weapons.

payment of his debts, if any, may take possession of his estate without administration, sue for and recover the same.”

SEC. II. *And it is further enacted,* That all laws militating against this Act be, and the same are hereby repealed.

Approved December 12, 1882.

PUNISHMENT FOR ESCAPES FROM PENITENTIARY.

No. 91.

An Act to amend section 4484 of the Code of 1882, which prescribes the punishment for escapes from penitentiary in felony cases.

SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That from and after the passage of this Act, section 4484 of the Code of Georgia be, and the same is hereby amended by striking out the words, “the term of four years,” in the fifth line of said section, and inserting in lieu thereof the words, “for any time not less than three months nor longer than four years,” so that said section 4484, as amended, shall read as follows, to-wit :

Sec. 4484 so amended that the punishment for escape from Penitentiary shall be confinement there-in for from three months to four years.

“If any person confined in the penitentiary shall escape therefrom, and be thereafter retaken, such person shall be indicted for an escape, and, on conviction, shall be punished by imprisonment and labor in the penitentiary for any time not less than three months nor longer than four years ; and any person who shall aid or assist a prisoner confined in the penitentiary to escape, or in an attempt to escape therefrom, shall, on conviction, receive the like punishment.”

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

Approved August 10, 1883.

CARRYING CONCEALED WEAPONS.

No. 93.

An Act to amend section 4527 of the Code of 1882 in reference to carrying concealed weapons by striking out certain words in the third line of said section.

SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That from and after the passage of this Act, section 4527 of the Code of 1882 be, and the same is hereby amended, by striking out the words “except horseman’s pistol” in the third line of said sec-

PART I.—TITLE IV.—CODE AMENDMENTS.

49

Time for Serving in Equity Changed.—General Fence Law Amended.

tion, so that said section, as amended, shall read as follows, to-wit: Words "except horse-
 Any person having or carrying about his person, unless in an open man's pis-
 manner and fully exposed to view, any pistol, dirk, sword in a cane, tol," strick-
 spear, Bowie-knife, or any other kind of knives manufactured and en from
 sold for the purpose of offense and defense, shall be guilty of a mis- section
 demeanor, and on conviction shall be punished as prescribed in 4527.
 section 4310 of this Code.

SEC. II. *And be it further enacted by the authority aforesaid,* That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved August 17, 1883.

TIME FOR SERVING IN EQUITY CHANGED.

No. 95.

An Act to amend section 4184 of the Code of 1882, which prescribes the time of filing and serving bills in equity, by striking out of the fifth line of said section the words "twenty-five," and inserting in lieu therefor the word "fifteen."

SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That section forty-one hundred and eighty-four of the Code of Georgia of 1882 be amended by striking out of the fifth line of said section the words "twenty-five," and inserting in lieu thereof the word "fifteen," so that said section, when amended, shall read as follows: "No bill shall require the sanction of the judge before its filing unless it prays some extraordinary remedy. Each bill shall be filed in the clerk's office at least thirty days before the term to which it is returnable, and shall be served on the defendant at least fifteen days before such term." Bills in Equity to be served fifteen days before return Term.

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

Approved August 17, 1883.

GENERAL FENCE LAW AMENDED.

No. 134.

An Act to amend section one thousand four hundred and fifty-five (1455) of the Code of Georgia of 1882, which provides for submitting to the lawful voters of any county in this State, upon the petition of fifty freeholders of such county, the question of "fence" or "no fence," by authorizing elections to be held under said section on the first Wednesday in July, and by a proviso to said section, and for other purposes.

SECTION I. *The General Assembly of the State of Georgia do enact,* That from and after the passage of this Act, section 1455 of the



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," Kansas - 20th Legislature, Regular Session : 1-268

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CH. 104.] CRIMES AND PUNISHMENTS.

159

within thirty days after the said misdemeanor is alleged to have been committed.

SEC. 3. This act shall take effect and be in force from and after its publication in the official state paper.

Approved March 5, 1883.

I hereby certify that the foregoing is a true and correct copy of the original enrolled bill now on file in my office, and that the same was published in the official state paper, March 6, 1883.

JAMES SMITH, *Secretary of State.*

CHAPTER CV.

CRIMES AND PUNISHMENTS—RELATING TO MINORS
AND DEADLY WEAPONS OR TOY PISTOLS.

[House Bill No. 99.]

AN ACT to prevent selling, trading or giving deadly weapons or toy pistols to minors, and to provide punishment therefor.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. Any person who shall sell, trade, give, loan or otherwise furnish any pistol, revolver or toy pistol, by which cartridges or caps may be exploded, or any dirk, bowie-knife, brass knuckles, slung shot, or other dangerous weapons to any minor, or to any person of notoriously unsound mind, shall be deemed guilty of a misdemeanor, and shall, upon conviction before any court of competent jurisdiction, be fined not less than five nor more than one hundred dollars.

SEC. 2. Any minor who shall have in his possession any pistol, revolver or toy pistol, by which cartridges may be exploded, or any dirk, bowie-knife, brass knuckles, slung shot or other dangerous weapon, shall be deemed guilty of a misdemeanor, and upon conviction before any court of competent jurisdiction shall be fined not less than one nor more than ten dollars.

SEC. 3. This act to take effect and be in force from and after its publication in the official state paper.

Approved March 5, 1883.



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LAWS OF MISSOURI,

PASSED AT THE SESSION OF THE

THIRTY-SECOND GENERAL ASSEMBLY,

BEGUN AND HELD AT THE CITY OF JEFFERSON,

WEDNESDAY, JANUARY 3, 1883.

(REGULAR SESSION.)

BY AUTHORITY.



JEFFERSON CITY:
STATE JOURNAL COMPANY, STATE PRINTERS.
1883.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. Any person or persons doing a commission business in this state who shall receive cattle, hogs, sheep, grain, cotton or other commodities consigned or shipped to him or them for sale on commission, and who shall wilfully make a false return to his or their consignor or shipper, in an account of sale or sales of any such cattle, hogs, sheep, grain, cotton or other commodities made and rendered by such person or persons for and to such consignor or shipper, either as to weights or prices, shall be guilty of a misdemeanor and shall, on conviction, be punished by imprisonment in the county jail not exceeding one year, or by a fine not exceeding five hundred dollars nor less than two hundred dollars, or by fine not less than one hundred dollars and imprisonment in the county jail not less than three months.

Approved April 2, 1883.

CRIMES AND CRIMINAL PROCEDURE: CONCEALED WEAPONS.

AN ACT to amend section 1274, article 2, chapter 24 of the Revised Statutes of Missouri, entitled "Of Crimes and Criminal Procedure."

SECTION 1. Carrying concealed weapon, etc., penalty for increased.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. That section 1274 of the Revised Statutes of Missouri be and the same is hereby amended by inserting the word "twenty" before the word "five" in the sixteenth line of said section, and by striking out the word "one" in the same line and inserting in lieu thereof the word "two," and by striking out the word "three" in the seventeenth line of said section and inserting in lieu thereof the word "six," so that said section, as amended, shall read as follows: Section 1274. If any person shall carry concealed, upon or about his person, any deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or into any school room or place where people are assembled for educational, literary or social purposes, or to any election precinct on any election day, or into any court room during the sitting of court, or into any other public assemblage of persons met for any lawful purpose other than for militia drill or meetings called under the militia law of this state, having upon or about his person any kind of fire arms, bowie knife, dirk, dagger, slung-shot or other deadly weapon, or shall in the presence of one or more persons exhibit any such weapon in a rude, angry or threatening manner, or shall have or carry any such weapon upon or about his person when intoxicated or under the influence of intoxicating drinks, or shall directly or indirectly sell or deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor, he shall, upon conviction, be punished by a fine of not less than twenty-five nor more than two hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

Approved March 5, 1883.



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Chicago 17th ed.
," Washington - 9th Biennial Session : 299-303

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L A W S

OF THE

TERRITORY OF WASHINGTON,

ENACTED BY THE

LEGISLATIVE ASSEMBLY,

IN THE YEAR 1883.

Printed by Authority.

OLYMPIA:

C. B. BAGLEY, PUBLIC PRINTER.

1883.

12. To make regulations and pass ordinances preventing domestic and other animals from running at large, and to license, tax, regulate and restrain the keeping of dogs within the city limits, and to authorize the distraining, impounding and sale of the same for the penalty incurred and and costs of proceedings, or may authorize their destruction.

13. To regulate, license and tax all carts, wagons, drays, coaches, omnibuses and every description of carriage which may be kept for hire, and to fix the rates thereof; to license, tax and regulate or prohibit theatrical shows and other exhibitions and public amusements; and to license, tax and regulate auctioneers, hawkers, peddlers, brokers, pawn-brokers and all other callings, trades and employments as the public good may require to be licensed and regulated, and not prohibited by law.

14. To pass all necessary ordinances to secure the peace and good order of the city; to establish and maintain a day and night police, or either of them, and to provide for the election or appointment of such number of police officers as may be necessary, which officers shall have full power and authority to make arrests with or without warrants, within the limits of the city; to summon aid and to exercise all other powers necessary and requisite for the prevention of disorder or apprehension of offenders.

15. To regulate the transportation, storage and sale of gunpowder, giant powder, dynamite, nitro-glycerine, or other explosives, and to provide or license magazines for the same; to prevent or punish fast or immoderate riding or driving of horses through the streets; to regulate and prohibit the carrying of deadly weapons in a concealed manner; to regulate and prohibit the use of guns, pistols, and fire-arms, fire crackers, bombs and detonating works of all descriptions; to restrain and punish intoxication, fighting and quarreling on the streets; to control and regulate slaughter houses, wash houses and public laundries, and to provide for their exclusion from the city limits, or from any part thereof.

16. To license, regulate and restrain wholesale and retail dealers in spirituous and malt liquors, bar-rooms, drinking shops or saloons, tippling houses, billiard-tables, pool-tables, pigeon hole, Jenny Lind, or other gaming tables kept for hire, and bowling alleys and shooting galleries and fix the rate and terms upon which such licenses shall be granted, but the rate of license and bond of application shall in no case be less than prescribed in the general license law of the Territory of Washington, and until an ordinance shall be passed regulating the issue of such licenses, the provisions of the general license law of the territory shall apply, except that the common council of Snohomish, instead of the county commissioners of Snohomish county, shall have exclusive authority within said limits to hear and determine all applications for license, and that the moneys arising from the issue of such licenses shall be paid into the city treasury of Snohomish; one-half of the money derived from all such licenses shall be paid by the said city of Snohomish into the county treasury of Snohomish county.

17. To suppress and prohibit the keeping of places, houses or rooms where either males or females, adults or minors are permitted to



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" 1883 vol II 704 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
LAWS OF WISCONSIN,

PASSED AT THE

BIENNIAL SESSION OF THE LEGISLATURE OF 1883,

RELATING TO

CITY CHARTERS AND THEIR AMENDMENTS,

VOLUME II.

PUBLISHED BY AUTHORITY.

MADISON, WIS.,
DEMOCRAT PRINTING CO., STATE PRINTERS.
1883.

privileges in said board as other members thereof are entitled to, and shall be paid the same compensation for his services as may be paid to any other members of the board.

Mayor to be member of board of review.

SECTION 20. The mayor shall be *ex officio* a member of the board of review, and shall receive the same compensation therefor as assessors.

Further duties of officers.

SECTION 21. The common council shall have power, from time to time, to require further and other duties of any officer whose duties are herein prescribed, and to appoint such other officers as may be necessary to carry into effect the provisions of this act, and to prescribe their duties, and to fix the compensation of all officers elected or appointed by the common council. Such compensation shall, by resolution, be fixed at the time the office is created, or at the commencement of the year, and shall not be increased or diminished during the time such officer shall remain in office.

Penalty for refusing to deliver.

SECTION 22. All city officers at the termination of their office, shall immediately deliver to their successors in office all property, money, books, papers and effects of every description in their possession belonging to the city, or pertaining to the office they may have held; any person who may have held an office neglecting or refusing so to do shall forfeit and pay to the use of said city one hundred dollars (\$100), besides all damages caused by such neglect or refusal, and such successor may recover the possession of such books, papers and effects in the manner prescribed by the laws of the state for other officers.

Terms of present officers.

SECTION 23. Nothing herein contained shall be so construed as to change or interfere with the term of office of any officer now holding office in said city, but the term of all such officers shall continue the same as if this act had not been passed.

CHAPTER VI.

COMMON COUNCIL—ITS GENERAL POWERS AND DUTIES.

Meeting of common council.

SECTION 1. The mayor and aldermen shall constitute the common council, and the style of all ordinances shall be: "The mayor and common council of the city of Oshkosh do ordain, etc." The majority of the aldermen elect shall constitute

dred dollars (\$100) for any offense against such ordinance.

52d. To regulate and control the construction of piers and wharves extending into Lake Winnebago and the Fox river in said city; and to prescribe and control the prices to be charged for pierage or wharfage thereon, and to regulate, prescribe and control the prices to be charged for dockage and storage within the city. Piers and wharves.

53d. To lease the wharving privileges of the Fox river, at the end of streets, upon such terms and conditions, and with such reservations as said city may deem best.

54th. To authorize the taking up, and to provide for the safe keeping and education, for such periods of time as may be deemed expedient, of all children who are destitute of proper parental care, and growing up in mendicancy, ignorance, idleness and vice. Indigent and destitute children.

55th. To authorize the arrest, fine and imprisonment, as vagrants, of all persons who, not having visible means to maintain themselves, are without employment, idly loitering or rambling about, or staying in groceries, drinking saloons, houses of ill fame or houses of bad repute, gambling houses, railroad depots, or fire engine houses; or who shall be found trespassing, in the night time, upon the private premises of others, or begging, or placing themselves in the streets, or other thoroughfares, or public places, to beg, or receive alms; also keepers, exhibitors or visitors at any gaming table, gambling house, house of fortune-telling, place for cock-fighting, or other place of device; and all persons who go about for the purpose of gaming, or watch-stuffing, or who shall have in their possession any article or thing used for obtaining money under false pretenses, or who shall disturb any place where public or private schools are held, either on week day or Sabbath, or places where religious worship is held. Vagrants.

56th. To regulate or prohibit the carrying or wearing by any person under his clothes, or concealed about his person, of 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 other dangerous or deadly weapon; and to provide for the confiscation or sale of such weapon. Concealed weapons.

57th. To control and regulate the construction



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", " Georgia - General Assembly, Acts and Resolutions : 20-27

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ACTS AND RESOLUTIONS

—OF THE—

GENERAL ASSEMBLY

—OF THE—

STATE OF GEORGIA.

1884-85.

COMPILED AND PUBLISHED BY AUTHORITY.

ATLANTA, GEORGIA:
JAMES P. HARRISON & Co., STATE PRINTERS.
1885.

PART I.—TITLE II.—TAXES.

For Support of State Government 1885-86.

TITLE II.

TAXES.

ACTS.

For support of State Government for 1885-86.
For new Capitol.
Record of tax defaulters.
Correct returns of property for taxation.

FOR SUPPORT OF STATE GOVERNMENT 1885-86.

No. 52.

An Act to levy and collect a tax for the support of the State Government and the public institutions; to pay the interest and maturing principal of the Public Debt, and for educational and other purposes herein mentioned, for each of the fiscal years eighteen hundred and eighty-five and eighteen hundred and eighty-six, and to prescribe what persons, professions and property are liable to taxation; to prescribe the method of collecting said taxes, and to provide penalties and forfeitures for non-payment of taxes, and for other purposes.

Tax for 1885-6.

Three-tenths of one per cent.

Specific Taxes.

SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the Governor be authorized and empowered, with the assistance of the Comptroller General, to assess and levy a tax on the taxable property of this State of three-tenths of one per cent. for each of the fiscal years eighteen hundred and eighty-five and eighteen hundred and eighty-six.

SEC. II. *Be it further enacted by the authority aforesaid,* That in addition to the *ad valorem* tax on real and personal property, as required by the Constitution, and provided for in the preceding section, the following specific taxes shall be levied and collected for each of said fiscal years eighteen hundred and eighty-five and eighteen hundred and eighty-six:

PART I.—TITLE II.—TAXES.

23

For Support of State Government 1885-86.

the various counties to peddle, in conformity with section 534 of the Code of 1882; *Provided further*, that such maimed soldier shall peddle such machines in his own right, and not as agent or employee of another. This tax upon such agents shall operate as a lien upon any property of the person or firm (for whom the agent is doing business) to be found in this State. Before such agent or peddler shall be authorized to sell sewing machines, as agent for any sewing machine company, or as agent for any dealers in sewing machines, he shall make record of the fact of his being such agent or peddler with the Ordinary of the county in which he proposes to do business. Upon failure to do so, or to post the license as herein required, he shall be liable to indictment for a misdemeanor, and on conviction shall be fined in a sum of not less than fifty dollars nor more than one hundred dollars, at the discretion of the court trying the same. One-half of such fine shall go to any person who shall report the violation of this law.

Eighteenth.—And upon all dealers in pistols, toy pistols, revolvers, pistol or revolver cartridges, dirks or bowie knives, the sum of one hundred dollars for each place of business in each county where the same are sold.

Nineteenth.—Every individual or firm, or his or their agents, engaged in the business of selling or buying farm products for future delivery (commonly called "futures") shall pay a tax of five hundred dollars, each, per annum to the Tax Collector of the county where each business is carried on; *Provided*, that this tax shall not be demanded of any cotton warehouseman, dealer in cotton, or any provision broker who takes orders in the regular course of their trade only for the actual and *bona fide* delivery of cotton and other produce so ordered, and where by the terms of the contract it is not left to the option of the party so ordering, or the party taking such order, to avoid the delivery of the produce or products by paying the difference in the market price of such produce or products at the time of delivery; *Provided further*, that such cotton warehouseman, dealer in actual cotton, or any provision broker does not carry on the business of buying futures in connection with his or their other business.

Twentieth.—On each Iron Safe Company, selling or dealing in new iron safes by itself, or agent, and all dealers in iron safes, selling or dealing in new iron safes, and any individual or company making a regular business of dealing in or selling second-hand iron safes in this State, shall pay to the Tax Collector of each county in which they may do business, the sum of twenty-five dollars at the time of commencement of business for each fiscal year or fractional part thereof, and all safes belonging to such companies, dealers, their agents or others shall be liable to seizure and sale for payment of such tax.

Twenty-first.—Upon all itinerant traders and peddlers in buggies, wagons, carts, carriages or like vehicles, the sum of twenty-five dollars for each county in which they do business; *Provided*, that



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ALWD 7th ed.

. Revised Statutes of the State of Maine, Passed August 29, 1883, & Taking Effect January 1, 1884 (4).

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FOURTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

BY THE AUTHORITY OF THE LEGISLATURE.



PORTLAND:
PUBLISHED BY LORING, SHORT & HARMON
AND
WILLIAM M. MARKS, PRINTER.
1884.

CHAP. 130. return a copy of the warrant to the next supreme judicial or superior court in said county, and such court shall have cognizance of the case, as if the accused had appealed thereto.

Proceedings, if complaint is not sustained.
R.S., c. 130, § 5.
—if frivolous, or malicious, proceedings.

SEC. 5. If the magistrate, on examination of the facts, is not satisfied that there is just cause to fear the commission of any offence, he shall immediately discharge the accused; and if he judges the complaint to be unfounded, frivolous, or malicious, he may order the complainant to pay the costs of prosecution, who shall thereupon be answerable to the magistrate, officer, and witnesses for their fees as for his own debt.

Appeal to the next supreme or superior court, and proceedings thereon.
R.S., c. 130, § 6.

SEC. 6. Any person aggrieved by the order of such magistrate requiring him thus to recognize, may on giving the security required, appeal to the next supreme judicial or superior court in the county; and the magistrate shall thereupon require such witnesses as he thinks proper, to recognize to appear at the appellate court; and such court may affirm or reverse the order of the magistrate, require the accused to recognize anew with sufficient sureties, and make such order as to costs as it deems reasonable.

Consequences, if appellant fails to prosecute.
R.S., c. 130, § 7.

SEC. 7. If the appellant fails to prosecute his appeal, his recognizance shall be in force for any breach of its conditions without an affirmation of said order, and shall stand as security for any costs which he is ordered by the court to pay.

Recognizance after commitment.
R.S., c. 130, § 8.
1873, c. 137, § 2.

SEC. 8. A person committed for not recognizing as aforesaid may be discharged by a justice of the supreme judicial court or a bail commissioner, on giving the security required.

When magistrate on view, may require sureties without a formal complaint.
R.S., c. 130, § 9.

SEC. 9. Whoever in the presence of any of the magistrates aforesaid, or of any court of record, makes an affray; threatens to kill or beat another, or to commit any violence against his person or property; or contends with hot and angry words to the disturbance of the peace, may be ordered, without process or other proof, to recognize to keep the peace and be of good behavior for a term not exceeding three months, and may be otherwise dealt with as is provided in the preceding sections.

Persons going armed, without reasonable cause.
R. S.; c. 130, § 10.

SEC. 10. Whoever goes armed with any dirk, pistol, or other offensive and dangerous weapon, without just cause to fear an assault on himself, family, or property, may, on complaint of any person having cause to fear an injury or breach of the peace, be required to find sureties to keep the peace for a term not exceeding one year, and, in case of refusal, may be committed as provided in the preceding sections.

Recognizances shall be returned to court, which may remit penalty.
R. S., c. 130, § 11.

SEC. 11. All recognizances taken under this chapter shall be returned to the supreme judicial or superior court on or before the first day of the next term, and be there filed by the clerk as of record; and, in any suit thereon, if the forfeiture is found or confessed, the court may remit so much of the penalty, and on such terms, as it thinks proper.

Sureties on recognizances may surrender their principals, &c.
R. S., c. 130, § 12.

SEC. 12. Any surety in such recognizance may surrender the principal the same as bail in civil cases, and he shall thereupon be discharged from liability for any subsequent breach of the recognizance; and the principal may recognize anew with sufficient sureties for the residuo of the term before a trial justice, and then be discharged.



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THE MARYLAND CODE.

Public Local Laws,

CODIFIED BY

JOHN PRENTISS POE.

ADOPTED BY THE GENERAL ASSEMBLY OF MARYLAND
MARCH 14, 1888.

*Including also the Public Local Acts of the Session of 1888
incorporated therein.*

BY AUTHORITY OF THE



STATE OF MARYLAND.

