2A:151-41 I
L. 1968, c 307

February 7, 1969

LEGISLATIVE HISTORY OF R.S. 2A:151-41
(Carrying concealed weapons)

L. 1924, Chapter 137 - A255
January 22 - Introduced by Hirshfield.
February 12 - Amended on 3rd reading.
February 12 - Passed in Assembly.
March 7 - Passed in Senate.
March 12 - Approved, Chapter 137.
Statement: copy of original bill with statement attached.
Amended; copy of Assembly Minutes with amendments attached.

L. 1925, Chapter 64 - S59
January 29 - Introduced by Case.
February 3 - Passed in Senate.
March 2 - Passed in Assembly.
March 12 - Approved, Chapter 64.
Not amended during passage.
Statement reads as follows:

All that this act does is to make Chapter 137 of the laws of 1924 conform to the amendments that were incorporated into the act by the Legislature, prior to the passage thereof, but, through mistake, were not published as a part thereof.

L 1925 - Chapter 207 - S6
Amended (Bill + amendments enclosed)
No statement

L. 1926, Chapter 270 - A403
February 16 - Introduced by Mr. Wise.
March 8 - Passed in Assembly.
March 25 - Amended.
March 25 - Passed in Senate.
March 25 - Passed with Senate Amendment in Assembly.
March 29 - Approved, Chapter 270.
Statement: copy of original bill with amendment attached.
Amended: copy of Senate journal with amendments attached.

L. 1934, Chapter 74 - A394
April 9 - Introduced by Fort.
April 9 - Passed in Assembly.
April 10 - Passed in Senate.
April 12 - Approved, Chapter 74.
Not amended during passage.
Statement reads as follows:

The purpose of this act is to authorize the Commissioner of Alcoholic Beverage Control and

his assistants to carry firearms, inasmuch as they are officers with the powers of arrest and it is desired that the statute which permits police officers to be armed be made uniform with the extension of like powers to the Commissioner.

1937 Revision - All three drafts give wording exactly the same as old Title 2:176-41. But new title changed wording:

> Except as hereinafter provided, [a] any person who [shall carry] carries in any automobile, carriage, motorcycle or other vehicle, or concealed on or about his clothes or person, or otherwise concealed in his possession:
> (Two following sections unchanged).

L. 1960, Chapter 26 - A183
January 18 - Introduced by Mrs. Hughes.
March 28 - Passed in Assembly.
April 25 - Passed in Senate.
May 12 - Approved, Chapter 26.
Not amended during passage.
No statement.

L. 1966, Chapter 60 - A165
See legislative history of 2A:151-1.

L. 1968, Chapter 307 - S848 2A:151-41
June 13 - Introduced by Giuliano & 5 others.
June 20 - Passed in Senate.
June 24 - Passed in Assembly.
September 26 - Approved, Chapter 307.
Not amended during passage.
No statement.

See State v. Ronald Johnson, ___ N.J. Super. ___, A-415-72, (Oct. 26, 1973)

JH/PC

L.1966, Chapter 60 § 7 A165

Jan. 24 - Introduced by Brady, McLeon and Policastro.
May 16 - Passed in Assembly, amended.
May 31 - Passed in Senate.
June 3 - Approved.

Statement to A165 enclosed.

Governor's statement on signing enclosed.
Original and amended versions of A165, § 7 enclosed.

974.90 W362 1966 A public hearing on A165 was held by the Assembly Committee on State Government on March 2, 1966.

J344.05 C581 Citizens Committee for Firearms Legislation (NJ) Report on study for revisions of 2A:151 weapons and explosives (12/10/65) (revised 2/8/66).

See extensive collection of newspaper clippings in NJ vertical File -- NJ Firearms --1966. A few of these clippings have been photocopied and are enclosed.

Amended by:

L.1973, C.174, § 1 S653

Feb. 14, 1972 - Introduced by Rinaldo, Epstein, Dodd, Brown, Bate, Italiano.
March 20, 1972 - Passed in Senate.
March 26, 1973 - Passed in Assembly.
June 8, 1973 - Approved, Chapter 174, 1973.

No sponsor's statement of purpose.

Not amended during passage.

Senate Law, Public Safety and Defense Committee issued statement to S653 (copy enclosed).

deleted "...narcotic or nonnarcotic drug or who is registered as a narcotic drug offender under P.L. 1952, C.230..."

and added "...controlled dangerous substances as defined in article 2 of P.L. 1970, C.226 (C.24:21 - et seq.)

No hearings or reports discovered.

See NJ Vertical File for newspaper clippings.
NJ Firearms--1967 to 1973.

2A:151-41 II
L.1960, c.26

August 29, 1961

N. J. - Legislative Histories

LEGISLATIVE HISTORY OF R. S. 2A:151-41
Carrying Concealed Weapons

Laws 1924, Chapter 137 - Introduced As A-255, Jan. 22, 1924 by Mr. Hershfield. This bill had statement.

> This bill, which has the approval of the firearms industry of the United States as well as the Patrolmen's Benevolent Association of New Jersey, permits the possession of revolvers and other weapons in homes a nd business places without permit.
>
> Its purpose is to prevent the carrying of concealed weapons on the highways and other public places by persons not legally entitled so to do as provided by the terms of the bill or to such persons as may procure permits, which are made easy to obtain by properly accredited persons.

It was amended during passage.

Laws 1925, Chapter 64 - Introduced As S-59, January 19, 1925 by Mr. Case. This bill had statement.

> All that this act does is to make Chapter 137 of the laws of 1924 conform to the amendments that were incorporated into the act by the Legislature, prior to the passage thereof, but, through mistake, were not published as a part thereof.

