

Concealed Weapons.

An. Code, 1924, sec. 42. 1912, sec. 39. 1904, sec. 33. 1888, sec. 30. 1886, ch. 375. 1894, ch. 547. 1904, ch. 114. 1914, ch. 146, secs. 30, 30A and 30B.

40.¹ Every person 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 (pen knives excepted) concealed upon or about his person, and every person who shall wear or carry any such weapon openly with the intent or purpose of injuring any person in any unlawful manner, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars, or be imprisoned in jail, or the Maryland House of Correction, for not more than two years; and in cases of conviction, if it shall appear from the evidence that such weapon was carried, concealed as aforesaid or openly, with the deliberate purpose of injuring the person or destroying the life of another, the court, or justice of the peace, presiding in the case, shall impose the highest sentence of imprisonment hereinbefore prescribed.

Nothing in this section shall be construed to prevent the carrying of any of the weapons mentioned in the preceding paragraph of this section by an officer of this State, or of any county or city therein, who is entitled or required to carry such weapon as part of his official equipment, or by any conservator of the peace, who is entitled or required to carry such weapon as part of his official equipment, or by any officer or conservator of the peace of some other State temporarily sojourning in this State, or by any special agent of a railway, or by any person who shall carry such weapon as a reasonable precaution against apprehended danger, but the tribunal before which any case arising under the provisions of this section may be tried, shall have the right to judge of the reasonableness of the carrying of any such weapon, and the proper occasion therefor, under the evidence in the case.

All prosecutions for violations of the provisions of this section may be either upon presentment and indictment in any court having criminal jurisdiction in this State, or by trial before any justice of the peace in and for the county or city where the offense occurs, and jurisdiction original and concurrent with the said courts having criminal jurisdiction is hereby given to the said justices of the peace, and they shall have power to issue all processes and do all Acts which may be necessary for the exercise of said jurisdiction, and may try and determine all such cases and may pronounce judgment and impose sentence therein to the same extent as the aforesaid courts having criminal jurisdiction could do in such cases, if such cases were tried before such court without a jury; provided, however, that if any person, when brought before any such justice having jurisdiction of the case, shall, before the trial for the alleged offense, pray a jury trial, or if the State's Attorney for the county or city where the offense occurs shall, before the trial of such alleged offense, pray a jury trial on behalf of the State, it shall be the duty of such justice to commit such alleged offender for trial, or to hold him to bail to appear for trial in the court having criminal jurisdiction in the case, at its then or next session, and to return said commitment or recognizance, with the names and residences of the

¹ The act of 1914, ch. 146, repealed and re-enacted sec. 30 of the Code of 1888 and added two additional sections to be known as secs. 30A and 30B of said Code. Sec. 30 of the Code of 1888 becomes sec. 42 of this Code, and for purposes of convenience, the two additional sections provided for by said act are here codified as a part of sec. 42. The paragraphs in sec. 42 indicate the beginning of the two new sections.