VOLUME I,

CONTAINING ARTICLE 1, ALLEGANY COUNTY, TO ARTICLE 10,
DORCHESTER COUNTY.

BALTIMORE:
KING BROS., PRINTERS AND PUBLISHERS.
1888.

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CITY OF BALTIMORE.

[ART. 4.

meanor, but all such persons shall be released only on the order of the committing justice, the judge of the criminal court, or one of the members of the board, or other lawful process.

1867, ch. 367.

739. The said board of police commissioners are required, on the requisition of the Druid Hill park commissioners, to detail from time to time such number of the regular police force of said city as the said board may deem necessary for the preservation of order within the said park, which detailed force shall have the same power in the premises that the police force of the city have, as conservators of the peace.

Ibid.

740. Nothing in this sub-title of this article shall be so construed as to destroy or diminish the liability or responsibility of the mayor and city council of Baltimore for any failure to discharge the duties and obligations of said mayor and city council, or any of them, or give the said mayor and council any control over said board, or any officer of police, policeman or detective appointed thereby.

Altwater v. Mayor, &c., 31 Md. 462. *Flynn v. Canton Co. of Balto.*, 40 Md. 312. *Sinclair v. Mayor, &c.*, 59 Md. 592.

Ibid.

741. All persons arrested in the day time under the provisions of this sub-title of this article shall be taken by the officer making the arrest, immediately before the nearest police justice for examination.

1884, ch. 187.

742. Whenever any person shall be arrested in the city of Baltimore, charged with any crime or misdemeanor, or for being drunk or disorderly, or for any breach of the peace, and shall be taken before any of the police justices of the peace of the said city, and any such person shall be found to have concealed about his person any pistol, dirk-knife, bowie-knife, sling-shot, billy, brass, iron or any other metal knuckles, razor, or any other deadly weapon whatsoever, such person shall be subject to a fine of not less than five dollars nor more than twenty-five

ART. 4.]

POLICE.

523

dollars in the discretion of the police justice of the peace before whom such person may be taken, and the confiscation of the weapon so found, which said fine shall be collected as other fines are now collected; provided, however, that the provisions of this section shall not apply to those persons who, as conservators of the peace are entitled or required to carry a pistol or other weapon as a part of their official equipment.

LEAVE OF ABSENCE TO POLICEMEN.

1882, ch. 84. 1888, ch. 803.

743. Said board of police commissioners are authorized, empowered and directed to grant leave of absence, with pay, for a period of ten days in each consecutive year of service, to each of the officers of police, policemen and detectives of the regular force employed by said board; nor shall any enforced absence with leave, on account of sickness or death, be deducted from the pay of said officer of police, policeman or detective, or from the ten days' leave herein provided.

MATRONS AT STATION HOUSES.

1884, ch. 225.

744. They shall have power, in their discretion, to appoint for each station house in said city, a suitable woman as matron, and when so appointed shall supply her with a furnished office room in said station house.

Ibid.

745. The said matrons shall be appointed to serve for four years, respectively, subject to removal for cause, after a hearing by the board, which is invested with exclusive jurisdiction in the premises.

Ibid.

746. The duties of each matron shall be to give such care and advice, and to perform such other police duties as may be requisite and proper to the female prisoners and refugees in the station house for which said matron shall have been appointed.



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ACTS AND RESOLVES
PASSED BY THE
GENERAL ASSEMBLY
—OF THE—
STATE OF VERMONT,
AT THE
EIGHTH BIENNIAL SESSION, 1884.



PUBLISHED BY AUTHORITY.

RUTLAND :
THE TUTTLE CO., OFFICIAL PRINTERS TO THE STATE OF VERMONT.
1885.

No. 74.—AN ACT RELATING TO BEAR TRAPS.

It is hereby enacted by the General Assembly of the State of Vermont:

SEC. 1. A person who sets or causes to be set a bear trap, shall cause to be built and maintained, three-fourths around the same in a substantial manner, a railing or guard not less than three feet high and shall protect the entrance to such trap against domestic animals by placing a pole horizontally, at a height of three feet from the ground, across the points between which it is designed that the bear should enter the trap. A person who violates the provisions of this section shall be fined not less than ten dollars nor more than thirty dollars.

SEC. 2. Justices of the county shall have jurisdiction of offenses under this act.

Approved November 25, 1884.

No. 75.—AN ACT IN ADDITION TO SECTION THREE THOUSAND EIGHT HUNDRED AND NINETY-FIVE, CHAPTER ONE HUNDRED AND SEVENTY OF REVISED LAWS, TO PROTECT GAME.

It is hereby enacted by the General Assembly of the State of Vermont:

SEC. 1. No person in this State shall, at any time, take, kill, purchase or receive, or cause to be taken, killed or received, any woodcock or ruffed grouse, commonly called partridge, for the purpose of shipping or in any manner disposing of them to parties or persons outside of this State, for traffic or gain. Any person violating any of the provisions of this act shall forfeit, for each offense, ten dollars and cost, one-half to go to the person making the complaint and one-half to the State.

SEC. 2. This act shall take effect January 1, 1885.

Approved Nov. 25, 1884.

No. 76.—AN ACT RELATING TO TRAPS.

It is hereby enacted by the General Assembly of the State of Vermont, as follows:

SEC. 1. A person who sets a spring gun trap, or a trap whose operation is to discharge a gun or firearm at an animal or person stepping into such trap, shall be fined not less than fifty nor more



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Blake, John W., Editor; Van Devanter, Willis, Editor et al. Revised Statutes of Wyoming in Force January 1, 1887. Cheyenne, Wy, The Daily Sun Steam Printing House. 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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BY AUTHORITY OF THE LEGISLATIVE ASSEMBLY.

REVISED STATUTES
OF
WYOMING.

IN FORCE JANUARY 1, 1887.

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.

Exhibiting deadly weapon in angry manner.

SEC. 983. Whoever shall, in the presence of one or more persons, exhibit any kind of fire-arms, bowie knife, dirk, dagger, slung shot, or other deadly weapon, in a rude, angry or threatening manner not necessary to the defense of his person, family or property, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than ten dollars, nor more than one hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment. [S. L. 1884, ch. 67, § 1.]

Discharging fire-arms from or near railroad trains—Copy of law to be posted in cars.

SEC. 984. It shall be unlawful for any person in this territory to fire any rifle, revolver or other fire-arm of any description whatever, from any window, door, or other part of any railroad car or train, engine or tender, or along the line of railroad during the passing of any train or engine, or when any person is passing in the vicinity of the person having in his possession such fire-arm, and any person so offending, shall, on conviction, be fined in a sum not exceeding twenty dollars, and for a second offense, confined in the county jail for a term not exceeding sixty days. And it shall be the duty of any railroad company to post a copy of this and the next succeeding section in every railroad car used for the transportation of passengers passing through this territory. But nothing in this section contained, shall be construed as preventing employes on railroad trains from carrying fire-arms, and using the same when necessary for the protection of themselves and the persons and property under their charge. [S. L. 1879, ch. 43, § 1.]

Arrest and trial of offenders against last section.

SEC. 985. It shall be lawful for any conductor, brakeman, or any person in charge of such railroad car, train or engine, to arrest any such person so offending, and take him before some justice of the peace in the county where the offense was committed, or deliver him to some officer of the county, and the justice, upon information as in other cases of misdemeanor, shall proceed to examine into the complaint, as if the arrest had been made by virtue of a warrant duly issued. [S. L. 1879, ch. 43, § 2.]

Selling or giving liquor to Indians.

SEC. 986. Any person or person who shall sell, barter or give away any spirituous or intoxicating liquor to any Indian or Indians within the limits of this territory, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than five hundred dollars, nor more than one thousand dollars, to which may be added imprisonment in the county jail for any period not less than ninety days nor more than six months, or both, at the discretion of the court. [C. L. 1876, ch. 86, § 1.]

Provoking an assault.

SEC. 987. Every person who shall use words, sign or gestures toward another, which are of a nature adapted to provoke, or who by such words, signs or gestures, shall provoke or attempt to provoke another to commit an assault, or assault and battery, or other breach of the peace, such person shall, upon conviction, be fined in any sum not exceeding twenty-five dollars, or imprisoned in the county jail for a term not exceeding ten days. [S. L. 1879, ch. 25, § 1.]



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THE
REVISED STATUTES
OF THE
STATE OF FLORIDA.

PREPARED UNDER AUTHORITY OF, AND ADOPTED BY,

THE LEGISLATURE OF THE STATE OF FLORIDA.

W. A. BLOUNT, C. M. COOPER, L. C. MASSEY,
COMMISSIONERS.

JACKSONVILLE, FLA.:
THE DACOSTA PRINTING AND PUBLISHING HOUSE,
CHAS. W. DACOSTA, PROP'R.
1892.

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PART 5.]

LIBEL, DEADLY WEAPONS.

[TITLE 2,

the State and engages in a fight with another person, without the limits thereof, shall be punished by imprisonment not exceeding six months, or by fine not exceeding five hundred dollars.

ARTICLE 4.

LIBEL AND DEFAMATION.

Ib.
Sub-chap. 7,
sec. 15.

2418. Punishment for libel.—Any person convicted of the publication of a libel shall be punished by imprisonment not exceeding one year, or by fine not exceeding one thousand dollars.

Libel defined.—*Jones v. Greeley*, 25 Fla., 629.

Chap. 8400, sec.
1, Jan. 30, 1883.

2419. Defamation.—Whoever speaks of and concerning any woman, married or unmarried, falsely and maliciously, imputing to her a want of chastity, shall be punished by imprisonment not exceeding one year, or by fine not exceeding five hundred dollars.

Chap. 1637, sub-
chap. 3, sec. 42,
Aug. 6, 1888.

2420. Threats to accuse another of crime.—Whoever, either verbally or by a written or printed communication, maliciously threatens to accuse another of any crime or offence, or by such communication maliciously threatens an injury to the person or property of another, with intent thereby to extort money or any pecuniary advantage whatever, or with intent to compel the person so threatened or any other person to do any act against his will, shall be punished by imprisonment in the State prison not exceeding ten years.

ARTICLE 5.

DEADLY WEAPONS.

Chap. 8020, sec.
1, Feb. 12, 1885.

2421. Carrying concealed weapons.—Whoever shall secretly carry arms of any kind on or about his person, or whoever shall have concealed on or about his person any dirk, pistol or other weapon, except a common pocket knife, shall be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars.

Partial concealment is a violation.—*Sutton v. State*, 12 Fla., 135.

Ib., sec. 2.

2422. Given in special charge to grand jury.—The circuit judges shall charge the grand juries specially upon the crime of carrying concealed weapons, and the State attorney shall receive a fee of ten dollars for each conviction therefor.

Chap. 1637, sub-
chap. 7, sec. 10,
Aug. 6, 1888.

2423. Persons engaged in criminal offence having weapons.—Whoever, when lawfully arrested while committing a criminal offence or a breach or disturbance of the public peace, is armed



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LAWS, RESOLUTIONS^{AND} MEMORIALS

—OF THE—

TERRITORY OF MONTANA,

PASSED AT THE

FOURTEENTH REGULAR SESSION

OF THE

LEGISLATIVE ASSEMBLY,

HELD IN HELENA, THE SEAT OF GOVERNMENT OF SAID TERRITORY, COMMENCING JANUARY 12, A. D. 1885, AND ENDING MARCH 12, A. D. 1885.

TO WHICH ARE PREFIXED

SECTIONS OF THE REVISED STATUTES OF THE UNITED STATES, AND SUBSEQUENT ACTS OF CONGRESS, RELATING TO GOVERNMENT IN THE TERRITORY OF MONTANA.

PUBLISHED BY AUTHORITY.

ROBERT E. FISK,
PUBLIC PRINTER AND BINDER,
Helena, Montana.
1885.

74

GENERAL LAWS OF MONTANA.

Plea.

Second. The acts constituting the offense are stated in an indefinite, ambiguous, and uncertain manner.

Approved March 10, 1885.

CROW INDIAN RESERVATION.

AN ACT concerning that portion of the Crow Indian reservation adjacent to Yellowstone county.

Be it enacted by the Legislative Assembly of the Territory of Montana:

SEC. 1. All that portion of the Crow Indian reservation lying between the Wyoming line and the Yellowstone river, and west of the Big Horn river, in Montana territory, that may hereafter be segregated and thrown open for settlement, shall form a part of Yellowstone county.

SEC. 2. That all that portion of the Crow reserve included within the boundaries described in section 1 of this act be and the same is hereby attached to the county of Yellowstone for judicial purposes.

SEC. 3. This act to be in full force and effect from and after its passage.

Approved March 5, 1885.

DEADLY WEAPONS.

AN ACT to amend section 62 of chapter IV of the fourth division of the revised statutes.

Be it enacted by the Legislative Assembly of the Territory of Montana:

SEC. 1. That section 62 of chapter IV of the fourth division of the revised statutes be amended to read as follows:

SEC. 62. Every person in this territory 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 one or more persons, draw or exhibit any of said deadly weapons in a threateningly drawing deadly weapons prohibited.

rude or angry or threatening manner, not in necessary self defense, or who shall in any manner unlawfully use the same in any fight or quarrel, the person or persons so offending, upon conviction thereof in any criminal court in any county in this territory, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or imprisoned in the county jail not less than one month nor more than three months, at the discretion of the court, or by both such fine and imprisonment, together with the costs of prosecution, which said costs shall in all cases be computed and collected in the same manner as costs in civil cases; and all fines and forfeitures arising under the provisions of this act shall be paid into the county treasury for school purposes: *Provided*, that no sheriff, deputy sheriff, constable, marshal, or other peace officer, shall be held to answer, under the provisions of this act, for drawing or exhibiting any of the weapons hereinbefore mentioned while in the lawful discharge of his or their duties.

Penalty.

Costs, how computed.

Fines and forfeitures to be paid into county treasury.

Peace officers exempt in discharge of their duties.

SEC. 2. All acts and parts of acts, in conflict with this act, are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 12, 1885.

DEAF MUTE AND BLIND CHILDREN.

AN ACT to amend sections 504 and 506 of the fifth division, revised statutes of Montana territory.

Be it enacted by the Legislative Assembly of the Territory of Montana:

SEC. 1. Sections 504 and 506 of chapter 19 of the fifth division of the revised statutes of the territory of Montana are hereby amended as follows:

SEC. 504. The governor and superintendent of public instruction of this territory are hereby authorized to contract with any suitable institution in any state, territory, or federal district in the United States, for the education

Governor and superintendent of public instruction may contract for care of deaf mute and blind children.

to be used as such food, drink, or medicine, is guilty of a misdemeanor.

New.

The slaughtering of a diseased cow to be sold for food is within the statute. (*People v. Goodrich*, 19 N. Y., 574; 3 Park., 622.) What are unwholesome meats, etc. (*State v. Norton*, 2 Iredell; 40; *Hunter v. State*, 1 Head., 160; *State v. Smith*, 3 Hawkes, 378.)

On trial of an indictment for selling unwholesome beef, the judge refused to charge that if the jury found the meat was sold merely as an article of merchandise and not for consumption as food, defendant was not guilty. *Held*, not error. (*People v. Parker*, 38 N. Y., 85.)

§ 409. (Amended 1884.) **Making, selling, etc., dangerous weapons.**

— A person who manufactures, or causes to be manufactured, or sells or keeps for sale, or offers, or gives, or disposes of, any instrument or weapon of the kind usually known as slung-shot, billy, sand club or metal knuckles, or who, in any city in this state, without the written consent of a police magistrate, sells or gives any pistol or other fire-arm to any person under the age of eighteen years, is guilty of a misdemeanor.

Laws 1849, ch. 278, § 1; Laws 1866, ch. 716, § 1; Code Crim. Proc., § 56.

§ 410. (Amended 1884.) **Carrying, using, etc., certain weapons.**—

A person who attempts to use against another, or who, with intent so to use, carries, conceals or possesses any instrument or weapon of the kind commonly known as the slung-shot, billy, sand-club or metal knuckles, or a dagger, dirk or dangerous knife, is guilty of a felony. Any person under the age of eighteen years who shall have, carry or have in his possession in any public street, highway or place in any city of this state, without a written license from a police magistrate of such city, any pistol or other fire-arm of any kind, shall be guilty of a misdemeanor. This section shall not apply to the regular and ordinary transportation of fire-arms as merchandise, or for use without the city limits.

3 R. S., 937, § 38, Laws 1866, ch. 716, § 1.

What are concealed weapons within the statute. (*State v. West*, 6 Jones, 605; *Shadle v. State*, 34 Texas, 572; *Evans v. State*, 46 Ala., 88; *Owens v. State*, 31 id., 387.)

§ 411. **Possession, presumptive evidence.**— The possession, by any person other than a public officer, of any of the weapons specified in the last section, concealed or furtively carried on the person, is presumptive evidence of carrying, or concealing, or possessing, with intent to use the same in violation of that section.

3 R. S., 937, § 38; Laws 1866, ch. 716, § 1.

§ 412. Repealed in 1882.

Id.; *State v. Huntley*, 3 Iredell, 418.

§ 413. **Negligence in respect to fires.**— A person who negligently sets fire to his own woods, by means whereof the property of another is endangered, or who negligently suffers

Donnan, George R., and New York . Code of Criminal Procedure of the State of New York
New York . Penal Code of the State of New York. Annotated Code of Criminal
Procedure and Penal Code of the State of New York as Amended 1882-5. 4th ed.,
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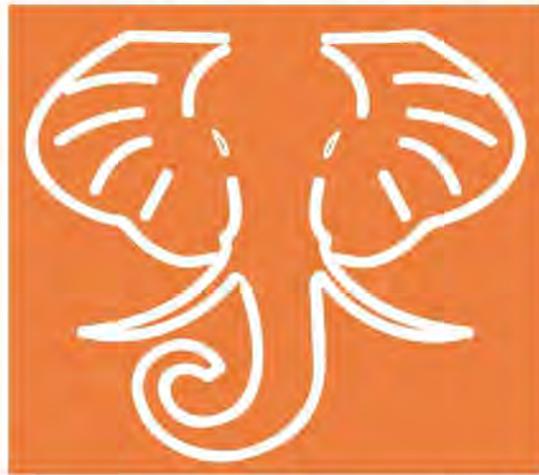
Charter and ordinances of the City of Syracuse, New York/ as revised in 1885, and as amended from 1885 to 1893 inclusive, together with special legislative enactments affecting the City of Syracuse.

Syracuse (City), New York.

Syracuse, NY: E.M. Grover, Printer and Binder, 1894.

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prisonment, and a like fine or imprisonment for each day such person shall neglect or refuse, as aforesaid, after the first conviction.

§ 10. No person shall hereafter be allowed to clean or remove the contents of any privy, vault, cesspool, sewer or drain, or to transport or to carry the contents thereof through the streets of the city without first having obtained a permit from the board of health. Any person who shall violate any of the provisions of this section shall be subject to a fine of not less than ten nor more than one hundred dollars, or to imprisonment in the penitentiary of the county for not less than ten days nor more than three months, or to both such fine and imprisonment.

Contents of privy, cess pool, etc., not to be removed without permit of board of health.

Penalty.

CHAPTER XXVII.

OFFENSES AGAINST THE PUBLIC PEACE AND QUIET.

SECTION 1. Any person who shall make or assist in making any improper noise, or any disturbance, or commit any breach of the peace in the streets or elsewhere in the city, and all persons who shall collect in bodies or crowds in the streets or on the sidewalks for unlawful purposes, or for any purpose to the annoyance or disturbance of citizens or travelers, shall be subject to a fine of not less than five nor more than fifty dollars, or to imprisonment in the penitentiary of the county for not less than ten days nor

Noise, riot or disturbance in streets.

Penalty.

more than three months, or to both such fine and imprisonment, for each offense.

Disturbing religious meetings.

§ 2. Any person who shall disturb or disquiet any congregation or assembly of people met for religious worship, by making a noise or by rude and indecent behavior, or profane discourse, within their place of worship, or so near the same as to disturb the order and solemnity of the meeting, shall be subject to a fine of not less than five nor more than one hundred dollars, or to imprisonment in the penitentiary of the county for not less than five nor more than sixty days, or to both such fine and imprisonment.

Penalty.

Indecent language, &c.

§ 3. Any person who shall use any scandalous, lewd, or otherwise indecent language to any other person, or of or concerning any other person, in the hearing of others, or shall make any immodest, lewd, or otherwise indecent sign or gesture, or commit any other immodest, lewd, or indecent act or in the known presence of any other person, shall be subject to a fine of not less than five nor more than fifty dollars, or to imprisonment in the penitentiary of the county for not less than thirty days nor more than three months, or to both such fine and imprisonment.

Penalty.

Abuse and annoyance of others.

§ 4. Any person who shall conduct himself in a noisy, boisterous, rude, insulting or otherwise disorderly manner, by either words or acts, toward any other person, with intent to abuse or annoy such person, or so as to annoy the citizens of the city, or any portion thereof, and disturb the good order and

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quiet of the same, shall be subject to a fine of not less than five nor more than fifty dollars, or to imprisonment in the penitentiary of the county for not less than thirty days nor more than three months, or to both such fine and imprisonment. Penalty.

§ 5. Any person who shall immoderately ride or drive any horse or other animal whether attached to a private or public ambulance or other vehicle in any avenue, street, alley or lane in the city, shall be subject to a fine of not less than five nor more than fifty dollars, or to imprisonment in the penitentiary of the county for not less than ten nor more than thirty days. Immoderate driving and riding. Penalty.

§ 6. Any person who shall solicit alms in the city for any purpose whatever, without permission from the mayor, shall be subject to a fine of two dollars or to imprisonment in the penitentiary of the county for ten days for each offense. Soliciting alms. Penalty.

§ 7. Any person who shall carry about his or her person any dirk, bowie knife, sword or spear, cane, pistol, revolver, slung shot, jimmy, brass knuckles, or other deadly or unlawful weapon, or shall use any deadly or unlawful weapon, with intent to do bodily harm to any person, shall be subject to a fine of not less than twenty-five nor more than one hundred dollars, or to imprisonment in the penitentiary of the county for not less than thirty days nor longer than three months, or to both such fine and imprisonment. Carrying of deadly weapons. Penalty.



