

EXHIBIT 1

THE
STATUTES OF CALIFORNIA

PASSED AT THE
EXTRA SESSION OF THE FORTY-FIRST LEGISLATURE

1916

BEGAN ON WEDNESDAY, JANUARY FIFTH, AND ENDED ON TUESDAY,
JANUARY ELEVENTH, NINETEEN HUNDRED AND SIXTEEN



CALIFORNIA
STATE PRINTING OFFICE
1917

CHAPTER 145.

An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this state; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

[Approved, May 4, 1917. In effect July 27, 1917.]

The people of the State of California do enact as follows:

SECTION 1. Every person who manufactures or causes to be manufactured, or leases, or keeps for sale, or offers, or gives, or otherwise disposes of any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, or metal knuckles, a dirk or dagger, to any person within this state is guilty of a misdemeanor, and if he has been previously convicted of a crime made punishable by this section, he is guilty of a felony.

Manufacture,
etc., of
certain
dangerous
weapons
misdemeanor.

SEC. 2. Every person who possesses any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, metal knuckles, bomb or bombshells, or who carries a dirk or a dagger, is guilty of a misdemeanor, and if he has been convicted previously of any felony or of a crime made punishable by this act, he is guilty of a felony.

Possession
of certain
dangerous
weapons
misdemeanor.

SEC. 3. Every person who carries in any city, city and county, town or municipal corporation of this state any pistol, revolver, or other firearm concealed upon his person, without having a license to carry such firearm as hereinafter provided in section six of this act, shall be guilty of a misdemeanor, and if he has been convicted previously of any felony, or of any crime made punishable by this act, he is guilty of a felony.

Carrying
firearms
without
license
misdemeanor.

SEC. 4. The unlawful possessing or carrying of any of the instruments, weapons or firearms enumerated in section one to section three inclusive of this act, by any person other than those authorized and empowered to carry or possess the same as hereinafter provided, is a nuisance, and such instruments, weapons or firearms are hereby declared to be nuisances, and when any of said articles shall be taken from the possession of any person the same shall be surrendered to the magistrate before whom said person shall be taken, except that in any city, city and county, town or other municipal corporation the same shall be surrendered to the head of the

Unlawful
possession
of weapon,
etc.,
nuisance.

Surrender
of weapons,
etc.

Destruction
of weapons,
etc.

police force, or police department thereof. The officers to whom the same may be so surrendered, except upon certificate of a judge of a court of record, or of the district attorney of any county that the preservation thereof is necessary or proper to the ends of justice, shall proceed at such time or times as he deems proper, and at least once in each year to destroy or cause to be destroyed such instruments, weapons or other firearms in such manner and to such extent that the same shall be and become wholly and entirely ineffective and useless for the purpose for which it was manufactured.

Attempted
use of
weapons
felony.

SEC. 5. Any person who attempts to use, or who with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any loaded pistol, revolver or other firearm, or any instrument or weapon commonly known as a blackjack, slungshot, billy, sandclub, sandbag, metal knuckles, bomb, or bombshell or any other dangerous or deadly instrument or weapon, is guilty of a felony. The carrying or possession of any of the weapons specified in this section, by any person while committing, or attempting or threatening to commit a felony, or breach of the peace, or any act of violence against the person or property of another, shall be presumptive evidence of carrying or possessing such weapon with intent to use the same in violation of this section.

License to
carry
concealed
firearm.

SEC. 6. It shall be lawful for the board of police commissioners, chief of police, city marshal, town marshal, or other head of the police department of any city, city and county, town, or other municipal corporation of this state, upon proof before said board, chief, marshal or head, that the person applying therefor is of good moral character, and that good cause exists for the issuance thereof, to issue to such person a license to carry concealed a pistol, revolver or other firearm; *provided, however,* that the application to carry concealed such firearm shall be filed in writing and shall state the name and residence of the applicant, the nature of applicant's occupation, the business address of applicant, the nature of the weapon sought to be carried and the reason for the filing of the application to carry the same.

Register
of sales of
firearms.

SEC. 7. Every person in the business of selling, leasing or otherwise transferring a pistol, revolver or other firearm, of a size capable of being concealed upon the person, whether such seller, leasor or transferrer is a retail dealer, pawnbroker or otherwise, except as hereinafter provided, shall keep a register in which shall be entered the time of sale, the date of sale, the name of the salesman making the sale, the place where sold, the make, model, manufacturer's number, caliber or other marks of identification on such pistol, revolver or other firearm. Such register shall be prepared by and obtained from the state printer and shall be furnished by the state printer to said dealers on application at a cost of three dollars per one hundred leaves in duplicate and shall be in the form hereinafter provided. The purchaser of any firearm, capable of being

concealed upon the person shall sign, and the dealer shall require him to sign his name and affix his address to said register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signatures of the purchaser. Any person signing a fictitious name or address is guilty of a misdemeanor. The duplicate sheet of such register shall on the evening of the day of sale, be placed in the mail, postage prepaid and properly addressed to the board of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the city, city and county, town or other municipal corporation wherein the sale was made; *provided*, that where the sale is made in a district where there is no municipal police department, said duplicate sheet shall be mailed to the county clerk of the county wherein the sale is made. A violation of any of the provisions of this section by any person engaged in the business of selling, leasing or otherwise transferring such firearms is a misdemeanor. This section shall not apply to wholesale dealers in their business intercourse with retail dealers, nor to wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms as merchandise by mail, express or other mode of shipment, to points outside of the city, city and county, town or municipal corporation wherein they are situated. The register provided for in this act shall be substantially in the following form:

