

When Did Concealed Carry Became Illegal in Each State

The citations are a mess and not in a proper style, but are suitable for expedient research purposes at this informal stage.

These dates are the best I could find. Some I am solid on, others not so much. I've noted where I feel unconfident in the source or where I have not been able to do an exhaustive search to rule out prior laws (primarily in New England and the Northeast). Where possible, I tried to find the actual code/revised statutes and the actual act itself. Sometimes I accepted a source if it cited when the law was adopted and there was nothing earlier to be found.

Certain laws are not taken into account, but may be mentioned for research purposes.

- This does not take into account various local laws, whether the legislature created a law for a specific municipality, allowed local ordinances, or municipalities had their own bans.
- This does not take into account "sensitive time and place" laws; generally, only where the ban applied generally across the state. This does include where state bans applied universally only in cities and towns.

None of this is intended to be exhaustive.

Alabama

1839

1839 Alabama Acts 67, "An Act to Suppress the Evil Practice of Carrying Weapons Secretly"

[Google Books](#)

"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 the 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 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."

Alaska

1899, by Congress adopted Oregon's statutes for Alaska, see Oregon's 1885 law¹

Ch. 429 "An Act To define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said district." §117 [Link](#)

¹ Fairly confident no territorial CCW laws before this

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

Misc.

Between 1978-1994, law modified to allow "certain outdoor activities"

1995, shall-issue HB351 (took effect)

2003, constitutional carry (took effect)

Arizona

1889, towns/cities²

"An Act Defining and Punishing Certain Offenses Against the Public Peace." [Hathi Trust](#)

"Section 1. If any person within any settlement, town, village or city within this Territory shall carry on or about his person, saddle, or in his saddlebags, any pistol, dirk dagger, slung shot, sword-cane, spear, brass knuckles, bowie knife, or any other kind of knife manufactured or sold for purposes of offense or defense, he shall be punished by a fine of not less than twenty-five nor more than one hundred dollars; and in addition thereto, shall forfeit to the County in which he is convicted, the weapon or weapons so carried."

"Sec. 3. If any person shall go into any church or religious assembly, any school room, or other place where persons are assembled for amusement or for educational or scientific purposes, or into any circus, show or public exhibition of any kind, or into a hall room, social party or social gathering, or to any election precinct on the day or days of any election, where any portion of the people of this Territory are collected to vote at any election, or to any other place where people may be assembled to muster or to perform any other public duty, or to any other public assembly, and shall have or carry about his person a pistol or other firearm, dirk, dagger, tilling shot, sword-cane, spear, brass knuckles, bowie knife, or any other kind of a knife manufactured and sold for the purposes of offense or defense, he shall be punished by a fine not less than fifty nor more than five hundred dollars, and shall forfeit to the County the weapon or weapons so found on his person."

"Sec. 6. Persons traveling may be permitted to carry arms within settlements or towns of the Territory for one-half hour after arriving in such settlements or town, and while going out of such towns or settlements; and Sheriffs and Constables of the various Counties of this Territory and their lawfully appointed deputies may carry weapons in the legal discharge of the duties of their respective offices."

"Sec. 7. It shall be the duty of the keeper of each and every hotel, boarding house and drinking saloon, to keep posted up in a conspicuous place in his bar room, or reception room if there be no bar in the house, a plain notice to travelers to divest themselves of their weapons in accordance

² Not sure if NM Terr. Laws especially CCW laws carried over in 1863 when AZ Terr. created

with Section 9 of this Act, and the Sheriffs of the various Counties shall notify the keepers of hotels, boarding houses and drinking saloons in their respective Counties of their duties under this law, and if after such notification any keeper of a hotel, boarding house or drinking saloon, shall fail to keep notices posted as required by this Act, he shall, on conviction thereof before a Justice of the Peace, be fined in the sum of five dollars to go to the County Treasury.”

1893, universal

“An Act To regulate and prohibit the carrying of deadly weapons concealed” [Hathi Trust](#)

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

From 1901 Revised Statutes

Penal Code Title 11 Crimes Against the Public Peace §383, 385, 387 [Hathi Trust](#)

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

“385. If any person within any settlement, town, village, or city within this territory shall carry on or about his person, saddle, or in saddlebags, any pistol, dirk, dagger, slung-shot, sword-cane, spear, brass knuckles, bowie-knife, or any other kind of knife manufactured or sold for purposes of offense or defense, he shall be punished by a fine of not less than twenty-five nor more than one hundred dollars; and, in addition thereto, shall forfeit to the county in which he is convicted the weapon or weapons so carried.”

“387. If any person shall go into church or religious assembly, any school room, or other place where persons are assembled for amusement or for educational or scientific purposes, or into any circus, show or public exhibition of any kind, or into a ball room, social party or social gathering, or to any election precinct, on the day or days of any election, where any portion of the people of this territory are collected to vote at any election, or to any other place where people may be assembled to minister or to perform any other public duty, or to any other public assembly, and shall have or carry about his person A pistol or other firearm, dirk, dagger, slung-shot, sword-cane, spear, brass knuckles, bowie knife or any other kind of a knife manufactured and sold for the purposes of offense or defense, he shall be punished by a fine not less than fifty nor more than five hundred dollars, and shall forfeit to the county the weapon or weapons so found on his person.:

Arkansas

1838

Revised Statutes of the State of Arkansas, Adopted at the October Session of the General Assembly of Said State, A.D. 1837 [Duke Law](#)

“Every person who shall wear any pistol, dirk, butcher or large knife, or a sword in a cane, concealed as a weapon, unless upon a journey, shall be adjudged guilty of a misdemeanor, and upon conviction thereof, in the county in which the said offence shall have been committed, shall be fined in any sum not less than twenty five dollars, nor more than one hundred dollars, one half to be paid into the county treasury, the other half to the informer, and shall also be imprisoned not less than one, nor more than six months”

1881, effectively open and concealed carry (army/navy pistols)³

1881 Ark. Acts 191, An Act to Preserve the Public Peace and Prevent Crime, chap. XCVI (96), §1 [Duke Law](#)

"That any person who shall wear or carry, in any manner whatever, as a weapon, any dirk or bowie knife, or a sword, or a spear in a cane, brass or metal knucks, razor, or any pistol of any kind whatever, except such pistols as are used in the army or navy of the United States, shall be guilty of a misdemeanor."

California

1863

“An Act to prohibit the Carrying of Concealed Weapons.” [Hathi Trust](#)

“SECTION 1. Every person, not being a peace officer or traveller, who shall wear or carry any dirk, pistol, sword in a cane, slung-shot, or other dangerous or deadly weapon, concealed, shall, upon conviction thereof before any Court of competent jurisdiction, be deemed guilty of a misdemeanor, and shall be imprisoned in the County Jail for not less than thirty nor more than ninety days, or fined in any sum not less than twenty nor more than two hundred dollars.
SEC. 2. Such persons, and no others, shall be deemed travellers within the meaning of this Act, as may be actually engaged in making a journey at the time.”

1870 repealed, [Hathi Trust](#)

1917, city/town only ban, allowed permits

“An act relating to and regulating the carrying possession...of firearms capable of being carried concealed on the person.” [Hathi Trust](#)

³ Considering this an effective ban on all carry as intent was obviously to suppress carrying by making it difficult unless one happened to have specifically a military issue weapon.

“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.”

1923, allowed permits

“An act to control and regulate the possession sale and use of pistols, revolvers...” [Hathi Trust](#)

“SEC. 5. Except as otherwise provided in this act, it shall be unlawful for any person within this state to carry concealed upon his person or within any vehicle which is under his control or direction any pistol, revolver or other firearm capable of being concealed upon the person without having a license to carry such firearm as hereinafter provided in section eight hereof. Any person who violates the provisions of this section 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.”

Misc.

1864 amended to exempt a variety of officers, [Hathi Trust](#)

1967, loaded open carry banned

2011, unloaded open carry banned

Colorado

1862, towns and cities

1862 Colo. Sess. Laws 56, An Act To Prevent The Carrying Of Concealed Deadly Weapons In The Cities And Towns Of This Territory, [Duke Law](#)

“If any person or persons shall, within any city, town, or village in this Territory, whether the same is incorporated or not, carry concealed upon his or her person any pistol, bowie knife, dagger, or other deadly weapon, shall, on conviction thereof before any justice of the peace of the proper county, be fined in a sum not less than five, nor more than thirty-five dollars.”

1876, amended to exempt law enforcement

1881, allowed w/h police permission

“An Act to amend Sec. 153 of Ch. 24 of General Laws, Entitled Criminal Code.” [Hathi Trust](#)

“Sec. 153. If any person or persons shall, within any city, town or village, in this state, whether the same be incorporated or not, carry concealed upon his person any pistol, bowie knife, dagger or other deadly weapon, such person shall, upon conviction thereof, be punished by imprisonment in the county jail for a term of not less than ten nor more than thirty days, and

fined not less than fifty nor more than one hundred dollars; provided, that this section shall not be construed to apply to sheriffs or other officers of the peace while on duty.”

1891

1891, "An Act to Amend Section One Hundred and Eighty-Two...", Laws Passed at the Eight Session of the General Assembly of the State of Colorado, 1891, [Hathi Trust](#)

“SECTION 1. That Section 182 of Chapter XXV of the General Statutes of Colorado, entitled ‘Criminal Code’ being general section 870, as the same was amended April 10, 1885, be, and the same is hereby amended so as to read as follows: SECTION 182. If any person, or persons shall within any city, town or village in this State, whether the same is incorporated or not carry concealed upon his, her or their person any pistol, revolver, derringer, bowie-knife, razor, dagger, sling-shot or other deadly weapon, such person or persons shall upon conviction thereof before any police magistrate or justice of the peace, be punished by...”