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THE

LAWS OF OREGON,

AND THE

RESOLUTIONS AND MEMORIALS

OF THE

THIRTEENTH REGULAR SESSION

OF THE

LEGISLATIVE ASSEMBLY THEREOF.

1885.



SALEM, OREGON,
W. H. BYARS, STATE PRINTER,
1885.

GENERAL LAWS.

33

SEC. 9. Section 6 of an act entitled "An act to provide for the construction of a brick insane asylum for this State, levy a tax, and appropriate money therefor," approved October 25th, 1880, is hereby repealed.

Approved February 18th, 1885.

AN ACT to prevent Persons from carrying Concealed Weapons and to provide for the Punishment of the same.

Be it enacted by the Legislative Assembly of the State of Oregon:

SECTION 1. It shall be unlawful for any person to carry concealed about his person in any manner whatever, any revolver, pistol, or other firearm, or any knife (other than an ordinary pocket-knife), or any dirk or dagger, slungshot or metal knuckles, or any instrument by the use of which injury could be inflicted upon the person or property of any other person.

SEC. 2. Any person violating any of the provisions of section one of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than two hundred dollars, or by imprisonment in the county jail not less than five days nor more than one hundred days, or by both fine and imprisonment, in the discretion of the court.

SEC. 3. Nothing in this act shall be construed to apply to any sheriff, constable, police, or other peace officer, whose duty it is to serve process or make arrests.

SEC. 4. Justices of the peace shall have concurrent jurisdiction to try any person or persons charged with violating any of the provisions of this act.

Approved February 18th, 1885.

AN ACT to provide for the Appointment of a Board of Immigration Commissioners and the appropriation of Money for Immigration purposes.

Be it enacted by the Legislative Assembly of the State of Oregon:

SECTION 1. That the Governor of the State is hereby empowered and authorized to appoint a State Board of Immigration Commissioners, to consist of five (5) members, to act without salary or other com-



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ACTS

OF THE

GENERAL ASSEMBLY OF ALABAMA.

PASSED AT THE

SESSION OF 1886-87,

HELD IN

THE CITY OF MONTGOMERY,

COMMENCING 2D TUESDAY IN NOVEMBER, 1886.

With Separate Index to General and Local Laws.

THOMAS SEAY, GOVERNOR.

W. J. SAMFORD, PRESIDENT OF THE SENATE.

THOS. G. JONES, SPEAKER OF THE HOUSE.

MONTGOMERY, ALA.:

W. D. BROWN & CO., STATE PRINTERS AND BINDERS,
1887.

No. 3.]

AN ACT.

[H. B. 940.]

To fix the rate of taxation in this State.

SECTION 1. *Be it enacted by the General Assembly of Alabama,* That on all property liable to taxation in this State, there shall be assessed and collected a tax of five and one-half tenths of one per centum for the fiscal year ending September 30th, 1888, and five-tenths of one per centum for each year thereafter.

Approved February 28th, 1887.

No. 4.]

AN ACT

[H. B. 211.]

To amend sections 4 and 11, and sub-division 8 of section 2, sub-divisions 2, 5 and 6 of section 6, and sub-divisions 2, 3, 4, 5, 6, 9, 10, 17, 18, 20, 29, 31, 32, 33 and 34 of section 14, and to repeal sub-division 8 of section 6, of an act entitled "An Act to levy taxes for the use of the State and the counties thereof," approved December 12, 1884, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of Alabama,* That sections 4 and 11, and sub-division 8 of section 2, and sub-divisions 2, 5 and 6 of section 6, and sub-divisions 2, 3, 4, 5, 6, 9, 10, 17, 18, 20, 29, 31, 32, 33 and 34 of section 14 of an act to levy taxes for the use of the State and the counties thereof, approved December 12, 1884, be and they are hereby amended so as to read as follows: That sub-division 8 of section 2 be amended so as to read as follows: 8. The following property to be selected by the head of each family, viz: household and kitchen furniture, not to exceed in value one hundred and fifty dollars; one yoke of oxen, one cart or wagon, two cows and calves, twenty head of stock hogs, ten head of sheep, all poultry, all agricultural products of the preceding year which are on hand, in the hands of the producer on the first of January thereafter, provisions and supplies on hand for the current year for the use of the family and the making of the crop, all wearing apparel, all looms and

Sections amended.

Property exempt.

1886-87.

32

Proviso.

spinning wheels, kept for use of the family, farming tools to the value of twenty-five dollars, tools and implements of mechanics to the value of twenty-five dollars, one sewing machine in each family when the taxable property does not exceed two hundred and fifty dollars; *Provided*, that no property or subject of taxation shall be exempt from taxation, nor shall any credit, abatement, or deduction be allowed therefrom, unless such property or subject of taxation is entered by the tax-payer upon his assessment list and returned by him under oath to the tax assessor.

When taxes
are due.

SEC. 2. That section 4 be amended so as to read as follows: All taxes, unless otherwise herein directed, shall become due and payable on the first day of October in each year, and shall become delinquent if not paid on or before the thirty-first day of December in each year, except in cases where parties are about to remove from the county, and except also poll taxes, which shall become delinquent if not paid on or before the first day of December in each year, after which last date as to poll taxes, the tax collector may proceed to enforce payment by garnishment, or the seizure and sale of personal property, as herein provided for the collection of other delinquent taxes.

SEC. 3. That sub-divisions 2, 5 and 6 of section 6, be amended so as to read as follows:

Insurance
companies.

2. On gross amount of premiums (after deducting therefrom the expenditures, losses paid and return premiums) received from their business in this State during each tax year by any life, fire or marine insurance company not chartered by this State, and doing business herein by agents or otherwise, at the rate of one per cent., each agent in this State of any insurance company organized under the laws of any other State or country and doing business in this State, shall annually, in the month of January, return to the assessor of the county in which such agency is located, a sworn statement of the gross receipts of such agency for the year ending on the first day of the month, including all notes, accounts and other things received or agreed upon as a compensation for insurance at such agency, with a statement of expenditures, losses paid and return premiums, and the company shall be charged with taxes at the place of such agency on the amount

Agent must
make state-
ment.;

so returned, and the agent shall also be personally responsible for such taxes, and may retain in his hand a sufficient amount of the company's assets to pay the same unless the same shall be paid by the company, but no corporation not incorporated under the laws of the State, nor any foreign society, firm or partnership shall do business in this State except through an agent duly authorized, and accredited for the purposes of said business and for all purposes connected with licenses and taxation and service of process, said agent to be appointed by authentic act, and a certified copy of the act to be deposited in the office of the Auditor of this State. Any person or firm who shall fill up or sign a policy or certificate of insurance, on open marine or fire insurance policy, or otherwise issue by a corporation or association, or persons not located or represented in this State by a legally authorized agent, shall be considered an agent of such corporation, or association, and shall be liable for all licenses, taxes and penalties enforced by the provisions of this act, upon such person, corporation and association, as if represented by a legally appointed agent; any agent or company refusing or failing to make returns within the time prescribed by law or refusing to pay the amount assessed as tax shall forever be debarred from doing business in this State.

Agent responsible for taxes.

Foreign companies must have an agent.

Who are agents.

Penalty.

5. On the gross receipts during such tax year of all cotton pickeries, cotton seed oil mills, and from the storage of cotton or merchandise or produce, and on the gross amount of income, of all gas works, electric light companies, water works, ferries, toll bridges, public mills and gins used in ginning for tolls, cotton compresses, after deducting the expense of carrying on such business at the rate of one per cent.

Oil and gas works.

6. On the gross amount of the receipts by any and every telegraph, telephone, and express company, derived from the business done by it in this State, at the rate of two dollars on the hundred dollars.

Telegraph and express companies.

SEC. 4. That section 11 be amended so as to read as follows: Section 11. On the last secular day in March and every three months thereafter, the judge of probate shall forward to the auditor of the State a certified list of all licenses issued by him, and at the same time pay to the State treasurer the money received by him for

Judge of probate makes return to auditor.

1886-87.

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Penalty on
probate judg-
es for failure.

such licenses belonging to the State, and to the county treasurer the portion belonging to the county, and shall receive two and a half per cent. for the collection and payment of the license money to the officer, State or county, to whom it is to be paid, to be deducted from his said collection. If any probate judge fails to comply with the provisions of this section within ten days after the date at which he is required to make a report of licenses issued and money received by him, the auditor shall forthwith report the facts to the Governor, who shall cite said judge to show why he has not made returns of such certified lists of licenses as required by law, and if such judge fails to show sufficient cause for such failure, the Governor shall direct the attorney general to institute impeachment proceedings against such delinquent probate judge before the Supreme Court of the State.

Steamboat
and railroad
license.

SEC. 5. That subdivisions 2, 3, 4, 5, 6, 9, 10, 17, 18, 29, 31, 32 and 34 of section 14 be amended so as to read as follows: Section 14, subdivision—

How enforced.

2. For the retail of spirituous, vinous or malt liquors on any steamboat or water craft or on any sleeping, dining or buffet car, two hundred and fifty dollars, for the collection of which the State shall have a preferred lien on all such steamboats or other water crafts and cars named for the amount required by law to be paid for such licenses to retail vinous, spirituous or malt liquors on such steamboat or water craft and cars, to be enforced wherever such liquors are retailed by any person on any such boat or water craft or cars, with the knowledge or consent of the captain or conductor without having first procured a license, as provided by law, and the tax collector of any county, where such vessels may ply or cars run, is required to enforce this lien, in the same manner, and by the same proceedings as are authorized for the collection of taxes on steamboats and on railroad cars.

Retail
license.

3. For retailers of spirituous, vinous, or malt liquors, except as hereinafter provided in any city, town, village, or any other place of less than one thousand inhabitants, one hundred and twenty-five dollars, and in any city, town or village of more than one thousand inhabitants and less than three thousand inhabitants, one hundred and seventy-five dollars, and any city con-

taining three thousand inhabitants or more, and less than ten thousand inhabitants, two hundred and fifty dollars, in any city of more than ten thousand inhabitants, three hundred dollars. *Provided, further,* that dealers in lager beer exclusively, shall be charged one-fourth of the rates charged for retailers of spirituous, vinous or malt liquors, as graded above, and any person who takes out and pays for a retail license shall not be required to take out a license as a wholesale dealer, and when a retail license is taken out after the first day of January and before the first day of July, the price of the license shall be the same as for a license for twelve months. Lager beer.

4. For wholesale dealers in spirituous, vinous or malt liquors in any place, two hundred dollars. Any person dealing in said articles, who shall sell, barter or exchange, or in any way dispose of, or permit to be taken, spirituous, vinous or malt liquors in any quantity less than one quart, or who shall permit the same to be drunk by the glass, or single drink, in or about his place of business, shall be deemed a retail dealer, and any dealer so disposing of spirituous, vinous or malt liquors, only in the quantity of one quart or more, shall be deemed a wholesale dealer, but any person having taken out a license as a retail dealer, is authorized to sell at wholesale without additional license. Wholesale dealers.

5. For compounders and rectifiers of spirituous, or vinous liquors, two hundred dollars; any person who rectifies, purifies or refines distilled spirits or wines by any process, or who mixes distilled spirits or wines with any chemicals, or compounds liquors for sale under any name, shall be deemed a compounder and rectifier. Rectifiers.

6. For distillers of spirituous liquors, two hundred dollars; but this shall not apply to the distilling of fruits. Distillers.

9. For peddlers in a wagon drawn by one horse or other animal, forty dollars; if drawn by two horses or other animals, fifty-five dollars; for peddlers on a horse or other animal, twenty-five dollars; for peddlers on foot, fifteen dollars; for peddlers accompanied by singers or performers on any musical instrument, one hundred dollars; *provided,* that peddlers of tin ware only, who shall pay all lawful fees and one-third of the Peddlers.

1886-87.

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license fees herein provided, shall be entitled to such license; *Provided further*, that peddlers of wooden and stone or clay hollow-ware only, shall not be required to procure a license. A peddler's license shall entitle him to peddle only in the county where it is taken out; and it is hereby made the duty of county court judges, justices of the peace, notaries public, mayors, recorders and intendants of cities or towns, sheriffs, deputy sheriffs, constables, city or town marshals, policemen, and all other officers authorized by law to make arrests, to demand of peddlers, itinerant dealers and travelling agents their licenses, and unless they exhibit same, or show that they have the right to peddle the goods carried by them, or to carry on the business they are engaged in, without a license, such county court judges, justices, notaries, with powers of a justice, mayors, recorders, intendants, must issue warrants for the arrest of such peddlers, itinerant dealers or travelling agents, returnable to any court in the county having criminal jurisdiction, which warrants may be executed by the sheriff, deputy sheriff, any constable of the county, any city or town marshal, policeman or any other officer having authority to make arrests; but it shall be lawful for any person having but one arm, or but one leg, or who labors under any other physical disability, of making a livelihood by labor, to peddle in any county in the State free of license on the filing of the certificates of two regularly licensed physicians, in the office of probate of the county of his permanent residence, to the effect that such cripple is permanently disabled, and that he cannot by labor make a livelihood for himself and family. This shall not be so construed as to require a license on peddlers of fish, oysters, game, fresh meats, poultry, fruit and all farm products raised by the seller.

10. Upon transient or itinerant auctioneers or dealers in goods, wares or merchandise, other than licensed peddlers and traveling agents of wholesale dealers in said articles, making sale thereof by sample, fifty dollars; itinerant dealers in fruit trees, vines, shrubs or plants of any kind, fifty dollars.

Auctioneers.
Fruit tree
dealers.

17. For dealers in pistols or pistol cartridges, or bowie knives, or dirk knives, whether principal stock in trade or not, three hundred dollars.

Pistols, &c.

18. For peddlers of medicines or other articles of like character, spectacles or eye-glasses, one hundred dollars for each county in which they peddle. For peddlers of medicines, with vocal or instrumental music, or both, two hundred and fifty dollars for each county in which they peddle. Medicines.

20. For each sewing machine, stove, range or clock company selling sewing machines, stoves, ranges or clocks, either themselves or by their agents, or through consignees, and all persons who engage in the business of selling sewing machines, stoves, ranges or clocks, shall pay to the State twenty-five dollars for each county in which they may so sell, but when merchants engaged in a general business keep sewing machines, stoves, ranges or clocks as a part of their stock in trade, they shall not be required to pay the tax herein provided, in the county in which they are engaged in such general business. Sewing machines, stores and clocks.

29. For each company of traders, or fortune tellers, usually known as gypsies, ten dollars for each county. Fortune tellers.

31. For fortune tellers, twenty-five dollars.

32. The owner or master of any steamboat or other water craft plying in any rivers of the State, who engage in the business of buying, selling or bartering any goods, wares, merchandise, produce or commodity whatever on or from said boat, must pay a license of two hundred and fifty dollars, and the party so licensed shall thereby be entitled to carry on such business on the boat therein named, in any county in which said boat is navigated, provided cities and towns in which such person engages in such business, may impose such license as is exacted of like business in said city or town. The owner, conductor, or person in charge of every supply car, or car from which any goods, wares or merchandise are sold, whether to the servants of the railroad company or others, must pay a license of one hundred dollars, and the person so licensed shall thereby be entitled to carry on such business in the car therein named in any county in which said car is run or drawn, but each of said counties may charge a license therefor of ten dollars. Steamboats.
Selling goods on cars.

33. For travelling agents of wholesale dealers in goods, wares and merchandise a tax of ten dollars, to

1886-87.

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Drummers. be taken out in only one county, and should any such agent fail to take out such license all contracts made by him shall be void, and in any proceedings to enforce any such contract, the burden of proof shall be upon the party selling such goods, wares and merchandise, to show that such license has been taken out at the time such contract was made.

Playing cards. 34. Each dealer in playing cards, five dollars. Any person who engages in the business of buying or selling futures for speculation or on commission, shall pay a license tax of three hundred dollars, provided this shall not be held to legalize any contract which would otherwise be invalid.

Dealing in futures.

SEC. 15. *Be it further enacted,* That sub-division eight of section six is hereby repealed.

Lee county.

SEC. 16. *Be it further enacted,* That the one-fourth of one per cent. levied and assessed in the county of Lee for the tax year beginning January 1st, 1886, to reimburse the State for the investment of certain revenues in the compromise and settlement of the railroad bonded indebtedness of said county, shall be collected by the tax commissioner of said county as he collects the State and county tax, and shall be paid into the State Treasury, and the postponement of said tax of one-fourth of one per cent. shall not be construed to be for any other year than the tax years 1887 and 1888.

Approved December 11, 1886.

No. 5.]

AN ACT

[H. B. 245.

To make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, for interest on the public debt, and for public schools.

SECTION 1. *Be it enacted by the General Assembly of Alabama,* That the following sums of money, or so much of each sum as may be necessary, be and they are hereby appropriated for the purposes hereinafter specified, to be paid out of any moneys in the Treasury not otherwise appropriated, for the fiscal years end-

Isham White, The Laws and Ordinances of the City of Denver, Colorado Page 369, Image 370 (1886) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

City of Denver, Slung Shot – Brass Knuckles, § 10. Whenever there shall be found upon the person of anyone who is guilty of a breach of the peace, or of conduct calculated to provoke a breach of the peace, any slung shot, colt, or knuckles of lead, brass or other metal, or, when upon trial, evidence shall be adduced proving that such weapons were in the possession or on the person of anyone while in the act of commission of the acts aforesaid, such person shall upon conviction be fined not less than twenty-five dollars nor more than three hundred dollars.



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PART I.—TITLE II.—TAXES.

17

General Tax Act for 1887 and 1888.

machines manufactured by companies that have not paid the tax herein required, two hundred dollars for each fiscal year or fractional part thereof, to be paid to the Comptroller-General at the time of commencement of business, and in addition to the above amount, said companies or wholesale dealers shall furnish the Comptroller-General a list of all agents authorized to sell machines, and shall pay to said Comptroller-General the sum of ten dollars for each of their agents, in each county, for each fiscal year or fractional part thereof, and upon the payment of said sum, the Comptroller-General shall issue to each of said agents a certificate of authority to transact business in this State; and all sewing machines belonging to such companies, dealers or their agents, in possession of such companies, dealers, their agents or others, shall be liable to seizure and sale for the payment of such license fees and tax. This tax shall be for the whole State, and such companies, their agents and wholesale dealers, shall not be liable for any county tax or license fees by the counties for selling sewing machines therein; and said agents shall be required to register their names with the Ordinary and exhibit their license from the Comptroller-General at the time of registering, and thereafter keep the same posted on their wagons or vehicles, or at their places of business. When a company or wholesale dealer transfers an agent from one county to another, said company or dealers shall notify the Comptroller-General in advance of said transfer. In cases where wholesale dealers sell sewing machines manufactured by different companies, such dealers shall pay the license fees and tax above provided for separately for each company whose manufacture of machines may be sold by such dealers, unless each of said companies has itself paid such license fees and tax. Any person who shall violate the provisions of this section shall be liable to indictment for misdemeanor, and on conviction shall be fined not more than five hundred dollars and not less than one hundred dollars, in the discretion of the court trying the same. If said fine is not paid within the time prescribed by the court, such person so fined shall be imprisoned as prescribed in section 4310 of the Code.

Eighteenth—Upon all dealers in pistols, toy pistols, revolvers, pistol or revolver cartridges, dirks or bowie knives, one hundred dollars for each place of business in each county where the same are sold.

Nineteenth—Upon every individual or firm, or his or their agents, engaged in the business of selling or buying farm products for future delivery (commonly called "futures"), five hundred dollars each per annum for the county where each business is carried on: *Provided*, that this tax shall not be demanded of any cotton ware-



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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 Sixth day of January,
and ended on the Fifth day of April, 1886.

1886

PUBLISHED BY  AUTHORITY.

BALTIMORE:

JOHN MURPHY & CO.

Publishers of the New Revised Code of Maryland, Hinkley's Testamentary Law, &c.

182 BALTIMORE STREET.

GEORGE T. MELVIN, STATE PRINTER.

1886.

LAWS OF MARYLAND.

CHAPTER 375.

AN ACT to add a new section to article thirty of the Code of Public General Laws, title "Crimes and Punishments," providing for the punishment of carrying dangerous or deadly weapons.

To add.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the following section be added to article thirty of the Code of Public General Laws, title "Crimes and Punishments."

Concealed weapons.

SEC. —. Every person not being a conservator of the peace entitled or required to carry such weapon as a part of his official equipment, who shall wear or carry any pistol, dirk-knife, bowie-knife, slung-shot, billy, sand-club, metal knuckles, razor or any other dangerous or deadly weapon of any kind whatsoever, (penknives excepted) concealed upon or about his person, and every person who shall carry or wear any such weapon openly with the intent or purpose of injuring any person, shall, upon conviction thereof, be fined not more than five hundred dollars or be imprisoned not more than six months in jail or the House of Correction.

Effective.

SEC. 2. *And be it enacted,* That this act shall take effect from the date of its passage, and that all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Approved April 7, 1886.



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Burglary.

P. G. L., (1860,) art. 80, sec. 21. 1809, ch. 138, sec. 5.

27. Every person convicted of the crime of burglary, or as accessory thereto before the fact, shall restore the thing taken to the owner thereof, or shall pay him the full value thereof, and be sentenced to the penitentiary for not less than three nor more than ten years.

Robinson v. State, 53 Md. 151.

Ibid. sec. 22. 1809, ch. 138, sec. 5.

28. Every person, his aiders, abettors and counsellors, who shall be convicted of the crime of breaking a dwelling-house in the day-time, with intent to commit murder or felony therein, or breaking a storehouse, warehouse, or other out house, in the day or night, with an intent to commit murder or felony therein, shall be sentenced to the penitentiary for not less than two nor more than ten years.

Ibid.

Ibid. sec. 23. 1787, ch. 2, sec. 2. 1809, ch 138, sec. 5.

29. Every person convicted of the crime of breaking into any shop, storehouse, tobacco house, or warehouse, although the same be not contiguous to or used with any mansion house, and stealing from thence any money, goods or chattels, to the value of one dollar or upwards, or as being accessory thereto, shall restore the thing taken to the owner thereof, or shall pay him the full value thereof, and shall be sentenced to the penitentiary for not less than two nor more than ten years.

Ibid.

Concealed Weapons.

1886, ch. 375.