Not amended before passage.

Laws 1925, Chapter 207 - Introduced as S-6, January 13, 1925 by Mr. Mackay. No statement on bill. Was amended during passage.

Laws 1926, Chapter 270 - Introduced as A-403, February 16, 1926 by Mr. Wise. This bill had statement.

> 1. The purpose of this amendment is to make it lawful to carry a rifle or shot gun in an automobile or other vehicle. As cht law reads at present it is a misdemeanor to carry a rifle or shot gun in an automobile or other vehicle. Other sections of the statute make provision for obtaining a permit to carry a concealed weapon, but there is no way provided for the lawful carrying of a rifle or shot gun in a conveyance of any kind. The amended section now permits the carrying of gun, rifle or knife in the woods or fields or upon the waters of the State for hunting or rifle practice, but it is a misdemeanor to

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transport gun or rifle in any conveyance other than in the woods or fields or on the waters of the State. To permit hunters and riflemen to carry their arms lawfully to the places where they intend to use them, the amendment provides that the act shall not apply to persons having a hunter's license or to persons who are members of government civilian rifle clubs. Civilian rifle clubs are under Federal supervision, conduct rifle practice in accordance with rules and regulations of the WareDepartment and receive arms and ammunition from the War Department. They are doing a work that the government does everything possible to encourage, and our State law ought to cooperate to the extent of permitting the carrying of the necessary arms.

2. Another purpose of this amendment is to extend the privilege of carrying firearms to detectives and plain clothes men of municipal police departments.

3. The final amendment is merely a change to make proper grammatical connection with the antecedent clause.

Was amended during passage.

Laws 1934, Chapter 74.

1937 Revision - All three drafts give wording exactly the same as old Title 2:176-41. But new title changed wording:

Except as hereinafter provided, /a/ any person who /shall carry/ carries in any automobile, carriage, motorcycle or other vehicle, or concealed on or about his clothes or person, or otherwise concealed in his possession:

(Two following sections unchanged)

Laws 1960, Chapter 26 - Introduced January 18, 1960 by Mrs. Hughes. No statement. Not amended during passage.

RS/jmg

COPY

ASSEMBLY, No. 183

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1960

By Assemblywoman HUGHES

Referred to Committee on Public Safety, Defense and Veterans Affairs

AN ACT concerning the carrying of concealed weapons and amending section 2A:151–41 of the New Jersey Statutes.

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

1. Section 2A:151–41 of the New Jersey Statutes is amended to read as follows:

2A:151–41. Except as hereinafter provided, any person who carries in any automobile, carriage, motor cycle or other vehicle, or concealed on or about his clothes or person, or otherwise concealed in his possession:

a. A pistol, revolver or other firearm without first having obtained a permit to carry the same in accordance with the provisions of this chapter; or

b. Any instrument of the kinds known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, *cestus or similar leather band studded with metal for fitting on the knuckles, loose wool impregnated with metal filings, or razor blades imbedded in wood slivers,* dagger, dirk, dangerous knife, stiletto, bomb or any high explosive, other than fixed ammunition—

Is guilty of a misdemeanor.

2. This act shall take effect immediately.

RS 2A:151-42 February 14, 1973

LEGISLATIVE HISTORY OF 2A:151-42
(Carrying firearms...)

L.1924 - Chap.137 - A255

See Legislative History of 2A:151-41

L.1925 - Chap.64 - S59

See Legislative History of 2A:151-41

L.1925 - Chap.207 - S6

See Legislative History of 2A:151-41

L.1926 - Chap. ~~207~~ 270 - A403

See Legislative History of 2A:151-41

L.1927 - Chap.96 - A87 Chandler
Bill had Statement. Amended in Assembly
[Original and 2D OCR enclosed]

L.1927 - Chap.321 §11; A41 Jones
Bill had Statement.
Was reported by Committee Substitute.
Amended in Assembly.
Amended in Senate.

[Original, Committee Substitute, Assembly Amendment, Senate Amendment enclosed].

L.1928 - Chap.212 §1 - A228
Bill passed without amendment.
[Bill with Statement enclosed]

L.1934 - Chap.74 - A394
See Legislative History of 2A:151-41

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Revision of 1937 2:176-42

There is a slight change in the wording, but no explanation. [Section enclosed]

Revision of 1951 - 2A:151-42

The section was taken over unchanged from the 1937 revision.

L.1966 - Chap.60 - §33 - A165

See Legislative History of 2A:151-1 et seq.

HP/EH
Encl.

ASSEMBLY, No. 41

(2 C. S. 1743, P. L. 1925, 185; P. L. 1925, 496.)

STATE OF NEW JERSEY

INTRODUCED JANUARY 17, 1927.

By Miss JONES.

Referred to Committee on Miscellaneous Business.

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.

1. The term "pistol or revolver," as used in this act, means any firearm with barrel less than thirty inches in length. "Crime of violence," as used in this act, means any of the following crimes or an attempt to commit any of the same, namely, murder, manslaughter, rape, mayhem, assault to do great bodily harm, robbery, burglary and housebreaking.

2. If any person shall commit or attempt to commit a crime of violence when armed with a pistol or revolver, he may in addition to the punishment provided for the crime, be punished also as provided by this act.

3. In the trial of a person for committing or attempting to commit a crime of violence, the fact that he was armed with a pistol or revolver and had no license to carry the same shall be prima facie evidence of his intention to commit said crime of violence.

4. No person who has been convicted in this State or elsewhere of a crime of violence shall own or have in his possession or under his control a pistol or revolver.

