

STILETTO: DIRK: FILE: GUN: POLICE FIND ON FOREIGNERS

Serious Epidemic of Carrying Dangerous Weapons Disclosed by Recent Captures

HOW WILY ALIENS AVOID THE LAW

Carry Their Deadly Implements in Bags and Avoid Technical Interpretation of Law Against Having Them on Their Persons

Prosecution of foreigners who are promoting much of the unrest in the Province at present is difficult because of inadequate Dominion legislation to back up the efforts of the police. There is a multiplicity of laws, but clear-cut measures giving officers larger powers to deal with unscrupulous and wily aliens are lacking. Instances of this have been numerous for months past. Provincial and Toronto police and officers in all municipalities where there is a foreign population tell the same story—they are handicapped because the law does not go far enough. Coroners' juries agree with this view, for several of the verdicts brought in as the result of inquests into recent murders contained riders urging the Dominion Government to tighten up existing laws.

While the legislation passed by the Dominion Government a week ago is a forward step in that it permits action being taken to corral and deport Bolsheviks and agitators, there is an urgent need of reforms in other directions, whereby police officers will have much greater authority in searching foreigners for weapons. In addition stiffer penalties are required where aliens are found illegally possessing firearms and dangerous knives. To this end representations are at present being made to the Department of Justice by a committee of the Chief Constables' Association of Canada, composed of Major Chamberlain, Chief of the C.P.D. Police; Sir Percy Sherwood, formerly of the Dominion Police, and Superintendent Joseph E. Rogers of the Provincial Police.

Eight Foreign Murders.

Eight years ago the Ontario Government passed a bill, known as the Offensive Weapons Act, which has been acclaimed by police officers in all parts of the Province as a splendid measure. Much good has resulted from it, and many prosecutions have been made under it. But even it has its limitations, because it applies only to this Province. Certain amendments to the Dominion Criminal Code are needed to back up the Ontario law before satisfactory progress can be made in confiscating dangerous weapons which are now in the possession of foreigners. Some eight murders of foreigners, as well as many other crimes of a serious nature, have occurred within the last few months in Ontario, showing the need for a clean-up of this kind being made.

Prior to 1911 any person could purchase firearms without difficulty. Superintendent Rogers explained to The Globe when interviewed. A person could buy as many guns and knives as he liked; there was no one to say him nay. Hardware stores did a big trade in selling these weapons; second-hand stores reaped big profits by handling them. But

in 1911 Superintendent of Provincial Police Joseph E. Rogers, seeing the increasing danger to the community through the promiscuous sale of firearms, urged upon the then Attorney-General, Hon. J. J. Foy, and the Government the need of passing a law to control the sale and use of firearms.

Must Get Police Permission.

The soundness of Major Rogers' proposal was readily seen by the Government, and as a result the Offensive Weapons Act was drawn up by Mr. Edward Bayly, K.C., and passed, and became effective by proclamation on April 22, 1911. Briefly, this measure provided that no person could sell a revolver, pistol or air-gun without first obtaining a permit from a chief of police. The act also provided that no person could sell a revolver, pistol or air-gun without keeping a record of the date of sale, the name of the maker, the serial number of the weapon, and the name, address and occupation of the purchaser. Reports of the weapons sold, with all the information referred to, must be transmitted to the Superintendent of the Provincial Police four times a year by the person making the sale.

Hundreds of Permits.

It may be surprising to most peace-loving citizens to know that since 1911 hundreds of such permits have been issued, and that it requires three large drawers in the filing cabinets in the offices of the Provincial Police in the Parliament Buildings to hold the cards upon which the reports of sales are made. The permits issued by chiefs of police only allow of a revolver being purchased. They do not sanction the carrying of the weapon.

And while the law has been obeyed, Superintendent Rogers is firmly of the opinion that too many permits to purchase revolvers have been issued. "I am convinced that some of the chiefs of police have been too free in handing out these permits," he told The Globe.

Severe Punishment.

The penalties provided for violations of the sections of the act prohibiting the sale of knives and firearms without a permit, and requiring the keeping of a record by the dealer, are a fine not exceeding \$200 or less than \$25, or to imprisonment for a term not exceeding six months, with or without hard

labor, or to both, and the confiscation of the weapon.

Manufacturers of revolvers and air-guns resented the action of the Ontario Government in passing the Offensive Weapons Act. They approached the Government with a view to having it repealed, or at least to have its teeth drawn. They were shown, however, by Superintendent Rogers that while the act restricted the sale, it really was of considerable benefit to them. Prior to the enacting of the act the Province was flooded with cheap, small-sized revolvers, which bore no maker's name or serial number. Under the law these no longer could be sold, and only weapons made by recognized reliable firms could be placed on the market. However, the makers of these cheap guns went to Sir Wilfrid Laurier, who was then Prime Minister of the Dominion, and asked him to try and have the Ontario law vetoed. Be it said to his credit, however, the application was turned down, and he declared the law was a good one.

Ontario Leads Dominion.