30. Every person, not being a conservator of the peace entitled or required to carry such weapon as a part of his official equipment, who shall wear or carry any pistol, dirk-knife, bowie-knife, slung-shot, billy, sand-club, metal knuckles, razor, or any other dangerous or deadly weapon of any kind whatsoever, (penknives excepted,) concealed upon or about his person; and every person who shall carry or wear any such weapon openly, with the intent or purpose of injuring any person, shall, upon

ART. 27.] CONSPIRACY—COUNTERFEITING—FORGERY. 469

conviction thereof, be fined not more than five hundred dollars, or be imprisoned not more than six months in jail or in the house of correction.

Conspiracy.

1884, ch. 206.

31. An agreement or combination by two or more persons, to do, or procure to be done, any act in contemplation or furtherance of a trade dispute between employers and workmen, shall not be indictable as a conspiracy, if such act, committed by one person, would not be punishable as an offence; nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace, or any offence against any person or against property.

Counterfeiting and Forgery.

P. G. L., (1860,) art. 30, sec. 24. 1799, ch. 75. 1809, ch. 138, sec. 6.

32. Any person who shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging, altering or counterfeiting any deed, will, testament or codicil, bond, writing obligatory, bill of exchange, promissory note for the payment of money or property, endorsement or assignment of any bond, writing obligatory, bill of exchange, acquittance or receipt for money or property, or any acquittance or receipt either for money or property, with intention to defraud any person whomsoever, or shall utter or publish as true, any false, forged, altered or counterfeited deed, will, testament or codicil, bond, writing obligatory, bill of exchange, promissory note for the payment of money or property, or endorsement or assignment of any bond, writing obligatory, bill of exchange, promissory note, acquittance or receipt for money or property, shall be deemed a felon, and on being convicted thereof shall be sentenced to the penitentiary for not less than five nor more than ten years.

Bloomer v. State, 48 Md. 529. *Bishop v. State*, 55 Md. 141. *Hawthorne v. State*, 56 Md. 534. *Bell v. State*, 57 Md. 114. *Brashears v. State*, 58 Md. 565.

Ibid. sec. 25. 1809, ch. 138, sec. 8. 1821, chs. 150, 204. 1834, ch. 270, sec. 2.

33. If any person shall falsely make, forge or counterfeit, or cause to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting, any com-



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HENRY LLOYD, ESQUIRE, GOVERNOR.

315

G. L. Copeland; and also to issue his warrant upon the Treasurer for the sum of sixty dollars, payable to the order of Abram Zarks; and also to issue his warrant upon the Treasurer for the sum of sixty dollars, payable to the order of C. E. Gordon; the said sums of money having been paid for State license erroneously issued to said persons by the Clerk of 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. Effective.

Approved April 7, 1886.

CHAPTER 189.

AN ACT to prevent the carrying of guns, pistols, dirk-knives, razors, billies or bludgeons by any person in Calvert county, on the days of election in said county, within one mile of the polls.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, it shall not be lawful for any person in Calvert county to carry, on the days of election and primary election, within three hundred yards of the polls, secretly, or otherwise, any gun, pistol, dirk, dirk-knife, razor, billy or bludgeon, and any person violating the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof by the Circuit Court of Calvert county having criminal jurisdiction thereof, or before any Justice of the Peace in said county, shall be fined not less than ten nor more than fifty dollars for each offence, and on refusal or failure to pay said fine, shall be committed to the Jail of the county until the same is paid.

Unlawful to carry weapons to the polls.

SEC. 2. *And be it enacted*, That the fines collected under this act shall be paid by the offi-

Fines go to schools.

cer collecting the same, to the School Commissioners of the county in which the offence was committed, for School purposes.

Misdemeanor.

SEC. 3. *And be it enacted*, That any Constable of said county, or the Sheriff thereof, who shall refuse to arrest any person violating any provision of this act, upon information of such offence, shall be deemed guilty of a misdemeanor, and on conviction thereof before the Circuit Court for Calvert county, as the case may be, shall be fined not less than fifty nor more than one hundred dollars, and shall, in the discretion of the Court, be discharged from office.

Penalty.

Effective.

SEC. 4. *And be it enacted*, That this act shall take effect from the date of its passage.

Approved April 7, 1886.

CHAPTER 190.

AN ACT to repeal section three of the acts of eighteen hundred and eighty-four, chapter sixteen, entitled an act for the protection of birds in Prince George's and Anne Arundel counties, and to re-enact the same with amendments, and to add new sections thereto.

Repealed and re-enacted.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That section three of chapter sixteen of the acts of eighteen hundred and eighty-four, entitled an act for the protection of birds in Prince George's and Anne Arundel counties, be and the same is hereby repealed and re-enacted so as to read as follows, and that new sections be added thereto.

SEC. 3. *And be it enacted*, That it shall not be lawful for any person or persons in said counties to shoot, kill or catch or in any way to

Compiled Ordinances

OF THE

City of Council Bluffs
Iowa



COMPILED AND ARRANGED BY

A. S. HAZELTON AND FRANK J. CAPELL

PUBLISHED BY AUTHORITY

1920

CITY OF COUNCIL BLUFFS

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SEC. 69. That any person violating this ordinance shall be fined in a sum not exceeding twenty-five (\$25.00) dollars and costs of prosecution.

INJURING CITY PROPERTY.

SEC. 70. No person shall, without authority from the city, deface, injure, destroy or assist in defacing, injuring or destroying any buildings, bridge, pavement, side or crosswalk, drain or sewer, or any part thereof, or any other property belonging to the city; nor shall any person hinder or obstruct the making or repairing of any improvement or work ordered by the city.

INJURING AWNINGS, LAMP POSTS, ETC.

SEC. 71. No person shall cut, hack or in any manner injure any awning, lamp post, lamp, gas or water pipe, ornamental or shade trees, railing, fence or other property not owned by him.

DEFACING, CHANGING OR INJURING GRADE STAKES.

SEC. 72. It shall be unlawful to remove, break or in any manner injure any grade stake, stone or other mark or monument set by or under the authority of the City Engineer, or any of his assistants, to designate grades, corners, lines or bench marks, or in any manner erase or deface any letters or figures thereon.

CITY LIGHTS, BY WHOM EXTINGUISHED.

SEC. 73. It is unlawful for any person without authority therefor to light or extinguish any gas or oil street lamp or light.

INJURY TO CITY NOTICES.

SEC. 74. No person shall deface or tear down any advertisement, notice or ordinance posted by order of the City Council or any officer of the city.

CARRYING CONCEALED WEAPONS PROHIBITED.

SEC. 75. It shall be unlawful for any person to carry under his clothes or concealed about his person, or found in his possession, any pistol or firearms, slungshot, brass knuckles or knuckles of lead, brass or other material, or any sandbag,

ORDINANCES

airguns of any description, dagger, bowie knife or instrument for cutting, stabbing or striking, or other dangerous or deadly weapon, instrument or device; *provided*, that this section shall not be construed to prohibit any officer of the United States, or of any State, or any peace officer, from wearing and carrying such weapons as may be convenient, necessary and proper for the discharge of his official duties.

Selling unwholesome meats for food

SEC. 76. It shall be unlawful for any person or persons to sell, or offer to sell, for consumption, any unwholesome or decayed meats, fruits, vegetables or any other commodity which shall be unfit for food.

Throwing stones at street cars

SEC. 77. No person shall throw any stone, brickbat, wood or other substance at or into any street car, or at any person in or on such car.

Obstruction on street railway track

SEC. 78. No person shall place any wood, stone or other substance on the track of any street railway in such a manner as to obstruct the cars of such railway, or to throw the cars thereof off of said track.

Cruelty to animals

SEC. 79. It shall be unlawful for any person or persons to abuse or wantonly neglect or cruelly beat any dumb animal.

Loitering prohibited

SEC. 80. It shall be unlawful for persons to collect, assemble or group together, and, after being so collected, assembled or grouped together, to stand or loiter on any sidewalk or at any street corner in front of any bank, business house, or at any other place in said city, to the annoyance, hindrance or obstruction to the free passage of any person or persons passing on or along any sidewalk or street in said city.

Building fires on asphaltum or wooden pavements

SEC. 81. That it shall be unlawful for any person or persons to build any bonfire or other fire in and on any street, avenue or alley in said city made with wood or other combustible material.

Mayor or officer may enter places to prevent crime.

SEC. 82. It shall be unlawful for any person or persons to refuse, obstruct or to resist the admission of the Mayor, Marshal or his deputy, or any member of the police force of said city, into or to enter any house of ill-fame or disorderly house, circus, menagerie, or other place, when any of the said officers may find it necessary for the purpose of preventing the commission of crime or crimes, or to quiet any disturbance,

No. 39.—MISDEMEANORS.

An Ordinance Relating to Misdemeanors.

ARTICLE I.

Offenses Against good Morals and Decency.

Be it ordained by the Mayor and Councilmen of the City of Independence, Kansas:

Penalties. SECTION 1. That the several acts and offenses specified in this ordinance are hereby prohibited in this city, and any person found guilty of any or either of them, shall be subject to the penalties herein provided for them respectively.

Horse-racing. SEC. 2. Every person who shall be guilty of horse-racing, cock-fighting, or playing at cards, or games of any kind, on the first day of the week commonly called Sunday, shall be fined not less than five dollars nor more than fifty dollars.

Selling liquor on Sunday. SEC. 3. Every person who shall keep open in the city of Independence any ale, porter or beer house, or any grocery or tippling shop, for the purpose of selling, bartering, directly or indirectly, or permitting to be drank therein any ale, porter, beer, or fermented or distilled liquors, or shall sell, retail or give away any ale, porter or beer, or any fermented or distilled liquor on Sunday, shall be fined not less than one dollar nor more than fifty dollars.

Selling goods on Sunday. SEC. 4. Every person who shall keep open any place of business or sell or expose for sale on Sunday, any goods, wares or merchandise, other than drugs, medicines, or articles of immediate necessity, shall be fined as in the preceding section.

Lewd dress or behavior. SEC. 5. Every person who shall appear in any public place in this city in a state of nudity, or in any dress not belonging to his or her sex, or in any indecent or lewd dress, or who shall make an indecent and public exposure of his or her person, or be guilty of any indecent or lewd act or behavior, or shall exhibit, sell or

offer to sell any indecent or lewd book, picture or other thing, or shall exhibit or perform any indecent, immoral or lewd play, or other representation, shall be fined not less than one dollar nor more than one hundred dollars.

House of ill fame. SEC. 6. That any person who shall keep or maintain in this city a house of ill fame or prostitution, or a house in which disorderly, licentious, obscene or indecent conduct or language is permitted or allowed, shall, upon conviction, be fined not less than ten dollars nor more than one hundred dollars; and the fact of such language occurring in said house shall be *prima facie* evidence that the same is permitted or allowed by the person who maintains or keeps such house; and any house above mentioned may be adjudged and declared a nuisance by the police court.

Penalty. SEC. 7. That the occupant of said house shall be liable to a fine of ten dollars for each and every day said house shall continue a nuisance under the provisions of the preceding section.

Inmate. SEC. 8. That any and every person, male or female, who shall be an inmate of, or boarder or lodger in, a house of ill fame or prostitution in this city, or who shall visit or frequent any such house for lewd, licentious, obscene or indecent purposes, shall, on conviction, be fined not less than five dollars nor more than fifty dollars; and the fact of any person being found in any such house in the night time, between the hours of six o'clock P. M. and six o'clock A. M., or being found in such house at any other time under suspicious circumstances, shall be *prima facie* evidence of his or her visiting or frequenting the same for such purpose, or of being an inmate thereof.

Knowingly leasing. SEC. 9. That any person or persons who shall knowingly lease or let any house, hall, tenement or other place in this city, to any person or persons to be used and kept as a brothel or house of ill fame or prostitution, shall, on conviction, be fined not less than ten dollars nor more than one hundred dollars; and in prosecutions under the sixth, seventh, eighth and ninth sections of this article of this ordinance it shall be competent to show the character of the house or place by general reputation.

Harboring female prostitute. SEC. 10. That any person who shall keep, maintain or harbor in this city any female prostitute, knowing her to be such, shall, on conviction, be fined not less than five dollars nor more than fifty dollars.

Sexual intercourse. SEC. 10a. Any person who shall in this city have sexual intercourse with any other person unless such persons are married to each other shall be adjudged guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than five dollars and not more than one hundred dollars.

Parading street in night time. SEC. 11. That it shall be unlawful for any female prostitute or unattended or suspicious female to parade the public streets or alleys of this city after night, or to congregate on the street or other places, or to wander abroad in the night time, or to be found about the streets or public places in this city, or to be found about stores or other places at late hours, without apparent lawful business, and without giving good account of themselves; and any person so offending shall be deemed guilty of a misdemeanor, and be fined in any sum not exceeding fifty dollars.

Intoxication and obscene language. SEC. 12. Any person being found intoxicated or using any profane or obscene language in any street, lane, alley or public place in this city, or in any private house or place to the annoyance of any citizen or person, shall, on conviction, be fined not less than three dollars nor more than twenty dollars.

Drunk on streets. SEC. 13. Any person who shall be found so drunk in the streets as not to be able to take care of himself, or endangering the safety of others, shall be taken charge of by the marshal, and put in the watch-house and kept until sober, when he shall be brought before the police judge and fined in a sum not exceeding twenty dollars.

Selling liquor to certain persons. SEC. 14. If any person in this city shall sell or give away any spirituous, vinous or malt liquors to any person who is in the habit of drinking to excess, or who is in the habit of becoming intoxicated, or to any person who is intoxicated, shall be deemed guilty of a misdemeanor, and fined in any sum not less than five dollars nor more than one hundred dollars.

Cruelty to animals. SEC. 15. If any person shall, in this city, beat, injure or treat any animal in any immoderate, cruel or unnecessary manner, he shall, on conviction, be fined not less than one dollar nor more than twenty-five dollars.

Stallion or jackass. SEC. 16. Any person who shall exhibit any stallion or jackass on the public streets shall be fined in a sum not ex-

ceeding fifty dollars ; and any person who shall stand any stud-horse, jackass, bull or boar within the corporate limits of this city, unless the same be concealed from public view, and clear from any improper exhibition, shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

ARTICLE II.

Offenses Affecting Public Peace and Safety.

Unlawful assemblies. SECTION 17. That any three or more persons, who shall in this city, assemble together to do an unlawful act, or being assembled shall conspire and agree to do an unlawful act against the peace or property of the city, or against the peace or property of any person or persons in the city, shall be deemed guilty of misdemeanor ; and any person being present at such unlawful meeting who shall not endeavor to prevent the commission or perpetration of such unlawful act, shall be deemed guilty of a misdemeanor ; and any person found guilty of violating the provisions of this section, shall be fined in any sum not less than five dollars, nor more than one hundred dollars, and may be imprisoned in addition at hard labor not exceeding thirty days.

Disturbance of the peace. SEC. 18. Any person who shall, in this city assault another, or assault, beat and strike another, or who shall use insulting language calculated to create or provoke a disturbance of the peace, or who shall be guilty of violent, turbulent or tumultuous conduct, or conduct offensive to others, or who shall make any loud, unusual noises offensive to others, or who shall use any profane, obscene or indecent language in any public street, lane or alley, or public place in the city, or any person who shall make or permit any offensive noises or disturbance about the premises under his or her control, shall be deemed guilty of a misdemeanor, and shall be fined in any sum not less than one dollar nor more than one hundred dollars, and may in addition be imprisoned at hard labor not exceeding thirty days.

Religious assemblies. SEC. 19. Any person who shall, in this city, purposely and contemptuously disturb or disquiet any congregation or

assembly met for religious worship, by making noise, or by rude or indecent behavior, or profane or obscene discourse within their place of worship, or so near any worshipping assembly or congregation, as to disturb the solemnity of the meeting, shall be deemed guilty of a misdemeanor, and shall be fined in any sum not less than five dollars nor more than one hundred dollars.

Lawful assemblies. SEC. 20. Any person who shall, in this city, purposely disturb any lawful assemblage of people, by rude, noisy or indecent behavior, or otherwise, shall be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding one hundred dollars.

False alarm of fire. SEC. 21. Any person who shall, in this city, give or sound any false alarm of fire in this city without reasonable or probable cause, shall be deemed guilty of a misdemeanor, and fined in any sum not exceeding fifty dollars.

Lighting cigars in certain places. SEC. 22. Any person who shall, in this city, light a cigar, pipe or matches in any barn, stable or other building or enclosure containing hay, straw or other combustible material, shall be deemed guilty of a misdemeanor, and fined in any sum not exceeding one hundred dollars.

Fast riding or driving. SEC. 23. Any person who in this city shall intentionally ride or drive any horse, mule or other beast faster than an ordinary traveling gait, or who shall so ride or drive as to endanger the safety of others, or who shall so ride or drive as to be likely to cause other teams or horses to become frightened or run away; shall be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding one hundred dollars.

Fire-arms. SEC. 24. Any person who in this city shall discharge any fire-arms in any public place, or in the direction of any house or public place in this city, shall be deemed guilty of a misdemeanor, and fined in any sum not exceeding twenty dollars for each offense: *Provided*, This shall not apply to the 24th and 25th of December, nor to the 1st day of January, nor to the 4th of July, or the 22d of February; *and provided further*, that this section may be suspended on other days by the mayor. Neither shall this section apply to the discharge of fire-arms in any licensed shooting gallery, or any gunsmith in his trade.

Fire-works. SEC. 25. No person shall at any time use any fire-crackers, torpedoes or fire-works of any kind within the fire limits of the city. Any person violating this section shall be fined not less than five dollars for each offense.

Throwing stones. SEC. 26. Any person who in this city shall throw stones, bricks, pieces of wood or other hard substances in or across any street or alley, or within any public place, or at or against any house, building or vehicle, or at or toward any person, shall be deemed guilty of a misdemeanor, and fined in any sum not exceeding one hundred dollars, according to the nature of the offense.

Weapons. SEC. 27. Any person who in this city shall draw any pistol or other weapon in a hostile manner, or shall make any demonstration or threat of using such weapon on or against any person; or any person who shall carry or have on his or her person, in a concealed manner, any pistol, dirk, bowie-knife, revolver, slung-shot, billy, brass, lead or iron knuckles, or any deadly weapon, within this city, shall be fined not less than five dollars nor more than one hundred dollars: *Provided*, That this ordinance shall not be so construed as to prohibit officers of the law while on duty from being armed.

Injury to property. SEC. 28. Any person who shall wantonly or intentionally deface, injure, destroy or besmear within this city, any public property of the city, or any fence, awning, building, wall, railing, or goods or chattels, the property of another, or any property or thing whatever in this city, or shall intentionally trespass upon the property of another with intent to annoy, or injure the person or property of another, or to take away anything therefrom, against the will of the owner, or for any other unlawful purpose whatever, shall be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding fifty dollars for each offense.

Paupers. SEC. 29. Any person who shall knowingly bring into this city any pauper, lunatic, or person of unsound mind, and leave such person without being properly cared for, shall be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding one hundred dollars.

Disturbing schools. SEC. 30. Any person who shall in this city purposely disturb or disquiet any school, public or private, or other assembly, met for elementary, classical or scientific instruction, by making

Ergebnright, O. P., et al. Revised Ordinances of the City of Independence, Kansas: Together with the Amended Laws Governing Cities of the Second Class and Standing Rules of the City Council. Tribune Steam Printing House, 1887. The Making of Modern Law: Primary Sources, link.gale.com/apps/doc/DT0102887933/MMLP?u=bloo98297&sid=bookmark-MMLP&pg=152. Accessed 29 Mar. 2023.

L A W S

OF THE

STATE OF MICHIGAN

RELATING TO THE

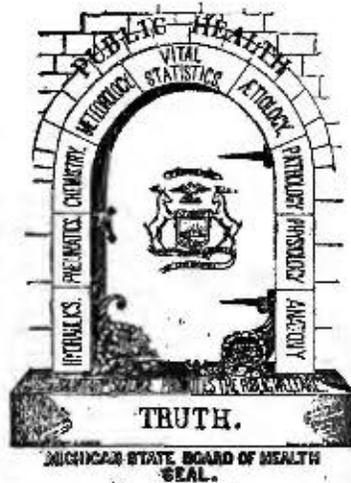
PUBLIC HEALTH,

IN FORCE IN THE YEAR 1890.

COMPILED UNDER THE DIRECTION OF THE SECRETARY OF THE
STATE BOARD OF HEALTH.

Supplement to the Annual Report of the State Board of Health for the Year 1889.

[No. 330.]



BY AUTHORITY.

LANSING, MICH.:
DARIUS D. THORP, STATE PRINTER AND BINDER.
1889.

CARELESS USE OF FIRE-ARMS.*

Act No. 68, Laws of 1869, entitled, "An act to prevent the careless use of fire arms."

553. (7548.) SECTION 1. *The People of the State of Michigan enact*, That any person who shall intentionally, without malice, point or aim any fire-arm at or toward any other person, shall be guilty of a misdemeanor, and shall be subject to a fine of not more than fifty dollars and not less than five dollars.—§ 9110.

Fire-arms, penalty for careless use of.

554. (7549.) SEC. 2. That any person who shall discharge, without injury to any other person, any fire-arm, while intentionally, without malice, aimed at or toward any person, shall be guilty of a misdemeanor, and shall be liable to a fine of not less than one hundred dollars, or imprisonment in the county jail not to exceed one year, or both, at the discretion of the court.—§ 9111.

Penalty for discharge without injury.

555. † (7550.) SEC. 3. Any person who shall maim or injure any other person by the discharge of any fire-arm pointed or aimed, intentionally but without malice, at any such person, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars, or imprisonment in the county jail for a period of not more than one year; and if death ensue from such wounding or maiming, such person so offending shall be deemed guilty of the crime of manslaughter.—§ 9112.

Penalty for maiming or injuring.

In case of death.

556. (7551.) SEC. 4. Any party maimed or wounded by the discharge of any fire-arm as aforesaid, or the heirs or representatives of any person who may be killed by such discharge, may have an action on the case against the party offending, for damages which shall be found by a jury; and such damages, when found, may, in the discretion of the court before which such action is brought, be doubled.—§ 9113.

Action for damages.

CARRYING CONCEALED WEAPONS.

Act 129, Laws of 1867, entitled, "An act to prevent the carrying of concealed weapons, and to provide punishment therefor."

