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# MAIL ORDER GUN CONTROL

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## HEARING

BEFORE THE

COMMITTEE ON POSTAL OPERATIONS

OF THE

COMMITTEE ON

OFFICE AND CIVIL SERVICE

HOUSE OF REPRESENTATIVES

NINETIETH CONGRESS

SECOND SESSION

ON

## H.R. 17949

A BILL TO EXTEND THE SCOPE OF NONMAILABLE MATTER  
TO ALL FIREARMS

JULY 2, 1968

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Committee on Post Office and Civil Service



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MAIL ORDER GUN CONTROL

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## MAIL ORDER GUN CONTROL

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TUESDAY, JULY 2, 1968

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON POSTAL OPERATIONS OF THE  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, D.C.*

The subcommittee convened at 10 a.m. in room 210, Cannon Building, Hon. Robert N. C. Nix (chairman of the subcommittee) presiding.

Mr. NIX. The subcommittee will be in order. Today the subcommittee is investigating the possibility of banning all firearms from the U.S. mail. The presence of over 100 million weapons in a society of 60 million homes is a fact that threatens our claim of being a civilized nation.

I have introduced a bill that would bar firearms and weapons from the mail, including so-called model guns which are really deadly weapons with plugged barrels and missing firing pins. There have been investigations by the Justice Department which show that anyone could become a gun dealer or gun runner by melting the plugs in the barrels of World War II weapons, including antitank guns, and restoring firing pins.

The death of Robert Kennedy coming on top of the assassination of Martin Luther King and President John F. Kennedy has of course stunned us. It has stunned us enough that we are willing finally to reexamine our institutions and our laws.

For instance, the Criminal Code of the United States, which governs the mailing of firearms, dates back to the 1920's. I refer to 18 U.S.C. 1715. This section refers only to weapons which are concealable. It does not refer to the rifles that in the hands of a sniper can strike terror into the hearts of our cities. Lee Harvey Oswald was able to kill the President of the United States with a weapon costing less than \$20. He simply clipped an advertisement, mailed \$18, and received in return a high-powered Italian Army rifle. The lethal but militarily outmoded hardware that Europeans have been dumping on our market since the end of the Second World War has finally made its potential for horror a reality.

The American Rifleman magazine, the mouthpiece of the National Rifle Association, advertises weapons such as German Mauser rifles with which Hitler's army was equipped for \$30 or less. There is also advertised the weapon described as "everybody's favorite"—the British jungle carbine No. 5, for \$39 complete with flash eliminator so that enemy troops cannot fire back by sighting in on the flash. Of what use this is to a hunter is unrecorded unless there are those hunters who

fear that the deer are going to shoot back. This weapon also comes with a bayonet and scabbard for an additional \$3.75. Nazi bayonets cost slightly less. What do hunters need bayonets for? What convenience does a bayonet serve? For a real bargain there is the British service rifle for \$22.50, as advertised in Gun magazine.

The mail-order gun business is scattered throughout the United States. Oswald obtained his weapon from a Chicago mail-order house. He could have gotten any weapon he wanted from a Mr. Walter H. Craig in Selma, Ala. He could have obtained a carbine for about \$20, but for really heavy work he could have obtained something that is very similar to a submachinegun for \$100. This is the Spitfire semi-automatic. An American rifle, the M-1, would have cost him a little over \$100 and the Springfield army rifle would have cost him \$46. Oswald or Eric Starvo Galt could have bought a weapon called the "Enforcer" from Selma, Ala., for \$100. It has what is called guerrilla-type stock. Craig also advertises an antiriot gun for \$75. There are two models, one of which has a rifle sight for pinpoint accuracy. Mr. Walter Craig of Selma, Ala., the seller of guerrilla-type weapons, antiriot guns, British Army rifles, and semiautomatics with submachinegun stocks, is a careful man. He asks that each purchaser sign a statement which reads as follows. And I quote:

I am a citizen of the United States over 21 years old, of sound mind, not a drug addict or habitual drunkard, not a fugitive from justice, I have never been convicted for a crime of violence and I am not under indictment for a crime punishable by a year or more in prison.

I have checked and I assure Walter H. Craig that there is no law in my State, county, or city that would prohibit him shipping me this order and I assume full compliance with all laws. I have read this carefully, I understand it perfectly and I sign.

That's the end of the quote. And there is a space for a signature and date.

I think Mr. Walter Craig has succinctly outlined for all of us the case for gun control. His weapons should not be in the hands of children, drunkards, drug addicts, lunatics, fugitives from justice, convicts or ex-convicts.

Senators Kennedy, Dodd, Tydings, and Congressman Celler are doing what they can about this. But I have looked at the bills being considered by other committees and I think that some questions remain.

Mr. Walter Craig has built a nationwide business out of the mail-order gun trade. Selma, Ala., is not a great industrial center. His business is a mail-order business, with the buyer and seller unknown to each other except for Mr. Craig's pious keepsake. There is nothing in the law today which would prevent Mr. Craig from arming the Ku Klux Klan, the Minute Men, the Blackstone Rangers, or anyone else at cutrate prices.

What is more, the bills under consideration in the Judiciary Committees of the House of Representatives and the Senate of the United States would not prevent Mr. Craig or other arms salesmen from decentralizing and by means of post office boxes continuing to mail arms intrastate through the good offices of the Post Office Department.

The cost to gun dealers would be minimal. The cost to the Nation would be great. What is more, these merchants of destruction prefer

the fast and safe service of the U.S. mails. May I add, they prefer the unbelievably cheap service provided by the U.S. mails. It is bad enough that guns are mailable at all, let alone having the American taxpayer take care of part of the freight. This is particularly sad, since 70 percent of the American people have favored gun control for over 30 years.

I think the American people have had enough. I know I have. I believe that firearms should be banned from the mail. Not only firearms but all weapons, including gas-fed guns that can put a .22 caliber pellet through a board or a man, such as the one recently advertised for \$1.98 on page 46 of "New Man," one of the so-called girlie magazines that are so often directed at the young. This type of tasteless magazine regularly features such articles as "New Lust Technique of the Teenage Divorcees," "Wild Escape from China's She Demons of Lust" and "Helpless Nudes for the Blood Beast." The pellet-firing weapon mentioned above, by the way, is not sold in New York City, according to the advertisements. It fires eight rounds which are shaped like bullets with a magazine clip. I don't suppose it is a firearm but juvenile delinquents from the eighth grade up might find it useful and quite within their means.

I say let's do something while we have a chance. Let's plug all the loopholes. In short, there should be more law if we are to have order. Pointing our fingers at the poor in the ghettos and cursing poverty won't end disorder. We have to have the courage to do some very simple things. Mass distribution of deadly weapons is one service the U.S. mails should not provide, nor should American taxpayers be forced to pay for such a service. The inconvenience of a very few people who collect deadly weapons does not weigh heavily in the balance against 6,500 deaths a year. The convenience of a few hunters should not cancel out both the will of 70 percent of the American people and the breakdown of law and order. It may be convenient and profitable for European arms distributors to unload their deadly military junk in this country while in their own countries guns are severely controlled. Gun control is as old in the United States as the covered wagon and the frontier sheriff's edict that guns would not be worn in town. Gun control is one of the prices we must pay for a civilized society. It's got to come and it's got to come this session.

I have a number of clippings that have been collected on this subject. And I must say that had I not been handed them, had I not the opportunity to have perused this stack of clippings, I would not have believed that they existed or that there were such wide and varied distribution of all possible types of deadly weapons.

It is just inconceivable that positive and constructive action has not been taken on this subject before, and it is equally difficult to understand the seeming reluctance on the part of so many people to come to grips with what I consider to be deadly peril.

Now I am deeply grateful that Mr. Timothy J. May, General Counsel for the Post Office Department, who has also responded and made notable contributions when we have asked him to come—this morning I welcome you and you may proceed.

(The bill, subject of this hearing, H.R. 17949, is as follows:)

[H.R. 17949, 9th Cong., second sess.]

A BILL To extend the scope of nonmailable matter to all firearms

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 51 of title 39, United States Code, is amended by adding subsection (d) to section 4001 of title 39 to read as follows:

**“§ 4001. Nonmailable matter**

“(d) All firearms, destructive devices, and weapons, whether presently usable or not, and ammunition for same, are nonmailable and shall not be deposited in or carried by the mails or delivered by any postmaster, letter carrier, or other person in the postal service.

“Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any firearm, destructive device, weapon, or ammunition declared nonmailable by this section, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.”

**TESTIMONY OF TIMOTHY J. MAY, GENERAL COUNSEL, POST OFFICE DEPARTMENT, ACCOMPANIED BY HENRY B. MONTAGUE, CHIEF POSTAL INSPECTOR**

Mr. MAY. Thank you very much, Mr. Chairman. It is a pleasure to be here. I have with me Mr. Henry Montague, Chief Postal Inspector.

Following my statement, Mr. Montague will detail for the committee some of the statistical data relating to crimes committed with firearms, the incidence of violence as we know it from the statistics that relate to the easily available firearms.

Mr. NIX. Thank you, Mr. May.

Mr. MAY. As you know, the Postmaster General is deeply concerned about the use of the mails as a vehicle to evade Federal, State, or local gun laws and ordinances.

The temporary regulations issued by the Department on June 12, 1968, have as their purpose the elimination of the postal service as a channel by which such legislation is evaded.

Until these regulations were put into force we had no statistical information on the volume of firearms mailings. We knew, however, that there were substantial numbers of firearms shipped through the mails. Since the issuance of our regulations we have been able to make a rough sampling which indicates that firearms mailings exceed 120,000 a year. Of course, this figure must be viewed with considerable reservation because the data was gathered hurriedly and we do not know whether the period used was a representative one. I believe, however, that the figure does indicate the general order of magnitude of the mailings.

There is a great variation in the extent to which manufacturers and distributors of firearms use the postal service. We have obtained estimates from a large number of enterprises in the firearms field. They have advised that the percentage of their sales vary from 2 to 98 percent. Prohibition of some firearms through the mails, therefore, would affect these enterprises unevenly.

Presently, only one law directly deals with transmission of firearms in the mails. This is section 1715 of title 18, United States Code, which makes pistols, revolvers and other concealable firearms non-

mailable except when mailed to designated categories of persons. These are officers of the U.S. Armed Forces, National Guard and State militia, State and Federal law enforcement officers, watchmen engaged in guarding State or Federal property and postal employees. In all cases the firearms must be for use in connection with official duties.

In addition, customary trade shipments, including shipments for replacement or repair, may be made to manufacturers and dealers. On June 12, 1968, the Department strengthened its regulations under this law to make it clear that short-barrelled shotguns and short-barrelled rifles are within this prohibition, since it is our view that such weapons are capable of concealment on the person and therefore should come within the statutory prohibition.

At the same time the Department took steps to assist local law enforcement officials in carrying out their functions of applying State and local laws with respect to firearms, and to give further assurance that firearms sent through the mails are limited to those which are not concealable on the person. This action requires all firearm shipments to be so labeled and directs postmasters at the point of delivery to advise local law enforcement authorities that a firearm has been received for delivery.

I want to emphasize here that this regulation in no way restricts the mailing or delivery of any firearm which Congress has not prohibited in the mails. The firearm will be delivered regardless of objection of police. This is so because the Post Office has no authority not to deliver a firearm which is not statutorily prohibited. We must make delivery.

On the other hand, it will give police authorities an opportunity to enforce whatever local laws there may be on firearms. I might say I believe it arms the local police force with valuable information. We had some experience under this: it is quite recent, of course. Police officers and sheriffs, curiously enough in smaller communities and counties, are very interested in this information. They find it quite valuable to know exactly who in their community has or is about to receive a gun through the mail. The police officials in the more dense urban communities express less interest.

I am not saying that they feel it is useless information, but they are not as interested. They say they would be much more interested in having such information as the registration number or serial number of the gun or this type of information which we are not prepared or capable of giving them.

All we can tell them is the name of the addressee, that this individual at this address will receive a firearm. I think, however, that that is valuable information.

If the local law enforcement officials, for example, maintain for their own police purposes a list of characters in the community who are regarded as dangerous or potentially dangerous because of their background, because of addiction to alcohol or drugs, because of past criminal offenses or because of a mental derangement. If these facts are known, I would think it would be quite a valuable piece of information to know that such an individual as this just received a gun through the mail.

It is clear that the assassination of Senator Kennedy, coming so soon after that of Dr. King and the murder of a U.S. President only 5 years

earlier, impelled us to reexamine the Department's position in the traffic in guns and in this connection our regulations on firearms.

Since it was judged that existing conditions required an immediate remedy, these regulations were issued with an immediate effective date. However, the Postmaster General also desired comments and views on the regulations. Accordingly, they were made effective only for a 90-day period and the public has been invited to forward to me arguments, data, and views on making these regulations permanent.

Before a decision is made on continuing the regulations we will, of course, consider the effect of any legislation enacted after the regulations were announced, as well as suggestions for any changes in them.

I must say, of course, it is our devout hope that our regulations will not be necessary 90 days after their publication, that in fact the Congress will have met its responsibility to the American people and will have enacted adequate legislation covering this problem so that our regulations are unnecessary.

At the time Postmaster General Watson announced the issuance of new regulations, he also urged private carriers to follow the lead of the postal service in doing what they legally could to assist local law-enforcement officers in keeping abreast of the traffic in guns. I am advised that the Air Transport Association has adopted a procedure for its members closely paralleling the labeling and notification requirements of the postal regulations. As I understand its action, the association members will require shipments of firearms to be labeled as such and to be accompanied by a letter of notification to law-enforcement authorities at the point of destination. The Department has also been advised that the Association of American Railroads, American Trucking Association, National Association of Motor Bus Operators, and REA Express are exploring the possibility of action.

Title IV of the omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, approved by the President on June 19, 1968, has as its purpose assistance to States in firearms control. When it becomes effective in December of this year, it will have only a minimal impact on mailings of firearms. It deals directly with the transmission of firearms in the mails in only one particular. This is the provision of section 904(c) which expressly continues section 1715 of title 18, United States Code, relating to mailing of pistols, revolvers, and other firearms capable of being concealed on the person.

The prohibition of Public Law 90-351 does, however, apply to shipment of firearms through the mails in interstate commerce in the same manner as shipments handled by other carriers. The provisions of this law apply primarily to handguns and destructive devices. Insofar as rifles and shotguns are concerned, the principal restrictions in which the postal service is likely to be involved are shipment of a rifle or shotgun to (1) a person who may not lawfully purchase or possess it under the laws of his place of residence and (2) a person who is under indictment for or has been convicted of a crime punishable by imprisonment in excess of 1 year.

Needless to say, these restrictions are minimal and it is hard to see how they will be of any measurable help in the curtailment of the traffic that concerns the committee and concerns us.

H.R. 17735 and S. 3633 would carry out the President's recommendations by generally prohibiting interstate shipment of all fire-

arms, including rifles and shotguns, to individuals and restrict retail sales to residents of the State in which the seller is located. Such legislation would remove most rifles and shotguns from the mails. There are, however, a number of exceptions. A seller would be able to mail a rifle or shotgun to his customers residing within the same State, for example, from Pittsburgh to Philadelphia. Rifles and shotguns could also be mailed to officers requiring them for official duty as well as to dealers. Also dealers would be permitted to return or send a replacement for a firearm sent in for repair.

While we agree with the chairman's concern which led to his introduction of H.R. 17949, I do not believe it will accomplish the objective of controlling sale of firearms, just as I do not believe that the regulations which we issued will be effective or any adequate substitutes for the right kind of legislation.

In the absence of other legislation it will simply drive shotgun and rifle shipments into the express service. I might add our estimates are that some 120,000 or possibly more firearms do move through the mails, but this leaves uncounted all the other millions of firearms that are sold each year in interstate commerce, and they are obviously moving by private express shipment.

So any effort, including the legislation proposed by the chairman, or our regulations which were all that we could do that simply affect the mail and do not attempt to control other means of interstate shipment, are going to be largely ineffectual. It is better than nothing but it certainly doesn't do the job.

If the administration's bill is enacted the greatest field for application of H.R. 17949 will be eliminated and H.R. 17949 would be effective only in the intrastate traffic. But here again express service would remain available.

H.R. 17949 would impose a prohibition on mailing of any firearm or destructive device. This would in effect supersede and repeal section 1715 of title 18, United States Code. The latter section has been expressly preserved by Public Law 90-351 and would be preserved and extended by H.R. 17735 and S. 3633, administration proposals, to include nonconcealable firearms.

We have no information at this time that would indicate section 1715 has not worked well and we know of no reason why it should be repealed. Accordingly, we would suggest that if H.R. 17949 receives favorable consideration, that it be amended to authorize continuance of the use of the mails for firearms shipments as now provided in section 1715.

And such exceptions, as the chairman knows, are permission to mail firearms under very rigid conditions to police officers, members of the State militias, members of—such as the members of the FBI, postal inspectors, people who work in law-enforcement work generally.

We do not see any reason to prohibit the mailing to such individuals, particularly under the conditions prescribed in section 1715 and our regulations thereunder which require very strict identification procedures and affidavit procedures to insure that the gun is in fact delivered to such a law-enforcement official and to insure that his use for the firearm is for his official duties.

Thank you, Mr. Chairman.

Mr. NIX. Thank you, Mr. May. Would you care to proceed, Mr. Montague?

Mr. MONTAGUE. Yes, sir.

The Postal Inspection Service is the investigative and law-enforcement arm of the Post Office Department, and is charged with protecting the mail and its custodians from criminal attacks and the mail from misuse by those who would defraud, extort, or otherwise utilize it toward criminal ends.

In light of such responsibilities, it can be seen that we are most interested in all legislative efforts to more effectively control and regulate the sale, shipment, and possession of lethal weapons. While weapons other than firearms may and do facilitate the commission of crimes and the destruction of life, the uniform crime reporting program, conducted by the FBI, continues to amass irrefutable evidence that the availability and easy accessibility of guns is, at the very least, a major contributing factor in the upward spiraling crime rate.

Some 59.3 percent of the 9,552 murders reported in the United States in 1966 were committed through use of a gun; firearms were used as the murder weapons in 96 percent of all police killings since 1960. At this point I should mention that a few years ago two of our very able investigative aides were shot and killed in Chicago, while in the performance of their duty, by a trio of mail thieves with prior criminal records. In the last 5 years a total of 319 armed assaults have been made on custodians of the mails. When aggravated assaults and armed robberies, in which firearms were used, are added to the criminal homicides, the Nation suffers from the staggering total of better than 100,000 crimes committed in 1 year through the use of firearms.

If I might call further on uniform crime report data: From 1962-65 a firearm was used as the weapon in 56 percent of the 36,000 willful killings in the United States. A handgun was used in 70 percent of these firearm murders, a shotgun in 20 percent and a rifle in 10 percent. During the same 4-year period, the Northeastern States, where fairly restrictive gun controls exist, reported 36 percent of their murders were caused by guns.

In geographical areas with only minimum gun controls, however, percentage rises from 55 to 64 percent. Certainly the argument that gun controls are not needed because a hardened criminal will arrange to obtain one regardless, is specious. Such a claim is not only refuted by the statistics, but also by ordinary human experience which persuades us that the ready availability of such instruments of crime and destruction can have no other effect than to increase their use for such purposes.

As President Johnson and Postmaster General Watson have stated, gun control in the truly effective sense must remain the responsibility of the State and local communities. However, as they have also both observed, the Federal Government must assist with respect to the movement of firearms in interstate or foreign commerce, or on a mail order basis, since such traffic tends to thwart the effectiveness of State laws and local ordinances.

It was precisely this congressional thinking that resulted in the passage of H.R. 4502 on February 8, 1927. Certain States had protested that their own efforts at handgun control were being hampered by the ease with which they could be obtained by mail from out-of-

State suppliers. The legislation then passed is now reflected in section 1715 of title 18 United States Code, which prohibits, with certain exceptions, the mailing of pistols, revolvers, or other firearms capable of concealment on the person. Exempt are mailings made by manufacturers of firearms or bona fide dealers from one to another, or to specified military and law enforcement officials and personnel, who require firearms for use in their official capacity.

The statute authorized the Postmaster General to establish mailing regulations. These regulations as set forth in section 125 of the Postal Manual require, except for official shipments by authorized agents of the Federal Government, that a mailer must file a statement—form 1508—with the Postmaster that he is a bona fide manufacturer or dealer and additionally he must obtain and file at the time of mailing an affidavit from the addressee certifying as to the addressee's qualifications for receiving the firearm under the exemptions provided. Among other things, the parcels must be plainly marked with the word, "Firearms," and the addressee, if not known to the Postmaster as a manufacturer or dealer, must establish his identity and sign a receipt—form 2162.

The Federal Firearms Act of 1938, as amended, requires, among other things, that all manufacturers, importers, and dealers in firearms, ammunition and components thereof, obtain a license from the Secretary of the Treasury before engaging in interstate or foreign commerce. I am advised that in 1966, a total of 104,087 persons and/or firms possessed licenses under this act.

Regrettably, the misleading nature of the phrase "mail order sale of handguns" as it has appeared in the press and elsewhere in recent years has caused many to mistakenly conclude that anyone may order and also receive, a handgun by mail. This, of course, is not so.

Various news articles which followed the disorders of last summer suggested that arsenals of small arms had cropped up in certain cities and hinted that they had been obtained from out-of-State mail-order houses. Although we have consistently investigated all incidents pointing to a possible violation of section 1715, United States Code 18, we decided to have inspectors personally call on a cross section of manufacturers and dealers to determine (a) whether they were aware of the postal requirements in the mailing of concealable weapons and (b) whether they were complying. Some 365 gun manufacturers and dealers were interviewed by inspectors during the late summer and early fall of 1967. It was found that substantially all were aware of the postal regulations and were complying with them. We found no measurable shipment of concealable weapons by mail to persons not authorized by statute to receive them.

Following through with this program we did find, however, that a few inexperienced postal employees were not fully acquainted with the acceptance requirements with respect to firearms and on our recommendation the Bureau of Operations issued a Postal Bulletin notice reminding all postal employees of the regulations governing the mailing of concealable firearms.

In fiscal year 1968, just ended, we completed about 270 investigations into the alleged mailing of concealable weapons in violation of sections 1715, United States Code 18. Evidence of a willful effort to circumvent the law was developed in some 29 cases and the facts were

presented to U.S. attorneys. Seven indictments were returned and six convictions resulted. All of these cases involve mailings made by one private person to another. In four cases either the sender or the addressee, or both, had criminal records.

