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www.ozarkhomesteader.com

Ozark Homesteader



Quote of the Week:

"We ought to know more about the families who founded this nation, and how they lived. One way to do this is to reconstruct as nearly as possible the conditions under which they lived." – Henry Ford

How your representatives voted:

State Representative Missy Irvin recently sponsored a bill that passed the Arkansas Senate which prohibits some types of tattoos and body piercings.

Our state Representatives and Senators passed Act 746, which appears to allow the open carry of firearms in Arkansas.

Homesteaders are reading this.

Email Jennifer @ jenniferwilcox@gmail.com to advertise here.

Ozark Calendar of Events:

09/11 – Patriot Day

09/21 – Homesteaders Fall Festival and Swap Meet in Harrison, AR

09/21 – ACRDC Benefit Concert in Alread, AR

10/05 – Homesteaders Swap Meet in Clinton, AR

10/11 & 10/12 – Mountain Man Rendezvous in Leslie, AR

Sustainability – Sufficiency – Sanctuary – Personal Responsibility

From Homesteading to Homesteading

This country was founded by homesteaders. Our original founders traveled thousands of miles over deserts of seas, not sure what kind of life that they would find. But they had a spirit that would not be deterred. Whatever their reasons, they came here in search of a better life.

These original settlers had to make do with what they had, what they could find, what they could make, or what they could grow.

Eventually, more homesteaders left the colonies of the east and struck out for the west. This wave of homesteaders may have been even more adventurous than the first. Sometimes in wagon trains, sometimes alone on horseback, sometimes even on foot. Traveling over land was slow and treacherous. Places to resupply were few and far between.

Yet they, just as the first

settlers of the east, made it to their destinations. For many, that destination was a homestead in the middle of nowhere. Even though they had made it to their physical destination, their journey was just beginning.

Houses were made from materials at hand. Crops were planted. Livestock was raised and slaughtered. Bread was baked. Clothing was made. Butter was churned; eggs gathered; wool spun – the land supplied most everything that was needed.

Eventually communities, towns, and cities arose. The American Civil War came and went. The industrial revolution changed our nation. Homesteads gave way to massive farming operations, strip malls, and Starbucks. We moved to the towns and cities for convenience and employment. The towns

and cities moved to us as the cities needed more room for growth. World wars were fought in the name of freedom. The technological revolution increased our comforts and further removed us from the land.

Now there is a movement back to the land. Many people have found their way back to the frontier. Homesteading is back.



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What's in a Name?

Ozark Homesteader is our attempt to serve homesteaders in the Ozarks. That's how we decided on the name "Ozark Homesteader."

We will provide timely information, news, opinions, and hints/ tips that may affect homesteading in our region.

We support those in the homesteading community who want more freedom.

We hope to serve as a forum for homesteaders to network with one another.

We sincerely hope that we meet these goals.

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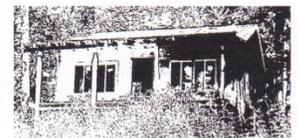
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Sustainability Simplicity Sufficiency Serenity



Arkansas: Constitutional Carry or Not?

By Richard Gray

Constitutional Carry:

- Loosely defined: A right recognized and protected by state law to all the carry of weapons, including firearms, either openly or concealed without a permit.
- Constitutional Carry states:
 - Alaska
 - Vermont
 - Arizona
 - Wyoming
- Listen to Steve Jones of Arkansas Carry on Tom Grisham's Gun Talk through this link on ozarkhomesteader.com : <http://guntalk.libsyn.com/guntalk-2013-08-18-part-b>

A person commits the offense of carrying a weapon if he or she possesses a handgun, knife, or club on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to attempt to unlawfully employ the handgun, knife, or club as a weapon against a person.

- Act 746 of 2013

"Journey" means travel beyond the county in which a person lives

- Act 746 of 2013

The Arkansas Legislature passed Act 746 earlier this year. Arkansas Governor Mike Beebe signed it into law. Arkansas Attorney General Dustin McDaniel issued an official opinion on the law.

Don't worry if you haven't heard of it. It was introduced to the legislature, voted on and passed in both the Arkansas Senate and House of Representatives without much public attention. If you haven't read it yet, you can find the text of the Act at:

<http://www.arkleg.state.ar.us/assembly/2013/2013R/Acts/Act746.pdf>, or any good search engine can find it for you.

