

1 ROB BONTA, State Bar No. 202668
 Attorney General of California
 2 MARK R. BECKINGTON, State Bar No. 126009
 Supervising Deputy Attorney General
 3 LARA HADDAD, State Bar No. 319630
 Supervising Deputy Attorney General
 4 300 South Spring Street, Suite 1702
 Los Angeles, CA 90013-1230
 5 Telephone: (213) 269-6250
 Fax: (916) 731-2124
 6 E-mail: Lara.Haddad@doj.ca.gov
 Attorneys for Defendant Rob Bonta in his official
 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 5 OF 7

DANGEROUS WEAPONS LAWS

Fresno, Cal. -- Ordinances

CHARTER AND ORDINANCES OF THE CITY OF FRESNO, CALIFORNIA

Issued Under Charter Provisions
By Authority of the Board of Trustees



Edited by
IENER W. NIELSEN
July 30, 1916

Ordinances of the City of Fresno

ORDINANCE NO. 221.

In Effect June 10, 1891.

An Ordinance Declaring, and Providing for the Punishment of Misdemeanors.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Any person violating or wilfully non-complying with any of the provisions of any ordinance of this City of Fresno is guilty of a misdemeanor, and shall, where no other penalty is especially provided, be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County jail not exceeding three months, or by both such fine and imprisonment. (Amendment Ord. 543, March 21, 1904.)

Sec. 2. It shall be competent for the Recorder or Court convicting any person charged with violating or non-complying with any provision of any ordinance of this City to enter an alternative judgment imposing a fine, and on failure to pay the same, imprisoning such person one day for each dollar of such fine.

Sec. 3. A chain gang is hereby established for the purpose of causing and compelling persons imprisoned for any misdemeanor to labor on the streets or other property or works within the City. The Marshal or Superintendent of Streets shall have charge of such persons while in the chain gang and shall superintend their work.

Sec. 4. Any person undergoing or serving out a term of imprisonment in the City or County Jail, under a judgment of imprisonment, or under an alternative judgment of fine or imprisonment, who refuses to labor or who does not labor on the public streets or works when so required, is guilty of a misdemeanor. The City Marshal is hereby empowered and required to feed any refractory prisoner or prisoners on a diet of bread and water during the time that such prisoner or prisoners refuse to labor on said public streets or works, when required.

Sec. 5. Any person who shall engage in any disorderly or boisterous conduct, or disturb the peace of others by assaulting, striking or fighting, or who shall be found in an intoxicated or drunken condition upon any street, thoroughfare, alley, sidewalk, or grounds, or in or upon any premises within the corporate limits of this City; or who shall expose his person or any part thereof in an indecent or lewd manner or commit a nuisance in any public place within the corporate limits, or in any place in said City where there are other persons to be offended or annoyed thereby, is guilty of a misdemeanor.

Sec. 6. Any person who shall make in any public place, or suffer to be made on his premises, or upon premises under his control, any disorder or tumult to the disturbance of the public peace; and any person who shall utter in the presence of two or more persons bawdy, lewd or obscene words or epithets, or shall address to another any words language or expression having a tendency to create a breach of the peace; or any person who shall own or allow to be kept open, by day or night, any house of assignation, prostitution or illfame, the interior of which is not entirely protected from public gaze by a slatted blind covering the window, which blind shall be kept continually closed, and the door or doors of which house shall not be kept continually closed; or any inmate or fre-

quenter, or person in any way connected with any house of illfame who shall publicly, at or near such house, or on the sidewalk or street in front thereof, solicit, invite or entice any person to visit the same, is guilty of a misdemeanor. (Amendment Ord. 336, March 22, 1898.)

Sec. 7. Any person who shall keep or maintain any disorderly house or house of assignation, or who shall persuade or assist any female to visit any such house, or house of illfame, is guilty of a misdemeanor. And every day of the maintenance of such house shall be deemed and taken to be a new offense.

Sec. 8. Any person, excepting peace officers and travelers, who shall carry concealed upon his person any pistol or firearm, slung shot, dirk or bowie knife, or other deadly weapon without a written permission (revocable at any time) from the President of the Board of Trustees, is guilty of a misdemeanor.

Sec. 9. Any person who shall carry on his person or have in his possession any slung shot or instrument, or other thing commonly used or which may be used for throwing any shot, bullet, rock, stone or other missile, or in any manner use the same to the danger of persons or property in said City, is guilty of a misdemeanor.

Sec. 10. Every person who wilfully or maliciously breaks or destroys any windows, window sash, door, blind or pane of glass of any occupied or unoccupied or outhouse in the City of Fresno, or commits any nuisance there, or breaks or destroys or injures anything therein, or any part of said house or outhouse, or any fence or improvements whatever, or who aids, abets or assists any one to commit such nuisance or to injure such property, is guilty of a misdemeanor.

Sec. 11. Every person who shall visit any house within the City of Fresno, for the purpose of soliciting food, or clothing, or alms, or who shall, in any public place in said City, solicit alms or money from any person, provided that this section shall apply only to those able-bodied persons commonly known as tramps, is guilty of a misdemeanor.

Sec. 12. Any person who shall discharge firearms of any description within the City of Fresno except in a duly licensed shooting gallery, or any person who shall discharge or explode any torpedoes, bombs, dynamite canes, fire crackers, sky rockets or fireworks of any description, or discharge or explode powder under an anvil or in a cannon, or in any other manner, without a permit in writing from the Chief of Police, which shall designate the place, time of firing or discharging and the number of discharges authorized (a copy of which permit shall be filed with the City Clerk before such firing is commenced), is guilty of a misdemeanor. The provisions of this section shall not be construed so as to prohibit any person from shooting destructive animals within or upon his own enclosure, nor to empower the Chief of Police to grant a permit under any circumstances to authorize a person to fire, discharge or explode in said city, any giant powder or dynamite bombs, cannon or giant fire crackers, nigger chasers or dynamite canes. (Amendment Ord. 462, Nov. 7, 1904.)

Sec. 13. Any person who shall engage upon any public highway or square, within the corporate limits of the City, in any sport or exercise having a tendency to frighten horses, or injure persons passing; and any person who shall, in any public place, be guilty of conduct annoying to persons passing or being upon the streets or public ground, or upon adjacent premises; and whenever the free passage of a street or sidewalk shall be obstructed by a crowd (except on occasions of public meetings) any person or persons in such crowds who shall fail or refuse to disperse or move on, when directed so to do by the Marshal or his deputies, or a

Fresno, Cal. -- Ordinances

CHARTER AND ORDINANCES OF THE CITY OF FRESNO, CALIFORNIA

Issued Under Charter Provisions
By Authority of the Board of Trustees



Edited by
IENER W. NIELSEN
July 30, 1916

Ordinances of the City of Fresno

ORDINANCE NO. 221.

In Effect June 10, 1891.

An Ordinance Declaring, and Providing for the Punishment of Misdemeanors.

The Board of Trustees of the City of Fresno do ordain as follows:

Section 1. Any person violating or wilfully non-complying with any of the provisions of any ordinance of this City of Fresno is guilty of a misdemeanor, and shall, where no other penalty is especially provided, be punished by a fine not exceeding Three Hundred Dollars, or by imprisonment in the City or County jail not exceeding three months, or by both such fine and imprisonment. (Amendment Ord. 543, March 21, 1904.)

Sec. 2. It shall be competent for the Recorder or Court convicting any person charged with violating or non-complying with any provision of any ordinance of this City to enter an alternative judgment imposing a fine, and on failure to pay the same, imprisoning such person one day for each dollar of such fine.

Sec. 3. A chain gang is hereby established for the purpose of causing and compelling persons imprisoned for any misdemeanor to labor on the streets or other property or works within the City. The Marshal or Superintendent of Streets shall have charge of such persons while in the chain gang and shall superintend their work.

Sec. 4. Any person undergoing or serving out a term of imprisonment in the City or County Jail, under a judgment of imprisonment, or under an alternative judgment of fine or imprisonment, who refuses to labor or who does not labor on the public streets or works when so required, is guilty of a misdemeanor. The City Marshal is hereby empowered and required to feed any refractory prisoner or prisoners on a diet of bread and water during the time that such prisoner or prisoners refuse to labor on said public streets or works, when required.

Sec. 5. Any person who shall engage in any disorderly or boisterous conduct, or disturb the peace of others by assaulting, striking or fighting, or who shall be found in an intoxicated or drunken condition upon any street, thoroughfare, alley, sidewalk, or grounds, or in or upon any premises within the corporate limits of this City; or who shall expose his person or any part thereof in an indecent or lewd manner or commit a nuisance in any public place within the corporate limits, or in any place in said City where there are other persons to be offended or annoyed thereby, is guilty of a misdemeanor.

Sec. 6. Any person who shall make in any public place, or suffer to be made on his premises, or upon premises under his control, any disorder or tumult to the disturbance of the public peace; and any person who shall utter in the presence of two or more persons bawdy, lewd or obscene words or epithets, or shall address to another any words language or expression having a tendency to create a breach of the peace; or any person who shall own or allow to be kept open, by day or night, any house of assignation, prostitution or illfame, the interior of which is not entirely protected from public gaze by a slatted blind covering the window, which blind shall be kept continually closed, and the door or doors of which house shall not be kept continually closed; or any inmate or fre-

or thing whatever, and the date and name or description of such article or thing so purchased or traded for. He shall also keep a register showing the names of all persons to whom he shall sell or trade any article or thing, and the name or description of such article or thing so sold or traded, and the date of such sale or exchange. Such register shall be open to the inspection of the Marshal or any of his deputies, or of any policeman or detective.

Sec. 52. No junk-shop keeper or pawn broker shall purchase, trade for or receive on any pretext, any article or thing whatever from any minor under the age of eighteen years, without the written consent of the parent or guardian of such minor.

Sec. 53. No junk-shop keeper or pawn broker shall hire, loan or deliver to any minor under the age of eighteen years, any gun, pistol or other firearm, dirk, bowie-knife, powder, shot, bullets or any weapon, or any combustible or dangerous material without the written consent of the parent or guardian of such minor.

Sec. 54. Any person who shall violate any of the provisions of sections 51, 52 and 53 is guilty of a misdemeanor.

Sec. 55. It shall be a misdemeanor for any person within the City of Fresno to keep on hand or vend, or give away or dispose of any fruits, vegetables, fruit trees or ornamental shrubs which are infested with pests such as cottony cushion scale, red scale or San Jose scale, or any other pest injurious to fruits, vegetables, fruit trees or ornamental shrubbery, and having a tendency to spread and propagate itself.

Sec. 56. It shall be the duty of the Board of Trustees to appoint, by resolution, at any time and under such salary as may be fixed by the Board by such resolution, an inspector of fruit and quarantine officer, whose duty it shall be to inspect fruit, fruit trees, ornamental shrubbery and vegetables, within the City of Fresno, and to quarantine against the introduction of infected fruit, fruit trees, ornamental shrubbery and vegetables, and to cause the same, when so infected, to be destroyed; and shall have power to order persons having the same on hand, or vending the same, to destroy them, and see, in person, that the same are so destroyed; and to enforce, as a misdemeanor, the provisions of the preceding section against any person whom he may deem willfully violating the same.

Sec. 57. Any person wearing a fireman's badge, in the City of Fresno, such person, not being a member in good standing of the Fire Department of said City, is guilty of a misdemeanor.

Sec. 58. Any person, association of persons, or corporations who shall run, or stretch or maintain, through, along or across any street or alley, any wire, cable, rope or cord, on poles or otherwise, at a less height than thirty feet, without the permission of the Board of Trustees, is guilty of a misdemeanor; and any such wire stretched less than thirty feet from the ground is hereby declared a nuisance.

Sec. 59. It shall be the duty of the Fire Marshal of the City of Fresno to give reasonable notice to any person or corporation having or maintaining or stretching wires, cables, ropes or cord, or having caused the same to be stretched in any street or public place, contrary to the provisions of the preceding section, to remove the same; and in case such removal be not so made, said Fire Marshal may remove such wire or other obstruction, or prosecute any person or corporation willfully maintaining the same or may both remove and prosecute.

Sec. 60. Each day of the willful continuance of any act prohibited by any ordinance of this City, is a distinct misdemeanor.



DATE DOWNLOADED: Fri Apr 28 19:27:15 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1891 388 .

ALWD 7th ed.
, , 1891 388 .

Chicago 17th ed.
", " Michigan - Local Acts, Regular Session : 388-415

AGLC 4th ed.
" Michigan - Local Acts, Regular Session 388

OSCOLA 4th ed.
" 1891 388 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LOCAL ACTS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN

PASSED AT THE
REGULAR SESSION OF 1891
WITH AN APPENDIX



BY AUTHORITY

LANSING
ROBERT SMITH & CO., STATE PRINTERS AND BINDERS
1891

in the same manner as if such expenses had been incurred in any township of said county, and the clerk of the board of supervisors shall immediately, on the allowance of any such claim in favor of any member of the police force of this city, notify the president of the board of police commissioners of the same, with the name of the officer to whom allowed, and the amount of such allowance. It shall be the duty of said board to remove nuisances existing in public streets, roads, places and highwys; to report all defects in streets, sidewalks, bridges and other public places, leaks and defects in water pipes and sewers to the proper authorities; to provide a proper force at every public fire in order that thereby the firemen may be protected in the performance of their duties and property preserved for the owners thereof; to protect strangers and travelers at steamboat and ship landings, and railway stations; and generally to carry out and enforce all ordinances of the city and laws of the State. Whenever any crime shall have been committed in said city and the person or persons accused or suspected of being guilty shall flee from justice, the said board of police commissioners may, at their discretion, authorize any person to pursue and arrest such accused or suspected person or persons, and bring them before the proper court for trial or examination.

Nuisances, etc.

Pursuing persons accused of crime.

Rewards, fees, etc., to be paid into treasury.

Board may pay certain sums to persons.

Proviso.

Who deemed disorderly persons.

SEC. 8. All rewards, fees, proceeds of gifts or emoluments that may be allowed by the board of police commissioners to be paid or given for or on account of any extraordinary services of any member of the police force, unless otherwise appropriated by the board, and all moneys arising from the sale of unclaimed goods or otherwise received by said board or member of said police force shall be paid into the general fund of the city. The said board may, whenever they deem it necessary for the proper and efficient police regulations in said city, direct the city treasurer to transfer to the police fund and to pay out of said police fund for the pursuit or arrest of fugitives from justice such sums, and to such persons as they shall direct, upon orders drawn by the clerk of said board and countersigned by the president thereof and the chief of police: *Provided*, The sum or sums so paid out shall not exceed the sum of three hundred dollars. Said fund shall at all times be kept full and said board shall not pay out any money for any other purpose.

SEC. 15. Any person who has no trade or occupation at which he or she actually labors and has no visible means of support or frequents houses of ill-fame, or places where gaming for money is carried on, or any person who having been convicted and imprisoned for any offense by any court in this State who has no trade or occupation at which he or she actually labors, or frequents houses of ill-fame or gaming or who shall be drunk or intoxicated or who shall make, aid, countenance or assist in making any loud noise, riot or disturbance or improper diversion, or who shall use any indecent, criminal or insulting language or who shall be guilty of any indecent, vulgar or criminal conduct, or who shall collect in bodies or crowds to

the annoyance, hinderance or disturbance of citizens or travelers. And all persons who shall carry concealed on or about their persons, any pistol, revolver, bowie knife, dirk, slung shot, billie, sand bag, false knuckles, or other dangerous weapon, or who shall lay in wait, lurk or be concealed, with intent to do injury to any person or property, or who shall threaten to beat or kill another, or injure him in his person or property, or who shall contend with hot and angry words to the disturbance of the good order and peace of said city, shall be deemed a disorderly person, and upon conviction thereof may be punished by a fine not exceeding one hundred dollars and the costs of prosecution, and in the imposition of any such fine and costs, the court may make a further sentence that in default of the payment thereof such offender be imprisoned in the city prison of said city or the county jail of Saginaw county, for any period of time not exceeding ninety days, or the court may impose both such fine and costs and imprisonment in the discretion of the court having jurisdiction thereof.

Carrying concealed weapons.

Punishment of.

TITLE XII.

BOARD OF WATER COMMISSIONERS.

SECTION 1. The common council of the city of Saginaw shall appoint four persons, electors of said city, two from the east side and two from the west side, of said city, and who shall, together with the mayor, constitute the board of water commissioners of the city of Saginaw and in the name of the city said board shall have power to make contracts and shall also have full power to make all necessary by-laws, rules, and regulations for the management of the water-works belonging to said city. Said board shall have charge of the water-works of said city and shall have power to expend such sums of money as the common council shall, from time to time, by resolution or otherwise, place at their disposal, for the maintenance and management of the water-works and the extension of water pipes, building of docks, cribs, buildings, reservoirs, and other works required for the successful operation of said water-works.

Board of water commissioners, appointment of, etc.

SEC. 2. The said commissioners first appointed, shall hold their offices respectively for the following terms: One for one year, one for two years, one for three years, and one for four years, and the common council shall thereafter annually appoint one citizen of said city, being a qualified elector as commissioner, who shall hold his office for the term of four years: *Provided*, That this section shall not be construed to prevent or disqualify any member of said board for reappointment, and in case of the death, resignation or removal from the city or from the office of any commissioner, the common council shall, at their next regular meeting thereafter, or as soon as may be, fill such vacancy.

Terms of office.

Proviso.

SEC. 3. The said commissioners shall elect one of their



DATE DOWNLOADED: Fri Apr 28 19:22:53 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1891 81 .

ALWD 7th ed.
, , 1891 81 .

Chicago 17th ed.
," North Dakota - 2nd Session : 81-336

AGLC 4th ed.
" North Dakota - 2nd Session 81

OSCOLA 4th ed.
" 1891 81 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS

PASSED AT

THE SECOND SESSION

OF THE

LEGISLATIVE ASSEMBLY

OF THE

STATE OF NORTH DAKOTA.

BEGUN AND HELD AT BISMARCK, THE CAPITAL OF SAID STATE, ON
TUESDAY, THE SIXTH DAY OF JANUARY, A. D. 1891,
AND CONCLUDED MARCH SIXTH, A. D. 1891.

BISMARCK, N. D.
TRIBUNE, PRINTERS AND BINDERS.
1891.

dollars for each bird shot or killed and ten dollars for each nest or eggs therein so destroyed, and ten (10) dollars for each time he shall hunt upon the premises of another contrary to the provisions of Section 1 of this act, and shall stand committed to the county jail unless such fine and the costs of the prosecution be sooner paid; *Provided*, That no prosecution under this act for hunting upon the premises of another shall be maintained except upon information furnished by the owner, tenant or agent of such premises.

§ 3. AMENDMENT.] That Section 2 of Chapter 59 of the laws of 1887, being Section 2375 Compiled Laws, be amended to read as follows:

Sec. 2. UNLAWFUL TO KILL QUAIL, WHEN.] It shall be unlawful for any person or persons to kill, trap or destroy, by any means whatever any quail in the State of North Dakota for a period of four years from and after the passage of this act.

§ 4. EMERGENCY.] That whenever in any of the game laws now in force in this State the words "Territory of Dakota" or "Dakota Territory" shall appear they shall be construed to mean State of North Dakota; an emergency existing in that there is now no law to prevent the destruction of quail in this State, now therefore this act shall take effect and be in force from and after the passage and approval of this act.

Approved March 6, 1891.

CHAPTER 70.

[S. B. No. 189.]

PROTECTION OF BIG GAME.

AN ACT to Amend Sections 1 and 2 of Chapter 63 of the General Laws of 1883.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 63 of the General Laws of 1883 be amended so as to read as follows:

Section 1. WHEN UNLAWFUL TO KILL ELK, DEER, AND OTHER GAME.] That it shall be unlawful for any person or persons to kill, ensnare or trap in any form or manner, or by any device whatever, or for any purpose, any buffalo, elk, deer, antelope or mountain sheep, between the 1st day of January and the 1st day of September of each and every year. And it shall be unlawful for any person or persons, at any time, to use or employ any hound or dogs of any kind in running or driving any buffalo, elk, deer,

Sess. Laws 91—13

antelope or mountain sheep, or to set any gun or guns or gun trap to be discharged upon or by, any buffalo, elk, deer, antelope or mountain sheep as driven or pursued in any manner whatever.

§ 1. AMENDMENT.] That Section 2 of Chapter 63 of the General Laws of 1883 shall be amended so as to read as follows:

Sec. 2. PENALTY FOR VIOLATING SECTION ONE.] Any person or persons who shall violate any of the provisions of Section 1 of this act shall be considered guilty of a misdemeanor, and, upon conviction thereof, shall be fined for each buffalo, elk, deer, antelope or mountain sheep so killed and found in his, her or their possession, between the 1st day of January and the 1st day of September in each year, the sum of one hundred (100) dollars; and any person or persons who shall set any gun or guns or any gun trap or use any hound or dogs in the manner set forth in Section 1 of this act, upon conviction thereof, shall be fined the sum of one hundred (100) dollars and sentenced to not more than ninety days or less than thirty days in the county jail.

§ 3. REPEAL.] That all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Approved March 7, 1891.

CHAPTER 71.

[H. B. No. 22.]

WOLF BOUNTY.

AN ACT to Amend Section 1, of Chapter 157, of the Laws of 1890, Entitled "Bounty for Wolf Scalps."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 157 of the Laws of 1890 be amended to read as follows:

Section 1. BOUNTY FOR WOLF SCALPS.] The county commissioners of each county in the State of North Dakota shall, upon the petition of twenty-five stock raisers, offer a bounty not to exceed three (3) dollars and not less than one (1) dollar for each and every wolf or coyote killed within the limits of their county.

Approved March 11, 1891.



DATE DOWNLOADED: Thu May 25 16:11:17 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

John A. Warth, Compiler. Code of West Virginia (3).

ALWD 7th ed.

Warth, John A., Compiler. Code of West Virginia (3).

APA 7th ed.

Warth, J. (3). Code of West Virginia. Charleston, Daily Gazette.

Chicago 17th ed.

Warth John A., Compiler. Code of West Virginia. Charleston, Daily Gazette.

McGill Guide 9th ed.

John A. Warth, Compiler, Code of West Virginia (Charleston: Daily Gazette., 3)

AGLC 4th ed.

John A. Warth, Compiler, Code of West Virginia (Daily Gazette., 3

MLA 9th ed.

Warth, John A., Compiler. Code of West Virginia. Charleston, Daily Gazette.
HeinOnline.

OSCOLA 4th ed.

Warth, John A., Compiler. Code of West Virginia. Charleston, Daily Gazette.

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

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

THE
CODE OF WEST VIRGINIA,
(THIRD EDITION,)

CONTAINING

THE CONSTITUTION AND NATURALIZATION LAWS OF THE
UNITED STATES—THE CONSTITUTION OF THE STATE—
THE CODE, AS AMENDED BY LEGISLATION TO AND
INCLUDING THE YEAR 1891 AND MARGINAL
NOTES TO ALL PRIOR LAWS AND AP-
PLICABLE DECISIONS,

WITH AN APPENDIX,

CONTAINING ALL THE STATUTES OF THE STATE IN FORCE,
OF A GENERAL AND PROSPECTIVE NATURE, NOT
ENACTED OR INSERTED IN THE SEVERAL
CHAPTERS OF THE CODE.

COMPILED

PURSUANT TO A JOINT RESOLUTION OF THE LEGISLATURE,

BY

JOHN A. WARTH,

OF THE KANAWHA BAR.



CHARLESTON:
DAILY GAZETTE JOB ROOMS,
1891.

3. If any judge or justice have notice of a riotous, tumultuous, or unlawful assembly in the county in which he resides, and fail to proceed immediately to the place of such assembly, or as near as he may safely, or fail to exercise his authority for suppressing it and arresting the offenders, he shall be fined not exceeding one hundred dollars.

4. If any person 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.

5. 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.

6. 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 one nor more than five years; and though no such house so be injured, every rioter, and every person unlawfully or tumultuously assembled, shall be confined in jail not more than one year and fined not exceeding one hundred dollars.

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 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 in-

(See Acts 1873-3,
ch. 226, § 168.)
Acts 1882, ch.
135.
7 Gratt. 507.
34 W. Va. 74.

dictment, 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-defence 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.

Acts 1866, p. 23. 8. If any person shall wilfully disturb, molest or interrupt any literary society, school, or society formed for intellectual improvement, or any other school or society organized under the laws of this State, or any school, society, or meeting formed or convened for improvement in music, either vocal or instrumental, or for any moral and social amusement, the person so offending shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than five dollars, and may be imprisoned in the county jail not exceeding ten days. (See ch. 149, sec. 19, of this code.)

Acts 1882, ch. 135. 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.

Id. 25 W. Va. 685. 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 offence charged therein, it shall be presumed that such offence 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 offence mentioned in this section, shall be deemed conspirators within the meaning of this, and the next preceding section.

Acts 1882, ch. 135. 11. No person called as a witness for the State on the trial of any person for an offence mentioned in either of the two next preceding sections, shall be excused from answering any question which may be asked him as such witness, and which would be otherwise legal and proper, on the ground that the answer to such question would or might degrade him, or expose him to punishment; but no such wit-



DATE DOWNLOADED: Fri Apr 28 19:13:07 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1892-1893 183 .

ALWD 7th ed.
, , 1892-1893 183 .

Chicago 17th ed.
," Alabama - General Assembly, Regular Session : 183-183

AGLC 4th ed.
" Alabama - General Assembly, Regular Session 183

OSCOLA 4th ed.
" 1892-1893 183 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ACTS
OF THE
GENERAL ASSEMBLY OF ALABAMA,
PASSED BY THE
SESSION OF 1892-93,
HELD IN THE
CITY OF MONTGOMERY,
COMMENCING
TUESDAY, NOVEMBER 15, 1892,
WITH A
Separate Index to the General and Local Laws.

THOS. G. JONES, GOVERNOR.
J. C. COMPTON, PRESIDENT OF SENATE.
F. L. PETTUS, SPEAKER OF THE HOUSE.

I, J. D. BARRON, Secretary of State of the State of Alabama, do hereby certify that this book, containing the Acts and Joint Resolutions passed at the session of the General Assembly of Alabama, is published by the authority of the State of Alabama.

J. D. BARRON, *Secretary of State.*

MONTGOMERY, ALA.:
BROWN PRINTING CO., STATE PRINTERS AND BINDERS.
1893.

such animal after the same shall have left the premises of the livery or pasture, while in possession of the owner.