1908, still cities & towns, [Hathi Trust](#)

1935 mentioned in 1938 by Sam Warner in reference to Uniform Pistol Act⁴

Connecticut

1907 allowed local permits⁵

"An Act concerning Concealed Weapons." [Hathi Trust](#)

“SECTION 1. Every person who shall carry concealed upon his person any pistol, slung shot, sand bag, brass knuckles, or stiletto, or any knife the blade of which exceeds four inches in length, or any other dangerous or deadly weapon or implement, unless in possession of a written permit issued and signed by the mayor or chief of police of the city, the warden of the borough, or the first selectman of the town, authorizing said person to carry such weapon or implement within such city, borough, or town, as the case may be, wherein such person may be found, shall, upon conviction, be fined not more than two hundred dollars, or imprisoned in the county jail not more than one year, or both; provided, however, that this section shall not apply to any sheriff, deputy sheriff, bailiff, constable, policeman, or any other duly appointed officer charged with the preservation of the public peace.”

191, may-issue

"An Act amending an Act concerning Concealed weapons." [Hathi Trust](#)

“Every person who shall carry concealed upon his person any pistol, revolver, slung shot, black jack, sand bag, metal or brass knuckles, or stiletto, or any knife the edged portion of the blade of

⁴ Needs more research, not confident, but see source: Warner, Sam B. "Uniform Pistol Act." Journal of Criminal Law and Criminology. Volume 29, Issue 4. Nov.-Dec. Winter 1938. pp. 539, Footnote 25

⁵ Not very confident that there wasn't prior legislation, but a more than cursory, but not exhaustive, search didn't reveal any prior laws easily

which is four inches, or over, in length, or any other dangerous or deadly weapon or implement, unless in possession of a written permit, issued and signed by the mayor or chief . of police of the city, or warden of the borough, or the first selectman of the town, authorizing said person to carry such weapon or implement within such city, borough, or town, as the case may be, shall, upon conviction, be fined not more than two hundred dollars, or imprisoned in the county jail not more than one year, or both; provided, that this section shall not apply to any sheriff, deputy sheriff, bailiff, constable, policeman, or any other duly appointed officer charged with the preservation of the public peace.”

1923

"An Act Concerning the Possession, Sale and Use of Pistols and Revolvers." [Hathi Trust](#)

“SEC. 9. No person shall carry any pistol or revolver in or upon any vehicle or upon his person, except when such person shall be within his dwelling house or place of business, without a permit to carry the same issued as hereinbefore provided.

SEC. 10. The provisions of section nine of this act shall not apply to the carrying of any pistol or revolver by any marshal, sheriff or peace officer, or to any soldier, sailor or marine in the service of the United States or this state when on duty or going to or from duty, or to any member of any military organization when on parade or when going to or from any place of assembly, or to the transportation of pistols or revolvers as merchandise, or to any person carrying any pistol or revolver while contained in the package in which it was originally wrapped at the time of sale and while carrying the same from the place of sale to the purchaser's residence or place of business, or to .any person removing his household goods or effects from one place to another, or to any person while carrying any such pistol or revolver from his place of residence or business to a place or person where or by whom such pistol or revolver is to be repaired or while returning to his place of residence or business after the same shall have been repaired.”

Delaware

1881

"An Act Providing for the Punishment of Persons Carrying Concealed Deadly Weapons" [Duke Law](#)

"1. That if any person shall carry concealed a deadly weapon upon or about his person other than an ordinary pocket knife, or shall knowingly sell a deadly weapon to a minor other than an ordinary pocket knife, such person shall, upon conviction thereof, be fined not less than twenty-five nor more than one hundred dollars or imprisoned in the county jail for not less than ten nor more than thirty days, or both at the discretion of the court: Provided, that the provisions of this section shall not apply to the carrying of the usual weapons by policemen and other peace officers. § 2. That if any person shall, except in lawful self-defense discharge any firearm in any public road in this State, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine not exceeding fifty dollars or by imprisonment not exceeding one month, or both at the discretion of the court."

Misc.

1852 “go armed offensively” (about riot/affrays, not carry) [Hathi Trust](#) (§13)

District of Columbia

1901 (1929 mention)⁶

The Code of the District of Columbia, 1929, Title 6, Crimes and Criminal Procedure, [Hathi Trust](#)

114. Carrying weapons.—Any person who shall within the District of Columbia have concealed about his person any deadly or dangerous weapon, or who shall carry openly any such weapon, with intent to unlawfully use the same, shall be fined not less than fifty dollars nor more than five hundred dollars. or be imprisoned not exceeding one year, or both: *Provided*, That the officers, noncommissioned officers, and privates of the United States Army, Navy, or Marine Corps, or of any regularly organized militia company, police officers, officers guarding prisoners, officials of the United States or the District of Columbia engaged in the execution of the laws for the protection of persons or property, when any of such persons are on duty, shall not be liable for carrying necessary arms for use in performance of their duty: *Provided further*, That nothing contained in this section shall be so construed as to prevent any person from keeping or carrying about his place of business, dwelling house, or premises any such dangerous or deadly weapon, or from carrying the same from place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to any place where repairing is done to have the same repaired and back again: *Provided further*, That nothing contained in this section shall be so construed as to apply to any person who shall have been granted a written permit to carry such weapon or weapons by any judge of the police court of the District of Columbia; and authority is hereby given to any such judge to grant such permit for a period of not more than one month at any one time, upon satisfactory proof to him of the necessity for the granting thereof, and, further, upon the filing with such judge of a bond, with sureties to be approved by said judge, by the applicant for such permit, conditioned to the United States in such penal sum as said judge shall require for the keeping of the peace, save in the case of necessary self-defense by such applicant during the continuance of said permit, which bond shall be put in suit by the United States for its benefit upon any breach of such condition. (Mar. 8. 1901, 81 Stat. 1328, c. 854, sec. 855.)

Misc.

1910 mention of 1901 [Hathi Trust](#)

Uniform Firearm Act adopted **1932** by Congress⁷ [quote source](#)

1943 pistol license origin? [Hathi Trust](#)

Florida

1840

“An Act to Prevent any Person in this Territory from Carrying Arms Secretly.” [Duke Law](#)

⁶ Low confidence. No exhaustive search done. Local ban may have been done by city powers through ordinance.

⁷ Needs more research

“Be it Enacted by the Governor and Legislative Council of the Territory of Florida, That from and after the passage of this act, it shall not be lawful for any person in this Territory to carry arms of any kind whatsoever secretly, on or about their persons; and if any dirk, pistol, or other arm, or weapon, except a common pocket-knife, shall be seen, or known to be secreted upon the person of any one in this Territory, such person so offending shall, on conviction, be fined not exceeding five hundred dollars, and not less than fifty dollars, or imprisoned not more than six months, and not less than one month, at the discretion of the jury: Provided, however, that this law shall not be so construed as to prevent any person from carrying arms openly, outside of all their clothes; and it shall be the duty of judges of the superior courts in this Territory, to give the matter contained in this act in special charge to the grand juries in the several counties in this Territory, at every session of the courts.”

1868 [Duke Law](#)

“Offences Against Public Peace, §13”

"Whoever shall carry arms of any kind whatever, secretly, on or about their person, or whoever shall have about or on their person any dirk, pistol or other arm or weapon, except a common pocket knife, upon conviction thereof shall be fined in a sum not exceeding one hundred dollars, or imprisoned in the county jail not exceeding six months."

(1885) [link](#); §20, 1885 constitution: "the Legislature may prescribe the manner in which they may be borne." [Duke Law](#). [Senate Journal](#), Assm. Bill 35 passed senate, [Senate Journal](#), CCW bill enrolled

1893

1893 Fla. Laws 51, chap. 4124, §1 [Duke Law](#)

“Whoever shall secretly carry arms of any kind on or about his person, or whoever shall have concealed on or about his person any dirk, pistol or other weapon, except a common pocket knife, shall be punished by imprisonment not exceeding three months or by fine not exceeding one hundred dollars, or by both such fine and imprisonment.”

Georgia

1837, both forms of carry

"An Act to Guard and Protect the Citizens of this State, Against the Unwarrantable and too Prevalent use of Deadly Weapons" [Duke Law](#)

"It shall not be lawful for any merchant, or vender of wares or merchandize in this State, or any other person or persons whatsoever, to sell, or offer to sell, or to keep, or to have about their person or elsewhere, any of the hereinafter described weapons, to wit: Bowie, or any other kinds of knives, manufactured and sold for the purpose of wearing, or carrying the same as arms of

offence or defense, pistols, dirks, sword canes, spears, &c., shall also be contemplated in this act, save such pistols as are known and used as horseman's pistols, &c.

1852, law amended to OC allowed only

“An Act to prohibit the sale of deadly weapons, and to prescribe the manner of carrying the same...”, *Acts of the General Assembly of the State of Georgia*, 1852, [link](#)

“SECTION I. Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this Act, it shall not be lawful for any person or persons whatever, to have or carry about their persons, any pistol (except horseman pistols,) dirk, sword in a cane, spear, [Illegible Text] knife, or any other kind of knives manufactured and sold for the purpose of offence and defence, save and except in the manner hereinafter mentioned.

8. SEC. II. No person or persons shall have or carry about their persons, any one or more of the weapons [Illegible Text] and embraced in the first section of this Act, except such person or persons shall have or carry such weapon or weapons in an open manner and fully exposed to view.”

1867 (mention)

The Code of the State of Georgia, 1867 [Hathi Trust](#)

“§4454. Any person having or carrying about his person, unless in an open manner and fully exposed to view, any pistol, (except horseman’s pistols,) dirk, sword in a cane, spear, bowie-knife, or any other kind of knives, manufactured and sold for the purpose of offence and defence, shall be guilty of a misdemeanor, and, on conviction, shall be punished by fine or imprisonment, or both, at the discretion of the court.”

1911, OC licensed

"An Act to prohibit any person from having or carrying about his person, in any county in the State of Georgia, any pistol or revolver without first having obtained a license..." *Acts of the General Assembly of the State of Georgia*, 1910 [Link](#)

"SECTION 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That from and after passage of this Act it shall be unlawful for any person to have or carry about his person, in any county in the State of Georgia, any pistol or revolver without first taking out a license from the Ordinary of the respective counties in which the party resides, before such person shall be at liberty to carry around with him on his person, or to have in his manual possession outside of his own home or place of business, provided that nothing in this Act shall be construed to alter, affect or amend any laws now in force in this State relative to the carrying of concealed weapons on or about one's person, and provided further, that this shall not apply to sheriffs, deputy sheriffs, marshals, or other arresting officers of this State or United States, who are now allowed, by law, to carry revolvers; nor to any of the militia of said State while in service or upon duty; nor to any students of military colleges or schools when they are in the discharge of their duty at such colleges."

