

No. 18-280

IN THE
Supreme Court of the United States

NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC.,
ROMOLO COLANTONE, EFRAIN ALVAREZ, AND JOSE
ANTHONY IRIZARRY,
Petitioners,

v.

THE CITY OF NEW YORK AND THE NEW YORK CITY POLICE
DEPARTMENT-LICENSE DIVISION,
Respondents.

**On Writ of Certiorari to the United States Court
of Appeals for the Second Circuit**

**SUPPLEMENTAL APPENDIX TO
RESPONDENTS' BRIEF ON THE MERITS**

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APPENDIX A

**Laws Restricting the Location of Target
Practice or the Discharge of Firearms**

**An Act Concerning Crossbows and Handguns,
33 Hen. VIII, ch. 6, §§ 1–4, 6 (1541), *reprinted in 3
Statutes of the Realm 832 (London 1963)***

§ 1. Where in the Parliament holden at Westminster the fifteenth day of January in the twenty-fifth year of the King's most gracious reign, and there continued and kept until the thirtieth day of March then next ensuing, among diverse and sundry wholesome and laudable acts, statutes, and ordinances one statute and ordinance was made and ordained for the avoiding and eschewing of shooting in crossbows and handguns; since the making of which act diverse malicious and evil disposed persons not only presume willfully and obstinately the violation and breach of the said Act, but also of their malicious and evil disposed minds and purposes have willfully and shamefully committed perpetrated and done diverse detestable and shameful murders, robberies, felonies, riot and rout with crossbows little short handguns and little hagbutt, to the great peril and continual fear and danger of the Kings most loving subjects, and also diverse keepers of forests, chases and parks as well of our aid Sovereign Lord as other his Nobles and Commons and diverse Gentlemen, Yeomen and serving men now of late have laid apart the good and laudable exercise of the long bow, which always heretofore hath been the surest safeguard and continual defense of this Realm of England, and an inestimable dread and terror to the

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enemies of the same, and now of late the said evil disposed persons have used and yet do daily use to ride and go in the King's highways and elsewhere having with them crossbows and little handguns, ready furnished with Quarrels gunpowder, fire and touche to the great peril and fear of the King's most loving subjects: For reformation whereof be it enacted, ordained and established by the King our Sovereign Lord the Lords spiritual and temporal and the Commons in the Present Parliament assembled and by the authority of the same, in manner and form following that is to say; that no person or persons of what estate or degree he or they be, except he or they in their own right or in the right of his or their wife to his or their own uses or any other to the use of such person or persons, have lands, tenements, fees, annuities or office to the yearly value of one hundred pounds, from or after the last day of June next coming shall shoot any crossbow, handgun, hagbutt or demy hake, or use or keep in his or their houses or elsewhere any Crossbow, handgun, hagbutt or demy hake, otherwise or in any manner then is hereafter in the present Act declared, upon pain to forfeit for every time that he or they so offending contrary to this act Ten Pounds.

§ 2. And further be it enacted by authority aforesaid that no person or persons, of what estate or degree soever he or they be, from or after the said last day of June shall shoot in, carry, keep, use, or have in his house or elsewhere any handgun other than such as shall be in stock and gun of the length of one whole yard, or any hagbutt or demy hake being not of the length of three quarters of a yard, ten pounds sterling

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and that it shall be lawful to every person and persons who have lands, tenements, fees, annuities or office to the yearly value of one hundred pounds as is aforesaid, to seize and take every such crossbow and also every handgun being in stock and gun shorter in length than one whole yard and every hagbutt and demyhake being shorter in length than three quarters of a yard, or any of them; from the keeping or possession of every such offender contrary to the form of this act, and the same crossbow or crossbows to keep and retain for his or their own use and also the same handguns, hagbutt and demy hake so seized and taken within twenty days next after the same seizure of taking to break and destroy upon pain of fourteen shillings for every gun so seized and not broken and destroyed, and the same so broken and destroyed to keep and retain to his own or their own use.

§ 3. And be it further enacted by authority aforesaid, that no person or persons, other than such as have land, tenement, fees annuities or office, to the yearly value of one hundred pounds as aforesaid, from or after the said last day of June shall carry or have, in his or their Journey, going or riding in the King's highway or elsewhere, any crossbow bent or gun charged or furnished with powder, fire or touche for the same, except it be in time and service of war, upon pain to forfeit for every such offense ten pounds; the present act or any thing therein contained to the contrary notwithstanding.

§ 4. And be it further enacted by authority aforesaid, that no person or persons from the last day of June shall in anyways shoot in or with any

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handgun demyhake or hagbutt at any thing at large, within any city, borough, or market town or within one quarter of a mile of any city, borough or market town, except it be at a butt or bank of earth in place convenient, or for the defense of his person or house, upon pain to forfeit for every such shot ten pounds; the present act or anything therein contained to the contrary notwithstanding.

§ 6. Provided always and be it enacted by the authority aforesaid, that it shall be lawful from henceforth to all Gentlemen Yeomen and Servingmen of every Lord or Lords spiritual or temporal and of all Knight Esquires and Gentlemen, and to all the Inhabitants of cities, boroughs, and market towns of this Realm of England, to shoot with any handgun demyhake or hagbutt at any butt or bank of earth only in place convenient for the same, so that every such handgun demyhake or hagbutt be of the several inches aforesaid and not under; and that it shall be lawful to every of the said Lord or Lord Knight Esquires and Gentlemen, and the inhabitants of every city, borough, and market town, to have and keep in every of their houses and such handgun or handguns of the length of one whole yard, or any hagbutt or demyhake of the length of three quarters of a yard as is aforesaid and not under, to the intent to use and shoot in the same at a butt or bank of earth only, as is abovesaid, whereby they and every of them by the exercise thereof in form aboesaid may the better aid and assist to the defense of this Realm when need shall require; this present act or anything therein contained to the contrary notwithstanding.

An Act to Prevent the Firing of Guns Charged with Shot or Ball in the Town of Boston, ch. 10 (May 28, 1746), reprinted in Acts and Laws of the Massachusetts Bay 208 (Kneeland ed. 1746)

Whereas by the indiscreet firing of Guns laden with Shot and Ball within the Town and Harbour of Boston, the Lives and Limbs of many Persons have been lost, and others have been in great Danger, as well as other Damage has been sustained.

.... And be it further enacted, That no person shall ... discharge any gun or pistol, charged with shot or ball, in the town of Boston ..., or in any part of the Harbor between the Castle and said Town ... And for the more effectual conviction of any person or persons so offending, it shall be lawful for any person to seize and take into custody any gun so fired off, and deliver the same to one of the next Justices of the Peace ...

Provided nevertheless, That this law shall not be construed or understood as to prevent soldiers in their common training days with the leave and by order of the commission officers of the company to which they belong, or other persons at other times with the leave of one or more of the field officers of the regiment in Boston, from firing at a mark or target for the exercise of their skill and judgment, provided it be done at the lower end of the common; nor from firing at a mark from the several batteries in the Town of Boston, with the Leave of the Captain General, and no where else.

