



# The Antique Arms Gazette

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## The First Newsletter

Here it finally is – the inaugural Old Guns Canada Newsletter, featuring a selection of stories and articles for the antique gun collector and enthusiast. You will find collecting news, history and trends in the world of antique guns, and stories about their makers, inventors and notable owners. I hope you will enjoy the content and I invite you to contact me with your ideas and comments.

## Antique Guns and the Law

First off, do not take this as being legal advice, because I am not a lawyer. I have studied the “Regulations Prescribing Antique Firearms” SOR/98-464 and import my antiques based on these regulations. In Canada, a firearm is deemed an antique if:

1. It was manufactured before 1898.
2. *and* it is a matchlock, wheel lock, flintlock, cap-and-ball or cartridge gun in a caliber which is no longer commercially manufactured.

The *exceptions* to the cartridges are: all .22's, .32 Short Colt, .32 Long Colt, .32 S&W short and long, 32-30 Winchester, .38 S&W, .38 Short Colt, .38 Long Colt, 28-40 Winchester, 44-40 Winchester and .45 Colt. Handguns with barrels of less than 4 inches in any of the above calibers would be prohibited, no matter how old they are. Longer barrels would make them restricted. If the age cannot be established then the gun would be either restricted or prohibited, no matter what the caliber, even cap-and-ball, flint, match, etc. Rifles and shotguns are either antique (if above criteria apply), or subject to the owner having a PAL. They would not be restricted or prohibited unless they were automatics. It is interesting to note that no match-, wheel- or flintlock long arm is ever considered a firearm, regardless of age. Handguns of this variety would fall under the same rules as other handguns.

So, how does all this affect the collector? It is surprising how easily the unaware collector can get into trouble... take the Colt

New Line, for example. Made from about 1874 to 1880, it would definitely be an antique, even with its 2 ½ inch barrel – unless it was a .22 (prohibited), .32 center fire (prohibited) or .38 center fire (prohibited.). If it were a .32 or .38 rim fire, it would be antique, and no license would be required. So, you can see that what may seem to be antique could easily turn out to be a prohibited weapon. I have had several occasions where the manufacture of a gun could not be established without doubt (many of the “suicide specials” have no serial numbers or maker’s name) and I had to return the guns to my vendors.



Colt New Line .32 rim fire

Once the gun has been classified as an antique it is no longer treated as a firearm under the definitions of the Criminal Code and anyone can own it, regardless of age or PAL possession. The regulations do caution the owner however to treat antiques with the same respect and common sense as “real” guns. This means that you cannot walk around town toting your six-shooter or leave it loaded on the kitchen table.

As an importer, I run into the problem of having to prove the age and caliber of the guns I import almost every time I cross the border. If I do not have all my documentation in order, my shipments may get seized and held until I can prove the age and caliber of the guns. This involves

taking pictures and measurements and submitting them to the RCMP Firearms Technical Division for review. That process can take weeks, depending on their workload. Once I have confirmation that the gun is antique I can import it without problems. Most of my guns are accompanied by the RCMP Antique Declaration when I sell them. If you plan on bringing an antique gun across the border, remember it is YOUR responsibility to prove its age and caliber, not the customs officer's. If you cannot satisfy their requirements they are not obliged to let you cross the border with it...

## New Shipments

New shipments arrive monthly and although I always plan to notify my customers, lately they have sold so fast I did not have a chance to publicize their arrival. I will be sending out notices again soon, however.

## The Story Of Lucius W. Pond

I will have a very early Lucius W. Pond Army belt revolver (SN#195) for sale in a while, and I thought this a good time to share the dramatic story of its inventor and maker, Lucius W. Pond. I first learned about Pond after I had bought another, later model at an auction in Illinois.

Lucius was born on April 20, 1826 in Hubbardston Mass. and at age 20 moved to Worcester, Mass. where he was a prominent machinist and tool maker. He rose to become a “pillar of the community” founding a church and supporting charitable work in his city. He entered civic politics and represented his ward in the city council. In the early 1860's, with the American civil war looming on the horizon, Pond ventured into the gun making business, hoping to secure lucrative government contracts for small arms. His Army belt revolver in .32 rim fire was well received, and he sold a number of them to the union army however at that time the Rollin White patent of 1855 was still

owned by Smith & Wesson, and it was Rollin White's contractual obligation to defend the patent against infringement. White sued Pond, and after a lengthy (and costly) litigation it was held by the court that Pond did indeed infringe upon the Rollin White patent. He had to pay a hefty settlement to S&W, and to add to his humiliation, his remaining stock of belt pistols, some 4,500 of them, had to be marked "MANUF'D FOR SMITH AND WESSON, PAT'D APRIL 5 1855". A royalty for each of these remaining guns had to be paid to Smith and Wesson as well. Pond designed and built one other model, which aimed to circumvent the White patent, but it was not very successful. Ponds entire foray into the gun making business was a disaster. Not only did the war fail to produce the contracts he had hoped for, but the deep economic recession following five years of destruction and unconscionable government spending on the war would drive Lucius Pond to committing a string of desperate acts...