557. SECTION 1. *The People of the State of Michigan enact*, That it shall be unlawful for any person, except officers of the peace and night-watches legitimately employed as such, to go armed with a dirk, dagger, sword, pistol, air-gun, stiletto, metallic knuckles, pocket-billie, sand-bag, skull-cracker, slung-shot, razor, or other offensive and dangerous weapon or instrument concealed upon his person.

Unlawful to carry concealed weapons.

558. SEC. 2. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail or the house of correction at Detroit not exceeding three months, or by both such fine and imprisonment, in the discretion of the court, and in addition thereto may be required to

Punishment for violation.

* On "Use of fire-arms in cemeteries," see section 102 of this compilation; also, "To prevent sale and use of toy-pistols," Act 138 of 1866; also, "To prevent setting of guns and other dangerous devices," Act 97 of 1875, Secs. 320-323 of this compilation.
 † 555. "Proof of malice is not merely proof of something beyond the statute. It is inconsistent with the statute in its chief design."—*People v. Chappell*, 27 Mich. 488.



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, , 1887 59 .

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," Montana - 15th Legislative Assembly, Regular Session : 59-1254

AGLC 4th ed.
" Montana - 15th Legislative Assembly, Regular Session 59

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COMPILED STATUTES OF MONTANA,

ENACTED AT THE

REGULAR SESSION

OF THE

Fifteenth Legislative Assembly of Montana

EMBRACING

THE LAWS OF A GENERAL AND PERMANENT NATURE, IN FORCE
AT THE EXPIRATION OF THE FIFTEENTH REGULAR
SESSION OF THE LEGISLATIVE ASSEMBLY.

—ALSO—

SPECIAL LAWS ENACTED AT SAID SESSION,

TO WHICH ARE PREFIXED

THE DECLARATION OF INDEPENDENCE, 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 RELATING TO
MONTANA ENACTED SUBSEQUENT
TO THE REVISION.

SUPPLEMENTARY EDITION.

8

JOURNAL PUBLISHING CO.
PUBLIC PRINTERS AND BINDERS, HELENA, MONTANA.
1888.

SEC. 174. 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 break and enter into any dwelling-house, store, shop, warehouse, or other building containing valuable property, or shall be found in any of 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-knife, 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.

Possession of pick-lock, gun, etc. with criminal intent.

SEC. 175. 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 arresting or taking any person or persons against whom there may be issued any process, or by neglecting to aid or assist in re-taking 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 offence, being thereto lawfully required by the sheriff, deputy sheriff, coroner, constable, judge, 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 thousand dollars, or shall be imprisoned in the county jail for a period of thirty days, or both such fine and imprisonment.

Refusing to aid officer.

SEC. 176. If any person shall knowingly sell any kind of diseased, corrupted, or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, he shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding five hundred dollars, or by both such fine and imprisonment.

Selling unwholesome provisions.

SEC. 177: If any person shall fraudulently adulterate, for the purpose of sale, any substance intended for food, or any wine, spirits or malt liquor, or other liquor, intended for drinking, with any substance injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding two hundred dollars, and the article so adulterated shall be forfeited and destroyed.

Adulteration of food or liquors.

PUBLIC PROPERTY.—Any Public Officer in possession of this book will deliver it to his successor.

1887.

ACTS

—OF THE—

LEGISLATIVE ASSEMBLY,

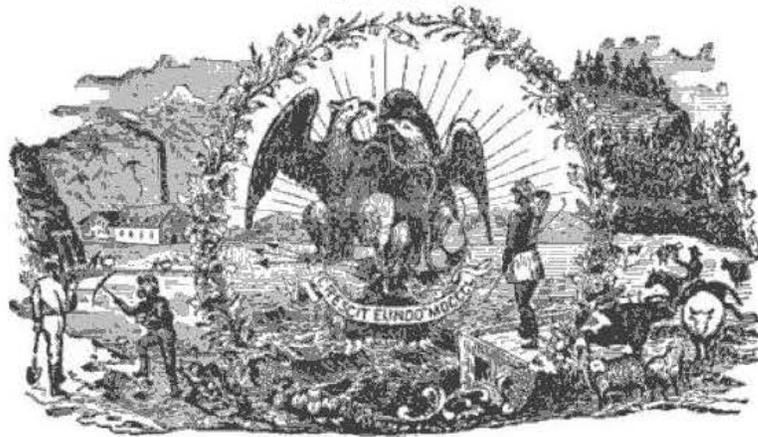
—OF THE —

TERRITORY OF NEW MEXICO,

TWENTY-SEVENTH SESSION.

Convened at the Capitol, at the City of Santa Fe, on Monday, the 27th Day of December, 1886, and Adjourned on Thursday, the 24th Day of February, 1887.

41233



LAS VEGAS, NEW MEXICO:

J. A. CARRUTH, PRINTER, BINDER AND BLANK BOOK MANUFACTURER.
1887.

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in the third degree shall be punished by imprisonment for not less than three nor more than twenty-one years, in the territorial penitentiary.

SEC. 5. It is the true intent of this act to repeal said sections 687, 688, 689, 695, 699, 700, 702 and 703, referred to in the first section of this act, only so far as the same apply to offenses committed after the passage of this act, but the said sections are to be held and remain in force and apply to all acts done and offenses committed prior to the passage of this act, and all pending prosecutions and those hereafter instituted for acts done prior to the passage of this act shall be commenced and carried on and punishment be had under the said sections 687, 688, 689, 695, 699, 700, 702 and 703, which said sections are hereby continued in force only for that purpose.

SEC. 6. This act shall be in force from and after its passage.

Approved February 24, 1887.

CHAPTER XXX.

CRIMES-WEAPONS.

AN ACT to prohibit the unlawful carrying and use of deadly weapons.

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

SECTION 1. That any person who shall hereafter carry a deadly weapon, either concealed or otherwise, on or about the settlements of this territory, except it be in his or her residence, or on his or her landed estate, and in the lawful defense of his or her person, family or property, the same being then and there threatened with danger, or except such carrying be done by legal authority, upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than three hundred, or by imprisonment not less than sixty days, nor more than six months, or by both such fine and imprisonment, in the discretion of the court or jury trying the same.

Carrying any
deadly weapon.

Threatening any person.

SEC. 2. Any person who shall draw a deadly weapon on another, or who shall handle a deadly weapon in a threatening manner, at or towards another, in any part of this territory, except it be in the lawful defense of himself, his family or his property, or under legal authority, upon conviction thereof, shall be fined in any sum not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment at hard labor in the county jail or territorial penitentiary not less than three months nor more than eighteen months, or by both such fine and imprisonment, in the discretion of the court or jury trying the same.

Assault with deadly weapon.

SEC. 3. Any person who shall unlawfully assault or strike at another with a deadly weapon, upon conviction thereof shall be punished by a fine not exceeding one thousand dollars, or by imprisonment at hard labor in the county jail or territorial penitentiary, not exceeding three years, in the discretion of the court or jury trying the same.

Flourishing deadly weapon.

SEC. 4. Any person who shall unlawfully draw, flourish or discharge a rifle, gun or pistol within the limits of any settlement in this territory, or within any saloon, store, public hall, dance hall or hotel, in this territory, except the same be done by lawful authority, or in the lawful defense of himself, his family or his property, upon conviction thereof shall be punished by a fine of not more than one thousand dollars, or by imprisonment for a term of not more than three years, or by both such fine and imprisonment, in the discretion of the court or jury trying the same. The word "settlement," as used in this act, shall be construed to mean any point within three hundred yards of any inhabited house, in the territory of New Mexico.

Insulting person while armed.

SEC. 5. Any person being armed with a deadly weapon, who shall, by words, or in any other manner, insult or assault another, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than three hundred dollars, or by imprisonment at hard labor in the county jail or territorial penitentiary for not less than three months, nor more than one year, or by both such fine and imprisonment, in the discretion of the court or jury trying the same.

Jurisdiction of offenses.

SEC. 6. Justices of the peace, as well as the district courts shall have concurrent jurisdiction of all offenses committed under the first section of this act; but of offenses committed under the remaining sections hereof, justices of the peace shall not have jurisdiction except as committing magistrates, and it is made the duty of the justices of the peace of the several counties of the territory before whom any person is brought or arraigned for the violation of any

of the above sections, other than section one of this act, if reasonable grounds exist to believe such person guilty, to bind such person over in a good and sufficient bond to the district court of such county, and in default of such bond to commit to jail as in other felonies.

SEC. 7. It shall not be necessary, in the trial of any cause arising under the provisions of this act to prove that the person charged was not, at the time of violating the said provisions, in the lawful defense of himself, his family or property, or acting by lawful authority, but the accused must prove that he was, at such time, within the exception claimed.

What accused must prove.

SEC. 8. Deadly weapons, within the meaning of this act, shall be construed to mean all kinds and classes of pistols, whether the same be a revolver, repeater, derringer, or any kind or class of pistol or gun; any and all kinds of daggers, bowie knives, poniards, butcher knives, dirk knives, and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including sword canes, and any kind of sharp pointed canes; as also slung shots, bludgeons or any other deadly weapons with which dangerous wounds can be inflicted.

Deadly weapon, definition of.

SEC. 9. Persons traveling may carry arms for their own protection while actually prosecuting their journey and may pass through settlements on their road without disarming; but if such travelers shall stop at any settlement for a longer time than fifteen minutes they shall remove all arms from their person or persons, and not resume the same until upon eve of departure.

Travelers may carry arms.

SEC. 10. Sheriffs and constables of the various counties, and marshals and police of cities and towns, in this territory, and their lawfully appointed deputies, may carry weapons, in the legal discharge of the duties of their respective offices, when the same may be necessary, but it shall be for the court or the jury to decide from the evidence whether such carrying of weapons was necessary or not, and for an improper carrying or using deadly weapons by an officer, he shall be punished as other persons are punished, for the violation of the preceding sections of this act.

Officers may carry arms when.

SEC. 11. Every keeper of hotel, boarding house, bar room, drinking saloon or place where liquor is sold, or dance hall, in this territory, shall keep conspicuously posted up a copy of this act, in both the English and Spanish languages, and it is hereby made the duty of every such keeper of a hotel, boarding house, bar room, drinking saloon or place where liquor is sold, or dance hall, or the person in charge of the same, who shall become cognizant of any violations

Duty of hotel and saloon keepers, &c.

of the provisions of this act, in, upon or about their premises, to immediately and at once direct the attention of such violator to the provisions of this act, and upon a failure of such keeper of a hotel, boarding house, bar room, drinking saloon, or place where liquor is sold, or dance hall, or the person in charge thereof, to so do, he or they shall be liable to pay a fine of not less than \$5, nor more than \$50.

Duty of judges.

SEC. 12. It shall be the duty of the judges of the several district courts of this territory, at the charging of the grand jury of the several counties, to direct the attention of the said grand juries to the provisions of this act, and require that they make diligent inquiry as to any violation of the same.

Duty of county commissioners.

SEC. 13. The boards of county commissioners of the several counties of this territory are hereby directed and required to have printed in both English and Spanish a sufficient number of copies of this act for the use of and to be furnished to all persons applying for the same; and it is made the duty of the several sheriffs and collectors of said counties to furnish to each person with a license a copy of this act, in both English and Spanish.

SEC. 14. All fines and penalties accruing from the violation of the provisions of this act shall be paid into the county treasury of the county in which such violation occurs to the credit and for the benefit of the school fund of said county.

SEC. 15. This act shall have full force and effect from and after the first day of March, 1887.

Approved February 18, 1887.



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APA 7th ed.

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THE
CODE OF VIRGINIA:
WITH
THE DECLARATION OF INDEPENDENCE
AND
THE CONSTITUTION OF THE UNITED STATES;
AND THE
CONSTITUTION OF VIRGINIA.

PUBLISHED PURSUANT TO AN ACT OF THE GENERAL ASSEMBLY OF VIRGINIA, APPROVED MAY
TWENTY-ONE, EIGHTEEN HUNDRED AND EIGHTY-SEVEN.

A. R. MICO, SUPERINTENDENT OF PUBLIC PRINTING.



RICHMOND:
PRINTED BY JAMES E. GOODE,
1887.

Sec. 3777. If persons disobey order of judge or justice to disperse, he may require assistance.—If any persons, engaged in such assembly, being commanded as aforesaid to disperse, fail to do so without delay, any such judge or justice may require the aid of a sufficient number of persons, in arms or otherwise, and proceed, in such manner as he may deem expedient, to disperse and suppress such assembly, and arrest and secure those engaged in it. Id., § 4.

Sec. 3778. Judges, justices, and persons acting under their orders, guiltless, if a person killed or wounded. If either of them killed, all engaged in the assembly guilty.—If, by any means taken under authority of this chapter to disperse any such assembly, or arrest and secure those engaged in it, any person present, as spectator or otherwise, be killed or wounded, any judge or justice exercising such authority, and every one acting under his order, shall be held guiltless; and if the judge or justice, or any person acting under the order of either of them, be killed or wounded in taking such means, or by the rioters, all persons engaged in such assembly shall be deemed guilty of such killing or wounding. Id., p. 301, § 6. 20 Gratt., 676.

Sec. 3779. Punishment of rioter, when dwelling-house injured, and when not.—If any rioter pull down or destroy, in whole or in part, any dwelling-house, or assist therein, he shall be confined in the penitentiary not less than two nor more than five years; and though no such house be so injured, every rioter, and every person unlawfully or tumultuously assembled, shall be confined in jail not exceeding one year, and fined not exceeding one hundred dollars. Id., § 6. 16 Gratt., 543.

Sec. 3780. Carrying concealed weapons, how punished. Forfeiture and sale of weapons.—If any person carry about his person, hid from common observation, any pistol, dirk, bowie-knife, razor, slung-shot, or any weapon of the like kind, he shall be fined not less than twenty nor more than one hundred dollars, and such pistol, dirk, bowie-knife, razor, slung-shot, or any weapon of the like kind, shall be forfeited to the commonwealth and may be seized by an officer as forfeited; and upon the conviction of the offender the same shall be sold and the proceeds accounted for and paid over as provided in section twenty-one hundred and ninety: *Provided*, that this section shall not apply to any police officer, town or city sergeant, constable, sheriff, conservator of the peace, or collecting officer, while in the discharge of his official duty. 1889-4, p. 180, c. 143. 7 Gratt., 697.



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ACTS AND RESOLUTIONS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF GEORGIA.

1888.

COMPILED AND PUBLISHED BY AUTHORITY.

ATLANTA, GEORGIA:
W. J. CAMPBELL, STATE PRINTER.
1889.

PART I.—TITLE II.—TAXES.

General Tax Act for 1889 and 1890.

TITLE II.

TAXES.

ACTS.

General Tax Act for 1889 and 1890.
Providing for finishing payments on New Capitol.
Providing for furnishing New Capitol.
Creating Sinking Fund to retire maturing Bonds.

GENERAL TAX ACT FOR 1889 AND 1890.

No. 123.

An Act to levy and collect a tax for the support of the State government and the public institutions; for educational purposes in instructing children in the elementary branches of an English education only; to pay the interest of the public debt, and to pay maimed Confederate soldiers such amounts as are allowed them by law, for each of the fiscal years eighteen hundred and eighty-nine and eighteen hundred and ninety, and to prescribe what persons, professions and property are liable to taxation; to describe the method of receiving and collecting said taxes; to prescribe the method of ascertaining the property of this State subject to taxation; prescribe additional questions to be propounded to tax payers, and to provide penalties and for forfeitures for non-payment of taxes, and for other purposes.

SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the Governor be authorized and empowered, with the assistance of the Comptroller-General to assess and levy a tax on the taxable property of this State of two and seven-tenths mills per centum for the fiscal year eighteen hundred and eighty-nine, and two and four-tenths mills per centum for the fiscal year eighteen hundred and ninety. And the Governor be, and is hereby, authorized and empowered by and with the assistance of the Comp- General ad
mitem
tax.

General Tax Act for 1889 and 1890.

- Special educational tax. troller-General to assess and levy, in addition to the foregoing general State tax, a tax of one-half of a mill for the year eighteen hundred and eighty-nine, and a tax of one mill for the year eighteen hundred and ninety, on all of the taxable property of this State for the purpose of raising the funds necessary to meet the appropriations by this General Assembly for educational purposes in instructing children in the elementary branches of an English education only.
- Specific taxes. SEC. II. *Be it further enacted by the authority aforesaid,* That in addition to the *ad valorem* tax on real and personal property, as required by the Constitution, and provided for in the preceding section, the following specific taxes shall be levied and collected for each of the said fiscal years, eighteen hundred and eighty-nine and eighteen hundred and ninety.
- Poll tax. First.—Upon each and every male inhabitant of the State, between the ages of twenty-one and sixty years, on the first day of April, a poll tax of one dollar for each of the said years, 1889 and 1890, which tax shall be for educational purposes in instructing children in the elementary branches of an English education only; *Provided,* this tax shall not be demanded of blind persons, nor of crippled, maimed or disabled confederate soldiers, relieved of such tax under and by authority of an Act approved July 23, 1883.
- Exemptious. Second.—Upon every practitioner of law, medicine or dentistry, presidents of each of the banks in the State, each agent or firm negotiating loans, and charging therefor, the presidents of each of the railroad companies, presidents of each of the express, telegraph, telephone, electric light and gas companies, doing business in this State, and in case the presidents of any such companies do not reside in this State, then in such case, upon the superintendent or general agent of such companies who may reside in this State, ten dollars and no municipal corporation or county authorities shall levy any additional tax on said professions either as license fee or otherwise.
- Lawyers, doctors, dentists and officers of various companies. Third.—Upon every daguerrean, ambrotype, photographic, and similar artist, ten dollars in each county in which they may carry on business.
- Photographic and other artists. Fourth.—Upon every person carrying on the business of auctioneer, for pay or compensation, twenty-five dollars for each county in which they may carry on such business.
- Keepers of billiard and other tables. Fifth.—Upon every keeper of a pool, billiard or bagatelle table kept for public use, whether in a saloon, bar-room, hotel or other public place, twenty-five dollars for each table.
- Gaming tables, etc. Sixth.—Upon every keeper of any other table, stand or place for the performance of any game or play, and upon the keeper of

PART I.—TITLE II.—TAXES.

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General Tax Act for 1889 and 1890.

any flying horses, or any other game or play, (unless kept for exercise or amusement not prohibited by law), and not kept for gain, directly or indirectly, twenty-five dollars in each county.

Seventh—Upon every keeper of a ten pin alley, or alley of like character, kept for public play, and upon every keeper of a shooting gallery, twenty-five dollars for each place of business.

Ten-pin alleys and shooting galleries.

Eighth—Upon every traveling vendor of patent or proprietary medicines, special nostrums, jewelry, paper, soap, or other articles of like character, twenty-five dollars in each county where they may offer such articles for sale.

Traveling vendors.

Ninth—Upon every local insurance agent doing business in this State, ten dollars for each county in which they shall solicit business, and upon every agent of a matrimonial, natal or nuptial company, or traveling, special or general agent, of life, fire, accident, or other insurance company doing business in this State, fifty dollars, which said agents must pay before he or they shall be authorized to act as an agent for any of their companies. Said tax shall be paid by said agents to the Comptroller-General, and shall be in addition to the license fee required of insurance companies by the Act approved October 24, 1887. The receipt of the Comptroller-General for the payment of this tax, together with his certificate, as provided by said Act, approved October 24, 1887, shall constitute the license for said agents to transact business for their companies, as designated by said certificates: *Provided*, this tax shall not be required of agents of assessment, life insurance companies, or mutual aid societies.

Insurance agents.

Tenth.—Upon each emigrant agent, or employer or employe of such agent doing business in this State, the sum of five hundred dollars for each county in which such business is conducted.

Emigrant agents, etc.

Eleventh—Upon every traveling vendor using boats for the purpose of selling goods on the rivers or waters within the limits of this State, the sum of fifty dollars in each county where they may sell their wares, and said tax shall be a lien on the boat and its contents without regard to the ownership thereof.

Vendors in boats.

Twelfth.—Upon all itinerant lightning rod dealers or agents, the sum of twenty-five dollars for each and every county in which they may operate.

Itinerant lightning-rod dealers.

Thirteenth.—Upon all shows and exhibitions (except such as histrionic, musical, operatic and elocutionary) including side shows accompanying circus companies, twenty-five dollars in each and every city or town of five thousand inhabitants, twenty dollars in cities or towns of four thousand and under five thousand inhabitants, and fifteen dollars in cities or towns of less than four thousand inhabitants. Said tax, so collected, shall be for educational purposes.

Shows and exhibitions.

PART I.—TITLE II.—TAXES.

General Tax Act for 1889 and 1890.

- Circus com-
panies. Fourteenth—Upon every circus company, two hundred dollars each day it may exhibit in the State of Georgia; said tax shall be for educational purposes.
- Liquor
dealers. Fifteenth—Upon all dealers in spirituous or malt liquors, intoxicating bitters or brandy fruits or domestic wines, whether dealing in either or all thereof, fifty dollars for each place of business in each county where the same are sold: *Provided*, this tax shall not relieve such dealers from any local tax or prohibitory law in refer-
- Proviso. ence to the retail of spirituous or intoxicating liquors, nor be required of those who sell by wholesale spirits manufactured of apples, peaches, grapes, blackberries or other fruits grown on their own lands, when sold in quantities not less than five gallons: *Provided*, that nothing in this Act shall be so construed as to levy
- Domestic
wines ex-
empt. a tax on dealers in domestic wines manufactured from grapes or berries purchased by or grown on lands owned, leased or rented by said dealer. Said tax shall be for educational purposes.
- sewing ma-
chine ped-
dlers. Sixteenth—Upon every peddler or traveling agent selling or offering to sell sewing machines, the sum of twenty five dollars for each county in which they do business.
- Dealers in
arms. Seventeenth—Upon all dealers in pistols, toy pistols shooting with metallic caps, or cartridges, dirks or bowie knives, twenty-five dollars for each place of business in each county where the same are sold.
- Dealers in
futures. Eighteenth—Upon every individual or firm, or his or their agents, engaged in the business of selling or buying farm products, sugar, coffee and salt and meat for future delivery (commonly called "futures"), five hundred dollars each per annum for the county where such business is carried on: *Provided*, that this tax shall not be demanded of any cotton warehouseman, dealer in
- Proviso. cotton, or any provision broker, who takes orders in the regular course of their trade only for the actual and *bona fide* delivery of cotton and other produce so ordered, and where, by the terms of the contract, it is not left to the option of the party so ordering, or the party taking such order, to avoid the delivery of the pro-
- Additional
proviso. duce or products by paying the difference in the market price of such produce or products at the time of delivery: *Provided further*, that such cotton warehouseman, dealer in actual cotton or any provision broker does not carry on the business of buying futures in connection with his or their other business.
- Stove or
clock ped-
dlers. Nineteenth—Upon every peddler of stoves or ranges for cooking purposes, or clocks, the sum of one hundred dollars in every county in which such peddler may do business.
- Billiard
and pool
tables. Twentieth—Upon every person or firm, for himself or agent for resident or non resident owners, who holds or keeps for hire or sale any billiard, pool or other table of like character, fifty dollars for each county in which such person or firm does business.