**Ordinances of the City of New York, § 6 (1763),
reprinted in Laws, Statutes, Ordinances and
Constitutions, Ordained, Made and Established,
by the Mayor, Aldermen, and Commonalty, of
the City of New York, Convened in Common-
Council, for the Good Rule and Government of
the Inhabitants and Residents of the Said City
11 (1763)**

And be it further ordained by the authority aforesaid, That if any Children, Youth, apprentices, Servants, or other persons, do fire and discharge any gun, pistol, leaden-gun, rockets, crackers, squibs, or other Fire-Works, at any mark, or at random against any fence, pales or other place in any street, lane or alley, or within any orchard, garden or other inclosure, or in any place where persons frequent to walk, such person so offending shall forfeit for every such offense, the sum of forty shillings, current money of New York; and on refusal to pay the same, shall be committed to the House of Correction, at the discretion of the Mayor, recorder or aldermen, or any one of them before whom such offender shall be convicted, there to remain committed, not exceeding Twenty days; unless such forfeiture as aforesaid, be sooner paid with the lawful fees of commitment; one half thereof to the informer with costs, and the other half to the church wardens of this City, for the use of the poor thereof.

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New York City, N.Y., Act of Apr. 22, 1786, reprinted in The Daily Advertiser (New York, N.Y.), December 30, 1788

Notification. *By the Order of the Record and Aldermen*, The citizens are informed that the Act of the Legislatures for the more effectual prevention of fires in the city of New York, passed the 22d day of April, 1786, will be put into strict execution. By this law, any person of what age, sex or quality whatever, who shall discharge any gun, pistol, rocket, cracker, squib, or other fire-work, in this city, shall forfeit the penalty of twenty shillings for every offense. The danger to which the houses, property and persons of the citizens have been exposed by disorders of this nature, especially in the New Year Holy Days, render an obedience to this law indispensably necessary to the public safety; wherefore the constables, [illegible], and watchmen of this city, are required to vigilant in the execution thereof; and it is hoped that the good citizens will exert themselves in restraining their children, apprentices and servants, from offending against the same.

An Act for Restraining the Disorderly Practice of Discharging Fire Arms at Certain Hours and Places, § 4 (Ohio 1790), reprinted in 1 The Statutes of Ohio and the Northwestern Territory, Adopted or Enacted from 1788 to 1833 Inclusive 104, 105 (Salmon P. Chase ed. 1833)

And whereas a disorderly practice prevails in many parts of this territory of discharging fire arms in the streets and vicinity of cities, towns, villages,

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and stations, and also of discharging firearms by night in and near such cities, towns, villages and stations, by means whereof the lives of citizens are endangered, alarms are excited, and the repose and peace of the community disturbed.

For the remedy of which abuses...

§ 4. *Be it enacted*, That if any person shall presume to discharge or fire, or cause to be discharged or fired, and gun or other firearms at any mark or object, or upon any pretence whatever, unless he or she shall at the same time be with such gun or fire-arms at the distance of at least one quarter of a mile from the nearest building of any such city, town, village or station, such person shall for every such offence, forfeit and pay the use of the county in which the same shall be committed, a sum not exceeding five dollars, nor less than one dollars....

Provided always, That nothing herein contained shall be deemed or construed to extend to any person lawfully using firearms as offensive or defensive weapons, in annoying or opposing a common enemy, or defending his or her person or property, or the person or property of any other, against the invasion or depredations of an enemy, or in the support of the laws and government; or against the attacks of rebels, highwaymen, robbers, thieves, or others unlawfully assailing him or her, or in any other manner where such opposition, defense, or resistance is allowed by the law of the land.

Provided also, That nothing herein contained shall be construed or extend to prevent the necessary military exercise, evolutions and firings of, or the

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discharging of cannon or small arms, by any soldiers or troops in the service of the United States, or of this territory, being in the field, or posted in or near any city, town, village, station, garrison, fort, encampment or other place, and acting under the immediate orders, or by the special direction of the officer commanding the same. Nor shall any thing herein contained be intended or construed to extend to the act of killing or destroying birds of prey, or other wild birds, and mad or wild animals of the brute kind lurking among, in or near, or preying upon or threatening to prey upon and devour any kind of animal flock, or the corn, grain, and other produce in, of or belonging to any plantation, field, garden, or other place within, adjoining, or in the vicinity of any city, town, village or station : nor to the hindrance of any person shooting at or killing any of the larger kind of game or wild animals, such as buffaloes, bears, deer, hares, rabbits, turkies, swans, geese that may happen at any time to come in view, or be passing or feeding near any city, town, or other place as aforesaid: but every person shooting at any of such game is hereby required to discharge the ball, or balls, shot, or missile weapon so employed in a direction from such city, town, village or station towards the country so far as such ball or balls, missile, weapon, or shot, shall pass by or from, and go clear of the buildings pertaining to the same.

An Act to Prohibit the Improper Practice of Shooting at Marks Within the Limits of the Towns of This State, or Within Two Hundred Yards of Any Public Road of the First or Second Class, ch. 93, § 1, 1821 Tenn. Pub. Acts 78

Be it enacted by the General Assembly of the State of Tennessee, That any person or persons who shall after the first day of January next, shoot at a mark within the bounds of any town, or within two-hundred yards of any public road of the first or second class within this state, such person or persons so offending shall be subject to a fine of ten dollars each, to be recovered before any justice of the peace within the county where such offense may be committed, for the benefit of the informer.

An Act for the Prevention of Certain Immoral Practices, § 6 (1831), *reprinted in 3 Statutes of Ohio and Northwestern Territory 1740* (Salmon P. Chase ed. 1835)

That if any person or persons shall play bullets along or across any street in any town or village with the State; or if any person or persons shall run any horse or horses within the limits of any such town or village; or if any person or persons shall shoot or fire a gun at a target within the limits of any recorded town plat in this State: every person or persons so offending shall be fined in a sum not exceeding five dollars, nor less than fifty cents.

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Indianapolis, Ind., Ordinances: Public Health and Comfort, § 9 (1869), *reprinted in* Byron K. Elliott, *The Charter and General Ordinances of the City of Indianapolis, Indiana, in Force August 1st, 1869, at 291 (1869)*

Whoever shall fire a gun or pistol in said city, shall be fined therefor in any sum not exceeding fifty dollars: *Provided*, That such penalty for shooting shall not apply to military companies, while performing military duty, or to any police officer or officers while in discharge of any duty in pursuance of any ordinance of said city, or in obedience to any law of the State of Indiana; or to any person who may fire any gun or pistol in or upon his own premises, except where the ball or shot shall pass beyond the limits of said premises, or in defense of his own life, liberty or property, or when attached by any vicious animal.

