

The provision of the Great Charter above referred to was embodied in the Statute 7 and 8 William III., which enacted that forty days should elapse between the teste and the return of the writs of summons for the election of a new parliament. But when, by the Act of Union of England and Scotland, 6 Anne, c. ii., the Parliament of England became the Parliament of Great Britain, by reason of the remoteness of some of the constituencies in Scotland, it was provided that the space of fifty days should be allowed for the return of the writs summoning the first United Parliament, and it became the custom to allow fifty days at least thereafter. On the Union of the Parliament of Ireland with that of Great Britain, sixty-one clear days were allowed by the first summons, fifty-two days by the second and third, and fifty-five days by the fourth. Means of travel and communication having been greatly improved and facilitated, the time was, by the 15th Victoria, c. 23, reduced to, and is still fixed for Great Britain and Ireland, at thirty-five days. So, from the earliest period of British Parliamentary Government to the present day, the curtailment of the prerogative right of the Sovereign to summon Parliament—no matter how pressing the occasion—in favour of the right of ALL to be represented has been tolerated and legalized.

The legislation of Canada is based on the same principle. By the Union Act for Canada (3 and 4 Vic., c. 35, Imp.), fifty days were to be allowed until otherwise provided by the Parliament of Canada. And, by the 14th and 15th Vic., c. 87 (Canada), the time was expressly enlarged in favour of Gaspé, and Chicoutimi and Saguenay to ninety days. It may here be remarked that not only has no instance occurred in which Parliament has met before the elections for the constituencies just mentioned have been held, but, having regard to the jealousy with which the due apportionment of representation

between Upper and Lower Canada was viewed, and the often very evenly-balanced state of parties in the old Canadian Assembly, it is impossible that any legislation should have contemplated the meeting of the House with three Lower Canadian Electoral Districts unrepresented.

By the British North America Act, 30 and 31 Vic., c. 3., the District of Algoma first received representation. And, by the 32 Vic. c. 21 (Ontario), while forty days was the period assigned for the return of the writs generally, ninety days were allowed at certain seasons for the return for Algoma. The clause relating to Algoma is as follows:—('Sec. 18, sub-sec. 4.) 'There shall be forty days between 'the teste and the return of every 'writ of election: Provided always 'that in the case of the District of 'Algoma there shall be ninety days 'between the teste and return of any 'writ of election issued between the 'fifteenth day of October and the 'fifteenth day of March following . . . and that such polls shall be 'opened and held only at the following places, . . . and (in case 'the polling shall take place between 'the first day of May and the first day 'of November following), at Fort 'William.' By the 38 Vic., c. 3, sec. 21, it was provided that 'no nomination or poll should be held in the 'District of Algoma except during 'the months of June, July, August, 'September, or October.' By the 39 Vic., c. 10, sec. 13, the provisions of the Electoral Law in regard to Algoma were somewhat further modified. The section reads as follows:—'The nomination in the Electoral District of 'Algoma shall not take place less than 'fifteen days nor more than twenty 'days after the proclamation was 'posted up; and the day for holding 'the polls shall be the fourteenth day 'next after the day fixed for the 'nomination of candidates. . . . 'The nomination, or polling, may be 'held in any year at some time from