

**Opinion No. 21-2895**

April 5, 1921

**BY:** HARRY S. BOWMAN, Attorney General

**TO:** Mr. S. S. Leach, Gladstone, New Mexico.

**Carrying of Guns.**

**OPINION**

{\*42} In reply to your letter of the first instant asking me to advise you regarding the law governing the carrying of rifles or shot guns, and of six shooters, not concealed, I would advise you as follows:

{\*43} Section 1701, Code of 1915, provides that any person "who shall carry a deadly weapon, either concealed or otherwise, in or about the settlements of this state, except it be in his or her residence or on his or her landed estate, if intoxicating liquors are not sold on any such premises, or in the lawful defense of his or her person, family or property, the same being then and there threatened with danger, or except such carrying be done by legal authority," shall be subject to fine and imprisonment.

Section 1707, Code 1915, defines a deadly weapon as all kinds and classes of pistols or any kind or class of pistol or gun, etc.

From the foregoing you will note that the carrying of rifles, guns and six shooters, either concealed or otherwise is prohibited in this state.