SEC. 2. *Be it further enacted*, The owner, keeper or proprietor of a livery stable or pasture lands may have process of attachment for the enforcement of the lien provided by section 1 of this act, when the same is due and the owner of the animal fails or refuses after demand made to pay the same. Attachment.

SEC. 3. *Be it further enacted*, That this act shall take effect immediately after its passage.

SEC. 4. *Be it further enacted*, That all laws in conflict with this act be and the same are hereby repealed.

Approved December 13, 1892.

No. 95.] AN ACT [H. B. 232

To amend subdivision 28 of section 629 of the Code.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That subdivision 28 of section 629 of the Code be amended so as to read as follows: 28. For dealers in pistols or pistol cartridges or bowie knives or dirk knives, whether principal stock in trade or not, three hundred dollars, provided that any cartridges whether called rifle or pistol cartridges or by any other name that can be used in a pistol shall be deemed pistol cartridges within the meaning of this section. License.

Approved December 13, 1892.

No. 96.] AN ACT [H. B. 107

To amend section 3869 (4408, 4420) of the Code of Alabama.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That section 3969 (4408, 4420) of the Code, be, and the same hereby is amended so as to read as follows: 3869 (4408, 4420) Malicious injury to animals or other articles of value.—Any person, Penalty.



DATE DOWNLOADED: Fri Apr 28 13:31:58 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1892 22 .

ALWD 7th ed.
, , 1892 22 .

Chicago 17th ed.
", " Georgia - General Assembly, Acts and Resolutions : 22-34

AGLC 4th ed.
" Georgia - General Assembly, Acts and Resolutions 22

OSCOLA 4th ed.
" 1892 22 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ACTS AND RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA.

1892.

Compiled and Published by Authority.

ATLANTA, GEORGIA :
GEO. W. HARRISON, STATE PRINTER.
(Franklin Publishing House.)
1893.

TITLE II.

TAXES AND PUBLIC DEBT.

ACTS.

General Tax Act.
Repealing Act Creating Board of Equalization.
Providing Sinking Fund to Retire Maturing State Bonds.

GENERAL TAX ACT.

No. 133.

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 on the public debt, and to pay maimed Confederate soldiers and widows of Confederates such amounts as are allowed them by law for each of the fiscal years eighteen hundred and ninety-three and eighteen hundred and ninety-four, and to prescribe what persons, professions and property are liable to taxation; to prescribe the methods 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 forfeitures for non-payment of taxes, and for other puposes.

General
ad valorem
tax for 1893
and 1894.

SECTION 1. 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 for each of the fiscal years eighteen hundred and niuety-three and eighteen hundred and ninety-four of two mills and ninety-three one hundredths of a mill, and the Governor be, and is, hereby

PART I.—TITLE 2.—TAXES.

25

General Tax Act.

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.

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

Thirteenth.—Upon all shows and exhibitions (except such as histrionic, musical, operatic and elocutionary), including the 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. Shows and exhibitions.

Fourteenth.—Upon every circus company or others, giving an exhibition beneath or within a canvas enclosure advertised in print or by parade, or in any manner whatsoever as a circus, menagerie, hippodrome, spectacle or show implying a circus, three hundred dollars each day it may exhibit in the State of Georgia. Said tax shall be for educational purposes. To be for educational purposes. Circuses, etc.

Fifteenth.—Upon all dealers in spirituous or malt liquors, intoxicating bitters or brandy fruits or domestic wines, whether dealing in any or all thereof, one hundred 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. Liquor dealers. Tax to be for educational purposes.

Sixteenth.—Upon all dealers in pistols, toy pistols shooting cartridges, dirks, Bowie knives or metal knucks, one hundred dollars for each place of business in each county where the same are sold. Dealers in pistols, 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 stock and bonds of all kinds, not intended for *bona fide* sale and delivery, but for future delivery (com- Dealers in "futures."

or places or resort, including all rooms attached thereto or connected therewith, in which gambling is permitted, or in which boys or persons under the age of 21 years are permitted to play any game of chance or skill, or any game with cards, dice, dominoes, bagatelle, billiards, pool, or other device, whether such boys play for amusement or for any bet or wager or not, shall be deemed and are public nuisances, and the owners, keepers or persons in charge there, and any such person or persons carrying on or permitting to be carried on such unlawful business shall be guilty of a misdemeanor.

Prosecution.

SEC. 4. Whenever complaint in writing on oath is made before any committing magistrate of said city, charging any person or persons of a violation of any of the provisions of section 3, it shall be the duty of such committing magistrate to issue a warrant for the arrest of such person or persons and deliver the same to any police officer of said city, who shall forthwith arrest such person or persons complained of, and bring him or them before said committing magistrate, who shall proceed summarily to try such person or persons and to hear and determine the alleged offense or charge against him or them, and on conviction to punish said offense by fine in any sum not to exceed one hundred dollars, and shall commit such person or persons so convicted until such fine and costs are paid.

Passed August 28th, 1886.

Approved August 30th, 1886.

ORDINANCE NO. 134.

Defining disorderly persons and prescribing the punishment for disorderly conduct within the city of Tacoma.

The City Council of the City of Tacoma does ordain as follows:

Drunks.

SECTION 1. All drunken person or persons found intoxicated in any public place in said city;

All persons fighting or quarreling in any public place in said city ;

Fighting

All persons who shall resist any peace officer or policeman, or who shall refuse when called upon to assist him in the discharge of his duty, or who shall aid or assist any person in custody of such peace officer upon charge of a violation of any ordinance of the city of Tacoma, to escape from such custody ;

Resisting officer.

All persons who shall, by noisy, riotous or tumultuous conduct disturb the quiet and peace of said city or of any meeting or assemblage therein ;

Disturbers.

All persons who shall wilfully give a false alarm of fire ;

False alarm.

All persons who shall use any vulgar, profane or obscene language or conduct in any public place in said city ;

Bad language.

All persons who shall be guilty of fast or immoderate driving or riding of horses in any of the streets, highways or alleys of said city, or ride or drive upon any sidewalk or obstruct any sidewalk, street, highway or alley in any manner in said city ;

Fast driving.

All persons who shall wilfully break, mar, injure or deface any building, fence, awning, window, sign, signboard, tree, shrubbery or other ornamental thing in said city ;

Malicious injury.

All persons who shall remove from or pile up before any door or on any sidewalk or street, boxes, casks or other thing for the purpose of annoyance or mischief, or who shall wilfully tear down, destroy or mutilate any notice or handbill lawfully posted up in said city ;

Malicious mischief.

All persons who, at the time of any fire in said city, shall attempt to obstruct the operations of the fire department, or shall wilfully neglect or refuse to obey, or attempt to prevent or obstruct the execution of orders of the officers of the fire department in said city ;

Interfering with fire department.

All persons (except police officers and other persons whose duty it is to execute process or warrants or make arrests) who shall carry upon his person any concealed weapon consisting of a revolver, pistol or

Concealed weapons.

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 ;

Drawing
weapons.

All persons (except police officers as aforesaid) who shall draw, exhibit or attempt to use any deadly weapon upon, to or against another person, in said city with intent to do bodily injury to such person ; and

Shooting.

All persons (except peace officers as aforesaid and persons practicing at target shooting in a shooting gallery duly licensed) who shall, within the city limits, fire off or discharge any gun, pistol or fire arm of any kind, or bomb, shall be deemed and are disorderly persons, and guilty of a misdemeanor.

Powers of police.

SEC. 2. The Chief of Police and the policemen or watchmen shall, each and every one of them, have power and are hereby authorized at any and all times to arrest or cause to be arrested, with or without process or warrant, any disorderly person or persons found by him or them committing any misdemeanor as defined in section one (1) of this ordinance.

Prosecution.

SEC. 3. Every person so arrested shall be forthwith taken before any committing magistrate of said city, and in case a committing magistrate cannot be found or the arrest is made in the night time, then the officers arresting such person may detain him in custody or commit him to some place for keeping until a committing magistrate can be found, when said offender shall be immediately brought before such committing magistrate to be dealt with as in the next section prescribed.

Trial.

SEC. 4. The said committing magistrates or any one of them, shall have power and it shall be their duty in cases of persons brought before them charged with being disorderly persons, to proceed summarily to try such person or persons and to hear and determine the alleged offense or charge against them, and

Heilig, Albert R., and Charters. Ordinances of the City of Tacoma, Washington. City Council, Tacoma Daily News, 1892. The Making of Modern Law: Primary Sources, link.gale.com/apps/doc/DT0106126444/MMLP?u=bloo98297&sid=bookmark-MMLP&pg=335. Accessed 29 Mar. 2023.



DATE DOWNLOADED: Fri Apr 28 13:27:37 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1893 3 .

ALWD 7th ed.
, , 1893 3 .

Chicago 17th ed.
", " Arizona - 17th Legislative Assembly : 3-4

AGLC 4th ed.
" Arizona - 17th Legislative Assembly 3

OSCOLA 4th ed.
" 1893 3 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

SESSION LAWS

OF THE

SEVENTEENTH

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF ARIZONA.

SESSION BEGUN ON THE THIRTEENTH DAY
OF FEBRUARY, A. D. 1893.

ACTS.

No. 1. AN ACT

Offering a Reward for the Renegade Known as the "Kid."

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

SECTION 1. That the Governor of this Territory is hereby authorized to offer a reward of Five Thousand dollars [\$5000], for the capture, dead or alive, of an "Apache Indian," outlaw and murderer, known and designated the "Kid."

SEC. 2. This Act shall take effect and be in force from and after its passage.

Approved February 27, 1893.

No. 2. AN ACT

To Regulate and Prohibit the Carrying of Deadly Weapons Concealed.

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

SECTION 1. It shall be unlawful for any person [except a peace officer in actual service and discharge of his duty] to have or carry concealed on or about his person any pistol or other firearm, dirk, dagger, slung-shot, sword cane, spear, brass knuckles, or other knuckles of metal, bowie knife or any kind of knife or weapon except a pocket-knife not manufactured and used for the purpose of offense and defense.

SEC. 2. Any person violating any of the provisions of Section 1 of this Act, shall be guilty of a misdemeanor, and may be arrested with or without a warrant either in the day-time or night-time, and taken before the nearest Justice of the Peace for trial; and any peace officer who shall fail, neglect or refuse to arrest any such person on his own knowledge of the violation of said Section, or upon the information from some credible person, or who shall appoint any person a deputy not intended to be used in regular service, but as a mere pretext for the purpose of carrying a concealed weapon, shall be guilty of a misdemeanor.

Sec. 3. Any person found guilty of violating any of the provisions of Sections 1 and 2 of this Act, shall be punished by a fine of not less than fifty nor more than three hundred dollars.

4

LAWS OF ARIZONA

SEC. 4. All Acts or parts of Acts in conflict with this Act are hereby repealed.

SEC. 5. This Act shall take effect and be in force from and after its passage.

Approved March 6, 1891.

No. 3.

AN ACT

Making an Appropriation for the Current Expenses of a Certain Special Committee Appointed in Accordance with Council Joint Resolution No. 1, to Investigate and Report on the Condition and Management of Territorial Institutions and Examine Into and Report Upon the Management of Territorial Officers.

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

SECTION 1. That the sum of one thousand dollars (\$1,000) be and the same is hereby appropriated out of any moneys now in the hands of the Territorial Treasurer not otherwise appropriated by law, to be disbursed by the aforesaid committee as in their judgment may seem best, or so much thereof as may be necessary to pay the current expenses of said committee, while in the actual discharge of the duties required of them under Council Joint Resolution No. 1.

SEC. 2. The Territorial Auditor is hereby authorized and directed to draw his warrant for the sum named in Section 1, of this Act, and in favor of the Chairman of said committee upon a requisition signed by said chairman and his associates upon the said committee.

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

Approved March 6, 1893.

No. 4.

AN ACT

To Provide for and Secure the Attendance of Witnesses in Continued Criminal Cases.

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

SECTION 1. Whenever and in all cases when a witness has been subpoenaed in a criminal action before any Court in this Territory, it shall be the duty of such witness to attend and be present in the Court before which he or she shall have been summoned on the time named in the subpoena and from time to time without further subpoena until he or she be finally discharged by the Court.



DATE DOWNLOADED: Thu May 25 15:42:35 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

Revised Statutes of the State of Delaware, Eighteen Hundred and Fifty-Two as They Have since Been Amended (1893).

ALWD 7th ed.

. Revised Statutes of the State of Delaware, Eighteen Hundred & Fifty-Two as They Have since Been Amended (1893).

APA 7th ed.

(1893). Revised Statutes of the State of Delaware, Eighteen Hundred and Fifty-Two as They Have since Been Amended. Wilmington, Del, Printed by the Mercantile Printing Co.

Chicago 17th ed.

Revised Statutes of the State of Delaware, Eighteen Hundred and Fifty-Two as They Have since Been Amended. Wilmington, Del, Printed by the Mercantile Printing Co.

McGill Guide 9th ed.

Revised Statutes of the State of Delaware, Eighteen Hundred & Fifty-Two as They Have since Been Amended (Wilmington, Del: Printed by the Mercantile Printing Co., 1893)

AGLC 4th ed.

Revised Statutes of the State of Delaware, Eighteen Hundred and Fifty-Two as They Have since Been Amended (Printed by the Mercantile Printing Co., 1893)

MLA 9th ed.

Revised Statutes of the State of Delaware, Eighteen Hundred and Fifty-Two as They Have since Been Amended. Wilmington, Del, Printed by the Mercantile Printing Co.
HeinOnline.

OSCOLA 4th ed.

Revised Statutes of the State of Delaware, Eighteen Hundred and Fifty-Two as They Have since Been Amended. Wilmington, Del, Printed by the Mercantile Printing Co.
Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

REVISED STATUTES
—OF—
THE STATE OF DELAWARE,
—OF—
EIGHTEEN HUNDRED AND FIFTY-TWO.

**AS THEY HAVE SINCE BEEN AMENDED, TOGETHER WITH THE ADDITIONAL
LAWS OF A PUBLIC AND GENERAL NATURE, WHICH HAVE BEEN
ENACTED SINCE THE PUBLICATION OF THE REVISED
CODE OF EIGHTEEN FIFTY-TWO.**

**TO THE YEAR OF OUR LORD ONE THOUSAND EIGHT
HUNDRED AND NINETY-THREE;**

TO WHICH ARE ADDED, THE

**Constitutions of the United States and
of this State,**

THE DECLARATION OF INDEPENDENCE,

—AND—

APPENDIX.

ARRANGED AND PUBLISHED BY AUTHORITY OF THE GENERAL ASSEMBLY.

**WILMINGTON, DEL.
PRINTED BY THE MERCANTILE PRINTING COMPANY.
PUBLISHERS AND LAW PRINTERS,
1893.**

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS. CHAP. 188. ADDITIONAL ACTS.

CHAPTER 548, VOL. 16, LAWS OF DELAWARE.

AN ACT PROVIDING FOR THE PUNISHMENT OF PERSONS CARRYING
CONCEALED DEADLY WEAPONS.

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

Unlawful to carry concealed deadly weapons.
Punishment.

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

Discharging firearms in public road misdemeanor.
Penalty.

SEC. 3. That it shall be unlawful for any person, either in jest or otherwise, intentionally to point a gun, pistol or other fire-arms at or towards any other person at any time or place. Any person violating any provision of this section shall, upon conviction thereof, pay a fine of not less than ten dollars nor more than one hundred dollars and the cost of prosecution, and should death result to any person by the discharge of such gun, pistol or other fire-arm while so pointed, the person so pointing the same shall be guilty of manslaughter when such killing shall not amount to murder, and shall be punished accordingly.

Unlawful to point a gun or pistol at another.

Passed at Dover, April 8, 1881.

CHAPTER 682, VOL. 18, LAWS OF DELAWARE.

AN ACT IN RELATION TO CRIMES AND PUNISHMENTS.

SECTION 1. That hereafter no female convicted of any crime in this State shall be whipped or be made to stand in the pillory.

Females exempt from whipping and pillory.

Passed at Dover, February 26, 1889.

CHAPTER 685, VOL. 18, LAWS OF DELAWARE.

AN ACT TO GUARD AGAINST ACCIDENTS AT PUBLIC HIGHWAY
CROSSINGS OF RAILROADS.

SECTION 1. That it shall be and is hereby made the duty of every corporation operating any line of railroad within this State, to cause the approach of its locomotive engines to every public highway, crossing such line of railroad at grade, to be signaled by sounding two long blasts followed by two short blasts of the steam whistle on every such locomotive engine at least three hundred yards from such crossing; *Provided*, however, that where two or more public highways cross any such railroad within a distance of four hundred yards, the signal for the crossing first reached shall answer for all; *And provided further*, that the provisions of this act shall not apply to the City of Wilmington, nor to any other crossing than those at grade, nor to any such as now are or may hereafter be guarded by a watchman, or protected by safety gates.

Corporations operating railroads to blow whistle.

Further proviso.

SEC. 2. That if any corporation shall neglect or omit the performance of the duty prescribed and imposed by Section 1 of this act, the corporation so offending shall for

Penalty for violating Section 2 of this act.



DATE DOWNLOADED: Thu May 25 15:36:25 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1893 468 .

ALWD 7th ed.
, , 1893 468 .

Chicago 17th ed.
", " North Carolina - Public Laws and Resolutions, General Assembly : 468-468

AGLC 4th ed.
" North Carolina - Public Laws and Resolutions, General Assembly 468

OSCOLA 4th ed.
" 1893 468 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

PUBLIC LAWS AND RESOLUTIONS
OF THE
STATE OF NORTH CAROLINA

PASSED BY THE
GENERAL ASSEMBLY

AT ITS
SESSION OF 1893,

BEGUN AND HELD IN THE CITY OF RALEIGH

ON WEDNESDAY, THE FOURTH DAY OF JANUARY, A. D. 1893.

TO WHICH ARE PREFIXED

A REGISTER OF STATE OFFICERS, JUDICIARY, A LIST OF COM-
MISSIONERS OF AFFIDAVITS, MEMBERS OF THE GEN-
ERAL ASSEMBLY, AND STATE CONSTITUTION.

PUBLISHED BY AUTHORITY.

RALEIGH:
JOSEPHUS DANIELS, STATE PRINTER AND BINDER.
1893.

1893.—CHAPTER 512—513—514.

CHAPTER 512.

An act to amend section thirteen, chapter three hundred and twenty, acts eighteen hundred and ninety-one.

The General Assembly of North Carolina do enact :

Chapter 320, laws 1891 (railroad commission act) amended. Telephone companies included.

SECTION 1. That chapter three hundred and twenty, section thirteen, laws eighteen hundred and ninety-one, be amended by adding after the word "telegraph" in line five, section thirteen, the words "and telephone."

To make rates for telephone lines.

SEC. 2. That section twenty-six be amended by inserting after the word "telegraph" in line seven the words "or telephone."

SEC. 3. That this act shall be in force from and after its ratification. Ratified the 6th day of March, A. D. 1893.

CHAPTER 513.

An act to amend chapter five hundred and thirty, laws of one thousand eight hundred and ninety-one.

The General Assembly of North Carolina do enact :

Chapter 530, laws 1891, amended. Appropriation for colored orphan asylum at Oxford, N. C.

SECTION 1. That chapter five hundred and thirty of the laws of one thousand eight hundred and ninety-one be and the same is hereby amended by striking out all after the word "asylum" in line two section one of said chapter down to and including the word "orphanage" in line three of said section and inserting in lieu thereof the words "located at Oxford, North Carolina," and by striking out "one thousand dollars" and inserting the words "fifteen hundred dollars," the latter sum being the entire amount of the annual appropriation to said orphanage.

SEC. 2. That this act shall be in force from and after its ratification. Ratified the 6th day of March, A. D. 1893.

CHAPTER 514.

An act to prevent the sale of deadly weapons to minors.

The General Assembly of North Carolina do enact :

Unlawful to knowingly sell, &c., to minor certain deadly weapons.

SECTION 1. That it shall be unlawful for any person, corporation or firm knowingly to sell or offer for sale, give or in any way dispose of to a minor any pistol or pistol cartridge, brass knucks, bowie-knife, dirk, loaded cane, or sling-shot.

1893.—CHAPTER 514—515—516.

SEC. 2. That any person, corporation or firm violating this act shall be guilty of a misdemeanor, and upon conviction for each and every offence shall be fined or imprisoned, one or both, in the discretion of the court. Misdemeanor.

SEC. 3. That this act shall be in force from and after its ratification. Ratified the 6th day of March, A. D. 1893.

CHAPTER 515.

An act to amend chapter sixty, section three, of the laws of eighteen hundred and eighty-nine.

The General Assembly of North Carolina do enact:

SECTION 1. That section three, chapter sixty of the laws of one thousand eight hundred and eighty-nine be and the same is hereby repealed. Section 3, chapter 60, laws 1889, (reducing school age of Croatan Indians to ten years) repealed. School age for Croatan Indian children.

SEC. 2. That persons of the Croatan race of either sex who are not under thirteen years of age may attend the normal school for the Croatans: *Provided*, that children not under eleven years of age may be admitted who can stand an approved examination in spelling, reading, writing, primary geography and the fundamental rules of arithmetic.

SEC. 3. That this act shall be in force from and after its ratification. Ratified the 6th day of March, A. D. 1893.

CHAPTER 516.

An act to provide for the working of convicts on the public roads of Wayne county.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be the duty of the county commissioners of Wayne county immediately after the passage of this act to provide means and make all necessary arrangements and rules for the working on the public roads of said county of the convicts which shall hereafter be sentenced to work thereon under the provisions of this act; and to that end it shall be lawful for the said county commis- Commissioners of Wayne county to provide means, &c., for working convicts on roads.



DATE DOWNLOADED: Fri Apr 28 13:19:06 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1893 231 .

ALWD 7th ed.
, , 1893 231 .

Chicago 17th ed.
", " Rhode Island - January Session : 231-232

AGLC 4th ed.
" Rhode Island - January Session 231

OSCOLA 4th ed.
" 1893 231 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

State of Rhode Island and Providence Plantations,

AT THE

JANUARY SESSION, 1893.

STATE OF RHODE ISLAND, ETC.,

OFFICE OF THE SECRETARY OF STATE, OCTOBER, 1893.

PROVIDENCE:

E. L. FREEMAN & SON, STATE PRINTERS.

1893.

JANUARY, 1893.

231

five hundred dollars, for the faithful discharge of the duties of his office: *Provided*, that no person shall act as a public weigher of coal or other merchandise of which he is either the buyer or seller, or in the sale whereof he has any interest.

SEC. 20. Every person who shall sell coal or other merchandise without its first being weighed by a public weigher, when the same shall be demanded by the purchaser, and procuring a certificate of such weight for the purchaser, shall be fined twenty dollars for each offence.

Penalty.

SEC. 21. The sealers of the different towns and cities shall make an inventory of weights, measures and balances furnished by the state and the condition of the same, on a blank prepared for that purpose, in the month of October of each year, and shall forward the same to the state sealer of weights and measures.

Inventory by town sealer.

SEC. 22. The different town councils of the several towns, and the board of aldermen of cities, may appoint, upon recommendation of their respective town or city sealers, one or more persons as deputy sealers of their town or city, who shall assist the said town or city sealer and, in the absence from duty of such town or city sealer, shall perform all the duties of town or city sealer as may be required of them for the time being.

Deputy town sealer.

SEC. 23. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 24. This act shall take effect upon its passage.

CHAPTER 1180.

AN ACT PROHIBITING THE CARRYING OF CONCEALED WEAPONS.

Passed May 3, 1893.

It is enacted by the General Assembly as follows:

SECTION 1. No person shall wear or carry in this state any dirk, bowie knife, butcher knife, dagger, razor, sword in cane, air gun, billy, brass or metal knuckles, slung shot, pistol or fire arms of any description, or other weapons of like kind and description,

Concealed weapons.

Certain exemp-
tions.

concealed upon his person: *Provided*, that officers or watchmen whose duties require them to make arrests or to keep and guard prisoners or property, together with the persons summoned by such officers to aid them in the discharge of such duties, while actually engaged in such duties, are exempted from the provisions of this act.

Penalty.

SEC. 2. Any person convicted of a violation of the provisions of section 1 shall be fined not less than twenty dollars nor more than two hundred dollars, or be imprisoned not less than six months nor more than one year.

Penalty when
charged with
other crimes.

SEC. 3. Whenever any person shall be arrested charged with any crime or misdemeanor, or for being drunk or disorderly, or for any breach of the peace, and shall have concealed upon his person any of the weapons mentioned in section 1, such person, upon complaint and conviction, in addition to the penalties provided in section 2, shall be subject to a fine of not less than five dollars nor more than twenty-five dollars, and the confiscation of the weapon so found.

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

CHAPTER 1181.

Passed May 9,
1893.

AN ACT IN RELATION TO THE ELECTION OF MEMBERS OF THE GENERAL ASSEMBLY.

It is enacted by the General Assembly as follows:

Adjournment of
certain elec-
tions.

SECTION 1. Whenever in any town not divided into voting districts there shall be no election of senator or representatives in the general assembly, or of any of them, at the first trial, the meeting held for such election shall stand adjourned to a date to be fixed by the electors at said meeting, but which shall be not less than three days from the date of such meeting, at which time the polls shall be reöpened for the purpose of completing such election, with like adjournment therefrom, but no adjournment or adjournments shall exceed seven days from the first meeting.

DIGEST OF THE ORDINANCES

— OF THE —

CITY OF NASHVILLE,

— TO WHICH ARE PREFIXED THE —

STATE LAWS INCORPORATING, AND RELATING
TO, THE CITY, WITH AN APPENDIX CON-
TAINING VARIOUS GRANTS
AND FRANCHISES.

COMPILED BY

CLAUDE WALLER, City Attorney,

and

FRANK SLEMONS, Assistant City Attorney.

NASHVILLE, TENN.,
MARSHALL & BRUCE CO., PUBLISHERS AND PRINTERS.
1893.

REFORM CLUB,
Committee on
MUNICIPAL ADMINISTRATION.

representing money or property, or shall, at any such table or device, or at any game of chance, bet, win, or lose money or property, either in specie or by means of any thing representing the same, or shall suffer any such table or device, at which any game of chance is played, to be set up or used in any tenement in his possession or under his control, shall be deemed guilty of a misdemeanor.