"SEC. 2. Be it further enacted, That the Ordinary of the respective counties of this State in which the applicant resides may grant such license, either in term time or during vacation, upon the application of party or person desiring to apply for such license; provided applicant shall be at least eighteen years old or over, and shall give a bond payable to the Governor of the State in the sum of one hundred dollars, conditioned upon the proper and legitimate use of said weapon with a surety approved by the Ordinary of said county, and the Ordinary granting the license shall keep a record of the name of the person taking out such license, the name of the maker of the fire-arm to be carried, and the caliber and number of the same."

Misc. Notes

Nunn, 1846 upheld CC ban but upheld OC

(1861 or before) statute changed to allow OC

Strickland, 1911, overrules *Nunn*, OC can be subject to a permit

Hawaii

1925?

1925 mention in the 1927 law that it amended the 1925 "Small Arms Act"⁸

1927 "AN ACT Regulating the Sale, Transfer and Possession of Certain Firearms and Ammunitions, and Amending Sections ... *Revised Laws of Hawaii 1925* (the "Small Arms Act")," [Duke Law](#)

"Section 5. Carrying or keeping small arms by unlicensed persons. Except as otherwise provided in Sections 7 and 11 hereof in respect of certain licensees, no person shall carry, keep, possess, or have under his control a pistol or revolver; provided, however, that any person who shall have lawfully acquired the ownership or possession of a pistol or revolver may, for purposes of protection and with or without a license, keep the same in the dwelling house or business office personally occupied by him, and, in case of an unlawful attack upon any person or property in said house or office, said pistol or revolver may be carried in any lawful, hot pursuit of the assailant."

Idaho

1888, both methods banned in cities & towns

"An Act Regulating the Use and Carrying of Deadly Weapons in Idaho Territory." [Hathi Trust](#)

"SECTION 1. That it is unlawful for any person, except United States officials, officials of Idaho Territory, County officials, Peace officers, Guards of any jail, and officers or employees of any Express Company on duty, to carry, exhibit or flourish any dirk, dirk-knife, sword, sword-cane, pistol, gun or other deadly weapons, within the limits or confines of any city, town or village or

⁸ 1925 was the earliest reference to weapons carry laws I could find in Hawaii.

in any public assembly of Idaho Territory. Every person so doing is guilty of a misdemeanor and is punishable by fine not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than twenty by nor more than fifty days, or by both such fine and imprisonment.”

1902 [In re Brickey](#) decriminalized OC

Mention from 1909 that concealed carry only regulated⁹ [Hathi Trust](#)

Illinois

1874

Disorderly Conduct, “An Act to revise the law in relation to Criminal Jurisprudence,” *Laws of the State of Illinois*, 1874 [Hathi Trust](#)

“§56. *Disturbing the Peace.*—Whoever, at a late and unusual hour of the night time, willfully and maliciously disturbs the peace and quiet of any neighborhood or family, by loud or unusual noises, or by tumultuous or offensive carriage, threatening, traducing, quarreling, challenging to fight or fighting, or whoever shall carry concealed weapons, or in a threatening manner display any pistol, knife, slungshot, brass, steel or iron knuckles, or other deadly weapon, day or night, shall be fined not exceeding \$100.”

1881

“An Act to regulate the traffic in deadly weapons...” [Hathi Trust](#)

“§4. Whoever shall carry a concealed weapon upon or about his person of the character in this Act specified, or razor as a weapon, or whoever, in a threatening or boisterous manner, shall display or flourish any deadly weapon, shall be guilty of a misdemeanor and shall be fined in any sum not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).”

Indiana

1820, exempted travelers

(1824 mention) *Revised Laws of Indiana*, 1824 “An Act to Prohibit the Wearing of Concealed Weapons” (passed 1820) [Hathi Trust](#)

“Be it enacted by the General Assembly of the State of Indiana, That any person wearing any dirk, pistol, sword in cane, or any other unlawful weapon, concealed, shall be deemed guilty of a misdemeanor, and on conviction thereof, by presentment or indictment, shall be fined in any sum not exceeding one hundred dollars, for the use of county seminaries: *Provided however*, that this act shall not be so construed as to affect travellers.”

⁹ Unsure of statute amendment date to comply with *Brickey*

1859

Laws of the State of Indiana, 1857-1859 “An Act to prevent carrying concealed or dangerous weapons, and to provide punishment therefor.” [Hathi Trust](#)

“SEC. 82 Every person, not being a traveler, who shall wear or carry any dirk, pistol, bowie-knife, dagger, sword in cane or any other dangerous or deadly weapon concealed, or who shall carry or wear any such weapon openly, with the intent or avowed purpose of injuring his fellowman, shall, on conviction, be fined not exceeding five hundred dollars.”¹⁰

Misc.

(sentence enhancement) 1905 Ind. Acts 687–88, Weapon—Carrying Dangerous § 449. [Duke Law](#)

Iowa

1873

Annotated Code of the State of Iowa Containing, 1873 [Hathi Trust](#)¹¹

“Carrying Concealed Weapons, § 4775. If any person carry upon his person any concealed weapon, he shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars, or imprisoned in the county jail not more than thirty days; *provided*, that this section shall not apply to police officers and other persons whose duty it is to execute process or warrants, or make arrests.”

Kansas

1867

The Laws of the State of Kansas, 1867 “An Act to prevent the carrying of Deadly Weapons.” [Google Books](#)

“SECTION 1. Any person who is not engaged in any legitimate business, any person under the influence of intoxicating drink, and any person who has ever borne arms against the Government of the United States, who shall be found within the limits of this State, carrying on his person a pistol, bowie-knife, dirk or other deadly weapon, shall be subject to arrest upon charge of misdemeanor; and upon conviction shall he fined in a sum not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding three months, or both, at the discretion of the court.”

¹⁰ This language seems to have been adopted by other states, but I am not considering the open carry language as a ban on open carry as it seems to me more like the old “peace bond”/surety laws.

¹¹ Earliest mention. Unable to find actual act. May have been enacted as part of the 1873 code.

General Statutes of the State of Kansas, 1868 [Google Books](#)

“SEC. 282. Any person who is not engaged in any legitimate business, any person under the influence of intoxicating drink, and any person who has ever borne arms against the government of the United States, who shall be found within the limits of this state, carrying on his person a pistol, bowie-knife, dirk or other deadly weapon, shall be subject to arrest upon charge of misdemeanor, and upon conviction, shall be fined in a sum not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding three months, or both, at the discretion of the court.”

Kentucky

1813

“An Act to Prevent Persons in this Commonwealth from Wearing Concealed Arms, Except in Certain Cases,” [Hathi Trust](#)

"Be it enacted by the General Assembly of the Commonwealth of Kentucky, that any person in this Commonwealth, who shall hereafter wear a pocket pistol, dirk, large knife, or sword in a cane, concealed as a weapon, unless when travelling on a journey, shall be fined..."

Ruled unconstitutional in 1822 by [Bliss v. Commonwealth](#)¹²

1854^{13,14}

Acts of the General Assembly of the Commonwealth of Kentucky, 1854 “An Act to prohibit the carrying of concealed deadly weapons.”

“§1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any person shall hereafter carry concealed any deadly weapons, other than an ordinary pocket knife, except as provided in the next section, he shall be fined on the first conviction not less than fifty nor more than one hundred dollars, and on any subsequent conviction not less than one hundred nor more than five hundred dollars.

§2. That the carrying of concealed deadly weapons shall be legal in the following cases: 1. Where the person has reasonable grounds to believe his person, or the person of some of his family, or his property, is in danger from violence or crime. 2. Where sheriffs, constables, marshals, and policeman carry such weapons as are necessary to their protection in the efficient discharge of their duty. 3. Where persons are required by their business or occupation to travel during the night, the carrying concealed deadly weapons during such travel.”

¹² As of this writing, unable to locate a repeal statute

¹³ Per Ireland, attempts were made prior to this, but nothing passed until 1854. Ireland, Robert M. "Homicide in Nineteenth Century Kentucky." *The Register of the Kentucky Historical Society* 81, no. 2 (1983): 134-53. Accessed February 25, 2020. www.jstor.org/stable/23379404. pp. 140-141

¹⁴ See 1852 proposal in, *Senate Journal* [Hathi Trust](#)

Louisiana

1813

“An Act Against Carrying Concealed Weapons, and Going Armed in Public Places in an Unnecessary Manner” [Duke Law](#)

"Be it enacted by the senate and house of representatives of the state of Louisiana, in general assembly convened, 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..."

Maine

1917, CCW banned, but allowed permits¹⁵

Revised Statutes of Maine, Ch. 142 Sec. 13. “Threatening display of firearms or weapons.” 1917, c. 217, §1" [link](#)

“No person shall in a threatening manner display any firearm, slung-shot, knuckles, bowie knife, dirk, stiletto, or other dangerous or deadly weapon. No person shall wear under his clothes or concealed about his person any such firearm, slung-shot, knuckles, bowie knife, dirk, stiletto, or other dangerous or deadly weapon unless first licensed so to do as provided in the following sections.”

Maryland

1886¹⁶

1886 “An Act to add a new section to article thirty of the Code of Public General Laws, title ‘Crimes and Punishments,’ providing for the punishment of carrying dangerous or deadly weapons.” [Link](#)

“30. Every person, not being a conservator of the peace entitled or required to carry such weapon as a part of his official equipment, who shall wear or carry any pistol, dirk-knife, bowie-knife, slung-shot, billy, sand-club, metal knuckles, razor, or any other dangerous or deadly weapon of any kind whatsoever, (penknives excepted,) concealed upon or about his person ; and every person who shall carry or wear any such weapon openly with the intent or purpose of injuring

¹⁵ Not very confident that there wasn't prior legislation, but a more than cursory, but not exhaustive, search didn't reveal any prior laws easily

¹⁶ Not very confident that there wasn't prior legislation, but a more than cursory, but not exhaustive, search didn't reveal any prior laws easily

any person, shall, upon conviction thereof, be fined not more than five hundred dollars, or be imprisoned not more than six months in jail or in the house of correction.”¹⁷

Massachusetts

1906, allowed permits¹⁸

"An Act Relative to the Carrying of Concealed Weapons." [Hathi Trust](#)

“SECTION 1. The justice of a court, or trial justices, the board of police or mayor of a city, or the selectmen of a town, or persons authorized by them, respectively, may, upon the application of any person, issue a license to such person to carry a loaded pistol or revolver in this Commonwealth, if it appears that the applicant has good reason to fear an injury to his person or property, and that he is a suitable person to be so licensed.