Among other things, bills now under consideration include rifles and shotguns in their interstate provisions. In this connection perhaps the single most important contribution this service—Postal Inspection Service—made to the overall investigation into the assassination of President Kennedy in 1963 was to assist in establishing conclusively that the rifle and scope found in the sniper's nest at Dallas had been ordered by postal money order sent by mail to a firm in Chicago, Ill., in the fictitious name, A. Haidell. Further, that the rifle and scope was then mailed as directed to P.O. Box 2915, Dallas, Tex., a box rented by Lee Harvey Oswald.

Mr. May has fully discussed the postal restrictions on firearm shipments as announced by the Postmaster General on June 12, 1968, and I have nothing to add on that feature. I will try to answer questions the subcommittee may have of me.

Mr. NIX. Thank you Mr. Montague. At this time I would appreciate it very much if a copy of the Postmaster General's regulations are submitted for the record, and, without objection, they will be placed in the record at the end of the hearing.

Now, Mr. May, of course the object of the law—at least the requirement that names and addresses be given to local law-enforcement agencies is all a very good thing. It certainly is helpful. What I seek to do and what I think the law should do is to formulate regulations, enact them into law, that would prevent the shipment and as nearly as possible, except to certain people, the purchase of lethal weapons.

Now the basic concept of the law, of course, is not preventative. I realize that. What I am trying to do is what I hope we can do in the Congress of the United States, and that is to tighten the law.

Now you mentioned, on page 3 of your statement, that firearms will be delivered regardless of objections by police. That is true because you have no authority to refuse delivery.

Mr. MAY. That is right.

Mr. NIX. Don't you think we must, in the circumstances, pass some laws that restrict the sale of firearms?

Mr. MAY. Absolutely, Mr. Chairman.

Mr. NIX. Do you feel, Mr. May, that the gun control law, at least that part of it that comes from the Judiciary Committee, adequately covers the subject?

Mr. MAY. It certainly goes a long way toward treating with the problem in that the bill pending in the Judiciary Committee right now would prohibit the interstate shipment of all firearms with some limited exceptions. It corrects the deficiency that exists presently in the law which permits long arms to move in interstate traffic without restrictions, that is both through the mails or by any other means of transportation in interstate commerce.

The one gap that it leaves in terms of movement of firearms is that it does not cover the intrastate shipment of firearms.

Now the bill you have introduced, Mr. Chairman, is a flat prohibition on the movement of firearms through the U.S. mails. It would include the intrastate shipment via the mails of firearms. I would point

out, however, that such a prohibition would simply divert the traffic to a private express company.

I don't mean to demean the contribution that such a prohibition might make, but I believe that if in fact a State would have its own adequate gun control laws, it would not be necessary to concern ourselves with intrastate shipments. Historically and even today the great concern has been that because of the interstate nature of gun control traffic, the States have been severely handicapped where they have wanted to do something about the gun control problem. They have the limited means of protecting against the introduction of firearms into the State through interstate commerce, both through the mails and by private carriers, and that this is the area where the greatest problem exists.

I think to the extent that the bill pending in the Judiciary Committee comes to grips with that problem, that it is an adequate answer to that problem. However, as the chairman knows, the President has forwarded additional gun control legislation for the consideration of the Congress which covers other features that I believe need to be covered.

I think that the problem is rather multi-faceted and all we in the postal service can deal with, of course, is a little piece of the problem—that part of it which is moving in interstate commerce through the mails.

The bill introduced by the chairman attempts to treat with part of the problem. Again that being the movement through the mails intrastate or interstate of guns.

That is only a small part of the problem. I think it is laudatory that we do what we can and it is certainly helpful to do that, but it simply is no substitute for the overall series of statutory controls that are necessary if you are going to have an effective gun control structure in this country.

Mr. Nix. You see, Mr. May, H.R. 17949 was never intended to displace the legislation coming from the Judiciary Committee. It was intended, and I still intend, to offer an amendment to that legislation. That is the reason why we are having this hearing.

The amendment I propose to offer when the Judiciary Committee bill, H.R. 17735, is considered by the House will strike out the words "capable of being concealed on the person" from 18 U.S.C. 1715 so that shotguns and rifles no longer can be sent through the U.S. mail except for use by law enforcement personnel.

The form in which I propose to offer the amendment to H.R. 17735 is:

1. On page 11, lines 13 and 14, strike out "capable of being concealed on person";
2. Page 32, lines 23, and 24, strike out subsection (c) section 4 which reads as follows: "(c) section 1715 of title 18, United States Code, relating to nonmailable firearms", and makes the necessary technical corrections to section 4; and
3. On page 33, renumber section 5 as section 6 and add a new section 5 to read as follows:

Section 1715 of title 18, United States Code, is amended by striking out the words "capable of being concealed on the person".

Would that amendment be acceptable to you?

Mr. MAY. Yes, sir.

Mr. NIX. We are, of course, in the subcommittee, restricted by the jurisdiction of the committee and I realize and have realized that the express is open to people who deal in lethal weapons, but I feel that that, too, that loophole also has to be closed.

I for one am going to support any legislation that adequately covers the field. I am going to offer this amendment to H.R. 17735 that comes out of the Judiciary Committee. Now I want to thank both you, Mr. May, and Mr. Montague for coming here today. I think it is absolutely necessary to give us the benefit of your views.

Thank you very much.

The National Rifle Association called the subcommittee and assured that they would appear here, but as of this moment they have not appeared, and that is regrettable but I thought in justice to them, I should have made the announcement that they were to be here this morning and didn't appear.

They will present a written statement for the record.

(The written statement referred to is as follows:)

NATIONAL RIFLE ASSOCIATION OF AMERICA,  
Washington, D.C., July 3, 1968.

HON. ROBERT N. C. NIX,  
Chairman, Postal Operations Subcommittee, Committee on Post Office and Civil Service, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN NIX: We appreciate the opportunity to comment briefly, in writing, on your bill, H.R. 17949, to extend the scope of nonmailable matter to all firearms.

Since 1927, a federal statute (18 U.S.C. 1718) has prohibited the mailing of all concealable firearms, except to certain classes of persons and under certain circumstances. For the purpose of the private citizen, this law has operated as a ban on the mail shipment or receipt of pistols, revolvers and other concealable firearms.

Existing law on the mailing of concealable firearms apparently has not prevented the availability and accessibility of these weapons to criminals and other undesirable persons. This fact is borne out by an examination of the statistics which show that over 70 percent of the crimes committed with firearms involve concealable firearms. Now if a 40-year-old federal law has not had a marked effect on the "traffic" in concealable firearms to those who would misuse them, then we think that a law to ban all firearms would be of correspondingly little effect.

If all firearms were banned from the mails, they still could be shipped by Railway Express and other common and contract carriers. Even if these carriers were prohibited from transporting firearms, criminals could still obtain weapons by various means and from various sources: e.g., theft, private acquisition, black-market.

The objective of H.R. 17949 is now partially a reality because of the present law, mentioned above, and because of the recent approval into law of the Crime Control and Safe Streets Act, Title IV of which prohibits the mail-order sale of handguns. There appears to be a good likelihood that the mail-order ban will be extended to rifles and shotguns before the adjournment of this Congress.

Aside from the foregoing considerations, a compelling criticism of H.R. 17949 is that it contains no exceptions for federally licensed manufacturers and dealers. Clearly, the absence of such an exception for federal firearms licensees would be incongruous, to say the least. On the one hand, the Government authorizes their engagement in the business of a manufacturer or dealer; on the other, your proposal would prohibit their use of the postal service to make shipments between localities from one to the other. One of the practical consequences of this proposed prohibition would be the passing of the increase in shipping costs, because of the necessity of using other means of shipment than the mails, to the ultimate law-

abiding consumer. Another consequence is that manufacturers and dealers may find themselves in situations and areas where a denial of postal shipment would impose a substantial burden on their marketing operations.

Cordially,

FRANKLIN L. ORTH,  
*Executive Vice President.*

(The Postmaster General's regulations, which were ordered made a part of the record, are as follows:)

RULES AND REGULATIONS

*Title 39—Postal Service*

CHAPTER I—POST OFFICE DEPARTMENT

*Part 125—Matter mailable under rules*

*Prohibitions on Mailing Pistols, Revolvers and Other Concealable Firearms; Notice of Temporary Regulations*

A review of the regulations of the Post Office Department in the light of recent events has indicated that further definition is necessary in the terms used in its regulations issued to implement section 1715 of Title 18 United States Code which prohibits mailing of pistols, revolvers and other firearms capable of being concealed on the person, except when they are mailed to designated classes of persons. The absence of adequate definitions in the regulations creates a condition of uncertainty in the application of the law.

Since the existing condition requires an immediate remedy, the Postmaster General has determined advance notice and public rule making procedure are impracticable and unnecessary. Therefore, the following temporary regulations are issued to supplement the regulations appearing in § 125.5 of Title 39, Code of Federal Regulations, and these regulations will be effective for 90 days following the date of publication of this document in the Federal Register.

§ 125.5 *Concealable firearms.*

\* \* \* \* \*

(g) *Antique firearms.*—Antique firearms sent as curios or museum pieces may be accepted for mailing without regard to the provisions of paragraphs (a) and (d) of this section and § 125.9. The term "antique firearm" means any firearm manufactured in or before 1898. The term "antique firearm" means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system), or replica thereof, whether actually manufactured before or after the year 1898; and also any firearms using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States; and is not readily available in the ordinary channels of commercial trade.

(h) *Nonmailable firearms.*—(1) Pistols, revolvers, and other similar firearms capable of being concealed on the person, addressed to persons other than those indicated in paragraph (a) of this section, are nonmailable and shall not be received or carried in the mails.

(2) The term "pistols" or "revolvers" means hand guns styled to be fired by the use of a single hand and to fire or otherwise expel a projectile by the action of an explosion, spring, or other mechanical action, or air or gas pressure with sufficient force to be used as a weapon.

(3) The term "firearm" means a device from which a projectile is fired or otherwise expelled by the action of an explosion, spring, or other mechanical action, or air or gas pressure with sufficient force to be used as a weapon.

(4) The phrase "all other firearms capable of being concealed on the person" includes, but is not limited to, short-barreled shotguns, and short-barreled rifles.

(5) The term "short-barreled shotgun" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches. A short-barreled shot-

gun of greater dimensions may also be regarded as nonmailable when they have characteristics allowing them to be concealed on the person.

(6) The term "short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches. A short-barreled rifle of greater dimensions may also be regarded as nonmailable when they have characteristics allowing them to be concealed on the person.

In addition to these temporary regulations, the Postmaster General is today publishing a notice of proposed rule making proposing to incorporate these regulations in the Department's permanent regulations in order to give members of the public an opportunity to present written data, views, and arguments concerning adoption of these regulations as an amendment to § 125.5 of Title 39, Code of Federal Regulations.

NOTE: The corresponding Postal Manual sections are 125.57 and 125.58, respectively.

(5 U.S.C. 301; 18 U.S.C. 1715; 39 U.S.C. 501)

TIMOTHY J. MAY,  
*General Counsel.*

JUNE 11, 1968.

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PART 125—MATTER MAILABLE UNDER RULES

DELIVERY OF FIREARMS; NOTICE OF TEMPORARY REGULATIONS

As recent events have so unfortunately demonstrated, the shipment of firearms through the mails under existing procedures seriously interferes with the enforcement of State and local laws designed to control these weapons. The national interest demands that activities of the postal service shall not hinder but rather aid in the effective enforcement of State and local gun control laws.

Since these existing conditions require an immediate remedy, the Department has determined advanced notice and public rule making procedures are unnecessary and contrary to the public interest. Therefore, the following temporary regulations are made to Part 125 of Title 39, Code of Federal Regulations, by the addition of a new § 125.9 to supplement the existing regulations and will be effective for 90 days after publication in the Federal Register.

§125.9 *Notice of delivery of firearms.*

(a) Paragraphs (c) through (g) of §125.5 relative to Concealable Firearms shall apply to every mailing of a firearm without regard to whether it is capable of being concealed on the person. Firearm parcels not complying with this provision may not be admitted to or carried in the mails.

(b) The postmaster at the office of address shall not make delivery of any firearm without first notifying the chief law enforcement official for the community in which the addressee resides that delivery of a firearm to the addressee will be made in the ordinary course of the mails.

In addition to these temporary regulations, the Postmaster General is today publishing a notice of proposed rule making proposing to incorporate these foregoing regulations in the Department's permanent regulations in order to give members of the public an opportunity to present written data, views, and arguments concerning the procedures in §125.9 of Title 39, Code of Federal Regulations.

(5 U.S.C. 301; 18 U.S.C. 1715; 39 U.S.C. 501)

TIMOTHY J. MAY,  
*General Counsel.*

JUNE 11, 1968.

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PROPOSED RULE MAKING

*Post Office Department*

[39 CFR PART 125]

*Prohibitions on mailing pistols, revolvers, and other concealable firearms*

*Notice of proposed rule making*

Notice is hereby given of proposed rule making consisting of proposed amendments to Part 125 of Title 39, Code of Federal Regulations. The proposed amend-

ments supply more complete definition of the terms in § 125.5 which implements § 1715 of Title 18 United States Code prohibiting the mailing of pistols, revolvers, and other firearms capable of being concealed on a person except when mailed to categories of persons designated in the law. Paragraph (g) is revised to include a definition of antique firearms and a new paragraph (h) is added to supply other needed definitions. Simultaneous with the issuance of this notice the Postmaster General is adopting temporary regulations containing the same provisions. These temporary regulations will be in force for a period of 90 days unless otherwise ordered.

This notice is being issued in order that members of the public may have an opportunity to comment on the terms of the regulations prior to any order making them permanent. Accordingly, written data, views and argument regarding the proposed regulations may be filed with the General Counsel, Post Office Department, Washington, D.C. 20260 at any time prior to the 30th day following the date of publication of this notice in the Federal Register. The proposed amendments to Part 125.5 read as follows:

§ 125.5 *Concealable firearms.*

\* \* \* \* \*

(g) *Antique firearms.*—Antique firearms sent as curios or museum pieces may be accepted for mailing without regard to the provisions of §§ 125.5(a) through 125.5(d) and § 125.9. The term "antique firearm" means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States; and is not readily available in the ordinary channels of commercial trade.

(h) *Nonmailable firearms.*—(1) Pistols, revolvers, and other similar firearms capable of being concealed on the person, addressed to persons other than those indicated in § 125.5(a), are nonmailable and shall not be received or carried in the mails.

(2) The term "pistols" or "revolvers" mean hand guns styled to be fired by the use of a single hand and to fire or otherwise expel a projectile by the action of an explosion, spring, or other mechanical action, or air or gas pressure with sufficient force to be used as a weapon.

(3) The term "firearm" means a device from which a projectile is fired or otherwise expelled by the action of an explosion, spring, or other mechanical action, or air or gas pressure with sufficient force to be used as a weapon.

(4) The phrase "all other firearms capable of being concealed on the person" includes, but is not limited to, short-barreled shotguns, and short-barreled rifles.

(5) The term "short-barreled shotgun" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches. A short-barreled shotgun of greater dimensions may also be regarded as nonmailable when they have characteristics allowing them to be concealed on the person.

(6) The term "short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches. A short-barreled rifle of greater dimensions may also be regarded as nonmailable when they have characteristics allowing them to be concealed on the person.

NOTE: The corresponding Postal Manual section is 125.5.  
(5 U.S.C. 301; 18 U.S.C. 1715; 39 U.S.C. 501)

TIMOTHY J. MAY,  
*General Counsel.*

JUNE 11, 1968.

[39 CFR PART 125]

*Delivery of Firearms*

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given of proposed rule making consisting of a proposed amendment to Part 125 of Title 39, Code of Federal Regulations. The proposed amend-

ment would add a new § 125.9 and provide that the postmaster at the office of address shall not make delivery of any firearm without first notifying the chief law enforcement official for the community in which the addressee resides that delivery of a firearm to the addressee will be made in the ordinary course of the mails. Simultaneous with the issuance of this notice the Postmaster General is adapting temporary regulations containing the same provisions. These temporary regulations will be in force for a period of 90 days unless otherwise ordered.

This notice is being issued in order that members of the public may have an opportunity to comment on the terms of the regulations prior to any order making them permanent. Accordingly, written data, views, and arguments regarding the proposed regulations may be filed with the General Counsel, Post Office Department, Washington, D.C. 20260 at any time prior to the 30th day following the date of publication of this notice in the FEDERAL REGISTER. The proposed addition to Part 125 reads as follows:

§ 125.9 Notice of delivery of firearms.

(a) Paragraphs (c) through (g) of § 125.5 relative to Concealable Firearms shall apply to every mailing of a firearm without regard to whether it is capable of being concealed on the person. Firearm parcels not complying with this provision may not be admitted to or carried in the mails.

(b) The postmaster at the office of address shall not make delivery of any firearm without first notifying the chief law enforcement official for the community in which the addressee resides that delivery of a firearm to the addressee will be made in the ordinary course of the mails.

(5 U.S.C. 301; 18 U.S.C. 1715; 39 U.S.C. 501)

TIMOTHY J. MAY,  
General Counsel.

JUNE 11, 1968.

Mr. NIX. I have several items to submit for the record including two advertisements by Mr. Walter Craig, of Selma, Ala., and other assorted advertisements, articles from several gun magazines, a short legal memorandum from the staff on the constitutional question on gun control and numerous articles on the question of gun control so that when the hearing record is published next week it will be a useful reference for all those who wish to use it.

The articles from the magazines cover the possible use of submachineguns for hunters, which raises a question in my mind as to how much of a sportsman the owner of a submachinegun is. I suppose it makes as much sense for Mr. Walter Craig to sell antiriot guns to hunters unless there is some fear in Selma, Ala., that game animals are going to riot.

The meeting of the subcommittee will be adjourned.

(Whereupon, at 11:50 a.m., the subcommittee was adjourned.)

(The items referred to above, for inclusion in the record, are as follows:)

THE RIGHT TO BEAR ARMS

LEGAL MEMORANDUM

From: Subcommittee Counsel Thomas Kennedy.  
To: Chairman Robert N. C. Nix.

The second amendment to the Constitution of the United States is only 27 words and seems plain on its face.

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The reference to a "well regulated Militia" would seem to govern the phrase "the right of the people to keep and bear Arms" which means in its context the right of the States to organize a Militia. This amendment is part of the Bill of Rights, which was written to protect the rights of the individual States and govern their relationship with the Federal Government. This amendment does not protect an individual right to bear arms since tough gun control measures

as the "Sullivan law" in New York State would have been successfully challenged long ago.

James Madison, principal author of the second amendment, drafted an additional clause for inclusion in the amendment which read, "but no person religiously scrupulous of bearing arms shall be compelled to render military service."

These words were taken out of the amendment by a congressional committee but they show that the framers of the Constitution were thinking of the right to bear arms in relation to the Militia on National Guard.

It is generally agreed that since the Bill of Rights applies to States, there is nothing that prevents them from regulating the gun trade.

There is little or no case law on this subject. The principal case involved a sawed off shotgun which the Court held was not vital to the maintenance of a "well regulated Militia."

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[From the Congressional Record, June 18, 1968]

#### MAIL-ORDER MURDER

Mr. NIX. Mr. Speaker, as chairman of the Postal Operations Subcommittee, I will introduce a bill which will bar all firearms, whether in condition to be used or not, and all destruction devices from the U.S. mails, with penalties for violation of up to 1 year in prison and or \$1,000 fine. In addition, the Postal Operations Subcommittee will hold hearings on this bill on the 24th of June, and I invite the Postmaster General to appear and ask all Members of this and the other body to submit testimony on this bill. The hearings will be held in room 210 of the Cannon House Office Building.

The United States of America is described in the last stanza of the "Star-Spangled Banner" as the home of the brave. With 100 million firearms unaccounted for in the United States, we are rapidly becoming a fearful nation when you consider that we only have 60 million households in the United States. That is one and a half firearms per household. In 1966 there was a major gun-connected crime every 5 minutes. Over 6,500 murders a year are committed by firearms in this country, 43,000 aggravated assaults connected with guns and 60,000 gun-connected robberies. Murder by gun in the United States is 55 times that of Great Britain, 25 times that of West Germany, and 90 times that of the Netherlands. Against this staggering record which gives our enemies the chance to say we are not a civilized nation, is balanced the convenience of hunters in obtaining mail-order weapons. This service to hunters was also a great convenience to Lee Harvey Oswald, who was able to kill a President of the United States with a long-range weapon at a total cost to himself of less than \$20. John F. Kennedy was murdered through a service provided by the U.S. mails.

European nations have been dumping the deadly trash of war—army rifles—on our doorstep because they know that they can sell these weapons at cutrate prices through our mail service. There is no reason why an inherently dangerous object such as a firearm should be mailed. There is no reason why the U.S. Government should provide a mass distribution system for these things.

The ban on the sale and distribution of firearms through the mail will prevent the easy violation of State and Federal gun control laws. What is more, this prohibition will be applied against all weapons whether they are in a condition to be fired or not. Many weapons have had plugs inserted in their barrels or have the firing pin removed and then these weapons are sold as collectors items. There are cases where the plugs have been removed by merchants and the firing pins replaced, restoring the weapons to firing condition.

Postmaster General Marvin Watson took the first step in making State gun control laws effective last week by issuing postal regulations which require that packages containing firearms be labeled as such and that postmasters notify local police officials of the arrival of firearms in their communities. The journey begun by Postmaster General Watson will be completed by this bill in that firearms will not be forwarded by mail. One large distribution system will be dried up.

When Lee Harvey Oswald murdered President John F. Kennedy almost 5 years ago by use of a mail-order Army rifle, I thought action would be taken. Nothing happened. The National Rifle Association is again fighting for time the way they did after John F. Kennedy's death. They are a powerful lobby, much too powerful for the good of the United States. I think we must act now to restore law and order and civilization to this country and gun control is the first step. Neither vicious lobbying nor the convenience of hunters should be allowed to stand in the way of restoring peace at home. If we want law and order, the arms traffic must be stopped.

At the conclusion of our hearings a clean bill will be introduced so that sponsors may be added to the subcommittee bill. I hope that many of you will find time to enter written statements in our hearing record. We must take action this time.