5. No person shall carry a pistol or revolver concealed in any vehicle or on or about his person, except in his dwelling house or place of business, or on other land possessed by him, without a license therefor as hereinafter provided.

6. The provisions of the preceding section shall not apply to marshals, sheriffs, prison or jail wardens or their deputies, policemen, or other duly appointed law

enforcement officers, or to members of the Army, Navy or Marine Corps of the United States, or of the National Guard, when on duty, or of organizations by law authorized to purchase or receive such weapons from the United States or this State, or to officers or employees of the United States authorized by law to carry a concealed pistol or revolver, or to duly authorized military organizations when on duty, or to the members thereof when at or going to or from their customary places of assembly, or to the regular and ordinary transportation of pistols or revolvers as merchandise, or to any person while carrying a pistol or revolver unloaded in a wrapper from the place of purchase to his home or place of business, or to a place of repair or back to his home or place of business, or in moving goods from one place of abode or business to another.

7. A common pleas judge of the county or the judge holding the circuit for the county in which the applicant is resident, upon the application of any person having a bona fide residence or place of business within the jurisdiction of said licensing authority, or of any person having a bona fide residence or place of business within the United States and a license to carry a pistol or revolver concealed upon his person issued by the authorities of any State or subdivision of the United States, which application has been approved by the chief policy official of the municipality in which the said applicant resides, or the sheriff of the county wherein the applicant resides and after investigation shall issue a license to such person to carry a pistol or revolver within this State for not more than one year from date of issue, if it appears that the applicant has good reason to fear an injury to his person or property or has any other proper reason for carrying a pistol or revolver, and that he is a suitable person to be so licensed. The license shall be in triplicate, in form to be prescribed by the Secretary of State and shall bear the name, address, description and signature of the licensee and the reason given for desiring a license. The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent by registered mail to the Secretary of State and the triplicate shall be preserved for six years by the authority issuing said license.

8. No person shall sell, barter, hire, lend, or give any pistol or revolver to any person under the age of eighteen years.

9. No person shall transfer by way of sale, gift, loan or otherwise a pistol or revolver to a person who he has reasonable cause to believe has been convicted of a crime of violence. No seller shall in any event deliver a pistol or revolver on the day of application for the purchase thereof, and when delivered, said pistol or revolver shall be securely wrapped and shall be unloaded. Before a delivery be made the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, color, and place of birth, the date of sale, the caliber, make, model and manufacturer's number of the weapon, and stating that he has never been convicted of a crime of violence. The seller shall within seven days sign and forward by registered mail one copy thereof to the Secretary of State, and one copy thereof to the chief of police of the city or town or the sheriff of the county of which the seller is a resident, and shall retain the other copy for six years. This section shall not apply to sales at wholesale.

10. Limitations on license. Such pistol licenses shall apply and be valid throughout the State and it shall be so stated in the license. Holders of pistol licenses shall carry their pistol licenses upon their persons at all times while carrying a pistol and shall show such licenses upon demand of any policeman or other peace officer.

11. Hereafter no pistol shall be sold within this State except through the licensing authorities, who shall deliver such pistol to the person to whom a license to possess or carry such pistol is issued, as provided by this article. A person who sells a pistol otherwise than through the licensing authorities is guilty of a felony. No person holding a pistol license shall allow or permit another person to use his pistol except to assist him in self-defense or in lawful defense of another or in the lawful apprehension of a crime, or who gives or loans his pistol license.

12. No pawnbroker shall accept a pistol in pawn. If offered a pistol for pawn he shall seek to detain the person offering it and summon the police who shall confiscate the pistol.

13. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol or revolver without being licensed as hereinafter provided.

14. The duly constituted licensing authorities of any city, town or municipality or political subdivision of this State may grant licenses in form prescribed by the Secretary of State, effective for not more than one year from date of issue, permitting the licensee to sell at retail within the said city or town or political subdivision, pistols and revolvers, subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

1. The business shall be carried on only in the building designated in the license.

2. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can be easily read.

3. No pistol or revolver shall be delivered—

(a) If the seller has reasonable cause to believe that the purchaser has been convicted of a crime of violence; nor

(b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity; nor

(c) On the day of the application for the purchase; nor

(d) Unless the same shall be unloaded and securely wrapped.

4. A true record, in triplicate, shall be made of every pistol or revolver sold, said record to be made in a book kept for the purpose, the form of which shall be prescribed by the Secretary of State, and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, color and place of birth of the purchaser, and a statement signed by the purchaser that he has never been convicted of a crime of violence. One copy of said record shall, within seven days, be forwarded by registered mail to the Secretary of State, and one copy thereof to the chief of police of the city or town or the sheriff of the county of which the seller is a resident, and the other copy retained for six years.

5. No pistol or revolver or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of said premises where it can readily be seen from the outside.

No license to sell at retail shall be granted to anyone except as provided in this section.

15. No person shall, in purchasing or otherwise securing delivery of a pistol or revolver, or in applying for a license to carry the same, give false information or offer false evidence of his identity.

16. No person shall change, alter, remove or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol or revolver. Possession of any pistol or revolver upon which any such mark shall have been changed, altered, removed or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

17. All licenses heretofore issued within this State permitting the carrying of pistols or revolvers concealed upon the person shall expire at midnight of the thirty-first day of December subsequent to the date of issue.

18. This act shall not apply to antique pistols or revolvers unsuitable for use as firearms.

19. The provisions of this act shall be effective and controlling throughout this State, notwithstanding the provisions of any local law or ordinance.