Act 746 amended Arkansas Statute 5-73-120 which is titled: Carrying a Weapon.

5-73-120 is the Arkansas Statute that criminalizes carrying a weapon in the state of Arkansas. I have read through the other statutes pertaining to weapons, and can find no other that criminalizes the carrying of a weapon by a non-prohibited person, except those prohibiting the carry of a weapon in certain places.

The changes made by Act 746 to Arkansas 5-73-120 effectively decriminalize the carrying of a weapon by a non-prohibited person in the state of Arkansas, as long as the weapon is not intended to be used for an unlawful purpose:

(a) A person commits the offense of carrying a weapon if he or she pos-

sesses a handgun, knife, or club on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to attempt to unlawfully employ the handgun, knife, or club as a weapon against a person.

The underlined words were added to the statute.

Taken at face value, this part of the amended law allows for the carry of a weapon by any non-prohibited person.

The Act then defines the term "journey" again.

(3) "Journey" means travel beyond the county in which a person lives; and

Why was "journey" so important that it was defined by this Act?

For years, Arkansas courts and law enforcement decided and held that the term "journey" was ambiguous, and exploited that ambiguity to deny the right of the people to carry a weapon. Act 746 clarifies "journey" to mean "beyond the county in which the person lives."

But, then, confusing the issue of when a person can or cannot legally carry a weapon, the legislature made the following change to the existing law:

(c) It is ~~a defense to a prosecution~~ permissible to carry a handgun under this section ~~that if~~ at the time of the act of carrying a weapon:

The stricken words were removed from the statute.

The law enumerates conditions which, when met, make it "permissible" to carry a weapon.

As written and therefore, I argue, as intended, these conditions are not requirements. They do not even make carrying a weapon non-permissible when they are not met – making one thing permissible does not necessarily make something else not permissible.

It is permissible for me to pay by credit card. Does that mean it is not permissible to pay by cash?

If the legislature intended for something to be a requirement, I am sure that they would just say so. Take for instance, the statute that requires a driver's license to operate a motor vehicle in Arkansas:

Arkansas Statute 27-16-602. Driver's License Required.

(a) No person, except those expressly exempted, shall drive any motor vehicle upon a highway in this state unless the person has a valid driver's license under the provisions of this act.

Note the word "requirement." None of the statutes that I found pertaining to licensing used the word "permissible" to make a license required.

Therefore, I see the permissible part as an additional defense, if you will. Much like the original phrasing of the law: "it is a

(continued on next page)

Arkansas: Constitutional Carry or Not?

(continued)

defense to prosecution under this section..."

These exceptions may or may not be important, depending on the opinions of the courts. If one argues that the offense of carrying a weapon only occurs when there is illegal intent, then these exceptions are extraneous and only serve as additional defenses if they are met.

However, if one argues that the offense of carrying a weapon occurs unless one or more of the "permissible" exceptions are met, then the exceptions are very important for anyone carrying a weapon.

The exceptions are somewhat limited in scope, and a person knows without a doubt whether or not they meet the conditions of the exception.

The enumerated exceptions allow as permissible carrying a weapon on a person's own property; carrying anywhere a person is hunting legally; carry by a certified law enforcement officer, correctional officer, or member of the armed forces in the scope of their official duties or anyone who they direct to help them in the scope of their official duties; carry of a weapon by a registered commissioned security guard in the scope of his official duties; certain retired law enforcement officers; concealed carry by those persons in possession of a valid concealed carry permit; and carry by persons on a journey.

Carry by persons on a journey is the only condition

which seems necessary of scrutiny, since it is easy to know if you fall into the category of one of the other exceptions.

How do you know if you are on a journey? The law says that if you are on a trip outside of your home county, then you are on a journey.

As I read this law, a person can carry a weapon as long as he does not have the intent to use it illegally against a person. That seems straightforward.

If that person fits into one of the specified permissible conditions, then all the better for him or her. Remember that the term "permissible" was used, not "requirement."

If a person is not breaking this law, then they cannot be arrested for simply carrying a weapon – there is no other law that authorizes police officers or prosecutors to charge a person with carrying a weapon.

How could a person be charged with the crime of carrying a weapon if there is no law stating that the carrying of a weapon with legal intent is illegal?

It seems like a reasonable law, written by reasonable people, passed by reasonable people, and signed into law by a reasonable person.