[From the Congressional Record, June 13, 1968]

#### WATSON TAKES ACTION ON GUN CONTROL

Mr. Nix. Mr. Speaker, yesterday the Postmaster General of the United States, Marvin Watson, issued regulations in the wake of the killing of last week requiring that mailed shipments of firearms be labeled as such and local police officials notify that the addressee is receiving firearms. This will give police officials in States where there are firearms laws the chance to enforce State law. It is ironic that the Federal Government, up until yesterday's announcement by General Watson, has helped to violate State firearm statutes.

This action is long overdue. I am glad that something is finally being done. The action of Marvin Watson shows, I think, why the President of the United States needed Mr. Watson in the White House. It also shows, I think, great strength of character to stand up to the National Rifle Association, one of the strongest lobbying groups in the United States. For years they have managed to frustrate the will of the American people that firearms be regulated. Not even the assassination of the President of the United States, John F. Kennedy, caused them to reexamine their own policy in promoting the sale of firearms.

The United States, Mr. Speaker, is fast becoming an armed camp. In 1966, firearms were used in more than 109,000 crimes of violence, 6,552 killings, 43,500 aggravated assaults, and 59,680 robberies. There are 100 million firearms in the hands of American citizens. On top of that, we all know that gun sales have increased during the past year.

I believe that the hour is late, that if we do not regulate and register firearm sales, if the United States continues to be an armed camp, that the trouble of this spring will in time overwhelm us. With 100 million weapons unaccounted for in a nation whose total population is only 200 million—that is one out of two Americans is already armed—we have a serious problem. We have 60 million households in the United States and we could send 40 million arms abroad and still leave a gun in every household. At one time our national goal was a car in every garage. Now we have a gun in every home. Marvin Watson and the President of the United States see the evil. I wish the Congress did, particularly the other day.

News articles follow :

#### "POSTMASTERS TO TELL POLICE OF MAILED GUNS

"The Post Office today announced it will notify local police chiefs before delivering any guns in their communities.

"The announcement came as tough new bills regulating firearms in the United States were introduced in the Senate.

"Postmaster General W. Marvin Watson said he has ordered 'that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community.'

"Watson said he also has 'issued regulations that all firearms shipped through the mails be clearly labeled with the words "firearms".'

"[From the Washington (D.C.) Evening Star, June 13, 1968]

#### "RIFLE ASSOCIATION CHALLENGES NEW GUNMAKING REGULATION

"The National Rifle Association is questioning the legality of a Post Office Department move to curb mail-order guns.

"Postmaster General W. Marvin Watson yesterday announced new postal rules under which packages containing guns will not be accepted for mailing unless clearly labeled 'Firearms.'

"Further, he said, delivery of firearms will be held up until the chief law enforcement officer of the community to which the package is addressed is notified.

#### "TYPES TO BE BANNED

"Watson also said sawed-off shotguns and short-barreled rifles will be banned from the mails under 'concealed weapons' regulations unless addressed to authorized law enforcement or military personnel.

"I don't think this will solve the problem," said Harold Gardenswartz, a New Mexico sporting goods executive. "I think people who commit crimes steal guns."

"Police Chief Donald I. McNamara of Portland, Ore., said the only use he could see for the regulations is that they would provide police with descriptions and serial number of guns, helping owners recover those that are lost or stolen.

"Miami Police Chief Walter Headley said that if a gun is not bought in his city 'there's nothing I can do to make him register it.'

"DOUBTS ANYTHING NEW

"Harold M. Goodman, largest gun dealer in St. Louis, said he was in favor of regulations, but didn't think Watson had come up with anything new.

"A postal department spokesman said Watson's ban, which goes into effect immediately, will apply to guns '26 inches in length or which have the characteristics of a concealed weapon.'

"Pistols were not included because they have been banned from the mails for years, the spokesman said.

"The NRA questioned whether Watson had the authority to hold up mail delivery of guns, particularly to states that have no laws restricting the purchase of firearms. Most states don't.

"Watson also urged private express companies to follow the department's lead. "Such firms are free to deliver pistols now. But they would be restricted from selling handguns across state lines under a section of the omnibus crime control bill which was passed quickly after the assassination of Sen. Robert F. Kennedy and awaits presidential action.

"President Johnson has not indicated whether he will sign the bill now before him. But he has said it should have included an interstate sales ban on shoulder weapons as well as pistols and the administration already has introduced a new bill.

"Ten senators, headed by Maryland Democrat Joseph D. Tydings, introduced a still stricter measure yesterday that would go far beyond what Johnson has called for. It would provide for registration and licensing of all firearms.

"Tydings called the NRA a lobby and said it should be taxed. And he criticized Maryland Gov. Spiro T. Agnew's appointment of a former NRA officer as his representative on a panel studying state gun legislation as 'unconscionable.'

"Sen. Edward W. Brooke, R-Mass., reintroduced his bill to establish a firearms registry in the Treasury Department in which all firearms would have to be registered.

"Meanwhile, 20 House Democrats urged the President yesterday to veto the crime bill, saying its passage was an act of 'legislative hysteria' which would take 'three giant steps to a police state.'

"In a letter to the President, the group took particular issue with a section of the bill intended to overturn Supreme Court decisions safeguarding individual rights. It also attacked provisions that would authorize wiretapping and electronic eavesdropping under certain conditions."

[From the Congressional Record, June 20, 1968]

POSTAL REGULATIONS RESTRICTING THE GUN TRAFFIC

Mr. NIX. Mr. Speaker, Tuesday last, the Postmaster General, W. Marvin Watson, addressed the Chicago Association of Commerce and Industry. At that time Mr. Watson announced that he had received telegrams from the Railway Express Agency, the Association of American Railroads, and the Air Transport Association supporting his action of June 12 in amending postal regulations restricting the gun traffic.

Marvin Watson's action of a week ago has set off shock waves that will bring down the National Rifle Association in its battle for mass distribution of deadly weapons.

I have never seen a man take hold in his job as fast as this Postmaster General. His energy and drive are something we will always need in Government.

The Postal Operations Subcommittee is holding hearings on it this coming Monday, June 24, at 10 a.m. in the Cannon House Office Building. I have also included the release for the Postmaster General summarizing his speech in Chicago along with the speech itself.

I hope that whoever our next President is he will see the value in the service and record of Postmaster General Watson. I think he has shown in a short time

what a business executive can accomplish in the Post Office Department on every issue.

The above-mentioned follows:

"CHICAGO, June 18, 1968.—Three private express carriers and associations have pledged their cooperation to the Post Office Department's drive to curtail the indiscriminate mailing of firearms, Postmaster General W. Marvin Watson announced here today.

"In an address before members of the Chicago Association of Commerce and Industry, the Postmaster General said he has received telegrams from REA Express, the Association of American Railroads and the Air Transport Association subscribing to his action June 12 in amending postal regulations to curtail traffic in guns.

"Several other private firms have indicated they are seeking ways to join the Post Office Department in its efforts.

"Additionally, three of the nation's leading manufacturers of sporting arms urged the Congress 'to eliminate the unrestricted sales of shotguns and rifles by mail to individuals,' he said.

"The Postmaster General praised Illinois' new gun control law and said President Johnson 'would like nothing better than to see other states doing what this state has done in the area of gun control legislation.'

"'You are,' he said, 'demonstrating acceptance of responsibility on the local level.'

"He said that 'President Johnson demonstrated his concern about the problem of crime and violence when he made the most extensive and far reaching crime control proposals ever made by any President in history.

"'Though there were 22 separate recommendations in his proposal, there was one basic, underlying theme: crime control is a local responsibility.

"'Certainly,' Mr. Watson said, 'if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.'

"The Postmaster General called upon the National Rifle Association to also join in the Administration's efforts to keep weapons out of the hands of the irresponsible.

"He said the new, more stringent postal regulations 'have already been attacked by a spokesman for the National Rifle Association.

"'I understand,' he added, 'that this association feels it has a duty to its members.

"'But I feel that there can be no doubt that it has a greater duty to the American people.

"'No organization, no group is an island unto itself. All are part of one society.

"'And so, from this forum today, I plead with those who deal in arms to work with us and to work with others.

"'Given the urgent nature of the problem, there must be some way for men of good will to work together, to cooperate, rather than to attack every measure, no matter how modest or limited, that merely seeks to help solve a problem.'

"Mr. Watson said that since announcing the new postal restrictions on firearms shipments, he has received a large number of favorable letters which 'reinforce my view that the American people have a strong desire for firearms control.'

"He denied that America is a sick country with a sick society, but said it does have sick people.

"'Let's treat the sick,' he said, 'and let's do what we can to keep sick minds from harming themselves and others.

"'That's responsibility and that's the prescription for a healthy society,' he diminished.'

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"ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON BEFORE THE SELECTED COMMITTEES OF THE CHICAGO ASSOCIATION OF COMMERCE AND INDUSTRY, SHERATON-BLACKSTONE HOTEL, CHICAGO, ILL., JUNE 18, 1968

"I am delighted to be here today in this dynamic city which, under the leadership of one of the greatest mayors in the history of our nation, Richard J. Daley, has become the most important convention city in America. Chicago makes history. And in August Chicago will once again see history made.

"I am also pleased and proud to bring you a greeting from President Johnson.

"When I mentioned this meeting to him before I left Washington, the President said, 'I have some thoughts that I wish you would take to the Association for me.

"This is a time of great testing for our nation.

"Our commitment to the freedom and dignity of man, and our patience to support that commitment, are being tested in many places and many ways.

"We are being tested on the battlefield in Vietnam, and on the frontiers of freedom throughout the globe.

"We are being tested at the conference table in Paris.

"We are being tested in the streets of Chicago, Los Angeles, Washington, and many other cities and towns throughout our land.

"Searching, appraising eyes watch our every move, determined to discover if the fire and the iron that for so long characterized the American spirit has been quenched or has rusted away."

"And then the President added, 'I ask every American to work together, to join together, in assuring that we pass that test, *not* by abandoning traditional American principles, but by supporting them to the utmost.'

"I think if each of us was asked to sit down and draw up a list of traditional American principles, one word would be certain to appear on every list.

"That word is 'responsibility.'

"At one time in the history of the world, men accepted without question that fate or kings or some external force would direct their lives.

"The idea that man should be, and by right ought to be, responsible for himself, was at one time considered revolutionary.

"In fact, it *was* revolutionary. It was the real powder that produced the 'shot heard round the world'—the American revolution.

"The echoes from that explosion can yet be heard. And those who have heard that sound are no longer satisfied to let others run their affairs, or to accept what others want to do for them.

"The American Revolution of responsibility—and not Communism or fascism—has produced the vast outpouring of nationalism and self-determination that has swept across the world during the past two centuries. Many nations have long ago passed through that revolutionary stage, Italy, for example. Others have done so only yesterday, as history is measured, such as India and Algeria. Some are still struggling against forces that would keep men from becoming responsible for their own destiny, notably the people in South Vietnam.

"It would seem that we, who created this basic desire for personal responsibility, would cling to it, would foster it, would always rejoice in our freedom to solve our own problems.

"Yet, too often we have strayed far from this greatest product of our free land.

"Social problems that should have been solved at the local level have been permitted to grow and grow and grow, until they became too big or too ugly or too costly. And then the Federal government has moved in or was called in.

"Too often also, the very people who refused to meet their responsibilities then accused the Federal government of getting too big.

"Well, I happen to know for a fact that President Johnson agrees the Federal government is big enough.

"He would like nothing better than to see other States doing, for example, what this State has done in the area of gun control legislation.

"I am informed that effective in 13 days, the State of Illinois will require individuals to hold a 'firearm owner's identification card' before buying guns or ammunition. This law, adopted by your General Assembly in 1967, is so well designed that other states are studying it as model state legislation.

"This is responsibility, freely accepted.

"Certainly, this Association is meeting its responsibilities.

"I can tell you that the President would like nothing better than to see other private, voluntary associations following your lead.

"You are setting standards of effective community programs that inspire all of us."

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[From the Congressional Record, June 24, 1968]

#### NIX WILL OFFER COMPLETE MAIL-ORDER GUN CONTROL AMENDMENT

Mr. Nix. Mr. Speaker, as chairman of the Postal Operations Subcommittee, I would like to announce that the hearing on mail-order gun control scheduled by my subcommittee for June 24, has been postponed and reset for July 2.

The subject of the hearings will be on what I believe to be a loophole in H.R. 17735—that is, intrastate shipments by U.S. mail of firearms. In addition, our courageous Postmaster General Marvin Watson, has issued regulations which will help in this matter. They are being challenged, of course, by the National Rifle Association. I believe that it is necessary to discuss this matter as well.

We are all in favor of law and order. Many Members of Congress have taken the first step toward a revived interest in law and order amid howls of protest. Why? Because law and order requires that all of us give up some convenience; that those who never violate the law give up some luxury, some discretion for the general good.

There have been discussions in the House and the Senate of bills which would allow individual States to remove themselves from coverage by an act of their State legislatures. Even these bills have been attacked by enemies of gun control. The National Rifle Association will not compromise. They will not reason, they will only delay.

Since delay is the main weapon of the N.R.A., I will offer the Nix bill, H.R. 17949, as an amendment on the Floor of the House. I will explain and defend the Nix amendment by statements on the Floor of the House. The hearings on July 2 and thereafter will, I think, substantiate the position of those who believe we must regulate the firearms traffic. The hearings will support the action of the Postmaster General in issuing new postal regulations in support of local law enforcement.

The following newspaper articles will be useful, I believe, to many Members, and I include them in the Record:

“[From the Philadelphia (Pa.) Inquirer, June 23, 1968]

“NIX WILL SEEK TO PLUG HOLES IN GUN CURBS

“(By Jerome S. Cahill)

“WASHINGTON, June 22.—A Philadelphia Congressman announced Saturday he will seek House approval of an amendment designed to plug a loophole in pending gun control legislation.

“Rep. Robert N. C. Nix (D.) noted that a bill reported favorably by the House Judiciary Committee on Thursday forbids mail order sales of rifles and shot-guns only if those mail order transactions cross State lines.

“This is also true of the prohibition against mail order sales of handguns that was a part of the newly enacted anti-crime legislation just signed into law by President Johnson, according to Nix.

“LOOPHOLE CITED

“The result is that mail order gun sales conducted exclusively within a State would not be covered by the pending legislation, and mail order houses already are planning to exploit this loophole by decentralizing their operations, the Congressman said.

“To prevent this, Nix has introduced a bill that would ban all mail order gun sales, intra-State as well as those crossing State lines. His postal operations subcommittee will hold a one-day hearing on the measure on July 2, in time for him to offer an amendment to the Administration bill on the House floor.

“Timothy May, general counsel of the Post Office Department, will be the lead-off witness.”

“[From the Washington (D.C.) Post, May 15, 1968]

“ORDER AND LIBERTY

“It is of no small significance that that fastidious guardian of individual freedom, the American Civil Liberties Union, has now announced its support of effective gun control. The ACLU has long recognized that the Second Amendment posed no constitutional barrier to congressional action in this area. On Thursday, its board of directors declared that ‘effective implementation of constitutional rights requires strict gun-control legislation and enforcement.’

“There is an inescapable logic in this stand. Order and liberty are warp and woof of the same fabric. The one is indispensable to the other. Where order is absent, liberty is drained of content. The unchecked proliferation of firearms has

so imperiled order as to entail a vital loss of liberty. The political process is impaired by the fear of assassination; the right of citizens to walk the streets is curtailed by the fear of armed footpads. It is elementary realism for the ACLU to press for control of firearms as an essential means of maintaining the order that is indispensable to the enjoyment of freedom."

"[From the Philadelphia (Pa.) Inquirer, June 13, 1968]

"NEW POST OFFICE RULES: POLICE MUST BE TOLD BEFORE GUN DELIVERIES

"WASHINGTON, June 12.—The post office on Wednesday ruled that all guns shipped parcel post must be labeled 'firearms' and that they would not be delivered until the addressee's police chief, was notified.

"Postmaster General W. Marvin Watson issued the directive as the Senate received bills to ban all mail order sales of shotguns and rifles and to register all guns and license every gun owner in the United States.

"Harold W. Glassen, president of the one-million-member National Rifle Association, said that as a lawyer he considered Watson's order unconstitutional.

"He also said the bills to register guns and license owners corroborated the NRA's long-held belief that proponents of tight gun controls seek to ultimately confiscate all privately owned firearms.

"Watson, speaking to the National Press Club, said that effective immediately 'firearms shipped through the mails must be clearly labeled with the word "firearms." If the shipment is not so labeled, it will not be accepted in the mails.'

"A Post Office department spokesman pointed out, however, that the government had no enforcement powers and if a mailer did not label the package there was nothing the department could do about it.

"Watson also, 'ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.'

"Present law prohibits pistols and revolvers from being shipped through the mails—they must be shipped via express—and a bill now awaiting the President's signature would prevent all mail order hand guns sales.

"Watson also ruled sawed-off rifles and shotguns as nonmailable. He said a long gun must be at least 26 inches in overall length to be accepted by parcel post, and also ruled out any weapon 'that retains the characteristics of a concealable weapon.'

"Glassen said that 'no such authority exists' permitting Watson to withhold delivery until police were notified, he said most states have no laws regarding sales of rifles and shotguns, and would thus be powerless to act even if they considered the recipient unqualified for gun ownership.

"SOME RULES SOUGHT

"He told a news conference that news media generally pictured the NRA as opposing all gun controls while it had constantly worked to prevent firearms from getting into the hands of 'the criminal, the juvenile, the mental misfit, the dope addict, the habitual drunkard.'

"By the end of the day, the administration's bill to ban mail order sales of long guns had 27 cosponsors in the Senate, including several who voted against such controls last month.

"The proposed mail order ban on the rifles and shotguns, rejected by the Senate 53 to 29 last month but introduced again Wednesday, was given a 'better' chance of passage since the assassination of Sen. Robert F. Kennedy.

"Approval of the registration and licensing measure—the most restrictive gun control law yet to be proposed—was given even less chances of approval.

"COMPLEMENTS LAW

"The proposed prohibition on mail order sales of long arms would complement legislation already passed by Congress—and awaiting President Johnson's signature—which outlaws the mail order sale of pistols and revolvers. It was introduced by Sen. Thomas J. Dodd (D., Conn.), who has long sought tighter gun laws.

"The licensing and registration bill was introduced by Sen. Joseph D. Tydings (D., Md.), who conceded it had no chance of approval unless there was 'a tremendous grassroots outpouring' of demands for stricter gun controls."

[From the Washington (D.C.) Daily News, June 13, 1968]

"NRA MAY TAKE POST OFFICE ORDER TO COURT: GUN LABELING CHALLENGED

"(By Dan Thomasson)

"The powerful National Rifle Association today challenged Postmaster General W. Marvin Watson's authority to force the labeling of all firearms shipped thru the mails.

"And Franklin Orth, executive director of the anti-gun control NRA, said his one-million-member organization may test Mr. Watson's order in the courts.

"Mr. Watson announced yesterday that effective immediately, all guns sent thru the mails must be clearly marked 'firearms' before they are delivered. He also ordered all postmasters to notify the addressee's police chief before making delivery. He spoke at the National Press Club.

"CONCEALABLE

"The Postmaster General also classified sawed-off shotguns and short-barreled rifles as 'concealable' weapons—barring them from the mails. And he asked all commercial express companies to help local law officers keep abreast of the mounting traffic in guns.

"While Mr. Watson's order carries no penalties for violations, reputable gun firms are expected to comply with the labeling requirements. This, coupled with Post Office notification to local police, would enable them to determine if gun buyers have violated local or state gun-control laws.

"Mr. Watson's action came as the Johnson Administration stepped up its drive in Congress for stronger gun controls. The president has asked for legislation extending a recently passed ban on mail-order sale of handguns to rifles and shotguns and restricting the sale of ammunition. Bills requiring a certificate of approval to buy a gun and to set up a compulsory system of registration for all firearms also have been introduced.

"DEMAND ACTION

"The new drive for stronger gun controls was picking up steam today as the public continued to demand action in the wake of the assassination of Sen. Robert F. Kennedy.

"Senate Democratic Leader Mike Mansfield (Mont.), who has opposed strict controls on rifles and shotguns, now says he believes Congress will pass some version of the Administration's proposal this year. He said he has been 'reassessing' his stand against stronger firearms legislation.

"Ironically, while Harold W. Glassen of Michigan, president of the NRA, was berating the Administration's new efforts, Michigan Sens. Philip Hart (D.) and Robert Griffin (R.) were reevaluating their previous opposition to tougher gun controls.

"Sen. Griffin reportedly told state-wide television audiences he has changed his mind about gun control since the assassinations of Sen. Kennedy and the Rev. Dr. Martin Luther King, Jr.

"By the end of the day yesterday, 27 cosponsors had been signed up, including three Senators who voted against such controls last month when a similar measure was beaten 53 to 29.

"Mr. Glassen charged that Americans are 'behaving like children' in the emotional aftermath of the Kennedy slaying and reacting as the German people did in the 1930s to the Nazi propaganda mill.

He said legislation will not prevent political assassination and that 200 million guns in the U.S. should not be blamed for what one gun did, any more than 200 million Americans should be blamed for the shooting of Sen. Kennedy by one man and Dr. King by another.

He accused Sen. Joseph Tydings (D., Md.) and other gun-control proponents of a "syndicated" attempt to "deceive" the public into abrogating the Constitutional right to keep and bear arms. Sen. Tydings had asked Americans to wire Congress in favor of gun legislation.

Mr. Orth later conceded the NRA had urged its members to "express their views" about gun legislation to their congressman and senators."

"[From the New York Times, June 13, 1968]

"STRICT GUN CONTROL PRACTICED ABROAD

"(By Albin Krebs)

"Proponents of stricter gun-control legislation has asserted that of all the civilized nations of the world, only the United States gives its citizens the 'right to bear arms.'

"In Britain, France, Spain, Belgium, the Soviet Union, Italy, West Germany, Switzerland and many Asian countries, the ownership of firearms is considered a privilege rather than a right, and the privilege is subject to strict legislation.

"This fact was noted by President Johnson last week when, in the aftermath of the assassination of Senator Robert F. Kennedy, he called again for strict controls on private ownership of guns.

"Each year in this country, guns, are involved in more than 6,500 murders,' he said. 'This compares with 30 in England, 99 in Canada, 68 in West Germany and 37 in Japan.' In addition, guns in private hands, estimated to number 50 million to 200 million, were responsible for 10,000 suicides and 2,600 accidental deaths last year.

"The President noted bitterly that in the United States, firearms—handguns, rifles and shotguns—are as easy to obtain as 'baskets of fruit or cartons of cigarettes.' A survey by The New York Times disclosed that this is anything but the case elsewhere.