20. Any violation of any provision of this act shall constitute a misdemeanor.

21. If any part of this act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of this act.

22. This act may be cited as "Uniform Firearms act."

23. All laws or parts of laws inconsistent herewith are hereby repealed.

24. This act shall take effect immediately.

STATEMENT. ~~6~~ A 41 (1927)

This is the act recommended and approved by the National Commissioners on Uniform Law. It has also been approved by the American Bar Association.

COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 41

STATE OF NEW JERSEY

ADOPTED FEBRUARY 21, 1927.

AN ACT defining pistols and revolvers, and providing for registration and licensing in respect thereto, and providing penalties for the violation of any of the provisions of this act.

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

DEFINITIONS.

1. The terms used in this act shall be construed as follows, unless other meaning is clearly apparent from the language or content, or unless such construction is inconsistent with the manifest intention of the Legislature.

(1) The term "pistol or revolver," as used in this act, shall be held to mean and include any firearm with barrel less than thirty inches in length.

(2) "Crime of violence," as used in this act, shall be held to mean and include any of the following crimes or an attempt to commit any of the same, namely, murder, manslaughter, rape, mayhem, assault to do great bodily harm, robbery, burglary.

(3) The term "person," as used in this act, shall be held to mean and include corporations, partnerships, partnership associations, and women.

(4) Words importing the masculine gender, as used in this act, shall be held to mean and include, corporations, partnerships, partnership associations, and women.

(5) Words importing the plural number, as used in this act, shall be held to mean and include only a single person or thing.

(6) Words importing the singular number, as used in this act, shall be held to mean and include several persons or things.

(7) The term "transfer" as used herein shall be held to mean and include any legal method, whether by sale, lease, loan, gift, delivery, or otherwise, whereby right, title, interest, or possession is acquired in a pistol or revolver.

(8) "Wholesale transfer" as used in this act shall be held to mean and include a transfer of more than one pistol or revolver in any one transaction.

(9) "Retail transfer" as used in this act shall be held to mean and include a transfer of one and only one pistol or revolver in any one transaction.

(10) The term "Manufacture" as used in this act shall be held to mean and include a person engaged in the business of manufacturing or assembling pistols or revolvers, who will, under normal business conditions during the year, manufacture or assemble at least ten new pistols or revolvers.

EXEMPTIONS.

2. The United States marshal or his deputies, the sheriff or undersheriffs of any county, the prison or jail wardens or their deputies, the regularly employed police members of any municipality of this State, any special policeman appointed by the governing body of any municipality during the successive terms of his appointment, the prosecutor or assistant prosecutors of any county or the prosecutor's detectives, any court attendant engaged in attending the Circuit Court, Court of Oyer and Terminer, Court of Common Pleas, and General Court of Quarter Sessions of the Peace, the members of the Army, Navy, or Marine Corps of the United States or of the National Guard when on duty, constables, salaried fish and game wardens, railway police, canal police, and steamboat police, are excepted from the provisions of this act.

3. Blackjacks, slungshots, billys, sandclubs, sandbags, bludgeons, metal knuckles, daggers, dirks, dangerous knives, stilettos, bombs or other high explosives, other than fixed ammunition, are excepted from the provisions of this act.

4. Antique pistols or revolvers unsuitable for use as firearms are excepted from the provisions of this act.

5. If any person shall commit or attempt to commit a crime of violence with either a pistol or revolver, he may in addition to the punishment provided for the crime be punished also for a high misdemeanor.

6. In the trial of a person for committing or attempting to commit a crime of violence, the fact that he was armed with a pistol or revolver, and had no license to carry the same, shall be prima facie evidence of his intention to commit said crime of violence.

7. Hereafter, and at the expiration of sixty days from the passage of this act, no pistol or revolver shall be owned, possessed, carried, used, or transferred, within the territorial limits of this State, unless the same has been registered in the manner hereinafter provided.

(1) The Comptroller of State shall forthwith organize in connection with the Comptroller's Department, the Department of Firearms Registration and Regulation. He shall provide suitable quarters for the same, and shall furnish all necessary supplies and equipment for the proper enforcement of the provisions of this act. He shall approve all bills for disbursements of money under any of the provisions of this act, which shall be paid by the State Treasurer, upon the warrant of the Comptroller, out of any appropriation regularly made therefor.

(2) The Comptroller of State shall prepare and keep a permanent register, wherein shall be registered every pistol and revolver now or hereafter owned, possessed, carried, used, or transferred, within the territorial limits of this State. Every such pistol or revolver shall have stamped or engraved upon the metal part thereof the manufacturer's name, the year manufactured, and a number, which the Comptroller of State shall be satisfied has not been duplicated on any pistol or revolver manufactured in that year by the same maker. This number, the manufacturer's name and license number (if, under this act, he is required to be licensed), and the year of manufacture shall be entered on the aforesaid register, together with the name, address, occupation, and license number of the person registering the same.

8. No person shall own, purchase, use, have in his possession, carry, or transfer a pistol or revolver, unless a license has been issued for such ownership, purchase, use, possession, carrying, or transfer, as hereinafter provided.

WHOLESALE LICENSE.

(1) The Comptroller of State, after payment of a fee of the sum of one hundred dollars ($100), and after the posting of a bond approved by him in the sum of

ten thousand dollars ($10,000), and after investigation, may grant a license in form prescribed by him, effective for not more than one year from the date of issue, to any person doing business within the State of New Jersey, permitting the licensee, subject to the conditions set forth in section nine of the sections of this act, for the breach of which the license and bond shall be subject to forfeiture, and the licensee subject to punishment under this act, to make wholesale transfers of pistols or revolvers within this State.