735 (737). No person or persons shall erect or establish any gaming-table, wheel of the description commonly called or known by the name of the "wheel of fortune, equality, black and red," or of any other name or denomination whatever, within the limits of the corporation, under the penalty of fifty dollars for every twenty-four hours or less period such gaming-table or wheel be kept up.

736 (738). If any tavern-keeper or other householder within the limits of this corporation shall suffer or permit any of the before-mentioned gaming-tables or wheels to be erected, established, or kept in his, her, or their house, he, she, or they, so offending, shall forfeit and pay the sum of fifty dollars for every twenty-four hours, or any less period, which he, she, or they shall suffer or permit such gaming-table or wheel to be erected, established, or kept up; *Provided*, That nothing herein contained shall be so construed as to extend to backgammon boards.

737 (739). If any person or persons shall, at any time, in any tavern, ordinary or licensed house of entertainment, or grocery, within the corporation, or in any house attached thereto, or upon the lot or premises whereon such licensed house is or may be situated or erected, win or lose money, or any thing of value, at cards or any other game of hazard and address, every such person shall, on conviction thereof, forfeit and pay not less than five nor more than fifty dollars; and if any tavern-keeper, ordinary-keeper, or grocery-keeper shall suffer or permit any person or persons to lose money or any thing of value at any time in his, her, or their house, or on his, her, or their premises, at any game or games whatsoever, knowing the same, shall forfeit and pay for every such offense not less than five nor more than fifty dollars.

III. THE CARRYING OF DEADLY WEAPONS.

SECTION.

738. Carrying pistols, etc.; penalty.
739. Duty of police in regard thereto.
740. Police may carry pistols.

SECTION.

741. Unlawful weapons to be seized and forfeited.

738 (742). Every person found carrying a pistol, bowie-knife, dirk-knife, slung-shot, brass knucks, or other deadly

MUNICIPAL REGULATIONS.

weapon, shall be deemed guilty of a misdemeanor, and, upon conviction of such first offense, shall be fined from ten to fifty dollars, at the discretion of the court; but, upon conviction of every such subsequent offense, shall be fined fifty dollars; *Provided, however,* That no ordinary pocket-knife and common walking canes shall be construed to be deadly weapons.

739 (743). It shall be the duty of every police officer who sees any person or persons with, or knows of any person carrying such deadly weapons, to immediately arrest every such person, that they may be dealt with according to the provisions of this section.

740 (744). It is expressly understood that the provisions of the above sections, relating to carrying such deadly weapons, do not extend to police or other officers, or persons that are entitled by law to carry such deadly weapons; nor does it extend to the act of handling or moving such deadly weapons in any ordinary business way.

741 (704). All pistols, knives, and other weapons, the carrying of which upon the person is unlawful, which may be found upon the persons of individuals arrested by the metropolitan police, shall be seized by the captain of the metropolitan police, and shall be retained by him and forfeited to the Mayor and City Council, and shall, in no case, be returned to the individual from whom the same was taken, or to any one claiming the same.

IV. LAWS IN REGARD TO BAWDY HOUSES AND SPORTING WOMEN.

SECTION.	SECTION.
742. Houses of ill fame prohibited; evidence of, what is.	sidewalks in front of their houses.
743. Riding and walking with prostitutes prohibited.	745. Proprietors not to allow minors in their houses.
744. Prostitutes not to stand on the	746. Penalty.

742 (727). Any person or persons who shall keep within the limits of this corporation a house of ill fame, or who shall willfully permit any house owned by him, her, or them to be kept in a disorderly manner, viz.: a house to which men resort for the purpose of criminal intercourse with lewd women, such person or persons shall be subject to a fine of fifty dollars for such offense, and a like sum for every day such house may be so continued or kept; and it is hereby declared to be a sufficient evidence of such person or persons

A. McMicken, The Revised Ordinances of the City of Rawlins, Carbon County, Wyoming Page 115-116, Image 116-117 (1893) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

[Ordinances of the] City of Rawlins, Article II, Protection of Persons and Property, § 1. If any person shall within this city fire or discharge any cannon, gun, fowling piece, pistol or firearms of any description, or fire, explode, or set off any squib, cracker, or anything containing powder or other combustible or explosive material, without permission of the Board of Trustees, or the written permission of the mayor (which permission shall limit the time of the firing and shall be subject to be revoked by the mayor or Board of Trustees at any time after the same has been granted) every such person shall, on conviction, be fined in a sum of not less than five dollars and not exceeding one hundred dollars.



DATE DOWNLOADED: Thu Apr 27 23:45:00 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

Revised Codes of the State of North Dakota, 1895 (1895).

ALWD 7th ed.

. Revised Codes of the State of North Dakota, 1895 (1895).

APA 7th ed.

(1895). Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders.

Chicago 17th ed.

Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders.

McGill Guide 9th ed.

Revised Codes of the State of North Dakota, 1895 (Bismarck, N.D.: Tribune Co., Printers and Binders., 1895)

AGLC 4th ed.

Revised Codes of the State of North Dakota, 1895 (Tribune Co., Printers and Binders., 1895

MLA 9th ed.

Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders. HeinOnline.

OSCOLA 4th ed.

Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders. Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

THE
REVISED CODES

OF THE
STATE OF NORTH DAKOTA

1895

TOGETHER WITH

THE CONSTITUTION OF THE UNITED STATES AND OF THE
STATE OF NORTH DAKOTA

WITH THE AMENDMENTS THERETO

BY AUTHORITY OF THE LEGISLATIVE ASSEMBLY

BISMARCK, NORTH DAKOTA
TRIBUNE COMPANY, PRINTERS AND BINDERS
1895

§ 7093. Keeping gunpowder. Other explosives. Every person guilty of making or keeping gunpowder, saltpeter, gun-cotton, nitroglycerine or dynamite or any compound of the same, or any fulminate or substance which is intended to be used by exploding or igniting the same, in order to produce a force to propel missiles or to rend apart substances, within any city or village, in any quantity or amount prohibited by law, or by any ordinance of said city or village, in consequence whereof any explosion occurs whereby any human being is killed, is guilty of manslaughter in the second degree. § 260, Pen. C. am'd.

§ 7094. Setting spring gun, trap or device. Every person who sets any spring or other gun or trap or device operating by the firing or exploding of gunpowder or any other explosive, and leaves or permits the same to be left, except in the immediate presence of some competent person, shall be deemed to have committed a misdemeanor; and the killing of any person by the firing of a gun or other device so set shall be deemed to be manslaughter in the first degree.

§ 7095. Arson. Night time. Destroying life. Every person who willfully and maliciously burns, in the night time, the dwelling house of another or of which he is a lessee or tenant, whereby the life of any person is destroyed, or who, in the night time, willfully and maliciously sets fire to any other building, owned by himself or another, by the burning whereof such dwelling house shall be burnt in the night time, whereby the life of any person is destroyed, shall be deemed guilty of murder in the second degree.

§ 7096. Killing. Death within one year. Aiding suicide. To make the killing either murder or manslaughter in prosecutions for homicide, it is requisite that the party dies within a year and a day after the stroke received or the cause of death administered, in the computation of which the whole of the day on which the act was done shall be reckoned the first. No prosecution for aiding suicide shall be maintained unless the death of the person aided ensues within one year, computed as above.

§ 7097. Homicide, when excusable. Homicide is excusable in the following cases: § 262, Pen. C.

1. When committed by accident and misfortune, in lawfully correcting a child or servant or in doing any other lawful act, by lawful means, with usual and ordinary caution and without any unlawful intent.

2. When committed by accident and misfortune in the heat of passion, upon any sudden and sufficient provocation or upon a sudden combat; provided, that no undue advantage is taken, nor any dangerous weapon used and that the killing is not done in a cruel or unusual manner.

§ 7098. Homicide by officers, when justifiable. Homicide is justifiable when committed by public officers and those acting by their command in their aid and assistance, either: § 263, Pen. C.

1. In obedience to any judgment of a competent court; or,
2. When necessarily committed in overcoming actual resistance to the execution of some legal process or to the discharge of any other legal duty; or,

3. When necessarily committed in retaking felons who have been rescued or who have escaped, or when necessarily committed in arresting felons fleeing from justice.



DATE DOWNLOADED: Thu Apr 27 23:45:00 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

Revised Codes of the State of North Dakota, 1895 (1895).

ALWD 7th ed.

. Revised Codes of the State of North Dakota, 1895 (1895).

APA 7th ed.

(1895). Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders.

Chicago 17th ed.

Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders.

McGill Guide 9th ed.

Revised Codes of the State of North Dakota, 1895 (Bismarck, N.D.: Tribune Co., Printers and Binders., 1895)

AGLC 4th ed.

Revised Codes of the State of North Dakota, 1895 (Tribune Co., Printers and Binders., 1895

MLA 9th ed.

Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders. HeinOnline.

OSCOLA 4th ed.

Revised Codes of the State of North Dakota, 1895. Bismarck, N.D., Tribune Co., Printers and Binders. Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

THE
REVISED CODES

OF THE
STATE OF NORTH DAKOTA

1895

TOGETHER WITH

THE CONSTITUTION OF THE UNITED STATES AND OF THE
STATE OF NORTH DAKOTA

WITH THE AMENDMENTS THERETO

BY AUTHORITY OF THE LEGISLATIVE ASSEMBLY

BISMARCK, NORTH DAKOTA
TRIBUNE COMPANY, PRINTERS AND BINDERS
1895

sale or gives or disposes of any instrument or weapon of the kind usually known as slung shot, or of any similar kind, is guilty of a misdemeanor.

§ 7312. **Carrying or using slung shot.** 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. § 456, Pen. C.

§ 7313. **Carrying concealed weapons.** Every person who carries concealed about his person any description of firearms, being loaded or partly loaded, or any sharp or dangerous weapon, such as is usually employed in attack or defense of the person, is guilty of a misdemeanor. § 457, Pen. C.

§ 7314. **Willfully firing prairies and marshes.** Every person who shall willfully 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. § 458, Pen. C.

§ 7315. **Negligently firing same.** 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. § 459, Pen. C.

§ 7316. **Refusing to aid at fires.** 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. § 460, Pen. C.

§ 7317. **Unlicensed ferry.** Every person who maintains any ferry for profit or hire upon any waters within this state, without having first obtained a license as provided by law, is guilty of a misdemeanor. And any license or lease granted by the board of county commissioners of the proper county shall be exclusive to the lessee or licensee for a distance of two miles from the place where such ferry is located, up and down such stream either way; and any person who shall ferry, transport or carry or attempt to ferry, transport or carry any passengers, goods, chattels or merchandise, or who shall have, keep or maintain any scow, skiff or boat for the purpose of ferrying, transporting or carrying any passengers, goods, chattels or merchandise upon any water of this state within a distance of two miles of any licensed ferry, shall be guilty of a misdemeanor, and may be punished by a fine not exceeding one hundred dollars, or thirty days imprisonment in the county jail, or by both fine and imprisonment; when such ferry is upon waters dividing two counties, the offenders may be prosecuted in either county. § 461, Pen. C.
§ 1, C. 23, 1879.

§ 7318. **Violating ferry bond.** Every person who, having entered into a bond or obligation, as provided by his ferry charter or any general law on the subject of ferries, to keep and attend a ferry, § 462, Pen. C.

Charter and Ordinances
OF THE
CITY OF BARRE,
VERMONT,

ALSO THE
Rules and Order of Business of the City Council
and Board of Aldermen, Water Rates, Act
Incorporating the Spaulding Graded
School District, and City Map.

**PUBLISHED BY THE AUTHORITY OF THE CITY
COUNCIL, FEBRUARY, A. D. 1904.**



**MONTPELIER, VT.
VERMONT WATCHMAN CO. PRINTERS.
1904.**

ORDINANCES OF THE CITY OF BARRE.

53

allowed to interfere with the free and convenient use of the street or sidewalk by pedestrians.

Sec. 18. No person, except on his own premises, ^{OR Guns and fire works.} by the consent and permission of the owner or occupant of the premises, and except in the performance of some duty required by law, shall discharge any gun, pistol, or other fire arm loaded with ball or shot, or with powder only, or firecrackers, serpent, or other preparation whereof gunpowder or other explosive substance is an ingredient, or which consists wholly of the same, nor shall make any bonfire in or upon any street, lane, common or public place within the city, except by authority of the city council.

Sec. 19. No person shall injure, deface or destroy ^{Guide posts.} any guide-post or guide-board, any lamp-post or lamp thereon, heretofore erected or which shall be erected in the city, or any building, fence, post or other thing, set, erected or made for use or ornament of the city, nor shall any person move, mutilate, or destroy, without the consent of the owners thereof, any sign, sign-post, awning-post, or other thing, the private property of individuals, lawfully set, erected or placed in or upon any street, highway, or public place in the city.

Sec. 20. No person, except on his own premises, ^{Trees.} shall cut down or remove, mutilate, or otherwise injure or destroy any fruit shade or other ornamental tree or plant or flower now growing, or which may hereafter be growing in any public street, lane, alley, common or other public ground in the city, without the permission of the city council, or upon private premises, without permission of the owner thereof. And no person shall fasten any horse or other animal to any such tree or place or leave such horse or other animal so as to endanger or deface the same.



DATE DOWNLOADED: Fri May 19 11:05:39 2023

SOURCE: Content Downloaded from [HeinOnline](https://heinonline.org)

Citations:

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

Bluebook 21st ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive (1897).

ALWD 7th ed.

. The Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive (1897).

APA 7th ed.

(1897). Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.

Chicago 17th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.

McGill Guide 9th ed.

Penal Ls of the Hawaiian Isl&s, 1897: Compiled from the Penal Code of 1869 & the Session Ls of 1870 to 1896 Inclusive (Honolulu: Hawaiian Gazette Print., 1897)

AGLC 4th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive (Hawaiian Gazette Print., 1897)

MLA 9th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.
HeinOnline.

OSCOLA 4th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.

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

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

THE PENAL LAWS
OF THE
HAWAIIAN ISLANDS.

1897.

*COMPILED FROM THE PENAL CODE OF 1869
AND THE
SESSION LAWS OF 1870 TO 1896 INCLUSIVE.*

Published by Authority.

HONOLULU :
HAWAIIAN GAZETTE PRINT.
1897.

CARRYING DEADLY WEAPONS.

251

CHAPTER 54.

CARRYING DEADLY WEAPONS.

§688. Any person not authorized by law, who shall carry, or be found armed with, any bowie-knife, sword-cane, pistol, air-gun, slung-shot, or other deadly weapon, shall be liable to a fine of no more than thirty, and no less than ten dollars, or in default of payment of such fine, to imprisonment at hard labor for a term not exceeding two months, and no less than fifteen days, upon conviction of such offense before any district magistrate, unless good cause be shown for having such dangerous weapons; and any such person may be immediately arrested without warrant by the Marshal, or any Sheriff, Constable, or other officer or person, and be lodged in prison until he can be taken before such Magistrate.

§689. The following persons are hereby declared to be authorized to bear arms, viz.: All persons holding official, military or naval rank, either under this Government, or that of any nation at peace with this Republic, when worn for legitimate purposes.

NOTE TO CHAPTER 54.

§§688-689 are P. C. Ch. 54 unaltered.

Cases in Hawaiian Reports: R. v. Clark, 10 Haw. 585.



DATE DOWNLOADED: Thu Apr 27 20:11:12 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1896 109 .

ALWD 7th ed.
, , 1896 109 .

Chicago 17th ed.
", " Mississippi - Regular Session : 109-110

AGLC 4th ed.
" Mississippi - Regular Session 109

OSCOLA 4th ed.
" 1896 109 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS

OF THE

STATE OF MISSISSIPPI,

PASSED AT A REGULAR SESSION

OF THE

MISSISSIPPI LEGISLATURE,

HELD IN THE

CITY OF JACKSON,

COMMENCING JANUARY 7, 1896, AND ENDING MARCH 24, 1896.

PRINTED BY AUTHORITY.

JACKSON, MISS.:
CLARION-LEDGER COMPANY, STATE PRINTERS.

1896.

STATE OF MISSISSIPPI.

109

or its absence accounted for before the record or the certified copy thereof shall be received in evidence. The original of any writing entitled to be recorded by the laws of this state, when acknowledged or proved according to such laws, and when certified thereto by the officer before whom it was acknowledged or proved, shall be received in evidence without further proof of its execution and delivery, whether the same shall have been recorded or not, or disputed by the opposite party or not.

Original, whether recorded or not.

SEC. 2. That this act take effect and be in force from and after its passage.

Approved March 3d, 1896.

Chapter 103.

AN ACT to forbid the sale of land at public outcry under deeds of trust or contracts hereafter executed outside the county of its location.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That all land sold at public outcry under deeds of trust hereafter executed, or other contracts hereafter made, shall be sold in the county in which the land is located, or in the county of the residence of the grantor, or one of the grantors in the trust deed, provided that where the land is situated in two or more counties, the parties may contract for a sale of the whole in any of the counties in which any part of the land lies.

Sold in county where land located.

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

Approved March 23, 1896.

Chapter 104.

AN ACT to amend section 1026 of the Annotated Code 1892, in relation to carrying of concealed weapons.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That section 1026 of the Annotated Code of 1892, be amended so that the same when amended shall read as follows, to-wit: Any person who carries concealed, in whole or in part, any bowie knife, dirk knife, butcher knife, pistol, brass or metallic knuckles, sling shot, sword or other deadly weapon of like kind or description, shall be guilty of a misdemeanor, and on conviction, shall be punished by a fine

Penalties for carrying concealed weapons.

of not less than ten dollars nor more than one hundred dollars, and be imprisoned in the county jail not less than one month nor more than three months.

Previous of-
fenses.

SEC. 2. That any offense committed and penalty incurred previous to the time when this act shall take effect, and any indictment or prosecution therefor pending at the time when this act shall take effect, shall not be affected by its adoption; but all such offenses, penalties and prosecutions shall remain subject to the law in force before the passage of this act.

Approved March 11, 1896.

Chapter 105.

AN ACT to amend section 1124 of the Code of 1892.

Gambling—
penalty.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That section 1124 of the revised code of 1892, be amended so as to read as follows, when amended: If any person shall be guilty of keeping or exhibiting any game or gaming table commonly called A. B. C. or E. O. roulette or rowley-powley, or rouquet-noir, roredo, keno, monte or any taro-bank, or other game, gaming-table, or bank of the same or like kind or any other kind or description under any other name whatever, or shall be in any manner either directly or indirectly interested or concerned in any gaming tables, banks, or games, either by furnishing money or articles for the purpose of carrying on the same, being interested in the loss or gain of said table, bank or games or employed in any manner in conducting, carrying on or exhibiting said gaming tables, games or banks, every person so offending and being thereof convicted, shall be imprisoned not longer than five years in the State penitentiary.

Previous of-
fenses.

SEC. 2. That any offense committed and penalty or forfeiture incurred, previous to the time when this act shall take effect, and an indictment or prosecution for this offense, or for the recovery of any penalty or forfeiture pending at the time when this act shall take effect, shall not be affected by its adoption, but all such offenses, penalties and forfeitures shall remain subject to the law in force before this act shall take effect.

SEC. 2. That this act take effect and be in force from and after its passage.

Approved February 21, 1896.



DATE DOWNLOADED: Thu Apr 27 20:08:20 2023
SOURCE: Content Downloaded from [HeinOnline](https://heinonline.org)

Citations:

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

Bluebook 21st ed.

General Laws of the State of Rhode Island and Providence Plantations: To Which Are Prefixed the Constitutions of the United States and of the State (1896).

ALWD 7th ed.

. General Ls of the State of Rhode Isl& Providence Plantations: To Which Are Prefixed the Constitutions of the United States & of the State (1896).

APA 7th ed.

(1896). General Laws of the State of Rhode Island and Providence Plantations: To Which Are Prefixed the Constitutions of the United States and of the State. Providence, R.I., E.L. Freeman & Son, Printers to the State.

Chicago 17th ed.

General Laws of the State of Rhode Island and Providence Plantations: To Which Are Prefixed the Constitutions of the United States and of the State. Providence, R.I., E.L. Freeman & Son, Printers to the State.

McGill Guide 9th ed.

General Ls of the State of Rhode Isl& Providence Plantations: To Which Are Prefixed the Constitutions of the United States & of the State (Providence, R.I.: E.L. Freeman & Son, Printers to the State., 1896)

AGLC 4th ed.

General Laws of the State of Rhode Island and Providence Plantations: To Which Are Prefixed the Constitutions of the United States and of the State (E.L. Freeman & Son, Printers to the State., 1896)

MLA 9th ed.

General Laws of the State of Rhode Island and Providence Plantations: To Which Are Prefixed the Constitutions of the United States and of the State. Providence, R.I., E.L. Freeman & Son, Printers to the State. HeinOnline.

OSCOLA 4th ed.

General Laws of the State of Rhode Island and Providence Plantations: To Which Are Prefixed the Constitutions of the United States and of the State. Providence, R.I., E.L. Freeman & Son, Printers to the State. Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

GENERAL LAWS
OF THE
STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS
TO WHICH ARE PREFIXED THE
CONSTITUTIONS
OF THE
UNITED STATES AND OF THE STATE



PUBLISHED BY AUTHORITY OF THE GENERAL ASSEMBLY

PROVIDENCE
E. L. FREEMAN & SON, PRINTERS TO THE STATE
1896

Lease of house, etc., used for gambling or pool-selling, void.

SEC. 21. Every lease of any house, shop or place used as a gambling house or place where gaming is practised or carried on, or where pools are bought or sold, shall be void, and no notice to the occupant thereof other than a demand for the possession of the premises, shall be necessary to eject such occupant therefrom.

Penalty for wearing without right, badges of certain societies.

Ch. 1129, sec. 1, of 1892.

SEC. 22. Any person not a member respectively of the Society of the Cincinnati, Society of the Sons of the American Revolution, Society of the Daughters of the American Revolution, Society of the War of 1812, Aztec Club of 1847, Military Order of the Loyal Legion of the United States, Grand Army of the Republic, Sons of Veterans United States of America, Women's Relief Corps, Ladies' Aid Society, National Association of Naval Veterans of the United States, Society of the Army of the Potomac, Society of the Army of the Cumberland, Society of the Army of Ohio, Society of the Army of Tennessee, Society of the Burnside Expedition, or Society of the Ninth Army Corps, and Sons of the Revolution, who shall use or wear respectively the name, badge, decoration, insignia, button, or rosette thereof, unless he or she shall be entitled to use or wear the same respectively under the constitution, by-laws, or rules and regulations of said societies or orders respectively, shall be fined twenty dollars for each offence.

Carrying of concealed weapons, prohibited.

Ch. 1180, sec. 1, of 1893.

SEC. 23. No person shall wear or carry in this state any dirk, bowie-knife, butcher-knife, dagger, razor, sword-in-cane, air-gun, billy, brass or metal knuckles, slung-shot, pistol or fire-arms of any description, or other weapons of like kind and description concealed upon his person: *Provided*, that officers or watchmen whose duties require them to make arrests or to keep and guard prisoners or property, together with the persons summoned by such officers to aid them in the discharge of such duties, while actually engaged in such duties, are exempted from the provisions of this and the two following sections.

Penalty for violation of section 23.

Ch. 1372, sec. 1, of 1895.

SEC. 24. Any person convicted of a violation of the provisions of the preceding section shall be fined not less than ten nor more than twenty dollars, or be imprisoned not exceeding three months, and the weapon so found concealed shall be confiscated.

Penalty when charged with other crimes.

Ch. 1180, sec. 3, of 1893.

SEC. 25. Whenever any person shall be arrested charged with any crime or misdemeanor, or for being drunk or disorderly, or for any breach of the peace, and shall have concealed upon his person any of the weapons mentioned in section twenty-three, such person, upon complaint and conviction, in addition to the penalties provided in section twenty-four, shall be subject to a fine of not less than five dollars nor more than twenty-five dollars, and the confiscation of the weapon so found.

Negative allegations need not be averred.

Ch. 1372, sec. 2, of 1895.

SEC. 26. No negative allegations of any kind need be averred or proved in any complaint under the preceding three sections, and the wearing or carrying of such concealed weapon or weapons shall be evidence that the wearing or carrying of the same is unlawful; but the respondent in any such case may show any fact

that would render the carrying of the same lawful under said sections.

SEC. 27. Any person who shall engage in pool-selling or book-making, or shall occupy any room, shed, tenement, tent or building, or any part thereof, or shall occupy any place upon any public or private grounds within this state, with books, apparatus or paraphernalia for the purpose of recording or registering bets or wagers or of selling pools or who shall record or register bets or wagers or sell pools upon the result of any trial or contest of skill, speed or power of endurance of man or beast, or upon the result of any political nomination, appointment or election, or being the owner or lessee or occupant of any room, tent, tenement, shed, booth or building or part thereof knowingly shall permit the same to be used or occupied for any of these purposes, or therein shall keep, exhibit or employ any device or apparatus for the purpose of recording or registering such bets or wagers, or the selling of such pools, or shall become the custodian or depositary for gain, hire or reward of any money, property or thing of value staked, wagered or pledged or to be wagered or pledged upon any such result, or who shall receive, register, record, forward or purport or pretend to forward to or for any race-course, or person, within or without this state, any money, thing or consideration of value bet or wagered, or money, thing, or consideration of value offered for the purpose of being bet or wagered upon the speed or endurance of any man or beast; or who shall occupy any place or building or part thereof with books, papers, apparatus or paraphernalia for the purpose of receiving or pretending to receive or for recording or registering or for forwarding or pretending or attempting to forward in any manner whatsoever any money, thing or consideration of value bet or wagered or to be bet or wagered for any other person, or who shall receive or offer to receive any money, thing or consideration of value bet or to be bet at any race track within or without this state, or who shall aid, assist or abet in any manner in any of the acts forbidden by this section, shall upon conviction be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, and upon a second conviction of a violation of this section shall be imprisoned for a period not less than one, nor more than five years.

Penalty for pool-selling
or book-making.
Ch. 1290, sec. 1, of 1894.

SEC. 28. Whoever keeps, sets up, promotes, or is concerned as owner, agent, clerk or in any other manner, in managing any policy-lottery or policy-shop, or writes, prints, sells, transfers or delivers, any ticket, certificate, slip, bill, token or other device, purporting or designed to guarantee or assure to any person, or to entitle any person to a chance of drawing or obtaining any prize or thing of value to be drawn in any lottery, or in the game or device commonly known as policy-lottery, or policy; or for himself or another person, writes, prints, sells or transfers or de-

Penalty for engaging
in or being connected
with the policy-lottery
business.
Ch. 1316, sec. 1, of 1894.