"BRITISH REQUIRE CERTIFICATE

"Nobody in Britain may have a firearm by right, according to a spokesman for the Home Office, and anyone who wants one even for hunting must go through a complicated procedure of applying for a certificate before he may even purchase one.

"Britain's Firearms Act of 1937 requires that a person who wants to buy a gun must obtain a certificate from the police chief in the area in which he lives. The police chief 'must satisfy himself that applicant is not by reason of a criminal record prohibited from possessing a firearm and is not in any other way likely to endanger the public safety or peace.'

"A dealer, after seeing the applicant's certificate, must register all transactions involving guns and ammunition, giving the serial number of the weapon, and pass on the information to the local police station. Failure to do so subjects the gun dealer to six months imprisonment.

"The purchase of guns by mail order, which would be severely curtailed in proposed legislation in the United States, is permitted in Britain, but with the same restrictions that apply to personal purchases. It is illegal to pawn firearms in Britain. In this country, most states allow the pawning of weapons with little or no controls.

"Proposed gun control laws considered by Congress in the last three years would adopt some of the British provisions, such as a requirement that guns sold be registered with the Treasury Department. Opponents of the legislation, led by the National Rifle Association, and organization of gun-fanciers and sportsmen, have maintained that this would result in troublesome red tape.

"French gun laws are strict and unambiguous. They stipulate that arms purchasers must be over 21. Mail order sales are banned and all gun sales must be registered. To obtain a permit to buy a gun, the applicant must undergo a background investigation that is long and thorough. It can take as long as six weeks.

"In France only the police and licensed guards are permitted to carry loaded firearms. Private persons with properly registered revolvers cannot carry them on their persons under any circumstances.

"NO STOPPING ON WAY TO HUNT

"A Frenchman on his way to a firing range or a pheasant hunt, if he is carrying a gun, cannot even stop for a glass of wine along the way. He must go direct, and his gun must be carried in a box or carrying case, in the trunk and not the glove compartment of his car. Both the clip and firing bolt of the gun must be removed.

"Gun-control laws in Italy are similar to those in France. As in France, the applicant must be at least 21 years old, and a certificate of police clearance and registration of the weapon are required.

"In Spain, the procedures make it even more difficult to buy a gun. An applicant must tell the director general of security why he wants one, and the director general may deny the request without giving a reason.

#### "FIFTY CARTRIDGES AT A TIME

"After the Spaniard gets a purchase permit and buys his gun, he must register it with the nearest post of the Civil Guard, the gendarmerie of Spain, which issues him a 'guia,' or guide, which must be carried with the license when the weapon is used. Only 50 cartridges for the weapon may be bought at one time, and all purchases of ammunition are entered in the guia.

"Crimes in which shooting is involved are said to be rare in Spain.

"The Soviet Union's crime rate is unrelated to gun ownership. Private ownership of rifles and revolvers is punishable by as much as two years imprisonment, and press reports indicate that knives are the weapons most often used in homicides.

"In most of the Soviet Union, hunters may buy shotguns, but in the far north and Siberia, rifles may be bought with a special permit. They must be registered with the police."

"In West Germany, there has been only one case of attempted political murder since World War II. That was the attempt on the life of Rudi Dutschke, the extremist student leader, eight weeks ago.

"Well-reputed and trustworthy citizens,' may buy hand guns in West Germany, but only if they cite plausible reasons such as a 'dangerous' profession or isolated, 'dangerous' living quarters, according to the German Firearms Law of 1938.

"For pistols, the law also demands a purchase permit and another permit just to carry the weapons outside one's own premises. Rifles may be bought by permit, with the stipulation that the permit be renewed every three years. Purchase permits are retained by the gun dealer, whose records are regularly inspected by the police.

#### "ONE WEAPON EXEMPT

"Belgium's laws are strict, but several murders have been carried out with a .22 rifle that is made in Belgium by Fabrique Nationale d'Armes de Guerre. The weapons is exempted from the otherwise tough restrictions on firearms possession, and this is generally attributed to the influence of the manufacturer, the huge Société Générale group of enterprises, a holding company that controls about a third of Belgian industrial activity.

"For all pistols and rifles other than the .22 a buyer must obtain a permit signed by the Belgian equivalent of a district attorney, after local police have conducted a thorough investigation of the applicant which takes one or two months. No weapons are sold through mail order houses.

"In Belgium, which has a population of 9.3 million, there were only 71 murders in 1965. The figure also includes murders committed with weapons other than firearms.

"In Switzerland murder is not a significant problem even though about 500,000 Swiss in a total population of six million have rifles. So many own the latest model of automatic weapon, kept in perfect working order in a closet at home, along with 24 rounds of ammunition.

#### "LONG TRADITION IN SWITZERLAND

"Switzerland's long tradition of arms in the home, consecrated by military law, directs that members of its citizen militia keep their uniforms, rifles, and field packs at home so that they may spring to the defense of the country. All able-bodied males, between 20 and 50 have this obligation.

"But a spokesman for the Swiss Defense Department said that although no statistics are kept, the misuse of army rifles in citizens' care is rare. Revolvers, pistols and other handguns may be purchased only with a permit.

"In the Far East most nations have followed the example of Japan in drafting unusually strict gun control laws. In Japan, where no one except police officers is permitted to own a revolver, there were only 37 firearms murders last year. In the United States, almost twice Japan's population, there were 6,500 firearms homicides last year."

"[From the Washington (D.C.) Post, June 23, 1968]

"GUN CURBS ARE STRICTER IN MANY NATIONS THAN IN THE UNITED STATES

"The United States is not unique in the world community for its lack of effective nationwide controls over ownership and use of guns.

"In Africa, wars and guerrilla movements make gun control impossible in several nations; in parts of Latin America, political assassination by gunfire has been recurrent for generations; in Australia there are so many loopholes to the laws of the various states—and no federal law—that a would-be murderer or assassin would have no trouble obtaining a weapon for himself; in West Germany there is no federal gun control, although the eleven states have strict laws which are very similar.

"But, according to a survey by Washington Post Foreign Service correspondents and special correspondents, in most of the world's technologically-advanced nations and where there is no international tension or civil war, gun control is far stricter than in America. This is particularly true in Japan, the Soviet Union and throughout Europe.

"GUNS A PRIVILEGE

"Other aspects of gun control found in the Washington Post survey were:

"Constitutions and laws in the countries surveyed are aimed generally at regulatory control of all firearms—both rifles and hand guns. In some countries police or military forces are not able to enforce strict laws.

"Ownership and use of guns is treated as a privilege granted to citizens for a specific reason—most often for hunting. In Japan, whalers and athletic umpires may be given gun permits, as well as policemen, hunters (rifles only) and researchers. In Britain, there are exceptions for dealers, auctioneers, theaters and shooting galleries.

"In none of the countries surveyed was there an attitude among citizens that they should have the right to bear arms, and there was no evidence of popular resentment against gun control laws.

"ARMS SMUGGLING

"Restrictions on the availability of firearms tends to save lives.

"The availability and the smuggling of arms—which are manufactured chiefly in the United States, Czechoslovakia and the Soviet Union—makes gun control difficult in areas of unrest.

"In many countries, national gun control has been built up amid frequent periods of political instability and military dictatorship—as in the case of Peru, for example—and it therefore has historically been in the interest of the government to know who has guns and where they are, John M. Goshko reported from Lima.

"Gun control in Britain dates back a century, and the last piece of gun legislation in The Netherlands was passed in 1919. It strictly forbade Dutchmen to possess, import, export, or transport weapons—with exceptions, including sportsmen.

"SOVIET UNION

"In the Soviet Union and the East European countries the police strictly control all concealable guns while hunting rifles are restricted to sportsmen enrolled in appropriate organizations. In the vast rural areas of the Soviet Union there are doubtless many peasants and hunters who own rifles illegally, many of the weapons dating from prewar and wartime days.

"But, reported Anatole Shub from Moscow, the lack of political assassinations or famous private crimes of violence and bank robberies during the last 20 years indicates that arms in urban areas are under the tightest controls.

"JAPAN

"The microscopic amount of crime committed with guns in Japan must be the envy of the world; Richard Halloran reported from Tokyo. Pistols are forbidden, except to police and marksmen under strict supervision, rifles and shotguns are allowed for hunting and target shooting, but again under rigid controls. In 1967, there were only seven murders committed with pistols and 38 with rifles or shotguns.

"Most of Japan's 2111 murders that year were crimes of passion committed by hand or with clubs or knives. There were only 11 armed robberies in 1967 for the entire nation.

"Even in areas of war or great tension—Cyprus, Israel, Panama and France during the workers' and students' uprising—there was no evidence of enthusiasm by the people to bear and use arms except in actual battle.

#### "CYPRUS

"Alfred Friendly reported from the Cypriot capital of Nicosia that the island is 'stiff with musketry,' probably a higher per capita rate than any other place on earth—attributable mainly to the bitter intercommunal struggle between Greek and Turkish Cypriots.

"Experts estimate that there are enough small arms in Cyprus to equip every able-bodied man on the island, Friendly reported. Shootings—almost all of them intercommunal—have been chronic and constant since 1963.

"And yet, Friendly adds, excluding the intercommunal fighting, shootings (as well as knifings) are rare to the point of nonexistence.

"The situation in Cyprus also emphasizes another aspect of worldwide gun control. Gun laws, mostly dating from the British colonial period, are strict. A person may import and possess pistols only on showing an express need and only when a license is granted, which assertedly is seldom. Shotguns must also be licensed.

"In fact, however, the United Nations has noted 1025 shooting incidents during the last 24 months, almost all 'random or accidental discharges of weapons.' The guns pour into the island, despite the laws, from Greek and Turkish army forces. In addition a large gun supply was amassed during the anti-British liberation period of the 1950s.

"There are other nations where huge arms supplies are available, contrary to strict laws on the books.

#### "PANAMA

"Panama has a turbulent history with many political shootings. The newly elected President, Arnulfo Arias, has himself been shot four times. Though gun carrying laws are strict, reported special correspondent Maryann Gorishek from Panama City, there are so many exceptions to the rules that it is relatively easy to get a permit to carry a gun and many private citizens have them.

"Many politicians carry guns at all times, and one newsman is often seen carrying a briefcase which holds a folding-stock carbine.

"But, she reports, gun felonies and shootings are relatively rare except in riots or in election years. Most violent crimes in Panama are carried out with machetes, knives and clubs.

"Goshko reported from Lima that the use of knives is fairly common throughout South America.

"In recent years, the rise of guerrilla activity has been accompanied by a sizeable quantity of automatic weapons being illegally brought into Latin America.

"In Africa, almost every country requires licensing or registration of guns, but the regulations are ignored in many rural areas. In the Congo's interior, parts of Ethiopia, in war-torn areas of Nigeria and in the Sudan guns are uncontrolled, Anthony Astrachan reported from Nairobi, Kenya.

#### "KENYA

"Wherever governments are firmly in control, he reported, guns are regulated—nowhere more stringently than in East Africa.

"Kenya's firearms regulations were passed in 1953 while still a British colony at the beginning of the Mau Mau emergency, and there have been no substantive changes since independence. Nobody may have firearms or ammunition in Kenya without a valid certificate.

"Permits are not granted to anyone of 'intemperate habits or unsound mind, or to be for any reason unfitted to be entrusted with such a firearm.' In 1967 Kenya had 508 murders and attempted murders and seven manslaughter cases—roughly one homicide for every 20,000 of Kenya's 10 million citizens. There were also 2347 robberies.

"The government refuses to say how many of these crimes involved firearms, but it is known to be less than 1 per cent of the total.

"Gun control laws in Tanzania and Uganda are as tough or tougher than in Kenya.

"SCANDINAVIA

"In the Scandinavian countries the only interest in firearms is a sporting one. For this reason, reported special correspondent Roland Huntford from Stockholm, licensing regulations—while strict—are not considered irksome.

"Firearms regulations are broadly similar in Norway, Sweden and Finland. Hunting and target shooting alone are recognized as grounds for possession of firearms. The only pistols available to the general public are specialized long-barreled single-shot types used in olympic competitions. Revolvers and automatic pistols are virtually unobtainable.

"Even if a Swede has a gun, he prefers to do murder with some other instrument. In 1966 there were 65 convictions for murder and manslaughter in the country. Of these, nine were for crimes using firearms and dynamite. The annual murder rate is about 0.9 per thousand people. In Finland, with a population of 4.5 million, there are about 80 homicides of all descriptions per year. In Norway, there are about 50 murders and manslaughters annually among a population of 3.9 million, with not more than four or five carried out by firearms.

"Hunting is popular in other European countries. A survey last year indicated that two million hunting rifles and shotguns were registered in France, one million in Italy, and 25,000 weapons each in Belgium and The Netherlands. In Germany it is a sport of the upper class.

"FRANCE

"Control of firearms is fairly strict in France—very tight on pistols and revolvers but more relaxed for rifles with hunting one of the favorite national pastimes, Donald H. Louchheim reported from Paris. According to the Interior Ministry, permission to carry firearms is restricted at the moment to less than 10,000 non-government employes (out of a population of 50 million).

"The penalty for carrying an unauthorized handgun or for being in possession of an unauthorized firearm of any kind in France is one to three years in prison and a maximum fine of \$720. Anyone over 21 years of age can buy a rifle or shotgun, but only to keep in his home. If he wants to hunt, he must get a license. Foreign residents in France have great difficulty obtaining such licenses.

"Deaths by shooting average about 500 a year, or one per 100,000 people. Death by stabbing is at approximately the same rate.

"However, in the recent rioting in Paris which lasted more than a month, only two shots were fired. An irate resident tired of the noisy demonstrations outside his window and fired off two rounds from his hunting rifle. Two demonstrators were injured.

"WEST GERMANY

"In West Germany, a law is being drafted for submission to the eleven state legislatures, which would provide uniform gun control throughout the Federal Republic. Already the states' laws are similar, and no weapons can be purchased without a permit from local police. Purchase of weapons by mail order is impossible. A person may be granted a gun permit only if he is reliable, legally accountable for his actions, not previously convicted and can prove need of a weapon.

"As a result of strict laws only 32 persons received weapons purchase licenses, and only 84 were given weapons permits in the Bonn Area in 1967. Murder by gunshot in West Germany is negligible.

"HOLLAND

"In Holland with a population of 12.5 million, only 15 crimes were recorded last year in which a shooting took place.

"BELGIUM

"Hunting guns and the .22 rifle are responsible for most murders by shooting in Belgium, and periodic attempts have been made by some members in Parliament to subject the sale of these weapons to stricter control. But their efforts have met with failure, reported special correspondent Robert Mauthner from Brussels. Latest statistics show there were 71 murders in Belgium in 1965 in a population of 9.5 million, but there were no statistics on types of weapons used.

"Arms manufacturers and rifle clubs do exercise a certain amount of pressure on Parliament in Belgium. The Fabrique Nationale, in particular, has a considerable influence because of its importance to the Belgian economy as a major exporter of arms and war materiel. All efforts to impose legal restrictions on the sale of its .22 rifle have proved unsuccessful. Laws covering pistols and revolvers, however, are very strict.

#### "ITALY

"In Italy, gun control laws forbid the selling or otherwise turning over of firearms to anybody without a license or a special purchase permit granted by local police. Regulations apply to all weapons, including hunting rifles.

"According to Prof. Franco Ferrarotti, who teaches sociology at the University of Rome, the existing legislation 'has a remarkable deterrent effect on the average citizen who dislikes going through the procedure required for legally purchasing a gun and does not know how to get it through illegal channels.'

"The overall violent death figure in Italy was just over 4 per thousand population in 1967. More detailed information from 1964 shows there were 319 murders by gunshot that year. Taking into consideration non-deadly attacks and other acts of personal violence, however, it appears that the Italians' favorite weapon is still the 'arma bianca' (the 'white weapon,' a term encompassing knives, axes and other cutting weapons), reported special correspondent Leo J. Wollenborg from Rome.

#### "BRITAIN

"The basic law covering firearms in Britain, passed in 1937, consolidated other regulations dating back a century. The firearms act was amended last year to include shotguns, which as of May 1, 1968, also had to be registered.

"The British law makes no distinction between rifles and pistols, although it does make it easier to own shotguns. The burden of proof for showing a need for firearms rests on the citizen for pistols and rifles, but in the case of shotguns the police must show why a shotgun should not be permitted, Karl E. Mayer reported from London.

"The best estimate is that there are about 220,000 licensed weapons in Britain. Provisional figures for England and Wales (population 48 million) for 1967 showed a total of 2,331 indictable offenses involving firearms. Of the total, 791 involved cases in which firearms actually were fired or used to threaten a victim, 351 involve wounding by shooting, and 45 involve killing by shooting.

"All British police are unarmed, except in very rare cases—such as pursuit of armed men. Because the police are unarmed criminals are generally unarmed.

#### "GREECE

"In Greece, the law permits general ownership of hunting guns without permits, but requires an annual or semi-annual license. The owner must be a member of a gun club, and cannot carry a gun during closed hunting seasons nor outside hunting areas. Handguns are permitted under strict control of local police. They are in practical terms limited to night watchmen, guards, payroll custodians and persons whose lives or families have been threatened.

"The latest figures for murders in Greece—the great majority by firearms—are 101 in 1960, 113 in 1961, 95 in 1962, and 91 in 1963. Most are crimes of passion and armed robberies are very rare. The Greek population is about 8.5 million.

"One problem in Greece, reported Friendly from Athens, is that plenty of guns are probably stashed away in the country—acquired during the civil war in the late 1940's. The government claims these weapons were surrendered, but observers expected there are many secret arsenals.

#### "ISRAEL

"Political tension and communal warfare in Palestine even before the establishment of the state of Israel led to the imposition of strict controls on the sale of firearms and other weapons there. Some laws restricting the carrying of guns were in effect 50 years ago under the Ottoman Empire.

"Many Israeli civilians have obtained permits to carry pistols, because of the many border incidents. In addition, since most Israelis are in the reserves, there is widespread knowledge of the use of firearms. However, the Israelis do not take their guns home with them and must return weapons to their army units when they are released from service. More than 40,000 licenses for hand-

guns and shotguns are issued annually by Israeli officials for self-defense and hunting purposes. Permits have to be renewed each year.

"In a population of about 2.6 million (not including occupied areas) in 1967 there were 29 murder cases, of which ten involved firearms, special correspondent Yuval Elizur reported from Jerusalem.

#### "CANADA

"Canadians are heavily armed with hunting weapons but not with sidearms, special correspondent Gerald Waring reported from Ottawa. There were 281 murders in Canada last year, giving a rate of 1.6 per 100,000 persons over seven years old. Of the total, 140 murders were committed by firearms, for a shooting murder rate of 0.8 per 100,000.

"All guns must be registered in Canada, and as of last year registrations totaled 513,176, including the armed forces and police.

"Prime Minister Pierre Elliott Trudeau has been heavily guarded during the present election campaign. The Liberal government introduced a bill in the last Parliament to increase gun controls, and presumably the bill would be introduced if the Liberals win the June 25 election.

#### "INTERNATIONAL TRAFFIC

"As for international gun traffic, the Soviet Union is the world's largest arms supplier, responsible—according to one estimate—for 40 per cent of the total international arms trade, with Eastern Europe and North Vietnam its main customers.

"Sue Masterman reported from The Hague that the Dutch are responsible for the bulk of actual weapons transportation around the world. Little Dutch coasters do most of the gun-running from Europe to Asia and Africa she reported.

"Guns in circulation in South America are of European manufacture primarily, according to police. The Italian Beretta seems to be an especially favored gun in Peru, for example. Some of the guns in Latin America are of U.S. manufacture (acquired through surplus channels), but most apparently come from Czechoslovakia. This is largely because Cuba, which does most of the arms smuggling for the growing guerrilla operations in Latin America, can obtain Czech weapons easily, Goshko reported from Lima. In addition, he reported, the Latin guerrillas think that the Czech automatic weapons are the best there are—particularly light submachine guns."

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"[From the Washington (D.C.) Daily News, June 13, 1968]

#### "STORY OF THE GUN: HOW WEAPON WAS TRACED

"(By Mary Ellen Leary)

"SACRAMENTO, CALIF., June 13.—Luck and California's gun-registration law are credited by California authorities for the quick trace made on the gun that killed Sen. Robert F. Kennedy last week in Los Angeles.

"It took just 75 seconds after a policeman gave the gun's serial number to his district office for Los Angeles police headquarters to learn who first bought the .22 caliber eight-shot Iver Johnson revolver Aug. 10, 1965, during the panic that followed the Watts riots.

"Nine hours later, by mid-day, June 5, police had the complete history of the gun. The trace began with Alhambra resident Albert Leslie Hertz who bought it at a Pasadena sporting goods store for his wife's protection. A year ago, she gave it to her married daughter, Mrs. Dana Westlake. Last Christmas Mrs. Westlake decided she 'didn't want it around the house,' and gave it to a mechanically minded young neighbor, George Erhard. And only a few weeks ago, Mr. Erhard sold it to a fellow worker at a Pasadena department store. That fellow worker, known as 'Joe,' was Munir Sirhan, older brother of Sirhan Sirhan.

#### "MORE THAN LUCK

"But more than luck concocted the system which made the record available.

"This lies in police reliance on California's famed CII—Criminal Identification and Investigation Bureau. This central state information agency, part of the attorney general's office, is next only to the FBI in extensive record-keeping.

"It is so heavily used that Los Angeles maintains a 'hot line' to its computer center at Sacramento and averages 250 to 300 requests daily to identify guns, criminals, stolen property or 'M.O.' (mode of operation).

"The query concerning the gun used in the Kennedy assassination was fed into the computer at 3 a.m. and the answer reported seconds later to the waiting policeman.

"Among all the files this office handles, its most complete are the three million computer-tape records it has on concealable guns.

"IN TRIPLICATE

"California licenses all persons who sell handguns and requires each merchant to fill out in triplicate a 'register' form for every sale, with one copy to local police and another to the CII. The purchaser may not take possession of the gun for five days after. Within that time police and the CII check out the purchaser's name, address and general description, including age and color. No fingerprinting or documented proof of identity is required prior to purchase, however.

"No similar registry is kept for shotguns or rifles. Any one over 18 may walk out of a store carrying these the moment after purchase.

"Post facto—after the crime—California has one of the best systems in existence," said Chief Deputy Attorney General Charles O'Brien. "But even this has big holes in it.