Duplicate
sheet
mailed to
police.

Violation
misdemeanor.

Series No. _____
Sheet No. _____

Form of
register.

ORIGINAL.

Dealers' Record of Sale of Revolver or Pistol. State of California.

Notice to dealers: This original is for your files. If spoiled in making out, do not destroy. Keep in books. Fill out in duplicate.

Carbon duplicate must be mailed on the evening of the day of sale, to head of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the municipal corporations wherein the sale is made, or to the county clerk of your county if the sale is made in a district where there is no municipal police department. Violation of this law is a misdemeanor. Use carbon paper for duplicate. Use indelible pencil.

Sold by _____ Salesman _____
City, town or township _____
Description of arm (state whether revolver or pistol) _____
Maker _____ number _____ caliber _____
Name of purchaser _____ age _____ years.
Permanent residence (state name of city, town or township,
street and number of dwelling) _____
Height _____ feet _____ inches. Occupation _____
Color _____ skin _____ eyes _____ hair _____

If traveling or in locality temporarily, give local address _____

Signature of purchaser _____
(Signing a fictitious name or address is a misdemeanor.) (To
be signed in duplicate.)

Witness _____, salesman.
(To be signed in duplicate.)

Series No. _____
Sheet No. _____

DUPLICATE.

Dealers' Record of Sale of Revolver or Pistol.
State of California.

Notice to dealers: This carbon duplicate must be mailed
on the evening of the day of sale as set forth in the original
of this register page. Violation of this law is a misdemeanor.

Sold by _____ Salesman _____

City, town or township _____

Description of arm (state whether revolver or pistol) _____

Maker _____ number _____ caliber _____

Name of purchaser _____ age _____ years.

Permanent address (state name of city, town or township,
street and number of dwelling) _____

Height _____ feet _____ inches. Occupation _____

Color _____ skin _____ eyes _____ hair _____

If traveling or in locality temporarily, give local address _____

Signature of purchaser _____
(Signing a fictitious name or address is a misdemeanor.) (To
be signed in duplicate.)

Witness _____, salesman.
(To be signed in duplicate.)

Exceptions. SEC. 8. Nothing in this act shall be construed to apply to
sheriffs, constables, marshals, policemen or other duly
appointed peace officers, nor to any person summoned by any
such officers to assist in making arrest or preserving the peace
while said person so summoned is actually engaged in assisting
such officer; nor to duly authorized military or civil organiza-
tions while parading nor to the members thereof when going
to and from the places of meeting of their respective organiza-
tions; nor to the possession or transportation by any merchant
of unloaded firearms as merchandise; nor to bona fide members
of any club or organization now existing or hereinafter organ-
ized, for the purpose of practicing shooting at targets upon
established target ranges, whether public or private, while
such members are using any of the firearms referred to in
this act upon or in such target ranges, or while going to and
from such ranges.

Constitution- SEC. 9. If any section, subsection, sentence, clause or
ality. phrase of this act is for any reason held to be unconstitutional

such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

CHAPTER 146.

An act amending an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by adding thereto a new section to be numbered twenty-eight, providing for the exclusion from any county water district formed under said act of territory not served by such county water district.

[Approved May 4, 1917. In effect July 27, 1917.]

The people of the State of California do enact as follows:

SECTION 1. An act approved June 10, 1913, and entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," is hereby amended by adding to said act a section numbered twenty-eight, reading as follows: Stats. 1913,
p. 1049.

Sec. 28. Any territory, included within any county water district formed under the provisions of this act, and not benefited in any manner by such district, or its continued inclusion therein, may be excluded therefrom by order of the board of directors of such district upon the verified petition of the owner or owners in fee of lands whose assessed value, with improvements, is in excess of one-half of the assessed value of all the lands, with improvements, held in private ownership in such territory. Said petition shall describe the territory sought to be excluded and shall set forth that such territory is not benefited in any manner by said county water district or its continued inclusion therein, and shall pray that such territory may be excluded and taken from said district. Such petition shall be filed with the secretary of the water district and shall be accompanied by a deposit with such secretary of the sum of one hundred dollars, to meet the expenses of advertising and other costs incident to the proceedings for the Exclusion of
territory.

Petition.

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