

should be compelled to compensate for the mistake, for the judicial error, that occurred in a case at the instance of the Crown in the right of the province of Quebec against this man Fatsari, is more than I can understand. I confess that I cannot see upon what ground it is put up to this Government, even assuming this to be a case where the man should be compensated for what happened, to compensate him. If the hon. gentleman is right in his view that there was a judicial error, and a judicial error of that kind constitutes a proper ground why those responsible for it should make compensation to the victim, then his representations should be addressed to the Government of the province of Quebec. I am quite satisfied that whatever view that Government may entertain as to whether the facts, as the hon. gentleman states them, constitute a case for compensation, they will not repudiate the proposition that the proceedings themselves were at their instance. They did it all. I am not trying to throw the slightest blame upon the provincial authorities. Under the circumstances, as they were then known to the officers, there was no course open to them but to prosecute.

So far I have proceeded upon the assumption that it has been demonstrated that there was a judicial error. Upon that subject I do not think that the hon. gentleman's information is complete. What happened in the case was this: The man was charged with the offence which the hon. gentleman has mentioned. He was brought to trial, and at that trial there was adduced evidence which, if it were true, would undoubtedly justify the verdict that was found against this man. I have not heard it suggested that the evidence was not ample to justify the conviction of Fatsari. Fatsari was sentenced to the penitentiary in 1908. No petition, no prayer for clemency, no suggestion of the exercise of clemency on his behalf, ever reached the Department of Justice until some time in 1912. Then the unfortunate man himself petitioned for clemency. In that petition he said he did not want to enter upon a discussion of his guilt or innocence; he asked for a reconsideration of his case and for clemency. There was nothing to indicate that the convict himself then considered there had been any miscarriage of justice. I do not want to attach overdue importance to that because a man in that position would probably

write such a petition as occurred to his mind.

Mr. LEMIEUX: And especially when couched in language not his mother tongue.

Mr. DOHERTY: Yes, that is so; he possibly may not have understood fully what was in it. I do not mention that as attaching any weight to it, further than, that as a matter of fact there was no pretension brought to the attention of the Department of Justice that this man was innocent. Upon that petition which was examined, it was not considered, in view of the gravity of the offence of which the man had been convicted and the length of the sentence and the portion of it which he had served, that it was proper to exercise clemency at that time.

Mr. LEMIEUX: It is six o'clock, and I understand the leader of the Opposition intends to speak.

Mr. SPEAKER: The debate had better be adjourned; otherwise the matter would not again come up for some considerable period of time.

On motion of Mr. Doherty, the debate was adjourned.

At six o'clock the House adjourned without question put, pursuant to rule.

Thursday, February 5, 1914.

The House met at Three o'clock, the Speaker in the Chair.

CRIMINAL CODE AMENDMENT.

Mr. ALPHONSE VERVILLE (Maison-neuve) moved for leave to introduce Bill No. 50, to amend the Criminal Code. He said: This Bill is what I might call a double-barrelled measure, in the sense that while it deals with two distinct subjects, and amends the Criminal Code in regard to each of them, there is a certain affinity between those subjects. The general purpose of the Bill is to extend a larger measure of protection to Canadian citizens against the indiscriminate use of fire-arms, and the not less dangerous employment of certain modern contrivances whereby the characters of private individuals as well as the just secrets of deliberative meetings may be publicly exposed. When the Bill reaches its second reading I shall have occasion to dwell more fully upon its details. For the purposes, however, of immediate explanation I will just