RETAIL LICENSE.

(2) The Common Pleas judge of any county, after payment of a fee of the sum of ten dollars ($10), and after the posting of a bond approved by him in the sum of five thousand dollars ($5,000), and after investigation, may grant a license in form prescribed by the Comptroller of State, effective for not more than one year from the date of issue, to any person doing business in his municipality, or to any person doing business in any contiguous municipality having no police official, permitting the licensee, subject to the conditions set forth in section nine, of the sections of this act, for the breach of which the license and bond shall be subject to forfeiture, and the licensee subject to punishment under this act, to make retail transfers of pistols or revolvers within such municipalities.

INDIVIDUAL LICENSE.

(3) The chief police official of any municipality, after payment of a fee of the sum of one dollar ($1.00), and after investigation, may grant a license in form prescribed by the Comptroller of State, effective for not more than one year from the date of issue, to any resident of that municipality over the age of eighteen years or of any municipality contiguous thereto having no police official, permitting the licensee, subject to the conditions set forth in section nine of the sections of this act, for the breach of which the license shall be subject to forfeiture and the licensee subject to punishment under this act, to own, purchase, have in his possession, use or carry one and only one pistol or revolver within this State.

9. The conditions, subject to which the license referred to in sections seven and eight of the sections of this act shall be issued, are the following:

(1) The business shall be carried on only in the building designated in the license.

(2) The license, or a copy thereof certified by the issuing authority, shall be displayed on the business premises of a retail or wholesale licensee, and shall be carried on the person of an individual licensee whenever he is a distance of at least one-half mile from his dwelling house.

(3) Every pistol or revolver in the ownership, use or possession of any person in this State shall be registered with the Comptroller of State as provided in section seven of the sections of this act.

(4) No transfer shall be made to any person, except upon the production by him of his license to receive such transfer, or a copy thereof certified by the issuing authority, together with a certificate of a notary public of the municipality in which he is a resident, or, if there is no notary public in such municipality, of the nearest notary public to his residence, that he is the person named in the license.

(5) A true record in triplicate shall be made of every pistol or revolver transferred, said record to be kept in a book kept for that purpose, the form of which record shall be prescribed by the Comptroller of State, and shall be personally signed by the persons executing the transfer, each in the presence of the other, and shall contain the date of transfer, make, model, and registered or manufacturer's number of the pistol or revolver, the name, address, occupation, and license number of the transferee. One copy of said record shall within seven days be forwarded by registered mail to the Comptroller of State, and one copy to the authority who issued the license, and the other copy retained by the transferer for five years.

10. No pawnbroker shall accept a pistol in pawn, nor shall any pawnbroker receive either a wholesale or retail license under this act.

11. No person shall, in applying for a license, give false information or offer false evidence of his identity.

12. No person shall change, alter, remove, or obliterate the name of the maker, the model, manufacturer's or registered number, or other mark of identification on any pistol or revolver. Possession of any pistol or revolver upon which any such mark shall be changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same. Any violation of this section shall be a high misdemeanor.

13. Any license heretofore issued in this State permitting the carrying of pistols or revolvers concealed upon the person shall expire at midnight, the thirty-first day of December, subsequent from the date of issue.

14. Any violation of any provision of this act for which the punishment has not been already provided shall constitute a misdemeanor.

15. If any part of this act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of this act.

16. All laws or parts of laws inconsistent herewith are hereby repealed.

17. This act shall take effect immediately.

STATEMENT.

The purpose of this act is expressed in its title.

A41 A.AM.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, without amendment.

Mr. Barison offered the following resolution which was read and adopted:

Resolved, That the privileges of the floor be extended to Counsellor Frank K. Runyon and Counsellor Leo Ruff, of Jersey City.

Senate Bill No. 31, entitled "An act authorizing the city of Trenton to convey to the Board of Education of Trenton in the county of Mercer all or part of a certain tract of land which was conveyed to said city by the State of New Jersey,"

Was taken up, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Applegate, Barison, Barrett, Biro, Blunt, Botti, Carty, Chandless, Clift, Compton, Comstock, Dater, Dodd, Donovan, Ellis, Finn, Francisco, Freeman, Gabrielson, Giuliano, Gopsill, Groel, Haines, Hanson F. J., Hanson T. L., Hettinger, Huelsenbeck, Hunt, Jones, Knight, Kuser, Leap, Letzgus, McDermott, McWilliams, Mercolino, Morrison, Muir, Olden, Otto, Pindar, Prall, Read, Renner, Siracusa (Speaker), Smock, Stelle, Summers, Thropp, Urbanski, West, Wise—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, without amendment.

Miss Jones requested unanimous consent to amend Committee Substitute for Assembly Bill No. 41 on third reading.

Which consent was granted.

Miss Jones offered the following amendments, which were read and adopted:

Strike out the title of the act and insert a new title to read as follows:

"A further 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,"

Strike out section 1 and insert in lieu thereof a new section 1 to read as follows:

1. No pawn broker shall hereafter sell or have in his possession for sale or to loan or give away, any machine gun, automatic rifle, revolver, pistol, or other firearm, or other instrument of any kind known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife, stiletto, bomb or other high explosive. Any pawn broker violating the provisions of this act shall be guilty of a high misdemeanor and punished accordingly.

