

sentenced to a term of fifteen years—I forget the exact number—in the penitentiary at St. Vincent de Paul. As I have just said, Fatsari was convicted on the evidence of three persons. Since his conviction and his subsequent incarceration in the penitentiary, one of the witnesses suffered the death penalty, another is serving a sentence in the penitentiary at Dorchester, N.B., and the other is a fugitive from justice. As soon as the facts were made known to the officers of the Montreal police force a doubt arose in their minds. They paid a visit to the judge who sentenced Gerolmio Fatsari, and after reading over the evidence the judge found that a judicial error had possibly been committed. It was many years before that discovery was made, but I am pleased to say that as soon as the judge referred the matter to the hon. Minister of Justice he, examining carefully the records, granted a pardon to the poor Italian who had been behind the walls at St. Vincent de Paul during those long years. On December 24 the news of his pardon was broken to him by the warden of St. Vincent de Paul penitentiary, and he was given a suit of clothes and a railway ticket to take him back to Montreal, where he had been arrested five years before.

He was found stranded on the streets of Montreal the next day—perfectly helpless, penniless, and sick. He went to the police station, where five years before he had been taken, and revealed his identity. Before the officers he appeared as a perfect stranger in that great metropolis. That was on Christmas Day. I need not say that the policemen of Montreal were glad to receive poor Fatsari in their midst, and to share with him the good things that were plentiful on their table that day; they were glad to give him a roof under which he could have a little rest. The wife of Fatsari, and his children left Canada soon after the verdict and sentence, and it is a matter of public knowledge how Fatsari was helped by means of the campaign carried on by the newspapers in Montreal and throughout the country, I am pleased to say that some of the charitable institutions in Montreal, and the Italian Consul himself, did something to relieve the anxiety of this unfortunate Italian during the month of January. I need not read to my hon. friend what has been published in the press. I am quite sure that he has been made aware of the general complaints through Canada against the *dura lex sed lex* with which the Crown, unfortunately, has been obliged to meet the demand of

compensation made by Fatsari's friend: It is stated, Mr. Speaker, that the King can do no wrong. That is a beautiful theory, but in practice it is not always true, and in the present instance that theory seems to many but a contemptible subterfuge. Surely my hon. friend knows that King Charles himself did so much wrong that he lost his head at Whitehall, surrounded by the arquebuses and pikes of Cromwell's Roundheads. But, Sir, in a case of this kind, where a foreigner—and it might have been a Canadian—has been deprived of his liberty, of his home, and deprived temporarily of what is dearer than his liberty and his home—his honour—should we not, I say, find a way for compensating such a man? I put the case to my hon. friend, and I await with anxiety the answer which he has to give not only to society, but above all to the unfortunate Fatsari. My hon. friend might perhaps say as in the olden days: *fiat justitia ruat coelum*—let justice be done though the heavens fall. But in the present instance, if I had to translate the old Latin axiom, I would say, let injustice be done though the heavens fall! In this twentieth century, the theories of the middle ages are passing away. The theory that the King can do no wrong in such a case as the one I have brought to the attention of the House, can not obtain; and I ask my hon. friend what he intends to do in the case of Fatsari and in the case of other Fatsaries who may in the future be found in the same position as this man. My hon. friend remembers the case of Adolph Beck in England; and there was a more recent case in England—I forgot the name. There has been considerable public resentment in the old country, as there is at present in this country, against the stand taken by the Crown that the King can do no wrong, even when a man deprived of his home, of his liberty, of his family, and honour, is, after five years spent behind the walls of a penitentiary, found innocent.

Hon. C. J. DOHERTY: There is no doubt that there is very much in the case of this unfortunate man Fatsari to attract sympathy, and there is no doubt that he has received very great sympathy from a large number of people who have learned the facts of his case, as they have been very generally stated. While such statement of the facts, as I have referred to as having been very generally made, which statement is in accord practically with the facts as the hon. member for Rouville (Mr. Lemieux) under-