"If this gun had come from out-of-state or had been bought by mail order we'd have had no record. If it had been bought originally under a false name, we could never have traced it.

"But before the fact—before the crime—when it comes to limiting gun traffic or effective registration of gun ownership California laws are pathetically weak."

"Mr. O'Brien said California law lags behind nine states which require fingerprinted registration and far behind New York's Sullivan Act."

"[From the Philadelphia (Pa.) Inquirer, June 13, 1968]

"STRICT GUN CONTROL URGED BY TATE AT MAYORS MEETING

"CHICAGO, June 12.—Mayor James H. J. Tate urged Congress on Wednesday to enact strict gun-control legislation and said the matter was most urgent because of the assassination of President John F. Kennedy, Sen. Robert F. Kennedy and Dr. Martin Luther King, Jr.

"Tate called on the U.S. Conference of Mayors to support his resolution, both in the Resolutions Committee and at a general meeting here later this week.

"RIZZO TESTIFIES

"The Mayor was backed up by Police Commissioner Frank L. Rizzo, who flew to the conference to testify on the effectiveness of the city's 1965 ordinance requiring registration of firearms.

"By the passage of this ordinance, we have proven that gun control works," Rizzo said.

"Rizzo also said that Pennsylvania was set to enact strict gun control measures. But he called on the enactment of similar laws by all of the State's municipalities as well as adjoining States.

"REJECTED 299

"Tate said that since the enactment of the Philadelphia ordinance the city has rejected 299 questionable permits for firearms. He said they had included 22 persons convicted of assault and battery, 13 convicted of robbery, seven for mental instability, and one charged with murder.

"The mayor said the ordinance had been prompted by the shooting of a police lieutenant who had ejected a woman from a tavern.

"Rizzo also said that since the ordinance went into effect the number of murders in the city has declined by 17 percent.

"NOT ONLY REASON"

"Of course gun control is not the only reason," Rizzo said, "But it is a substantial part of the reason. It is pretty obvious that it will make it tough to get a gun."

"Attending the meeting with Tate were City Managing Director Fred T. Corleto, his deputy, Joseph J. Gaffigan; Federal Coordinator Patrick H. McLaughlin; Development Coordinator Philip P. Kalodner; Deputy Managing Director Richard L. Olanoff, in charge of manpower, and Gordon Cavanaugh, in charge of housing; Charles W. Bowser and Anthony P. Zecca, deputies to the mayor, and Patrick J. Stanton, the mayor's press secretary.

"The mayor moved to get approval of his resolution shortly after the conference got under way because of the action of the House Judiciary Committee on Tuesday. The committee tied 15-15 to release proposal by President Johnson for stiff gun controls, thus holding up swift floor action on the bill."

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"[From the Philadelphia (Pa.) Inquirer, June 8, 1968]"

"CRIME CONTROL, GUN CONTROL"

"The swift Congressional completion of the crime bill, which contains gun controls weaker than the Administration and both Senators Kennedy asked, was probably a kind of post-mortem salute to the martyred Senator Robert F. Kennedy. Whether some of its provisions—such as those permitting wiretapping and electronic bugging under local court authority—will survive testing by the United States Supreme Court remains moot.

"But at least the gun controls are some kind of start toward reason in distribution of lethal weapons in this Nation. Mail-order sale of concealable handguns will be forbidden by law, and over-the-counter sale of such weapons to non-residents of a State in which a gun dealer is located.

"Obviously, neither of these provisions could have spared Senator Kennedy's life—nor, for that matter, the life of his late brother, President John F. Kennedy, who was slain with a mail-order rifle. Rifles and shotguns may still be ordered by mail.

"We do not believe the present bill is too promising, except, perhaps, in its allocation of \$400 million to States and larger communities to help combat organized crime and riots. Even that is little enough, considering the need.

"But there is at least implicit recognition that many guns of all descriptions go to the wrong kind of people, those most likely to misuse them: fanatics, addicts, mentally disturbed persons, alcoholics. We hope this start toward curbing the trade will be followed by more forthright and far-reaching legislation that will really make the assassination of public figures and private individuals more difficult.

"President Johnson's prompt appeal for more realistic legislation should be heeded by Congress. The 'Safe Streets' bill is not enough.

"America continues to shock the world by its resort to violence for little or no reason. The least most Americans should expect is that a turn away from such a reputation will now be undertaken in all earnest. We have long since outgrown 'Billy the Kid' and it is high time we proved it."

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"[From the Philadelphia (Pa.) Evening Bulletin, June 12, 1968]"

"CRACKDOWN ON GUNS"

"It is a strange argument that the nation and the states should have weak gun laws because there's no 'cure-all' against the criminal misuse of firearms and no way to prevent political assassination by the mere passage of laws.

"When will congressmen and Pennsylvania legislators understand that the public is tired of gun laxity that aids and abets violent men in bringing death and injury to citizens in their homes, in places of business, on the streets, in turning public disorders into small wars; in jeopardizing the lives of law-enforcement officers?

"No one argues that better gun laws will be a magic solution, but they can make it less convenient for criminals and irresponsibles to acquire firearms. They can help police to track weapons used in crime. Strictly enforced, they can put the

criminal, the delinquent, and the violent on notice that America has stopped playing in its condemnation of gunplay.

"Voters in favor of more adequate gun legislation, which would certainly include extending the mail-order ban and gun registration, should let Congress and the Pennsylvania legislature know how they feel. In the meantime, it is encouraging that District Attorney Specter has ordered prosecutors here to press for stern penalties against those convicted of violating present gun laws. The appeal of Council President D'Ortona to Philadelphia citizens to turn in unwanted guns, no questions asked, offers a chance to get rid of these weapons without embarrassment. Both Police Commissioner Rizzo and Mr. Specter back this voluntary move.

"No one wants to deprive the hunters of their sport in woods and fields but it is time for law-abiding America to show that it wants and demands realistic controls over the possession of firearms."

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[From the Wall Street Journal]

Tougher gun controls face high hurdles, despite the burst of mail to Congress. Proponents see a need for quick action while memory of the Kennedy assassination is still fresh, but the early flow of letters already begins to taper off at some Senate offices. Delays loom. Senate backers of strong measures acknowledge they can't move ahead without holding public hearings; they'll start next week. Proposals for gun registration will meet strong opposition.

There's a better chance for fast action to ban mail-order sales of rifles and shotguns. The House Judiciary Committee may approve the measure next week. Mansfield prods Chairman Eastland for action by the Senate Judiciary Committee, though Dirksen and Hruska could slow down any effort.

Senate backers of the mail-order ban consider an end-run around the committee. They'd attach an amendment to some unrelated bill on the Senate floor.

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[From the Washington (D.C.) Evening Star, May 19, 1968]

#### IT'S HIGH TIME FOR FEDERAL GUN CONTROL LAW

(By James J. Kilpatrick)

What's in the news? Here in Washington, three juveniles, armed with pistols, rob a bank. An ex-con, armed with a pistol, murders a storekeeper. A hysterical girl seizes a pistol and kills her father. Two thugs, armed with pistols, wound a local grocer.

This is news? This is routine stuff. With deadly, dreary monotony, the same items appear every day across the land. It is high time—it is way past high time—for the Congress to take effective action on handgun control within the United States. Under Title IV of the crime bill now pending in the Senate, an opportunity is presented for legislative decision. That opportunity must not be wasted.

Who can quarrel with the legislative findings set forth in the bill? There is, in fact, a widespread traffic in concealable firearms. There is no question of the ease with which criminals, thrill-seeking juveniles, narcotics addicts, and mentally defective persons may acquire handguns. Who can deny that the mail-order sale of such weapons thwarts the effectiveness of State and local regulations? Hundreds of pages of testimony support these conclusions.

With the best will in the world, it is difficult to comprehend the opposition of the National Rifle Association, and other sportsmen's groups, to a bill along the lines of the bill now under debate in the Senate. The major purpose of the proposal is to limit the commerce in concealable handguns to federally licensed dealers, who in turn would be required to regulate their sale. What's wrong with that? How does this hurt the law-abiding sportsman?

It is true that in some of its provisions, dealing with the importation of foreign guns, the bill seeks to impose restrictions upon rifles and shotguns as well. The pending bill would be a better bill, in my own view, if it were stripped of language giving all sorts of broad powers to the Secretary of the Treasury. These provisions

are not essential to the bill's main purpose, and they are bound to arouse opposition among the sportsmen groups.

It may be useful, in this regard, to spell out what the pending bill does not do.

For one thing, the measure has nothing whatever to do with collectors of antique firearms as "any firearm of a design used before the year 1870 or replica thereof." Such weapons are expressly excluded from the bill.

The pending bill would not prohibit the mail-order sale by dealers, within the United States, of sporting shotguns and rifles. The bill would not prohibit the ordinary sale of such long guns to persons under 21. In one provision after another, the proposal deals solely with firearms "other than a rifle or shotgun."

The bill would not have the slightest effect upon hunters taking rifles or shotguns across a state line. It would not inhibit the routine shipment of weapons for repairs. It would not, in short, interfere in any unreasonable way with sportsmen or target shooters engaged in lawful activities.

What, then, is all the row about? Some gun buffs contend that federal legislation is altogether prohibited by the Second Amendment to the Constitution, which says that "the right of the people to keep and bear arms shall not be infringed." But this provision clearly relates to the maintenance of a "well-regulated militia, being necessary to the security of a free state." The objection is groundless.

Other opponents are full of a kooky paranoia. They see the Communists taking over the United States and proceeding at once, through gun registration records, to the confiscation of all private firearms. These critics are having nightmares; they are groaning in their sleep.

A responsible Congress will keep its eye on the main target: handguns—concealable handguns. In a violent time, these tools of violence must be brought under sensible control. Such a legislative achievement is not impossible; and it is urgently needed—now.

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[From the Wall Street Journal, Jan. 30, 1968]

#### FEDERAL GAMING TAX, FIREARMS ACT VOIDED, HELD BY HIGH COURT TO VIOLATE CONSTITUTION

WASHINGTON.—The Supreme Court threw out, on the basis of Constitutional objections, the Federal gambling tax that the Federal Bureau of Investigation and local police have used widely in their drive against organized crime.

On a similar ground, the High Court also voided the National Firearms Act, which, since 1934, has been the Federal Government's principal means of attempting to keep sawed-off shotguns and similar illegal weapons from gangsters.

The Court didn't find the tax on professional gamblers or the Firearms Law unconstitutional in themselves. But, by a 7-to-1 decision on the gambling tax and an 8-to-1 verdict on the Firearms Act, the Court ruled that application of the statutes exposed an individual to prosecution on other charges and thus violated the Fifth Amendment's privilege against self-incrimination.

Both decisions will have wide law-enforcement and political repercussions. They'll almost certainly hamper the drive against organized crime and rekindle Congressional charges that the High Court is "coddling criminals." Unquestionably, the decisions will make it more difficult for Congress to write new anti-crime legislation, even though the Court said repeatedly in yesterday's rulings that Congress has Constitutional authority to tax gamblers and control the distribution of firearms.

#### INTENT OF GAMBLING LAW

Congress apparently didn't intend the gambling tax primarily as a revenue-producing measure, but as an indirect means of bolstering enforcement of Federal and state laws that ban gambling of various kinds. Since professional gambling is a mainstay of organized crime, the tax thus also was an indirect attack on organized criminal activity.

The law requires persons who are engaged in or plan to enter the business of accepting wagers to register with the Internal Revenue Service and buy a \$50 gambling stamp. The law imposed on gamblers a 10% excise tax on the annual gross amount of all wagers accepted. Race track operators, coin-operated devices and state-conducted sweepstakes were excluded from taxation. Other provisions of the law required stamp purchasers to notify the IRS of their home and business addresses, list the names of agents and employes and preserve daily records of the amount of wagers. The law instructed IRS offices to maintain public lists of persons who have bought the \$50 stamps and to provide certified copies of the lists to any Federal, state or local law-enforcement agency.

The IRS says that total receipts from sale of the \$50 stamps was \$572,000 for fiscal year ended last June 30. In same period, receipts were \$5,624,000 under the provision of the law that requires registered gamblers to pay excise tax of 10% of gross wagers accepted.

The information yielded by the tax law has "led to a very large number of prosecutions" for violation of Federal and state antigambling laws, according to one Federal official.

Justice Harlan, writing the Court's opinion, emphasized the same point. There are Federal statutes, he noted, that impose criminal penalties on interstate transmission of wagering information, on lotteries and other such activities. All states except Nevada have broad prohibitions on gambling, Justice Harlan added.

"Information obtained as a consequence of the Federal Wagering Tax is readily available to assist the efforts of state and Federal authorities to enforce" the laws against gambling, he said. Evidence of the purchase of a \$50 stamp often has been admitted in Federal and state prosecutions for gambling offenses, Justice Harlan added. Moreover, he said there is evidence that the IRS has cooperated fully with the Justice Department's "efforts to suppress organized gambling."

The decision reversed the convictions of two individuals, James Marchett and Anthony M. Grosso, who had refused to pay the gambling tax on the ground of the Fifth Amendment's privilege against self-incrimination. "The Constitutional privilege was intended to shield the guilty as well as the innocent," Justice Harlan wrote. In upholding the self-incrimination plea, the High Court explicitly reversed two earlier decisions in which it refused to throw out the Wagering Tax Law.

#### CHIEF JUSTICE DISSENTS

The single dissenter to the ruling was Chief Justice Warren; Justice Marshall, the Court's newest member, didn't participate. The Chief Justice declared that the tax was a practical and Constitutional method by which Congress could force gambling into the open. "Because most forms of gambling have been declared illegal in this country, gamblers necessarily operate furtively in the dark shadows of the underworld," he said.

The impact of the High Court's decision voiding the National Firearms Act probably won't be as great on present law enforcement efforts as the ruling against the gambling tax. On the other hand, the impact of the Firearms Act decision on future legislation may be large indeed.

The 1934 Firearms Act was a limited law that hasn't proved an effective law-enforcement tool. It applied to sawed-off shotguns, machine guns, mufflers and silencers, but not to full-size shotguns and rifles or to pistols and revolvers. One section of the law required registration and payment of a tax to the Treasury Department by makers, dealers and importers of guns covered by the law. Another section required anyone wanting to sell or "transfer" a gun to apply first to the Treasury Department for approval. And a third, designed to cover guns that had escaped Treasury regulation under the first and second sections, required registration by any person possessing an unregistered gun.

The High Court ruled that each section is part of "an interrelated statutory scheme" and registration under any one could amount to an admission of violence of another section. Thus, the Court ruled, an individual can refuse to register a gun on the ground of self-incrimination.

#### POLICE REACTION IS MIXED

Reaction of law enforcement officials to the Supreme Court's decisions was mixed.

The gambling tax law "didn't help us and it didn't hurt us," says Capt. John Neurauter, head of the vice control division of the Chicago Police Department. "We developed more leads on our own."

Voiding the gambling tax "wouldn't have much effect" on New York City Police Department efforts against gambling a spokesman said. He said there was "very little" registration by gamblers. "They just continued to be bookies without getting the stamp," the policeman said.

He declined comment on the Firearms Act, noting New York State's Sullivan Law makes possession of either a machinegun or a sawed-off shotgun a felony.

Frank C. Ramon, Seattle police chief, said he was "shocked at both decisions. Each of the laws involved obviously were designed and enacted to protect the majority of the people of the U.S. In gambling, the identification of gamblers by registering is obviously in the public interest. And as for guns laws, the

history of violence in the U.S. over the past 10 years is eloquent evidence that we need more, not less, control of firearms, particularly military and quasi-military weapons."

Chief Ramon noted that Washington state law prohibits any person other than a governmental agency to have machine guns and similar weapons.

An official of the International Association of Chiefs of Police in Washington deplored the decisions.

Charles H. Rogers, legal coordinator for the Chicago Police Department, said, "If you take away the National Firearms Act you've got to have trouble." He says that because of the law, "Nobody dealt freely in machine guns or sawed-off shotguns. God knows what rioters can do if they have machine guns. I think it's very possible that if they're available they (the rioters) can get them."

Mr. Rogers said the tax stamp was an effective device for prosecuting gamblers. Another police official, this one a captain who didn't want to be named, asserted "we liked the law. It was a meaningful piece of legislation."

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[From the Philadelphia Enquirer, Apr. 30, 1968]

SALE OF GUNS INCREASES IN PHILADELPHIA AREA  
FEAR OF CRIME, RACIAL DISORDERS, FREQUENTLY CITED

An increase in the demand for firearms has been felt in Philadelphia and its suburban counties.

Among the factors most frequently cited are alarm over racial disorders in the cities and a rising fear of crime.

One major retail chain said it was "downplaying" the display of firearms in its stores and some had discontinued such displays. A sporting goods and hardware store in Camden said it had discontinued firearms because of the general unrest.

*More licenses issued*

Comparable situations have been reported in other major cities; such as Detroit, where large Negro population have rioted or pose a threat of riot.

At the same time, some gun dealers report that the principal weapons manufacturers have cut back on civilian production because of the demands of the Vietnam war, to the extent that the normal supply of firearms for the civilian trade is not available.

In Philadelphia, the Department of Licenses and Inspections reports a 38 percent increase in the number of licenses issued in the first three months of this year over the same period of 1967. In the first two weeks in April, the period following the assassination of Martin Luther King, Jr., the increase was 69 percent over the same two weeks last year.

*Law explained*

Louis T. Menna, Jr., supervisor of the license issuance section, reported that the figure for the first three months last year was 1061. In the first quarter of this year, he said, licenses totaled 1466. Most, he said, were men concerned with protecting their business.

In the first two weeks of last April, there were 130 licenses issued. The same period this year saw 220.

Philadelphia's model firearms control ordinance requires licenses for all types of guns purchased since the ordinance was passed three years ago. Each applicant is checked by police.

In the suburbs, only hand guns are subjected to such controls.

*Sales slacking off*

Bucks County Sheriff Charles A. Jones said 570 permits had been issued for hand guns so far this year, as compared to 1480 for all of 1967.

A number of gun dealers in Lower Bucks county reported a spurt in demand following the King assassination and the resulting riots, but added the demand has been slackening off in the last week. The purchasers are almost all white.

"I could have sold 100 of them two weeks ago, if I'd had them," said Harry Rutherford, owner of the Gun Craft Shops, in Fallsington. Dominick Rago, owner of the Fox Chase Gun Shop, Bristol, said, "I've been taking my stock home on weekends for fear of the shop being broken into."

*Business doubled*

Kenneth Ritter, manager of Johnson's Sporting Goods, Croydon, said his business had doubled in the wake of Dr. King's slaying but is returning to normal.

A woman clerk in a Levittown store said, for a while, sales were better than during the hunting season. "We sold out of everything," she said.

For a four-week period ending with the third week in April, gun applications totaled 523 at the office of the Montgomery county sheriff, 86 percent higher than during the same period in 1967. But the peak week was in March, before the King assassination.

*Controls tightened*

Montgomery County Sheriff Jeremiah Delaney, a former Norristown policeman, introduced more stringent controls over hand guns when he assumed office in January. Fingerprints and photos of the applicant are required by Delaney's office.

A 26 percent increase in permits was recorded in the first quarter of this year over the same period in 1967 at the Delaware County sheriff's office. Sheriff Paul J. McKinney who runs record checks with the FBI on gun applicants, says racial fears played a part in the increase.

In Camden, Howard Walton, of the A. W. Walton and Sons store, 109 Broadway, said the store had pulled out of the weapons business because, "We just decided we didn't want any trouble."

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[From the Washington Post, June 17, 1968]

## EIGHTY-ONE PERCENT BACK GUN CONTROLS

(By Louis Harris)

Apart from a profound sense of sadness, the Kennedy tragedy has left the American people deeply perplexed about the remedies for violence.

Support for laws requiring registration of all firearms has risen from 71 to 81 per cent since the assassination, but 45 per cent of the people also hold the view that "control of guns might not cut down on violence at all."

While 90 per cent feel strongly that violence should be done away with in our national life, an even higher 93 per cent agree that "individual shootings can happen anytime because it only takes one madman" to shoot a person.

By 66 to 22 per cent, Americans reject the oft-repeated theory that "we have violence because it is built into our pioneer tradition." But large majorities see other sources of violence in a number of conditions and influences in contemporary life.

Eighty three per cent believe that "radicals who create violence on the streets" contribute appreciably to the atmosphere.

Eighty-two hold the view that "too many criminals and demented people loose on the streets" are an important part of the syndrome of violence.

Seventy six per cent feel that the racial conflict in America has contributed much to the fabric of violence.

Sixty two per cent see "movies with violence in them" as a major contributor.

Fifty seven per cent believe that "seeing pictures of killing in war on television every night" conditions our behavior.

In short, the American people acknowledge a portrait of life in the country today that is a contributing factor toward violent behavior. Yet few people have concrete ideas on how society can cope with or even prevent, the outbreak of disorder, much less the murder of outstanding public figures. And most see someone other than themselves as the source of the problem.

For example, surveys have shown that many whites feel Black Power thrusts cause violence, but Negroes feel that police brutality provokes outbreaks. Students feel college administrations that have lost touch or don't care lead to the frustration which evokes violence on the campus, while people observing student protests feel the students themselves are the agents of violence. Some people believe that criminals freed from prison are a major cause of violence, but are unwilling to support measures for rehabilitating criminals into society.

People decry movies which portray violence, but set attendance records by going to such movies. The public criticizes television for being a vehicle of reporting violent acts, but the ratings show such programs capture a major share of

the audience. Two out of three people express the feeling that "something is deeply wrong in America," but less than a majority can find any remedy in their own conduct.

A cross section of the public was asked in this survey:

*"Let me read you some statements. For each, tell me if you tend to agree or disagree with the statement."*

## STATEMENTS ON VIOLENCE

[In percent]

	Agree	Disagree	Not sure
Individual shootings can happen anytime because it only takes one madman to shoot another man.....	93	4	3
Control of guns might not cut down on violence at all.....	45	45	10
We have violence because it is built into our pioneer tradition.....	22	66	12

In probing for the roots of violence, a national sample was asked this series of questions:

*"How much do you feel each of these things contributes to violence in this country—a lot, some but not a lot, only a little, or hardly at all?"*

## CONTRIBUTORS TO VIOLENCE

	Some-Lot (percent)	Little-Hardly (percent)	Not sure (percent)
Radicals who create violence in the streets.....	83	11	6
Too many criminals and demented people loose on the streets.....	82	12	6
Racial conflict in America.....	76	17	7
Movies with violence in them.....	62	34	4
Seeing pictures of killing in war on television every night.....	57	38	5
Things changing too fast for people to keep up with.....	47	41	12
Those who are opposed to relieving the misery of the poor.....	43	45	12

The problem does not appear to be the need to recognize violence in this country, but rather what to do about it. If there are any answers the American people, in their mood of deep shock and tragedy, are ready to listen. But they are not prepared to say that their whole way of life is wrong.

