



## CHAPTER 75

### An Act respecting tear bombs

[Assented to, the 11th of March, 1931]

**H**IS MAJESTY with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The Revised Statutes, 1925, are amended by adding R. S., c. thereto, after chapter 168 thereof, the following chapter: 168A, added.

#### “CHAPTER 168A

##### “AN ACT RESPECTING TEAR BOMBS

“**1.** This act may be cited as the *Tear Bomb Act*.

Short title.

“**2.** In this act:

Interpreta-  
tion:

1. The words “tear bombs” mean any apparatus or device used to project or emit a gas or any other substance productive of tears;

“Tear  
bombs”;

2. The word “person” includes also a partnership or a corporation.

“**3.** Every one who:

a. not having a permit still in force, possesses, elsewhere than in his dwelling-house, shop, warehouse, office or place of business, or is carrying concealed on his person, a tear bomb; or

b. sells or, without lawful excuse, gives or lends a tear bomb to any one not being the holder of a permit still in force; or

c. in the case of a sale of a tear bomb, neglects to make an entry of such sale, the date thereof, the name of the purchaser, the date and place of issue of the permit

and the name of the issuer of the permit, or neglects to send a duplicate of such entry by registered mail to the person who issued the permit, or neglects to endorse upon such permit the date and place of sale and the name of the vendor; or

*d.* issues a permit as provided in this act, without lawful authority,—

Penalties. is guilty of an offence against this act and liable to the penalties hereinafter enacted.

Form of permit, etc. “4. The permit referred to in section 3 shall be in the form prescribed by the Attorney-General and be issued gratuitously by the Chief of the Provincial Police and at the discretion of the latter.

Duration. Such permit shall remain in force for the time therein mentioned, which shall not exceed twelve months.

Permit constitutes evidence. “5. The above-mentioned permit, upon the trial of an offence against this act, shall be *prima facie* evidence of its contents and of the signature of the person by whom it purports to be granted.

Suspension of application. “6. Whenever the Lieutenant-Governor in Council deems it expedient in the public interest he may suspend the operation of any of the provisions of this act in any part of the Province and for such period as he deems fit.

Provisions not applicable to certain persons. “7. Nothing in this act shall apply to the having upon his person or the carrying by any member of His Majesty's Naval, Military or Militia Forces, or by any peace officer or immigration officer, of one or more tear bombs, or to any *bona fide* selling of tear bombs by any manufacturer of or person trading wholesale in tear bombs to any person *bona fide* dealing in such articles and having an established and fixed place of business.

Search and seizure authorized. “8. Every constable or peace officer may search any person whom he has reason to believe and does truly believe to have upon his person one or more tear bombs, contrary to the provisions of this act, and may seize any tear bomb illegally in the possession of any person not having the permit, still in force, required by this act.

Forfeiture. “9. Any tear bomb possessed or carried in violation of this act shall be declared, by the justice of peace, judge of Sessions, district or police magistrate in charge of the case, forfeited to the Crown to be disposed of as the Attorney-General may direct.

Penalties. “10. Every person who infringes any provision of this act shall be liable, in addition to the costs, to a fine not

exceeding fifty dollars, and, in default of payment of the fine and costs, to imprisonment for not more than one month, and, in the event of a further offence, in addition to the costs, to a fine of not less than one hundred dollars and not over two hundred dollars, and, in default of payment of the fine and costs, to imprisonment for not more than two months.”

**2.** This act shall come into force on the day of its <sup>Coming into</sup> sanction. <sub>force.</sub>