

**Clayton E. Cramer, *Concealed Weapon Laws of the Early Republic: Dueling, Southern Violence, and Moral Reform* (Westport, CT: Praeger, 1999)**

State	Concealed Weapons Law	Court Decision	State Constitution
Kentucky	<p><b>1813:</b> "That any person in this Commonwealth, who shall hereafter where a pocket pistol, dirk, large knife, or sword in a cane, concealed as a weapon, unless when travelling on a journey, shall be fined in any sum, not less than one hundred dollars; which may be recovered in any court having jurisdiction of like sums, by action of debt, or on the presentation of a grand jury-and the prosecutor in such presentment shall not be necessary. One half of such fine shall be to the use of the informer, and the other to the use of Commonwealth."</p>	<p><b>Bliss v. Commonwealth (1822) -- overturns ban:</b> "But to be in conflict with the constitution, it is not essential that the action container prohibition against bearing arms in every possible form; it is the right to bear arms in defense of the citizens and the state, that is secured by the constitution, and whatever restrains the full and complete exercise of that right, and not an entire destruction of it, is forbidden by the explicit language of the constitution."</p>	<p><b>1850:</b> "That the rights of the citizens to bear arms in defense of themselves and the State shall not be questioned; but the General Assembly may pass laws to prevent persons from carrying concealed arms." Art. XIII, § 25.</p>
Louisiana	<p><b>1813:</b> "That from and after the passage of this act, any person who shall be found with any concealed weapon, such as a dirk, dagger, knife, pistol or any other deadly weapon concealed in his bosom, coat or in any other place about him that do not appear in full open view, any person so offending, shall on conviction thereof before any justice of the peace, be subject to pay a fine not to exceed fifty dollars nor less than twenty dollars, one half to the use of the informer, and should any person be convicted of being guilty of a second offence before any court of competent jurisdiction, shall pay a fine of not less than one hundred dollars to be applied as aforesaid, and be imprisoned for a time not exceeding six months."</p>	<p><b>State v. Chandler (1850) -- upholds statute:</b> "This law became absolutely necessary to counteract a vicious state of society, growing out of the habit of carrying concealed weapons, and to prevent bloodshed and assassinations committed upon unsuspecting persons. It interfered with no man's right to carry arms (to use its own words), 'in full open view,' which places men upon any quality. This is the right guaranteed by the Constitution of the United States, and which is calculated to incite men to a manly and noble defense of themselves, if necessary, and of their country, without any tendency to secret advantages and unmanly assassination."</p>	<p><b>1879:</b> "A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be abridged. This shall not prevent the passage of laws to punish those who carry weapons concealed." Art. 3.</p>
Indiana	<p><b>1820:</b> "That any person wearing any dirk, pistol, sword in cane, or any other lawful weapon, concealed, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not exceeding one hundred dollars, for the use of county seminaries: <i>Provided however</i>, that this act shall not be so construed as to affect travellers." (language revised slightly in 1831)</p>	<p><b>State v. Mitchell (1833) -- upholds statute:</b> "It was <i>held</i> in this case, that the statute of 1831, prohibiting all persons, except travelers, from wearing or carrying concealed weapons, is not unconstitutional."</p>	<p>No concealed weapon language</p>