[From the Philadelphia Inquirer, June 23, 1968]

## PHILADELPHIA HAILED ON GUN DRIVE

(Inquirer Harrisburg Bureau)

HARRISBURG, June 25.—The State Senate, by a voice vote, on Tuesday congratulated those Philadelphians who turned over firearms to the city Police Department as a volunteer effort.

The resolution of commendation also congratulated Mayor James H. J. Tate and Police Commissioner Frank Rizzo for requesting the "turn-in" and for handling the acceptance and disposal of the guns "in an outstanding manner."

A total of 550 guns were turned over to the Police Department in the program, and in addition "numerous rifles" were given to officers. "The number of human lives that can possibly be saved by this action is uncountable," the resolution said.

Several "no" votes were heard, but the affirmative votes carried the resolution, introduced by Philadelphia Democrats Thomas P. McCreesh, John F. Byrne, Jr., and Henry Cianfrani.

[From the Philadelphia Inquirer, June 23, 1968]

## ROAD CHECKS NET 78 GUNS

New Jersey Turnpike officials disclosed Saturday, they have confiscated 78 handguns and one grenade from motorists in the first five months of the year.

The weapons were seized by State Police during routine traffic checks along the turnpike.

Officials said a total of 98 persons have been charged with possessing concealed weapons, including knives, since Jan. 1.

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[From the Philadelphia Inquirer, June 17, 1968]

#### GUN COMPANIES BACK CURBS ON RIFLES BY MAIL

(By Morton Kondracke)

The Nation's three top gun manufacturers have declared support for Federal "controls" on interstate mail order sales of rifles and shotguns.

Their action cracked slightly the solid front of opposition to a key portion of the Administration's proposed new gun law on the part of the so-called "gun lobby" headed by the National Rifle Association.

The three manufacturers are the Remington Arms Co., Inc., of Bridgeport, Conn., the Savage Arms Division of the Emhart Corp., Westfield, Mass., and the Winchester-Western Division of the Olin Mathieson Chemical Corp., New Haven, Conn.

A spokesman for Remington added that his firm has "no problem" with another item in the Administration Bill, a ban on over-the-counter long gun sales to out-of-State residents.

A representative of a New York relations firm for the three companies said, "There is no connection between the companies and the National Rifle Association. There is no relationship, it just doesn't exist."

The firms' statement added, further, that their indorsement of stricter firearms control legislation "represented no fundamental change in attitude.

"The industry has never opposed gun legislation in principle and for many years has supported and worked with groups at every level to develop constructive legislation."

The three firms were joined in their statement by two other companies, O.F. Mossberg & Sons, of North Haven, Conn. and the Ithaca Gun Co., Inc., of Ithaca, N.Y.

All five firms are members of the National Shooting Sports Foundation, Inc., a group that regularly has supported NRA positions before legislative committees.

NRA officials were not available for comment on the manufacturers' statement.

The NRA last week denounced control of interstate sales of firearms as a "first step" toward such measures as registration of weapons. Continued steps, said the NRA, would lead to abolition of civilian ownership of arms in the United States.

The manufacturers did not indorse Federal arms registration, but approved State gun-owner licensing after the pattern adopted by the Illinois General Assembly.

The arms makers' statement said in part:

"We favor and advocate Federal legislation to control mail order sales of rifles and shotguns in interstate commerce. We suggest that provision be made for those States which do not desire this assistance to exempt themselves by legislative action.

"For those States which feel the need for more stringent local control, we recommend that they employ under proper safeguards to protect the right of law-abiding and responsible citizens to own firearms.

"This is similar to existing legislation in Illinois. It is our opinion that licensing gun owners is more practical, less costly and as effective as registering every individual gun."

The statement made no mention of another item in the Administration's proposed arms law—controls on interstate traffic in ammunition.

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[From the Bulletin, June 16, 1968]

#### GUN MAKERS URGE CURBS ON MAIL SALES

NEW YORK (AP).—The nation's three largest manufacturers of sporting arms urged yesterday that Congress prohibit the unrestricted sale of shotguns and rifles by mail to individuals.

A statement issued by R. H. Coleman, president of Remington Arms Co., Inc.; Charles L. Dubuissou, president of the Savage Arms Division of Emhart Corp. and William L. Wallace, general manager of the Winchester-Western Division of Olin Mathieson Chemical Corp. said:

"We favor and advocate federal legislation to control mail order sales of rifles and shotguns in interstate commerce. We suggest that provision be made for those states which do not desire this assistance to exempt themselves by legislative action.

"For those states which feel the need for more stringent local control, we recommend that they employ the principle of statewide licensing of all gun owners under proper safeguards to protect the right of law-abiding and responsible citizens to own firearms. It is our opinion that licensing gun owners is more practical, less costly and as effective as registering every individual gun.

"We further advocate legislation at the federal and state level to impose stricter penalties for the misuse of firearms. We also believe more attention must be given to the enforcement of the 20,000 federal, state and local firearms laws already on the books."

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[From the Bulletin, June 16, 1968]

#### U.S. MAYORS URGE STRICTER CONTROL OF FIREARMS SALES

CHICAGO (UPI).—The United States Conference of Mayors yesterday voted 55 to 12 for a federal ban on interstate mail order sales of firearms and a law prohibiting the sale of firearms or ammunition to juveniles.

The resolution also called on Congress to enact legislation making failure to register all firearms a felony. The mayors passed the resolution after deleting from it a portion which would have asked Congress to limit the possession of handguns to law enforcement officials.

The 500 mayors, in the final session of a four-day meeting also asked Congress to provide a guaranteed minimum wage for persons unable to work and to create one million public service jobs.

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[From the Washington Daily News, June 20, 1968]

#### THE SMOKE AND FURY OVER GUN LAWS

(By Jerry Greene)

WASHINGTON (News Bureau).—Gun control, a surging emotional issue riding a shock wave of public indignation after the assassination of Sen. Robert Kennedy, moved to the forefront this week as a matter of national concern and action.

The chances appeared likely that Congress aroused by the people and prodded by the President, would at this session strengthen legislation intended to curtail traffic in guns and somehow limit the availability of weapons to criminals.

But it was probable that Congress would stop far short of compulsory federal registration or anything like it, as Sen. Joseph Tydings (D-Md.) and many others have demanded.

The case for and against strong federal action is fairly well summed up in two public statements:

President Johnson: "I call upon the Congress, in the name of sanity, in the name of safety and in the name of an aroused nation to give America the gun-control law it needs. What in the name of conscience will it take to pass a truly effective gun law?"

Harold Glassen, Lansing, Mich., attorney and president of the National Rifle Association: "We see Americans behaving like children, parroting nonsense, accepting unproved theory as fact. . . . We are seeing a mass attempt—a syndicated attempt—to deceive the American population into believing it should abrogate the second amendment to the Constitution. . . . Make no mistake about it—there is a step-by-step move afoot to accomplish the ultimate deprivation of the American right to keep and bear arms."

The attitude of law enforcement officers was neatly packaged by Sen. Tydings when he introduced his last bill for federal registration. He wrapped up the police feelings in a pair of quotes from FBI Director J. Edgar Hoover, and Quinn Tamm, director of the International Association of Chiefs of Police.

Hoover: "There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public."

Tamm: "The ease with which any person can acquire firearms . . . is a significant factor in the prevalence of lawlessness and violent crime in the U.S."

The outburst of emotion over gun controls, spurred by the slayings of Kennedy and Dr. Martin Luther King this year, and sparked anew by the memory-fresh assassination of President John F. Kennedy in 1963, has unfortunately, obscured some vital facts of life.

There is abroad in the land an angry demand for an end to violence, a restoration of respect for law and order. There is, in the agitation for tough gun controls, the implication that here is instant action which can bring a measure of relief, a degree of reassurance of peace and safety in the streets for the average citizen.

This is unfortunate, for even under the latest Tydings bill, the most stringent of all proposals, months, if not years, would pass before enforcement could be expected to effect any measurable reduction in the rising crime rates. Tydings would allow a year for gun owners to obtain a license.

There are simply too many guns in private hands in the U.S. for any quickie cures to the problem of accessibility for the criminal-minded. Estimates range from 50 million to 200 million and it would appear that the latter figure is more nearly accurate.

The National Shooting Sports Foundation, Inc., of Riverside, Conn., reported in April 1968, that "about 40 million Americans own some sort of firearm." Others contend that half of the homes in America have a gun of some sort around the place and many sportsmen own more than one.

It is difficult to argue with the simple fact that if there weren't so many guns in circulation there wouldn't be so many people shot with them. Yet you can get a hot argument on this item, as on any other phase or element of firearms manufacture, distribution or use, and all of this stems back to the foundation of the republic, to American tradition, to the creation of the constitution—and in no small way to a he-man myth which has considerable more staying power than validity.

The second amendment to the constitution, part of the Bill of Rights, sets forth the continuing need for a militia and declares that the right of an individual to own and bear arms shall not be infringed.

Glassen said recently: "The National Rifle Association has fought long and hard for practical and sensible gun laws aimed in the right direction—toward the criminal, the juvenile, the mental misfit, the dope addict, the habitual drunkard. NRA does not want these people to have guns. . . ."

Sen. Tydings—and he has staunch support, particularly from Senate liberals—takes an exceedingly dim view of the NRA: "The gun lobby in this nation—led by paid Washington lobbyists of the National Rifle Association, the Minutemen, and other extremist groups—has without the slightest apparent twinge of conscience, opposed with a vicious disregard of fact every effective piece of firearms legislation introduced since the gun protection effort began . . . we expect the NRA and its satellites to continue their opposition."

The public may be pardoned in its confusion.

Tydings immediately wrote to the Internal Revenue Service demanding an explanation of why NRA, which he said spends much of its \$5.7 million annual budget "lobbying against the public interest," remains classed as a tax-free, unregistered organization under lobbying laws.

The IRS responded promptly that the NRA is classified as a "social welfare organization" and is therefore "exempt from federal income tax as a non-profit organization under the tax law enacted by Congress."

The NRA, in fact, is considerably more than the bad-lobbying bugaboo that Tydings would have it, in the ardor of his crusade. There is no question that the voice of NRA is heard, for the shooters who belong are not the passive sort and their membership is vigorous.

NRA now claims more than 986,000 members. It was founded in New York in 1871 by a small group of National Guard officers, and was named National Rifle Association in 1877. As an association it is "dedicated to firearms safety education as a public service, marksmanship training as a contribution to individual preparedness for personal and national defense, and the sport of shooting as a wholesome form of recreation." There are now about 12,000 affiliated groups,

rifle and pistol associations, gun collectors clubs, hunting clubs and summer camps.

Guns and ammunition are big business and this, too, is a complicating factor in the national consideration. A degree of clarification came last weekend when three leading firearms manufacturers—Remington, Savage and Winchester—joined in support of federal controls on mail order sales, and of a permit system by states desiring such.

Even the tough Tydings bill would defer to state laws where these were as restrictive as his proposed legislation.

Yet even the same statistics from gun-law states are used as arguments by opponents in the fuss. New York has the most rigid hand-gun law in the nation. In 1963, for example, the year of President Kennedy's assassination, New York City had 549 killings, of which 138 were committed with guns. To the gun lovers this means that a harsh law won't stop killings.

But control proponents note that while only 25% of the New York homicides were committed with firearms, in Dallas, Tex., in the same year, 72% of the victims were killed with firearms.

On a national basis, the Justice Department reported 12,200 persons slain in the U.S. last year, 63% with firearms.

The gun control amendment to the crime bill, so hotly denounced by President Johnson as inadequate, banned the mail-order sale of hand guns; the sale of hand guns over the counter to persons under 21 was forbidden and sales were prohibited to non-residents of the state where the sale was made.

The administration amendments now pending would extend these restrictions to long guns, shotguns and rifles. That's a pretty pale limitation when compared to the Tydings total registration bill, for the Tydings measure would catch, hopefully, the tens of millions of firearms already in the hands of somebody.

The clamps are coming, be it ever so slowly. But it will take other efforts to enforce other laws to cut the crime rate until then.

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[From the Washington Post, June 23, 1968]

#### THE PUBLIC BESIEGES THE GUN LOBBY

(By Richard Harwood)

In Roseburg, Oreg., the day before the presidential primary election there, Robert Kennedy was heckled and jeered by a crowd of middle-aged gun fanciers.

"The first thing the Nazis did," a woman cried out, "was to take away the people's guns."

Kennedy was puzzled by that. "You don't understand," he said. "Nobody wants to take away your guns. But why should a child or an insane person or a criminal be able to order a gun through the mail?"

His hecklers were unimpressed and within two weeks Kennedy was dead—from a gunshot wound. But the echoes from that day in Roseburg remain.

#### PARROTING NONSENSE

As the clamor for Federal gun controls took on the aspect of a national crusade early in June, the president of the National Rifle Association—a small-town lawyer from Michigan, Harold W. Glassen—called a press conference to declare:

"Today we are witnessing an almost unbelievable phenomenon in America. We see Americans behaving like children, parroting nonsense, accepting unproved theory as fact and reacting as the German people did in the 1930's as the Goebbels propaganda mill drilled lies into their subconsciousness and dictated their every move.

"We are witnessing the strange and masochistic spectacle of tens of thousands of normally proud and level-headed Americans begging the Federal Government to take from them by force of law one of their basic civil rights, the right to keep and bear arms."

He was probably conservative on one point. The demand to curtail America's \$350 million annual traffic in civilian arms seemed to be coming not from "tens of thousands" but from tens of millions of citizens—about 75 per cent of the adult population, according to the pollsters.

Such institutions of the American Establishment as the American Bankers Association, the American Bar Association, the U.S. Chamber of Commerce and the AFL-CIO joined together to lobby through Congress the gun control bills supported by the President, the FBI and the International Association of Chiefs of Police. The advertising industry, Time magazine and—according to Glassen—the publishers of 93 per cent of America's newspapers lent their weight to the antigun crusade.

The political results were almost instantaneous. On June 6, a few hours after Sen. Kennedy was shot, Congress outlawed the mail order sale of pistols and revolvers. And last week the President's bill to outlaw the mail order sale of rifles and shotguns moved rapidly toward passage.

Even Sen. Roman Hruska, the Nebraska Republican who has been allied for years with the NRA in opposition to gun control laws, had a change of heart.

"Times change," he said, "and sometimes they change rapidly. The changing force can be an event which transpires in a split second . . . If the majority of the Senate feels it is necessary to pass gun control legislation such as the President suggested, I will not object. Indeed, I will support it."

To Glassen and no doubt to others among the 900,000 members of the NRA, the ultimate purpose of gun control legislation is to disarm the 40 million to 50 million people who are believed to own guns in the United States.

As he puts it on June 14: "Do we have any reason to believe there will not be a . . . final step in what appears plainly a plan to disarm American citizens? Do we have any reason to trust those who have assured us that their aims fell short of this mark?"

"I don't think so, and I warn the American people that if Congress is lured into accepting this reassurance, the ultimate is inevitable and there will no longer be private ownership of guns in the near future."

#### OUR DISTINGUISHING MARK

No disarmament proposal of the sort Glassen fears is under serious consideration by the Government, although there are many who argue that it would be a desirable step and perhaps the only meaningful answer to the slaughter by gun that has distinguished American life from the beginning.

Between 1900 and 1964, according to the figures of author Carl Bakal ("The Right to Bear Arms"), 744,058 men, women and children were killed by guns in the United States. That number is rising at the rate of about 17,000 a year.

The enormity of this slaughter is often expressed in terms of America's war casualties. More than twice as many Americans have killed each other and themselves in the last 65 years than have died in battle.

About 25,000 Americans have died in Vietnam since 1961. But in the same period, more than 100,000 have been killed by guns here at home.

"Violence and moral decay," a constituent wrote to Sen. George McGovern of South Dakota not long ago, "seem to be the socially accepted acts of the day."

Feelings of that sort have become a part of the conventional wisdom in America since the assassination of President Kennedy, Sen. Kennedy and the Rev. Dr. Martin Luther King Jr. and since the wave of urban riots that began in earnest in 1965.

But the phenomenon of violence in the United States is far older than that and has been far more extensive in the past than now.

In the 1920s and the early 1930s, roughly six out of every 100,000 Americans could expect to be murdered by gun each year. Today, fewer than three out of 100,000 can expect the same fate. There has been a similar decline in the rate of accidental deaths from guns. Only the gun suicide rate has remained constant—about five people a year out of every 100,000.

Thus, in historical terms, the country has become more rather than less pacific in this century. In 1933, roughly 18,700 Americans were killed by guns. That total has not been equaled or surpassed despite the great population growth of the past 30 years.

Nor has the basic attitude of the public toward gun control legislation undergone any major change in these past 35 years. Since the mid-1930s, the polls have always shown that upwards of seventy per cent of the population has favored more restrictive gun laws.

#### A DECISIVE ISSUE

Obviously, then, it has been the Kennedy and King assassinations that have generated the enormous pressures for Federal action.

In the course of a single week, Democratic Sen. Joseph Tydings of Maryland received 14,000 petitions and more than 10,000 letters, telegrams and telephone calls from "all over the country demanding, by 20 to 1, a strong Federal gun control law."

Sen. McGovern's mail ran 10 to 1 against gun control before Sen. Kennedy's death. Now it is 6 to 1 in favor.

The chairman of the Democratic Senatorial Campaign Committee, Sen. Edmund Muskie of Maine, is said to have concluded that public sentiment for gun control legislation is now so intense that it could be the decisive issue in many congressional races in the fall. Robert C. Albright, a congressional reporter for *The Washington Post*, reported the feeling on Capitol Hill that "a Senator could have a perfectly good record on everything else and still be defeated if he muffed that issue—namely, voted against gun control."

This feeling is reflected in the number of Representatives and Senators who have been converted from opponents to advocates of tough gun controls. They include Senate Majority Leader Mike Mansfield of Montana, Senate Commerce Committee Chairman Warren Magnuson of Washington, Sens. William Proxmire and Gaylord Nelson of Wisconsin, Sens. Mike Monroney of Oklahoma, McGovern, Muskie, Hruska and others.

Said McGovern: "I don't want on my conscience another murder. A stronger gun control bill won't prevent another murder, but it will help."

"My mail did not influence my position," said Mansfield. "My decision . . . was entirely a matter of conscience."

Monroney said: "The tragic murders of great national leaders and the rising numbers of murders and other crimes committed with firearms in our Nation have caused the Congress and millions of Americans to examine closely the need for stronger regulation for firearms of all kinds. It has become vividly apparent that guns are far too easy to obtain and too easy to use. I don't want to interfere with any man's right to own a gun, but I do want to make it harder for a potential criminal to kill."

#### NRA MAIL INCREASES

On the other side, the NRA, of course, has been active, too. Its members and allies poured thousands of telegrams and letters into congressional offices last week. A Pennsylvanian wrote Rep. John B. Anderson. (R-Ill.): "You're going to take away our guns and give them to criminals. I hope they shoot your rear end off."

Rep. Richard Bolling (D-Mo.) reported one threat on his life because of his support for gun controls. A constituent told Rep. Don Edwards (D-Calif.): "I am against gun registration. The Communists have worked to get this for years and they cannot take over this country without it." A Jewish Congressman, Rep. Sidney R. Yates (D-Ill.), said a colleague in the House told him: "You of all people ought to be against gun controls. You know the first thing Hitler did when he came to power was to go to the gun registration records and take away everybody's guns."

The common judgment, however, is that the true mood of the country is in favor of controls. This is suggested not only in the political pressures being applied by citizens and such lobbies as the American Bankers Association but also in the reaction of state and local governments and the private sector.

Three of the largest American gun manufacturers—Remington, Savage and Winchester-Western—last week urged Congress to eliminate "the unrestricted sales of shotguns and rifles by mail to individuals."

Both Sears, Roebuck and Montgomery Ward discontinued mail order gun sales even before Sen. Kennedy was killed. Several of the largest New York department stores—Macy's, Alexander's and Abraham & Straus—have eliminated guns from their inventories. Ohio and Missouri retail chains have done the same.

In Florida last week, two large department store chains—Jordan Marsh and Burdine's—announced that even toy guns were being removed from their shelves "until a change takes place in the mood of this country."

Said William S. Ruben of Jordan Marsh: "We didn't worry 20 or 30 years ago when a kid bought a cowboy pistol. Today it's different . . . We agreed that we could do a little something by trying to lessen the exposure of youngsters to guns. I think it is possible to divert children—at least part of the time—from games of violence."

In some cities—Honolulu, New York, Buffalo, Rochester, San Francisco, Philadelphia and Chicago—small numbers of citizens have voluntarily turned over

their guns to police authorities. In other cities, "Turn in Gun Week" proposals were being considered.

#### STATE AND LOCAL LAWS

There have been some tangible legal actions, too. Chicago, on April 15, put into effect a stringent gun registration law that prohibits ownership of firearms by juveniles, dope addicts, criminals, delinquents and the mentally ill. On July 1, a slightly less restrictive registration law will be in effect throughout Illinois.

New Jersey adopted the strictest gun law of any state two years ago. It requires prospective gun buyers to obtain, after a character investigation, identification cards issued by the police. Cards are denied criminals, people with histories of mental illness and juveniles. The police may also deny gun permits to anyone in "the interests of public health, safety or welfare."

New York State has had tight handgun control laws since 1911 and early this year New York City reinforced the state law with a requirement that all firearms be registered with the police.

Other cities are contemplating similar requirements, among them San Francisco, Louisville, Junction City, Kans., and Washington.

Overall, however, the traffic in firearms in the United States has been virtually unrestricted up to now and may not be seriously affected by the Federal laws already passed or contemplated. No one is proposing to outlaw the sale of guns—except by mail—and no one is proposing to confiscate the weapons already in private hands.

The President has estimated that in recent times gun sales have averaged about three million a year and there is evidence of a sharp increase in gun purchases since the Watts riot of 1965 and subsequent outbreaks of urban violence.