THE
MUNICIPAL CODE
OF THE
CITY OF SPOKANE,
WASHINGTON.

COMPRISING THE
ORDINANCES OF THE CITY
(excepting ordinances establishing street grades)

REVISED TO OCTOBER 22, 1896.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

COMPILED BY
ROSE M. DENNY,
OFFICIAL STENOGRAPHER.

1896.

CITY OF SPOKANE.

309

SECTION 2. It shall be unlawful for any person under the age of sixteen years to smoke or use cigarettes on any street car, street, or in any public place within the limits of the City of Spokane.

SECTION 3. Any person or persons violating any of the provisions of this ordinance, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding twenty-five dollars.

SECTION 4. This ordinance shall be in force and take effect ten days after its passage.

Passed the City Council June 25, 1891.

ORDINANCE No. A234.

AN ORDINANCE RELATING TO THE DISCHARGE OF FIRE-ARMS
WITHIN THE LIMITS OF THE CITY OF SPOKANE.

The City of Spokane does ordain as follows:

SECTION 1. It shall be unlawful for any person or number of persons to fire or discharge any gun, rifle, fowling piece, pistol or any other fire-arm within the limits of the City of Spokane, without having first obtained the consent and permission of the City Council of the City of Spokane so to do.

SECTION 2. Any violation of Section one of this ordinance shall subject the offender or offenders to a fine not exceeding the sum of twenty-five dollars.

SECTION 3. This ordinance shall be in force and effect from and after ten days after its passage.

Passed the City Council August 2, 1892.

ORDINANCE No. A544.

AN ORDINANCE TO PUNISH THE CARRYING OF CONCEALED
WEAPONS WITHIN THE CITY OF SPOKANE.

The City of Spokane does ordain as follows:

SECTION 1. If any person within the City of Spokane

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, and upon conviction thereof shall be fined not less than twenty dollars, nor more than one hundred dollars and costs of prosecution, and be imprisoned until such fine and costs are paid; 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, or persons having a special written permit from the Superior Court to carry weapons.

SECTION 2. This ordinance shall take effect and be in force ten days after its passage.

Passed the City Council January 2, 1895.

ORDINANCE No. 15.

AN ORDINANCE PROHIBITING THE SMOKING OR INHALING OF OPIUM.

Be it ordained by the City of Spokane Falls :

SECTION 1. No person or persons shall keep a house, cellar or place within the limits of the City of Spokane Falls in which such person or persons, or any other person or persons, smoke or inhale opium.

SECTION 2. No person shall smoke or inhale opium in any such house, cellar or place, or visit such house, cellar or place for the purpose of smoking or inhaling opium.

SECTION 3. Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding one hundred dollars.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and publication.

Passed the City Council September 9, 1885.



DATE DOWNLOADED: Thu Apr 27 19:33:24 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

William L. Martin. Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt a Code of Laws for the State of Alabama (1897).

ALWD 7th ed.

Martin, William L. Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt a Code of Ls for the State of Alabama (1897).

APA 7th ed.

Martin, W. (1897). Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt Code of Laws for the State of Alabama. Atlanta, Ga, Foote & Davies.

Chicago 17th ed.

Martin William L. Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt a Code of Laws for the State of Alabama. Atlanta, Ga, Foote & Davies.

McGill Guide 9th ed.

William L. Martin, Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt a Code of Ls for the State of Alabama (Atlanta, Ga: Foote & Davies., 1897)

AGLC 4th ed.

William L. Martin, Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt a Code of Laws for the State of Alabama (Foote & Davies., 1897

MLA 9th ed.

Martin, William L. Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt a Code of Laws for the State of Alabama. Atlanta, Ga, Foote & Davies. HeinOnline.

OSCOLA 4th ed.

Martin, William L. Code of Alabama, Adopted by Act of the General Assembly of the State of Alabama, Approved February 16, 1897, Entitled an Act to Adopt a Code of Laws for the State of Alabama. Atlanta, Ga, Foote & Davies. Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <https://heinonline.org/HOL/License>

THE
CODE OF ALABAMA,

ADOPTED BY ACT OF THE GENERAL ASSEMBLY OF THE STATE OF
ALABAMA, APPROVED

FEBRUARY 16, 1897,

ENTITLED "AN ACT TO ADOPT A CODE OF LAWS FOR THE STATE OF ALABAMA,"

WITH SUCH STATUTES PASSED AT THE SESSION OF 1896-97, AS ARE RE-
QUIRED TO BE INCORPORATED THEREIN BY ACT APPROVED
FEBRUARY 17, 1897; AND WITH CITATIONS TO THE
DECISIONS OF THE SUPREME COURT OF
THE STATE CONSTRUING OR MEN-
TIONING THE STATUTES.

IN TWO VOLUMES.

VOL. I.

PREPARED BY

WILLIAM L. MARTIN,

COMMISSIONER.

ATLANTA, GEORGIA:
THE FOOTE & DAVIES COMPANY,
PRINTERS AND BINDERS.
1897.

ARTICLE 15.

LICENSE TAXES; FROM WHOM AND FOR WHAT BUSINESSES REQUIRED;
PRICES; COUNTY LEVY.

4122 (629). Persons required to take out licenses, and prices to be paid therefor.—Licenses are required of all persons engaging in, or carrying on any business, or doing any act in this section specified, for which shall be paid, for the use of the state, the following taxes, to wit:

1. For each public race-track, at or within five miles of any city or town containing less than five thousand inhabitants, one hundred dollars; at or within five miles of any city or town containing more than five thousand inhabitants, two hundred dollars.

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

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 fifty dollars; in any city, town, or village of more than one thousand inhabitants and less than three thousand inhabitants, two hundred dollars; in any city containing three thousand inhabitants or more, and less than ten thousand inhabitants, two hundred and seventy-five dollars; and in any city of more than ten thousand inhabitants, three hundred and twenty-five dollars. But dealers in lager-beer exclusively shall be charged one-fourth of the above rates. Any person who pays for and takes out a license as a retailer, shall not be required to pay for and take out a license as a wholesale dealer in such liquors; 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. Any person who sells or disposes of spirituous, vinous, or malt liquors, or intoxicating bitters, in any quantity less than a quart, shall be deemed a retail dealer; *Provided*, nothing in this paragraph shall be so construed as to alter, repeal or modify any license now authorized and required to be paid to any district, city or municipality for municipal purposes.

Feb. 18,
1895,
p. 1192, §48.

Allred v. State, 89 Ala. 112; State v. Fleming, 112 Ala. 179.

4. For wholesale dealers in spirituous, vinous, or malt liquors in any place, two hundred dollars. Any person dealing in said arti-

such open-air or summer theatre, twenty-five dollars; in towns or cities containing less than eight thousand and more than two thousand inhabitants, fifty dollars; and in towns or cities containing less than two thousand inhabitants, twenty-five dollars; but the owner or manager of any theatre holding any such license must issue tickets of admission to all persons whom they admit to their exhibitions, and must thereon assign a particular seat to each such person, in such part of the theatre as the convenience of such owner or manager may require. This license shall only extend to dramatic and operatic exhibitions; and if any doubt arises as to the character of an entertainment proposed to be exhibited in any theatre, the judge of probate of the county in which the theatre is situated shall determine whether or not it is covered by the theatrical license.

16. For each public hall let for hire, twenty-five dollars.

17. For each concert, musical entertainment, public lecture, or other public exhibition or entertainment, where charges are made for admission, or for the use of any instrument or device, or the participation in any exercise or entertainment, not given for charitable, school, or religious purposes, and not otherwise provided for, five dollars; but the provisions of this subdivision shall not apply to exhibitions or entertainments given in theatres, where the owner or manager thereof has taken out license as owner or manager.

Mosby v. State, 98 Ala. 50.

18. For each day's exhibition of a circus in towns or cities having more than five thousand inhabitants, or within two miles thereof, one hundred and fifty dollars; in all other places, one hundred dollars.

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

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

21. For each exhibition of feats of legerdemain or sleight of hand, or other exhibition or entertainment of like kind, ten dollars.

22. For each fortune-teller, twenty-five dollars.

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

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

25. For each skating-rink, twenty-five dollars.

26. For dealers in playing-cards, five dollars.

27. For dealers in pistols, or pistol cartridges, or bowie-knives, or dirk-knives, whether principal stock in trade or not, three hundred dollars. Any cartridges, whether called rifle or pistol cartridges, or by any other name, that can be used in a pistol, shall be deemed pistol cartridges within the meaning of this subdivision. Any person or firm who orders for another, or delivers any cartridges within this state, shall be deemed a dealer under this provision.*

Porter v. State, 58 Ala. 66.

28. For dealers in cigarettes, whether principal stock in trade or

*As amended by revenue committee.

Dec. 13,
1892, p. 183.

Feb. 18,
1895,
p. 1102,
§14.



DATE DOWNLOADED: Thu May 25 02:51:52 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive (1897).

ALWD 7th ed.

. The Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive (1897).

APA 7th ed.

(1897). Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.

Chicago 17th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.

McGill Guide 9th ed.

Penal Ls of the Hawaiian Isl&s, 1897: Compiled from the Penal Code of 1869 & the Session Ls of 1870 to 1896 Inclusive (Honolulu: Hawaiian Gazette Print., 1897)

AGLC 4th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive (Hawaiian Gazette Print., 1897

MLA 9th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.
HeinOnline.

OSCOLA 4th ed.

Penal Laws of the Hawaiian Islands, 1897: Compiled from the Penal Code of 1869 and the Session Laws of 1870 to 1896 Inclusive. Honolulu, Hawaiian Gazette Print.

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

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

THE PENAL LAWS
OF THE
HAWAIIAN ISLANDS.

1897.

*COMPILED FROM THE PENAL CODE OF 1869
AND THE
SESSION LAWS OF 1870 TO 1896 INCLUSIVE.*

Published by Authority.

HONOLULU :
HAWAIIAN GAZETTE PRINT.
1897.

ASSAULT AND BATTERY.

CHAPTER 9.

ASSAULT AND BATTERY.

Chapter 9 from
§55 to be amended
By adding New Section
S.L. 1898
Act 6

§55. An assault is a malicious attempt forcibly to do a corporal injury to another without authority or justification by law.

§56. A battery, or an assault and battery, is the malicious and forcible infliction of a corporal injury on another, without authority or justification by law.

§57. Whoever with malicious intent to maim or disfigure, or mutilate, shall cut out or maim the tongue, put out or destroy an eye, cut or tear off an ear, cut or slit or mutilate the nose or lip, or destroy or disable any limb, member or bodily organ of another, shall be punished by a fine not exceeding one thousand dollars, and imprisonment at hard labor not exceeding ten years.

{ S.L. 1898.
Act 20. }

§58. Whoever shall assault another, with intent to murder, or to maim or disfigure his person in any of the ways mentioned in the preceding section, shall be judged guilty of assault in the first degree, and shall be punished by a fine not exceeding one thousand dollars, and imprisonment not more than five years.

§59. Whoever being armed with a dangerous weapon shall assault another, with intent to commit burglary, robbery, manslaughter or murder, or other crime of such character, shall be punished by a fine not exceeding one thousand dollars, and imprisonment at hard labor not more than ten years.

§60. Whoever not being armed with a dangerous weapon, shall assault another with force and violence with intent to com-

ASSAULT AND BATTERY.

mit burglary, robbery or theft, shall be punished by a fine not to exceed five hundred dollars, and imprisonment at hard labor not to exceed five years.

§61. Whoever shall commit an assault or an assault and battery on any public officer, civil or judicial, with intent to resist, prevent, hinder or obstruct him in the discharge or execution of his duty as such shall be punished by a fine not exceeding one thousand dollars or by imprisonment at hard labor not more than two years.

Amended
S.L. 1903

§62. Whoever shall commit an assault or an assault and battery on another with a knife, sword-cane, or any other weapon obviously and imminently dangerous to life, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment at hard labor not more than two years.

§63. Whoever inflicts a slight corporal injury upon another, as by striking him with his fist, spitting in his face, inciting and causing a dog to bite him, or any injury of a like gravity, however slight, is guilty of an assault and battery, and shall be punished by a fine of not more than one hundred dollars, or by imprisonment at hard labor not more than six months, in the discretion of the Court.

§64. If any person assault, strike, wound, imprison, or in any other manner infract the law of nations, by offering violence to the person of a public minister, such person so offending, on conviction, shall be imprisoned not exceeding five years and fined at the discretion of the Court; and, if an officer of this Government, shall be liable to removal from office.

FOOT BINDING.

§65. The term "Foot Binding" as in this Act [§§65, 66, 67], used, shall be held to mean the compression, mutilation, injury or deformity caused to the feet of young girls; also the

THE
GENERAL ORDINANCES
OF THE
CITY OF SAINT JOSEPH

(A CITY OF THE SECOND CLASS)

EMBRACING

ALL ORDINANCES OF GENERAL INTEREST IN
FORCE JULY 15, 1897

TOGETHER WITH THE

LAWS OF THE STATE OF MISSOURI

OF A

GENERAL NATURE APPLICABLE TO THE
CITY OF ST. JOSEPH

COMPILED AND ARRANGED BY

CHARLES S. SHEPHERD, CITY CLERK

UNDER THE SUPERVISION OF

HON. WILLIAM K. AMICK, CITY COUNSELOR.

Compiled and Published by Authority of the City of St. Joseph.

ST. JOSEPH, MO.:
COMBE PRINTING COMPANY.
1897.



refuse to disperse or vacate such place when requested to do so by any police officer, shall be deemed guilty of a misdemeanor. [*G. O. No. 529, Sec. 4.*]

SEC. 5. Giving false alarm of fire—collection of persons on streets.—Any person who shall in this city intentionally give or make a false alarm of fire, or shall employ any device, noise or performance tending in either case to the collection of persons on the streets, sidewalks or other public place to the obstruction of the same, for any purpose whatsoever, without permission of the mayor in writing, shall be deemed guilty of a misdemeanor. [*G. O. No. 529, Sec. 5.*]

SEC. 6. Drunkenness an offense, when.—Any person who shall in this city be drunk or shall be in a state of intoxication in any highway, thoroughfare or other public place, or in any private house or place, to the annoyance of any person, shall be deemed guilty of a misdemeanor. [*G. O. No. 529, Sec. 6.*]

SEC. 7. Concealed weapons—carrying of.—Any person who shall in this city wear under his clothes or carry concealed upon or about his person, or be found having upon or about his person concealed, any pistol or revolver, colt, billy, slung shot, cross knuckles or knuckles of lead, brass or other metal, dirk, dagger, razor, bowie knife, or any knife resembling a bowie knife, or any other dangerous or deadly weapon, shall be deemed guilty of a misdemeanor. [*G. O. No. 529, Sec. 7.*]

SEC. 8. Throwing missiles—having device for.—Any person who shall in this city have in his possession any air pipe, blow pipe, air gun, pop gun, spring gun, bow gun, cross bow, crotch, rubber sling or nigger shooter, or other device or contrivance for ejecting, discharging or otherwise throwing any missile, pellet, stone, bolt, metal or other substance capable of causing injury to any one, or shall project by means of any such device or contrivance, or fling, cast or throw by hand or foot any stone, pebble, ice or snow ball, or



DATE DOWNLOADED: Tue Apr 25 15:49:59 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

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.

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

APA 7th ed.

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.

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.

McGill Guide 9th ed.

Richard A. Ballinger, Ballinger's Annotated Codes & Statutes of Washington, Showing all Statutes in Force, including the Session Ls of 1897 (+ Supplement, Seattle: Bancroft-Whitney., 1897)

AGLC 4th ed.

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

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.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text. Compendium of Laws

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,

CHAP. II.] OF OFFENSES AGAINST THE PUBLIC PEACE. [§§ 7085-7087

and upon conviction thereof shall be fined not less than twenty dollars nor more than one hundred dollars, or imprisonment in the county jail not more than thirty days, or by both fine and imprisonment, in the discretion of the court: 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. [Cf. Cd. '81, § 929; L. '86, p. 81, § 1; 2 H. P. C., § 166.]

§ 7085. **Armed Bodies of Men.**

That it shall be unlawful for any person, corporation or association of persons, or agents of any person, or member, agent or officer of any corporation or association of persons, to organize, maintain or employ an armed body of men in this state for any purpose whatever; and all parties so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine of not less than one thousand dollars nor more than five thousand dollars, and in a like sum for each day they shall continue to offend after having been once fined, and in addition to such fine such offender, if a person, may be imprisoned in the county jail not exceeding one year, at the discretion of the court. The fines shall be paid into the general fund of the county in which the offense was committed. And all arms, uniforms, accoutrements and any other property of a military character in possession of such person, member, agents, officer, corporation, or armed bodies of men shall be seized by the officer making the arrest under the provisions of this section, [and] be forfeited to the state of Washington. [L. '93, p. 449, § 1.]

See notes to Session Laws '93, p. 449.

§ 7086. **Blackmail.**

If any person, either verbally or by any written or printed communication, shall maliciously threaten any injury to the person or property of another, with intent thereby to extort money or any pecuniary advantage whatever, or to control the person so threatened to do any act against his will, he shall, upon conviction thereof be imprisoned in the county jail not more than one year nor less than one month, or be fined in any sum not exceeding five hundred dollars nor less than one hundred dollars. [Cd. '81, § 822; 2 H. P. C., § 38; see Ind., § 1926.]

§ 7087. **Libel, Defined.**

A libel is the defamation of a person made public by any words, printing, writing, sign, picture, representation, or effigy tending to provoke him to wrath, or expose him to public hatred, contempt, or ridicule, or to deprive him of the benefits of public confidence and social intercourse; or any defamation, made public as aforesaid, designed to blacken and vilify the memory of one who is dead, and tending to scandalize or provoke his surviving relatives or friends. Every person who makes, composes, or dictates a libel, or procures the same to be done, or who publishes or wilfully circulates such libel, or in any way knowingly and wilfully aids or assists in making, publishing, or circulating the same, shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding one thousand dollars, or by both such fine



DATE DOWNLOADED: Tue Apr 25 15:53:36 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1897 221 .

ALWD 7th ed.
, , 1897 221 .

Chicago 17th ed.
," Texas - 25th Legislature, Regular Session, General Laws : 221-222

AGLC 4th ed.
" Texas - 25th Legislature, Regular Session, General Laws 221

OSCOLA 4th ed.
" 1897 221 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

GENERAL LAWS
OF
THE STATE OF TEXAS

PASSED AT THE
REGULAR SESSION
OF THE
TWENTY-FIFTH LEGISLATURE

CONVENED AT THE
CITY OF AUSTIN, JANUARY 12, 1897,
AND
ADJOURNED MAY 21, 1897.



AUSTIN:
BEN C. JONES & CO., STATE PRINTERS
1897

1897.]

GENERAL LAWS OF TEXAS.

221

yeas 86, nays 1; and passed the Senate by a two-thirds vote, yeas 21, nays 6.]

[NOTE.—The foregoing act was presented to the Governor of Texas for his approval, on Friday, the twenty-first day of May, A. D. 1897, but was not signed by him nor returned to the house in which it originated with his objections thereto within the time prescribed by the Constitution, and thereupon became a law without his signature.—Jno. H. CULLOM, Acting Secretary of State.]

H. B. No. 263.]

CHAPTER 154.

An Act to prohibit persons, firms or corporations engaged in running pool or billiard tables in a public place, or for profit, knowingly permitting minors in their places of business without the written consent of their parents or guardians, and to provide a penalty therefor.

SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That any person, firm, or corporation engaged in running any pool or billiard table or tables, in a public place, or for profit, or agent of such person, firm, or corporation, who shall knowingly permit any minor, without the written consent of such minor's parent or guardian, in such place of business, shall be fined not exceeding two hundred dollars.

[NOTE.—The foregoing act was presented to the Governor of Texas for his approval, on Friday, the fourteenth day of May, A. D. 1897, but was not signed by him nor returned to the house in which it originated with his objections thereto within the time prescribed by the Constitution, and thereupon became a law without his signature.—J. W. MADDEN, Secretary of State.]

Takes effect 90 days after adjournment.

H. B. No. 264.]

CHAPTER 155.

An Act to prevent the barter, sale and gift of any pistol, dirk, dagger, slung shot, sword-cane, spear, or knuckles made of any metal or hard substance to any minor without the written consent of the parent or guardian of such minor, or of some one standing in lieu thereof, and providing a penalty for the violation.

SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That if any person in this State shall knowingly sell, give or barter, or cause to be sold, given or bartered to any minor, any pistol, dirk, dagger, slung shot, sword-cane, spear, or knuckles made of any metal or hard substance, bowie knife or any other knife manufactured or sold for the purpose of offense or defense, without the written consent of the parent or guardian of such minor, or of some one standing in lieu thereof, he shall be punished by fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment in the county jail not less than ten nor more than thirty days, or by both such fine and imprisonment. And during the time of such imprisonment such offender may be put to

work upon any public work in the county in which such offense is committed.

[NOTE.—The foregoing act was presented to the Governor of Texas for his approval, on Friday, the fourteenth day of May, A. D. 1897, but was not signed by him nor returned to the house in which it originated with his objections thereto within the time prescribed by the Constitution, and thereupon became a law without his signature.—J. W. MADDEN, Secretary of State.]

Takes effect 90 days after adjournment.

H. B. No. 391.]

CHAPTER 156.

An Act to relinquish the title and confirm the patents to certain lands herein named.

SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That the land patents numbered three hundred and eighty-eight (388), five hundred and eighty-three (583) and five hundred and eighty-four (584), Vol. No. Four (4) (of the records of the general land office of the State of Texas), and issued to Thomas M. Joseph and Henry M. Truehart on the 20th day of December, A. D. 1859, and the 23rd day of August, A. D. 1860, covering certain lands in Galveston County, State of Texas, be, and the same are hereby confirmed, and that all right and title of the State of Texas to the lands therein named, be, and the same are hereby relinquished to the parties to whom the said patents were issued, and sale made in accordance with an act approved on the 20th day of February, A. D. 1858, and an act amendatory of the same, approved on the 1st day of February, A. D. 1860, as also by a special act of the legislature of the State of Texas, approved July 29th, A. D. 1870.

[NOTE.—The foregoing act was presented to the Governor of Texas for his approval, on Wednesday, the twelfth day of May, A. D. 1897, but was not signed by him nor returned to the house in which it originated with his objections thereto within the time prescribed by the Constitution, and thereupon became a law without his signature.—J. W. MADDEN, Secretary of State.]

Takes effect 90 days after adjournment.

S. S. B. No. 320.]

CHAPTER 157.

An Act to amend Title XXIII, Chapter 4, of the Revised Civil Statutes of the State of Texas, relating to county lines, by adding thereto Article 808a.

SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That Chapter 4, Title XXIII, of the Revised Civil Statutes of the State of Texas, be amended by adding thereto an Article to be known as 808a, which shall read as follows:

Article 808a. Notwithstanding the preceding articles of this chapter, any county in this State may bring suit against any adjoining coun-



DATE DOWNLOADED: Thu May 25 00:20:27 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

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.

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

APA 7th ed.

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.

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.

McGill Guide 9th ed.

Richard A. Ballinger, Ballinger's Annotated Codes & Statutes of Washington, Showing all Statutes in Force, including the Session Ls of 1897 (+ Supplement, Seattle: Bancroft-Whitney., 1897)

AGLC 4th ed.

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

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.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text. Compendium of Laws

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,

CHAP. II.] OF OFFENSES AGAINST THE PUBLIC PEACE. [§§ 7085-7087

and upon conviction thereof shall be fined not less than twenty dollars nor more than one hundred dollars, or imprisonment in the county jail not more than thirty days, or by both fine and imprisonment, in the discretion of the court: 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. [Cf. Cd. '81, § 929; L. '86, p. 81, § 1; 2 H. P. C., § 166.]

§ 7085. **Armed Bodies of Men.**

That it shall be unlawful for any person, corporation or association of persons, or agents of any person, or member, agent or officer of any corporation or association of persons, to organize, maintain or employ an armed body of men in this state for any purpose whatever; and all parties so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine of not less than one thousand dollars nor more than five thousand dollars, and in a like sum for each day they shall continue to offend after having been once fined, and in addition to such fine such offender, if a person, may be imprisoned in the county jail not exceeding one year, at the discretion of the court. The fines shall be paid into the general fund of the county in which the offense was committed. And all arms, uniforms, accoutrements and any other property of a military character in possession of such person, member, agents, officer, corporation, or armed bodies of men shall be seized by the officer making the arrest under the provisions of this section, [and] be forfeited to the state of Washington. [L. '93, p. 449, § 1.]

See notes to Session Laws '93, p. 449.

§ 7086. **Blackmail.**

If any person, either verbally or by any written or printed communication, shall maliciously threaten any injury to the person or property of another, with intent thereby to extort money or any pecuniary advantage whatever, or to control the person so threatened to do any act against his will, he shall, upon conviction thereof be imprisoned in the county jail not more than one year nor less than one month, or be fined in any sum not exceeding five hundred dollars nor less than one hundred dollars. [Cd. '81, § 822; 2 H. P. C., § 38; see Ind., § 1926.]

§ 7087. **Libel, Defined.**

A libel is the defamation of a person made public by any words, printing, writing, sign, picture, representation, or effigy tending to provoke him to wrath, or expose him to public hatred, contempt, or ridicule, or to deprive him of the benefits of public confidence and social intercourse; or any defamation, made public as aforesaid, designed to blacken and vilify the memory of one who is dead, and tending to scandalize or provoke his surviving relatives or friends. Every person who makes, composes, or dictates a libel, or procures the same to be done, or who publishes or wilfully circulates such libel, or in any way knowingly and wilfully aids or assists in making, publishing, or circulating the same, shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding one thousand dollars, or by both such fine



DATE DOWNLOADED: Tue Apr 25 15:43:10 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1898 60 .

ALWD 7th ed.
, , 1898 60 .

Chicago 17th ed.
", " Georgia - General Assembly, Acts and Resolutions : 60-60

AGLC 4th ed.
" Georgia - General Assembly, Acts and Resolutions 60

OSCOLA 4th ed.
" 1898 60 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

Acts and Resolutions
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF GEORGIA

—
1898
—

COMPILED AND PUBLISHED BY AUTHORITY



ATLANTA, GEORGIA :
GEO. W. HARRISON, STATE PRINTER,
1899.