SECTION 2. Whoever, except as provided by the laws of this Commonwealth, carries on his person a loaded pistol or revolver, without authority or permission as provided in section one of this act, or whoever carries any stiletto, dagger, dirk-knife, slung-shot or metallic knuckles, shall upon conviction be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.”

Misc.

1919 ch. 207 § 2 "An Act Relative to the Carrying of Concealed Weapons." Acts and resolves passed by the General Court. 1919 pp. 157 [Hathi Trust](#)

1927, [Duke Law](#) Uniform Firearm Act? [Archive.org](#) "An Act Relative to Machine Guns and Other Firearms." Ch. 326 § 10 Acts and Resolves Passed by the General Court of Massachusetts [...] 1927 [...]

Michigan

1887

“1887 Mich. Pub. Acts 144, An Act to Prevent The Carrying Of Concealed Weapons, And To Provide Punishment Therefor,” [Duke Law](#)

“It shall be unlawful for any person, except officers of the peace and night-watches legitimately employed as such, to go armed with a dirk, dagger, sword, pistol, air gun, stiletto, metallic knuckles, pocket-billie, sand-bag, skull-cracker, slung-shot, razor, or other offensive and dangerous weapon or instrument concealed upon his person.”

¹⁷ 1888, first compiled mention, *The Maryland Code*, 1888 “Concealed Weapons” [Hathi Trust](#)

¹⁸ Not very confident that there wasn't prior legislation, but a more than cursory, but not exhaustive, search didn't reveal any prior laws easily

Minnesota

1889, CC with intent to use¹⁹

General Statutes of the State of Minnesota, 1889²⁰, “Carrying, using, etc., certain Weapons”
[Hathi Trust](#)

“§334. A person who attempts to use against another, or who, with intent so to use, carries, conceals, or possesses any instrument or weapon of the kind commonly known as a slung-shot, sand-club, or metal knuckles, or a dagger, dirk, knife, pistol or other fire-arm, or any dangerous weapon, is guilty of a misdemeanor.”

“§335. Possession, presumptive evidence. The possession by any person other than a public officer of any of the weapons specified in the last section, concealed or furtively carried on the person, is presumptive evidence of carrying or concealing or possessing with intent to use the same in violation of that section.”

Misc.

Undated case citation from 1934 document states does not apply to carry w/o criminal intent [link](#); 1894 [link](#), no specification; (1927) [link](#) possible evidence of specification originating in 1903

Mississippi

1878

1878 Miss. Laws 175, “An Act To Prevent The Carrying Of Concealed Weapons And For Other Purposes” [Duke Law](#)

“That any person not being threatened with, or having good and sufficient reason to apprehend an attack, or traveling (not being a tramp) or setting out on a long journey, or peace officers, or deputies in discharge of their duties, who carries concealed, in whole or in part, any bowie knife, pistol, brass knuckles, slung shot or other deadly weapon of like kind or description, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished for the first offense by a fine of not less than five dollars nor more than one hundred dollars, and in the event the fine and cost are not paid shall be required to work at hard labor under the direction of the board of supervisors or of the court, not exceeding two months, and for the second or any subsequent offence, shall, on conviction, be fined not less than fifty nor more than two hundred dollars, and if the fine and costs are not paid, be condemned to hard labor not exceeding six months under the direction of the board of supervisors, or of the court. That in any proceeding under this section, it shall not be necessary for the State to allege or prove any of the exceptions herein contained, but the burden of proving such exception shall be on the accused.”

¹⁹ Sam Warner in 1938 argued that Minnesota had no prohibition on concealed carry due to the wording of the statute. Warner, Sam B. "Uniform Pistol Act." *Journal of Criminal Law and Criminology*. Volume 29, Issue 4. Nov.-Dec. Winter 1938. pp. 530, Footnote 6

²⁰ Earliest dated reference, surety laws before this

Mention implying an 1880 act [Hathi Trust](#); 1880 codified statutes [Hathi Trust](#); appears 1880 law modified the original statute

The Revised Code of the Statute Laws of the State of Mississippi, [Duke Law](#)

“Carrying Concealed Weapons, §2985. Any person, not being threatened with, or having good and sufficient reason to apprehend an attack, or travelling (not being a tramp) or setting out on a journey, or a peace officer, or deputy in discharge of his duties, who carries concealed, in whole or in part, any bowie knife, pistol, brass or metallic knuckles, slung-shot, or other deadly weapon of like kind or description, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished by fine not exceeding one hundred dollars, and in the event the fine and costs are not paid, shall be required to work at hard labor under the direction of the board of supervisors or of the court, not exceeding two months, and for the second or any subsequent offence, shall, on conviction, be fined not less than fifty nor more than two hundred dollars, and if the fine and costs are not paid, be condemned to hard labor not exceeding six months, as above provided, and in any proceeding under this section, it shall not be necessary for the state to allege or prove any of the exceptions herein contained, but the burden of proving such exception shall be on the accused.”

Missouri

1877

Mentioned in 1879 Revised Statutes of the state of Missouri [Hathi Trust](#)

“SEC. 1274. Carrying deadly weapons, etc. If any person shall carry concealed, upon or about his person, any deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or into any school room or place where people are assembled for educational, literary or social purposes, or to any election precinct, on any election day, or into any court room during the sitting of court, or into any other public assemblage of persons met for any lawful purpose, other than for militia drill or meetings called under the militia law of this state, having upon or about his person any kind of firearms, bowie-knife, dirk, dagger, slung-shot, or other deadly weapon, or shall, in the presence of one or more persons, exhibit any such weapon in a rude, angry or threatening manner, or shall have or carry any such weapon upon or about his person when intoxicated or under the influence of intoxicating drinks, or shall, directly or indirectly, sell or deliver, loan or barter to any minor, any such weapon, without the consent of the parent or guardian of such minor, he shall, upon conviction, be punished by a fine of not less than live nor more than one hundred dollars, or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment. (Laws 1874, p. 43; laws 1875, p. 50, and laws 1877, p. 240, amended.)”

Misc. notes

Previous versions were not a state-wide ban (similar to Texas' 1870 law, prior to 1871 UCW law) 1874 [Hathi Trust](#), “sensitive places” & 1875 [Hathi Trust](#), “sensitive places” but exempted those who duties required it

1883 (sentence enhancement) [Duke Law](#), [Hathi Trust](#)

Montana

1865 towns & cities

Statutes of 1864 “An Act to prevent the carrying of concealed deadly weapons in the cities and towns of this Territory.” (approved 1/11/1865) [Hathi Trust](#)

“Sec. 1. If any person shall within any city, town, or village in this Territory, whether the same is incorporated or not, carry concealed upon his or her person any pistol, bowie-knife, dagger, or other deadly weapon, shall, on conviction thereof before any justice of the peace of the proper county, be fined in any sum not less than twenty-five dollars nor more than one hundred dollars.”

Nebraska

1873

The Compiled Statutes of the State of Nebraska...in Force September 1, 1873 Procedure-Criminal, Chap. 5 Sec. 25 [Hathi Trust](#)

“SEC. 25. Whoever shall carry a weapon or weapons, concealed on or about his person, such as a pistol, bowie-knife, dirk, or any other dangerous weapon, on conviction of the first offense shall be fined not exceeding two hundred dollars, or imprisoned in the county jail not more than thirty days, and for the second offense, not exceeding five hundred dollars, or imprisoned in the county jail not more than three months, or both, at the discretion of the court. *Provided, however,* If it shall be proved from the testimony on the trial of any such case, that the accused was, at the time of carrying any weapon or weapons as aforesaid, engaged in the pursuit of any lawful business, calling, or employment, and that the circumstances in which lie was placed at the time afore-said were such as to justify a prudent man in carrying the weapon or weapons aforesaid for the defense of his person, property, or family, the jury shall acquit the accused.”

1866, carrying weapon with intent to assault (§145) [Hathi Trust](#)

1875, reduced fines [Hathi Trust](#)

Nevada

1867-1871 (repealed)

“An Act to prohibit carrying of Concealed Weapons.” Statutes of the State of Nevada. Sess. 3 (1867) [Hathi Trust](#)

“SECTION 1. Every person, not being a peace officer or traveler, who shall wear or carry any dirk, pistol, sword in a cane, slung-shot, or other dangerous or deadly weapon concealed, shall, upon conviction there-of before any Court of competent jurisdiction, be deemed guilty of misdemeanor, and shall be imprisoned in the County Jail for not less than thirty, nor more than ninety days, or fined in any sum not less than twenty, nor more than two hundred dollars. SEC. 2. Such persons, and no others, shall be deemed traveler[s] within the meaning of this Act, as may be actually engaged in making a journey at the time.”

Repealed **1871** “An Act to Repeal and Act entitled...” [Hathi Trust](#)

1903, allowed permits [Hathi Trust](#)

“SECTION 1. It shall be unlawful for any person in this State to wear, carry or have concealed upon his person, in any town any dirk knife, pistol, sword in case, slung shot, or other dangerous weapon, without first obtaining permission from the Board of County Commissioners, attested by its Clerk, of the county in which such concealed weapon shall be carried.

SEC. 2. The Board of County Commissioners of any county in this State may, upon an application made in writing, showing the reason of the person, or the purpose for which any concealed weapon is to be carried, grant per mission under its seal, and attested by its Clerk, to the person making such application, authorizing such person to carry the concealed weapon described in such permission.

SEC. 3. Any person who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than twenty dollars, nor more than five hundred dollars, and by imprisonment in the county jail for not less than thirty days, nor more than six months.