<p><b>Georgia</b></p>	<p><b>1837:</b> "That from and after the passage of this act, it shall not be lawful for any merchant, or vendor of wares or merchandize in this state, or any other person or persons whatsoever, to sell, or offer to sell, or to keep, or have about their persons or elsewhere, any of the hereinafter described weapons, to wit: Bowie, or any other kind of knives, manufactured and sold for the purpose of wearing, or carrying the same as arms of offense or defense, pistols, dirks, sword canes, spears, &amp;c., shall also be contemplated in this act, save such pistols as are known and used, as horsemen's pistols, &amp;c.... <i>Provided, also,</i> that no person or persons, shall be found guilty of violating the before recited act, who shall openly wear, externally, Bowie Knives, Dirks, Tooth Picks, Spears, and which shall be exposed plainly to view."</p>	<p><b>Nunn v. State of Georgia (1846) -- upholds concealed weapon ban but overturns law</b> for being too broad and denying "the citizen of his <i>natural</i> right of self-defense, [and] of his constitutional right to keep and bear arms."</p>	<p><b>1868:</b> "A well-regulated militia being necessary to the security of a free people, the right of the people to keep and bear arms shall not be infringed; but the general assembly shall have power to prescribe by law the manner in which arms may be borne." Art. I, § 14.</p>
<p><b>Alabama</b></p>	<p><b>1837:</b> "That if any person carrying any knife or weapon, known as Bowie Knives or Arkansas Tooth-picks, or either or any knife or weapon that shall in form, shape or size, resemble a Bowie-knife or Arkansas Tooth-pick, on a sudden encounter, shall cut or stab another with such knife, by reason of which he dies, it shall be adjudged murder, and the offender shall suffer the same as if the killing had been by malice of forethought."</p> <p><b>1839:</b> "That if any person shall carry concealed about his person any species of fire arms, or any bowie knife, Arkansas tooth-pick, or any other knife of like kind, dirk, or any other deadly weapon, the person so offending, shall on conviction thereof, before any court having competent jurisdiction, pay a fine of not less than fifty nor more than five hundred dollars, to be assessed by the jury trying the case, and be imprisoned for a term not exceeding three months, at the discretion of the Judge of said court."</p>	<p><b>State v. Reid (1840) -- upholds ban:</b> "A statute which, under the pretense of regulating, amounts to a destruction of the right, or which requires arms to be so borne as to render them wholly useless for the purpose of defense, would be clearly unconstitutional. But a law which is intended merely to promote personal security, and to put down lawless aggression and violence, and to that end inhibits the wearing of certain weapons, in such a manner as is calculated to exert an unhappy influence upon the moral feelings of the wearer, by making him less regard for of the personal security of others, does not come in collision with the Constitution"</p>	<p>No concealed weapon language</p>
<p><b>Arkansas</b></p>	<p><b>1838:</b> "Every person who shall wear or any pistol, dirk, butcher or large knife, or a sword in a cane, concealed as a weapon, unless upon a journey,</p>	<p><b>State v. Buzzard (1842): upholds statute:</b> maintaining no right to self-defense and no right to carry arms.</p>	<p>No concealed weapon language</p>

	shall be adjudged guilty of a misdemeanor, and upon conviction thereof, in the county in which the said offense shall have been committed, shall be fined in any sum not less than twentyfive dollars, nor more than one hundred dollars, one have to be paid into the county treasury, other half to the informer, and shall also be imprisoned not less than one, nor more than six months."		
<b>Tennessee</b>	<b>1838:</b> "That if any person shall wear any Bowie knife, Arkansas tooth pick, or any other knife or weapon that shall in form, shape or size resemble a Bowie knife or Arkansas tooth pick under his clothes, or keep the same concealed about his person, such person shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum not less than two hundred dollars, nor more than five hundred dollars, and shall be imprisoned in the county jail not less than three months and not more than six months."	<b>Aymette v. State (1840) -- upholds ban:</b> "They need not, for such a purpose, the use of those weapons which are usually employed in private broils, and which are efficient only in the hands of the robber and the assassin."	<b>1870:</b> "That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime." Art. I, § 26
<b>Virginia</b>	<b>1838:</b> "That if any person shall hereafter habitually or generally keep or carry about his person any pistol, dirk, bowie knife, or any other weapon of the like kind, from the use of which the death of any person might probably ensue, and the same be hidden or concealed from common observation, and he be thereof convicted, he shall for every offense forfeit and pay the sum of not less than fifty dollars nor more than five hundred dollars or be imprisoned in the common jail for a term not less than one month nor more than six months and for each instance at the discretion of the jury; and a moiety of the penalty recovered in any prosecution under this act, shall be given to any person who may voluntarily institute the same."	Cramer does not mention any court challenge to the law	No concealed weapon language