Columbus, Ohio, Offenses Against Public Policy, § 7007 (1879), *reprinted in* Michael Augustus Daugherty, *2 The Revised Statutes and Other Acts of a General Nature of the State of Ohio: In Force January 1, 1880, at 1655 (Columbus 1879)*

Whoever plays bullets along or across any street, in any municipal corporation, or runs any horse, shoots or fires any gun or pistol at a target, within the limits of any municipal corporation, shall be fined not more than fifty nor less than five dollars.

**Council Bluffs, Iowa, Misdemeanors, § 16 (1880),
reprinted in E. E. Aylesworth, *Compiled
Ordinances of the City of Council Bluffs;
Containing the Original and Amended City
Charter, with Statutes, Notes and References to
Judicial Decisions* 175 (1880)**

Whoever shall discharge any cannon, gun, pistol or other fire-arms in or across any street or other public place, or in or across any street or other public place, or in or across any private lot, tract of land or other place not of his own property, without first obtaining a permit to do so from the Mayor of the city, if in a public place, or from the owner of the lot of land if in a private place, shall be deemed guilty of misdemeanor, and on conviction thereof shall be punished by a fine of not less than three nor more than thirty dollars.

**Act of Incorporation and By-Laws of the Village
of Northfield, Art. 17, Shooting with Fire Arms,
§ 1 (1894), *available at* [https://law.duke.edu/
gunlaws/1894/vermont/468582/](https://law.duke.edu/gunlaws/1894/vermont/468582/)**

No person shall be allowed to shoot with fire-arms at a mark or otherwise, unless upon his own premises, and then in such a manner that the range of his shot shall be confined to his own grounds, under a penalty of five dollars for each offence. Provided that any person may shoot blank charges upon days of public celebration.

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APPENDIX B

Laws Requiring a License to Engage in Target Practice or Discharge a Firearm

An Act for the More Effectual Preventing Accidents Which May Happen By Fire, and for Suppressing Idleness, Drunkenness, and Other Debaucheries, ch. 388, 1750 Pa. Laws 208

To the end the provisions already made by our laws, for preventing accidents which may happen by fire in the city of Philadelphia, and several other boroughs and towns, within this province, may be made more generally useful, and to prevent, as much as in us lies, the growing sins of idleness, drunkenness, and other debaucheries, too frequent among us,

Be it enacted, That if any persons or persons whatsoever, within any county town, or within any other town or borough, in this province, already built and settled, or hereafter to be built and settled ... shall fire any gun or other fire-arm ... within any of the said towns or boroughs, without the Governor's special license for the same, every such person or persons, so offending, shall be subject to like penalties and forfeitures, and to be recovered in like manner, as in and by an act, passed in the eighth year of the reign of King George the first, entitled, *An act for preventing accidents that may happen by fire*, are directed to be levied and recovered.

At a legal meeting of the freeholders and other inhabitants of the town of Newburyport ... held on the twenty-ninth day of March, A.D. 1785, reprinted in Essex Journal, And The Massachusetts And Newhampshire General Advertiser (Essex, Mass.), May 11, 1785, pg. 2, col. 2

That no person (excepting the militia, when under arms, on muster-days, and by the command of their officer) shall fire off any sort of gun, pistol ... or other thing charged or composed in whole, or in part of gunpowder, in array of the streets, lanes or public ways in this town, nor so near as to affright any horse, or in any sort tend to affright, annoy or injury any person whatever—nor shall any person discharge at a mark or otherwise any gun, charged with ball, at any time or front of any place within this town, nor in any direction but such only as from time to time shall be approved of the licensed by the town, or by the selectmen thereof.

An Act to Establish a System of Police in the Town of Portsmouth, and for Other Purposes, ch. 34, § 4, 1823 N.H. Laws 73

That if any person or persons shall within the compact part of the town of Portsmouth, that is to say, within one mile of the courthouse, fire or discharge any cannon, gun, pistol or other fire arms, or beat any drum, (except by command of a military officer, having authority therefor) or fire or discharge any rockets, squibs, crackers, or any preparation of gunpowder, (except by the permission of the police

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officers, or of a major part of them first had in writing) ...; every such person, for every such act shall be taken and deemed to be an offender against the police of Portsmouth, and shall be liable to the penalties hereinafter expressed.

An Ordinance Regulating the Police of the City of Quincy, Ill., § 5 (1841), *reprinted in* Samuel P. Church, *The Revised Ordinances of the City of Quincy, Ill. to Which are Prefixed the Charter of the City of Quincy, and the Amendment Thereto* 47 (1841)

Be it further ordained, That no person shall, within the limits of said city, fire or discharge any cannon, musket, rifle, fowling piece, or other fire arms, or air-gun, except in cases of necessity, or in the performance of a public or lawful act of duty, or discharge or set of any cracker, rocket, torpedo, squib, or other fire works, within the limits of said city, without permission first obtained from the mayor or one of the Aldermen, or Marshal of said city; and every person so offending shall forfeit and pay, for the use of said city, not less than one dollar, nor more than three dollars for every such offense.

New Haven, Connecticut, An Act Prohibiting the Firing of Guns and Other Fire Arms in the City of New Haven, ch. 10, 1845 Conn. Pub. Acts 10

Every person who shall fire any gun or other fire-arm of any kind whatever within the limits of the city

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of New Haven, except for military purposes, without permission first obtained from the mayor of said city, shall be punished by fine not exceeding seven dollars, or by imprisonment in the county jail not more than thirty days.

The Revised Charter and Ordinances of the City of Detroit 151, Prevention of Fires §§ 9–10, available at <https://law.duke.edu/gunlaws/1848/michigan/468508/>

§ 9. No person shall fire or set off any squib, cracker, gunpowder or fire works, or fire any gun or pistol in any part of this city, unless by written permission of the Mayor or two Alderman, which permission shall limit the time of such firing, and shall be subject to be revoked at any time by the Common Council; and any person or persons violating any of the provisions of this section, shall forfeit the penalty of five dollars for each and every offence.

§ 10. Every person firing a cannon within the city, unless by permission of the Mayor or two Aldermen, shall forfeit the penalty of twenty-five dollars: Provided, that nothing in this or the preceding section shall be construed to prohibit any military company from firing any gun or cannon when authorized by their commanding officer or officers.

Chicago, Ill., Act of Feb. 14, 1855, § 78, *reprinted in Private Laws of the State of Illinois* 144 (Bailhache ed. 1861)

No person shall fire or discharge, within the city limits, any cannon, gun, fowling piece, pistol or fire-arms of any description, or fire, explode or set off any squib, rocket, cracker, or other thing containing powder or other combustible or explosive material, without permission from the mayor or common council. Nor shall any permission be given for the firing of any heavy ordinance, except on the north pier of the Chicago river, at least three hundred feet east of the most eastern warehouse or manufactory thereon.