Strike out section 2 and insert in lieu thereof a new section 2 to read as follows:

2. Any person who shall commit or attempt to commit any assault, robbery, larceny, burglary, or breaking and entering, when armed with, or having available, any revolver, pistol, or other firearm, or other instrument of any kind known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife, stiletto, bomb or other high explosive, shall, in addition to the punishment provided for the crime, be punished by imprisonment for not less than three, nor more than five years; upon a second conviction for any crime enumerated in this section, by imprisonment for an additional period of not less than five nor more than ten years; in the case of a third conviction for any crime enumerated in this section, by imprisonment for an additional period of not less than ten nor more than fifteen years; in the case of a fourth or subsequent conviction for any crime enumerated in this section, by imprisonment for life, or for an additional period of not less than twenty years, in the discretion of the court.

Amend section 3, on page 2, by striking out in lines 1 and 2 the words "a crime of violence", and inserting in lieu thereof the following, "any crime enumerated in section 2 hereof"; and by striking out in line 2 the word "pistol" and inserting in lieu thereof the words, "any of the firearms or instruments enumerated in section 1 hereof"; and by striking out in line 3 the words, "or was armed with or had available a machine gun".

Amend section 4, on page 2, by striking out in lines 1 and 2 the words "a crime of violence", and inserting in lieu thereof the words "any of the crimes enumerated in section 2 hereof"; and by striking out in line 3 the word "pistol" and inserting in lieu thereof the words, "any of the firearms or instruments enumerated in section 1 hereof".

Amend section 5, on page 2, by striking out in lines 1 and 2 the words "pistols or machine guns" and inserting in lieu thereof the words "any of the firearms or instruments enumerated in section 1 hereof"; and by striking out in line 6 the words "pistols or machine guns" and inserting in lieu thereof the words "the firearms or instruments enumerated in section 1 hereof"; and by striking out on page 3, line 21, the words "pistol and machine gun" and inserting in lieu thereof the words "firearm or instrument".

Amend section 6 on page 3 by striking out in line 2 the words "a pistol or machine gun" and inserting in lieu thereof the words "any of the firearms or instruments enumerated in section 1 hereof"; and by inserting after the word "pistols" in line 7, the words "or revolvers"; and by inserting in line 13, after the word "pistol" the words "or revolver"; and by striking out in the same line the words "machine gun"; and by inserting in line 16, after the word "pistol" the words "or revolver"; and by inserting in line 20, after the word "pistol" the words "or revolver"; and by inserting the words "or revolver" after the word "pistol" in line 21.

Amend section 7, on page 4, by striking out in line 3 the words "a crime of violence with a pistol" and inserting in lieu thereof the following words "any of the crimes enumerated in section 2 hereof with any of the firearms or instruments enumerated in section 1 hereof"; and by inserting in line 1 after the word "sell" the following words "any of the firearms or instruments enumerated in section 1 hereof".

Amend section 8, on page 4, by inserting in line 2, after the word "pistol", the words "or revolver".

Amend section 9, on page 4, by inserting after the word "pistol" in line 1 the words "or revolver"; and by inserting after the word "pistol" in line 2 the words "or revolver"; and by inserting after the word "pistol" in line 5 the words "or revolver"; and by inserting after the word "pistol" in line 8 the words "or revolver"; and by striking out in lines 14 and 15 the words "a crime of violence" and inserting in lieu thereof the words "any of the crimes enumerated in section 2 hereof"; and by inserting in line 27, page 5, after the word "pistol" the words "or revolver"; and by inserting in line 28 after the word "pistol" the words "or revolver"; and by inserting in line 33 after the word "pistols" the words "or revolvers"; and by inserting in line 34 after the word "pistol" the words "or revolver".

Amend section 10, on page 5, by inserting after the word "pistol" in line 5, the words "or revolver"; and by inserting in line 7 after the word "pistol" the words "or revolver"; and by inserting in line 10 after the word "pistol" the words "or revolver".

Amend section 11, on page 6, by inserting in line 2 after the word "pistol" the words "or revolver"; and at the end of section 11 insert a new clause to read as follows: "Wherever the words 'pistol or revolver' are used in this act such words shall include a shotgun, rifle, or other firearm with over-all length less than twenty-six inches".

Amend section 13, on page 6, by inserting in line 2 after the word "pistol" the words "or revolver"; and by inserting in line 3 after the word "pistol" the words "or revolver".

Amend section 16, on page 7, by inserting in line 2 after the word "pistol" the words "or revolver"; and by inserting in line 3 after the word "pistol" the words "or revolver".

Amend section 17, on page 7, by inserting in line 4 after the word "pistol" the words "or revolver" and by striking out the words "machine gun" in the same line.

Amend section 21, on page 8, by inserting in line 2 after the word "pistols" the words "or revolvers".

Committee Substitute for Assembly Bill No. 41, entitled "A further 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,"

As amended.

Was taken up, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Altman, Barison, Barrett, Biro, Blunt, Botti, Carty, Chandless, Clift, Compton, Dodd, Donovan, Ellis, Finn, Francisco, Freeman, Gabrielson, Giuliano, Gopsill, Groel, Haines, Hanson T. L., Hettinger, Huelsenbeck, Hunt, Jones, Knight, Kuser, Leap, Letzgus, McDermott, McWilliams, Mercolino, Morrison, Olden, Otto, Pindar, Powell, Prall, Read, Siracusa (Speaker), Smock, Stelle, Summers, Thropp, Urbanski, West, Wise—47.

In the negative were—

Messrs. Comstock, Hanson F. J.—2.

A41 S AM

Senate amendments to Assembly Bill No. 359.

Were taken up, read a first, second and third time, under suspension of the rules and the Speaker put the question, "Shall Senate amendments to Assembly Bill No. 359 be concurred in?"