While Ontario took the lead in restricting the sale of weapons, as far as is known to Superintendent Rogers, none of the other Provinces in the Dominion took similar action, and few of the American States have legislation which prohibits the sale or carrying of firearms. Thus, while guns could not be purchased in Ontario, persons determined to secure a revolver could do so without trouble by going to Montreal, Quebec, Winnipeg, or any other city or town outside of this Province. The result has been that foreigners who have a particular mania for possessing firearms have resorted

to carrying them in their bags, or to both, and the police believe for no other reason than to commit a murder or some other crime. Superintendent Rogers states that neither the Toronto police nor his office has ever issued a permit to a foreigner to purchase a gun.

Make Their Own Weapons.

The accompanying illustration shows very forcefully the need for legislation permitting the police to undertake a clean-up of all similar weapons now in the possession of foreigners. Since they have been prohibited purchasing stiletos and knives, foreigners with evil intent have undertaken to make them. They have made too great a success of this for the safety of the community. Steel files, as the picture shows, have been taken and ground down to make most dangerous and business-like looking weapons. Then, too, an ordinary piece of heavy wire or an office stick file is taken, sharpened at the end and tempered. Such a weapon is even more dangerous than a knife.

Superintendent Rogers of the Provincial Police, and Inspector of Toronto Detectives George Guthrie, both relate many instances of how foreigners break the letter of the law because of technicalities. It is the loopholes that these officers, as well as the other police of the Province, want closed. Under section 118 of the Criminal Code, relating to offensive weapons, only a person having a Magistrate's permit may carry a gun.

Carry Weapons in Bags.

But there is a joker in that act by which the so-called ignorant foreigner is able to get around the law. He makes no attempt to get a permit to have a gun or knife on his person, because he knows such an application would not only be refused, but would cause suspicion to be cast on him. But he carries a weapon just the same. How does he do it? By the almost unbelievably simple method of carrying a suitcase or bag, in which he puts the gun or knife. Thus, when he is searched the weapon is not found on his person, and the police officers can lay no charge against him. It is simplicity itself. That is one of the loopholes that the Dominion Government is being asked to close.

Here is another method by which the foreigner, and in this instance it is chiefly the Italians, keep within the law. Just recently it came to the attention of the Provincial Police that Italians were getting permits to carry firearms by sending 50c to a fellow-countryman in another Canadian city, outside of Ontario, who in turn procured a permit from someone authorized to issue them under the Dominion law. These permits are, under the present law, good anywhere in Canada. The amendment desired by police officers is to provide that permits will be valid only in the Province in which they are issued.

Avoiding the Law.

While the present laws prohibit the carrying of weapons without a permit, and while a permit is required before a gun can be purchased, there is nothing in the statutes to prevent a person having a gun in his house, even although he may not have secured it with a permit. Not long ago the Provincial Police, in searching the dwelling of a number of foreigners, found five revolvers, and while the officers were convinced the weapons were in the possession of the aliens for no good purpose, they could not confiscate the guns. Another amendment which is wanted to the Dominion statutes, therefore, is one making it an offense for any foreigner to have a revolver in his possession without a permit, which should not be valid elsewhere than in the Province in which it is issued; also that no permit should be given to any foreigner to carry a stiletto or other dangerous knife.

Both Major Rogers and Inspector Guthrie are strongly in favor of the Dominion Government, if it makes the amendments asked for, providing that police officers could search the house of a foreigner for weapons without a warrant. At present information is sometimes received by the police in the middle of the night, which should be immediately acted upon to be of any use, but because a warrant is required, and a Magistrate rarely is available at that hour to issue one, criminals often escape. The police are asking, too, that they be given power to search for weapons without a warrant any person who comes within the new Dominion act permitting of deportation of agitators. Penalties under the Dominion law for carrying weapons are only a fine of \$100 or three months' imprisonment, and the request is made that these be made more severe. It is pointed out that in Italy no person is allowed to carry any knife with a sharp point.

While there have been some eight murders among foreigners within

recent months, Superintendent Rogers declares that the loopholes in the law make it almost impossible to arrest the guilty persons. Three or four of the eight have been convicted, but to stop more murders occurring it is felt authority must be given to permit of the search for weapons, and the confiscation of all those now in possession of foreigners. A clean-up of the localities settled by aliens is absolutely necessary.

There have been instances where Provincial Police officers have felt convinced that they knew the person or persons who committed some of the recent murders, and they have even found guns and knives in bags which the suspected parties carried, but under the law they could not act; and as a common trait among many aliens is that of prevarication, evidence could not be secured to give any hope of a murder charge being proved.

Obtain Weapons Outside.

Just a few weeks ago, when the city police arrested a German named Ewart, who has since been interned, they found four weapons in his possession. Frank McCullough, who paid the death penalty yesterday, is cited as another instance by Inspector Guthrie of a foreigner having a gun without a permit, because of the laxity of the laws permitting them to be obtained outside of the Province.

"What need is there for any person, particularly a foreigner, carrying a weapon in Canada to-day?" both Superintendent Rogers and Inspector Guthrie were asked. In each case they answered most emphatically "none," adding that it is a fact that many police officers throughout the Province do not even find it necessary to be armed.

It is felt by police officers generally that during the war their activities resulted in the saving of millions of dollars of property and lives, and that now the war is over the Government should take steps to give them every protection in their dealing with aliens in our midst.