St. Joseph, Missouri, Ordinance of June 12, 1869, § 17, *reprinted in Laws and Ordinances Governing the City of St. Joseph, Mo.* 110 (Grubb ed. 1869)

No person shall fire or discharge any cannon, gun, fowling piece, pistol, or fire arm of any description, or fire, explode or set off any squib, cracker or other thing containing powder or other combustible or explosive material, without permission from the city council or written permission from the mayor, which permission shall limit the time of such firing, and shall be subject to be revoked by the mayor or city council at any time after it has been granted. Any violation hereof shall subject the party to a fine of not less than two dollars nor more than fifty dollars.

New Orleans, Louisiana, Offences and Nuisances, § 635 (1870), *reprinted in* Henry Jefferson Leovy, The Laws and General Ordinances of the City of New Orleans, Together with the Acts of the Legislature, Decisions of the Supreme Court, and Constitutional Provisions Relating to the City Government 257 (1870)

No person shall fire or discharge any gun, pistol, fowling piece or fire-arms, within the limits of the city, or set fire to, or discharge any rocket, cracker, squib or serpent, or shall throw any lighted rocket, cracker, squib or serpent, within the limits of the city, without the license of the common council; provided, that nothing herein contained shall apply to military reviews or to the lawful use of weapons in self-defence.

Denver, Colo., Art. 2, Offenses Affecting Public Safety, § 1 (1875), *reprinted in* Thomas M. Patterson, The Charter and Ordinances of the City of Denver, as Adopted Since the Incorporation of the City and Its Organization, November, 1861, to the First Day of February, A.D., 1875, Revised and Amended 78 (1875)

If any person shall, within this city, fire or discharge any cannon, gun, fowling piece, pistol or fire arms of any description, or fire, explode or set off any squib, cracker, or other thing containing powder or other combustible or explosive material, without permission from the Mayor (which permission shall limit the time of such firing, and shall be subject to be

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revoked by the Mayor or City Council at any time after the same has been granted), every such person shall, on conviction, be fined in a sum not less than one dollar and not exceeding one hundred dollars: Provided that no permission shall be granted to any person or persons to hold or conduct any shooting match or competitive trial of skill with fire arms within the limits of this city.

Montgomery, Ala., Ordinances of 1879, § 449, reprinted in J. M. Falkner, The Code of Ordinances of the City Council of Montgomery, with the Charter 151 (1879)

Any person who fires or discharges, or causes to be fired or discharged, any pistol, gun, cannon, anvil, or anything of like kind or character, or who lets off or discharges any rocket, fire-crackers, squib or other fire-works, without first having obtained permission of the Mayor, who shall designate the place where such firing may be done, must, on conviction, be fined not less than one nor more than one hundred dollars.

Salem, N.C., Ordinances Concerning Fire, § 7 (1896), reprinted in Regulations and Ordinances, Together with a Statement of the Various Acts, Ordinances and Resolutions Concerning the Town of Salem, N. C., from 1856 to 1896, at 5 (1896)

No person shall fire a gun or pistol for the purpose of sport or amusement, nor shoot or discharge any sling shot, or other projectile unless by written

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consent of the Mayor. Fine Ten Dollars for each offense.

Prince George's County, Maryland, An Act to Add an Additional Section to Article 27 of the Code of Public General Laws of the State of Maryland, Title "Crimes and Punishments," Sub-title "Disturbance of Public Peace," 1904 Md. Laws 772, codified at ch. 447, § 67A

It shall be unlawful for any person or persons, body politic or corporate, or other form or association, to practice shooting at any mark, board, sign, tree, bank, or other object with any gun, rifle, cannon, mortar, pistol or other firearm within the limits of this State, whether on land or water, for military drill, amusement or skill, without first obtaining in writing the consent to so use any such firearms of all freeholders, tenants or occupants of real estate residing within the carrying capacity of such firearm, and secondly, without first obtaining leave of the Commissioners of the county within which said shooting is proposed to be carried on, and the petition to said County Commissioners for such leave shall be accompanied with the written consent of each and every of such freeholder, tenant or other occupant of real estate residing within the carrying capacity of any such firearm aforesaid, and the Board of County Commissioners aforesaid shall in no case grant such leave to practice with firearms if in their opinion the use of the public highways or streets of any real estate sub-division be endangered by the use of such firearms; any person or persons, body corporate or other association of persons guilty of a violation of this

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section, upon conviction thereof before any court of this State or justice of the peace therein having jurisdiction in the county where such shooting is done, shall be fined not less than fifty dollars for each and every shot, ball or shell fired from any such firearm, and be imprisoned in jail in the discretion of the court or justice of the peace

APPENDIX C

**Laws Regulating the Location and
Construction of Shooting Ranges**

**Schenectady, N.Y., An Ordinance Prohibiting
the Obstructing of Side-Walks, and for Other
Purposes, § 3 (1863), Charter of the City of
Schenectady, [Passed Apr. 21, 1862, with
Ordinances, Etc.] 97 (1869)**

It shall not be lawful for any person to discharge any gun, pistol or other fire-arms, except in a shooting gallery, within the lamp district of this city; and every person offending in this respect shall be punished by fine not exceeding ten dollars and the costs of the suit, and to stand committed until such fine and costs be paid, not exceeding ten days.

**Ordinances of the City of Memphis, Tenn., Art.
6, Shooting Galleries (1863), reprinted in
William H. Bridges, Digest of the Charters and
Ordinances of the City of Memphis, Together
with the Acts of the Legislature Relating to the
City, with an Appendix 147-49 (1863)**

§ 1. That no person or persons shall set up or use any pistol gallery, or place for the discharging of pistols, guns or other firearms in the first story of any building in the city; nor shall any gallery be used in any manner involving risk or danger to any person in the city; nor shall any person setting up or using such pistol gallery be exempt from the ordinance and penalties not in force, for discharging or shooting any pistol, gun or firearms within the city limits, until

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such person or persons have applied and paid for license to set up and use such pistol gallery, according to the provisions of this ordinance.

§ 2. That the person or persons applying for license to keep such pistol gallery, shall, at the time of obtaining such license, enter into bond with good security, to be approved by the City Register, in the sum of three thousand dollars, payable as other city bonds, conditioned that no gambling of any kind be permitted in such pistol gallery, or in the room used for such pistol gallery, or any room adjacent thereto, under the control and connected with said pistol gallery, or its proprietors or keepers; and that all shooting or discharging of firearms shall be done only with the perfect security against any harm to persons or property in the vicinity of such pistol gallery; such penalty to be recoverable for every violation of this section of this ordinance, and of the conditions of said bond.

§ 3. That the proprietors or persons keeping such pistol gallery shall not permit any minors to shoot in such gallery without the written consent of the lawful guardian of such minor, unless such guardian be personally present, and consenting to such shooting; nor shall the proprietors or keepers of such gallery permit any shooting in the same after eleven o'clock at night, or on Sunday, nor shall such shooting gallery be allowed to be kept open for shooting after eleven o'clock at night or on Sunday. Any violation of this ordinance is hereby declared a misdemeanor, and each offender, on conviction shall be fined in any sum not less than five nor more than fifty dollars for any violation of this ordinance, recoverable as other fines.