Which motion, the ayes and nays being called, was carried by the following vote:

In the affirmative were—

Messrs. Altman, Applegate, Barison, Barrett, Baxter, Biro, Blunt, Botti, Carty, Chadwick, Chandless, Clift, Compton, Comstock, Dater, Dodd, Donovan, Ellis, Finn, Francisco, Freeman, Gabrielson, Guiliano, Gopsill, Greenberg, Groel, Haines, Hanson F. J., Hanson T. L., Hettinger, Huelsenbeck, Hunt, Hurd, Jones, Knight, Kuser, Leap, Letzgus, McDermott, McWilliams, Mercolino, Morrison, Muir, Olden, Otto, Pindar, Renner, Siracusa (Speaker), Smock, Stelle, Stewart, Urbanski, Woodruff—53.

In the negative were—None.

The Speaker declared the Senate amendments to Assembly Bill No. 359 concurred in.

A message was received from the Senate by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 25th, 1927.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Committee Substitute for Assembly Bill No. 41, entitled "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,"

With the following Senate amendments.

Section two, line two, strike out the word "available" and in lieu thereof insert the words "in his possession".

Section two, line seven, after the word "punished" and before the word "by" insert the following: "on a first conviction".

Section two, lines seven and eight strike out the words "less than three, nor".

Section two, lines eight and nine, strike out the words "for any crime enumerated in this section by imprisonment".

Section two, line nine, strike out the words "an additional" and insert the word "a" in lieu thereof.

Section two, line nine, strike out the word "less".

Section two, line ten, strike out the words "than five, nor".

Section two, line ten, strike out the words "in the case of" and insert the word "upon" in lieu thereof.

Section two, line ten, strike out the words "for any crime".

Section two, line eleven, strike out the words "enumerated in this section".

Section two, line eleven, strike out the words "an additional" and insert the word "a" in lieu thereof.

Section two, line eleven, strike out the word "less".

Section two, line twelve, strike out the words "than ten, nor".

Section two, line twelve, strike out the words "in the case of" and insert the word "upon" in lieu thereof.

Section two, line thirteen, strike out the words "for any crime enumerated in this section".

Section two, line fourteen, strike out the word "less" and insert the word "more" in lieu thereof.

Section two, line fourteen, change the period to a semi-colon and add the following: *"provided, however,* the indictment or allegation shall aver that the person was armed with or had in his possession any such instrument and conviction is had thereon".

Section three, line two, strike out the words "had available" and insert "or had in his possession".

Section four, line one, strike out the word "has" and insert "shall have" in lieu thereof.

Section four, lines four and five. Strike out the words "less than one nor".

Section five, line sixteen. Between the word "dealer" and the comma following the same, insert the words "and hearing thereon".

Section six, sub-division four, lines seventeen and eighteen. strike out the letter "b" and the matter following the same down to and including the semi-colon in line eighteen.

Section six, sub-division four, line eighteen, strike out the letter "c" and insert the letter "b" in lieu thereof.

Section six, sub-division four, line nineteen, strike out the word "clear".

Section six, sub-division four, line twenty, strike out the letter "d" and insert the letter "c" in place thereof.

Section six, sub-division four, line twenty, change the period to a semi-colon and add: *"provided, however,* a permit to cover a pistol or revolver shall, for the purposes of this section and of section nine of this act, be equivalent to a permit to purchase a pistol or revolver".

Section six, line twenty-seven, strike out the words "the license" and insert the following in lieu thereof: "this section (viz section 6)".

Section six, line twenty-seven, strike out the word "deemed".

Section six, line twenty-eight, strike out all matter on lines twenty-eight, twenty-nine and thirty.

Section seven, line four, after the word "of" and before the word "any" and insert the following "committing or attempting to commit".

Section seven, line four, between the words "hereof" and "with" insert the following: "when armed".

Section seven, line five, strike out the word "deemed".

Section seven, line six, place a period after the word "misdemeanor" and strike out all the remainder of line six and all of lines seven and eight.

Section nine, line two, after the word "purchase" and insert the words "or carry".

Section nine, line five, strike out the word "justice" and insert the word "judge" in lieu thereof. Strike out the letter "a" between the words "of" and "court" and insert the word "any" in lieu thereof.

Section nine, line five, strike out the word "or" at end of line and insert the following in lieu thereof: "within this State (except however, justices of the peace),".

Section nine, line six, strike out the words "a trial justice".

Section nine, line thirty-two, strike out the period at the end of the line and add the following: "if the permit be issued by the Secretary of State; to the municipality if the permit be issued

by a municipal officer; in all other instances to the general fund of the county wherein the officer acts or the licensee resides or does business".

Strike out all of paragraph ten and insert the following in lieu thereof: "10. The granting of permits to carry a revolver, pistol or other instrument, enumerated in section one hereof shall be under and according to the provisions of an act entitled 'An act to amend an act entitled "A further 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,' which supplementary act was approved March eleventh, nineteen hundred and twenty-four' and the supplements thereto and amendments thereof."

Section eleven, line one, after the word "provided" and before the word "in" insert the following: "in the statute referred to".

Paragraph twelve, omit the entire paragraph and advance the numerals of each suceeding paragraph accordingly.

Section fifteen, line six, strike out the word "noxious" and insert the word "explosive" in place thereof.

Section fifteen, line seven, insert the word "like" between the words "or" and "substance".

Section sixteen, line three, strike out all matter on lines three, four and five, from and including the word "possession" in line three, to and including the word "same" in line five.

Section seventeen, strike out the entire section and advance the numerals of each succeeding section accordingly.

Section eighteen, line five, strike out the period after the word "cities" and insert the following in lieu thereof: "or to the office of the prosecutor of the county".