PART I—TITLE II.—TAXES.

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General Tax Act for 1889 and 1890.

Twenty-first—*Be it further enacted by the authority aforesaid,* That blind persons and Confederate soldiers relieved by the proviso in paragraph first of this section, from the payment of the tax designated in that paragraph shall be relieved, also, from the payment of the taxes designated in paragraphs 6, 7, 8 and 11, of this section, if carrying on and dependent upon the kinds of business designated therein: *Provided,* that before any person shall be entitled to the benefit of any of the exemptions provided for in this paragraph, he shall go before the Ordinary of the county in which he proposes to carry on business, and make and file an affidavit, setting forth the facts that he is entitled to such exemption, and that he is the proprietor of the business he proposes to conduct, and is conducting the same for himself and not for another.

Relief of blind persons and Confederate soldiers.

Proviso.

SEC. III. *Be it further enacted by the authority aforesaid,* That the taxes provided for in paragraphs 1 and 2, of section 2, of this Act, shall be returned to the Tax Receiver in the county of the residence of the person liable to such tax, and shall, by the Receiver of Tax Returns, be entered upon his digest of taxable property, and that the taxes provided for in paragraphs 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19 and 20, of section 2, of this Act, shall be returned and paid to the Tax Collectors of the counties where such vocations are carried on.

Return, entry, etc., of certain taxes.

SEC. IV. *Be it further enacted by the authority aforesaid,* That the taxes provided for in paragraphs 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, of section 2, of this Act, shall be paid in full for the fiscal years for which they are levied to the Tax Collectors of the counties where such vocations are carried on at the time of commencing to do the business specified in said paragraphs. Before any person taxed by paragraphs 3, 4, 5, 6, 7, 8, 10, 11, 12, 17, 18, 19 and 20, of section 2, of this Act, shall be authorized to carry on said business, they shall go before the Ordinary of the county in which they propose to do business and register their names, place of business, and at the same time pay their taxes to the Tax Collector; and it shall be the duty of said Ordinary to immediately notify the Comptroller-General and the Tax Collector. Any person failing to register with the Ordinary, as herein required, shall be liable to indictment for a misdemeanor, and on conviction, shall be fined not less than fifty dollars, nor more than two hundred dollars, at the discretion of the court trying the same, or be imprisoned as prescribed by section 4310 of the Code.

Payment of certain taxes.

Registry with Ordinary.

Fine for failure to register.

SEC. V. *Be it further enacted by the authority aforesaid,* That all foreign and home insurance companies doing business in this State shall pay one per cent. on all premiums in money or otherwise received by them: *Provided,* this shall not include return pre-

Insurance companies.

Proviso.

miums on cancelled policies; and in addition to the tax imposed by this Act upon the gross receipts of such insurance companies, all such companies doing brokerage business in this State, such as discounting notes, bills, drafts or exchange, lending money, or in any manner doing a business pertaining to banking or brokerage business, shall be taxed upon the capital so employed in the same manner and at the same rate as other moneyed capital in the hands of private individuals is taxed.

Building
and Loan
Associa-
tions.

SEC. VI. *Be it further enacted by the authority aforesaid.* That the presidents of all building and loan associations, and other associations of like character, shall be required to return to the Tax Receiver of the county where such associations are located, at its true market value, the stock of such associations owned by the stockholders thereof, (upon which, as shown by the books of such associations, no advance has been made, or money borrowed thereon, by the individual stockholders therein) to be taxed as other moneyed capital in the hands of private individuals is taxed: *Provided,* That no tax shall be required of real estate and building associations, to be paid upon any portion of their capital which has been loaned or advanced to a shareholder upon real estate, upon which real estate tax is payable by said shareholder.

Proviso.

Returns of
corporations,
generally.

SEC. VII. *Be it further enacted by the authority aforesaid.* That the Presidents of all manufacturing and other incorporated companies (or their agents) other than railroad, insurance, telegraph, telephone, express, sleeping and palace car companies, shall be required to return all their property whatever of their respective companies at its true market value to the Tax Receiver of the county where the same is located, or where the principal business of each company is located, to be taxed for State and county purposes as other property in this State is taxed. The President of every manufacturing company shall be required to answer under oath, in addition to those now provided by law, the following questions:

President
must an-
swer under
oath.

Questions
specified.

First—What is the value of raw material on hand April 1st?
Second—What is the value of manufactured goods or articles on hand April 1st?
Third—What amount of money, bonds, notes, accounts, and choses-in-action of every kind did you own on April 1st?
Fourth—And what other property of every kind did your company own on April 1st?
And such company shall be taxed upon its entire property so ascertained.

Tax on ex-
press, tele-
graph and
electric
light com-
panies.

SEC. VIII. *Be it further enacted,* That all persons or companies, including railroad companies, doing an express or telegraph business, and charging the public therefor, in this State, shall pay two and one-half per cent. on their gross receipts; and all persons, or the Superintendent or General Agent of each telegraph or express

PART I.—TITLE II.—TAXES.

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General Tax Act for 1889 and 1890.

company, or the President of each railroad company doing such business in this State shall make a quarterly return under oath as follows: On the last day of March, June, September and December in each year to the Comptroller-General, showing a full account of their gross receipts during the quarter ending on such date, and said taxes herein levied upon such gross receipts as shown by said quarterly returns shall be paid by the respective persons or companies to the Comptroller-General at the same time of making such returns. The gross receipts herein named shall be construed to mean the full amount of all money received from business done within this State. If any person, superintendent, agent or president, as the case may be, whose duty it is to make returns under this paragraph, shall fail to do so within thirty days after the time herein required, such person, superintendent, agent or president, shall be liable to indictment, and upon conviction shall be punished as prescribed in section 4310 of the Code of 1882.

Quarterly returns.

Showing gross receipts.

Penalty for failure.

Second—That each telephone company shall pay a tax for each of the years, 1889 and 1890 of one dollar for each telephone station or box with instruments complete, rented or used by their subscribers, and the superintendent or general manager of the company shall make returns under oath and payments to the Comptroller General on the dates named in the first paragraph of section.

Telephone companies.

Returns.

Third—That each non resident person or company whose sleeping cars are run in this State, except the sleeping cars of railroad companies that are taxed as hereinafter provided for, shall be taxed as follows: Ascertain the whole number of miles of the lines of railroads over which such sleeping cars are run, and ascertain the entire value of all the sleeping cars of such person or company, then tax such sleeping cars at the regular tax rate, in the same proportion to the entire value of such sleeping cars that the length of lines in this State, over which such cars run bears to the length of the lines of all the railroads over which such sleeping cars are run. The return shall be made to Comptroller General by the president, manager, general agent or person in control of such cars in this State. The Comptroller General shall frame such questions as will elicit the information sought, and answers thereto shall be made under oath. If the president, manager general agent or person in control of such sleeping cars, shall fail or refuse to answer under oath the questions so propounded, then the Comptroller General shall get the information from such source or sources as he may, and he shall assess a double tax on such sleeping cars. If the taxes herein provided for are not paid, the Comptroller General shall issue execution against the owner of such cars, which may be levied by the sheriff of any county in

Non-resident owners of sleeping-cars.

How taxed.

Returns.

Double tax where no return.

PART I.—TITLE II.—TAXES.

General Tax Act for 1889 and 1890.

Levy, where tax not paid. this State upon the sleeping car or cars of the owner who has failed to pay the taxes.

Bank stock. SEC. IX. *Be it further enacted by the authority aforesaid,* That no tax shall be assessed upon the capital of banks or banking associations organized under the authority of this State or of the United States and located within this State, but the shares of the stockholders of such bank or banking associations, whether resident or non-resident owners, shall be taxed in the county where such bank or banking associations are located and not elsewhere, at their true and full market value, at the same rate provided in this Act for the taxation of moneyed capital in the hands of private individuals: *Provided,* that nothing in this section contained shall be construed to relieve such banks or banking associations from the tax on property owned by them as provided for in section seven of this Act: *Provided further,* that nothing herein contained shall be construed to levy any tax on real and personal property held or owned by any bank or banking association, the value of which is represented in the market value of its shares of stock. That each bank and banking association shall pay tax on its surplus and individual profits.

Where taxed. SEC. X. *Be it further enacted by the authority aforesaid,* That the presidents of all the railroad companies doing business in this State shall make returns to the Comptroller-General, as now provided by law, for the taxation of the property, of the gross receipts or net income of such railroads, and shall pay to the Comptroller-General the tax to which such property or gross receipts or net income may be subject according to the provisions of this Act, and the laws now in force relating to the tax on railroads, and on failure to make returns, or refusal to pay tax, said companies shall be liable to all the penalties now provided by law. The Comptroller-General shall cause questions to be printed as hereinafter set out, which shall be answered under oath by the president of each railroad company doing business in this State, to-wit:

Returns for railroad companies. First—What is the value of your tracks, including main, side and spur tracks and road-bed in this State?

Payment of their taxes. Second—What is the value of your depot buildings within this State?

President must answer under oath. Third—What is the value of your water tanks, pumps, stationary engines, wood sheds, saws and coal structures within this State?

Value of trucks, etc. Fourth—What is the value of all other buildings owned by your company within this State and used for railroad purposes? And in this way the real value of the road shall be ascertained. All property owned by railroad companies and not used for railroad purposes shall be returned to the Tax Receiver of the county where it is situated.

Of depot buildings.
Water tanks, etc.
Other buildings.

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General Tax Act for 1889 and 1890.

Fifth—How many locomotives does your company own, and what is the value of each? How many passenger cars, and the value of each? How many sleeping cars, and the value of each? How many express cars, and the value of each? How many baggage cars, and the value of each? How many mail cars, and the value of each? How many freight cars, and the value of each? How many "cab" or "caboose" cars, and the value of each? How many stock cars, and the value of each? How many platform cars, and the value of each? How many of all other kinds of cars not herein enumerated, and the value of each?

Locomotives and cars.

Sixth—What is the value of hand cars, pole cars, crank cars and tools and implements of every kind used in railroading that are kept and used within this State by your company?

Tools and implements.

Seventh—And the president of every railroad company resident in this State, and every railroad company whose principal place of doing business is in this State, shall also pay tax on all money of his railroad company on hand on April 1, in each year, and on such dividends as have been declared but not paid out on hand at said date.

Money and unpaid dividends.

Eighth—All the property of railroad companies doing business in this State shall be taxed at the same rate as property of natural persons is taxed, except as follows:

Tax rate.

Exceptions

1st—Except that portion of the property of each railroad company that is exempt by its charter from taxation.

First.

2nd—Except in the case of a railroad company doing business in this State, and whose line of road runs into another State,

Second.

then its locomotives and cars shall be taxed as follows: The value of all its locomotives and cars shall be ascertained; the length of the line of such railroad company shall be ascertained, and locomotives and cars of such railroad company shall be taxed at the regular tax rate in the same proportion to the entire value of its locomotives and cars that the line in this State bears to the entire line of said company.

How ascertained.

3rd—Except in case of a railroad company chartered by the laws of another State, but who has a place of general business here, its money on hand, and declared but unpaid dividends on hand in this State on April 1st in each year, shall be taxed as follows:

Third.

Ascertain the entire length of said line of railroad and the entire money on hand as aforesaid in this State, then such money in this State is to be taxed in the same proportion to the entire money aforesaid that the length of the line in this State bears to the entire line.

How determined.

Ninth—In the event the Comptroller General is dissatisfied with the returns made by any railroad company of its property for taxation, he shall report the same to the Governor, who shall appoint three competent and disinterested men to examine the property

Assessors provided for.

General Tax Act for 1889 and 1890.

and assess the same, who shall be paid each, four dollars per diem for the actual number of days so employed. If the railroad company is dissatisfied with such assessment, arbitration can be had as now provided by law.

Non-resi-
dent opera-
tors of
sleeping
cars.

License tax
deter-
mined.

Tenth—That every railroad company that pulls over its road sleeping cars of any person or corporation not a resident of this State, and except such sleeping cars as are taxed as property of railroad companies as herein provided, such railroad company shall pay a license for pulling such cars in each of the years 1889 and 1890, as follows: A railroad company whose line is not less than fifty, nor more than one hundred miles long, shall pay a license of one hundred dollars. If more than one hundred and not more than one hundred and fifty miles long, one hundred and fifty dollars. If more than one hundred and fifty, and not more than two hundred miles long, two hundred dollars. If two hundred and fifty miles long, two hundred and fifty dollars, and if longer than two hundred and fifty miles, three hundred dollars. Which license tax shall be paid to the Comptroller-General.

Returns of
corporations.

SEC. XI. *Be it further enacted by the authority aforesaid,* That the presidents or principal agents of all the incorporated companies herein mentioned, except such as are required to make returns to the Tax Receivers of the counties, shall make returns to the Comptroller-General, under the rules and regulations provided by law for such returns, and subject to the same penalties and modes of procedure for the enforcement of taxes from companies or persons required by law to make returns to the Comptroller-General.

Oath for
returns.

SEC. XII. *Be it further enacted by the authority aforesaid,* That the oath to be administered to all persons making returns of their taxable property shall be the oath required under the Act of October 20, 1885, to be attached to the printed lists furnished under said Act, and presented to each tax payer: *Provided,* that non-residents, females and sick persons may subscribe the oath herein required before any person authorized by law to administer oaths, and cause same to be delivered to the Tax Receiver.

Proviso.

When re-
turns are
to be re-
ceived.

SEC. XIII. *Be it further enacted by the authority aforesaid,* That the Comptroller-General is authorized and empowered to order the Tax Receivers of this State to commence receiving the returns of taxable property immediately after the first day of April of the years 1889 and 1890, and that the Comptroller-General is empowered and required to cause the taxes to be collected and paid into the State Treasury by the 20th of Decembereach of said of years 1889 and 1890.

Owners of
vessels,
boats, etc.

SEC. XIV. *Be it further enacted by the authority aforesaid,* That any person or company, resident of this State, who is the owner of a vessel, boats or water craft of any description, shall answer under oath the number of vessels, boats and other water crafts

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General Tax Act for 1889 and 1890.

owned by them and the value of each, and make a return of the same to the Tax Receiver of the county of the residence of such person or company, and the same shall be taxed as other property is taxed: *Provided*, however, that this section shall not apply to vessels, boats or other water crafts owned by corporations or joint stock companies upon whose capital stock a tax is paid as provided in section seven of this Act.

Must re-
turn same.

Proviso.

SEC. XV. *Be it further enacted by the authority aforesaid*, That in returning property for taxes, all property shall be returned at its value—promissory notes, accounts, judgments, mortgages, liens of all kinds, and all choses-in-action shall be given in at their value, whether solvent or partially solvent. Every person shall return for taxes all jewelry, and all other property of every kind owned by his wife and minor children, unless the members of his or her family return their property for taxation. In addition to the questions now propounded to tax payers by the Tax Receivers, questions shall be framed by the Comptroller General to reach all property upon which a tax is imposed by this Act, and especially the following questions:

Returns
must be for
par value.Property of
wife or
minor
children.Additional
questions:

First—The number of horses, mules, oxen, cows, sheep, hogs, goats, and of all other animals upon which a tax is imposed by law, and state the value of each.

Live stock,

Second—The kind and value of property owned by the wife and minor children of the tax payer, and not returned for taxes by the owners thereof.

Wife's and
minor chil-
dren's
property.

Third—Whether solvent or partially solvent, give the value of your bonds, stocks of non resident companies or corporations or of companies or corporations in this State whose capital stock is not returned by the president of such company or corporation, all notes, accounts, judgments, mortgages, liens and other choses in action of every kind, whether such bonds, stocks, notes, etc., are held by the tax payer in Georgia or held by some other person for him, either in or out of this State. There shall be no deduction from the value of property returned for taxes on account of any indebtedness of such tax payer.

Securities.

SEC. XVI. *Be it further enacted by the authority aforesaid*, That all laws and parts of laws in conflict with this Act be and they are hereby repealed.

Approved December 26, 1888.



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THE MARYLAND CODE.

Public Local Laws,

CODIFIED BY

JOHN PRENTISS POE.

ADOPTED BY THE GENERAL ASSEMBLY OF MARYLAND
MARCH 14, 1888.

*Including also the Public Local Acts of the Session of 1888
incorporated therein.*

BY AUTHORITY OF THE



STATE OF MARYLAND.

VOLUME I,

CONTAINING ARTICLE 1, ALLEGANY COUNTY, TO ARTICLE 10,
DORCHESTER COUNTY.

BALTIMORE:
KING BROS., PRINTERS AND PUBLISHERS.
1888.

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CITY OF BALTIMORE.

[ART. 4.

meanor, but all such persons shall be released only on the order of the committing justice, the judge of the criminal court, or one of the members of the board, or other lawful process.

1867, ch. 367.

739. The said board of police commissioners are required, on the requisition of the Druid Hill park commissioners, to detail from time to time such number of the regular police force of said city as the said board may deem necessary for the preservation of order within the said park, which detailed force shall have the same power in the premises that the police force of the city have, as conservators of the peace.

Ibid.

740. Nothing in this sub-title of this article shall be so construed as to destroy or diminish the liability or responsibility of the mayor and city council of Baltimore for any failure to discharge the duties and obligations of said mayor and city council, or any of them, or give the said mayor and council any control over said board, or any officer of police, policeman or detective appointed thereby.

Altwater v. Mayor, &c., 31 Md. 462. *Flynn v. Canton Co. of Balto.*, 40 Md. 312. *Sinclair v. Mayor, &c.*, 59 Md. 592.

Ibid.

741. All persons arrested in the day time under the provisions of this sub-title of this article shall be taken by the officer making the arrest, immediately before the nearest police justice for examination.

1884, ch. 187.

742. Whenever any person shall be arrested in the city of Baltimore, charged with any crime or misdemeanor, or for being drunk or disorderly, or for any breach of the peace, and shall be taken before any of the police justices of the peace of the said city, and any such person shall be found to have concealed about his person any pistol, dirk-knife, bowie-knife, sling-shot, billy, brass, iron or any other metal knuckles, razor, or any other deadly weapon whatsoever, such person shall be subject to a fine of not less than five dollars nor more than twenty-five

ART. 4.]

POLICE.

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dollars in the discretion of the police justice of the peace before whom such person may be taken, and the confiscation of the weapon so found, which said fine shall be collected as other fines are now collected; provided, however, that the provisions of this section shall not apply to those persons who, as conservators of the peace are entitled or required to carry a pistol or other weapon as a part of their official equipment.

LEAVE OF ABSENCE TO POLICEMEN.

1882, ch. 84. 1888, ch. 803.

743. Said board of police commissioners are authorized, empowered and directed to grant leave of absence, with pay, for a period of ten days in each consecutive year of service, to each of the officers of police, policemen and detectives of the regular force employed by said board; nor shall any enforced absence with leave, on account of sickness or death, be deducted from the pay of said officer of police, policeman or detective, or from the ten days' leave herein provided.

MATRONS AT STATION HOUSES.

1884, ch. 225.

744. They shall have power, in their discretion, to appoint for each station house in said city, a suitable woman as matron, and when so appointed shall supply her with a furnished office room in said station house.

Ibid.

745. The said matrons shall be appointed to serve for four years, respectively, subject to removal for cause, after a hearing by the board, which is invested with exclusive jurisdiction in the premises.

Ibid.

746. The duties of each matron shall be to give such care and advice, and to perform such other police duties as may be requisite and proper to the female prisoners and refugees in the station house for which said matron shall have been appointed.



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THE MARYLAND CODE.

Public Local Laws,

CODIFIED BY

JOHN PRENTISS POE.

ADOPTED BY THE GENERAL ASSEMBLY OF MARYLAND
MARCH 14, 1888.

*Including also the Public Local Acts of the Session of 1888
incorporated therein.*

BY AUTHORITY OF THE STATE OF MARYLAND.



VOLUME II,

CONTAINING ARTICLE 11, FREDERICK COUNTY, TO ARTICLE 24,
WORCESTER COUNTY.

BALTIMORE:
KING BROS., PRINTERS AND PUBLISHERS.
1888.

ART. 15.] ELECTION DISTRICTS—FENCES. 1457

1874, ch. 250.

99. It shall not be lawful for any person in Kent county to carry, on the days of election, secretly or otherwise, any gun, pistol, dirk, dirk-knife, razor, billy or bludgeon; and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof before any justice of the peace of said county, shall be fined not less than five nor more than twenty dollars, and on refusal to pay said fine shall be committed by such justice of the peace to the jail of the county until the same shall be paid.

Ibid.

100. The fines collected under the preceding section shall be paid by the officer collecting the same, to the school commissioners of the county, for school purposes.

Ibid.

101. Any constable of said county, or the sheriff thereof, who shall refuse to arrest any person violating section 99, upon information of such offence, shall be deemed guilty of a misdemeanor, and on conviction thereof before the circuit court shall be fined not less than twenty nor more than fifty dollars, and shall forthwith be discharged from office.

FENCES.

P. L. L., (1860,) art. 14, sec. 01.

102. Wherever joint fences have been or may be established in said county, for the mutual advantage of different owners or possessors of adjoining lauds, each party shall keep in good repair his proper proportion thereof, in manner following, that is to say: all post and rail or plank fences shall be at least four feet six inches high, and not more than four inches between the lower and second, and not more than five inches between the second and third rails; and all worm or other fences shall be five feet high; the height of said fences to be in every case computed from the ground or base of any embankment upon which they may be erected.

Ibid. sec. 02.

