

a following in the House of Commons, or, in other words, the plenary powers of Parliament to legislate as it pleases. Next, he will seek to defend his position on grounds of literal interpretation. He will contend that no pledge was given by the Government of my right honourable friend, the ex-Prime Minister, that it would hold office only for war purposes, or, to use his own words, that the Government "did not commit itself"; and, finally, he may make mention of personal considerations, and repeat what he has also said elsewhere, namely, that the Leader of the Opposition does not want a general election.

Let me briefly examine each of these several contentions. First, my right hon. friend will argue that his right is based on the law and the constitution. He will no doubt quote to this House section 50 of the British North America Act, which is as follows:

Every House of Commons shall continue for five years from the day of the return of the writs for choosing the House (subject to be sooner dissolved by the Governor General), and no longer.

He will tell the people that inasmuch as Parliament has the right by the constitution to sit for five years, therefore it is entitled to sit for that length of period. Let me say to my right hon. friend, what I am sure he knows quite well, that a legal right does not constitute a legal or moral obligation to continue the term of Parliament for five years under the limit of time fixed by the constitution. More than that, as my right hon. friend knows, the main purpose of the constitution in limiting the time is to place a limit on ministries such as his, which would continue in office forever in the absence of any time limit.

If my right hon. friend will look to British parliamentary procedure, as well as to the procedure of our own Parliament in the past, he will find that the constitutional practice all along has been not to exhaust the full limit of time, but rather to have regard to the issues which come before the people, and to dissolve Parliament when the old issues have been settled and new issues arise. Let me cite to my right hon. friend by way of exact reference the British Parliamentary practice under a rule which is similar to ours.

There was a period when the time of the British Parliament was not limited; it could sit indefinitely. Then it became necessary to limit the parliamentary period, and it was first fixed for seven and afterwards for five years, similar to the limit which is to be found in our own constitu-

tion. The position in the case of the British Parliament under that legislation was exactly the same as the position of this Parliament under the British North America Act.

Before the Triennial Act, 1694 (6 Will and Mary C. 2) there was no constitutional limit to the continuance of Parliament but the will of the Crown. Under the Septennial Act, 1715 (1 Geo. 1st 2C. 38) it ceased to exist after seven years from the day on which, by the Writ of Summons, it was appointed to meet, a period which was reduced to five years by the Parliament Act, 1911—May's "Parliamentary Practice," 12th Ed., p. 53).

Now, let us examine for a moment the duration of the various British Parliaments from 1865 up to 1911, during which period the limit fixed by the constitution was seven years.

The Parliament elected in Great Britain in 1865 lasted for 2 years and 9 months.

The Parliament elected in 1868 lasted for 5 years and 1 month.

The Parliament elected in 1874 lasted for 6 years.

The Parliament elected in 1880 lasted for 5 years and 6 months.

The Parliament elected in 1885 lasted for 5 months.

The Parliament elected in 1886 lasted for 5 years and 10 months.

The Parliament elected in 1892 lasted for 2 years and 11 months.

The Parliament elected in 1895 lasted for 5 years and 1 month.

The Parliament elected in 1900 lasted for 5 years and 1 month.

The Parliament elected in 1906 lasted for 3 years and 11 months.

The Parliament elected in 1910 (Jan.) lasted for 9 months.

The Parliament elected in December, 1910, passed the Parliament Act, 1911, which reduced the parliamentary period to five years. On account of the War, this period was extended from year to year, until after the termination of the War, and in December, 1918, a general election was held.

This record shows us that with one single exception no British Parliament from 1865 down to the present time has run within a year of the full period of the term allowed by the constitution. It shows, too, that about one half of all the parliaments that met in Great Britain subsequent to 1865 used only one half of the period of time provided by the time limit of the constitution. Why has that been the case? The answer is simply this: The spirit of the constitution is much more important than the letter of it. The letter of the constitution