SEC. 4. This Act shall not apply to peace officers in the discharge of their duties, nor to persons acting or engaged in the business of common carriers in this State, or to persons traveling through the State. SEC. 5. This Act shall be in force and effect immediately Date of effect upon and after its passage. of Act.”

"An Act to prohibit the carrying of concealed weapons, and to provide for the punishment thereof."

1995, shall-issue

New Hampshire

1909 loaded pistols, no OC/CC distinction, allowed permits²¹

"An Act to Prohibit Carrying Concealed Weapons." *Laws of the State of New Hampshire*. Concord, 1909, [Hathi Trust](#)

“SECTION 1. Whoever, except as provided by the laws of this state, carries on his person a loaded pistol or revolver, or any stiletto, dagger, dirk-knife, slung-shot or metallic knuckles,

²¹ Considering a ban on open carry as it had to be licensed (important in reference to my animation/maps)

shall upon conviction be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding one year or by both such fine and imprisonment; and any such weapon or article so carried by him shall be confiscated to the use of the State.

SECT. 2. The provisions of the preceding section shall not apply to officers of the law, to members of military forces, to persons holding hunters' licenses, when lawfully engaged in hunting, to employees of express companies while on duty, to watchmen while on duty, or to persons securing a license as provided in the next section.

SECT. 3. The selectmen of towns or the mayor or the chief of police of cities may, upon the application of any person issue a license to such person to carry a loaded pistol or revolver in this state, if it appears that the applicant is a suitable person to be so licensed.”

1923, decriminalized OC, permits allowed "An Act to Control the Possession, Sale, and Use of Pistols and Revolvers." [Hathi Trust](#)

“SECT. 4. No person shall carry a pistol or revolver concealed in any vehicle or upon his person, except in his dwelling house or place of business, without a license therefor as hereinafter provided. Violations of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment not exceeding one year or by both fine and imprisonment.”

New Jersey

1686²²

"An Act against wearing Sword, &c."1881 mention [Duke Law](#) [Hathi Trust](#)

(begins with an anti-violence/dueling statute)

“And be it further enacted by the authority afore-said, that no person or persons after publication hereof, shall presume privately to wear any pocket pistol, skeines, stilladers, daggers or dirks, or other unusual or unlawful weapons within this Province, upon penalty for the first offence five pounds, and to be committed by any justice of the peace, his warrant before whom proof thereof shall be made, who is hereby authorized to enquire of and proceed in the same, and keep in custody till he hath paid the said five pounds, one half to the public treasury for the use of this Province, and the other half to the informer : And if such person shall again offend against this law, he shall be in like manner committed (upon proof thereof before any justice of the peace) to the common gaol, there to remain till the next sessions, and upon conviction thereof by verdict of twelve men, shall receive judgment to be in prison six month, and pay ten pounds for the use aforesaid. And be it further enacted by the authority aforesaid, that no planter shall ride or go armed with sword, pistol, or dagger, upon the penalty of five pounds, to be levied as aforesaid, excepting all officers, civil and military, and soldiers while in actual service, as also all strangers, travelling upon their lawful occasions thro' this Province, behaving themselves peaceably.”

²² Unknown if this was repealed/amended prior to the Revolution or was in effect after independence.

1905 “A Supplement to an act entitled ‘An Act for the purpose of punishment of crimes (Revision of 1898),’ approved June 14, 1898.”²³ [Duke Law](#) [Hathi Trust](#)

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

[New Mexico](#)²⁴

1852, Within settlements

1852 New Mexico Laws, “An Act Prohibiting the Carrying a Certain Class of Arms, within the Settlements and in Balls” [Duke Law](#)

“SEC. 1. That each and every person is prohibited from carrying short arms, such as pistols, daggers, knives, and other deadly weapons, about their persons concealed, within the settlements, and any person who violates the provisions of this act, shall be fined in a sum not exceeding ten dollars, nor less than two dollars, or shall be imprisoned for a term not exceeding fifteen days nor less than five days.”

“SEC 3. Any person desiring to give a Ball or Fandango, they shall apply to the probate Judge or a Justice of the Peace for a License for the same—who, after having granted such license, shall

²³ Unable to determine if this was a new addition to 1898 code or an amendment to an existing law. Not very confident that there wasn't prior legislation, but a more than cursory, but not exhaustive, search didn't reveal any prior laws easily.

²⁴ I don't know when NM adopted a statewide concealed carry ban instead of just towns and cities

inform the applicant, that he must maintain good order, and for this purpose he shall swear him to faithfully discharge his duties as peace officer and perform said duties during such Ball or Fandango, possessing the powers of a Sheriff, and that he will not permit any person to enter said Ball or room adjoining said ball where Liquors are sold, or to remain in said balls or Fandangos with fire arms or other deadly weapons, whether they be shown or concealed upon their persons and if any person or persons shall enter said Balls or Fandangos or ante-chamber, with deadly weapons upon their person, upon conviction for such offence before any Probate Judge or Justice of the Peace, they shall suffer the punishment prescribed in the first section of this Law.”

1859

“An Act prohibiting the carrying of Weapons, concealed or otherwise.” Laws of the Territory of New Mexico, 1859. [Hathi Trust](#)

“SECTION 1. That, from and after the passage of this act, it shall be unlawful for any person to carry concealed weapons on their persons, of any class of pistols whatever, bowie knife (cuchillo de cinto), Arkansas toothpick, Spanish dagger, slung-shot, or any other deadly weapon, of whatever class or description they may be, no matter by what name they may be known or called, under the penalties and punishment which shall hereinafter be described.”

1869

“An Act Prohibiting the carrying of deadly weapons, either concealed or in any other way, repealing all other laws on the same subject...” Laws of the Territory of New Mexico, 1869, [Hathi Trust](#)

“SECTION 1. From and after the passage of this act it shall be unlawful for any person to carry deadly weapons, either concealed or otherwise, on or about their persons within any of the settlements of this Territory, except it be in the lawful defence of themselves, their families or their property, and the same being then and there threatened with danger, or by order of legal authority, or on their own landed property, or in the execution of an order of court.”

“Sec. 11. Persons traveling may be permitted to carry arms within settlements or towns of this Territory, for one hour after arriving in such settlements or town, and while going out of such towns or settlements; and sheriffs and constables of the various counties of this Territory and their lawfully appointed deputies may carry weapons in the legal discharge of the duties of, their respective office, when the same may be necessary, but it shall be for the jury to decide from the evidence whether such carrying of weapons was necessary or not, and for an improper carrying or using deadly weapons by any officer mentioned in this section, he shall be punished as other persons are punished for a violation of the preceding sections of this act.”

“Sec. 12. It shall be the duty of the keeper of each and every hotel, boarding house and drinking saloon, to keep posted up in a conspicuous place in his bar room or reception room, if there be no bar kept in the house, a plain notice in Spanish as also in English, to travelers to divest themselves of their weapons in accordance with section eleven of this act...”

1887 “An Act to prohibit the unlawful carrying and use of deadly weapons.” [Hathi Trust](#)

“SECTION 1. That any person who shall hereafter carry a deadly weapon, either concealed or otherwise, on or about the settlements of this territory, except it be in his or her residence, or on his or her landed estate, and in the lawful defense of his or her person, family or property, the same being then and there threatened with danger, or except such carrying be done by legal authority, upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than See hundred, or by imprisonment not less than sixty days, nor more than six months, or by both such fine and imprisonment, in the discretion of the court or jury trying the same.”

“[Insulting people while armed] SEC. 5. Any person being armed with a deadly weapon, who shall, by words, or in any other manner, insult or as-sault another, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than three hundred dollars, or by imprisonment at hard labor in the county jail or territorial penitentiary for not less than three months, nor more than one year, or by both such fine and imprisonment, in the discretion of the court or jury trying the same.”

“SEC. 9. Persons traveling may carry arms for their own protection while actually prosecuting their journey and way pass through settlements on their road without disarming; but if such travelers shall stop at any settlement for a longer time than fifteen minutes they shall remove all arms from their person or persons, and not resume the same until upon eve of departure.”

“SEC. 11. Every keeper of hotel, boarding house, bar room, drinking saloon or place where liquor is sold, or dance hall, in this territory, shall keep conspicuously posted up a copy of this act, in both the English and Spanish languages, and it is hereby made the duty of every such keeper of a hotel, boarding house, bar room, drinking saloon or place where liquor is sold, or dance hall, or the person in charge of the same, who shall become cognizant of any violations of the provisions of this act, in, upon or about their pre-mises, to immediately and at once direct the attention of such violator to the provisions of this act, and upon a failure of such keeper of a hotel, boarding house, bar room, drinking saloon, or place where liquor is sold, or dance hall, or the person in charge thereof, to so do, he or they shall be liable to pay a fine of not less than \$5, nor more than \$50.”

1907

“An Act to Define and Punish Certain Crimes...” Laws of the Territory of New Mexico, 1907
[Hathi Trust](#)

“Sec. 18. Any person who shall carry a deadly weapon, either concealed or otherwise in or about the settlements of this Territory, except it be in his or her residence or on his or her landed estate, if intoxicating liquors are not sold on any such premises, or in the lawful defense of his or her person, family or property, the same being then and there threatened with danger, or except such carrying be done by legal authority, upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars or by imprisonment for a period of not less than sixty days nor more than six months, or both such fine and imprisonment in the discretion of the court; and any person violating the provisions of this section may be arrested without a warrant by any peace officer, and justices of the peace may try offenses defined in this section, and assess fines of not more than one hundred dollars or imprisonment of not more than three months in the county jail, or both, against the accused when convicted.”

New York 1911²⁵

“Sullivan Law” Penal Code §1897 [Hathi Trust](#)

“§1897 A person who attempts to use against another, or who carries, or possesses, any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, metal knuckles or bludgeon, or who, with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any other dangerous or deadly instrument or weapon, is guilty of a felony. Any person under the age of sixteen years, who shall have, carry, or have in his possession, any of the articles named or described in the last section, which 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 in his possession in any city, village or town in 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.”

“§1898. Possession, presumptive evidence. The possession, by any person other than a public officer, of any of the weapons specified in the last section, concealed or furtively carried on the person, is presumptive evidence of carrying, or, concealing, or possessing, with intent to use the same in violation of that section.”

Misc.

