

of things. Local institutions were to be reformed; local resources developed; new railways to be built; colonization was to be encouraged. Hence the Statute Book was obliged to keep pace with the necessities of the Province. Many of these necessities have been satisfied; the Acts of Parliament have served their purpose; but still the mere record of them fills the mind with a mingled feeling of vastness and satiety. This past legislation would seem, at first sight, to encompass everything within the circumference of the political needs, and the social and material necessities of the Province. The vast bulk of our Statute Book would, indeed, appear to justify the introduction of the question of Alternate Sessions into the arena of public discussion. But, at a later stage of this article, an effort will be made to show that, before the Legislature ought to take action in the direction of such a far-reaching Constitutional change, the electorate of Ontario should be invited to pronounce upon the question.

ANNUAL SESSIONS OF PARLIAMENT.

The custom of Annual Sessions takes its rise in the dawn of English Constitutional History. Before the reign of Edward the Third, 'it rested entirely with the King to convene the Parliament or not.'*

The language of the Statutes of Edward was terse and imperative:—

'A Parliament shall be holden every year once, and more often, if need be.†

'For maintenance of the said articles and statutes, and redress of mischiefs and grievances, which daily happen, Parliament shall be holden every year, as another time was ordained by statute.‡

In commenting on these enactments, Rowland observes:—

'They were intended to ensure an annual session, rather than an annual

election; for an eager desire for a seat in Parliament did not then exist.*

'Our ancestors desired frequent Parliaments, that they might get the Crown under the influence of Parliament, and might obtain redress for those grievances and abuses which flourished with impunity when the Sovereign was uncontrolled.†

The Triennial Act of William and Mary‡ was founded on the ancient Statutes of Edward the Third, already quoted. The Act declared 'that frequent and new Parliaments tend very much to the happy union and good agreement of the King and people.'

Sir Thomas Erskine May, in referring to the subject of Annual Sessions of Parliament, says:—

'The practice of providing money for the public service by annual enactments, renders it compulsory on her, (the Queen), to meet Parliament every year.

'The annual meeting of Parliament, now placed beyond the power of the Crown, by a system of finance, rather than by distinct enactment, had, in fact, been the law of England, from very early times—by the Statute 4 Edward III, cap. 14, etc.§

So far, English rule and custom. Now for Canadian law and precedent:

From the establishment in the year 1791, of Parliamentary Government in Upper and Lower Canada, down to the present time, there has been but one exception to the system of Annual Sessions. This was occasioned by the suspension of the Constitution of Quebec, owing to the Rebellion of 1837 and 1838. The Annual Sessions of the Legislatures of the Old Provinces of Upper and Lower Canada, were fixed, declared and perpetuated by positive Statutory law. The Constitutional Act|| provides that the

* *Ibid.*, p. 488.

† Rowland, p. 124.

‡ 6, William and Mary, cap. 2: 'An Act for the frequent meeting and calling of Parliament.'

§ May's *Parl. Practice*, 7th Ed. p. 42.

|| 31 George III, cap. 31, sec. 27.

* Rowland's *English Constitution*, p. 123.

† 4 Edward III. c. 14, A.D. 1330.

‡ 36 Edward III. c. 10, A.D. 1362.