Vol. 3, Sec. 341—Metal Knucks, Carrying Concealed Prohibited—Vol. 3, Sec. 698—Firing Woods.

the date of the ruling complained of, such bills of exceptions, *pendente lite*, must be tendered within sixty days from the date of the order, decision or ruling complained of."

Sec. 2. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Approved December 20, 1898.

VOL. 3, SEC. 341.—METAL KNUCKS, CARRYING CONCEALED PROHIBITED.

No. 106.

An Act to amend section 341 of the Penal Code of Georgia, by inserting immediately after the word "any" in the third line and before the word "pistol" the following words: "kind of metal knucks."

Penal Code, §341 amended.

Section I. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act, section 341 of the Penal Code of this State be, and the same is, hereby altered and amended by inserting after the word "any" in the third line, and before the word "pistol" the following words: "kind of metal knucks," so that said section when amended, shall read as follows: Any person having or carrying about his person, unless in an open manner and fully exposed to view, any kind of metal knucks, pistol, dirk, sword in a cane, spear, bowie knife, or any other kind of knives, manufactured and sold for the purpose of offense and defense, shall be guilty of a misdemeanor."

Concealed weapons.

Approved December 20th, 1898.

VOL. 3, SEC. 698.—FIRING WOODS.

No. 22.

An Act to amend Section 698, volume 3 of the Code of 1895, which relates to setting on fire woods, etc., by striking from the second line thereof the words "and maliciously" and substituting in lieu thereof the words, "carelessly or negligently," and for other purposes.

Penal Code, §698 amended.

Section I. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That Section 698, volume 3 of the Code of 1895 be and the same is, hereby

The Charter of Oregon City, Oregon, Together with the Ordinances and Rules of Order Page 259, Image 261 (1898) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

An Ordinance Providing for the Punishment of Disorderly Persons, and Keepers and Owners of Disorderly Houses, § 2. It shall be unlawful for any person to carry any sling shot, billy, dirk, pistol or any concealed deadly weapon or to discharge any firearms, air gun, sparrow gun, flipper or bean shooter within the corporate limits of the city, unless in self-defense, in protection of property or an officer in the discharge of his duty; provided, however, permission may be granted by the mayor to any person to carry a pistol or revolver when upon proper representation it appears to him necessary or prudent to grant such permission.

Compiled Ordinances of the City of Fairfield, Clay County, Nebraska Page 34, Image 34 (1899) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

Ordinance No. 20, An Ordinance to Prohibit the Carrying of Concealed Weapons and Fixing a Penalty for the violations of the same. Be it ordained by the Mayor and Council of the City of Fairfield, Nebraska: § 1. It shall be unlawful for any person to carry upon his person any concealed pistol, revolver, dirk, bowie knife, billy, sling shot, metal knuckles, or other dangerous or deadly weapons of any kind, excepting only officers of the law in the discharge or their duties; and any person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be subject to the penalty hereinafter provided. § 2. Any such weapon or weapons, duly adjudged by the Police Judge 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 City of Fairfield and shall be so adjudged.



DATE DOWNLOADED: Thu May 25 00:09:37 2023

SOURCE: Content Downloaded from [HeinOnline](https://heinonline.org)

Citations:

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

Bluebook 21st ed.

Fred F. Barker. Compilation of the Acts of Congress and Treaties Relating to Alaska:
From March 30, 1867, to March 3, 1905 (1906).

ALWD 7th ed.

Barker, Fred F. Compilation of the Acts of Congress & Treaties Relating to Alaska:
From March 30, 1867, to March 3, 1905 (1906).

APA 7th ed.

Barker, F. (1906). Compilation of the Acts of Congress and Treaties Relating to
Alaska: From March 30, 1867, to March 3, 1905. Washington, D.C., U.S. Gov. Print.
Off.

Chicago 17th ed.

Barker Fred F. Compilation of the Acts of Congress and Treaties Relating to Alaska:
From March 30, 1867, to March 3, 1905. Washington, D.C., U.S. Gov. Print. Off.

McGill Guide 9th ed.

Fred F. Barker, Compilation of the Acts of Congress & Treaties Relating to Alaska:
From March 30, 1867, to March 3, 1905 (Washington, D.C.: U.S. Gov. Print. Off., 1906)

AGLC 4th ed.

Fred F. Barker, Compilation of the Acts of Congress and Treaties Relating to Alaska:
From March 30, 1867, to March 3, 1905 (U.S. Gov. Print. Off., 1906)

MLA 9th ed.

Barker, Fred F. Compilation of the Acts of Congress and Treaties Relating to Alaska:
From March 30, 1867, to March 3, 1905. Washington, D.C., U.S. Gov. Print. Off.
HeinOnline.

OSCOLA 4th ed.

Barker, Fred F. Compilation of the Acts of Congress and Treaties Relating to Alaska:
From March 30, 1867, to March 3, 1905. Washington, D.C., U.S. Gov. Print. Off.
Please note: citations are provided as a general guideline. Users should consult
their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at
<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

59TH CONGRESS, }
1st Session. }

SENATE.

} DOCUMENT
} No. 142.

COMPILATION
OF THE
ACTS OF CONGRESS AND TREATIES
RELATING TO
ALASKA
FROM
MARCH 30, 1867, TO MARCH 3, 1905,
WITH
INDICES AND REFERENCES TO DECISIONS OF THE SUPREME COURT AND
OPINIONS OF THE ATTORNEY-GENERAL.

PREPARED UNDER THE DIRECTION OF
PAUL CHARLTON,
LAW OFFICER OF THE BUREAU OF INSULAR AFFAIRS,
WAR DEPARTMENT,

By
FRED F. BARKER.

—
JANUARY 10, 1906.
—

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1906.

actually committed, but do no act toward the commission thereof, or whenever such persons assemble without authority of law, and in such manner as is adapted to disturb the public peace or excite public alarm, or disguised in a manner to prevent them from being identified, such an assembly is an unlawful assembly.

SEC. 112. That if any person shall be guilty of participating in any riot, such person, upon conviction thereof, shall be punished as follows: Punishment for participating in riot.

First. If any felony or misdemeanor was committed in the course of such riot, such person shall be punished in the same manner as the principal in such crime;

Second. If such person carried at the time of such riot any species of dangerous weapon, or was disguised, or encouraged or solicited other persons who participated in the riots to acts of force or violence, such person shall be punished by imprisonment in the penitentiary not less than three nor more than fifteen years;

Third. In all other cases such persons shall be punished by imprisonment in the county jail not less than three months nor more than one year, or by fine not less than fifty nor more than five hundred dollars.

SEC. 113. That if any person or persons shall, in any town or village in said District, willfully drive or ride any horse or mule upon any sidewalk therein, or shall willfully drive or ride any horse or mule through the streets thereof at a greater speed than six miles per hour, Disturbance of the peace in towns and villages.

or shall use any obscene or profane language in any public place in such town or village to the disturbance or annoyance of any person or persons therein, such person or persons so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than five nor more than fifty dollars.

SEC. 114. That if any person shall willfully disturb, interrupt, or disquiet any assembly or congregation of people met for religious worship, whether in a house or the open air, by either uttering any profane discourse, committing any rude or indecent act, or making any unnecessary noise within the place where such meeting is held, or so near it as to disturb the order and solemnity thereof, or by exposing Disturbing religious meetings.

for sale or gift any intoxicating liquors or drinks within two miles of the place where any such assembly or congregation shall be actually convened for religious worship, and in a place other than such as shall have been duly licensed therefor, and in which such person shall have usually resided and carried on such business, such person, upon conviction thereof, shall be punished by imprisonment in the county jail not less than one month nor more than six months, or by fine not less than ten dollars nor more than two hundred dollars. —by selling intoxicating liquors in neighborhood, etc.

SEC. 115. That if any person shall willfully disturb or break up any public meeting or assembly of people other than those mentioned in the section last preceding, lawfully met for a lawful purpose, whether such meeting or assembly be met in a house or in the open air, such person, upon conviction thereof, shall be punished by imprisonment in the county jail not less than one month nor more than three months, or by fine not less than ten dollars nor more than one hundred dollars. Disturbing public meetings.

SEC. 116. That if any person shall be guilty of disorderly conduct or of using obscene language before women, he shall, on conviction thereof, be fined in any sum not less than five nor more than twenty-five dollars. Disorderly conduct before women.

SEC. 117. That it shall be unlawful for any person to carry concealed about his person, in any manner whatever, any revolver, pistol, or other firearm, or knife (other than an ordinary pocketknife), or any dirk or dagger, slung shot, metal knuckles, or any instrument by the use of which injury could be inflicted upon the person or property of any other person. Carrying concealed weapons.

SEC. 118. That any person violating any of the provisions of the last preceding section 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 —penalty

Theodore Harris, Charter and Ordinances of the City of San Antonio. Comprising All Ordinances of a General Character in Force August 7th, Page 220, Image 225 (1899) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

Ordinances of the City of San Antonio, Ordinances, ch. 22, § 4. If any person shall, within the city limits, draw any pistol, gun, knife, sword-cane, club or any other instrument or weapon whereby death may be caused, in a threatening manner, or for the purpose of intimidating others, such person shall be deemed guilty of an offense.

This is a reproduction of a library book that was digitized by Google as part of an ongoing effort to preserve the information in books and make it universally accessible.

Google™ books

<https://books.google.com>



Des Moines, Ia. Ordinances, etc.

REVISED ORDINANCES

OF THE
CITY OF DES MOINES

1916

PUBLISHED BY AUTHORITY OF THE
CITY COUNCIL



COMPILED, ARRANGED, ANNOTATED AND
INDEXED BY THE

CITY LEGAL DEPARTMENT

H. W. BYERS, CORPORATION COUNSEL
ESKIL C. CARLSON, CITY SOLICITOR
EARL M. STEER, Ass't CITY SOLICITOR

MARCH 1, 1916

CITY OF DES MOINES

325

structions of the City Engineer, and any person before making such excavation or vault shall apply to the City Engineer for authority so to do. (Ord. 349, § 51; Rev. Ord. 1889, ch. 16; Rev. Ord. 1900, § 207.)

Sec. 495. **Poison; Selling.** No person shall vend, give away or deliver any deadly poison without marking the same in legible characters "Poison." (Ord. 349, § 56; Rev. Ord. 1889, ch. 16; Rev. Ord. 1900, § 208.)

Sec. 496. **Weapons; Concealed.** 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 other fire-arms, slungshot, brass knuckles, or knuckles of lead, brass or other metal or material, or any sand bag, air guns of any description, dagger, bowie knife, dirk knife, or other 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 or carrying such weapons as may be convenient, necessary and proper for the discharge of his official duties. (Ord. 349, § 57; Rev. Ord. 1889, ch. 16; Rev. Ord. 1900, § 209.)

Sec. 497. **Firearms; Discharge in City.** No person shall fire or discharge any cannon, gun, fowling piece, pistol, toy pistol, throwing projectiles of any kind or character, or have in his possession any toy pistol, or firearms of any description, within the settled portion of the City, without permission from the Mayor or City Council, and such permission shall limit the time and place of such firing and may be revoked by the Mayor or City Council. (Ord. 349, § 58; Rev. Ord. 1889, ch. 16; Rev. Ord. 1900, § 210.)

Sec. 498. **Slungshot; Throwing Stones.** No person shall have in his possession or use any sling or slungshot of any kind, nor shall any person wilfully or carelessly throw any stone, stick or other substance in such a manner as to hit, injure or endanger any person, window or other property. (Ord. 349, § 59; Rev. Ord. 1889, ch. 16; Rev. Ord. 1900, § 211.)

Sec. 499. **Explosives; Scaring Horses.** It shall be unlawful to cause or aid in causing any firecrackers, torpedoes or



DATE DOWNLOADED: Tue Apr 25 12:34:52 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1900 vol. I 458 .

ALWD 7th ed.
, , 1900 vol. I 458 .

Chicago 17th ed.
", " New York - 123rd Legislature, Regular Session : 458-459

AGLC 4th ed.
" New York - 123rd Legislature, Regular Session 458

OSCOLA 4th ed.
" 1900 vol I 458 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

L A W S

OF THE

STATE OF NEW YORK,

PASSED AT THE

ONE HUNDRED AND TWENTY-THIRD SESSION

OF THE

LEGISLATURE,

BEGUN JANUARY THIRD, 1900, AND ENDED APRIL
SIXTH, 1900, IN THE CITY OF ALBANY.

VOL. I.



ALBANY:
J. B. LYON COMPANY, PRINTERS,
1900.

Chap. 221.

AN ACT to amend chapter two hundred of the laws of eighteen hundred and seventy-three, entitled "An act to amend the charter of the village of Addison, in the county of Steuben."

Became a law, March 23, 1900, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Village
charter
amended.

Section 1. Section three of title five of chapter two hundred of the laws of eighteen hundred and seventy-three, entitled "An act to amend the charter of the village of Addison in the county of Steuben," is hereby amended by adding at the end thereof a new subdivision, numbered forty-two, to read as follows:

Franchises
and con-
tract for
electric
lighting,
etc.

42. The board of trustees of the village, shall have the power and are hereby authorized to grant franchises to any person or persons, corporation or corporations; to erect and maintain in the streets, highways and other places in said village, poles, wires and fixtures for electric lighting purposes; to lay and maintain gas pipes and fixtures for natural or artificial gas in the said streets, highways and other places in said village; to contract for the lighting of the streets and public buildings in said village with electricity, gas or other light; to regulate the use of said streets, so that the same shall not be unnecessarily obstructed by poles or pipes, and the sale and distribution of light to private consumers; also to regulate the erection and maintenance of telegraph and telephone poles in said streets, highways and other places in said village.

Use of
streets and
sale of
light.

§ 2. This act shall take effect immediately.

Chap. 222.

AN ACT to amend section four hundred and nine of the penal code, relative to dangerous weapons.

Became a law, March 23, 1900, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section four hundred and nine of the penal code is hereby amended so as to read as follows:

223.] ONE HUNDRED AND TWENTY-THIRD SESSION. 459

§ 409. Making, et cetera, 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 slungshot, billy, sand-club or metal knuckles, or who, in any city or incorporated village in this state, without the written consent of the police magistrate, sells or gives any pistol, or other firearm, to any person under the age of eighteen years or without a like consent sells or gives away any air-gun, or spring-gun, or other instrument or weapon in which the propelling force is a spring or air to any person under the age of twelve years, or who sells or gives away any instrument or weapon commonly known as a toy pistol, in or upon which any loaded or blank cartridges are used or may be used, to any person under the age of sixteen years, is guilty of a misdemeanor.

§ 2. This act shall take effect September first, nineteen hundred.

Chap. 223.

AN ACT to authorize, and to entitle the purchaser to, the delivery of affidavits in foreclosure of mortgages by advertisement, and the certified copies thereof, which have been or shall be filed and recorded pursuant to the provisions of title nine of chapter seventeen of the code of civil procedure.

Became a law, March 23, 1900, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Each county clerk and register in this state, in whose office, affidavits in foreclosure of mortgages by advertisement, or the certified copies thereof, have been or shall be filed and recorded pursuant to the provisions of title nine of chapter seventeen of the code of civil procedure, entitled "Proceedings to foreclose a mortgage by advertisement," is hereby authorized to deliver the same to the purchaser of the mortgaged property on the foreclosure sale, and such purchaser shall be entitled to such delivery.

§ 2. This act shall take effect September first, nineteen hundred.



DATE DOWNLOADED: Tue Apr 25 12:28:00 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1901 1239 .

ALWD 7th ed.
, , 1901 1239 .

Chicago 17th ed.
", " Arizona - 21st Legislative Assembly; Revised Statutes : 1239-1256

AGLC 4th ed.
" Arizona - 21st Legislative Assembly; Revised Statutes 1239

OSCOLA 4th ed.
" 1901 1239 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

BY AUTHORITY OF THE LEGISLATIVE
ASSEMBLY.

THE
REVISED STATUTES
OF
ARIZONA TERRITORY

CONTAINING ALSO

THE LAWS PASSED BY THE TWENTY-FIRST LEGISLATIVE
ASSEMBLY, THE CONSTITUTION OF THE UNITED
STATES, THE ORGANIC LAW OF ARIZONA
AND THE AMENDMENTS OF CON-
GRESS RELATING THERETO.

1901

COLUMBIA, MISSOURI
PRESS OF E. W. STEPHENS
1901

noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or who applies any violent or abusive or obscene epithets to another, is punishable by fine not exceeding two hundred dollars, or by imprisonment in the county jail for not exceeding two months.

380. If two or more persons assemble for the purpose of disturbing the public peace, or committing any unlawful act, and do not disperse on being desired or commanded so to do by a public officer, the persons so offending are severally guilty of a misdemeanor.

Persons assembling to disturb the peace.

381. Any person who shall, purposely or carelessly, discharge any gun, pistol or other firearm in any saloon, dance house, store or other public house or business house in this territory, thereby endangering the life or person of another, or thereby disturbing any of the inmates thereof, or who shall thereby injure, destroy or damage any property therein, or who shall discharge the same in any city, village or town of this territory, except in necessary self-defense, shall be fined in any sum not exceeding three hundred dollars, or be imprisoned in the county jail for a period not exceeding six months, or shall be punished by both such fine and imprisonment.

Discharging guns in certain places.

382. It shall be unlawful for any person (except a peace officer in actual service and discharge of his duty), to have or carry concealed on or about his person, any pistol or other firearm, dirk, dagger, slung-shot, sword-cane, spear, brass knuckles, or other knuckles of metal, bowie-knife or any kind of knife or weapon, except a pocket-knife, not manufactured and used for the purpose of offense and defense.

Certain arms not to be carried concealed.

383. Any person violating any of the provisions of the preceding section shall be guilty of a misdemeanor, and may be arrested with or without a warrant, either in the day-time or night-time, and taken before the nearest justice of the peace for trial; and any peace officer who shall fail, neglect or refuse to arrest any such person on his own knowledge of the violation of said section, or upon the information from some credible person, or who shall appoint any person a deputy, not intended to be used in regular service, but as a mere pretext for the purpose of carrying a concealed weapon, shall be guilty of a misdemeanor.

Penalty for carrying concealed weapons.

384. Any person found guilty of violating any of the provisions of the two preceding sections shall be punished by a fine of not less than five nor more than three hundred dollars, and shall forfeit to the county, such weapon or weapons.

Punishment.

385. If any person within any settlement, town, village or city within this territory shall carry on or about his person, saddle, or in

Carrying weapons concealed while in villages, etc.

Arrest of violators.

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.

Peace officers
and militiamen may
carry.

386. The preceding section 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.

Carrying certain
weapons to
church.

387. If any person shall go into 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.

Peace officers
not included.

388. The preceding section shall not apply to peace officers or other persons authorized or permitted by law to carry arms at the places therein designated.

Violators may
be arrested, how.

389. Any person violating any of the provisions of sections 382 and 385 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.

Travelers may
carry arms, when.

390. 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 towns, 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.

391. 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 382 of this act, and the sheriffs of the various counties shall notify the keepers of hotels, boarding houses and drinking saloons, in their respective counties, of their duties under this law, and if after such notification any keeper of a hotel, boarding house or drinking saloon shall fail to keep notices posted, as required by this act, he shall, on conviction thereof before a justice of the peace, be fined in the sum of five dollars, to go to the county treasury.

Boarding house and saloon keepers must post up law.

392. Every person who, not in necessary self-defense, in the presence of two or more persons, draws or exhibits any deadly weapon in a rude, angry or threatening manner, or who, in any manner, unlawfully uses the same in any fight or quarrel, is guilty of a misdemeanor.

Person using deadly weapon.

393. Every person using or procuring, encouraging or assisting another to use, any force or violence in entering upon or detaining any lands or other possessions of another, except in the cases and in the manner allowed by law, is guilty of a misdemeanor.

Taking possession of the property of another.

394. Every person who has been removed from any lands by process of law, or who has removed from any land pursuant to the lawful adjudication or direction of any court, tribunal or officer, and who afterwards unlawfully returns to settle, reside upon or take possession of such lands, is guilty of a misdemeanor.

Person legally ejected must not return to any property to retake it.

395. If any person or persons shall wilfully and maliciously, make any assault upon any railroad train, railroad cars or locomotive within this territory, for the purpose and with the intent to commit murder, robbery or any other felony upon or against any passenger on said train or cars, or upon or against any engineer, conductor, fireman, brakeman, or any officer or employe connected with said locomotive, train or cars, while in the performance of his duty as such engineer, conductor, fireman, brakeman, officer or employe, or upon or against any express messenger or mail agent on said train or in any of the cars thereof, on conviction thereof shall be deemed guilty of a felony and shall suffer the punishment of imprisonment in the territorial prison for not less than ten years.

Assaulting railroad trains.

Train robbery.

396. Any or all persons who shall counsel, aid, abet and assist in the perpetration of any of the offenses set forth in the preceding sec-

Accessories to train robbery.



DATE DOWNLOADED: Wed Oct 19 11:23:22 2022
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

Bluebook 21st ed.
1901 1 .

ALWD 7th ed.
, , 1901 1 .

Chicago 17th ed.
," Utah - 4th Legislature, Regular Session : 1-184

AGLC 4th ed.
" Utah - 4th Legislature, Regular Session 1

OSCOLA 4th ed.
" 1901 1

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

CHAPTER 95.

TEACHER'S EXAMINATION.

AN ACT amending section 1795 of the Revised Statutes of Utah, 1898, relating to teacher's examinations.

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

That section 1795 of the Revised Statutes of Utah, 1898, be and the same is hereby amended to read as follows:

1795. **County board to hold teacher's examination each year.** The county board of examiners shall hold teacher's examinations during each year, at such times and under such rules as the state board of education may direct. If from the percentage of correct answers required by the rules and other evidences disclosed by the examination, including particularly the superintendent's knowledge and information of the candidate's experience and ability as a teacher, the applicant is found to be a person of good moral character, and to possess such knowledge and understanding, together with aptness to teach and govern, as will enable the applicant to teach successfully in the district schools of the state the various branches required by law, said board of examiners shall grant such applicant a certificate of qualification.

Approved this 14th day of March, 1901.

CHAPTER 96.

INFERNAL MACHINE.

AN ACT defining an infernal machine, and prescribing penalties for the construction or contrivance of the same, or having any such machine in possession, or delivering such machine to any person or common carrier, or sending the same through the mail, or throwing or placing the same where any person may be injured in his person or property, and providing where offenses against this act may be tried in case of such infernal machine being transmitted outside the county where delivered.

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

SECTION 1. **Infernal machine defined.** That an infernal machine is any box, package, contrivance or apparatus, containing or arranged with an explosive or acid or poisonous or inflammable substance, chemical, or compound, or knife, or loaded pistol or gun or other dangerous or harmful weapon or thing, constructed, contrived or arranged so as to explode, ignite or throw forth its contents, or to strike with any of its parts, unexpectedly when moved, handled or open, or after the lapse of time, or under conditions, or in a manner calculated to endanger health, life, limb or property.

Sec. 2. **Penalty for sending by mail or express.** That every person who delivers, or causes to be delivered, to any express or railway company or other common carrier or to any person any infernal machine, knowing it to be such, without informing such common carrier or person of the nature thereof, or sends the same through the mail, or throws or places the same on or about the premises or property of another, or in any place where another may be injured thereby, in his person or property, is guilty of a felony, and upon conviction thereof, shall be punished by imprisonment in the state prison for a term not exceeding twenty-five years.

Sec. 3. **Penalty for constructing or having in possession.** That every person who knowingly constructs or contrives any infernal machine, or with intent to injure another in his person or property, has any infernal machine in his possession, is guilty of a felony, and upon conviction thereof, shall be punished by imprisonment in the state prison for a term not exceeding five years.

Sec. 4. **Where prosecuted in certain cases.** That any person knowingly delivering any such infernal machine to any railway, express, or stage company, or to any person or company whatever for transmission to any person in another county may be prosecuted in the county in which he delivers the same, or the county to which the same is transmitted.

Sec. 5. This act shall take effect upon approval.

Approved this 14th day of March, 1901.

CHAPTER 97.

VOTE OF THANKS TO SCOFIELD RELIEF COMMITTEE.

Be it resolved, by the Governor and the House of Representatives of the State of Utah, the Senate concurring:

That its vote of thanks be tendered to that committee appointed by his excellency, the Governor, viz.: J. T. Hammond, E. W. Wilson, Wm. F. Colton, Ezra Thompson, A. W. Carlson, A. L. Thomas, Wm. Iglehart, Mrs. O. J. Salisbury, Mrs. Geo. M. Downey, Mrs. A. R. Haywood, Lafayette Holbrook, John Jones, O. G. Kimball, and T. J. Parmely, in appreciation of the disinterested, conscientious, intelligent, and painstaking duties performed by them for the relief of the sufferers from the disaster which occurred in the mines of the Pleasant Valley Coal Co. at Scofield, Utah, May 1st, 1900.

And be it further resolved, that a vote of thanks by this House of Representatives and the Senate be extended to the sympathetic



DATE DOWNLOADED: Tue Apr 25 12:24:25 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.

W. F. Wilson, Editor. Wilson's Revised and Annotated Statutes of Oklahoma, 1903 (1903).

ALWD 7th ed.

Wilson, W. F., Editor. Wilson's Revised & Annotated Statutes of Oklahoma, 1903 (1903).

APA 7th ed.

Wilson, W. (1903). Wilson's Revised and Annotated Statutes of Oklahoma, 1903. Guthrie, Okla, State Capital Co.

Chicago 17th ed.

Wilson W. F., Editor. Wilson's Revised and Annotated Statutes of Oklahoma, 1903. Guthrie, Okla, State Capital Co.

McGill Guide 9th ed.

W. F. Wilson, Editor, Wilson's Revised & Annotated Statutes of Oklahoma, 1903 (Guthrie, Okla: State Capital Co., 1903)

AGLC 4th ed.

W. F. Wilson, Editor, Wilson's Revised and Annotated Statutes of Oklahoma, 1903 (State Capital Co., 1903)

MLA 9th ed.

Wilson, W. F., Editor. Wilson's Revised and Annotated Statutes of Oklahoma, 1903. Guthrie, Okla, State Capital Co. HeinOnline.