(1865) Penal code §455 (1864 draft) [Hathi Trust](#)

1865 prohibition on concealed weapons appears to have first originated in the (1864) Draft of the penal code §455 [Hathi Trust](#)

“§455. Every person who carries concealed about his person any description of firearms, being loaded or partly loaded, or any sharp or dangerous weapon such as is usually employed in attack or defense of the person, is guilty of a misdemeanor.”²⁶

²⁵ It seems that the Sullivan Law was the first one to apply statewide to firearms (excluding local ordinances). Before this, all I could find were non-firearm CCW statutes. See notes about 1864 Penal Code draft.

²⁶ It does not appear §455 for the 1865 draft penal code was ever adopted and pistols were not regulated for those over 18 until 1911.

1866 "An Act to prevent the furtive possession and use of slung-shot and other dangerous weapons." [Hathi Trust](#)

“SECTION 1. Every person who shall within this State use, or attempt to use or with intent to use against any other person, shall knowingly and secretly conceal on his person, or with like intent shall willfully and furtively possess any instrument or weapon of the kind commonly known as slung-shot, billy, sand club or metal knuckles, and any dirk or dagger (not contained as a blade of a pocket knife), or sword cane or air gun, shall be deemed guilty of felony, and on conviction thereof may be punished by imprisonment in the State prison, or penitentiary or county jail, for a term not more than one year, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

§ 2. The having possession of any of the weapons mentioned in the first section of this act by any other than a public officer, willfully and secretly concealed on the person or knowingly and furtively carried thereon, shall be presumptive evidence of so concealing and possessing or carrying the same with the intent to use the same in violation of the provisions of this act.”

1884 (intent to use illegal, concealed carry presumed intent, within city limits) §410 & 411 [Hathi Trust](#)

“§410. Carrying, etc., certain weapons.—A person who attempts to use against another, or who, with intent so to use, carries, conceals or possesses any instrument or weapon of the kind commonly known as the slungshot, billy, sandclub or metal knuckles, or a dagger, dirk or dangerous knife, is guilty of a felony. Any person under the age of eighteen years, who shall have, carry or have in his possession in any public street, highway or place in any city or incorporated village in this State, without a written license from a police magistrate of such city or incorporated village, any pistol or other firearm of any kind, shall be guilty of a misdemeanor. This section shall not apply to the regular and ordinary transportation of firearms as merchandise, or for use without the city or village limits.”

“§411. Possession, presumptive evidence.—The possession, by any person other than a public officer, of any of the weapons specified in the last section, concealed or furtively carried on the person, is presumptive evidence of carrying, or concealing, or possessing, with intent to use the same in violation of that section.”

“§455. Every person who carries concealed about his person any description 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.”

1849 concealed weapons law concerned “slung-shot.”

North Carolina

1879

1879 North Carolina Session Laws “An Act to Make the Carrying of Concealed Weapons a Misdemeanor” [Duke Law](#) [Hathi Trust](#)

“SECTION 1. That it shall be unlawful for any person in this state, except when upon his own premises, to carry concealed about his person any pistol, bowie-knife, dirk, dagger, slung-shot, loaded cane, brass, iron or metallic knuckles, or other deadly weapon of like kind.

SEC. 2. That any person offending against section one of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned in the discretion of the court.

SEC. 3. The following persons shall be exempt from the provisions of section one of this act : officers and soldiers of the United States army, civil officers of the United States while in the discharge of their official duties, officers and soldiers of the militia of this state when called into actual service, officers of this state or of any county, city or town of this state, charged with the execution of the laws of this state, while in the discharge of his official duties.

SEC. 4. Any person being off his own premises and having upon his person any deadly weapon described in section one, such possession shall be prima facie evidence of the concealment thereof.”

Misc.

(1870s) statutes with effect in specific municipalities only

North Dakota

1864

General and Private Laws and Memorials and Resolutions of the Territory of Dakota of the Fourth Session of the Legislative Assembly §455 [Hathi Trust](#)

“Sec. 453. Every person who carries concealed about his person any description 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.”

Misc.

1895 The Revised Codes of the State of North Dakota 1895 [Hathi Trust](#)

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

Ohio

1859

Acts of the State of Ohio. 1859 “An Act to Prohibit the Carrying or Wearing of Concealed Weapons” [Hathi Trust](#)

“Section 1. Be it enacted by the General Assembly of the State of Ohio, That whoever shall carry a weapon or weapons, concealed on or about his person, such as a pistol, bowie knife, dirk, or

an• other dangerous weapon, shall be deemed guilty of a misdemeanor, and on conviction of the first offense shall be fined not exceeding two hundred dollars, or imprisoned in the county jail not more than thirty days; and for the second offense, not exceeding five hundred dollars, or imprisoned in the county jail not more than three months, or both, at the discretion of the court. SEC. 2. If it shall be proved to the jury, from the testimony on the trial of any case presented under the first section of this act, that the accused was, at the time of carrying any of the weapon or weapons aforesaid, engaged in the pursuit of any lawful business, calling, or employment, and that the circumstances in which he was placed at the time aforesaid were such as to justify a prudent man in carrying the weapon or weapons aforesaid for the defense of his person, property or family, the jury shall acquit the accused.”

Oklahoma²⁷

1890

The Statutes of Oklahoma, 1890. Article 47, Concealed Weapons. [Hathi Trust](#)

"(2432) §1. It shall be unlawful for any person in the Territory of Oklahoma to carry concealed on or about his person, saddle, or saddle bags, any pistol, revolver, bowie knife, dirk, dagger, slung-shot, sword cane, spear, metal knuckles, or any other kind of knife or instrument manufactured or sold for the purpose of defense except as in this article provided.

(2433) §2. It shall be unlawful for any person in the Territory of Oklahoma, to carry upon or about his person any pistol, revolver, bowie knife, dirk knife, loaded cane, billy, metal knuckles, or any other offensive or defensive weapon, except as in this article provided.

(2436) §5. Persons shall be permitted to carry shotguns or rifles for the purpose of hunting, having them repaired, or for killing animals, or for the purpose of using the same in public muster or military drills, or while travelling or removing from one place to another, and not otherwise.

(2438) § 7. It shall be unlawful for any person, except a peace officer, to carry into any church or religious assembly, any school room or other place where persons are assembled for public worship, for amusement, or for educational or scientific purposes, or into any circus, show or public exhibition of any kind, or into any ball room, or to any social party or social gathering, or to any election, or to any place where intoxicating liquors are sold, or to any political convention, or to any other public assembly, any of the weapons designated in sections one and two of this article.

(2439) § 8. It shall be unlawful for any person in this Territory to carry or wear any deadly weapons or dangerous instrument whatsoever, openly or secretly, with the intent or for the avowed purpose of injuring his fellow man."

The Statutes of Oklahoma, 1890. Article 38, Of Crimes Against the Public Health and Safety. [Hathi Trust](#)

²⁷ No serious research yet on Indian Territory, though a cursory search on separate Indian Terr. (1890-1907) shows some tribal regulations (considering these like local municipal regulations for now).

“§20 Concealing weapons—Whoever carries concealed about his person any description of firearms, being loaded or unloaded 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.”

Oregon

1885, first CCW ban, misd.

“An Act to prevent Persons from carrying Concealed Weapons and to Provide for the Punishment of the same.” [Hathi Trust](#)

“SECTION 1. It shall be unlawful for any person to carry concealed about his person in any manner whatever, any revolver, pistol, or other firearm, or any knife (other than an ordinary pocket-knife), or any dirk or dagger, slungshot or metal knuckles, or any instrument by the use of which injury could be inflicted upon the person or property of any other person.”

1917, permits allowed (mentioned in 1919/1920 compiled statutes)

(1919) Oregon Laws: Showing all the Laws of General nature in force...”

[Hathi Trust](#)

“§9875. Carrying Pistol or Other Firearm Concealed or of Size Which may be Concealed Without Permit Prohibited. No person shall carry in any city, town or municipal corporation of this state any pistol, revolver or other firearm concealed upon his or her person, or of a size which may be concealed upon his or her person, without a license or permit therefor, issued to him or her by a chief of police or sheriff of such city, town or municipal corporation, or in such manner as may be prescribed by ordinance of such city, town or municipal corporation. This section, however, shall not apply to sheriffs and their deputies, constables, marshals, police officers or any other duly appointed peace officers, or to any person or persons summoned by such officers to assist in making arrest or preserving the peace while said person or persons are engaged in assisting such officers ; nor to duly authorized military organizations when parading, nor to members thereof when going to and from places of meeting of their respective organizations.”

Misc.

1853, surety required upon complaint against armed person

1889, 1895, (var.) allow various municipalities to regulate

1913, pistol purchase permit required

1989, shall-issue

Pennsylvania

1875

Laws of the Commonwealth of Pennsylvania, 1875, “An Act To punish person for carrying concealed weapons within this Commonwealth.” [Hathi Trust](#)

“SECTION 1. *Be it enacted, &c.*, That any person within this commonwealth who shall carry any fire-arms, slung-shot, handy-billy, dirk-knife, razor or any other deadly weapon, concealed upon his person, with the intent therewith unlawfully and maliciously to do injury to any other person, shall be deemed guilty of a misdemeanor, and upon the conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate or solitary confinement not exceeding one year, or either or both, at the discretion of the court, and the jury trying the case may infer such intent as aforesaid, from the fact of the said defendant carrying such weapons in the manner as afore-said.”

Misc.

Various surety laws

1860s-1870s, various laws authorizing local CCW enforcement

1879, illegal for “tramps” to carry weapons [Hathi Trust](#)

1931, Uniform Firearms Act passed? (may-issue)

“it was adopted in its entirety by Pennsylvania last year Under the Uniform Firearms Act, a pistol could not be carried except by license.”^{28,29}

“(e) Firearms Not To Be Carried Without a License; Exceptions—No person shall carry a firearm in any vehicle or concealed on or about his person, except in his place of abode or fixed place of business, without a license therefor as hereinafter provided.”³⁰

Rhode Island

1893

1893 Rhode Island Public Laws, “An Act To Prohibit The Carrying Of Concealed Weapons”

[Duke Law](#) [Hathi Trust](#)

“SECTION 1. No person shall wear or carry in this state any dirk, bowie knife, butcher knife, dagger, razor, sword in cane, air gun, billy, brass or metal knuckles, slung shot, pistol or fire arms of any description, or other weapons of like kind and description, concealed upon his person: Provided, that officers or watchmen whose duties require them to make arrests or to keep and guard prisoners or property, together with the persons summoned by such officers to aid them in the discharge of such duties, while actually engaged in such duties, are exempted from the provisions of this act.”