Section eighteen, line five, strike out all matter on lines five, six, seven and eight, beginning with and including the word "the" on line five, down to and including the word "year" in line eight.

Paragraph twenty-one, line one, insert the word "or" between the word "sale" and the word "purchase".

Section twenty-one, line one, strike out the comma after the word "purchase".

Section twenty-one, line two, strike out the words "or carrying".

Section twenty-one, line three, strike out all matter beginning with the word "notice" in line three, down to and including the word "licenses" in line four.

Sections twenty-two and twenty-three, strike out all of sections twenty-two and twenty-three and advance the numeral of the following paragraph accordingly.

Section twenty-four, line one, strike out the comma after the word "repealed" and insert a period in lieu thereof and strike out all the remainder of line one, and all of lines two and three.

Strike out section twenty-five.

Section eleven, line four, strike out the period after the word "him," insert a semicolon in lieu thereof and add the following: *"provided, however,* that nothing in this act contained shall be construed in any way to apply to the United States marshal or his deputies, the sheriff, or the undersheriffs of any county, nor to the regularly employed members of any police department, nor to any special policeman appointed by the governing body of any municipality of this State, nor to any prosecutor or assistant prosecutor of any county, regular fish and game wardens, constable, railway police, canal police, steamboat police, and prosecutor's detectives; nor to any member of the State Police, nor to any motor vehicle inspector; nor to any officer of the Society for the Prevention of Cruelty to Animals; nor to any prison or jail wardens or their deputies; nor to guards while in the employ of any banking or building and loan institution of this State; nor to any court attendant engaged in attending the Circuit Court, Court of Oyer and Terminer, Court of Common Pleas, or General Court of Quarter Sessions, justices of the peace; nor to the members of the Army, Navy or Marine Corps of the United States or of the National Guard when on duty; nor to duly authorized military organizations when under orders, nor to the members thereof when going to or from places of meeting of their respective organizations, carrying the weapons prescribed for such drill, exercise or parade; *and provided, further,* nothing in this act contained shall be construed to apply to any person having a written permit to carry any revolver, pistol or other firearm, when such permit has been obtained pursuant to the provisions of this act; nor to public utility corporations in the transportation of explosives; *provided,* however, that nothing herein contained shall prevent any person from keeping or carrying about his or her place of business, dwelling house or premises, any such revolver, pistol, firearm or other weapon, or from carrying the same from any place

ASSEMBLY, No. 228

(*C. S.* 1739, *Cum. C. S.* 830.)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1928.

By Mr. ELLIS.

Referred to Committee on Judiciary.

AN ACT to amend an act entitled "A further 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:*

1. Amend section eleven of the act to which this act is an amendment so as to read as follows:

11. No person shall, without license therefor issued, as provided in the statute referred to in the preceding section, carry a pistol or revolver in any vehicle or concealed on or about his person, except in his dwelling house or place of business or on land possessed by him; *provided, however,* that nothing in this act contained shall be construed in any way to apply to the United States marshal or his deputies, the sheriff, or the undersheriffs of any county, nor to the regularly employed members of any police department, nor to any special policemen appointed by the governing body of any municipality of this State, nor to any prosecutor or assistant prosecutor of any county, regular fish and game wardens, constable, railway police, canal police, steamboat police, and prosecutor's detectives; nor to any member of the State Police, nor to any motor vehicle inspector, nor to any officer of the Society for the Prevention of Cruelty to Animals, nor to any prison or jail wardens or their deputies, nor to guards while in the employ of a railway express company, nor to guards while in the employ of any banking or building and loan institution of this State, nor to any court attendant engaged in attending the Circuit

Court, Court of Oyer and Terminer, Court of Common Pleas or General Court of Quarter Sessions, justices of the peace; nor to the members of the Army, Navy or Marine Corps of the United States or of the National Guard when on duty; nor to duly authorized military organizations when under orders; nor to members thereof when going to or from places of meeting of their respective organizations, carrying the weapons prescribed for such drill, exercise or parade; *and provided, further,* nothing in this act contained shall be construed to apply to any person having a written permit to carry any revolver, pistol or other firearm, when such permit has been obtained pursuant to the provisions of this act; nor to public utility corporations in the transportation of explosives; *provided, however,* that nothing herein contained shall prevent any person from keeping or carrying about his or her place of business, dwelling house or premises, any such revolver, pistol, firearm or other weapon, or from carrying the same from any place of purchase to his or her dwelling house or 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 or to carry a gun, rifle or knife in the woods or fields or upon the waters of the State for the purpose of hunting or target practice. Whenever the words "pistol" or "revolver" are used in this act such words shall include a shotgun, rifle or other firearm with over-all length less than twenty-six inches.

2. This act shall take effect immediately.

STATEMENT.

This bill is introduced for the purpose of permitting duly accredited representatives of railway express companies in whose care is entrusted jewelry, money, stocks and bonds, and other valuables, for transportation between points in the State of New Jersey and through New Jersey to adequately protect such valuables while being transported within and across the State of New Jersey. The present acts do not permit of the carrying of firearms by express messengers and other express employees engaged in the protection of valuable property, and limits applications and permits under the aforesaid act to residents of the State of New Jersey. Valuables transported by railway express companies are carried largely in interstate commerce and railway express em-

ployees protecting said valuables in transit are not in most cases residents of the State of New Jersey. Many of the trunk lines entering New York have their terminal in New Jersey, and in order to safely protect the large number of valuable shipments carried in express service over those lines it is necessary to arm a large number of messengers and guards with firearms.