OSCOLA 4th ed.

Wilson, W. F., Editor. Wilson's Revised and Annotated Statutes of Oklahoma, 1903. Guthrie, Okla, State Capital Co. Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

WILSON'S
REVISED AND ANNOTATED
STATUTES
OF
OKLAHOMA

1903

REVISED AND ANNOTATED IN TWO VOLUMES

BY

W. F. WILSON, M. A. LL. B.,
OF THE OKLAHOMA CITY BAR.

VOL. I.

GUTHRIE, OKLAHOMA,
THE STATE CAPITAL COMPANY,
1903.

CHAP. 25]
Art. 44-46.

CRIMES AND PUNISHMENT.

643

(2498) § 579. Every person who commits any extortion under color of official right, in cases for which a different punishment is not prescribed by this chapter, or by some of the statutes which it specifies as continuing in force, is guilty of a misdemeanor. Extortion under color of official right.

(2499) § 580. Every person who, by any extortionate means, obtains from another his signature to any paper or instrument, whereby, if such signature were freely given, any property would be transferred, or any debt, demand, charge or right of action created, is punishable in the same manner as if the actual delivery of such property or payment of the amount of such debt, demand, charge or right of action were obtained. Obtaining signature by extortion.

(2500) § 581. 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. Sending threatening letter.

(2501) § 582. 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 extort money.

ARTICLE 45.—CONCEALED WEAPONS.

<p>Section. (2502) 583. Prohibited weapons enumerated. (2503) 584. Same. (2504) 585. Minors. (2505) 586. Public officials, when privileged. (2506) 587. Arms, when lawful to carry.</p>	<p>Section. (2507) 588. Degree of punishment. (2508) 589. Public buildings and gatherings. (2509) 590. Intent of persons carrying weapons. (2510) 591. Pointing weapon at another. (2511) 592. Violation of certain sections.</p>
---	---

(2502) § 583. 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.

The provisions of the statute in reference to the crime of carrying concealed weapons are not in conflict with any constitutional provision or organic law and are therefore valid. *Walburn v. Territory*, 9 Ok., 23, 59 Pac., 372.

(2503) § 584. 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.

(2504) § 585. 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.

(2505) § 586. 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.



DATE DOWNLOADED: Tue Apr 25 12:17:51 2023

SOURCE: Content Downloaded from [HeinOnline](https://heinonline.org)

Citations:

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

Bluebook 21st ed.

G. C. Moody, Compiler; et al. Revised Codes, 1903, State of South Dakota (1903).

ALWD 7th ed.

Moody, G. C., Compiler; et al. Revised Codes, 1903, State of South Dakota (1903).

APA 7th ed.

Moody, G. (1903). Revised Codes, 1903, State of South Dakota. Pierre, State Pub.

Chicago 17th ed.

Moody G. C., Compiler; et al. Revised Codes, 1903, State of South Dakota. Pierre, State Pub.

McGill Guide 9th ed.

G. C. Moody, Compiler; et al., Revised Codes, 1903, State of South Dakota (Pierre: State Pub., 1903)

AGLC 4th ed.

G. C. Moody, Compiler; et al., Revised Codes, 1903, State of South Dakota (State Pub., 1903)

MLA 9th ed.

Moody, G. C., Compiler, et al. Revised Codes, 1903, State of South Dakota. Pierre, State Pub. HeinOnline.

OSCOLA 4th ed.

Moody, G. C., Compiler; et al. Revised Codes, 1903, State of South Dakota. Pierre, State Pub. Please note: citations are provided as a general guideline.

Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

THE
REVISED CODES
1903
STATE OF SOUTH DAKOTA.

Comprising the

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

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

Printed Pursuant to Act of the Legislature
of 1903.

OFFICIAL STATE EDITION.

STATE PUBLISHING  COMPANY, PIERRE.

PENAL CODE.

An act to provide a penal code for the State of South Dakota, defining various crimes against the state and providing punishment therefor.

Be it Enacted by the Legislature of the State of South Dakota:

§ 1. That the following provisions, contained in sections numbered 1 to 832, inclusive, be, and the same are hereby, constituted the revised penal code of the State of South Dakota, and which are in the words and figures following, to-wit:

Disposing of tainted food.

s. 454, Pen. C.
C. L. § 0055.

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

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

Manufacturing slung shot.

s. 455, Pen. C.
C. L. § 0050.

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

Carrying or using slung shot.

s. 456, Pen. C.
C. L. § 0057.

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

Concealed weapons.

s. 457, Pen. C.
C. L. § 0058.

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

Willful prairie fires.

s. 458, Pen. C.
C. L. § 0050.

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

Negligent prairie fires.

s. 459, Pen. C.
C. L. § 0060.

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

Refusing to aid at fires.

s. 460, Pen. C.
C. L. § 0061.

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

Ferries must be licensed.

s. 1, c. 21, 1879.
C. L. § 0062.

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

Ferry bond violated.

s. 462, Pen. C.
C. L. § 0063.

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



DATE DOWNLOADED: Mon Apr 24 19:46:59 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1905 584 .

ALWD 7th ed.
, , 1905 584 .

Chicago 17th ed.
," Indiana - 64th Regular Session : 584-757

AGLC 4th ed.
" Indiana - 64th Regular Session 584

OSCOLA 4th ed.
" 1905 584 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS
OF THE
STATE OF INDIANA

PASSED AT THE
SIXTY-FOURTH REGULAR SESSION

OF THE
GENERAL ASSEMBLY

BEGUN ON THE FIFTH DAY OF JANUARY, A. D. 1905

By Authority
DANIEL E. STORMS
Secretary of State

INDIANAPOLIS
W. S. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING
1905

with, on conviction shall be fined not less than five dollars nor more than five hundred dollars and imprisoned in the county jail not less than thirty days nor more than six months.

Electric Meters, Etc.—Injury.

SEC. 409. Whoever unlawfully and intentionally injures or destroys or permits to be injured or destroyed any meter, pipe, conduit, wire, line, post, lamp or other apparatus belonging to a company engaged in the manufacture or sale of electricity for light, heat, power or other purposes; or whoever unlawfully and intentionally prevents an electric meter from duly registering the quantity of electricity supplied, or in any way interferes with its proper action or just registration; or, whoever, without the consent of such company, unlawfully and intentionally diverts any electric current from any wire of such company, or otherwise unlawfully and intentionally uses or causes to be used, without the consent of such company, any electricity manufactured or distributed by such company, shall be deemed guilty of a misdemeanor, and, on conviction shall, for every such offense, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

Public Conveyance—Attacking.

SEC. 410. Whoever maliciously or mischievously shoots a gun, rifle, pistol or other weapon, or throws a stone, stick, club or any other substance whatever, at or against any stage coach, or any locomotive, railroad car, or train of cars, street car, or interurban car on any railroad in this state, or at or against any wharfboat, steamboat, or other water-craft, shall be imprisoned in the county jail not less than thirty days nor more than one year, and fined not less than ten dollars nor more than one hundred dollars.

Injury to Person—Penalty.

SEC. 411. In case any person on such stage coach, locomotive, car, train of cars, street car, interurban car, or wharfboat, steamboat or other water craft, shall be injured or wounded by any such act as is specified in the preceding section, the person so offending shall be deemed guilty of an assault and battery with intent to commit murder, and, on conviction, shall be imprisoned in the state prison not less than two years nor more than fourteen years; and, if death ensue from such act such offender shall be deemed guilty of murder in the second degree, and on conviction, shall be imprisoned in the state prison during life.



DATE DOWNLOADED: Mon Apr 24 20:01:16 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1905 584 .

ALWD 7th ed.
, , 1905 584 .

Chicago 17th ed.
," Indiana - 64th Regular Session : 584-757

AGLC 4th ed.
" Indiana - 64th Regular Session 584

OSCOLA 4th ed.
" 1905 584 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS
OF THE
STATE OF INDIANA

PASSED AT THE
SIXTY-FOURTH REGULAR SESSION

OF THE
GENERAL ASSEMBLY

BEGUN ON THE FIFTH DAY OF JANUARY, A. D. 1905

By Authority
DANIEL E. STORMS
Secretary of State

INDIANAPOLIS
W. S. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING
1905

without additional help, he shall at once notify the governor and ask the aid of the state. Thereupon the governor shall be authorized to furnish such military force as may be necessary to preserve order and protect such prisoner; and the auditor of state shall draw a warrant upon the treasurer of state for payment of the expenses thereby incurred: *Provided, however,* That such sheriff shall not make such demand upon the governor until he shall first have exhausted all other means at his command for the protection of such prisoner.

Rout.

SEC. 446. If three or more persons shall meet together to do an unlawful act upon a common cause, and shall make advances toward the commission thereof, they shall be deemed guilty of a riot [rout], and, on conviction, shall be fined not exceeding one hundred dollars each, or they may each be imprisoned in the county jail not exceeding sixty days.

Provocation.

SEC. 447. Whoever, by words, signs or gestures, provokes or attempts to provoke another to commit an assault or an assault and battery upon him, such other person having then and there the ability to commit such assault or assault and battery, is guilty of criminal provocation, and, on conviction, shall be fined not exceeding twenty dollars.

Weapon—Drawing Dangerous.

SEC. 448. Whoever draws, or threatens to use, any pistol, dirk, knife, slung-shot or other deadly or dangerous weapon, already drawn upon any other person, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than one dollar nor more than five hundred dollars, to which may be added imprisonment in the county jail not exceeding six months: *Provided,* That the provisions of this section shall not apply to a person drawing or threatening to use such dangerous or deadly weapon in defense of his person or property, or in defense of those entitled to his protection by law.

Weapon—Carrying Dangerous.

SEC. 449. Every person, not being a traveler, who shall wear or carry any dirk, pistol, bowie-knife, dagger, sword in cane or any other dangerous or deadly weapon concealed, or who shall carry or wear any such weapon openly, with the intent or avowed purpose of injuring his fellowman, shall, on conviction, be fined not exceeding five hundred dollars. Any such weapon which upon arrest upon this charge shall be found upon the person of such arrested

person shall be taken by the officer making such arrest and, unless such officer be the sheriff, such weapon shall be deposited with such sheriff, and in every instance such weapon shall be held by the sheriff subject to the final order of the court thereupon. In case the arrested person be found guilty of violating this statute by wearing or carrying such concealed weapon there shall be entered as part of the judgment of conviction of said crime an order to the sheriff directing the destruction of such weapon by the justice, mayor, city judge or judge of the criminal or circuit court before whom or in whose court such cause is pending, and the sheriff shall execute the same in the manner and at the time fixed by such order. Any person three times convicted within any period of two years of committing any of the offenses defined in this section shall upon such third conviction be imprisoned in the state prison not more than one year.

Weapon—Furnishing to Minor.

SEC. 450. It shall be unlawful for any person to sell, barter or give to any other person under the age of twenty-one years any pistol, dirk or bowie-knife, slung-shot, knucks or other deadly weapon that can be worn or carried concealed upon or about the person, or to sell, barter or give to any person under the age of twenty-one years any cartridges manufactured and designed to be used in a pistol or revolver. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than five dollars nor more than fifty dollars.

Toy Pistols.

SEC. 451. It shall be unlawful for any person, firm, company or corporation to manufacture, sell or expose for sale, or give away as a prize or reward, any toy pistol or other device for the purpose of exploding caps or wafers containing fulminates or other explosive compounds; and any person, firm, company or corporation so manufacturing, selling or offering to sell or give away any such toy pistol or other devices, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than ten dollars nor more than fifty dollars, or be imprisoned in the county jail not less than ten days nor more than twenty days.

Weapon—Aiming.

SEC. 452. It shall be unlawful for any person over the age of ten years, with or without malice, purposely to point or aim any pistol, gun, revolver or other firearm, either loaded or empty, at or toward any other person; and any person so offending shall be deemed guilty of an unlawful act, and, on conviction, shall be fined not less than one dollar nor more than five hundred dollars.



DATE DOWNLOADED: Mon Apr 24 19:45:08 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1905 324 .

ALWD 7th ed.
, , 1905 324 .

Chicago 17th ed.
", " New Jersey - 129th Legislature : 324-325

AGLC 4th ed.
" New Jersey - 129th Legislature 324

OSCOLA 4th ed.
" 1905 324 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ACTS
OF THE
One Hundred and Twenty-Ninth Legislature
OF THE
STATE OF NEW JERSEY
AND
Sixty-First Under the New Constitution.



PATERSON, N. J.:
NEWS PRINTING COMPANY, STATE PRINTERS.
1905.

CHAPTER 172.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Carrying
dangerous
weapon a
misdemean-
or.

Penalty.

Proviso.

I. Any person who shall carry any revolver, pistol or other deadly, offensive or dangerous weapon or firearm or any stiletto, dagger or razor or any knife with a blade five inches in length or over concealed in or about his clothes or person, shall be a guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding two hundred dollars or imprisonment at hard labor, not exceeding two years, or both; *provided, however*, that nothing in this act shall be construed to prevent any sheriff, deputy sheriff, police officer, constable, state detective, member of a legally organized detective agency or any other peace officer from carrying weapons in the discharge of his duty; nor shall this act apply to any person having a written permit to carry such weapon, firearm, stiletto, razor, dagger or knife, from the mayor of any city, borough or other municipality, having a mayor, or from the township committee or other governing body of any township or other municipality not having a mayor, which permits such officers and governing bodies are hereby authorized to grant; said permits shall be issued at the place of residence of the person obtaining the same, and when issued shall be in force in all parts of the state for a period of one year from date of issue, unless sooner revoked by the officer or body granting the same; *and provided further*, that nothing contained herein shall prevent any person from keeping or carrying about his or her place of business, dwelling house or premises any such weapon, firearm, stiletto, dagger, razor or knife, or from carrying the same from any place of purchase to his or her dwelling house, or

Proviso.

LAWS, SESSION OF 1905.

325

place of business, or from his or her dwelling house or place of business to any place where repairing is done, to have the same repaired and returned; *and provided further*, that nothing in this act shall be construed to make it unlawful for any person to carry a gun, pistol, rifle or other firearm or knife in the woods or fields or upon the waters of this state for the purpose of hunting; a fee of twenty-five cents may be lawfully charged by such officer or body granting each such permit.

Proviso.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved April 18, 1905.

 CHAPTER 173.

An Act to provide for the purchase by boards of chosen freeholders, of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The board of chosen freeholders of any county may agree with the owner or owners of any turnpike or toll road, or portion thereof lying within such county and being not less than one mile in length, which has been improved by the construction thereon of a macadam, telford, rubble or other stone road, upon the price to be paid for the same, and may by resolution agree to purchase the same for free public use at the price agreed upon, subject to the approval of the state commissioner of public roads, and upon receiving the approval of said commissioner in writing

Freeholders may purchase turnpike and maintain same as county road.



DATE DOWNLOADED: Mon Apr 24 19:39:54 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1908 vol. I 242 .

ALWD 7th ed.
, , 1908 vol. I 242 .

Chicago 17th ed.
", " New York - 131st Legislature, Regular Session : 242-243

AGLC 4th ed.
" New York - 131st Legislature, Regular Session 242

OSCOLA 4th ed.
" 1908 vol I 242 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS
OF THE
STATE OF NEW YORK,
PASSED AT THE
ONE HUNDRED AND THIRTY-FIRST SESSION
OF THE
LEGISLATURE,

BEGUN JANUARY FIRST, 1908, AND ENDED APRIL
TWENTY-THIRD, 1908, IN THE CITY OF ALBANY,
AND INCLUDING EXTRAORDINARY SESSION,
BEGUN MAY ELEVENTH, 1908, AND
ENDED JUNE ELEVENTH, 1908.

VOL. I.



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1908

or commission of said notary public or commissioner of deeds, or by reason of omission or failure to take the prescribed oath of office within the time required by law, or by reason of such persons being under the age of twenty-one years, or by reason of the expiration of the term of office of such notaries public or commissioners of deeds, where such notary public or commissioner of deeds has acted in good faith, upon payment being made by such notary public or commissioner of deeds of the legal fees for holding such office, are hereby legalized and confirmed and made effectual and valid, as the official acts of a notary public or commissioner of deeds legally qualified to perform the same, as fully as if neither of the various errors, omissions, matters and conditions hereinabove enumerated had occurred or existed.

§ 2. Nothing in this act contained shall affect any legal action or proceeding pending at the time this act takes effect.

§ 3. This act shall take effect immediately.

Chap. 93.

AN ACT to amend the penal code, relative to the carrying and possession of dangerous weapons, and the issuing of licenses therefor.

Became a law, April 8, 1908, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section four hundred and ten of the penal code, is hereby amended to read as follows:

§ 410. Carrying, et cetera, dangerous weapons.—A person who attempts to use against another, or who carries, or possesses any instrument or weapon of the kind commonly know as a slung-shot, billy, sandclub or metal knuckles, or who with intent to use the same against another, carries or possesses a dagger, dirk or dangerous knife is guilty of a felony. Any person under the age of sixteen years, who shall have, carry or have in his possession in any public place any of the articles named or described in the last section which it is forbidden therein to offer, sell, loan, lease or give to him, shall be guilty of a misdemeanor. Any person over the age of sixteen years, who shall have or carry concealed upon

94.] ONE HUNDRED AND THIRTY-FIRST SESSION. 243

his person in any city, village or town of this state, any pistol, revolver or other firearm without a written license therefor, theretofore issued to him by a police magistrate of such city or village or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance of such city, village or town shall be guilty of a misdemeanor. No person not a citizen of the United States, shall have or carry firearms or dangerous weapons in any public place at any time. This section shall not apply to the regular and ordinary transportation of firearms as merchandise, nor to sheriffs, policemen or to other duly appointed peace officers, nor to duly authorized military or civil organizations when parading, nor to the members thereof when going to and from the places of meeting of their respective organizations.

§ 2. This act shall take effect September first, nineteen hundred and eight.

Chap. 94.

AN ACT to amend chapter four hundred and seventy-one of the laws of eighteen hundred and seventy-nine, entitled "An act authorizing certain sums of money to be paid to prisoners, confined in the county penitentiaries, upon their discharge therefrom," relative to transportation to be furnished upon discharge.

• Became a law, April 6, 1908, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of chapter four hundred and seventy-one of the laws of eighteen hundred and seventy-nine entitled "An act authorizing certain sums of money to be paid to prisoners, confined in the county penitentiaries, upon their discharge therefrom," is hereby amended to read as follows:

§ 1. It shall be the duty of the superintendent of a county penitentiary to furnish to each convict, male or female, who shall have been convicted of a felony, and imprisoned therein in pursuance of the provisions of statute, upon his or her discharge from the penitentiary, by pardon or otherwise, necessary clothing not exceeding



DATE DOWNLOADED: Mon Apr 24 19:38:10 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1908 145 .

ALWD 7th ed.
, , 1908 145 .

Chicago 17th ed.
", " Rhode Island - January Session, 1908 : 145-145

AGLC 4th ed.
" Rhode Island - January Session, 1908 145

OSCOLA 4th ed.
" 1908 145 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

State of Rhode Island and Providence Plantations,

AT THE

JANUARY SESSION, 1908.

STATE OF RHODE ISLAND, ETC.,
OFFICE OF THE SECRETARY OF STATE, 1908.

PROVIDENCE:

E. L. FREEMAN COMPANY, STATE PRINTERS.
1908.

JANUARY, 1908.

145

otherwise appropriated, for the purpose of carrying this act into effect.

SEC. 4. This act shall take effect immediately, and all acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 1572.

AN ACT IN AMENDMENT OF SECTION 23 OF CHAPTER 283
OF THE GENERAL LAWS.

Passed May 14,
1908.

It is enacted by the General Assembly as follows:

SECTION 1. Section 23 of Chapter 283 of the General Laws is hereby amended so as to read as follows:

“SEC. 23. No person shall wear or carry in this state any dirk, dagger, razor, sword-in-cane, bowie knife, butcher knife, or knife of any description having a blade of more than three inches in length, measuring from the end of the handle, where the blade is attached, to the end of said blade, any air-gun, billy, brass or metal knuckles, slung-shot, pistol or firearms of any description, or other weapons of like kind and description, concealed upon his person: *Provided*, that officers or watchmen whose duties require them to arrest or to keep and guard prisoners or property, together with the persons summoned by such officers to aid them in the discharge of such duties, while actually engaged in such duties, are exempted from the provisions of this and the two following sections.”

Carrying of
concealed
weapons, pro-
hibited.

SEC. 2. This act shall take effect from and after its passage.



DATE DOWNLOADED: Mon Apr 24 19:33:11 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1909 3 .

ALWD 7th ed.
, , 1909 3 .

Chicago 17th ed.
," Idaho - 10th Legislature, Regular Session : 3-458

AGLC 4th ed.
" Idaho - 10th Legislature, Regular Session 3

OSCOLA 4th ed.
" 1909 3 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

GENERAL LAWS
OF THE
STATE OF IDAHO

PASSED AT THE TENTH SESSION

OF THE
STATE LEGISLATURE

PUBLISHED BY AUTHORITY OF THE
SECRETARY OF STATE

BOISE, IDAHO
SYMS-YORK COMPANY
PRINTERS & BINDERS
1909

Section 351. At the general election, A. D. 1912, and every fourth year thereafter, there shall be elected such a number of Electors of President and Vice President of the United States as the State may be entitled to in the Electoral College.

Approved on the 17th day of February, 1909.

HOUSE BILL NO. 62.

AN ACT

TO REGULATE THE USE AND CARRYING OF CONCEALED DEADLY WEAPONS AND TO REGULATE THE SALE OR DELIVERY OF DEADLY WEAPONS TO MINORS UNDER THE AGE OF SIXTEEN YEARS, TO PROVIDE A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT, AND TO EXEMPT CERTAIN PERSONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. If any person, (excepting officials of a county, officials of the State of Idaho, officials of the United States, peace officers, guards of any jail, any officer of any express company on duty), shall carry concealed upon or about his person any dirk, dirk knife, bowie knife, dagger, slung shot, pistol, revolver, gun or any other deadly or dangerous weapon within the limits or confines of any city, town, or village, or in any public assembly, or in any mining, lumbering, logging, railroad, or other construction camp within the State of Idaho, or shall, in the presence of one or more persons, exhibit any deadly or dangerous 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 under the age of sixteen (16) years 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 dollars (\$25.00) nor more than two hundred dollars (\$200.00), or by imprisonment in the county jail for a period of not less than twenty (20) nor more than sixty (60) days, or by both such fine and imprisonment: *Provided, however,* that it shall be a good defense to the charge of carrying such concealed weapons if the defendant shall show that he has been threatened with great bodily harm, or had good reason to carry the same in the necessary defense of his person, family, home or property.

Approved on the 17th day of February, 1909.



DATE DOWNLOADED: Wed May 24 23:07:01 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1909 77 .

ALWD 7th ed.
, , 1909 77 .

Chicago 17th ed.
" , " South Dakota - 11th Legislative Session : 77-574

AGLC 4th ed.
" South Dakota - 11th Legislative Session 77

OSCOLA 4th ed.
" 1909 77 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ENABLING ACT AND CONSTITUTION

AND

THE LAWS

PASSED AT THE

ELEVENTH SESSION

OF THE

LEGISLATURE

OF THE

State of South Dakota

Begun and Held at Pierre, the Capital of Said State, on Tuesday, the Fifth Day of January, 1909, and Concluded March 5th, A. D. 1909

OFFICIAL EDITION

1909
HIPPLE PRINTING CO.,
Pierre, S. D.

part thereof, mentioned in this chapter, at a time or in a manner prohibited by law, such person shall thereby forfeit and lose all his right to the use and possession of such bird, animal or fish or any part thereof and the state shall be entitled to sole possession thereof.

§ 20. No person shall at any time take or have in possession or under control, break up or destroy or in any manner interfere with any nest or the eggs of any of the kinds of birds, the killing of which is at any time or all times prohibited.

§ 21. No person shall at any time catch, take or kill any of the birds or animals mentioned in this chapter in any other manner than by shooting them with a gun held to the shoulder of the person discharging the same.

§ 22. No person shall at any time, set, lay or prepare or have in possession, any trap, snare, artificial light, net, bird line, swivel gun or set gun or any contrivance whatever for the purpose of catching, taking or killing any of the game animals or birds in this chapter mentioned, except that decoys and stationary blinds may be used in hunting wild geese, brant and ducks. The use of rifles in the hunting of said birds is prohibited.

§ 23. No person shall at any time hunt with or shoot from any boat, canoe or contrivance or device whatever on any of the waters in this state between dark and daylight and no person shall at any time make use of, hunt with or shoot from, any floating battery, sink boat, sunken barrels, boxes, tubs or any similar device whatever, on any of the waters of the state, nor with any boat propelled except with oars or paddles, nor from any sandbar in any of the waters of this state.

§ 24. No person shall hunt, pursue, catch, take or kill any of the animals in this chapter mentioned, with any dog or dogs. The use or running of either pointer or setter dogs in fields or upon lands frequented by or in which game birds may be found during the months of April, May and June, is hereby prohibited and made unlawful.

§ 25. No person shall at any time enter into any growing or standing grain, not his own, with intent to take or kill any bird or animal, nor permit any dog with which he shall be hunting to do so for such purpose, without permission from the owner or person in charge thereof. No person shall at any time enter upon any land not his own, with intent to take or kill any birds or animals after being notified by the owner or occupant thereof not to do so. Such notice may be given orally or by posting written or printed notices to that effect, in the English language, in conspicuous places on the land so protected.

§ 26. No person shall at any time, have in his possession or under his control within this state, any bird, animal or fish or any part thereof, which has been caught, taken or killed outside of this state, at a time when it is unlawful to have in possession or under control, such birds, animals or fish, or parts thereof, if caught, taken or killed in this state, or



DATE DOWNLOADED: Wed May 24 22:57:13 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1909 890 .

ALWD 7th ed.
, , 1909 890 .

Chicago 17th ed.
," Washington - 11th Legislature, Regular Session : 890-1047

AGLC 4th ed.
" Washington - 11th Legislature, Regular Session 890

OSCOLA 4th ed.
" 1909 890 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

SESSION LAWS

OF THE

STATE OF WASHINGTON

ELEVENTH SESSION

Convened January 11; Adjourned March 11

1909

COMPILED IN CHAPTERS, WITH MARGINAL NOTES

—BY—

SAM H. NICHOLS

Secretary of State

PUBLISHED BY AUTHORITY

OLYMPIA, WASH.:
E. L. BOARDMAN, PUBLIC PRINTER,
1909.

