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## LICENSING GUNSMITHS—A NECESSITY

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Walter J. Howe

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Just when this present war will come to a peaceful end is largely a matter of conjecture. Its ending, not unlike its beginning, will give rise to problems both economic and social, which in turn will deluge our already overworked police departments with many more cases.

The oft repeated maxim about an ounce of prevention being worth a pound of cure should be the guiding light for all law making bodies—whether they be national, state, or local—in dealing with legislation concerning the ever-present problem of crime. Known only too well to all law enforcement officers is the fact that their efficiency and usefulness is in direct proportion to the laws under which they function. In order to carry on investigations they must have legal authority. Failure of a legislative body to enact sensible laws, which in the long run will benefit the majority of the community only at the possible expense of slightly inconveniencing a few people, is a shortcoming common to many law-making groups. In some instances failure to enact laws comes as a result of concerted opposition by the organized minority. In other situations, however, the legislators have just never been pressed to sponsor and pass certain beneficial laws that would help the police in their everyday work.

This latter condition prevails to a large extent today in attempts to control the illegal use of firearms. It is the writer's suggestion that a most effective means of control would be accomplished by the introduction of an ordinance or law licensing all gunsmiths.

If legally possible, such a measure would be most useful if it were state-wide in scope and administered by local police departments within their own jurisdiction. As such, the State Police would have authority in cases where a gunsmith's location was not within the boundaries in which a local police department functions.

Without attempting to write a model law, which would undoubtedly need to be modified in each state or municipality because of local conditions, the following outline should serve sufficiently to convey the purpose and idea:

I. Any gunsmith or person (other than those employed by a regularly licensed manufacturer of firearms), deriving any income from the cleaning, repairing, or refinishing of any firearm, shall be required to be licensed.

II. Such a gunsmith license shall be issued only after the person applying has satisfied the following requirements and conditions: (a) He must be of good moral character and never

have been convicted of a crime of violence, or other high misdemeanor or felony which would tend to indicate he is a person unfit to handle dangerous weapons. (This is a very important point and must be clearly outlined so that contingency of issuance will not become a political or personal matter.) (b) The person must be fingerprinted and photographed. (c) A fee (not to exceed \$2.00) will be collected to defray cost of administration and printing of forms and licenses.

III. Every such licensed person shall be required to keep in a bound and numbered page book a record of all guns worked upon by the licensee, whether on his premises or elsewhere. Each entry in the book must be made in pen and ink and in the English language and contain the following information: (a) Time of receipt of the weapon; (b) Name and address of the person bringing in the weapon; (c) Make, caliber, type, and serial number of the weapon; (d) General description of the work performed on the weapon; and (e) Date and time the weapon is returned to the owner.

IV. This record book shall be kept up to date at all times and shall be subject to the examination of any authorized police officer of the State Police or police department within whose jurisdiction the license was issued. Any officer making an examination of the book shall be required to sign his name and badge number following the last line of entry. (This will serve as a deterrent to all unnecessary and unauthorized examinations of a gunsmith's record book.)

V. Within thirty days after the adoption of such a law all persons affected by the provisions of this act must have applied for a license. Failure to do so shall be construed by the police authorities to mean that the person has violated the provisions of the act, and is, therefore, subject to the penalties.

VI. Penalties for violation of the act should be provided.

Naturally, we do not expect any criminal to bring his gun to a shop for repair if he knows the entire transaction will be recorded for police consumption. Partially, then, such a measure would make it just a bit more difficult for the established hoodlum to keep his tool of trade in good killing order. On the other hand, many a person has a gun fixed up for hunting or target shooting, and perhaps a year or two later the gun turns up in connection with a crime either related to the owner or committed by someone who stole it from him. Assuming that this gun was a war souvenir (of which we shall see plenty) or purchased where no record of sale was required, the gunsmith's records might provide the only link between the gun and at least one of its owners.

Occasional checkups on gunsmiths, too, would uncover in due time any who might favor the plush-lined underworld trade. These

unworthy individuals could then be prosecuted to the fullest extent of the law and prove to the other gunsmiths that their cooperation and honesty are worth while.

Before concluding this article, the writer should like to beg the reader's indulgence and offer a few personal opinions as a gunsmith, based on pleasant close contact with a large group of police officers and men of the shooters, dealers, and gunsmiths clan.

Shooting in its various phases as target, hunting, and just ordinary plinking, is, as even many police officers know, a very pleasant and popular pastime in America, where every gun owner is not considered a potential revolutionist. It is a traditional American sport and received the support and approbation of the Federal Government through the Director of Civilian Marksmanship. Because of the nature of the sport, however, shooters, as gun owners, have taken it on the chin in many cases as the result of the passage of laws in certain states. Many of these laws, ostensibly enacted to stamp out crime and provide a means to jail criminals, have often done little more than embitter shooters against the police. It is a somewhat human tendency for anyone who is inconvenienced or forced to give up previously enjoyed privileges as a result of newly passed laws to find fault with the law enforcement agent, rather than the legislative sponsor. This is a very widely enjoyed sentiment among shooters and men who make guns their legitimate business. Wrong as the idea may be, it is up to the police officials to discount this notion.

It was only a few years ago that the New York City Council passed a law licensing gunsmiths. At that time the writer was in business in the city and acquainted with most of the dealers and other gunsmiths operating therein. None of these men protested or were inconvenienced by the new regulation—if anything, we felt we were being somewhat officially recognized.

The location of the writer's shop (behind city police headquarters) brought him in close contact with policemen and police officials from all over the country. And, of course, the nature of his business brought him in constant association with hunters and target shooters. From this he came to know and appreciate both sides of the police vs. the gun owner undercurrent. It is not a secret that many a shooter feels the police are always striving to have legislation sponsored that would hinder them in the pursuit of their favorite pastime. On the other hand, the writer has known some officers of the old club-swinging school who regarded citizen gun owners as potential trouble with legs—and too many arms.

With all this in mind the writer has always felt there was a great need for improvement in relations between the police and men of the gun business—dealer, gunsmith, and shooting club officer.

If a gunsmith-licensing measure similar to the one which has been outlined were to be made law, the police would undoubtedly find it a great help in many cases. However, to obtain the maximum benefits from a law directly affecting so comparatively few persons, the police department charged with the responsibility of enforcement would do well to cultivate the friendship and confidence of the gunsmith. When the gunsmith is granted his license it would be very advantageous if the police chief, or some ranking official of the department, were to point out to the licensee that the cooperation of a person enjoying the privilege of working with guns, an accessory to so many crimes, can be very helpful in aiding the police where guns are involved. He could explain further that any person who commits a crime while armed with a gun is a potential killer and that it is not stool pigeoning to aid the police in bringing men of such caliber to the bar of justice. Every honest person is only too anxious to aid the police in a righteous cause, and the legitimate gunsmith, if treated with deserved consideration, will head the list.

The writer has no illusions that the licensing of gunsmiths will aid in solving every gun-accompanied crime, but it would most certainly help. If such a measure helped only to solve one case each year in every state where it was in force it would have served its purpose magnificently.