Washington Post reporter Robert C. Maynard wrote from Detroit last week that Mayor Jerome P. Cavanagh was "at one time so alarmed at the rate of gun buying in the city and surrounding suburbs that he went on prime time television to plead for 'a return to sanity.'" Since last July, Cavanagh said, there had been a 46 per cent increase in pistol registration in Detroit. Rifle and shotgun sales, said the Mayor, were "booming."

A Detroit gun dealer, Norman Weast, confirmed Cavanagh's assessment. His gun sales, he said, were up 30 per cent in February compared with last year.

In Washington's Maryland suburbs—Prince Georges and Montgomery counties—the same upward trend has been observed.

In Prince Georges, there were 250 applications for permits to purchase guns in April, 1967. In April, 1968—the month of the Washington riots—applications soared to 1113—an increase of more than 400 per cent. Gun sales in Montgomery to county residents nearly doubled between March and May—from 308 to 586.

That these are not local phenomena is apparent from the Internal Revenue Service tax collections on the production of firearms. Receipts from the 10 per cent excise tax on pistols and revolvers increased nearly 150 per cent between 1964 and 1967—from \$2 million to \$4.8 million annually. Revenues from the 11 per cent excise tax on rifles and shotguns went up about 50 per cent in the same period—from \$18.7 million to \$28.7 million.

What this means is that the vast arsenal of weapons in private hands in the United States is growing rapidly. No one knows how big that arsenal is. The National Shooting Sports Foundation, a promotional agency for the arms industry, says "estimates range from 100 million to 200 million, the latter figure being the one most often used." Whichever figure is most nearly correct, it adds up to more than one gun for each of the 60 million households in this country.

What Newsweek magazine has called the "gun mystique" is thus more than a clever phrase in the United States. It is a mystique that begins in childhood for boys exposed to the lore of cowboys and Indians, G-men, secret agents and the triumph of American arms in war. It is reinforced by military service, such as that in which Marines are taught to say:

"This is my rifle . . . My rifle is my best friend. It is my life. I must master it as I must master my life . . . I must shoot straighter than my enemy who is trying to kill me. I must shoot him before he shoots me. I will . . . My rifle is human, even as I, because it is my life. Thus, I will learn it like a brother . . . We will become part of each other. We will. Before God, I swear this creed . . ."

This theme, in a somewhat different context, is implicitly sounded each month in the *American Rifleman*, published by the National Rifle Association. A column

entitled "The Armed Citizen" recounts numerous incidents in which guns have meant "life" to Americans:

"Trussed and robbed by three armed bandits in his Tarpon Springs, Fla., store, Mark A. Frassrand Jr. broke his bonds, rushed to the door and killed two of the trio with a .30-30 carbine as they attempted to flee by car . . ."

An article in the magazine *Guns and Ammo* describes "plinking"—target shooting with a .22—as a coming "national family pastime."

"The most common target," the author wrote, "is the tin can but more satisfying are bottles, because of the delightful way they break. I like a reaction when I hit a target. Rats, cockroaches, turtles, frogs and sparrows are on my plinking list, too. One of my best plinking sessions was spent shooting English sparrows out of the cottonwoods surrounding a farm in Oklahoma. I proudly finished up the afternoon with a bag of 21 birds."

This sort of thing has been encouraged not only by the arms industry and its satellites but by the Government of the United States as well. For years, the Defense Department subsidized the training of civilian marksmen and the shooting matches sponsored by the National Rifle Association.

These subsidies were estimated by the Army at \$4,702,650 in fiscal 1967 and covered such things as free ammunition for gun clubs and cut-rate prices on weapons. The rationalization for this program was explained in 1964 by Col. John K. Lee Jr., executive officer of the Army's National Board for the Promotion of Rifle Practice:

"The man with the gun, the citizen properly trained in the use of firearms, has been the foundation of our military strength throughout the history of our Nation."

This argument has since been rejected by Defense Department officials, who told a Senate committee last year that civilian marksmanship programs are of little or no value in the training of infantrymen. Partly for that reason, Defense has decided to participate no longer in the NRA shooting matches. And on Friday, the Army ended its aid to pistol clubs and much of its assistance to rifle clubs.

For the NRA, the heart of the matter is the Second Amendment to the Constitution, which states: "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." The NRA has interpreted that language as conferring on Americans a constitutional right to be armed.

As Richard Harris has noted in the *New Yorker* magazine, however, the courts "have consistently interpreted the amendment to mean that the states have the right to maintain armed citizen militias . . . The Supreme Court . . . has yet to knock down any local, state or Federal law regulating firearms—with the exception of part of the 1934 Federal law, which it faulted on the basis that it was an infringement of the Fifth, not the Second, Amendment."

#### QUESTION OF EFFECTIVENESS

The more difficult question is whether they will be effective. Prohibitions against mail order sales may not significantly affect gun buying in the United States, although they will make the purchase of a gun somewhat more inconvenient for some people. Nor would Federal or state uniform registration laws necessarily inhibit the use of guns already in private hands for either murder or suicide.

The American gun arsenal is not likely to be diminished to any meaningful extent by the laws presently contemplated. In most homes, pistols or rifles or shotguns still will be available for hunting, target shooting and for the purposes of murder and suicide.

This is an especially significant fact because the vast majority of homicides in the United States are not carried out by professional killers or murderers. Franklin E. Zimring of the University of Chicago Law School recently concluded a study of 1400 homicides in Chicago and found:

"1. Seventy-eight per cent of all killings, as classified by police, result from quarrels based on domestic problems—liquor, sex, etc.

"2. More than 70 per cent of all homicides take place between individuals who had been involved in some prior personal relationship with each other."

Those numbers are in line with the FBI's national crime statistics.

Both Zimring and FBI Director J. Edgar Hoover have said that "effective" gun control measures would limit the number of homicides. They would, said Hoover, help keep guns out of the hands of the wrong people.

Zimring basically agrees, although he believes that the number of homicidal assaults would probably remain the same, with people using knives instead of guns. But even that, he reports, would be a gain because fewer people die from knife than from gun wounds.

The point is that it is the availability of weapons that has led to the gun slaughter in the United States. At least that seems to be the case from the experience of states and cities in which guns are hard to get.

Only experience will tell whether new Federal laws will have a dramatic impact on the gun death rate in the United States. But there is evidence, both here and abroad, that restrictions on the availability of guns tend to save lives.

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[From the U.S. News & World Report, June 17, 1968]

#### 100 MILLION GUNS IN THE U.S. TODAY

The fatal shooting of Robert F. Kennedy has focused public attention, once again, on such facts as these:

- There are an estimated 100 million firearms in the hands of U.S. citizens. The National Shooting Sports Foundation reports that about 40 million Americans own guns of some sort.

- In 1966, firearms were used in more than 109,000 crimes of violence—6,552 killings, 43,500 aggravated assaults and 59,680 robberies.

- Gun sales to private citizens are increasing as rioting spreads, crime rates rise and people lose confidence in police protection.

The United States is fast becoming an armed camp.

It was concern over this situation that spurred Congress to write stiffer controls on gun sales into the 1968 anticrime bill.

#### MAIL SALES BANNED

That measure, passed by the House and sent to President Johnson on June 6, would forbid mail-order sales of handguns—pistols and revolvers.

It would also bar over-the-counter sales of such weapons to minors or to persons not residents of the State.

Sales of rifles and shotguns—the weapons used by game hunters—would not be affected directly by these curbs, and pistols still could be bought by most Americans.

Reports from many parts of the nation indicate that more and more Americans are buying firearms for self-protection.

A wave of gun buying followed the April riots that were touched off by the assassination of the Rev. Dr. Martin Luther King, Jr.

The rush to buy weapons was stimulated, in part, by a feeling that officials were not acting quickly enough or strongly enough to protect homes and business properties.

Even before the April riots, people in many communities were arming themselves in anticipation of "a long hot summer" of racial violence.

In the Detroit area, in March, there were reports of an "arms race" between white and black residents.

#### SELF-DEFENSE

Whites were buying guns—and even women were practicing their use—in fear that Negro rioters would invade white neighborhoods. And Negroes were reported stockpiling guns in fear that whites would start slaughtering blacks at the first sign of any racial trouble.

Detroit Mayor Jerome P. Cavanagh went on television March 7 to warn of the dangers of such an arms race.

A University of Michigan professor, Ross Wilhelm, replied in a radio talk: "The citizens are buying guns to protect themselves, not to kill each other. . . . The bulk of the gun sales are to individuals who have lost confidence in the ability of government to protect them."

In the Washington, D.C., area, as crime increased following the April riots, guns were bought by hundreds of storekeepers and homeowners—in suburbs as well as in the capital itself.

From other communities have come reports such as these: Gun sales "rocketing" in Baltimore; gun shops "doing a good business" in Newark; handgun ammunition "almost impossible to buy" because of heavy demand in Milwaukee;

white householders "arming themselves" in Cincinnati; "everybody's buying guns" in Reno, Nev.; dealers "have sold enough guns to equip 15 infantry divisions" in Massachusetts.

Extremist groups—both black and white—have been stockpiling arms.

J. Edgar Hoover, Director of the Federal Bureau of Investigation, recently told a congressional committee:

"Reports on investigations of black nationalist extremists are replete with allegations that [they] have obtained firearms and are encouraging residents of ghetto areas to obtain weapons."

#### TOUGHER LAWS?

Questions are raised as to whether new laws would help much to keep guns out of the hands of the potential killers.

California has what many regarded as a "model" gun law.

Yet the .22-caliber pistol used to shoot Robert Kennedy went through several hands and wound up in the possession of Sirhan Sirhan, an alien from Jordan living in California.

Police officials said investigation showed: The gun was purchased in 1965 by a man whose wife later gave the gun to their daughter who said she gave it late last year to an 18-year-old neighbor. The youth said he sold the gun to "a bushy-haired guy named Joe," who was identified as the suspect's brother, Munier Sirhan.

Officers said Munier Sirhan told them he had no idea how his brother got the weapon.

The assassins of President John F. Kennedy and of the Rev. Dr. Martin Luther King, Jr., evaded the gun laws of Texas and Tennessee by using rifles, which are not covered by the laws.

[From Gun World, July 1968]

#### SMITH & WESSON'S CASELESS ROUND MACHINE GUN

In September, 1965, Gun World's man in the East penned a piece dealing with the general chaos and frustration encountered during experimental sessions relating to an electrically detonated round.

*The Shocking World Of Hit Or Miss* promised handloaders a future free from the hazards of primer crouch and trimmer's hand. Little did Bob Zwirz know, at the time, just how close his verbal-spoof would come to reality!

At Smith & Wesson, a group has been working since 1965 on experimentation and development of a system encompassing a caseless cartridge, electrical ignition and the armament to utilize this concept.

Experimental work in this field is not new by any means; however, only recently have trial and error been reduced to a level where workable systems have proven themselves under rigorous testing. According to little published reports, the idea of a caseless round dates back to a German World War II project which terminated, in an incomplete stage, at the time of their surrender.

Further study and development has been carried on at our own Frankfort Arsenal resulting in workable, caseless rounds in two different calibers. In addition to these government-sponsored research programs, there has been some mighty interesting new product information coming to us from the Daisy Manufacturing Company, a subsidiary of the Heddon Corporation. All of this sustained interest, plus intensive research on the part of interested groups, is fast adding up to a point where caseless rounds someday may replace the multi-component cartridges now used. When this day arrives it will be of great logistic merit, especially where military weapons systems and their ammunition requirements are involved. Carried to ultimate perfection, the caseless round, fired electrically, well could be the answer to the business of creating a super-accurate projectile; a round so free from the built-in problems and variables common to conventional ammunition requiring several components that theoretically it could develop the art of precision-shooting to a degree never thought possible by those who have come to realize the inherent weakness of present ammo.

We preferred waiting until a Smith & Wesson Model 76 submachine gun was operational, modified to handle their caseless rounds, rather than work solely with the Swedish Carl Gustaf gun that had been modified during initial testing. So it was that Zwirz arrived at S&W's Springfield, Massachusetts, plant, having been given the green light by Bill Gunn, president of Smith & Wesson.

The first thought that struck Zwirz, following a detailed examination of a gun modified to fire the caseless round, was the simplicity of both the method used and the gun, itself.

"I would assume that someone made a similar statement upon viewing the first completed wheel!" Zwirz admits.

*"I use the word, simple, mainly to convey the fact that as far as internal working parts are concerned, any of the modified guns now in use feature fewer working parts than necessary for use with conventional ammo. Since I spent my first hours at the plant becoming familiar with the weapons modifications required for firing of the caseless rounds, I'll first discuss the guns currently being used for experimental tests,"* Zwirz reports.

*"When viewed quickly, in profile, either the Swedish gun or S&W's Model 76 seem to have but three external modifications that strike the eye. First, and the most noticeable, is the battery-box located just forward of the trigger guard; next is the wiring that connects batteries to power-switch and the power-switch to the electrode built into the bolt face. The electrical charge is delivered from two twelve-volt batteries that provide all the ignition necessary; one particular gun has had near 50,000 rounds put through it and still is operating on the same two batteries. In addition, it has been found possible to use rechargeable batteries, or for that matter, S&W has worked out a system wherein either a portable or permanently housed generator can be utilized as a consistent source of electrical power and known output."*

Smith & Wesson have worked out their electrical system so that it is impossible for the gun to be fired until the bolt has moved into its forward position. Both the Carl Gustaf and the Model 76 fire from the open-bolt position; thus anyone not familiar with the hard trigger pull finds himself a little uncertain during the first minutes on the range. The trigger itself acts like a switch, whether the gun is set on semi-auto or auto.

*"For all practical purposes of comparison, there is no great difference between firing a standard Smith & Wesson with regular 124-grain 9mm Luger cartridges, or a modified gun handling the caseless round. There is no appreciable recoil with either submachine gun, although I am positive there is less of a sharp, audible report when firing the caseless ammo."*

Both weapons utilize the same thirty-six-round box-type magazine issued for firing the 9mm Luger ammunition in the conventional models. With the guns field-stripped, Zwirz noticed that chamber length appeared to be considerably longer than the length of the round itself, which measures about one-inch.

The standard .355 diameter of conventional 9mm rounds is maintained with the caseless. A little hand-fitting of the front end of the bolt, in the chamber, showed tolerances to be very exacting; no doubt to act as a reliable breech seal during ignition.

During firing tests with S&W's caseless rounds, the submachine gun had no tendency to "walk" up the target or transmit any noticeable torque. Visual recoil, as transmitted to the shooter, seemed noticeably lighter with the caseless ammo.

Performance data for the caseless rounds now in use are remarkably similar to that recorded for the 9mm Luger loads. Chronographed velocities for the two different rounds show figures averaging around 1150 fps for each. Accuracy was not essentially different whether firing conventional ammo or the experimental caseless rounds.

Firing from twenty-five and fifty yards, all shots could be easily held in a fourteen-inch group—at twenty-five yards this tightened to between ten and twelve inches.

*"Surprisingly, the only item that stuns the shooter for the first moment or two, while firing caseless rounds, is where is all that fired brass? Just as suddenly it dawns that this is what the man has been trying to tell you about! And so it is that Smith and Wesson rates two points for neatness."*

*"Groups fired single shot from a benchrest position have showed far more conclusively that accuracy-potential is no problem with the S&W 76, whether the shooter uses conventional or caseless; two or three-inch ten-shot groups are part of the built-in quality of the product when placed in the hands of an experienced shooter."*

*"A while back, we touched on the not unimportant business of logistics—consider that the present caseless round weighs about thirty per cent less than standard loaded 9mm ammo and is in the vicinity of .15 or .16 inch shorter. In situations calling for quantity transportation, this adds up to a considerable*

*saving in bulk and mass weight; a vital factor where fast-arrival requires the use of aircraft for transport.*

*"Though there have been problems with ignition during past months, none of use experienced any malfunction during our lengthy sessions with the fast-talking choppers and their radical new caseless rounds. Encouraging as this seems to all who have worked with this new system, it is but part of the problems requiring a solution before the caseless/electric concept is finalized," Zwirz reports.*

As of this date, no completely satisfactory answer has been found to render the cartridges' solid propellant fireproof and waterproof. These particular bugaboos will probably be solved, once a reliable exterior finish is hit upon that will offer the needed durability and safety factor, without hindering the ignition characteristics of the molded propellant mixture. The composition of this propellant, by the way, is a highly guarded secret that has seen constant revision over the past years. Since some batches of the caseless round propellant have offered less perfect ignition than others, research must be continued to obtain a more stable charge for positive ignition.

Unfired rounds are removed from the chamber by means of a cleaning rod and eventually it will be necessary to design the round so as to make extraction and ejection possible, short of ramming the projectile out by hand.

The S&W people feel that the primary forte of this concept lies within the needs of our military; for this reason they have correctly tied their testing to their Model 76 9mm machine pistol, a light-weight, compact weapon offering excellent firepower for close assault or defensive work. Even with conventional ammo, this selective machine-pistol weights by 8¼ pounds fully loaded. With a cyclic rate of 720 rounds per minute, almost no recoil problem, simple take-down, plus amazing reliability under combat conditions, it is a natural for both the armed services and, when maximum firepower is required, by law enforcement agencies.

Bill Gunn admits they have not contended themselves with a military weapons system alone. His staff realized the potential for caseless rounds and sporting rifles, so the brains operating out of Springfield are working out some pleasant surprises for members of the shooting fraternity craving the same firearms sophistication being made foolproof for more serious applications.

*"Logistics aside, I see future guns featuring internal simplicity, without the negatives of lock time, firing pin travel, trigger problems or the recoil factor. And along with this step forward, ammunition of such constant quality that the variations between cases, powders and primers will no longer cause precision shooters one single gray hair."*

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[From the July 1968 issue of Guns magazine]

#### NEW .22 RIMFIRE SUBMACHINE GUN

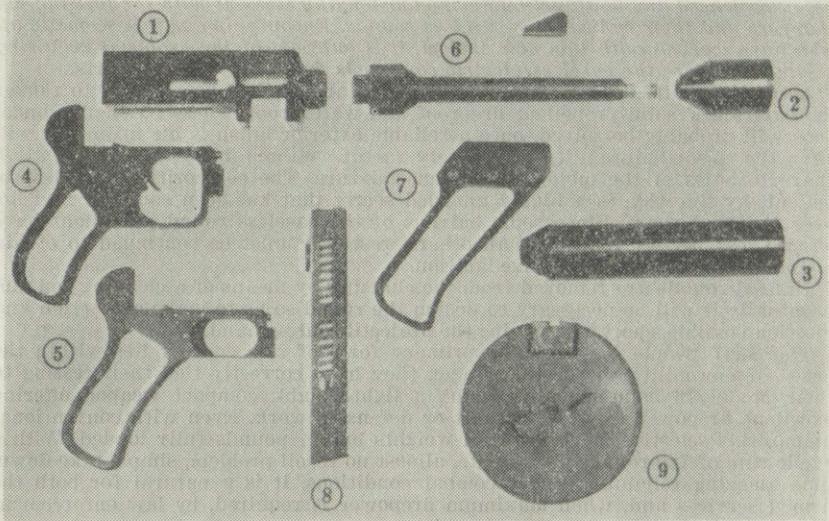
(By John Broz)

While not a military cartridge, the .22 Long Rifle has certain advantages which could be applied to military usage. It is low in cost; light in weight; and effective as an anti-personnel cartridge within certain limitations.

With these thoughts in mind, Hans Seggern, a gun designer from New Jersey (22 Carpenters Pl., Cranford, N.J. 07016) worked on the development of a military weapon which utilizes this popular cartridge. His design is a unique .22 submachine gun which could be used as a survival weapon, a special purpose weapon for guerrilla warfare, or as a basic training weapon for indoctrination of soldiers into the aspects of full automatic fire.

The mechanical features of the Seggern .22 SMG are as unique as its appearance. It is only 17" over-all (23" with silencer), and weighs from 2½ to 2¾ lbs., depending on accessories used. The prototypes shown have a cyclic rate of fire of 750 rounds per minute. Following the parts photograph, we see the receiver (1) which contains the bolt, bolt handle, and driving spring. The .22 SMG has no extractor or ejector; these functions are performed by the gas trap (2), which holds the empty case on the face of the bolt until it has recoiled back to a point where the case is tipped off of the bolt face by a lip on the magazine, and ejected.

The silencer (3) also acts to trap the gas and hold the empty case against the bolt face.



Trigger assemblies are of several different types. The double trigger arrangement (4) has the top trigger operating full automatic and the bottom trigger operating as a semi-automatic. A single trigger assembly (5) can, with interchangeable searing, operate as either semi-auto only or full auto only. With a semi-auto trigger assembly, this gun could be sold as a self-loading pistol, and would not violate the federal machine gun laws. (This is, of course, subject to examination of the gun and interpretation by federal authorities—editor).

The barrel (6) is secured to the receiver with a large threaded nut. The front hand grip (7) attaches to the barrel, and incorporates the front sight. Several magazine styles are available: the 20-round straight clip (8); the 80-round drum magazine (9); or a 40-round, two-position feed, staggered column curved box magazine (not shown).

The .22 Seggern SMG operates on the straight blowback principle, and fires from an open bolt. The firing pin is machined on the bolt face. The prototype models shown here are made mainly of aluminum, with the exception of the barrel liner, bolt, trigger, and sear parts. Aluminum parts were made of bar stock, but production models would utilize die cast components.

One of the prototypes has fired more than 6,000 rounds without a malfunction, and the combination of aluminum and chrome-plated steel parts required no lubrication. The designer says that accuracy is comparable to a good plinker, and shooting full auto, all the shots can be held into a man-size target at 50 yards.

Searching for possible applications for the .22 SMG, we should first look at the ballistics of the .22 LR cartridge. The .22 LR High Velocity cartridge, with a 40 grain bullet, has a muzzle velocity of 1335 fps and a muzzle energy of 158 ft. Not impressive by today's standards, but certainly not harmless. Then take a look at the weight of the ammunition. A case of 5,000 rounds of .22 LR weighs about the same as 800 rounds of .30-06; or 1,500 rounds of .30 Carbine. The ammunition cost differential is equally impressive. Even if purchased at commercial retail prices, you can buy almost 200 rounds of .22 LR for the same price as 20 rounds of .223 ammunition. This cost factor is important when you consider using the .22 SMG as a training weapon for the military.

When used as a special purpose military weapon, the light weight and compact size of the .22 SMG are all important. The gun and 1,000 rounds of ammunition would weigh only a few ounces over 10 lbs. Also, the noise level of the .22 LR is minimal compared to almost any other caliber, and with the optional silencer, the .22 SMG has a report comparable to a BB gun.