The Opinions of Others

Arkansas Governor Mike Beebe said that he didn't understand the Act to recognize the people's right to carry weapons for lawful purposes. Arkansas Attor-

ney General Dustin McDaniel's opinion is that the law does not change anything. He says that the "journey" exception is still ambiguous because reasonable people can argue the meaning of the word "travel." Well, that is his Deputy's opinion, but McDaniel says he agrees with it. You can find that opinion at:

<http://ag.arkansas.gov/opinions/docs/2013-047.pdf>.

I don't think we have elected the right people to office. The Legislature wrote, voted on, and passed a bill that is straightforward and easy to understand..

How can elected officials not comprehend the meaning of the words as they are written? I am expected to abide to the letter of the law. I can't abide by a law if they say it doesn't mean what it says.

Personal responsibility and personal liberty are both important to me, they are the reasons I am a homesteader. Self-defense is a big part of personal responsibility, and carrying a weapon is a part of self-defense. Let's get an answer to the question: Is Arkansas really a "Constitutional Carry" state or not?

*The opinions expressed are that of the author. This is an exercise of logic and reason. No legal advice is given. This piece may be viewed or downloaded at www.ozarkhomesteader.com
Email Richard at: r.s.gray72@gmail.com*

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Picture of the Week



Boomer is the editor's one year old pit bull. Boomer enjoys lying in the sun, lying on the bed, lying on laps, and lying in the truck. In this pic, he's lying on a lap in a truck. To stay active, Boomer enjoys wrestling with his brothers and the occasional swim in the homestead's pond or creek.

Email your picture to ozarkhomesteader@gmail.com to submit it for Picture of the Week. No copyrighted pictures,

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"Either write something worth reading, or do something worth writing."
– Benjamin Franklin

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"It no longer makes economic sense to send an advertising message to the many in hopes of persuading the few."

– M. Lawrence Light, Former Chief Marketing Officer, McDonald's

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Homesteader Highlight

(Since this is our first edition, we thought that we would highlight our own homestead. If you would like your homestead to be highlighted in an upcoming issue of Ozark Homesteader, please email ozarkhomesteader@gmail.com.)

We are Richard and Jen. We aren't your average homesteaders. We don't have kids. We are in our late 30s and early 40s. We are personally responsible, personally lazy, religiously non-religious, libertarian, Constitution supporting, anti-social socialite wannabes, who happen to be mostly vegetarian.

We have been home-

steading for about a year now. We up and quit our corporate-type jobs and simplified our life. Our homestead is off-grid, which presents us with unique challenges. Non-drinking water comes from the creek. Irrigation water comes from water catchment. We are starting to experiment with water distillation. Electricity comes from deep cycle batteries hooked up to an inverter and charged on our way to and from town, or on overnight stays at Richard's mother's house. We cook with propane in the summer and on the wood stove in the winter.

We have 5 dogs, 6 cats,

5 chickens, 3 ducks, and 2 goats.

Gardening has been a challenge. Poor soil and not really knowing where or what to plant really set us back. But we learned a lot and next year should be better.

Future projects: greenhouses and solar/wood hot water.

Read all about our homesteading experiences at:

www.thegrayhomestead.com



Homesteading Hints

(Share your homesteading hints with other homesteaders by emailing us at ozarkhomesteader@gmail.com)

Easy coffee: Use the filter holder out of an automatic drip coffee maker. Put it over a coffee cup. Boil water in a tea kettle. Put coffee grounds in a separate cup. Pour boiling water over the grounds – steep to taste. Pour the water and grounds into the filter.

Easy pickles: Add six tablespoons salt to one gallon of water. Place cucumbers into jar. Add

herbs and spices to taste. Pour water/salt mixture over pickles. Loosely cover. Shake every now and then. Pickles are ready in about 3 days.



These went from cucumbers on the vine to ready to eat pickles in 3 days.

Media Review

One Second After, by William R. Forstchen is the fictional account of the life of a single father after an attack on the US shuts down the electrical grid, making all electrical devices useless.

This book is not for the faint of heart. It depicts the depravity of which humanity is capable.

This book is a "must read" for anyone who

feels the need to be prepared for disasters, natural or man-made. It addresses the weaknesses in the modern "go to the grocery store every day" and the "someone will take care of me" mentality that most people have been lulled into. It would make a good present for those who may not see the need in being prepared to care for them-

selves in case the grid is down for one day or even longer.

Look for One Second After at: www.ozarkhomesteader.com

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