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§ 4. Any person or persons shall before putting up or using such pistol or shooting gallery, first apply for, and obtain license, as other licenses are obtained, and shall pay for such license the sum of one hundred dollars per annum for each and every pistol or shooting gallery establishment under the provision of this ordinance.

§ 5. That the board of Mayor and Aldermen retain the power and right to, at any time, repeal this ordinance and revoke and recall any license to keep a pistol gallery, by refunding a pro rata part of the amount paid for any license then outstanding.

Ordinances of the City of Fort Worth, Ord. No. 40, An Ordinance Prohibiting the Shooting Off, Firing or Discharging of Fire-Arms, Etc. (1880), reprinted in Revised Ordinances of the City of Fort Worth, Texas, 1873–1884, at 64–65 (1885)

Be it ordained by the City Council of the City of Fort Worth:

§ 1. It shall be unlawful for any person or persons to shoot off, fire, or discharge any gun, pistol, revolver or any firearm of any description, or to fire, explode or set off any squib, firecracker, torpedo, roman candle, sky-rocket, or other thing containing powder or other explosive matter, or to throw any fire-ball or make any bon-fire in the corporate limits of this city, and that any person or persons violating the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than one dollar nor more than one hundred dollars. Provided that this shall not

apply to any licensed shooting gallery nor to the shooting of dogs running at large in violation of the city ordinances.

**Ordinances of Ogden, Utah, §§ 38–40 (1881),
reprinted in Ordinances of Ogden, Utah, to
Which Are Prefixed a List of the City
Governments from 1869 to 1881, the Charter of
the City and Amendments 98 (1881)**

§ 38. Any person discharging any gun or pistol within the limits of the city, between the hours of sunset and sunrise, or on the Sabbath day (except in case of necessary defense of self, family or property, or in the case of any civil officer in the discharge of his duty), shall be liable to a fine in any sum not exceeding twenty-five dollars for every such offense.

§ 39. Any person discharging firearms within the city, without a lawful breastwork for the protection of the citizens, or at any time other than as mentioned in the next preceding section, shall be liable to a fine not exceeding ten dollars for every such offense.

§ 40. A breastwork or battery for target shooting, to be deemed lawful, shall be a wall eighteen inches thick, six feet high in the back, feet wide, with side wings one foot thick, each extending two feet, increasing flaringly to the front, and six feet high, of adobies, brick or mud, or an equivalent thereto of any other material.

Indianapolis, Ind., An Ordinance Licensing Rifle and Pistol Practice in the City of Indianapolis, §§ 1–3 (rev'd 1895), *reprinted in The General Ordinances of the City of Indianapolis 290–91 (1895)*

§ 1. Be it ordained by the Common Council and Board of Aldermen of the City of Indianapolis, That it shall hereafter be unlawful for any person to conduct or carry on any shooting gallery or room where rifle or pistol shooting is practiced, in the City of Indianapolis, without first having procured a license so to do, as hereinafter provided.

§ 2. A license fee of twenty-five dollars for six months and fifty dollars for one year shall be paid by the person conducting such business. Upon the payment of twenty-five dollars to the City treasurer by any person desiring to carry on such gallery or room, the City Treasurer shall issue to him a receipt therefor, designating therein what said money is paid for; and upon the surrender thereof to the City Clerk [Comptroller] that officer shall issue to such person a license for the said term of six months; and likewise upon the payment of fifty dollars, a license for one year shall issue. The Clerk [Comptroller] shall be entitled to charge one dollar for the issue of every such license. Said license shall be in the usual form.

§ 3. Any person opening or carrying on such a gallery or room without such license shall be fine in any sum not exceeding fifty dollars; and every days continuance shall constitute a spate offense.

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APPENDIX D

Laws Regulating the Militia

**An Act for the Regulating, Training and
Arraying of the Militia, 1778 N.J. Sess. Laws 42,
45**

§ 14. AND BE IT ENACTED *by the Authority* aforesaid, That each company shall assemble, properly armed and accoutered, not later than the first Monday in the months of April, May, June, September, October, November and December every year, at such place as the captain or commanding Officer of the Company shall appoint, and there spend the Remainder of the Day in Training and Exercise....

§ 15. AND BE IT ENACTED, That each Regiment or Battalion shall assemble, properly armed and accoutered, twice in the Year, at such Times and Place or Places as the Field-Officers, or a Majority of them, shall direct for the Purpose of Training and Exercise...; PROVIDED ALWAYS, That if the local Situation of the Companies composing any Regiment or Battalion be such as may render it inconvenient to assemble the Whole the Time and Place, it shall and may be lawful for the Field-Officers, or a Majority of them, to assemble such Regiment or Battalion by Parts, at different Times and in different Places, each Part being assembled twice in a Year.

**An Act to Regulate the Militia, ch. 25, 1786 N.Y.
Sess. Laws 220**

That all the militia of the State shall rendezvous four times in every year, for the purpose of training,

disciplining, and improving in martial exercises; twice by companies within their beats once by regiments, and once by brigades; and time and place of rendezvous for the companies to be appointed by the colonel, or commanding officer of the regiment, and arranged on different days, that the field and staff officers may have an opportunity of attending the several companies exercised in detail in order to introduce uniformity in the maneuvers and discipline the regiment. That each commanding officer of a regiment shall appoint a regimental parade at some convenient place as nearly central as may be within the district of his regiment, and each brigadier general shall appoint a brigade parade at some convenient place within the district of his brigade, as nearly central as may be, at which brigade parade such brigade shall rendezvous on such days as the commander in chief shall appoint by general orders

An Act For Forming and Regulating the Militia Within This State, and for Repealing All the Laws Heretofore Made for That Purpose, 1786 N.C. Sess. Laws 407

409 § 6. AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID, That the commanding-officer of each alarm company, shall, once in every six months, call his company together, and examine their arms and accoutrements

411 § 11. AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID, That each captain or commanding officer of the training band, shall call

his company together four times every year, to examine their arms and accoutrements, and to instruct them in the necessary exercises and maneuvers; and each colonel or commanding officer of a regiment shall call his regiment together once every year, if ordered by his superior officer, for the same purpose

An Act to Amend and More Effectually Put in Force for the Time Therein Limited, The Act Entitled “An Act for the Regulation of the Militia of This State, Passed the 26th Day of March 1784,” 1791 S.C. Sess. Laws 16

And be it further enacted by the authority aforesaid, That it shall and may be lawful for each and every colonel, lieutenant colonel, commandant or commander, for the time being, of any of the militia regiments or battalions within this state, to order out such regiment or battalion, for the purposes of regimental or battalion musters or training, at any such time and place within their respective regimental districts as they may think necessary and proper: *Provided,* That said regiments shall not be continued out on such muster or training, for more than one day at each training, nor more than three in one year.