²⁸ 1931 mention in: W. H. "The Uniform Firearms Act." *Virginia Law Review* 18, no. 8 (1932): 904-08. Accessed February 27, 2020 (JSTOR). doi:10.2307/1066866. pp. 905 [footnote 9: Act of June 11, 1931, P.L. no 158.”

²⁹ [This source](#) lists original enactment date & bill as: 1931, June 11, P.L. 497, §§ 1 to 21. See footnote 3: "In 1931 Pennsylvania adopted the Uniform Firearms Act. See Pa. Stat. Ann. (Purdon, Supp. 1937) tit. 18, §§1585a-155u. Warner, Sam B. "Uniform Pistol Act." *Journal of Criminal Law and Criminology*. Volume 29, Issue 4. Nov.-Dec. Winter 1938. pp. 530

³⁰ 1943 mention concealed or vehicle carry requires a license [Hathi Trust](#); the above references Uniform Firearms Act of 1939 §628(e) Laws of the General Assembly of the Commonwealth...1943

1927 vehicles & concealed carry, except by license (does not appear to regulate open carry, except in vehicles)

(1927 January Session) Rhode Island Public Laws “An Act to Regulate the Possession of Firearms” §4 [Duke Law Hathi Trust](#)

“SEC. 4. No person shall, without a license therefor, issued as provided in section six hereof, carry a pistol 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, and no person shall manufacture, sell, purchase or possess a machine gun except as otherwise provided in this act.”

Misc.

1959 license required for both OC and CC § 11-47-8 [Hathi Trust](#) Acts and Resolves of Rhode Island, 1958-1959 Title 11, Ch. 47 pp. 263

South Carolina

1880

1880 S.C. Acts 448, § 1, as codified in S.C. Rev. Stat. (1894) [Hathi Trust](#)

“Sec. 129. (2472.) Any person carrying a pistol, dirk, dagger, slungshot, metal knuckles, razor, or other deadly weapon usually used for the infliction of personal injury, concealed about his person shall be guilty of a misdemeanor, and upon conviction thereof before a Court of competent jurisdiction shall forfeit to the County the weapon so carried concealed, and be fined in a sum not more than two hundred dollars or imprisoned not more than twelve months, or both, in the discretion of the Court. Nothing herein contained shall be construed to apply to peace officers while in the actual discharge of their duties as such officers, or to persons carrying concealed weapons while upon their own premises.

[footnote] It is necessary to conviction under this Section for carrying a concealed pistol for the State to prove that it was concealed about the person.—*State v. Johnson*, 16 S. C., 187. To prove that it was so concealed as to be generally hidden from ordinary observation completes the offense. —Ib.”

1902, banned carry of a pistol <20” and <3lbs in weight (effective ban on carrying a handgun; considering an open carry ban³¹)

“An Act to Regulate The Carrying, Manufacture and Sale of Pistols and to Make a Violation Of the Same a Misdemeanor,” *Acts and Joint Resolutions of the General Assembly...*, 1901 [Hathi Trust](#)

“SECTION I. Be it enacted by the General Assembly of the State of South Carolina : That from and after the first day of July 1902 it shall be unlawful for any one to carry about the person whether concealed or not any pistol less than 20 inches long and 3 pounds in weight. And it shall be unlawful for any person, firm or corporation to manufacture, sell or offer for sale, or transport

³¹ Intent was to totally discourage carrying of pistols, so considering a full ban

for sale or use into this State, any pistol of less length and weight. Any violation of this Section shall be punished by a fine of not more than one hundred dollars, or imprisonment for not more than thirty days and in case of a violation by a firm or corporation it shall forfeit the sum of one hundred dollars to and for the use of the school fund of the county wherein the violation takes place to be recovered as other fines and forfeitures: *Provided*, this Act shall not apply to peace officers in the actual discharge of their duties, or to persons while on their own premises.

SEC. 3. In case it shall appear to the satisfaction of the presiding Judge or Magistrate before whom such offender is tried that the defendant had good reason to fear injury to the person or property and carried said weapon to protect himself or property he may in his discretion suspend sentence.”

Misc.

§490, pistol sale license [Hathi Trust](#).

(1870) [Duke Law](#) “statute of Northampton” essentially

South Dakota

1864

General and Private Laws and Memorials and Resolutions of the Territory of Dakota of the Fourth Session of the Legislative Assembly §455 [Hathi Trust](#)

“Sec. 453. Every person who carries concealed about his person any description 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.”

Tennessee

1821

Tennessee Public Acts (1821) “An Act to Prevent the Wearing of Dangerous and Unlawful Weapons” [Duke Law](#)

The Statute Laws of the State of Tennessee of a Public and General... Vol. 1, Haywood & Cobbs (1821, ch. 13 mentioned) [Google Books](#) (see also [1836 mention](#))

“Each and every person so degrading himself by carrying a dirk, sword-cane, Spanish stiletto, belt or pocket pistols, either public or private, shall pay a line of five dollars for every such offence, which may be recovered by warrant before any justice of the peace, in the name of the county and for its use, in which the offence may have been committed; and it shall be the duty of a justice to issue a warrant on the application, on oath, of any person applying; and it shall be the duty of every judge, justice of the peace, sheriff coroner and constable within this state, to see that this act shall have its full effect; *provided, nevertheless*, that nothing herein contained shall effect any person that may be on a journey to any place out of his county or state.”

1837 (knives)

Acts Passed at the First Session of the Twenty-Second General Assembly of the State of Tennessee, 1837-1838, "An act to suppress the sale and use of Bowie Knives and Arkansas Tooth Picks in this State." [Hathi Trust](#)

"Sec. 2. That if any person shall wear any Bowie knife, Arkansas tooth pick, or other knife or weapon that 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 a 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."

1869 certain places, "An Act to Amend the Criminal Laws of the State" [Hathi Trust](#)
1870 compiled statutes, §4912b [Hathi Trust](#)

"SEC. 2. Be it further enacted, That it shall not be lawful for any qualified voter or other person attending any election in this State, or for any person attending any fair, race course, or other public assembly of the people, to carry about his person, concealed or otherwise, any pistol, dirk, bowie-knife, Arkansas tooth-pick, or weapon in form, shape or size, resembling a bowie-knife, or Arkansas tooth-pick or other deadly or dangerous weapon."

(1870 mention of 1821 statute) *A Compilation of the Statute Laws of the State of Tennessee...* Vol. I, Thompson & Steger [Hathi Trust](#)

"§1700. Every person carrying a dirk, sword-cane, Spanish stiletto, belt or pocket pistols, or other dangerous weapons, either openly or concealed, except in the public service or for defence while traveling, shall forfeit ten dollars, one half to the county, the other half to any person suing therefor."

1870 concealed carry constitutional amendment [Duke Law](#) [Hathi Trust](#) (excellent footnote)³²

"§ 26. That the citizens of this State have a right to keep and to bear arms for their common defence. But the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime."

(footnote) "*Aymetle v. The State*, 2 Humph. The people have the unqualified right to keep such weapons as are necessary to the common defence; but the right to bear arms is not of that unqualified nature. The citizens may bear them for the common defence; but it does not follow that they may be borne by an individual merely to terrify the people, or for the purposes of private assassination. And the manner in which they are worn, and circumstances under which they are carried, indicate to every man the purpose of the wearer. The Legislature may prohibit such manner of wearing as would never be resorted to by persons engaged in the common defence. *Ib.* 160."

³² Unknown if open carry was decriminalized for a while or not, but looks like carrying a pistol was illegal and progressively made more illegal, until 1871 hand-carry ban existed as a dodge to get around the constitutional problem.

A Compilation of the Statute Laws of the State of Tennessee... Volume II, Thompson & Steger
“From the July Number of the Southern Law Review.” pp. II [Hathi Trust](#)

“Thus, the Act of 1870, against carrying concealed weapons, is but a re-enactment of the old law with greater stringency.”

A Compilation of the Statute Laws of the State of Tennessee... Volume III, Thompson & Steger
“From the July Number of the Southern Law Review.”

“§4748. If any person shall maliciously draw or attempt to draw any such knife or weapon from under his clothes, or any place of concealment about his person, for the purpose of stick-ing, cutting, awing, or intimidating another, he is guilty of a felony, and, upon conviction, shall be imprisoned in the penitentiary not less than three nor more than five years. [Ib., § 3.]
(note) The fact that the weapon was drawn in self-defence is no justification to an indictment under this section. Day Y. State, 5 Sneed, 496, 600.” (see also §4749) [Hathi Trust](#)

(Statute of Northampton)

“§4753 No person shall publicly ride or go armed to the terror of the people; or privately carry any dirk, large knife, pistol, or any other dangerous weapon, to the fear or terror of any person.”
(note indicates act of 1801). [Hathi Trust](#)

§4759a&b [Hathi Trust](#)

"4759a. It shall be a misdemeanor for any person, whether publicly or privately, to carry a dirk, sword-cane, Spanish stiletto, belt or pocket pistol, except a knife conspicuously on the strap of a shot-pouch. or on a journey to a place out of his county or State. [Act 1869-70, ch. 41, § 2.]
(note) Passed January 8, 1870, and took effect from its passage. This section can only apply to offences committed between the time it took effect and the passage of §4759b."

“4759b. It shall not be lawful for any person to publicly or privately carry a dirk, sword-cane, Spanish stiletto, belt or pocket pistol or revolver. Any person guilty of a violation of this section shall be subject to presentment or indictment, and on conviction, shall pay a fine of not less than ten nor more than fifty dollars, and be imprisoned at the discretion of the court for a period of not less than thirty days nor more than six months, and shall give bond in a sum not exceeding, one gum-sand dollars to keep the peace for the next six months after such conviction. [Act 1870, 2d Sess., ch. 13, § 1.]”