103. If either of the parties so making or keeping a joint fence shall not comply with the provisions of the preceding



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GENERAL STATUTES
OF THE
STATE OF MINNESOTA

IN FORCE

JANUARY 1, 1889.

COMPLETE IN TWO VOLUMES.

VOLUME 1, the General Statutes of 1878, prepared by GEORGE B. YOUNG, edited and published under the authority of chapter 67 of the Laws of 1878, and chapter 67 of the Laws of 1879.

VOLUME 2, Supplement.—Changes effected in the General Statutes of 1878 by the General Laws of 1879, 1881, 1881 Extra, 1883, 1885, and 1887, arranged by H. J. HORN, Esq., with Annotations by STUART RAPALJE, Esq., and others, and a General Index by the Editorial Staff of the NATIONAL REPORTER SYSTEM.

VOL. 2.

SUPPLEMENT, 1879-1888,

WITH

ANNOTATIONS AND GENERAL INDEX TO BOTH VOLUMES.

ST. PAUL:
WEST PUBLISHING CO.
1888.

1006

CRIMES AGAINST PUBLIC HEALTH. [P. C. §§ 330-334.]

sonous substance, a label, with the name and residence of such person, the word "poison" and the name of such poison, all written or printed thereon, in plain and legible characters, is guilty of a misdemeanor.

§ 330. Medical prescriptions.

No person employed in a drug store or apothecary shop shall prepare a medical prescription unless he has served two years' apprenticeship in such store or shop, or is a graduate of a medical college or college of pharmacy, except under the direct supervision of some person possessing one of those qualifications; nor shall any proprietor or other person in charge of such store or shop permit any person not possessing such qualifications to prepare a medical prescription in his store or shop, except under such supervision. A person violating any provision of this section is guilty of a misdemeanor, punishable by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding six months; and in case of death ensuing from such violation, the person offending is guilty of a felony, punishable by a fine not less than one thousand dollars, nor more than five thousand dollars, or by imprisonment in the state prison not less than two years, nor more than four years, or by both such fine and imprisonment.

§ 331. Adulterating food, drugs, liquors, etc.

A person who either

1. With intent that the same may be sold as unadulterated or undiluted, adulterates or dilutes wine, milk, distilled spirits, or malt liquor, or any drug, medicine, food, or drink, for man or beast; or

2. Knowing that the same has been adulterated or diluted, offers for sale or sells the same as unadulterated or undiluted, or without disclosing or informing the purchaser that the same has been adulterated or diluted, in a case where special provision has not been otherwise made by statute for the punishment of the offense;

—Is guilty of a misdemeanor.

§ 332. Disposing of tainted food.

A person who, with intent that the same may be used as food, drink, or medicine, sells, or offers, or exposes for sale, any article whatever which to his knowledge is tainted or spoiled, or for any cause unfit to be used as such food, drink, or medicine, is guilty of a misdemeanor.

§ 333. Making, selling, etc., dangerous weapons.

A person who manufactures, or causes to be manufactured, or sells, or keeps for sale, or offers or gives or disposes of any instrument or weapon of the kind usually known as slung-shot, sand-club, or metal knuckles, or who, in any city of this state, without the written consent of a magistrate, sells or gives any pistol or fire-arm to any person under the age of eighteen years, is guilty of a misdemeanor.

§ 334. Carrying, using, etc., certain weapons.

A person who attempts to use against another, or who, with intent so to use, carries, conceals, or possesses any instrument or weapon of the kind commonly known as slung-shot, sand-club, or metal knuckles, or a dagger, dirk, knife, pistol or other fire-arm, or any dangerous weapon, is guilty of a misdemeanor.

United States soldier carrying pistol—Evidence of character. *Lann v. State*, (Tex.) 8 S. W. Rep. 650.

Searching defendant's person. *Chastang v. State*, (Ala.) 3 South. Rep. 304.

See *State v. Williams*, (Iowa,) 29 N. W. Rep. 801; *Short v. State*, (Tex.) 8 S. W. Rep. 281.

THE
REVISED ORDINANCES

OF

SALT LAKE CITY, UTAH,

EMBRACING

ALL ORDINANCES OF A GENERAL NATURE IN
FORCE DECEMBER 20, 1892,

TOGETHER WITH THE

CHARTER OF SALT LAKE CITY,

THE AMENDMENTS THERETO, AND TERRITORIAL LAWS
OF A GENERAL NATURE APPLICABLE TO
SALT LAKE CITY, AND THE

CONSTITUTION OF THE UNITED STATES.

COMPILED AND ARRANGED BY
JOSEPH LIPPMAN.

PUBLISHED BY AUTHORITY OF THE
CITY COUNCIL OF SALT LAKE CITY, UTAH.

Dance House.

SEC. 13. Any person who shall keep a dance house, where lewd or disorderly persons assemble together for dancing, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars for each and every offense.

[February 14, 1888.]

Dangerous and Concealed Weapon.

SEC. 14. Any person who shall carry any slingshot, or any concealed deadly weapon, without the permission of the mayor first had and obtained, shall, upon conviction, be liable to a fine not exceeding fifty dollars.

[February 14, 1888.]

Defacing or Destroying Property.

SEC. 15. Any person who shall willfully injure, deface or destroy any building or fixture thereof, or injure, destroy or secrete any goods, chattels or valuable papers of another, or prepare any deadfall, or dig any pit, or arrange any trap, to injure another's person or property, or take down, injure or remove any monument, street sign, or any tree marked as a boundary of any tract of land or city lot, or destroy, deface or alter the marks of any monument or street sign, or injure or destroy any fence or fountain, or any shade or fruit tree, or any other kind of public or private property, or deface sidewalks with painted or printed handbills or signs, posters or other advertisements, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not to exceed three months, or to both fine and imprisonment.

[March 16, 1860; May 17, 1872; July 31, 1877.]

Discharging Guns.

SEC. 16. Any person discharging guns or pistols within the limits of the city (except in self-defense, or in the case of any civil officer in the discharge of his duty), shall be liable to a fine of not more than ten dollars for every such offense.

[April 27, 1860; February 14, 1888.]



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16

LAWS OF ARIZONA.

SEC. 3. This Act shall take effect from and after its passage.

Approved March 18, 1889.

No. 12.

AN ACT

Concerning the Transaction of Judicial Business on Legal Holidays.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. No Court of Justice shall be open, nor shall any Judicial business be transacted on any Legal Holiday, except for the following purposes:

1. To give, upon their request, instructions to a Jury when deliberating on their verdict.
2. To receive a verdict or discharge a Jury.
3. For the exercise of the powers of a magistrate in a criminal action, or in a proceeding of a criminal nature; provided, that the Supreme Court shall always be open for the transaction of business; and provided further, that injunctions, attachments, claim and delivery and writs of prohibition may be issued and served on any day.

SEC. 2. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in force and effect from and after its passage.

Approved March 18, 1889.

No. 13

AN ACT

Defining and Punishing Certain Offenses Against the Public Peace.

Be it Enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. If any person within any settlement, town, village or city within this Territory shall carry on or about his person, saddle, or in his saddlebags, any pistol, dirk, dagger, slung shot, sword cane, spear, brass knuckles, bowie knife, or any other kind of knife manufactured or sold for purposes of offense or defense, he shall be punished by a fine of not less than twenty-five nor more than one hundred dollars; and in addition thereto, shall forfeit to the County in which he is convicted, the weapon or weapons so carried.

SEC. 2. The preceding article shall not apply to a person in actual service as a militiaman, nor as a peace officer

or policeman, or person summoned to his aid, nor to a revenue or other civil officer engaged in the discharge of official duty, nor to the carrying of arms on one's own premises or place of business, nor to persons traveling, nor to one who has reasonable ground for fearing an unlawful attack upon his person, and the danger is so imminent and threatening as not to admit of the arrest of the party about to make such attack upon legal process.

SEC. 3. If any person shall go into any church or religious assembly, any school room, or other place where persons are assembled for amusement or for educational or scientific purposes, or into any circus, show or public exhibition of any kind, or into a ball room, social party or social gathering, or to any election precinct on the day or days of any election, where any portion of the people of this Territory are collected to vote at any election, or to any other place where people may be assembled to minister or to perform any other public duty, or to any other public assembly, and shall have or carry about his person a pistol or other firearm, dirk, dagger, slung shot, sword cane, spear, brass knuckles, bowie knife, or any other kind of a knife manufactured and sold for the purposes of offense or defense, he shall be punished by a fine not less than fifty nor more than five hundred dollars, and shall forfeit to the County the weapon or weapons so found on his person.

SEC. 4. The preceding article shall not apply to peace officers, or other persons authorized or permitted by law to carry arms at the places therein designated.

SEC. 5. Any person violating any of the provisions of Articles 1 and 3, may be arrested without warrant by any peace officer and carried before the nearest Justice of the Peace for trial; and any peace officer who shall fail or refuse to arrest such person on his own knowledge, or upon information from some credible person, shall be punished by a fine not exceeding three hundred dollars.

SEC. 6. Persons traveling may be permitted to carry arms within settlements or towns of the Territory for one-half hour after arriving in such settlements or town, and while going out of such towns or settlements; and Sheriffs and Constables of the various Counties of this Territory and their lawfully appointed deputies may carry weapons in the legal discharge of the duties of their respective offices.

SEC. 7. It shall be the duty of the keeper of each and every hotel, boarding house and drinking saloon, to keep posted up in a conspicuous place in his bar room, or reception room if there be no bar in the house, a plain notice to travelers to divest themselves of their weapons in accordance with Section 9 of this Act, and the Sheriffs of the various Counties



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CARRYING DEADLY WEAPONS.

23

around the head of Panther Creek, to the divide between Hat Creek and Ellis Creek, thence on the divide between Hat and Ellis Creeks in an easterly direction to the Salmon River, thence up the main channel of said Salmon River to the place of beginning.

SEC. 2. This act to take effect and be in force, from and after its passage.

Approved February 4, 1889.

 CARRYING DEADLY WEAPONS.

 AN ACT

REGULATING THE USE AND CARRYING OF DEADLY WEAPONS IN IDAHO TERRITORY.

Be it enacted by the Legislative Assembly of the Territory of Idaho, as follows:

SECTION 1. That it is unlawful for any person, except United States officials, officials of Idaho Territory, County officials, Peace officers, Guards of any jail, and officers or employees of any Express Company on duty, to carry, exhibit or flourish any dirk, dirk-knife, sword, sword-cane, pistol, gun or other deadly weapons, within the limits or confines of any city, town or village or in any public assembly of Idaho Territory. Every person so doing is guilty of a misdemeanor and is punishable by fine not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than twenty days nor more than fifty days, or by both such fine and imprisonment.

SEC. 2. One half of all fines collected under the provisions of this act shall be paid to the officer making the arrest, which amount shall be payment in full for his services. The other one half shall be paid into the Common School Fund of the county, after deducting the necessary costs of the prosecution of the case.

SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 4, 1889.



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sonous substance, a label, with the name and residence of such person, the word "poison" and the name of such poison, all written or printed thereon, in plain and legible characters, is guilty of a misdemeanor.

§ 330. Medical prescriptions.

No person employed in a drug store or apothecary shop shall prepare a medical prescription unless he has served two years' apprenticeship in such store or shop, or is a graduate of a medical college or college of pharmacy, except under the direct supervision of some person possessing one of those qualifications; nor shall any proprietor or other person in charge of such store or shop permit any person not possessing such qualifications to prepare a medical prescription in his store or shop, except under such supervision. A person violating any provision of this section is guilty of a misdemeanor, punishable by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding six months; and in case of death ensuing from such violation, the person offending is guilty of a felony, punishable by a fine not less than one thousand dollars, nor more than five thousand dollars, or by imprisonment in the state prison not less than two years, nor more than four years, or by both such fine and imprisonment.

§ 331. Adulterating food, drugs, liquors, etc.

A person who either

1. With intent that the same may be sold as unadulterated or undiluted, adulterates or dilutes wine, milk, distilled spirits, or malt liquor, or any drug, medicine, food, or drink, for man or beast; or

2. Knowing that the same has been adulterated or diluted, offers for sale or sells the same as unadulterated or undiluted, or without disclosing or informing the purchaser that the same has been adulterated or diluted, in a case where special provision has not been otherwise made by statute for the punishment of the offense;

—Is guilty of a misdemeanor.

§ 332. Disposing of tainted food.

A person who, with intent that the same may be used as food, drink, or medicine, sells, or offers, or exposes for sale, any article whatever which to his knowledge is tainted or spoiled, or for any cause unfit to be used as such food, drink, or medicine, is guilty of a misdemeanor.

§ 333. Making, selling, etc., dangerous weapons.

A person who manufactures, or causes to be manufactured, or sells, or keeps for sale, or offers or gives or disposes of any instrument or weapon of the kind usually known as slung-shot, sand-club, or metal knuckles, or who, in any city of this state, without the written consent of a magistrate, sells or gives any pistol or fire-arm to any person under the age of eighteen years, is guilty of a misdemeanor.

§ 334. Carrying, using, etc., certain weapons.

A person who attempts to use against another, or who, with intent so to use, carries, conceals, or possesses any instrument or weapon of the kind commonly known as slung-shot, sand-club, or metal knuckles, or a dagger, dirk, knife, pistol or other fire-arm, or any dangerous weapon, is guilty of a misdemeanor.

United States soldier carrying pistol—Evidence of character. *Lann v. State*, (Tex.) 8 S. W. Rep. 650.

Searching defendant's person. *Chastang v. State*, (Ala.) 3 South. Rep. 304.

See *State v. Williams*, (Iowa,) 29 N. W. Rep. 801; *Short v. State*, (Tex.) 8 S. W. Rep. 281.

without warrant. Provided, however, that the city shall not be responsible for the pay or allowance of such special policemen, but the salary or compensation shall be paid or adjusted by the person or corporation requesting their appointment.

And provided, further, that the city shall not be responsible for the negligence or misconduct of such policeman, but the person or corporation by whom he is employed shall be responsible in any and every case where if said policeman was a regular policeman of the city, the city would be liable for the action or negligence of such policeman.

Approved April 16, 1890.

GENERAL ORDINANCE No. 2.

An Ordinance Providing for the Security of Persons and Property of the Inhabitants of the City of Johnstown; the Preservation of the Public Peace and Good Order of the City, and Prescribing Penalties for Offenses Against the Same.

SECTION 1. *Be it enacted, etc.*, That any person or persons who shall be engaged in fighting, quarreling, or otherwise creating disturbance within the limits of the city shall upon conviction pay a fine of not less than one dollar or more than one hundred dollars with costs.

SEC. 2. Any person who shall on any public street, alley, square, or public grounds, within the limits of the city, willfully discharge any gun or firearm—excepting in necessary defense of self or property—or shall wantonly throw any metal, stone, brick, bullet, or other missile, or who shall willfully explode any torpedo, bomb, fire-cracker, or fire-works in any place on either public or private grounds, or on the street corners or alleys, shall upon conviction pay a fine of not less than one dollar or more than fifty dollars with costs.

SEC. 3. Any person who shall willfully raise any false alarm of fire or without reasonable cause for alarm, by loud outcries, create a tumult or cause the assemblage of people on the streets, shall upon conviction pay a fine of not less than one dollar or more than twenty-five dollars with costs.

SEC. 4. All persons are prohibited from standing, lounging, or loitering upon the sidewalks in front of or near to any of the churches in the city during the time of holding any services or meetings therein, or in any wise preventing or obstructing the free ingress and egress of any person in attendance thereat, or from standing or loitering in groups or crowds upon the sidewalks, street-crossings, or bridges within the city, in such a way

as to prevent the full and free use of the sidewalks, street-crossings, and bridges by persons passing along and over the same, and it shall be the duty of the police to disperse any crowds or assemblies whenever so found at said churches or on any of the sidewalks, street-crossings, or bridges, and all persons who shall refuse to disperse when notified by a policemen or constable, shall upon conviction pay a fine of not less than one dollar or more than twenty-five dollars with costs.

SEC. 5. Any person who shall be engaged in horse racing, or shall willfully ride or drive any horse, mare, gelding, or mule at a faster rate than a mile in five minutes in or through any of the public squares, streets, alleys, or over any of the bridges in the city, shall upon conviction pay a fine of not less than one dollar or more than twenty-five dollars with costs.

SEC. 6. If any person shall without a license, hawk, vend, or sell upon any street, alley, square, or public grounds of the city any patent medicine, patent, or any other goods, wares, merchandise, article, or thing in such manner as to collect a crowd or assembly of people, such person shall upon conviction pay a fine of not less than ten dollars or more than fifty dollars with costs for each offense.

SEC. 7. Any person or persons who shall refuse upon an occasion of fire to disperse when so directed by the fire marshal or any policeman, or who shall interfere with any fireman or any police officer while in the discharge of his duty or in the dispersion of idle, disorderly, or suspicious persons, shall upon conviction pay a fine of not less than two dollars or more than ten dollars with costs.

SEC. 8. Any person who shall with wagon, sled, sleigh, or other vehicle, horse, mule, or other animal, willfully stop upon a public crossing of any street so as to prevent the free and full use of such crossing by pedestrians, or who shall ride or drive his horse, mule, or other animal upon, along, or across any sidewalk in the city, except when going directly across the same to a lot or yard, or when authorized by a building permit so to do, shall upon conviction pay a fine of not less than one dollar or more than ten dollars with costs. Provided that this section shall not be held to apply to the temporary stopping of the street cars to receive and discharge passengers on crossings.

SEC. 9. Any person who shall coast or slide with a hand sled down, along, or across any sidewalk in the city, or shall ride a bicycle or tricycle, or draw any wagon, hand-cart, sled, or other vehicle—except children's carriages or the wheel-chairs used by a cripple or invalid—down, along, or across any sidewalk in the limits of the city shall upon conviction pay a fine of not less than one dollar or more than five dollars with costs.

SEC. 10. It shall be unlawful for any person or persons within the limits of the city to set up, maintain, open, or conduct

any tippling shop, house of prostitution, gambling house, or place where gaming, cock-fighting, dog-fighting, or any immoral show or exhibition or disorderly conduct or unlawful game or practice is conducted or permitted, and any person convicted of any of the offenses named in this section shall pay a fine of not less than twenty-five dollars or more than one hundred dollars with costs, and a like fine for each day the same is continued or maintained after the imposition of the first fine together with the costs.

SEC. 11. It shall be the duty of the police to arrest any person or persons who shall be engaged within the limits of the city in any game, play, or amusement or in any other desecration of the Sabbath day, commonly called Sunday, and any person convicted of a violation of this section shall pay a fine of not less than one dollar or more than twenty-five dollars with costs.

SEC. 12. No person shall willfully carry concealed upon his or her person any pistol, razor, dirk or bowie-knife, black jack, or handy billy, or other deadly weapon, and any person convicted of such offense shall pay a fine of not less than five dollars or more than fifty dollars with costs.

SEC. 13. If any person shall willfully make an indecent exposure of his or her person, or while naked bathe in either of the streams within the limits of the city, between sunrise and half-past eight o'clock p. m., every such person shall upon conviction pay a fine of not less than two dollars or more than ten dollars with costs.

SEC. 14. It shall be the duty of the police at all times to apprehend without a warrant, upon view, and commit for hearing any person guilty of a breach of the peace, riotous, or disorderly conduct, or drunkenness, or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of any citizen, and all suspected night-walkers, malefactors, vagabonds, vagrants, rogues, or professional thieves and tramps who may be found upon the streets, alleys, corners, sidewalks, or public places, or persons gathered in disorderly assemblies on the streets or in drinking saloons, gaming houses, or houses of prostitution; any and all such above described persons as shall be convicted of any of the offenses, matters, or things in this section, shall pay a fine of not less than one dollar or more than one hundred dollars with costs.

SEC. 15. Any person who shall in any manner interfere with or obstruct any constable, policeman, or other officer or any person acting under the authority of the city or mayor in the discharge of his duties or making an arrest under the peace ordinance of the city, or who shall resist or hinder or obstruct any city officer, policeman, or constable in the execution of any precept, or the enforcement of any ordinance, shall upon conviction pay a fine of not less than ten dollars or more than one hundred dollars with costs.

SEC. 16. When in case of any public disorder the mayor shall require the closing of bars or establishments where liquors are sold, any person shall neglect or refuse to close or shall open before the time appointed for opening the bar, or shall sell during the period fixed by the mayor for keeping the bars closed, liquors of any kind, the party so offending shall upon conviction pay a fine of one hundred dollars with costs.

SEC. 17. It shall be the duty of any policeman or constable of the city, in case any of the offenses mentioned in this ordinance or committed in his view, to promptly arrest, without warrant, the person or persons engaged therein, but in case the party shall escape or he shall not have view of the same, but has reliable information of offenses being committed, and cannot procure an information to be made by some responsible citizen, it shall be the duty of such policeman to report the matter to the mayor or nearest alderman, with the names of the witnesses, in order that an information may be made upon which a warrant shall issue for the arrest of the person or persons who may be so charged.

Approved April 16, 1890.

GENERAL ORDINANCE No. 3.

An Ordinance Directing the Mode of Imposing and Collecting Fines and Penalties for Violation of the Ordinances of the City of Johnstown and Providing in What Cases and Where Imprisonment Shall be Inflicted and in What Cases a Sentence of Hard Labor May be Imposed.

SECTION 1. *Be it enacted, etc.*, The mayor shall have full jurisdiction, power, and authority to recover by summary conviction the fines and penalties imposed in all cases of violation of the ordinances of the city relating to the peace and good order of the city, and in all cases where the offender may be arrested on view and without warrant by the policeman; in all other cases, where penalties are imposed, by penal action or such proceedings as are or may be directed by law for the recovery of penalties for violation of city ordinances. Fines, penalties, and forfeitures for violation of the city ordinances may also be recovered before any alderman of the city in the manner prescribed by law.

SEC. 2. In default of payment of any fine or forfeiture, the person or persons so convicted shall be committed to the city prison or the common jail of Cambria County for a period not exceeding thirty days. Provided, that upon the conviction of any person or persons of being a vagrant, keeping a tippling shop or house of prostitution or gambling house, or place where gaming,

Laws of the City of Johnstown, Pa., Embracing City Charter, Act of Assembly of May 23, 1889, for the Government of Cities of the Third Class, General and Special Ordinances, Rules of Select and Common Councils and Joint Sessions. Herald Company, 1897. The Making of Modern Law: Primary Sources, link.gale.com/apps/doc/DT0106025012/MMLP?u=bloo98297&sid=bookmark-MMLP&pg=87. Accessed 29 Mar. 2023.