An Act for Forming and Regulating the Militia Within This State, and for Repealing All the Laws Heretofore Made for That Purpose, 1792 N.H. Sess. Laws 441, 442

And be it further enacted, That it shall be the duty of the captain or commanding officer of each company twice in every year, exclusively of the battalion meeting, to call forth his company for inspection of arms, and instruction in military discipline, viz.—in the months of June and September, annually, and at such other times as he shall think best; and that each commanding officer of a battalion, shall call his battalion together once in every year.

An Act for Forming and Conducting the Military Force of This State, Conformable to the Act of Congress, 1792 Conn. Sess. Laws 423, 428

And be it further enacted, That every commanding officer of a company of militia, shall order out his company or troop, three days in each year, and instruct them in the use of arms and discipline of war; and the days appointed, shall be in the month of March, April, May, September, October or November, and that on the first Monday of May and October annually, such commanding officer shall cause the arms, ammunition and accoutrements of all under his command, to be reviewed and inspected: -- That the commanding officer of each regiment, shall order out his regiment by battalion or regiment, once in each year for regimental exercise, inspection and review....

An Act for Regulating and Governing the Militia, 1793 Mass. Acts 289

300 § 24. And be it further enacted by the authority aforesaid, That every captain or Commanding Officer of a company, shall call his company together three days in each year for company discipline ...

308 § 38. Be it further enacted by the authority aforesaid, That no non-commissioned Officer or Private, shall unnecessarily fire a musket or single gun, in any public road, or near any house or near the place of parade, on any day, or evening succeeding the same, on which any troop or company shall be ordered to assemble for military duty, unless embodied under the command of some Officer ...

An Act to Organize the Militia of This State, § 12, 1794 R.I. Sess. Laws 14, 22

And it is further Enacted by the Authority aforesaid, That each Regiment of Infantry in this State shall meet Twice in every Year by Companies, for the Purpose of training, disciplining and improving them in martial Exercise, and Once in every Year in Regiment or Battalion: That all Regiments of Senior Class shall meet in Companies Once in every Two Years, for the Purpose of training, disciplining and improving them in martial Exercise: And that the Places of rendezvousing by Companies be appointed by the Commanding Officers of the respective Companies: The Places of Regimental or Battalion Rendezvous, by the Commandants of the Regiments respectively; the Times of rendezvousing

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by Companies, by the respective, by the respective Commandants of the Regiments; and the Times of Regimental or Battalion Rendezvous, by the respective Brigadiers

The Revised Statutes of the State of Maine, Of the Militia, Ch. 16, § 96, 1840 Maine Acts 113, 145

Every non commissioned officer or private, guilty of any of the neglects and offences, hereinafter mentioned, shall forfeit and pay for each offence or neglect, the sums severally prescribed therefor:

...For unnecessarily and without orders discharging his musket, rifle or pistol, in going to, or returning from, or while on the place of parade, or while under arms, not less than five, nor more than twenty dollars...

For being in the place of parade with his musket, rifle, or pistol, loaded with ball, slugs or shot, not less than five, nor more than twenty dollars...

An Act to Regulate the Militia, § 38, 1843 R.I. Sess. Laws 13

No non-commissioned officer or private, shall unnecessarily, or without orders from his superior officer, come on to any place of parade, with his musket, rifle, or pistol loaded with balls, slugs, shot, or other dangerous substance, or shall so load the same while on parade.

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**An Act Concerning the Militia, ch. 219, § 120,
1866 Mass. Acts 197**

A soldier who unnecessarily or without order from a superior officer comes to any parade with his musket, rifle or pistol loaded with ball, slug or shot, or so loads the same while on parade, or unnecessarily or without order from a superior officer discharges the same when going to, returning from or upon parade, shall forfeit not less than five nor more than twenty dollars.

APPENDIX E

**Laws Regulating the Storage and Transport of
Gunpowder**

Mass., Prescriptions, § 2 (1651), *reprinted in* William Henry Whitmore, *The Colonial Laws of Massachusetts: Reprinted From the Edition of 1672, with the Supplements Through 1686: Containing Also, a Bibliographical Preface and Introduction, Treating of All the Printed Laws From 1649 to 1686: Together with the Body of Liberties of 1641, and the Records of the Court of Assistants, 1641–1644, at 126 (1890)*

And it is further ordered; That no person (except for the defence of themselves and their vessels at Sea) shall transport any gunpowder out of this jurisdiction, without license first obtained from some two of the Magistrates, upon penalty of forfeiting all such powder as shall be transporting or transported, or the value thereof.

An ACT to Prevent the Danger Arising from the Pernicious Practice of Lodging Gun Powder in Dwelling Houses, Stores, or Other Places Within Certain Parts of the City of New York, or on Board of Vessels Within the Harbor Thereof, ch. 28, 1784 Laws of N.Y. 627

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

Be it therefore enacted by the People of the State of New York, represented in Senate and Assembly, and it is hereby enacted by the authority the same, That from

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and after the passing of this act, it shall not be lawfull for any merchant, shopkeeper, or retailer, or any other person, or persons whatsoever, to have or keep any quantity of gun powder exceeding twenty-eight pounds weight, in any one place, less than one mile to the northward of the city hall of the said city, except in the public magazine at the Fresh-water, and the said quantity of twenty-eight pounds weight, which shall be lawfull for any person to have and keep at any place within this city, shall be seperated into four stone jugs or tin cannisters, which shall not contain more than seven pounds each, on pain of forfeiting all such gun powder, and the sum of fifty pounds for every hundred weight, and in that proportion for a greater or lesser quantity, and upon pain of forfeiting such quantity which any person may lawfully keep as aforesaid, and which shall not be seperated as above directed, with full costs of suit to any person, or persons, who will inform and sue for the same, by any action, bill, or information, in any of the courts of record, in this city, who are hereby impowered, and required, to give special judgment in such action bills or informations, to be brought by virtue of this act, as well for the recovery of the value of such gun powder in specie, as for the penalty aforesaid, besides costs, and to award, effectual execution thereon, provided always that all suits, actions, or prosecutions to be brought, commenced, or prosecuted, against any person or persons, for any thing done in pursuance of this act, shall be commenced and prosecuted without willful delay, within two callender months next after the fact was committed, and not otherwise.