Misc.

1838 law on concealed bladed weapons [Duke Law](#)

1871 Army pistol, hand-carry OC law³³

Texas

1870, ban was only for public gatherings

³³ The statute required carrying the pistol in the hand or any Army/Navy model of pistol only. I consider this an effective open carry ban.

Laws of the State of Texas, 1870 “An Act Regulating the Right to Keep and Bear Arms.” [link](#)

“Section 1. Be it enacted by the Legislature of the State of Texas, That if any person shall go into any church or religious assembly, any school room or other place where persons are assembled for educational, literary or scientific purposes, or into a ball room, social party or other social gathering composed of lathes and gentlemen, or to any election precinct on the day or days of any election, where any portion of the people of this State are collected to vote at any election, or to any other place where people may be assembled to muster or to perform any other public duty, or any other public assembly, and shall have about his person a bowie-knife, dirk or butcher-knife, or fire-arms, whether known as a six-shooter, gun or pistol of any kind, such person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than fifty or more than five hundred dollars, at the discretion of the court or jury trying the same; provided, that nothing contained in this section shall apply to locations subject to Indian depredations; and provided further, that this act shall not apply to any person or persons whose duty it is to bear arms on such occasions in discharge of duties imposed by law.”

1871, both open & concealed carry

“Unlawfully Carrying Arms,” Revised Statutes of Texas, 1871 [Google Books](#)

“ARTICLE 319. If any person in this state shall carry on or about his person, saddle, or in his saddle-bags, any pistol, dirk, dagger, slung-shot, sword-cane, spear, brass-knuckles, bowie-knife, or any other kind of knife manufactured or sold for purposes of offense or defense, he shall be punished by fine of not less than twenty-five nor more than one hundred dollars; and, in addition thereto, shall forfeit to the county in which he is convicted, the weapon or weapons so carried.

ART. 319. The preceding article shall not apply to a person in actual service as a militiaman, nor to a peace officer or policeman, or person summoned to his aid, nor to a revenue or other civil officer engaged in the discharge of official duty, nor to the carrying of arms on one's own premises or place of business, nor to persons traveling, nor to one who has reasonable ground for fearing an unlawful attack upon his person, and the danger is so imminent and threatening as not to admit of the arrest of the party about to make such attack, upon legal process.

ART. 320. If any person shall go into any church or religious assembly, any school room, or other place where persons are assembled for amusement or for educational or scientific purposes, or into any circus, show, or public exhibition of any kind, or into a ball-room, social party, or social gathering, or to any election precinct on the day or days of any election, where any, portion of the people of this state are collected to vote at any election, or to any other place where people may be assembled to muster, or to perform any other public duty, or to any other public assembly. and shall have or carry about his person a pistol or other firearm, dirk, dagger, slung-shot, sword-cane, spear, brass-knuckles, bowie-knife, or any other kind of a knife manufactured and sold for the purpose of offense and defense, he shall be punished by fine not less than fifty more than five hundred dollars, and shall forfeit to the county the weapon or weapons so found on his person.

ART. 321. The preceding article shall not apply to peace officers, or other persons authorized or permitted by law to carry arms at the places therein designated.

ART. 322. Any person violating any of the provisions of articles 918 and 320, may be arrested without warrant by any peace officer, and carried before the nearest justice of the peace for trial; and any peace officer who shall fail or refuse to arrest such person on his own knowledge, or upon information from some credible person, shall be punished by fine not exceeding five hundred dollars.

ART 323. The provisions of this chapter shall not apply to or be enforced in any county which the governor may designate, by proclamation, as a frontier county and liable to incursions by hostile Indians.”

1995, shall-issue

2016, licensed open carry

Utah

1909, statewide ban, misdemeanor, allowed permits

“An Act Prohibiting the Carrying of Concealed Weapons.” Laws of the State of Utah, 1909
[Hathi Trust](#)

“SECTION 1. Unlawful to Carry Concealed Weapons. It shall be unlawful for any person, except a peace officer, without the written consent of a peace officer, to carry any slingshot, brass knuckles, revolver, dagger, stiletto, or other concealed deadly weapon. Any person found guilty of violating any provision of this section shall be deemed guilty of a misdemeanor.”

Misc.

1903, power given to city councils

Vermont

N/A

Virginia

1838 “habitually or generally”

“Acts of the General Assembly of Virginia, Passed at the Session of 1838,” [Duke Law Hathi Trust](#)

“§1 Be it enacted by the general assembly, 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 such offence 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 in 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.”

1908 removed “habitually”

1908 Virginia Laws, “An Act To Amend And Re-Enact Section 3780 Of The Code In Relation To Carrying Concealed Weapon” [Duke Law](#)

“§3780 If any person carry about his person, hid from common observation, any pistol, dirk, bowie knife, razor, slungshot, or any weapon of like kind he shall be fined not less than twenty dollars nor more than one hundred dollars, or be committed to jail not more than thirty days, or both, in the discretion of the court, or jury, trying the case: and such pistol, dirk, bowie knife, razor, slungshot, or any weapon of like kind, shall be forfeited to the Commonwealth and may be seized by an officer as forfeited. Upon conviction of the offender the said weapon shall be sold by the officer and the proceeds accounted for and paid over as provided in section twenty-one hundred and ninety; provided, that this section shall not apply to any police officer, town or city sergeant, constable, sheriff, conservator of the peace, collecting officer while in the discharge of his official duty: provided the judge of any circuit or hustings court in term time, upon a written application and satisfactory proof of the good character and necessity of the applicant to carry concealed weapon may grant such permission for one year; the order making same shall be entered in the order book of such court.”

Washington

1881

(1881) Wash. Code 181, Criminal Procedure, Offenses Against Public Policy [Hathi Trust](#)

“SEC. 929. If any person carry upon his person any concealed weapon, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall he fined not more than one hundred dollars, or imprisoned in the county jail not more than thirty days: Provided, That this section shall not apply to police officers and other persons whose duty it is to execute process or warrants, or make arrests.”

Misc.

(1854) Whip someone while armed [Duke Law](#)

West Virginia (Virginia prior to 1863)

1838

“Acts of the General Assembly of Virginia, Passed at the Session of 1838,” [Duke Law](#) [Hathi Trust](#)

“§1 Be it enacted by the general assembly, 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 such of-fence 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 in 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.”

1870

The Code of West Virginia (1870) Of Offenses against the Peace

“7. If any person, habitually, carry about his person, hid from common observation, any pistol, dirk, bowie knife, or weapon of the like kind, he shall be fined fifty dollars. The informer shall have one half of such fine.”

1882 OC/all carry

1882 West Virginia Acts pp. 421-422 [Google Books](#)

(1884 mention) in *The Amended Code of West Virginia...* 1884 [Google Books](#)

“7. If a person carry about his person any revolver or other pistol, dirk, bowie knife, razor, slung shot, billy, metallic or other false knuckles, or any other dangerous or deadly weapon of like kind or character, he shall be guilty of a misdemeanor, and fined not less than twenty-five nor more than two hundred dollars, and may, at the discretion of the court, be confined in jail not less than one, nor more than twelve months; and if any person shall sell or furnish any such weapon as is here before mentioned to a person whom he knows, or has reason, from his appearance or otherwise, to believe to be under the age of twenty-one years, he shall be punished as hereinbefore provided; but nothing herein contained shall be so construed as to prevent any person from keeping or carrying about his dwelling house or premises any such revolver or other pistol, or from carrying the same from the place of purchase to his dwelling house, or from his dwelling house to any place where repairing is done, to have it repaired, and back again. And if upon the trial of an indictment for carrying any such pistol, dirk, razor or bowie knife, the defendant shall prove to the satisfaction of the jury that he is a quiet and peaceable citizen, of good character and standing in the community in which he lives, and at the time he was found with such pistol, dirk, razor or bowie knife, as charged in the indictment, he had good cause to believe and did believe that he was in danger of death or great bodily harm at the hands of another person, and that he was, in good faith, carrying such weapon for self-defense and for no other purpose, the jury shall find him not guilty. But nothing in this section contained shall be so construed as to prevent any officer charged with the execution of the laws of the state from carrying a revolver or other pistol, dirk or bowie knife.”

1925³⁴, may-issue

West Virginia Acts, 1925 Extraordinary Session, “An Act...Providing for the Granting and Revoking of Licenses and Permits Respecting the Use, Transportation and Possession of Weapons and Fire Arms...” [Duke Law](#)

³⁴ Unsure when open carry was legalized again

“Section 7 (a). If any person, without a state license therefor, carry about his person any revolver or other pistol, dirk, bowie-knife, slung shot, razor, billy, metallic or other false knuckles, or any other dangerous or deadly weapon of like kind or character, he shall be guilty of a misdemeanor and upon conviction thereof...”

Wisconsin

1878

Revised Statutes of the State of Wisconsin, 1878 [Hathi Trust](#)³⁵

“§4397. Any person who shall go armed with any concealed and dangerous weapon, shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding one hundred dollars: provided, this section shall not apply to any policeman or officer authorized to serve process.”

Wyoming

1876 (cities and towns)

The Compiled Laws of Wyoming, 1876 “An Act to Prevent the Carrying of Fire Arms and Other Deadly Weapons” (enacted 1875) [Hathi Trust](#)

“SECTION. 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.

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

1890, re-authorized OC

Session laws of the State of Wyoming, 1890, “An Act Defining Crimes, Regulating Criminal Procedure and for Other Purposes.” [Hathi Trust](#)

“Sec. 96. Every person, not being a traveler, who shall wear or carry any dirk, pistol, bowie knife, dagger, sword-in-cane, or any other dangerous or deadly weapon concealed, or who shall carry or wear any such weapon openly, with the intent, or avowed purpose of injuring his fellow-man, shall be fined not more than one hundred dollars.”^{36,37}

³⁵ Earliest date I could find; unable to find an actual separate act. If law originated here, then it was created as part of the revised code when written.

³⁶ (1899) First compiled mention in, *Revised Statutes of Wyoming* 1899 [Hathi Trust](#)

³⁷ From Indiana? Considering the “intent” part as an element of a crime to make open carry criminal, not an outright ban on open carry