Lucius W. Pond ca. 1875

In early October of 1875 Pond suddenly disappeared from his home and business in Worcester. A man matching his description was observed aboard the steamer "Providence", headed for New York. Upon its arrival however, only a coat, hat and pair of shoes were found, which were later identified as being his property. It was quickly assumed that he had either committed suicide or been pushed overboard by one of his victims – it was unveiled, at the same time of his disappearance, that he had been defrauding a large group of customers and even his friends. Pond had been forging checks by erasing the intended amounts and replacing them with much larger sums. At first, it was assumed that Pond had met an untimely demise, until a Pinkerton agent spotted him in Windsor, Ontario. The hunt was on. Pinkerton's chased Pond clear across the country, finally catching up with him in San Francisco just as he was about to embark

a ship to Australia. Pond was arrested and returned to Massachusetts where he was charged with 12 counts of forgery and uttering forged promissory notes. The total of his theft amounted to over \$40,000 (about \$1 million in current dollars) although the real sum was never found out. Many of his victims did not come forward or refused to testify against Pond on account of his stellar reputation and standing in the community. Some were also embarrassed that they had been swindled by Pond so easily.

Pond was sentenced on three counts, receiving a total of fourteen year in prison. This must have come as an extreme shock to the former councilor, Massachusetts senator, bank director, and founder of the local Methodist Church. Prison life in the 1870's was extremely harsh, and a fourteen year sentence could just as easily have amounted to a death sentence.

Pond served seven years of his sentence, and through the relentless efforts of his family and friends, including some of his victims, the governor of the state granted him a pardon in December of 1882. Pond returned to his home, a sick and broken man. He remained quietly active in his church, returned as superintendant to the L.W. Pond Machine Tool Company together with his son, but eventually succumbed to the illness he undoubtedly developed while in prison, on May 21 1889. His victims and persecutors, along with his friends and family always maintained that Pond acted out of desperation, only wanting to save the business he was so proud of, and never intended to use the stolen money for his own benefit or for "speculative purposes". In the end, it was seen as a tragedy, and the man received more sympathy than criticism.

#### The Lefauchaux M1862 Triple Action Revolver

Eugene Lefauchaux, France's counterpart to Sam Colt, was an accomplished gun maker, inventor and industrialist. The legacy begun by his father, Casimir Lefauchaux, inventor and patent holder of the pin fire cartridge, was carried on by a visionary son, who saw the potential of organized mass-production to take his father's small shop to an international level, producing many thousand times more product than his father had ever dreamed of. Perhaps Eugene's greatest success was his legendary M1854 single action revolver which, at one time, was the single most popular military and police side arm in the world. M1854's were carried by armed forces in France, Belgium, Spain, Italy, Korea, Japan, Sweden, Russia, Norway as well as South America and both sides in the US civil war. While the M1854 may have been his most successful gun, the

M1862 was definitely his finest invention. Famous in France as the "Triple Action", this revolver has a unique feature allowing the shooter to cock the hammer by way of a slow trigger pull which locks the hammer in the cocked position until the shooter completes the pull and releases the hammer. This allows for more careful aim and more controlled release of the hammer.



M1862 in 12mm pin fire



A connecting rod actuated by the trigger engages a secondary sear on the back of the hammer to release the lock.

The gun also works in conventional single and double action. The concept was not new, of course; Eben Starr's M1858 had a similar feature, except it took two separate triggers to achieve what Lefauchaux could do with one. Starr's design was also more complicated and prone to failure whereas Lefauchaux's was simple, even fool-proof. M1862's are rarely seen in today's collections and few would recognize one for what it really is.



Belgian-made M1854 by Rocour of Liege

#### Next Time:

Iver Johnson, Colt M1849 and 1860, and the New England gun making dynasty of Hopkins & Allen, Bacon, and Whitney...