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

Be it enacted by the authority aforesaid, That the commander, or owner or owners, of all such ships or vessels, having gun powder onboard, shall, within twenty-four hours after her arrival in the harbour, and before they hawl along side of any wharf, pier or key within the city, land the said gun powder, by means of their boat or boats, or any other craft, at any place along the ship yards on the East river, or at any place to the northward of the air furnace on the North river, which may be most contiguous to the magazine at Fresh water, and shall cause the same to be stored there, or in any other proper magazine, which now is or hereafter may be built for that purpose, at any place to the northward thereof, on pain of forfeiting all such gun powder, to any person or persons, who will inform and sue for the same, in like manner, as is herein before directed, with respect to the having and storing of gun powder within the city as aforesaid. And in order to prevent any fatal consequences which may arise, from the carriage of gun powder, in and through the streets of the city of New York, by carts, carriages, or by hand, or otherways, it shall be in tight cask, well headed and hooped, and shall be put into bags or leather-cases, and intirely covered therewith, so as that none be spilt or scattered in the passage thereof, on pain of forfeiting all such gun powder, as shall be conveyed through any of the streets aforesaid in any other manner than is herein directed, and it shall and may be lawfull for any person or persons, to seize the same to his or their own use and benefit—

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provided the person or persons so offending, be thereof lawfully convicted, before the mayor, recorder, or any two justices of the city aforesaid. And that it shall and may be lawfull, for the mayor recorder, or any two justices of the peace of the city and county of New York, upon demand made by any inhabitant or inhabitants of the said city, who assigning a reasonable cause of suspicion on oath, of the sufficiency of which the said mayor or recorder, or justices, is and are to judge, to issue his or their warrant or warrants, under his or their hands and seals, for searching in the day time for gun powder in any building or place whatsoever, within the limits aforesaid, or any ship or vessel within forty eight hours after her arrival in the harbour, or at any time after any such ship or vessel shall and may have hawled alongside of any wharf pier or key within the limits aforesaid, and that upon any such search, it shall be lawfull for the searchers or persons finding the same, immidiatly to seize, and at any time within twelve hours after such seizure, to cause the same to be removed to the magazine at Fresh water, or to any other proper magazine, which now is or hereafter may be at any place north of Fresh water aforesaid, and the same being so removed, it shall be lawfull to detain afid keep the same untill it shall be determined by the mayor, recorder or any two of the justices of the peace of the city and county aforesaid, whether the same shall be forfeited by virtue of this act, and the person or persons so detaining the same, shall not be subject or liable to any action or suit, for the detention thereof, provided always that nothing in the act contained, shall be construed to authorize any person,

having such warrant to take advantage of the same, for serving any civil process of any kind whatsoever.

An Act Incorporating The Cities of Hartford, New Haven, New London, Norwich and Middletown, ch. 1, § 20, 1836 Conn. Acts 105

And the court of common council of each city, shall have power ... to make by-laws relative to ... prohibiting and regulating the bringing in, and conveying out, or storing of gun-powder in said cities

Ordinances of the City of Chicago, Ill, ch. 16, Regulating the Keeping and Conveying Gun Powder and Gun Cotton, §§ 1–5 (1851), *reprinted in* George Manierre, *The Revised Charter and Ordinances of the City of Chicago 123–25 (1851)*

§ 1. That no person shall keep, sell, or give away gun powder or gun cotton in any quantity without permission of the common council or mayor in writing, signed by the mayor and clerk and sealed with the corporate seal, under a penalty of twenty-five dollars for every offence.

§ 2. All applications for permits shall be addressed to the common council or mayor in writing, signed by the applicant. Not exceeding four permits shall be granted in any block. When the number of applications in any bloc shall at any time exceed the number to be granted, the requisite number shall be chosen by ballot. When issued the clerk shall make an entry shall state the name and place of business and

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date of permit. Persons to whom permits may be issued shall not have or keep at their place of business or elsewhere within the city, a greater quantity of gun powder or gun cotton than fifty pounds at one time, and the same shall be kept in tin canisters or cases containing not to exceed thirteen pounds each, and in a situation remote from fires or lighted lamps, candles or gas from which they may be easily removed in case of fire. Nor shall any person sell or weigh any gun powder or gun cotton after the lighting of lamps in the evening, unless in sealed canisters or cases. It shall be the duty of every person to whom a permit shall be given to keep a sign at the front door of his place of business with the words "gun powder and gun cotton" painted or printed thereon in large letters. A violation of any clause of this section shall subject the offender to a fine of not less than ten dollars nor exceeding one hundred dollars.

§ 3. No person shall convey or carry any gun or carry any gun powder or gun cotton, (exceeding one pound in quantity), through any street or alley in the city, in any cart, carriage, wagon, dray, wheelbarrow, or otherwise, unless the gun powder or gun cotton be secured in tight cases or kegs well headed and hooped, and put into and entirely covered with a leather bag or case, sufficient to prevent such gun powder or gun cotton from being spilled or scattered under a penalty of one hundred dollars.

§ 4. No vessel, laden in whole or in part with gun powder or gun cotton, shall land at, or make fast to any dock or wharf upon the Chicago river, or either branch thereof, between the south line of the school section and Chicago avenue, or to discharge such gun

powder or gun cotton within said limits. If any master, or owner of any vessel, or other person shall violate any provision of this section, he shall be subject to a fine of not less than twenty-five dollars and not exceeding one hundred dollars.

§ 5. The mayor shall have power to cause any vessel to be removed from the limits mentioned in the previous section, to any place beyond the same, by a written order, which shall be executed by the marshal or some other member of the police. If any person shall neglect or refuse to obey such order, or shall resist any officer in the execution of the same, he shall be subject to a penalty of one hundred dollars.

Ordinances of the City of St. Paul, Minn., ch. 21, An Ordinance to Regulate the Sale of Gunpowder, §§ 1–3 (1858), *reprinted in The Charter and Ordinances of the City of St. Paul, (To August 1st, 1863, Inclusive,) Together with Legislative Acts Relating to the City 166–67 (1863)*

§ 1. No person shall keep, sell or give away gunpowder or guncotton in any quantity without first having paid into the City Treasurer the sum of five dollars, and obtain from the Common Council a permission in writing, signed by the Mayor and Clerk, and sealed with the corporate seal, under a penalty not exceeding fifty dollars, for every offence, provided any person may keep for his own use not exceeding one pound of powder or one pound of gun cotton, at one and the same time.

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§ 2. All applications for permits shall be addressed to the Common Council, in writing, signed by the applicant. Not exceeding four permits shall be granted in any one block; when the number of applications in any block shall at any time exceed the numbers to be granted, the requisite number shall be chosen by ballot. When issued, the Clerk shall make an entry thereof in a register to be provided for the purpose which entry shall state the name and place of business, and date of permits. Persons to whom permits may be issued, shall not have or keep at their place of business or elsewhere within the city, a greater quantity of gunpowder or guncotton than fifty pounds at one time, and the same shall be kept in tin canisters or cans, or kegs securely looped and headed, containing not to exceed twenty-five pounds each and in a situation remote from fires or lighted lamps, candles or gas, from which they may be easily removed in case of fire. Nor shall any person sell or weigh any gunpowder or guncotton, after the lighting of lamps in the evening, unless in sealed canisters or cans. It shall be the duty of every person to whom a permit shall be given to keep a sign at the front door of his place of business, with the word "gunpowder" painted or printed thereon in large letters. Any person violating any clause of this section, shall, upon conviction thereof be punished by a fine of not less than ten, nor more than one hundred dollars.

§ 3. No person shall convey or carry any gunpowder or guncotton, exceeding (one pound in quantity) through any street or alley in the city, in any cart, carriage, wagon, dray, wheelbarrow, or otherwise, unless the said gunpowder or guncotton be

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secured in tight cans or kegs well headed and hooped, sufficient to prevent such gunpowder or guncotton from being spilled or scattered, under a penalty of fifty dollars.

