

United Statutes. Statutes

ANNOTATED STATUTES

OF THE

INDIAN TERRITORY.

EMBRACING ALL

LAWS OF A GENERAL AND PERMANENT CHARACTER

IN FORCE AT THE CLOSE OF THE SECOND SESSION
OF THE FIFTY-FIFTH CONGRESS

AM BELL TELEPHONE CO.

BY

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who shall make any obscene exhibition of his person shall be deemed guilty of a misdemeanor. (S. & H. 1822; G. D. 1628.)

§ 1242 (M. D. 1899). Every person publicly exhibiting any obscene or indecent pictures or figures shall be deemed guilty of a misdemeanor. (S. & H. 1823; G. D. 1629.)

§ 1243 (M. D. 1900). Every person convicted under the provisions of the two preceding sections shall be fined in any sum not less than fifty dollars. (Rev. St. c. 44, div. 6, art. 2; S. & H. 1824; G. D. 1630.)

§ 1244 (M. D. 1901). Whoever shall go to the domicile or usual place of abode of any person, or who, being at the domicile or usual place of abode of any person, shall utter and publish vulgar or profane language, or shall make any vulgar exhibition in the presence of any person then and there being, or shall make violent threats against any person usually dwelling at such place, with intent to insult or terrify any person whomsoever, shall, on conviction thereof, be fined in any sum not less than twenty nor more than two hundred dollars. (Act Feb. 8, 1859; S. & H. 1825; G. D. 1631.)

See §§ 1143, 1145.

LII. VIOLATING THE GRAVE.

Section 1245. Removing dead body from grave. 1246. Purchasing disinterred body. 1247. Opening grave with intent to steal coffin, etc.	Section 1248. Punishment. 1249. Exception.
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§ 1245 (M. D. 1902). Every person who shall remove the dead body of any human being from the grave or other place of interment, for the purpose of stealing the same, or for the purpose of dissection, or from mere wantonness, shall be deemed guilty of a misdemeanor. (S. & H. 1923; G. D. 1632.)

§ 1246 (M. D. 1903). Every person who shall purchase or receive the dead body of any human being, knowing the same to have been disinterred contrary to law, shall be deemed guilty of a misdemeanor. (S. & H. 1924; G. D. 1633.)

§ 1247 (M. D. 1904). Every person who shall open a grave or other place of interment, with the intent to remove the dead body of any human being for the purpose of selling the same, or for the purpose of stealing the coffin, or any part thereof, or the vestments or other articles interred with any dead body, shall be deemed guilty of a misdemeanor. (S. & H. 1925; G. D. 1634.)

§ 1248 (M. D. 1905). Persons convicted of any offense specified in the three preceding sections shall be fined in any sum not less than one hundred dollars and be imprisoned not less than six months in the county jail. (S. & H. 1926; G. D. 1635.)

§ 1249 (M. D. 1906). Nothing in this title contained shall extend to the case of the bodies of persons executed under the criminal laws of this state. (Act April 12, 1869; S. & H. 1927; G. D. 1636.)

LIII. CARRYING WEAPONS.

Section 1250. Of what kind prohibited; exceptions. 1251. Weapons excepted, how to be carried; unlawful carrying a misdemeanor. 1252. Sale of weapons a misdemeanor; exception. 1253. Unlawful sale or carrying, how punished.	Section 1254. Justices failing to proceed against offenders, how punished. 1255. Officer failing to make arrest, how punished. 1256. In what courts offenders to be prosecuted.
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§ 1250 (M. D. 1907). 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, ex-

cept such pistols as are used in the army or navy of the United States, shall be guilty of a misdemeanor. Provided, that officers whose duties require them to make arrests, or, to keep and guard prisoners, 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. Provided, further, that nothing in this act be so construed as to prohibit any person from carrying any weapon when upon a journey or upon his own premises. (S. & H. 1498.)

An indictment need not negative the exemptions. *Walker v. State*, 35 Ark. 386; also, *Wilson v. State*, 33 Ark. 557.

A landlord is not allowed to carry a pistol upon premises owned by him, but wrongfully retained by a tenant after termination of a lease. *Jones v. State*, 55 Ark. 186, 17 S. W. 719. A mere license to enter certain premises gives no right to carry a pistol there. *Lemmons v. State*, 56 Ark. 559, 20 S. W. 404. The carrying of army-sized pistols, such as are commonly used in the military and naval service of the United States, is not prohibited by the laws of Arkansas. *Holland v. State*, 33 Ark. 560. One who is going from home by the highway to a definite point, far enough distance to carry him beyond the circle of his neighbors, and to detain him throughout the day, and not within the routine of his daily business, is upon a journey, within the meaning of the exception in the statute against carrying weapons. *Davis v. State*, 45 Ark. 359; *Hathcote v. State*, 55 Ark. 181, 17 S. W. 721.

§ 1251 (M. D. 1908). Any person, excepting such officers or persons on a journey and on their premises as are mentioned in section 1250, who shall wear or carry any such pistol as is used in the army or navy of the United States, in any manner except uncovered and in his hand, shall be deemed guilty of a misdemeanor. (S. & H. 1499.)

§§ 1250 and 1251 were held not to be unconstitutional. *Haile v. State*, 38 Ark. 564.

§ 1252 (M. D. 1909). Any person who shall sell, barter or exchange, or otherwise dispose of, or in any manner furnish to any person, any dirk or bowle knife, or a sword or a spear in a cane, brass or metal knucks, or any pistol of any kind whatever, except such as are used in the army or navy of the United States, and known as the navy pistol, or any kind of cartridge for any pistol, or any person who shall keep any such arms or cartridges for sale, shall be guilty of a misdemeanor. (S. & H. 1500.)

§ 1253 (M. D. 1910). Any person convicted of a violation of any of the provisions of this act shall be punished by a fine of not less than fifty nor more than two hundred dollars. (S. & H. 1501.)

§ 1254 (M. D. 1911). Any justice of the peace in this state, who, from his own knowledge or from legal information, knows, or has reasonable grounds to believe, any person guilty of a violation of the provisions of this act, and shall fail or refuse to proceed against such person, shall be deemed guilty of a non-feasance in office, and, upon conviction thereof, shall be punished by the same fine and penalty provided in section 1253, and shall be removed from office. (S. & H. 1502.)

§ 1255 (M. D. 1912). Any officer in this state whose duty it is to make arrests, who may have personal knowledge of any person carrying arms contrary to the provisions of this act, and shall fail or refuse to arrest such person and bring him to trial, shall be punished as provided in section 1253.

§ 1256 (M. D. 1913). All persons violating any of the provisions of this act may be prosecuted in any of the courts of this state having jurisdiction to try the same. (Act April 1, 1881; S. & H. 1504.)

LIV. SELLING LOTTERY TICKETS.

Section 1257. Keeping office for, a misdemeanor; punishment.	Section 1258. Sale of lottery, gift concert tickets, etc., a misdemeanor; punishment.
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§ 1257 (M. D. 1914). Any person who shall hereafter keep an office, room or place for the sale or disposition of lottery tickets, gift concert tickets or