"Unwholesome" milk
or cream.

to or placed therein for the purpose of thickening, coloring or preserving the same; or,

2. When it contains any pathogenic bacteria or germs, pus cells, or blood cells; or,

3. When it contains more than two hundred thousand bacteria or germs of all kinds to the cubic centimetre; or,

4. When any water has been added thereto; or,

5. When any part of it has been drawn from a cow fed on refuse or unwholesome food; or,

6. When any part of it has been drawn from a dirty cow or cow kept in an unclean shed, barn or yard, or has been milked by unclean milkers; or,

7. When any part of it has been contaminated; or,

8. When any part of it has been drawn from an unhealthy cow; or,

9. When any part of it has been exposed to any contagious or infectious disease; or,

10. When any part of it has been drawn from a cow within ten days before or five days after partuition, or in any case before such cow shall be free from fever.

No milk or cream once unwholesome can thereafter be rendered wholesome or salable.

SEC. 263. "*Skimmed Milk*"—*Defined.*

Defined.

Any milk from which the cream has been removed or which contains less than 3.25 per cent. of butter fat shall be deemed to be "skimmed milk."

SEC. 264. *Wilfully Poisoning Food.*

Poisoning
food.

Every person who shall wilfully mingle poison in any food, drink or medicine intended or prepared for the use of a human being, and every person who shall wilfully poison any spring, well or reservoir of water, shall be punished by imprisonment in the state penitentiary for not less than five years or by a fine of not less than one thousand dollars.

SEC. 265. *Dangerous Weapons—Evidence.*

Dangerous
weapons.

Every person who shall manufacture, sell or dispose of or have in his possession any instrument or weapon of the kind usually known as slung shot, sand club, or metal

knuckles; shall furtively carry, or conceal any dagger, dirk, knife, pistol, or other dangerous weapon; or who shall use any contrivance or device for suppressing the noise of any fire arm, shall be guilty of a gross misdemeanor.

SEC. 266. *Setting Spring Gun.*

Every person who shall set a so-called trap, spring pistol, rifle, or other deadly weapon, shall be punished as follows: Setting spring gun.

1. If no injury result therefrom to any human being, by imprisonment in the county jail for not more than one year or by a fine of not more than one thousand dollars, or by both.

2. If injuries not fatal result therefrom to any human being, by imprisonment in the state penitentiary for not more than twenty years.

3. If the death of a human being results therefrom, by imprisonment in the state penitentiary for not more than twenty years.

SEC. 267. *Obstruction of Extinguishment of Fire.*

Every person who, with intent to prevent or obstruct the extinguishment of any fire, shall cut or remove any bell rope, wire or other apparatus for communicating an alarm of fire, or cut, injure or destroy any engine, hose, or other fire apparatus, or otherwise prevent or obstruct the extinguishment of any fire, shall be punished by imprisonment in the state penitentiary for not more than five years, or by imprisonment in the county jail for not more than one year, or by a fine of not more than one thousand dollars. Interference with fire apparatus.

SEC. 268. *Obstructing Firemen.*

Every person who at the burning of any building shall be guilty of any disobedience to the lawful orders of a public officer or fireman or of resistance to or interference with the lawful efforts of any fireman, or company of firemen to extinguish the same, or of disorderly conduct likely to interfere with the extinguishment thereof, or who shall forbid, prevent or dissuade others from assisting to extinguish such fire, shall be guilty of a misdemeanor. Obstructing firemen.



DATE DOWNLOADED: Mon Apr 24 19:18:27 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1911 vol. I 442 .

ALWD 7th ed.
, , 1911 vol. I 442 .

Chicago 17th ed.
," New York - 134th Legislature, Regular Session : 442-445

AGLC 4th ed.
" New York - 134th Legislature, Regular Session 442

OSCOLA 4th ed.
" 1911 vol I 442 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS
OF THE
STATE OF NEW YORK,
PASSED AT THE
ONE HUNDRED AND THIRTY-FOURTH SESSION
OF THE
LEGISLATURE,

BEGUN JANUARY FOURTH, 1911, AND ENDED OCTOBER
SIXTH, 1911,

AT THE CITY OF ALBANY,

AND ALSO OTHER MATTERS REQUIRED BY LAW TO
BE PUBLISHED WITH THE SESSION LAWS.

VOL. I.



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1911

Chap. 195.

AN ACT to amend the penal law, in relation to the sale and carrying of dangerous weapons.

Became a law May 25, 1911, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

L. 1909,
ch. 88,
§§ 1896,
1897, 1899
amended.

Section 1. Sections eighteen hundred and ninety-six, eighteen hundred and ninety-seven and eighteen hundred and ninety-nine of chapter eighty-eight of the laws of nineteen hundred and nine, entitled "An act providing for the punishment of crime, constituting chapter forty of the consolidated laws," are hereby amended to read as follows:

§ 1896. **Making and disposing of 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 a blackjack,¹ slungshot, billy, sandclub, sandbag, bludgeon,² or metal knuckles, to any person; or a person who offers, sells, loans, leases, or gives any gun, revolver, pistol or other firearm or any airgun, spring-gun or other instrument or weapon in which the propelling force is a spring or air or any instrument or weapon commonly known as a toy pistol or in or upon which any loaded or blank cartridges are used, or may be used, or any loaded or blank cartridges or ammunition therefor, to any person under the age of sixteen years, is guilty of a misdemeanor.

§ 1897. **Carrying and use of dangerous weapons.** A person who attempts to use against another, or who carries, or possesses, any instrument or weapon of the kind commonly known as a blackjack,¹ slungshot, billy, sandclub, sandbag,² metal knuckles or bludgeon,² or who, with intent to use the same unlawfully³ against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any other dangerous or deadly instrument or weapon,⁴ is guilty of a felony.

¹ Word "blackjack" new.

² Words "sandbag, bludgeon" new.

³ Word "unlawfully" new.

⁴ Words "razor, stiletto, or any other dangerous or deadly instrument or weapon," new.

Any person under the age of sixteen years, who shall have, carry, or have in his possession,⁵ any of the articles named or described in the last section, which it is forbidden therein to offer, sell, loan, lease or give to him, shall be guilty of a misdemeanor.

⁶Any person over the age of sixteen years, who shall have in his possession in any city, village or town of this state, any pistol, revolver or other firearm of a size which may be concealed upon the person, without a written license therefor, issued to him by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be *prescribed by ordinance in such city, village or town, shall be guilty of a misdemeanor.

Any person over the age of sixteen years, who shall have or carry concealed upon his person in any city, village, or town of this state, any pistol, revolver, or other firearm without a written license therefor, theretofore issued to him by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance of such city, village or town, shall be guilty of a felony.⁷

⁸Any person not a citizen of the United States, who shall have or carry firearms, or any dangerous or deadly weapons in any public place, at any time, shall be guilty of a felony. This section shall not apply to the regular and ordinary transportation of firearms as merchandise, nor to sheriffs, policemen, or to other duly appointed peace officers, nor to duly authorized military or civil organizations, when parading, nor to the members thereof when going to and from the places of meeting of their respective organizations.

§ 1899. Destruction of dangerous weapons. The unlawful⁹ carrying of a pistol, revolver, or other firearm¹⁰ or of an instrument or weapon of the kind usually known as blackjack, bludgeon,¹¹ slung-shot, billy, sandclub, sandbag,¹² metal knuckles, or of a dagger,

* So in original.

⁵ Words " in any public place " omitted.

⁶ Following sentence new.

⁷ Formerly " misdemeanor."

⁸ Following sentence formerly read: " No person not a citizen of the United States, shall have or carry firearms or dangerous weapons in any public place at any time."

⁹ Word " unlawful " new.

¹⁰ Words " or other firearm " new.

¹¹ Words " blackjack, bludgeon " new.

¹² Word " sandbag " new.

dirk, dangerous knife, or any other dangerous or deadly weapon,¹³ by any person save a peace officer, is a nuisance, and such weapons are hereby declared to be nuisances, and when any one or more of the above described instruments or weapons shall be taken from the possession of any person the same shall be surrendered to the sheriff of the county wherein the same shall be taken, except that in cities of the first class the same shall be surrendered to the head of the police force or department of said city. The officer to whom the same may be so surrendered shall, except upon certificate of a judge of a court of record, or of the district attorney, that the nondestruction thereof is necessary or proper in the ends of justice, proceed at such time or times as he deems proper, and at least once in each year, to destroy or cause to be destroyed any and all such weapons or instruments, in such manner and to such extent that the same shall be and become wholly and entirely ineffective and useless for the purpose for which destined and harmless to human life or limb.

§ 1914
added.

§ 2. Such chapter is hereby amended by adding at the end of article one hundred and seventy-two thereof a new section to be section nineteen hundred and fourteen and to read as follows:

§ 1914. Sale of pistols, revolvers and other firearms. Every person selling a pistol, revolver or other firearm of a size which may be concealed upon the person whether such seller is a retail dealer, pawnbroker or otherwise, shall keep a register in which shall be entered at the time of sale, the date of sale, name, age, occupation and residence of every purchaser of such a pistol, revolver or other firearm, together with the calibre, make, model, manufacturer's number or other mark of identification on such pistol, revolver or other firearm. Such person shall also, before delivering the same to the purchaser, require such purchaser to produce a permit for possessing or carrying the same as required by law, and shall also enter in such register the date of such permit, the number thereon, if any, and the name of the magistrate or other officer by whom the same was issued. Every person who shall fail to keep a register and to enter therein the facts required by this section, or who shall fail to exact the production of a permit to possess or carry such pistol, revolver or other firearm, if such permit is required by law, shall be guilty of a misdemeanor. Such register shall be open at all reasonable hours for

¹³ Words "or any other dangerous or deadly weapon," new. Words "without lawful permission, license or authority so to do," omitted.

the inspection of any peace officer. Every person becoming the lawful possessor of such a pistol, revolver or other firearm, who shall sell, give or transfer the same to another person without first notifying the police authorities, shall be guilty of a misdemeanor. This section shall not apply to wholesale dealers.

§ 3. This act shall take effect September first, nineteen hundred and eleven.

In effect
Sept. 1,
1911.

Chap. 196.

AN ACT to amend chapter fifty-two, laws of nineteen hundred and nine, entitled "An act relating to real property, constituting chapter fifty of the consolidated laws," in relation to officers taking acknowledgments.

Became a law May 20, 1911, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section three hundred and ten of chapter fifty-two of the laws of nineteen hundred and nine, entitled "An act relating to real property, constituting chapter fifty of the consolidated laws," is hereby amended so as to read as follows:

L. 1909 ch.
52, § 310
amended.

§ 310.¹ A certificate of acknowledgment or proof, made within the state, by a commissioner of deeds, justice of the peace, or, except as otherwise provided by law, by a notary public, does not entitle the conveyance to be read in evidence or recorded, except within the county in which the officer making the same is authorized to act² at the time of making such certificate, unless authenticated by a certificate of the clerk of the same county; provided, however, that all certificates of acknowledgments or proof, made by or before a commissioner of deeds of the city of New York residing in any part therein, shall be authenticated by the³ clerk of any county within said city, in whose office such commissioner of deeds shall have filed a certificate under the hand and seal of the city clerk of said city, showing the appointment and

When
county
clerk's au-
thentication
necessary.

¹ Section heading amended out.

² Words "making the same is authorized to act" substituted for word "resides."

³ Words "city clerk of said city, that the said commissioner of deeds was duly appointed and qualified as such," omitted.



DATE DOWNLOADED: Mon Apr 24 19:15:57 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1912 252 .

ALWD 7th ed.
, , 1912 252 .

Chicago 17th ed.
," Vermont - 22nd Biennial Session : 252-279

AGLC 4th ed.
" Vermont - 22nd Biennial Session 252

OSCOLA 4th ed.
" 1912 252 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ACTS and RESOLVES

Passed by the

GENERAL ASSEMBLY

of the

STATE OF VERMONT

at the

Twenty-second Biennial Session

1912

Session Commenced Oct. 2, 1912, Adjourned February 22, 1913



PUBLISHED BY AUTHORITY

MONTPELIER
CAPITAL CITY PRESS
PRINTERS
1913

SEC. 2. If the respondent has no family or dependents, the probation officer shall use such part of the money received by him as he deems necessary for the proper support of the respondent, and any sums in excess of the amount required for this purpose shall be deposited in a bank in this state and be paid to the respondent at the end of the term prescribed.

SEC. 3. If a person whose earnings have been sequestered under the provisions of this act refuses to work, if able, the original sentence shall be executed under the statutes relating to probation.

SEC. 4. A person who has been three times convicted of being found intoxicated may, at the option of the court wherein such third conviction is had, in lieu of a fine or sentence of imprisonment, be placed in charge of a probation officer who, under order of said court, shall send such person for treatment, at the expense of the state, to the state hospital for the insane for not more than six months. At any time when the superintendent of said institution shall recommend, the person so committed may be released from said institution and continued in charge of the probation officer under the regulations hereinbefore provided and pursuant to the general law of the state.

Approved January 30, 1913.

No. 201.—AN ACT TO CODIFY AND AMEND THE FISH AND GAME LAWS.

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

PART I. Definitions; Manner of Taking; Limit; Possession; Sale and Transportation; and Regulations. (Sections 1-11.)

PART II. Quadrupeds. (Sections 12-17.)

PART III. Birds. (Sections 18-26.)

PART IV. Fish. (Sections 27-40.)

PART V. Nets and Netting. (Sections 41-46.)

PART VI. Hunting Licenses. (Sections 47-56.)

PART VII. Preserves. (Sections 57-60.)

PART VIII. Powers of Commissioner and Wardens. (Sections 61-77.)

PART I.

SECTION 1. Definitions.

SECTION 2. Taking, possession, sale and transportation of fish, quadrupeds, and birds restricted.

SECTION 3. Manner of taking game and fish.

at any time set or use any device, the object of which is to discharge a fire arm for the purpose of taking fur-bearing or other animals.

c. *Sale.* The furs or skins of fur-bearing animals legally taken may be bought and sold at any time.

SEC. 17. *Penalties.* A person who violates a provision of this part is guilty of a misdemeanor and shall be fined as follows: For each violation of section 12 or 13, one hundred dollars; for each violation of section 14 or 15, ten dollars and five dollars additional for each rabbit, hare or gray squirrel taken, possessed, sold or offered for sale contrary to law; for each violation of section 16, five dollars, provided, however, that a person who takes or possesses a beaver at any time or an otter during the closed season or who fails to comply with the regulations imposed for setting a bear trap shall be fined twenty dollars, and provided further that a person violating the prohibition against setting a spring gun or other device the object of which is to discharge a firearm shall be fined not more than five hundred dollars nor less than fifty dollars, and shall also be liable for twice the amount of the damage caused by his act to be recovered by the person sustaining the injury or loss, in an action on this section.

PART III. BIRDS.

SECTION 18—Quail.

SECTION 19—Ruffed grouse (partridge); woodcock.

SECTION 20—Plover, English snipe, shore birds.

SECTION 21—Duck, goose.

SECTION 22—Certain game birds, close seasons.

SECTION 23—Certain wild birds protected.

SECTION 24—Destroying and robbing nests prohibited.

SECTION 25—Snares and traps prohibited.

SECTION 26—Penalties.

SEC. 18. *Quail; open season; limit.*

a. *Open season.* Quail may be taken and possessed from September fifteenth to December first.

b. *Limit.* A person may take not more than four quail in one day.

SEC. 19. *Ruffed grouse (partridge); woodcock; open season; limit.*

a. *Open season.* Ruffed grouse, commonly called partridge, and woodcock may be taken and possessed from September fifteenth to December first.

b. *Limit.* A person may take a total of not more than four ruffed grouse and four woodcock in one day, and a total of not more than twenty-five ruffed grouse and twenty-five woodcock in an open season.

SEC. 20. *Plover, English snipe and shore birds; open season; limit.*



DATE DOWNLOADED: Mon Apr 24 19:11:54 2023

SOURCE: Content Downloaded from [HeinOnline](https://heinonline.org)

Citations:

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

Bluebook 21st ed.
1913 vol. II 116 .

ALWD 7th ed.
, , 1913 vol. II 116 .

Chicago 17th ed.
", " Florida - 14th Regular Session : 116-118

AGLC 4th ed.
" Florida - 14th Regular Session 116

OSCOLA 4th ed.
" 1913 vol II 116 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

REGULAR SESSION, 1913

SPECIAL ACTS

ADOPTED BY THE

LEGISLATURE of FLORIDA

At Its Fourteenth Regular Session,
(April 8 to June 6, 1913),
Under the Constitution of A. D. 1885

PUBLISHED BY AUTHORITY OF LAW UNDER
DIRECTION OF THE ATTORNEY GENERAL

Vol. II

1913

T. J. APPELYARD, STATE PRINTER.


TALLAHASSEE, FLA.

LAWS OF FLORIDA.

117

1913

trap, molest or kill any dove, quail, cat squirrel, wild turkey gobbler, or wild male deer or buck; save only from the first day of November to the last day of December of each year.

Sec. 3. That it shall be unlawful for any person or persons to kill or have in his or their possession within the County of Marion, State of Florida, in any one open season, more than three wild turkeys or three wild deer: Nor shall any one person kill or have in his possession in any one day more than fifteen quails, fifteen doves, eight cat squirrels, one wild turkey or one wild deer. Nor shall any party of two or more persons kill or have in their possession in any one day more than thirty quails, thirty doves, fifteen squirrels, two wild turkeys or two wild deer.

Unlawful
number.

Sec. 4. It shall be unlawful to hunt or chase with dogs deer in Marion County at any season of the year.

Hunt with
dogs.

Sec. 5. That it shall be unlawful for any game caught or killed in Marion County, to be sold within or shipped out of said County at any time.

Sell

Sec. 6. It shall be lawful to shoot or kill wild ducks in Marion County any time during the year.

Ducks.

Sec. 7. That it shall be unlawful to bait doves or quails with rice, grits or other foods at any season of the year for the purpose of shooting or killing them.

Baiting.

Sec. 8. It shall, at any time, be unlawful to hunt wild game in Marion County with guns—known as Automatic guns.

Guns.

Sec. 9. That nothing in this Act shall prevent any person in Marion County from killing any wild game, bird, fowl or animal found injuring any garden or farm products on his own, rented, or leased, enclosed premises.

Premises.

Sec. 10. That non-residents of the State may hunt and kill wild game during open season within Marion County upon the payment of license fee or fees which may now exist or may hereafter be required by law.

Hunting
license.

Sec. 11. That for the purpose of this Act a person or persons not residing permanently in the State of Florida shall be deemed and held as non-residents.

Non-resident.



DATE DOWNLOADED: Mon Mar 27 12:05:01 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1913 1 .

ALWD 7th ed.
, , 1913 1 .

Chicago 17th ed.
" , " Hawaii - 1913 Legislature - Regular Session : 1-[j]

AGLC 4th ed.
" Hawaii - 1913 Legislature - Regular Session 1

OSCOLA 4th ed.
" 1913 1 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <https://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.

25

Act 22. Carrying Deadly Weapons.

ACT 22

AN ACT

TO AMEND SECTION 3089 OF THE REVISED LAWS OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3089 of the Revised Laws of Hawaii is hereby amended so as to read as follows:

“Section 3089. Persons not authorized; punishment. Any person not authorized by law, who shall carry, or be found armed with any bowie-knife, sword-cane, pistol, air-gun, slung-shot, or other deadly weapon, shall be liable to a fine of not more than Two Hundred and Fifty Dollars and not less than Ten Dollars, or in default of payment of such fine, to imprisonment for a term not exceeding one year, nor less than three months, upon conviction for such offense, unless good cause be shown for having such dangerous weapon; and any such person may be immediately arrested without warrant by the high sheriff, or any sheriff, policeman, or other officer or person.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 19th day of March, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.



DATE DOWNLOADED: Mon Apr 24 18:32:14 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1913 307 .

ALWD 7th ed.
, , 1913 307 .

Chicago 17th ed.
," Iowa - 35th General Assembly, Regular Session : 307-309

AGLC 4th ed.
" Iowa - 35th General Assembly, Regular Session 307

OSCOLA 4th ed.
" 1913 307 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Thirty-Fifth General Assembly

OF THE

STATE OF IOWA

BEGUN JANUARY 13, AND ENDED APRIL 19, A. D. 1913

Prepared for Publication Under the Direction of
W. S. ALLEN,
Secretary of State

DES MOINES
ROBERT HENDERSON, STATE PRINTER
J. M. JAMIESON, STATE BINDER
1918

CHAPTER 296.

TAKING DEPOSITIONS WHERE BOOKS OF ACCOUNT ARE USED AS EVIDENCE.

H. F. 526.

AN ACT to amend section four thousand six hundred and twenty three (4623) of the code relating to books of account as evidence.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Book of account—when admissible—books photographed.** That section four thousand six hundred and twenty three (4623) of the code be and the same is hereby amended by adding thereto as subdivision five (5) thereof the following

5 In all cases where depositions are taken by either method provided by law, outside of the county in which the case is for trial where books of account are competent evidence in the case, the party desiring to offer the entries of said books as evidence may cause the same to be photographed by or under the direction of the officer taking the deposition and such photographic copy when certified by such officer with his seal attached shall be attached to the deposition, and if the record shows affirmatively the preliminary proof required by subdivisions one, two, three, and four of said section four thousand six hundred and twenty three such copy shall be admitted in evidence with the same force and effect as the original.

Approved April 19 A. D. 1913.

CHAPTER 297.

DANGEROUS AND CONCEALED WEAPONS.

H. F. 108.

AN ACT to prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases when a permit is issued therefor; to provide punishment for the violation of the provisions hereof. [Additional to chapter two (2) of title twenty-four (XXIV) of the code relating to offenses against lives and persons.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Carrying concealed weapons—age limit.** It shall be unlawful for any person, except as hereinafter provided, to go armed with and have concealed upon his person a dirk, dagger, sword, pistol, revolver, stiletto, metallic knuckles, pocket billy, sand bag, skull cracker, slung-shot, or other offensive and dangerous weapons or instruments concealed upon his person; provided that no person under fourteen years of age shall be allowed to carry firearms of any description.

SEC. 2. **Selling dangerous weapons.** It shall be unlawful to sell, to keep for sale or offer for sale, loan or give away, dirk, dagger, stiletto, metallic knuckles, sand bag or skull cracker. The provisions of this section shall not prevent the selling or keeping for sale of hunting and fishing knives.

SEC. 3. Permit to carry concealed weapons—how obtained. The chief of police in cities of the first and second class, special charter cities and cities under commission form, or where there is no organized police force, in counties, towns and villages the sheriff or mayor shall issue a permit to carry concealed a revolver, pistol or pocket billy, provided that in the judgment of said officials such permit should be granted.

SEC. 4. Permits—to whom issued. It shall be the duty of said officials to issue a permit to go armed with a revolver, pistol or pocket billy to all peace officers and such other persons who, in the judgment of said officials, should be permitted to go so armed. Mining companies, banks, trust companies, railroad and express companies may obtain a general permit good for any of their employees, only while on duty, actually engaged in guarding any property or the transportation of moneys or other valuables.

Permits issued to peace officers or to employees of railroad or express companies shall permit such persons to go armed anywhere within the state while in the discharge of their duties.

SEC. 5. Permit to sell dangerous weapons—how obtained—record. The chief of police, sheriff or mayor shall have authority to issue permits to sell and shall keep a correct list of all persons to whom permits to sell are issued, together with the number of such permit and the date each is revoked, and furnish the county recorder a copy of all such permits issued and revocations made.

SEC. 6. Revocation. Whenever any permit is issued under this act to any person to carry any of the weapons mentioned herein, by virtue of said person being a peace officer, the right of said person to carry any of said weapons shall cease when said person ceases to be such official. Said officials shall have the power to at any time at his [their] discretion, revoke any permit under and by virtue of this act.

The county recorder shall keep a complete record, in a book provided for the purpose of all permits issued, and revocations made, and sales of pistols, revolvers and pocket billies. Such record shall not be open to inspection to any, except the sheriff, mayor, or chief of police of the county or municipality.

SEC. 7. Applicant—requirements. No permit shall be granted to any person to go armed as heretofore stated, with a revolver, pistol or pocket billy, unless the applicant shall make personal application before the officials heretofore mentioned, and the applicant must state: first, the full name, residence and age of the applicant; second, the place of business, place of employment, or vocation of the applicant; third, the nature of the applicant's business.

SEC. 8. Prima facie evidence. It shall be the duty of any person armed with a revolver, pistol or pocket billy concealed upon his person, to produce at all times and upon the request of any peace officer or any other person in authority, the permit provided for in this act. And failure to so produce such permit upon request shall be deemed prima facie evidence of the violation of the terms of this act.

SEC. 9. Dealers' permits. It shall be unlawful for any person, firm, association or corporation to engage in the business of selling, keeping for sale, exchange or give away to any person within the state, any revolver, pistol or pocket billy or other weapons of a like character which can be concealed on the person, without first securing a permit from the proper officials having authority to issue such permit.

SEC. 10. Dealers' reports—failure—fictitious name—penalty. Every person selling revolvers, pistols, pocket billies and other weapons of a like character which can be concealed on the person, whether such person is a retail dealer, pawn broker or otherwise, shall report within twenty-four hours to

the county recorder, the sale of any revolver, pistol or pocket billy and in such report shall set forth the time of sale, age, occupation, place of employment or business, name and residence of such purchaser of said weapon or weapons, together with the number, make, and other marks of identification of such weapon or weapons. Every person who shall fail to make such report will be guilty of a misdemeanor, and on being convicted of a second offense his permit shall be revoked.

Any person purchasing a revolver, pistol or a pocket billy according to the provisions in sections seven and ten, and giving a fictitious name will be guilty of a misdemeanor.

SEC. 11. Violation—penalty—recognizance—first offense. Any person who shall violate any of the provisions of section one (1) shall be deemed guilty of a felony and upon conviction thereof shall be punished by a fine of not more than five hundred dollars or by imprisonment in the state prison not more than two years, or by both such fine and imprisonment in the discretion of the court, and in addition thereto may be required to enter into a recognizance with sufficient surety in such sum as the court may order, not exceeding one thousand dollars, to keep the peace and be of good behavior for a period not exceeding one year, provided that in case of the first offense the court may in its discretion reduce the punishment to imprisonment in the county jail of a term not more than three months, or a fine of not more than one hundred dollars.