CHARTER

AND

ORDINANCES

OF THE

CITY OF NEW HAVEN (*Charter*)



TOGETHER WITH LEGISLATIVE ACTS AFFECTING
SAID CITY.

—◆—

REVISED TO JUNE 1, 1890.

—◆—

NEW HAVEN:
PRESS OF O. A. DORMAN,
1890.

on the City Treasurer, for one-half of the amount of fines and forfeitures, exclusive of costs and fees, collected and paid in to the City Treasury, during the year, for violations of this Ordinance, said sum to be added to the fund of said Association.

GOOD ORDER AND DECENCY.

- Section.
- 179. Bathing naked prohibited, except in places designated by Board of Aldermen ; penalty.
 - 180. Disorderly houses ; penalty.
 - 181. Houses of ill-fame ; penalty for owner, or keeper, and visitor.
 - 182. Penalty for indecent exposure.
 - 183. Penalty for uttering loud and indecent language.
 - 184. Penalty for defacing buildings, etc.
 - 185. Penalty for disturbance of public meetings.

- Section.
- 186. Concert saloons, penalty for keeping, etc.
 - 187. Policy playing ; policy writing ; keeping policy shop.
 - 188. Leasing building for policy playing.
 - 189. Sparring exhibitions ; penalty for.
 - 190. Penalty for training for prize fight.
 - 191. Penalty for suffering animals to fight for wager.
 - 192. Penalty for carrying iron knuckles, etc., or concealed weapons, without permission.

SEC. 179. No person shall swim or bathe naked in any of the waters in or around said City, except in such places as may be designated by the Board of Aldermen for that purpose.

Any person offending against the provisions of this section shall forfeit and pay a penalty of five dollars for every such offense.

SEC. 180. No person shall keep a disorderly house ; and any house, the occupant of which shall permit or allow any number of persons to assemble therein at any time, and by tumultuous conduct, or by quarreling, or by fighting, or by excessive or undue noise of any kind,

164 JURORS OF CITY COURT—LAMPS.

City for any such purpose, shall forfeit and pay a penalty of not less than ten, nor more than fifty dollars for every such offense.

SEC. 192. Every person who shall carry in said City, any steel or brass knuckles, pistol, or any slung shot, stiletto or weapon of similar character, or shall carry any weapon concealed on his person without permission of the Mayor or Superintendent of Police in writing, shall, on conviction, pay a penalty of not less than five, nor more than fifty dollars for every such offense.

JURORS OF THE CITY COURT.

Section.

193. Penalty for neglecting to serve as juror when summoned.

Be it ordained by the Court of Common Council of the City of New Haven:

SEC. 193. If any person chosen, drawn and summoned to serve on a jury at any session of the City Court of said City, in accordance with the provisions of the Charter of said City, shall make default of appearance, according to the direction of the summons, which shall have been duly served upon him, and returned to Court, he shall forfeit and pay a penalty of five dollars, unless on cause shown, said City Court shall excuse him therefrom.

LAMPS.

Section.

194. Court of Common Council may order lamps to be set up.

Section.

195. Unauthorized interference with lamps prohibited, etc.; penalty.

Be it ordained by the Court of Common Council of the City of New Haven:

SEC. 194. The Court of Common Council is hereby authorized to cause to be set up such lamps in the streets and public places in said City, for the purpose of

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ACTS AND RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

State of Georgia.

1890-'91.

Volume I.

COMPILED AND PUBLISHED BY AUTHORITY

ATLANTA, GEORGIA:
GEO. W. HARRISON, STATE PRINTER.
(Franklin Publishing House.)
1891.

PART I.—TITLE 2.—TAXES.

(General Tax Act.

- Lightning rod dealers or agents. Twelfth.—Upon all itinerant lightning-rod dealers or agents, the sum of fifty dollars for each and every county in which they operate.
- Shows and exhibitions. Thirteenth.—Upon all shows and exhibitions (except such as histrionic, musical, operatic and elocutionary), including side-shows accompanying circus companies, fifty dollars in each and every city or town of five thousand inhabitants, forty dollars in cities or towns of four thousand and under five thousand inhabitants, and thirty dollars in towns of less than four thousand inhabitants. Said tax, so collected, shall be for educational purposes.
- Circus companies. Fourteenth.—Upon every circus company, three hundred dollars each day it may exhibit in the State of Georgia. Said tax shall be for educational purposes.
- Liquor dealers. Fifteenth.—Upon all dealers in spirituous or malt liquors, intoxicating bitters or brandy fruits or domestic wines; whether dealing in any or all thereof, fifty dollars for each place of business in each county where the same are sold; *provided*, this tax shall not relieve such dealers from any local tax or prohibitory law in reference to the retail of spirituous or intoxicating liquors, nor be required of those who sell by wholesale spirits manufactured of apples, peaches, grapes, blackberries or other fruits grown on their own lands, when sold in quantities not less than five gallons; *provided*, that nothing in this Act shall be so construed as to levy a tax on dealers in domestic wines manufactured from grapes or berries purchased by or grown on lands owned, leased or rented by said dealer. Said tax shall be for educational purposes.
- Dealers in domestic wines exempt. *provided*, that nothing in this Act shall be so construed as to levy a tax on dealers in domestic wines manufactured from grapes or berries purchased by or grown on lands owned, leased or rented by said dealer. Said tax shall be for educational purposes.
- Dealers in pistols and other weapons. Sixteenth.—Upon all dealers in pistols, toy pistols, shooting cartridges, dirks or Bowie-knives, one hundred dollars for each place of business in each county where the same are sold.
- Dealers in "futures," etc. Seventeenth.—Upon every individual or firm, or his or their agents, engaged in the business of selling or buying through regularly organized stock and cotton exchanges or boards of trade, farm products, sugar, coffee, and salt and meat, railroad stock and bonds, and stocks and bonds of all kinds, not intended for *bona fide* sale and delivery, but for future delivery (commonly called "futures"), one thousand dollars each per annum for each county where such business is carried on; *provided*, that this tax shall not be demanded of any cotton warehouseman, dealer in cotton, or any provision broker who takes orders in the regular course of their trade only for the actual and *bona fide* delivery of cotton and other produce so ordered, and where, by the terms of the contract, it is not left to the option of the party so ordering,
- Provisos.



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ACTS

PASSED BY

THE GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA,

AT THE

REGULAR SESSION

Begun and held at the City of Baton Rouge, on the
twelfth day of May, 1890.

PUBLISHED BY AUTHORITY.

NEW ORLEANS:
PRINTED BY ERNEST MARCHAND, STATE PRINTER
1890.

filed by the defendant, or by his counsel, the party cast in the suit, shall be considered duly notified of the judgment by the fact of its being signed by the judge;

Provided, that in the country parishes no execution shall issue in cases where an appeal lies, until ten days after the adjournment of the court by which the judgment was rendered, within which delay a party may take a suspensive appeal on filing petition and appeal bond as now provided by law. Relative to appeals in the country parishes.

S. P. HENRY,

Speaker of the House of Representatives.

JAMES JEFFRIES,

Lieut.-Governor and President of the Senate.

Approved July 1st, 1890.

FRANCIS T. NICHOLLS,

Governor of the State of Louisiana.

A true copy from the original:

L. F. MASON

Secretary of State.

No. 46.]

AN ACT

Making it a misdemeanor for any person to sell, give or lease, to any minor, any pistol, bowie-knife, dirk or any weapon, intended to be carried or used as a concealed weapon.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That, hereafter, it shall be unlawful, for any person to sell, or lease or give through himself or any other person, any pistol, dirk, bowie-knife or any other dangerous weapon, which may be carried concealed to any person under the age of twenty-one years. Makigg it a misdemeanor to sell to any minor any pistol, bowie-knife, dirk or other weapon.

SECTION 2. *Be it further enacted, etc.*, That any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof, shall pay a fine of not less than twenty-five dollars nor more than one hundred dollars, and in default of the payment of said fine, by imprisonment not exceeding twenty days. Penalty.

SEC. 3. *Be it further enacted, etc.*, That all laws or parts of laws in conflict with this act be and the same are hereby repealed, and that this act take effect from and after its passage. Repealing clause.

S. P. HENRY,

Speaker of the House of Representatives.

JAMES JEFFRIES,

Lieut.-Governor and President of the Senate.

Approved July 1, 1890.

FRANCIS T. NICHOLLS,

Governor of the State of Louisiana.

A true copy from the original:

L. F. MASON,

Secretary of State.

John Prentiss Poe, *The Baltimore City Code, Containing the Public Local Laws of Maryland Relating to the City of Baltimore, and the Ordinances of the Mayor and City Council, in Force on the First Day of November, 1891, with a Supplement, Containing the Public Local Laws Relating to the City of Baltimore, Passed at the Session of 1892 of the General Assembly, and also the Ordinances of the Mayor and City Council, Passed at the Session of 1891-1892, and of 1892-1893, up to the Summer Recess of 1893* Page 297-298, Image 306-307 (1893) available at [The Making of Modern Law: Primary Sources](#). | Duke Center for Firearms Law

Ordinances of Baltimore, § 742A. Every person in said city of Baltimore not being a conservator of the peace, entitled or required to carry such weapons as a part of his official equipment, who shall wear or carry any pistol, dirk-knife, bowie-knife, sling-shot, billy, sand-club, metal knuckles, razor or any other dangerous or deadly weapon of any kind whatsoever, (pen knives excepted.) concealed upon or about his person; and every person who shall carry or wear such weapons openly, with the intent or purpose of injuring any person, shall, upon a conviction thereof, be fined not more than five hundred dollars, and be imprisoned not more than six months in jail or in the house of correction; that this act shall not release or discharge any person or persons already offending against the general law in such cases made and provided, but any such person or persons may be proceeded against, prosecuted and punished under the general law of this State as if this act had not been passed.

THE
REVISED ORDINANCES

OF THE

CITY OF OMAHA, *Ordinance*

NEBRASKA,

EMBRACING

ALL ORDINANCES OF A GENERAL NATURE IN FORCE
APRIL 1, 1890, TOGETHER WITH THE

CHARTER FOR METROPOLITAN CITIES,

THE CONSTITUTION OF THE UNITED STATES AND
THE CONSTITUTION OF THE STATE
OF NEBRASKA.

COMPILED AND ARRANGED BY
W. J. CONNELL.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF OMAHA.

thereof, be fined not less than five (\$5) dollars nor more than one hundred (\$100) dollars, or be imprisoned not to exceed thirty (30) days.

Burglars' tools.

SEC. 9. It shall be unlawful for any person to have in his possession any nippers of the description known as burglar's nippers, pick lock, skeleton key, key to be used with bit or bits, jimmy or other burglar's instrument or tool of whatsoever kind or description, unless it be shown that such possession is innocent or for lawful purpose; and any person violating any provision of this section, shall, upon conviction, be fined in a sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, or be imprisoned not exceeding thirty (30) days.

Concealed weapons.

SEC. 10. It shall be unlawful for any person to wear under his clothes, or concealed about his person, any pistol or revolver, colt, billy, slung-shot, brass knuckles or knuckles of lead, dirk, dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon within the corporate limits of the city of Omaha. And any person guilty of a violation of this section shall, on conviction, be fined not exceeding one hundred (\$100) dollars for each and every offense; nothing in this section, however, shall be so construed as to prevent the United States marshals and their deputies, sheriffs and their deputies, regular or special police officers of the city, from carrying or wearing such weapons as may be deemed necessary in the proper discharge of their duties. *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 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.

Whenever any police officer shall make an arrest of a

MISDEMEANORS.

345

person having concealed on or about his person any weapon or weapons, as specified in this section, it shall be such officer's duty to take from such person arrested the weapon or weapons found upon him at the time of his arrest, and to retain the same, to abide such order concerning the same as may be made by the police judge.

Inhuman treatment of dumb animals.

SEC. 11. It shall be unlawful for any person to cruelly, inhumanly or unnecessarily beat, injure, overload or overwork, or to insufficiently shelter or feed any horse, mule or dumb animal, or to drive, ride or work or cause to be ridden, driven or worked any horse, mule or dumb animal, which by reason of any deformity, injury or disease or other cause whatsoever, shall be incapable of being ridden, driven or worked without suffering pain or great annoyance from such deformity, injury, disease or other cause, or to otherwise abuse any dumb animal within the limits of the city of Omaha, or to encourage or urge any dogs or other animals to fight in said city, and every person violating any provision of this section shall, on conviction thereof, be fined not exceeding fifty (\$50) dollars or be imprisoned not to exceed thirty (30) days.

Killing birds.

SEC. 12. Every person who shall kill or wound, or attempt to kill or wound by the use of fire arms, bow and arrow, pelting with stones or otherwise, any bird within the city limits, or shoot an arrow, or throw a stone or club, or other missile at any bird within any private grounds, or public park, square or grounds, (such bird not being the property of the person so offending) or enter upon any private enclosure, or public grounds belonging to the city, for the purpose of doing any act prohibited in this section, shall, upon conviction, be fined not exceeding twenty-five (\$25) dollars for each and every offense.

Trapping doves.

SEC. 13. Any person who shall, within this city, kill, trap or ensnare or attempt to kill, trap or ensnare, take or



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THE

STATUTES OF OKLAHOMA

1890.

Compiled under the supervision and direction of Robert Martin,
Secretary of the Territory,

—BY—

WILL T. LITTLE, L. G. PITMAN and R. J. BARKER,

—FROM—

The Laws Passed by the First Legislative Assembly of the Territory.

GUTHRIE, OKLAHOMA:
THE STATE CAPITAL PRINTING CO.,
PUBLISHERS.
1891.

witness to such sale, excepting upon the written order or prescription of some practicing physician whose name must be attached to such order or prescription. No person shall sell, give away or dispose of any poisonous substance without attaching to the phial, box or parcel containing such poisonous substance a label with the word "poison" printed or written upon it, in plain and legible characters. Chap. 25.

(2286) § 11. Any person violating any of the provisions of the first preceding section shall be deemed guilty of a misdemeanor. Same, violation of.

(2287) § 12. Every person whose duty it is by the second preceding section to keep any book for recording the sale or gift of poisons, who wilfully refuses to permit any person to inspect said book upon reasonable demand made during business hours, is punishable by fine not exceeding fifty dollars. Record of poisons to be public.

(2288) § 13. Every person who shall, except in a safe place on his own premises, lay out strychnine or other poison within the limits of any town or within one mile of any dwelling house, or any barn, stable or out building used at the time for keeping or shelter of horses, cattle, sheep or swine, or within one-half mile of any travelled thoroughfare, or on lands not his own, on the ceded lands of this Territory, is guilty of a misdemeanor: *Provided*, Nothing in this section shall be construed to prohibit the putting out at any time of poisoned grain for the purpose of killing gophers. Laying out poisons.

(2289) § 14. Every person who, in putting up or pressing any bundle of hay for market, omits to put the number of pounds in each bundle or bale so put up, for which he sells or offers to sell it, is guilty of a misdemeanor. Omitting to mark hay.

(2290) § 15. Every person who by putting up in any bag, bale, box, barrel or other package, any hops, cotton, hay or other goods usually sold in bags, bales, barrels or packages, by weight, puts in or conceals therein anything whatever for the purpose of increasing the weight of such bag, bale, box, barrel or package, is punishable by a fine of twenty-five dollars for each offense. Increasing weight of barrels, boxes, etc.

(2291) § 16. Every person who adulterates or dilutes any article of food, drink, drug, medicine, strong, spirituous or malt liquor or wine, or any article useful in compounding either of them, whether one useful for mankind or for animals, with a fraudulent intent to offer the same, or cause or permit it to be offered for sale as unadulterated or undiluted, and every person who fraudulently sells or keeps or offers for sale the same as unadulterated or undiluted, knowing it to have been adulterated or diluted, is guilty of a misdemeanor. Adulterating food.

(2292) § 17. 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. Disposing of tainted food.

(2293) § 18. Every person who manufactures or causes to be manufactured, or sells or offers or keeps for sale, or gives or dis- Manufacturing of slung shot.

Chap. 25. poses 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.

(2294) § 19. 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.

(2295) § 20. Every person who carries concealed about his person and 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.

(2296) § 21. 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.

(2297) § 22. 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.

(2298) § 23. Every person who, at any 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.

(2299) § 24. Every person who maintains any ferry for profit or hire upon any waters within this Territory, 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 Territory, 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.

(2300) § 25. Every person who having entered into a bond or obligation, as provided by his ferry charter or any general law on



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1891.

(2430) § 6. Every person who, with intent to extort any money or other property from another, sends to any person any letter or other writing, whether subscribed or not, expressing or implying, or adapted to imply, any threat, such as is specified in the second section of this article, is punishable in the same manner as if such money or property were actually obtained by means of such threat. Chap. 25.
Sending threatening letter.

(2431) § 7. Every person who unsuccessfully attempts by means of any verbal threat such as is specified in the second section of this article, to extort money or other property from another is guilty of a misdemeanor. Attempting to export money.

ARTICLE 47.—CONCEALED WEAPONS.

SECTION.

1. Prohibited weapons enumerated.
2. Same.
3. Minors.
4. Public officials, when privileged.
5. Arms, when lawful to carry.

SECTION.

6. Degree of punishment.
7. Public buildings and gatherings.
8. Intent of persons carrying weapons.
9. Pointing weapon at another.
10. Violation of certain sections.

(2432) § 1. It shall be unlawful for any person in the Territory of Oklahoma to carry concealed on or about his person, saddle, or saddle bags, any pistol, revolver, bowie knife, dirk, dagger, slung-shot, sword cane, spear, metal knuckles, or any other kind of knife or instrument manufactured or sold for the purpose of defense except as in this article provided. Prohibited weapons enumerated.

(2433) § 2. It shall be unlawful for any person in the Territory of Oklahoma, to carry upon or about his person any pistol, revolver, bowie knife, dirk knife, loaded cane, billy, metal knuckles, or any other offensive or defensive weapon, except as in this article provided. Same.

(2434) § 3. It shall be unlawful for any person within this Territory, to sell or give to any minor any of the arms or weapons designated in sections one and two of this article. Minors.

(2435) § 4. Public officers while in the discharge of their duties or while going from their homes to their place of duty, or returning therefrom, shall be permitted to carry arms, but at no other time and under no other circumstances: *Provided, however,* That if any public officer be found carrying such arms while under the influence of intoxicating drinks, he shall be deemed guilty of a violation of this article as though he were a private person. Public officials, when privileged.

(2436) § 5. Persons shall be permitted to carry shot-guns or rifles for the purpose of hunting, having them repaired, or for killing animals, or for the purpose of using the same in public muster or military drills, or while travelling or removing from one place to another, and not otherwise. Arms, when lawful to carry.

(2437) § 6. Any person violating the provisions of any one of the foregoing sections, shall on the first conviction be adjudged guilty of a misdemeanor and be punished by a fine of not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not to exceed thirty days or both at the discretion of the court. On the second and every subsequent con- Degree of punishment.

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viction, the party offending shall on conviction be fined not less than fifty dollars nor more than two hundred and fifty dollars or be imprisoned in the county jail not less than thirty days nor more than three months or both, at the discretion of the court.

Public buildings and gatherings.

(2438) § 7. It shall be unlawful for any person, except a peace officer, to carry into any church or religious assembly, any school room or other place where persons are assembled for public worship, for amusement, or for educational or scientific purposes, or into any circus, show or public exhibition of any kind, or into any ball room, or to any social party or social gathering, or to any election, or to any place where intoxicating liquors are sold, or to any political convention, or to any other public assembly, any of the weapons designated in sections one and two of this article.

Intent of persons carrying weapons.

(2439) § 8. It shall be unlawful for any person in this Territory to carry or wear any deadly weapons or dangerous instrument whatsoever, openly or secretly, with the intent or for the avowed purpose of injuring his fellow man.

Pointing weapons at another.

(2440) § 9. It shall be unlawful for any person to point any pistol or any other deadly weapon whether loaded or not, at any other person or persons either in anger or otherwise.

Violation of section seven.

(2441) § 10. Any person violating the provisions of section seven, eight or nine of this article; shall on conviction, be punished by a fine of not less than fifty dollars, nor more than five hundred and shall be imprisoned in the county jail for not less than three not more than twelve months.

ARTICLE 48.—FALSE PERSONATION AND CHEATS.

SECTION.

- 1. False impersonation, punishment for.
- 2. False impersonation and receiving money.
- 3. Personating officers and others.
- 4. Unlawful wearing of grand army badge.
- 5. Fines, how paid.
- 6. Obtaining property under false pretenses.

SECTION.

- 7. False representation of charitable purposes.
- 8. Falsely representing banking corporations.
- 9. Using false check.
- 10. Holding mock auction.

Punishment for false impersonation.

(2442) § 1. Every person who falsely personates another, and in such assumed character, either:

First. Marries or pretends to marry, or to sustain the marriage relation toward another, with or without the connivance of such other person; or,

Second. Becomes bail or surety for any party, in any proceeding whatever, before any court or officer authorized to take such bail or surety; or,

Third. Subscribes, verifies, publishes, acknowledges or proves, in the name of another person, any written instrument, with intent that the same may be delivered or used as true; or,

Fourth. Does any other act whereby, if it were done by the person falsely personated, he might in any event become liable to any suit or prosecution, or to pay any sum of money, or to incur any charge, forfeiture or penalty, or whereby any benefit might accrue to the party personating, or to any other person.

General Laws Relating to Incorporated Towns of Indian Territory Page 49, Image 45 (1890) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

Revised Ordinances of the Town of Checotah, Ordinance Number 16, An Ordinance Relating to Public Safety, Be it ordained by the town council of the incorporated town of Checotah:... § 3. For any person to fire or discharge any cannon, gun, fowling piece, pistol or other firearms of any description, or fire or explode any squibs, crackers or other things containing powder or other combustible or explosive material in the limits of the town without permission from the mayor, which permission, when so given, shall limit the time of such firing, and shall be subject to be revoked at any time by the mayor. Provided that it shall not be a violation of this ordinance to sound an alarm of fire by the discharge of firearms