The Seggern .22 SMG is still in the development stage. The design could be refined as military agencies make known their specific needs; perhaps ammo

using a jacketed bullet; a higher or lower cycle rate of fire; configuration more like existing SMG's; or even a new, hotter, rimfire cartridge. If the military can find the need or needs for such a weapon, Hans Seggern is ready with his unique .22 LR submachine gun.

[From Newsweek, June 24, 1968]

#### A QUESTION OF GUNS—SENTIMENT GROWS FOR TOUGHER CONTROL LAWS

Among the myriad strands that make up the American heritage, guns have a significant, and disturbing importance. In Brooklyn last week, a 5-pound baby girl became part of this heritage a bit prematurely. She was born already wounded by a casual bullet that struck her mother while standing at an apartment window, and thus she became an appropriate symbol for the 100,000 or so Americans who will be struck down by firearms this year.

Alone among the major nations of the world, the United States permits its citizens almost unlimited access to guns. Inevitably, it also pays a high toll for the privilege. Four American Presidents, and some of its foremost leaders, have been felled by assassins' bullets (photos, right, of the guns used to kill them). At last count, President Johnson has said, guns were being used in 6,500 murders each year in this country. They are also involved in 10,000 suicides a year, 2,600 accidental deaths, 44,000 serious assaults, 50,000 robberies and 100,000 nonfatal injuries. Since the turn of the century, according to the Department of Health, Education and Welfare, three-quarters of a million Americans have lost their lives to privately owned guns—a third again as many as have been killed in all the wars in U.S. history.

In a nation with a frontier tradition, this grisly record has somehow been accepted as a matter of course. The U.S. is a land where children get toy guns at the age of 4, graduate to air rifles at 12 and go right on yearning for the prestige and power of "real guns." It is the land of the "Saturday night special"—any cheap, low-caliber revolver displayed proudly at bars and dance halls. It is a land where roadside signs are often pocked with bullets fired for sport from passing cars, and psychopaths like Charles J. Whitman and Richard Speck engage in wholesale slaughter. Despite the fact that the U.S. is the most highly developed industrial nation in the world, it is, increasingly, a country where guns have become the deadly means for settling disputes. "Two friends have an argument," says Detroit police commissioner Ray Girardin. "One pulls a gun and shoots the other, apparently just because he's got the gun."

#### "ALARMED"

In recent months, people have been buying many more guns than ever before—almost certainly in response to the racial tension that has erupted into riots in more than 100 cities. "People are overly alarmed," worries Frank Flanagan, commander of homicide for Chicago's police department. "White and black people are overreacting, and it's just snowballing." In Texas, a Negro newspaper carries an ad for a "long hot summer special": a snub-nose revolver for \$39.88. In San Francisco, a white advertising executive decides to keep his guns even though he no longer hunts. "It's that big black mass out there," he explains. In Dearborn, a suburb of Detroit, white housewives enroll for pistol practice. And on Chicago's South Side, a young black man says, "A gun is status—that's why they call it an equalizer. What's happening today is that everybody's getting more and more equal because everybody's got one." And, indeed, in Sacramento, heavily armed members of the militant Black Panther Party invaded the state-capitol in protest against a proposed gun-control bill.

In Washington alone, sales of handguns have risen by more than a third in the past year. For the country as a whole, President Johnson estimated last week, sales of all guns are at an annual rate of 2 million. But this is almost too low. Excise-tax figures, while admittedly sketchy, indicates that sales are really running at an annual pace of 4 million, up 30 per cent from last year. Obviously, the sales of guns is big business.

For a time it seemed that each new outbreak of racial violence, each new shooting of a public figure, only added to what has become a domestic arms race. "About the time Martin Luther King was assassinated," says a Los Angeles policeman, "gun sales here just about tripled." But then, two weeks ago, came

the shooting of Robert F. Kennedy—and with it a wave of revulsion against guns and their works.

Perhaps it was the brutal parallel to the assassination of President John F. Kennedy; perhaps it had something to do with the fact that Robert Kennedy had himself pleaded for sanity in the form of stricter gun legislation. Or perhaps it was simply horror at what was, finally, too much blood. In any case, the nation reacted:

Alan Schoening, a hunter in Lancaster, Pa., for the past twenty years, walked into a police station and handed over a rifle and a shotgun. "I want to give you these so you can destroy them," he said. "I don't feel like killing anything any more." Schoening wasn't alone; citizens turned in more than 280 weapons in San Francisco, 175 in Chicago. In other major cities across the country, the story was much the same.

"We finally decided that this was one classification of business we could do without," said J. A. Baer. Baer's St. Louis store, Stix, Baer & Fuller, discontinued sales of guns and ammunition and turned over \$25,000 in inventories to police and conservation agencies. In Columbus, Ohio, the J-Mart discount stores did the same with merchandise worth \$20,000. Boston-based Jordan Marsh, New England's largest store chain, followed suit.

In Los Angeles, the 680 pupils of the Crescent Heights elementary school piled up 150 toy guns at a school assembly and threw away, in token of respect for Senator Kennedy and renunciation of violence. In Queens, N.Y., 1,000 pupils from kindergarten through the sixth grade turned in their toy weapons and watched while they were ground to bits by a city truck.

In spontaneous reaction across the country, hopeful little lobbies sprang up overnight to crusade for tough new firearms controls. In Toledo, which has been called "the gun center of the Midwest," Mayor William Ensign invited participation in what he called a "people lobby." Elsewhere, citizens took newspaper ads in the form of coupons that could be signed and sent to congressmen, and newspapers printed their own similar form letters.

The response wasn't long in coming. "The deluge began Monday, with more than a thousand letter, telegrams and coupons, and has increased in volume since then," said New Jersey Sen. Harrison Williams Jr. Michigan Sen. Phil Hart counted 975 letters, running 10 to 1 for stricter controls; Indiana's Birch Bayh, whose mail had been running 100 to 1 against controls, now counted only fifteen anti-control voices in a flood of 1,400 letters and wires. Williams got more than 8,000, and called it the biggest outpouring on a single issue in his nine years in the Senate.

There was, of course, already a gun-control bill. Tacked to the omnibus anti-crime bill and rushed through Congress in the emotional wake of the latest assassination, the bill was awaiting President Johnson's signature as the first new gun-control law in more than 30 years. It had been a surprising defeat for the gun lobby, rightly called one of the toughest in Washington. The new law would ban, for the first time, mail-order sales or over-the-counter sales of handguns to any person outside his own state. But President Johnson himself called the new bill a "halfway measure" and demanded more—Federal control over the "deadly commerce" in shotguns and rifles as well as handguns. Sen. Thomas Dodd, the Connecticut Democrat who has been the Senate's most persistent advocate of gun control, promptly submitted a new bill meeting the President's specifications and another calling for registration of all firearms. Other senators, notably Maryland's Joseph Tydings, went even further with bills requiring a license to buy either guns or ammunition, and forbidding such licenses to drug addicts and convicted felons.

The message was plain—so plain that eight senators who had previously opposed a bill banning mail-order sales of rifles and shotguns now announced they were signing up as sponsors of it. Among them was Democrat Warren Magnuson of Washington, one of the Senate's most influential figures. Gun controls are far from popular in the State of Washington, as Magnuson noted. "But," he told the Senate, "for me, this has become a matter of deep conscience."

#### DIVISION

With that, the die was cast. The powerful gun lobby, as stunned as it was astonished by the tide that threatened to undo 30 years of steadfast opposition to new gun controls, showed cracks in its united front. The militant National Rifle Association fired off a frantic bulletin to its 900,000 members, warning that they were threatened with "complete abolition of civilian ownership of arms," and

urging a write-in campaign against controls, NRA president Harold W. Glassen cried that the right to bear arms "is in the greatest jeopardy in the history of our country."

But the nation's three biggest producers of guns and ammunition, Winchester, Remington and Savage Arms, joined in endorsing a watered-down form of the Administration bill. Passage of tough new controls, while not certain, looked better than probable, and even longtime foes such as Illinois' Everett Dirksen were hinting that they might change their minds. On Capitol Hill, Congressional lawmakers seemed ready to bow to necessity as they quoted Victor Hugo's observation that "no army can withstand the strength of an idea whose time has come."

But how long it has taken. With their frontier traditions, Americans have long assumed that they have a constitutional right to own and use guns. What the Constitution actually says is not quite that; in the words of the Second Amendment, "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." Understandably, the pro-gun forces tend to focus on the second half of this sentence, but courts have stressed that the right is pegged firmly to state militia requirements. In 1939, for instance, the Supreme Court upheld restrictions on sawed-off shotguns with the observation that such weapons were not part "of the ordinary military equipment."

#### STAFF STUDY

So far, the Constitution has been amplified by only two Federal laws—both of them passed in the 1930s in reaction to the era of gang warfare. A 1934 act required registration and a \$200 transfer tax on sawed-off shotguns and rifles and fully automatic weapons; another, four years later, said that interstate dealers must be licensed, and banned weapons shipments to or from felons, fugitives from justice or persons under felony indictment. In practice both bills proved nearly meaningless and all but impossible to enforce. In a recent staff study of 4,000 guns shipped from Los Angeles mail-order houses to buyers in Chicago, a Senate subcommittee discovered that 25 per cent of the gun buyers had criminal records. Partly to deal with this problem, Postmaster General Marvin Watson last week ordered postal officials not to deliver firearms without notifying local police of the shipment and its destination. This may help, but estimates are that most gun shipments don't travel by U.S. mail anyway—and the biggest private carrier, REA Express, has shown little enthusiasm for following Watson's lead. "Our policy will be reviewed," a spokesman said. "But how far can we go beyond what we're doing? We have no legal right to hold up a delivery." He added, with some sophistry: "Should we stop delivering exercise machines to people who we know have heart trouble?"

#### IMPRISONMENT

In contrast to the loose U.S. law, Britain, which counted only 30 murders by gunfire last year, imposes an elaborate system for licensing gun owners and registering all sales of guns and ammunition. French, Italian and German laws are at least tough; Spanish procedures are even more difficult. In Japan, only police officers are allowed to own handguns. In most of Russia, private ownership of rifles and revolvers is punishable by as much as two years' imprisonment (special rifle permits can be issued in the far north and in Siberia).

The U.S. substitute for central control is a patchwork of some 20,000 state and local laws. Some of these are tough and strictly enforced; New York's famed Sullivan Law, for example, which bans ownership of handguns without police permission, is so tightly administered that New York City, with a population of 8 million, has issued only 17,000 permits. But other states permit the sale of practically anything to practically anybody, and mail-order buying is even easier. Thus, a good deal of the effect of strict local laws is watered down. Massachusetts residents, for instance, must appear before their local police chiefs to explain why they want pistol permits. But they can simply drive to Maine, New Hampshire or Vermont and buy a pistol with no more formality than showing their drivers' licenses. Of 988 guns sold last year in one New Hampshire border town, only 108 went to buyers claiming residence in New Hampshire.

Operating within this jumble of laws is one of the nation's oldest and oddest industries. It was in making guns that Eli Whitney first demonstrated the feasibility of mass production, yet today there is still so much handwork in a fine sporting weapon that most manufacturers are turning increasingly to overseas production to get the benefit of low foreign wages. It is a business where prices

range from \$9.50 for a cheap "potmetal" imported revolver to \$5,000 for a show-piece shotgun—and on up to \$20,000 for a custom-made masterpiece meant for the very wealthiest of gun fanciers.

Beyond such basic facts, information about the gun business is mainly conjecture. Nobody knows, for instance, just how many privately held guns there are in the country; supposedly knowledgeable estimates range all the way from 50 million to 200 million, or one for each inhabitant. It seems likely, from past trends and current estimates, that 1968 domestic output will total slightly less than 2.5 million weapons, up from 1.9 million in 1963, the last year when an official count was taken. Imports are growing considerably faster, particularly imports of handguns; in the first four months of this year, handgun imports were running at an annual rate of 1.6 million, twice the 1967 rate. Rifles and shotguns will account for another 550,000 imports this year.

All told, nonmilitary arms and ammunition sales added up to nearly \$350 million last year—a figure, based on excise-tax collections, that doesn't include distributors' and retailers' markups. A 1965 study said the industry provided 20,000 manufacturing jobs and sold its wares through more than 100,000 retail outlets; in addition, 1,600 companies were making hunting and shooting accessories.

At least 15 magazines concern themselves with nothing but hunting, shooting and advertising for the world of guns. Backing up the conventional retailers are an army of mail-order firms, ranging in size from Virginia's Interarmco (the free world's largest dealer in firearms and by far the biggest U.S. distributor of imported guns) to thousands of penny-ante distributors operating from post office boxes. Each year, 50,000 to 60,000 people pay the \$1 Federal fee that qualifies them as licensed dealers—some actually intending to deal, others merely to qualify for reduced wholesale prices and exemption from some local laws.

The impact of guns on the total economy is considerable, particularly when the consequences of hunting are reckoned. The National Sporting Goods Association calculated that in 1963 hunters used \$261 million worth of automotive products in driving 4.8 billion miles to go hunting, and spent another \$675 million on food, lodging, drink and hunting equipment other than guns and ammunition. Counting everything, NRA president Glassen asserted last week, the gun industry is worth \$2.5 billion a year.

The firms that share this market tend to say little about their operations at the best of times: last week, under the hottest public attacks in living memory, they were even more reticent than usual. Sales and profits are literally impossible to determine, since all of the five biggest companies are now parts of large corporate empires and most have diversified internally as well. But by common consent, Winchester-Western (an Olin Mathieson subsidiary) and Remington Arms (E.I. du Pont) are neck and neck for the lead in the long-gun market, and between them control 80 per cent of the ammunition trade. Savage Arms (Emhart Corporation) is said to be third in long guns, while Colt Industries (flagship company of what used to be the Fairbanks Morse empire) and Smith & Wesson (a Bangor Punta subsidiary) are the major names in domestic handguns. As to profits, says a spokesman for one major company, they have been doing nicely: "They rise about in line with the increase in sales. It's not a wildly remunerative business, like the drug industry or some others I could name."

This whole economic structure is threatened by the crusade for gun controls; clearly, any successful move in this direction can only lower total sales. Hence the gun lobby, one of the least known and most effective pressure groups in Washington. It is dedicated to upholding a curious set of contradictory arguments: first, that the proliferation of guns has nothing to do with crime; second, that gun control wouldn't do any good, since criminals would find ways to get guns anyway; third, that more restrictions would only hamper 30 million law-abiding gun lovers; and finally, that gun control is unconstitutional.

But these are only the formal arguments. As viewed by the National Rifle Association, the striking edge of the gun forces, the true issues are deeply rooted in the nation's basic gun mystique and what amounts to a conspiracy to deprive Americans of their birthright. The association's own attitude toward firearms is perhaps best summed up by a photo illustrating one of its press releases: a wholesome, grinning urchin toting a shotgun and a rack of dead pheasants. "Happiness," says the blunt caption, "is a warm gun."

## HERITAGE

Such a message, however, seems hardly likely to tug at the heartstrings of America; in Gallup polls dating back to 1937, majorities of 75 per cent or more have consistently favored stronger controls over the possession and use of firearms. Yet there can be no doubt that the NRA is riding a deep current in the American tradition: the self-reliance and individual responsibility that tamed a wilderness and built a nation. This feeling is by no means dead even in the sophisticated eastern half of the nation, but it runs strongest in the West and the deep South—and it runs through all layers of society. Pulitzer Prize winner Hodding Carter, publisher of Mississippi's Delta Democrat-Times, recently told how his son, Hodding Jr., had written an editorial condemning the Ku Klux Klan and had later received threatening phone calls. The elder Carter thereupon took his .38-caliber revolver and paid a call on a local Klan official. "I twisted the barrel in his stomach," Carter told a San Francisco audience, "and said, 'If you harm a hair on my son's head, you're a dead man.'" If the threat wasn't precisely legal, it didn't much matter; the local police chief, standing behind Carter, told the Klansman that if Carter missed, he wouldn't.

The basic fascinator of guns is a matter of debate. Some psychiatrists explain it entirely in sexual terms. A gun, they say, symbolizes the male organ and enhances its owner's feelings of potency. More broadly, Manhattan psychiatrist Kenneth Z. Altshuler maintains that a gun represents power of all kinds. In either case, guns are apt to mean considerably more to their owners than most other bits of machinery. "We are not about to surrender our firearms," an Indiana man recently wrote his senator. "Not to you or your appointed Gestapo. I'll kill anyone who tries to take away my gun."

## CONFISCATION

So far, of course, no law proposed has sought to take away guns from anyone except convicts, kids and crazy people. The NRA officially says it would have no objection to this if a workable law could be found—but in messages to its members, the rifle association has consistently argued that any new law would be just the first step toward final confiscation of all private weapons.

Thus, NRA president Glassen last week denounced the avalanche of gun-control mail to Congress as a "mass attempt" to "disarm American citizens." As Glassen saw it, "We are witnessing an almost unbelievable phenomenon in America. We see Americans behaving like children, parroting nonsense, accepting unproved theory as fact and reacting as the German people did in the 1930s [when] the Goebbels propaganda mill drilled lies into their subconsciousness and dictated their every move." And, referring to Senator Tyding's televised statements favoring gun control and urging popular support, Glassen added: "I am not so sure it is not a conspiracy when a Senator appears on national television."

Such a diatribe seems little more than silly, but it pales beside some of the statements made by supporter of the gun mystique. A Los Angeles gun dealer said darkly: "The Communists are just waiting for us to get rid of all the guns."

The views of the pro-gun forces are reinforced by gun dealers over the country, many of whom display the NRA slogan that "Guns Don't Kill People. People Kill People." Many also stoutly insist that they take the most careful precautions to screen their customers and restrict sales only to those who can properly identify themselves. Yet Newsweek's George Alexander walked into a store in Houston last week and bought a small .22-caliber revolver by supplying nothing more than the price, \$16.18, and what he said was his name and address. No identification whatsoever, such as a driver's license, was requested by the store. "Later," Alexander reported, "I called the owner, identified myself as a reporter and talked to him about gun sales, but without telling him that I had bought a gun from him. He assured me positively that he never sold a gun without first carefully identifying the would-be purchaser. This simply is untrue."

Few could argue that even the strictest laws would have prevented the assassination of Robert Kennedy; the gun used to slay him was registered in California. But even the gunmakers themselves are coming around to the view that tighter

control is probably inevitable. As long ago as 1965, Winchester general manager William L. Wallace told a shocked audience of gun buffs that "we destroy the validity and influence of our position . . . when we adopt blind adherence to unsupportable causes lurking on the fringes of our sport." Last week, feeling the cause increasingly unsupportable, Winchester enlisted Remington and Savage in a strategic retreat: the three companies actually endorsed controls on mail-order sales of long guns, and proposed a permit system for gun owners.

To be sure, the big three had not totally surrendered. They proposed, for one thing, that any Federal law should permit reluctant states to opt out of its provisions, and they favored permit systems on a statewide, not national basis. Maintaining an old industry stand, the companies also urged better enforcement of existing laws and harsher penalties for the abuse of firearms. But the statement said clearly that "society's fears are real and legitimate . . . The gun fancier who is blindly opposed to any law, however well conceived, is not representative of 30 million gun owners." A Winchester man conceded this would be hard to convey to customers: "We will have to do a hell of a job of education."

The tide obviously was turning. Late last week, Senate Majority Leader Mike Mansfield, a Westerner and a longtime foe of gun controls, himself endorsed the Tydings bill. Presidential Assistant Joe Califano, briefing reporters at the LBJ Ranch, said the White House had received 5,000 letters on gun control, 11 to 1 in favor of the President's stand. There would, Califano pledged, "be no stone left unturned" to get the Administration's bill passed—and he hinted that the White House is not flatly opposed to the licensing provisions in the Tydings bill. "This is a total effort," Califano said.

A total effort may still be needed. Impressive as the avalanche of mail has been, another one is bound to hit Washington as a result of the NRA appeal to its members—and in the past, no one has challenged the NRA's boast that it can mobilize 500,000 letters on a gun issue within 72 hours. Sen. Roman Hruska, a Nebraska Republican and a longtime backer of the NRA, already has pending a bill that would water down the mail-order provisions to a simple requirement that buyers must sign an affidavit saying they are in compliance with the law. On balance, though, Newsweek's chief Congressional correspondent, Samuel Shaffer, reports that the Administration bill is the probable winner, with a fair chance that Dodd's registration provisions may be tacked on.

#### INCONVENIENCE?

If these measures pass, they will undoubtedly inconvenience the vast majority of gun owners who never cause anyone any trouble. But the inconvenience would be no more than the trouble of getting a driver's license—or a hunting license, for that matter. Thus far, control is nowhere near confiscation. And if New Jersey's experience is any guide, a national law might well offer the first real hope of weeding out the obviously unstable or criminal types to whom guns appeal most strongly. In the two years since New Jersey's stiff licensing law took effect, state officials have granted 89,000 permits—and turned down 1,600.

In the longer run, it may be well be that the NRA is right—that gun-control measures will end in a drastic reduction in the number of guns available to the public. That is, after all, the path already taken by most civilized nations—and it is an undoubted fact that deaths and injuries from guns are lowest where there are fewest guns. But any such trend would have to be legislated in Congress and approved by the people; it would mean nothing less than a national decision to forgo the use of guns for personal defense, come what may.

If that time is still a long way off, it may be coming. On Manhattan's East Side last week, a housewife pushing her 4-year-old in a stroller one bright afternoon was stopped four times in nine blocks by women who were horrified that the boy was brandishing a plastic toy pistol. "That's where it all begins," one of the strangers protested. And another said simply: "Don't let them play with guns. I can't stand to see it any more."





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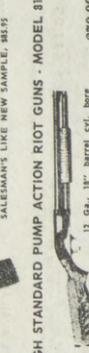
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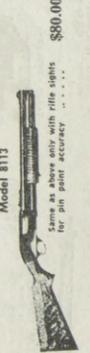
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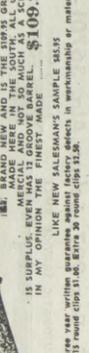
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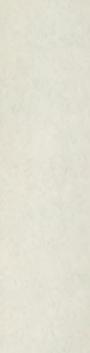
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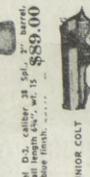
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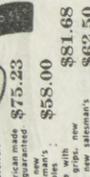
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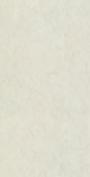
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