SEC. 12. Not applicable to wholesale dealers or jobbers. This act shall not affect in any respect wholesale dealers or jobbers.

SEC. 13. Acts in conflict repealed. All acts, and parts of acts, in so far as they are in conflict with this act, are hereby repealed.

Approved April 19 A. D. 1913.

CHAPTER 298.

BURGLARY.

H. F. 300.

AN ACT to amend the law as it appears in section four thousand seven hundred and ninety-nine-a (4799-a) of the supplement to the code, 1907, relating to burglary with explosives.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Burglary with explosives—penalty. That section four thousand seven hundred and ninety-nine-a (4799-a) of the supplement to the code, 1907, be and the same is hereby amended by striking out the word "and" after the word "building" in the second line thereof and inserting in lieu thereof the words, "with intent to".

Approved April 18 A. D. 1913.



DATE DOWNLOADED: Mon Apr 24 18:30:22 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1913 vol. III 1627 .

ALWD 7th ed.
, , 1913 vol. III 1627 .

Chicago 17th ed.
", " New York - 136th Legislature, Regular Session : 1627-1630

AGLC 4th ed.
" New York - 136th Legislature, Regular Session 1627

OSCOLA 4th ed.
" 1913 vol III 1627 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS
OF THE
STATE OF NEW YORK,
PASSED AT THE
ONE HUNDRED AND THIRTY-SIXTH SESSION
OF THE
LEGISLATURE,

BEGUN JANUARY FIRST, 1913, AND ENDED MAY
THIRD, 1913,

ALSO CHAPTERS 794-800 PASSED AT THE EXTRAORDI-
NARY SESSION, BEGUN JUNE 16, 1913,

AT THE CITY OF ALBANY,

AND ALSO OTHER MATTERS REQUIRED BY LAW TO
BE PUBLISHED WITH THE SESSION LAWS.

VOL. III.



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1913

¹ Where a male person of the age of sixteen years and under the age of eighteen years has been convicted of juvenile delinquency or of a misdemeanor, the trial court may, instead of sentencing him to imprisonment in a state prison or in a penitentiary, direct him to be confined in a house of refuge established by the managers of the society for the reformation of juvenile delinquents in the city of New York; under the provisions of the statute relating thereto. Where a female person not over the age of twelve years is convicted of a crime amounting to felony, or where a female person of the age of twelve years and not over the age of sixteen years is convicted of a crime, the trial court may, instead of sentencing her to imprisonment in a state prison or in a penitentiary, direct her to be confined in the New York State Training School for Girls, under the provisions of the statute relating thereto, but nothing in this section shall affect any of the provisions contained in section twenty-one hundred and ninety-four.

§ 2. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 3. This act shall take effect immediately.

Chap. 608.

AN ACT to amend the penal law generally, in relation to the carrying, use and sale of dangerous weapons.

Became a law May 21, 1913, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section eighteen hundred and ninety-seven of chapter eighty-eight of the laws of nineteen hundred and nine, entitled "An act providing for the punishment of crime, constituting chapter forty of the consolidated laws," as amended by chapter one hundred and ninety-five of the laws of nineteen hundred and eleven, is hereby amended to read as follows:

L. 1909,
ch. 88,
§ 1897, as
amended by
L. 1911,
ch. 195,
amended.

§ 1897. Carrying and use of dangerous weapons. A person who attempts to use against another, or who carries, or possesses, any instrument or weapon of the kind commonly known as a blackjack,

¹ Following sentence new.

slungshot, billy, sandclub, sandbag, metal knuckles, bludgeon, bomb or bombshell,¹ or who, with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any other dangerous or deadly instrument or weapon, is guilty of a felony.

Any person under the age of sixteen years, who shall have, carry, or have in his possession, any of the articles named or described in the last section, which is forbidden therein to offer, sell, loan, lease or give to him, shall be guilty of a misdemeanor.

Any person over the age of sixteen years, who shall have in his possession in any city, village or town of this state, any pistol, revolver or other firearm of a size which may be concealed upon the person, without a written license therefor, issued to him² as hereinafter prescribed, shall be guilty of a misdemeanor.

Any person over the age of sixteen years, who shall have or carry concealed upon his person in any city, village, or town of this state, any pistol, revolver, or other firearm without a written license therefor,³ issued as hereinafter prescribed and licensing such possession and concealment, shall be guilty of a felony.

Any person not a citizen of the United States, who shall have or carry firearms, or any dangerous or deadly weapons in any⁴ place, at any time, shall be guilty of a felony,⁵ unless authorized by license issued as hereinafter prescribed.

⁶ It shall be the duty of any magistrate in this state to whom an application therefor is made by a commissioner of correction of a city or by any warden, superintendent or head keeper of any state prison, penitentiary, workhouse, county jail or other institution for the detention of persons convicted of or accused of crime, or offences, or held as witnesses in criminal cases, to issue to each of such persons as may be designated in such applications, and who is in the regular employ in such institution of the state, or of any county, city, town or village therein, a license authorizing such

¹ Inclusion of bomb and bombshell, new.

² Remainder of sentence formerly read: "by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance in such city, village or town, shall be guilty of a misdemeanor."

³ Remainder of sentence formerly read: "theretofore issued to him by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance of such city, village or town, shall be guilty of a felony."

⁴ Word "public" omitted.

⁵ Remainder of sentence new

⁶ Following paragraph new.

person to have and carry concealed a pistol or revolver while such person remains in the said employ.

^o It shall be the duty of any magistrate in this state, upon application therefor, by any householder, merchant, storekeeper or messenger of any banking institution or express company in the state, and provided such magistrate is satisfied of the good moral character of the applicant, and provided that no other good cause exists for the denial of such application, to issue to such applicant a license to have and possess a pistol or revolver, and authorizing him (a) if a householder, to have such weapon in his dwelling, and (b) if a merchant, or storekeeper, to have such weapon in his place of business, and (c) if a messenger of a banking institution or express company, to have and carry such weapon concealed while in the employ of such institution or express company.

^o In addition, it shall be lawful for any magistrate, upon proof before him that the person applying therefor is of good moral character, and that proper cause exists for the issuance thereof, to issue to such person a license to have and carry concealed a pistol or revolver without regard to employment or place of possessing such weapon, provided, however, that no such license shall be issued to any alien, or to any person not a citizen of and usually resident in the state of New York, except by a judge or justice of a court of record in this state, who shall state in such license the particular reason for the issuance thereof, and the names of the persons certifying to the good moral character of the applicant.

^o Any license issued in pursuance of the provisions of this section may be limited as to the date of expiration thereof and may be vacated and cancelled at any time by the magistrate, judge or justice who issued the same or by any judge or justice of a court of record. Any license issued in pursuance of this section and not otherwise limited as to place or time or possession of such weapon, shall be effective throughout the state of New York, notwithstanding the provisions of any local law or ordinance.

This section shall not apply to the regular and ordinary transportation of firearms as merchandise, nor to sheriffs, policemen, or to other duly appointed peace officers, nor to duly authorized military or civil organizations, when parading, nor to the members thereof when going to and from the place of meeting of their respective organizations.

^o So in original.

^o Following paragraph new.

§ 1914, as
added by
L. 1911,
ch. 105,
amended.

§ 2. Section nineteen hundred and fourteen of such chapter, as added by chapter one hundred and ninety-five of the laws of nineteen hundred and eleven, is hereby amended to read as follows:

§ 1914. Sale of pistols, revolvers and other firearms. ⁷No pistol, revolver or other firearms of a size which may be concealed upon the person, shall be sold, or given away, or otherwise disposed of, except to a person expressly authorized under the provisions of section eighteen hundred and ninety-seven of the penal law to possess and have such firearm.

⁷Any person selling or disposing of such firearm in violation of this provision of this section shall be guilty of a misdemeanor.

Every person selling a pistol, revolver or other firearm of a size which may be concealed upon the person, whether such seller is a retail dealer, pawnbroker, or otherwise, shall keep a register in which shall be entered at the time of sale, the date of sale, name, age, occupation and residence of every purchaser of such a pistol, revolver or other firearm, together with the calibre, make, model, manufacturer's number or other mark of identification on such pistol, revolver or other firearm. Such person shall also, before delivering the same to the purchaser, require such purchaser to produce a license⁸ for possessing or carrying the same, as required by law, and shall also enter in such register the date of such permit, the number thereof, if any, and the name of the magistrate or other officer by whom the same was issued. Every person who shall fail to keep a register and to enter therein the facts required by this section or who shall fail to exact the production of a permit to possess or carry such pistol, revolver or other firearm, if such permit is required by law, shall be guilty of a misdemeanor. Such register shall be open at all reasonable hours for the inspection of any peace officer. Every person becoming the lawful possessor of such a pistol, revolver or other firearm, who shall sell, give or transfer the same to another person without first notifying the police authorities, shall be guilty of a misdemeanor. This section shall not apply to wholesale dealers.

§ 3. This act shall take effect September first, nineteen hundred and thirteen.

In effect
Sept. 1,
1913.

⁷ Following sentence new.

⁸ Word "license" substituted for word "permit."



DATE DOWNLOADED: Mon Apr 24 18:27:16 2023

SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1915 173 .

ALWD 7th ed.
, , 1915 173 .

Chicago 17th ed.
", " New Hampshire - January Session : 173-193

AGLC 4th ed.
" New Hampshire - January Session 173

OSCOLA 4th ed.
" 1915 173 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper
citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and
Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS

OF THE

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1915

LEGISLATURE CONVENEED JANUARY 6, ADJOURNEED APRIL 21



CONCORD, N. H.
1915

Sale. (c) Hares and rabbits may be bought and sold during the open season therefor.

Gray squirrels, open season. SECT. 16. (a) After October 1, 1919, gray squirrels may be taken for food and possessed from October first to November first. The owner of farm lands may take at any time and in any number gray squirrels which are doing actual and substantial damage to his annual crops. There shall be no open season on gray squirrels within the thickly settled part of any village or city, or within the limits of any public park or cemetery.

Limit. (b) A person may take in one day and have in his possession at one time not more than five gray squirrels.

Fur-bearing animals, open season. SECT. 17. (a) Sable, otter, fisher, mink, marten, muskrat, skunk, raccoon, or fox may be taken and possessed from November first to March first. There shall be no open season for beaver. No person shall at any time destroy a muskrat house, or place a trap therein, thereon, or at the entrance thereof. This section shall not be construed as depriving a person of the right to kill any predatory animal when it is reasonably necessary so to do for the protection of domestic animals and fowls by him owned.

Raccoon and fox. (b) Raccoon and fox may be taken with the aid or by the use of dog and gun during the month of October.

Traps and snares, use regulated. (c) No person shall set or arrange any trap or snare upon any land of which he is not the owner or legal occupant, and all metal traps shall have stamped or engraved thereon in a legible and permanent manner the name of the person setting them. A person shall visit his traps at least once in every twenty-four hours. A person who sets or causes to be set a bear trap shall build in a substantial manner and maintain three-quarters around the same a railing or guard not less than three feet high, and shall protect the entrance to such enclosure against domestic animals by placing a pole horizontally across such entrance at the height of three feet from the ground. No person shall set or use at any time any device the object of which is to discharge a firearm for the purpose of taking fur-bearing or other animals.

Sale of furs. (d) The furs or skins of fur-bearing animals legally taken may be bought and sold at any time.

Bounty on wild-cats. The selectmen of any town, upon the presentation to them of the head of any wild cat killed in New Hampshire, shall pay to the person presenting the same the sum of two dollars, shall take possession of said heads, and shall report annually to the state treasurer, showing the number of animals killed and the amount paid therefor as bounty, if any. The towns paying the money as hereinbefore provided shall be reimbursed by the state treasurer for such sums as they shall have so expended.

Penalties. SECT. 18. A person who violates a provision of this part is guilty of a misdemeanor and shall be fined as follows: For each

violation of section 13 or 14, one hundred dollars; for each violation of section 15 or 16, ten dollars and five dollars additional for each rabbit, hare, or gray squirrel taken, possessed, sold, or offered for sale contrary to the provisions of this act; for each violation of section 17, ten dollars and five dollars additional for each sable, fisher, mink, marten, muskrat, skunk, raccoon, or fox taken or possessed contrary to the provisions of this act, and twenty dollars additional for each beaver or otter taken or possessed contrary to the provisions of this act. *Provided, however,* that a person violating the prohibition against setting a spring gun the object of which is to discharge a firearm, shall be fined not more than five hundred dollars nor less than fifty dollars, and shall be liable for twice the amount of the damage caused by his act, to be recovered by the person sustaining the injury or loss.

Part III.—Birds.

- SECT. 19. (a) Quail may be taken and possessed from October first to December first. Quail, open season.
- (b) A person may take not more than five quail in one day. Limit.
- SECT. 20. (a) Ruffed grouse, commonly called partridge, may be taken and possessed from October first to December first. Grouse, etc., open season.
- (b) During the open season prescribed by federal regulations, woodcock may be taken in number as provided in paragraph (c) of this section. Woodcock.
- (c) A person may take a total of not more than ten ruffed grouse and ten woodcock in one day, and a total of not more than fifty ruffed grouse and fifty woodcock in an open season. Grouse and woodcock, limit.
- SECT. 21. Black-breasted and golden plover, yellow legs, Wilson or jack-snipe, and rail, being migratory birds, the open and closed season is prescribed by federal regulation. Plover, snipe, and shore birds.
- SECT. 22. (a) During the open season prescribed by federal regulation, wild duck and geese may be taken in number and manner as provided in paragraphs (b) and (c) of this section. Ducks and geese.
- (b) A person may take not more than twenty wild ducks in one day. Limit.
- (c) Ducks and geese shall not be taken from a boat propelled otherwise than by hand, nor with the aid of a jack or other light, nor between sunset in the evening and sunrise in the morning. The presence of a person upon the public waters of the state or the shores thereof after sundown and before sunrise, possessed of a firearm and a jack or other light, shall be presumptive evidence that he has violated the provisions of this section. Use of jacks, etc., prohibited.
- SECT. 23. There shall be no open season for European partridge, pheasant, upland plover, and wood duck. No open season on certain birds.
- SECT. 24. Wild birds, other than the English sparrow, crow, hawk, starling, and owl, shall not be taken or possessed at any time. Wild birds protected.



DATE DOWNLOADED: Tue May 23 17:58:41 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1915 1 .

ALWD 7th ed.
, , 1915 1 .

Chicago 17th ed.
," North Dakota - 14th Session : 1-404

AGLC 4th ed.
" North Dakota - 14th Session 1

OSCOLA 4th ed.
" 1915 1 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

LAWS

PASSED AT

THE FOURTEENTH SESSION

OF

Legislative Assembly

OF THE

STATE OF NORTH DAKOTA

BEGUN AND HELD AT BISMARCK, THE CAPITAL OF SAID
STATE, ON TUESDAY, THE FIFTH DAY OF JAN-
UARY, A. D. 1915, AND CONCLUDING
MARCH FIFTH, 1915

WALKER BROS. & HARDY
STATE PRINTERS
FARGO, N. D.

CONCEALED WEAPONS

CHAPTER 83.

[S. B. No. 214—Sandstrom.]

CONCEALED WEAPONS—CARRYING PROHIBITED.

AN ACT to Provide for the Punishment of any Person Carrying Concealed any Dangerous Weapons or Explosives, or who has the Same in his Possession, Custody or Control, Unless Such Weapon or Explosive is Carried in the Prosecution of a Legitimate and Lawful Purpose.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Any person other than a public officer, who carries concealed in his clothes any instrument or weapon of the kind usually known as a black-jack, slung-shot, billy, sand club, sand bag, bludgeon, metal knuckles, or any sharp or dangerous weapon usually employed in attack or defense of the person, or any gun, revolver, pistol, or other dangerous fire arm, loaded or unloaded, or any person who carries concealed nitro-glycerin, dynamite, or any other dangerous or violent explosive, or has the same in his custody, possession or control, shall be guilty of a felony, unless such instrument, weapon or explosive is carried in the prosecution of or to effect a lawful and legitimate purpose.

§ 2. The possession, in the manner set forth in the preceding Section, of any of the weapons or explosives mentioned therein, shall be presumptive evidence of intent to use the same in violation of this Act.

§ 3. PENALTY.] Any person upon conviction of violating the provisions of this Act, shall, in the discretion of the court, be imprisoned in the State Penitentiary not more than two years, or in the county jail not more than one year, or by a fine of not more than one hundred dollars, or by both such fine and imprisonment. *Provided*, however, that any citizen of good moral character may, upon application to any district court, municipal, or justice court, be granted the permission to carry a concealed weapon upon the showing of reasonable cause.

§ 4. All Acts and parts of Acts in conflict herewith are hereby repealed.

§ 5. EMERGENCY.] An emergency is hereby declared to exist in that professional criminals are frequently found to carry concealed about their persons, the dangerous weapons or explosives mentioned in Section 1 of this Act. And, whereas, the present law is inadequate to prevent such criminals from carrying concealed weapons or explosives; therefore, this Act shall take effect and be in force from and after its passage and approval.

Approved, March 8, 1915.



DATE DOWNLOADED: Mon Mar 27 13:32:53 2023
SOURCE: Content Downloaded from [HeinOnline](#)

Citations:

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

Bluebook 21st ed.
1917 221 .

ALWD 7th ed.
,, 1917 221 .

Chicago 17th ed.
", California - 42nd Session : 221-225

AGLC 4th ed.
" California - 42nd Session 221

OSCOLA 4th ed.
" 1917 221 Please note: citations are provided as a general guideline.
Users should consult their preferred citation format's style manual for proper citation formatting.

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <https://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.

CHAPTER 145.

An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this state; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

[Approved May 4, 1917. In effect July 27, 1917.]

The people of the State of California do enact as follows:

SECTION 1. Every person who manufactures or causes to be manufactured, or leases, or keeps for sale, or offers, or gives, or otherwise disposes of any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, or metal knuckles, a dirk or dagger, to any person within this state is guilty of a misdemeanor, and if he has been previously convicted of a crime made punishable by this section, he is guilty of a felony.

Manufacture,
etc., of
certain
dangerous
weapons
misdemeanor.

SEC. 2. Every person who possesses any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, metal knuckles, bomb or bombshells, or who carries a dirk or a dagger, is guilty of a misdemeanor, and if he has been convicted previously of any felony or of a crime made punishable by this act, he is guilty of a felony.

Possession
of certain
dangerous
weapons
misdemeanor.

SEC. 3. Every person who carries in any city, city and county, town or municipal corporation of this state any pistol, revolver, or other firearm concealed upon his person, without having a license to carry such firearm as hereinafter provided in section six of this act, shall be guilty of a misdemeanor, and if he has been convicted previously of any felony, or of any crime made punishable by this act, he is guilty of a felony.

Carrying
firearms
without
license
misdemeanor.

SEC. 4. The unlawful possessing or carrying of any of the instruments, weapons or firearms enumerated in section one to section three inclusive of this act, by any person other than those authorized and empowered to carry or possess the same as hereinafter provided, is a nuisance, and such instruments, weapons or firearms are hereby declared to be nuisances, and when any of said articles shall be taken from the possession of any person the same shall be surrendered to the magistrate before whom said person shall be taken, except that in any city, city and county, town or other municipal corporation the same shall be surrendered to the head of the

Unlawful
possession
of weapon,
etc.,
nuisance.

Surrender
of weapons,
etc.

police force, or police department thereof. The officers to whom the same may be so surrendered, except upon certificate of a judge of a court of record, or of the district attorney of any county that the preservation thereof is necessary or proper to the ends of justice, shall proceed at such time or times as he deems proper, and at least once in each year to destroy or cause to be destroyed such instruments, weapons or other firearms in such manner and to such extent that the same shall be and become wholly and entirely ineffective and useless for the purpose for which it was manufactured.

Destruction
of weapons,
etc.

SEC. 5. Any person who attempts to use, or who with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any loaded pistol, revolver or other firearm, or any instrument or weapon commonly known as a blackjack, slungshot, billy, sandclub, sandbag, metal knuckles, bomb, or bombshell or any other dangerous or deadly instrument or weapon, is guilty of a felony. The carrying or possession of any of the weapons specified in this section, by any person while committing, or attempting or threatening to commit a felony, or breach of the peace, or any act of violence against the person or property of another, shall be presumptive evidence of carrying or possessing such weapon with intent to use the same in violation of this section.

Attempted
use of
weapons
felony.

SEC. 6. It shall be lawful for the board of police commissioners, chief of police, city marshal, town marshal, or other head of the police department of any city, city and county, town, or other municipal corporation of this state, upon proof before said board, chief, marshal or head, that the person applying therefor is of good moral character, and that good cause exists for the issuance thereof, to issue to such person a license to carry concealed a pistol, revolver or other firearm; *provided, however,* that the application to carry concealed such firearm shall be filed in writing and shall state the name and residence of the applicant, the nature of applicant's occupation, the business address of applicant, the nature of the weapon sought to be carried and the reason for the filing of the application to carry the same.

License to
carry
concealed
firearm.

SEC. 7. Every person in the business of selling, leasing or otherwise transferring a pistol, revolver or other firearm, of a size capable of being concealed upon the person, whether such seller, leasor or transferrer is a retail dealer, pawnbroker or otherwise, except as hereinafter provided, shall keep a register in which shall be entered the time of sale, the date of sale, the name of the salesman making the sale, the place where sold, the make, model, manufacturer's number, caliber or other marks of identification on such pistol, revolver or other firearm. Such register shall be prepared by and obtained from the state printer and shall be furnished by the state printer to said dealers on application at a cost of three dollars per one hundred leaves in duplicate and shall be in the form hereinafter provided. The purchaser of any firearm, capable of being

Register
of sales of
firearms.

concealed upon the person shall sign, and the dealer shall require him to sign his name and affix his address to said register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signatures of the purchaser. Any person signing a fictitious name or address is guilty of a misdemeanor. The duplicate sheet of such register shall on the evening of the day of sale, be placed in the mail, postage prepaid and properly addressed to the board of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the city, city and county, town or other municipal corporation wherein the sale was made; *provided*, that where the sale is made in a district where there is no municipal police department, said duplicate sheet shall be mailed to the county clerk of the county wherein the sale is made. A violation of any of the provisions of this section by any person engaged in the business of selling, leasing or otherwise transferring such firearms is a misdemeanor. This section shall not apply to wholesale dealers in their business intercourse with retail dealers, nor to wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms as merchandise by mail, express or other mode of shipment, to points outside of the city, city and county, town or municipal corporation wherein they are situated. The register provided for in this act shall be substantially in the following form:

Duplicate sheet mailed to police.

Violation misdemeanor.

Series No. ----- Form of register.
 Sheet No. -----

ORIGINAL.

Dealers' Record of Sale of Revolver or Pistol.
 State of California.

Notice to dealers: This original is for your files. If spoiled in making out, do not destroy. Keep in books. Fill out in duplicate.

Carbon duplicate must be mailed on the evening of the day of sale, to head of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the municipal corporations wherein the sale is made, or to the county clerk of your county if the sale is made in a district where there is no municipal police department. Violation of this law is a misdemeanor. Use carbon paper for duplicate. Use indelible pencil.

Sold by ----- Salesman -----
 City, town or township -----
 Description of arm (state whether revolver or pistol) -----
 Maker ----- number ----- caliber -----
 Name of purchaser ----- age ----- years.
 Permanent residence (state name of city, town or township, street and number of dwelling) -----
 Height ----- feet ----- inches. Occupation -----
 Color ----- skin ----- eyes ----- hair -----

If traveling or in locality temporarily, give local address-----

Signature of purchaser -----
(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)

Witness -----, salesman.
(To be signed in duplicate.)

Series No. -----
Sheet No. -----

DUPLICATE.

Dealers' Record of Sale of Revolver or Pistol.
State of California.

Notice to dealers: This carbon duplicate must be mailed on the evening of the day of sale as set forth in the original of this register page. Violation of this law is a misdemeanor.

Sold by ----- Salesman -----
City, town or township -----
Description of arm (state whether revolver or pistol) -----
Maker ----- number ----- caliber -----
Name of purchaser ----- ago ----- years.
Permanent address (state name of city, town or township, street and number of dwelling) -----

Height ----- feet ----- inches. Occupation -----
Color ----- skin ----- eyes ----- hair -----
If traveling or in locality temporarily, give local address-----

Signature of purchaser -----
(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)

Witness -----, salesman.
(To be signed in duplicate.)

Exceptious,

SEC. 8. Nothing in this act shall be construed to apply to sheriffs, constables, marshals, policemen or other duly appointed peace officers, nor to any person summoned by any such officers to assist in making arrest or preserving the peace while said person so summoned is actually engaged in assisting such officer; nor to duly authorized military or civil organizations while parading nor to the members thereof when going to and from the places of meeting of their respective organizations; nor to the possession or transportation by any merchant of unloaded firearms as merchandise; nor to bona fide members of any club or organization now existing or hereinafter organized, for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using any of the firearms referred to in this act upon or in such target ranges, or while going to and from such ranges.

Constitutionality.

SEC. 9. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional

such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

CHAPTER 146.

An act amending an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by adding thereto a new section to be numbered twenty-eight, providing for the exclusion from any county water district formed under said act of territory not served by such county water district.

[Approved May 4, 1917. In effect July 27, 1917.]

The people of the State of California do enact as follows:

SECTION 1. An act approved June 10, 1913, and entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," is hereby amended by adding to said act a section numbered twenty-eight, reading as follows: Stats. 1913, p. 1040.

Sec. 28. Any territory, included within any county water district formed under the provisions of this act, and not benefited in any manner by such district, or its continued inclusion therein, may be excluded therefrom by order of the board of directors of such district upon the verified petition of the owner or owners in fee of lands whose assessed value, with improvements, is in excess of one-half of the assessed value of all the lands, with improvements, held in private ownership in such territory. Said petition shall describe the territory sought to be excluded and shall set forth that such territory is not benefited in any manner by said county water district or its continued inclusion therein, and shall pray that such territory may be excluded and taken from said district. Such petition shall be filed with the secretary of the water district and shall be accompanied by a deposit with such secretary of the sum of one hundred dollars, to meet the expenses of advertising and other costs incident to the proceedings for the Exclusion of territory.
Petition.
Content.