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APPENDIX F

**Laws Regulating the Licensing and Carrying
of Firearms**

Dodge City Ordinance 16, § 11 (1876)¹

That any person who shall in the City of Dodge City carry concealed or otherwise about his or her person, a pistol, bowie knife, sling shot, or other dangerous or deadly weapon, except United States [illegible] Officers, State, County, Township or City Officers shall be fined, not less than [illegible] nor more than twenty-five dollars.

**An Act to Prevent the Carrying of Fire Arms and
Other Deadly Weapons, ch. 52, §§ 1–3, 1876 Wyo.
352**

§ 1. That hereafter it shall be unlawful for any resident of any city, town or village, or for any one not a resident of any city, town or village, in said Territory, but a sojourner therein, to bear upon his person, concealed or openly, any fire arm or other deadly weapon, within the limits of any city, town or village.

§ 2. That if any person not a resident of any town, city or village of Wyoming Territory, shall, after being notified of the existence of this act by a proper peace officer, continue to carry or bear upon his person any fire arm or other deadly weapon, he or she, shall be

¹ Respondents have been unable to locate a published copy of this ordinance and will provide a facsimile copy to the Court upon request.

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deemed to be guilty of a violation of the provisions of this act and shall be punished accordingly.

§ 3. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than fifty dollars, and, in the default of the payment of any fine which may be assessed against him, shall be imprisoned in the county jail for not less than five days nor more than twenty days.

New York, N.Y., Penal Code § 412 (1881)

A person who carries concealed about his person any kind of fire-arms, 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.

Syracuse, N.Y., Offenses Against the Public Peace and Quiet, § 7 (1885), *reprinted in* Charter and Ordinances of the City of Syracuse: Together with the Rules of the Common Council, the Rules and Regulations of the Police and Fire Departments, and the Civil Service Regulations 215 (1885)

Any person who shall carry about his or her person any dirk, bowie knife, sword or spear cane, pistol, revolver, slung shot, jimmy, brass knuckles, or other deadly or unlawful weapon, or shall use any deadly or unlawful weapon, with intent to do bodily harm to any person, shall be subject to a fine of not less than

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twenty-five nor more than one hundred dollars, or to imprisonment in the penitentiary of the county for not less than thirty days nor longer than three months, or to both such fine and imprisonment.

An Act to Amend the Penal Code, Relative to the Sale and Possession of Dangerous Weapons, 1905 Laws of New York, ch. 92, § 2, at 129

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 known as a slungshot, 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 his person in any city or village 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 in such manner as may be prescribed by ordinance of such city or village 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

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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.

An Act to Amend the Penal Law, in Relation to the Sale and Carrying of Dangerous Weapons, ch. 195, §1, 1911 N.Y. Laws 442

Section ... eighteen hundred and ninety-seven ... [is] hereby amended to read as follows:

§ 1897. Carrying and use of dangerous weapons. ... 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 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.

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Any 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.

An Act Providing for the Registration of All Fire Arms and Weapons and Regulating the Sale Thereof and Defining the Duties of Certain County Officers and Providing Penalties for a Violation of the Provisions of This Act, §§ 1, 3, 5, 8, 1918 Mont. Laws 6

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

§ 1. Within thirty days from the passage and approval of this Act, every person within the State of Montana, who owns or has in his possession any fire arms or weapons shall make a full, true, and complete verified report upon the form hereinafter provided to the sheriff of the County in which such person lives, of all fire arms and weapons which are owned or possessed by him or her or are in his or her control, and on sale or transfer into the possession of any other person such person shall immediately forward to the sheriff of the County in which such person lives the name and address of that purchaser and person

into whose possession or control such fire arm or weapon was delivered.

§ 3. Any person signing a fictitious name or address or giving any false information in such report shall be guilty of misdemeanor, and any person failing to file such report as in this Act provided, shall be guilty of a misdemeanor. Such report may be verified before any person authorized by the laws of this state to administer oaths, or before any sheriff, under-sheriff, or deputy sheriff. It shall be unlawful for any person to purchase, borrow or otherwise acquire possession of any firearm or weapon as in this Act defined, from any person, firm or corporation outside of the State of Montana, without first obtaining a permit from the sheriff of the County in which such person lives. And no sheriff shall give any such permit without first procuring from such person an affidavit in substantially the same form as herein provided in Section 2, setting forth the description of the firm or weapon in Paragraph 2, which such person desires to purchase. No permit shall be given by the sheriff until he is satisfied that the person applying for such permit is of good moral character and does not desire such fire arm or weapon for any unlawful purpose.

It shall be unlawful for any person, Railroad Company, Express Company or Transportation Company to deliver to any person without a permit from the sheriff of the County within which such delivery is made, any gun, fire arm or ammunition.

§ 5. That within thirty days from the passage and approval of this Act, every person engaged in the business of selling, leasing or otherwise transferring any fire arm or weapon, whether such seller is a retail

dealer, pawn broker or otherwise, shall obtain a register from the County Clerk, in which shall be entered at the time of sale, the date of sale, full description of fire arm or weapon sold, name of purchaser, permanent residence, temporary residence, age, occupation, height, color of skin, color of eyes

§ 8. For the purpose of this Act a fire arm or weapon shall be deemed to be any revolver, pistol, shot gun, rifle, dirk, dagger, or sword.

An Act to Regulate the Ownership of Pistols and Revolvers, §§ 1-3, 1923 Ark. Acts 379, 380

Be It Enacted by the People of the State of Arkansas:

From and after the passage of this Act, it shall be unlawful for any person to own or have in his custody or possession any pistol or revolver, except as herein provided:

§ 1. Any person having in his possession or custody any pistol or revolver, shall within 60 days from the approval of this Act, present such firearm to the county clerk of the county, where he resides, and it shall be the duty of the said county clerk to enter upon a separate record provided for that purpose, the name, age, place or residence, and color of the party, together with the make, caliber and number of said pistol or revolver.

§ 2. Any person so registering as provided in section 1 of this Act, shall then make application for a license or permit, which said application shall be

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passed upon by a board consisting of the sheriff, county judge and county clerk of said county whose duty it shall be to consider the application and if the applicant be a person of good moral character, whose conduct, past record and occupation is such as to prove to said board that he is a person of good character, then the county clerk shall issue to the applicant a permit upon a printed form provided for that purpose, and bearing the seal of the county, granting permission to own and possess the pistol or revolver described in the application, for a period of one year from the date thereof, for which permit the applicant shall pay a fee of one (\$1.00) dollar which shall go to the common school fund of the district where the applicant resides.

§ 3. Any person who shall purchase or acquire possession of any pistol or revolver shall make application and secure a permit to possess same as provided by section 2 of this Act, and any person having in his custody and control any pistol or revolver and who has not secured the permit as herein provided shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than fifty and not more than one hundred dollars, and said fire arm shall be taken by the sheriff, and publicly destroyed.