

been a uniform period; you have undertaken to make a sufficiently long period between the issue of the writs and the return of the writs under the proclamation, that all these exceptional cases might be embraced. That is what you have done. You have given adequate time for the compliance of every provision of the writ to which the hon. gentleman has referred; and, if a returning officer has received a writ, and he is unable to hold a writ under the provisions of the statute before the period of the return expires, then the election cannot be held, there can be no election. The hon. gentleman will see that no other construction of that law is possible and capable of being reconciled with the settled rules and usages of Parliament. Now, I notice one or two things which show that the returns of writs have been in some cases irregular. For instance, there are a number of old statutes, which any hon. gentleman can look up for himself, that are still in force, with regard to Algoma, and with regard to Chicoutimi, Saguenay and Gaspé, where the period is made longer by statute within which the return should be made, than the period fixed by the proclamation. Now, the last proclamation was eighty-six days, and there are at least four constituencies in this country where the period is beyond eighty-six days; and, if you look at the words of the Magna Charta, and look at the two or three English cases that have arisen under that statute, the Knaresborough case, and some others, and this case of Mr. Monk, in Quebec, in 1820, you will see, that the rule recognized is, that you must observe the minimum time, and you cannot hold a valid election within the period fixed by that minimum.

At the time the elections were held in 1891 there were four or six elections held within the minimum period fixed by the law. This, Sir, only goes to show how very important it is that the Minister of Justice or some other member of the Government should immediately undertake to look at these old statutes and to reconcile the provisions of the law as it is necessary to administer it with the proclamation to be issued and the period of time fixed for the holding of these elections. But altogether apart from that phase of the subject, looking at the question raised by the hon. member for West Ontario (Mr. Edgar), there is no doubt whatever that the period for which this Parliament was elected begun on 25th April, 1891, and will expire on 25th of April of the present year.

This is not a matter on which we can afford to have any doubt. Why should this question go to the Supreme Court? It is not a question that should be referred to that court. It is not a question of common law or equity or ordinary constitutional law, it is a question relating to the constitution of Parliament itself. More than that. Suppose the Supreme Court was mistaken in the view it announced, and suppose the

Judicial Committee of the Privy Council was of a different opinion, what would be our position? Why should the question be raised here at all? We cannot afford to have any doubt as to the period of time at which this Parliament expires. We cannot afford to have you, Mr. Speaker, sitting in the Chair after this Parliament has expired; we cannot afford to transact public business after that time. There is no question that this period under the Act is absolutely certain; and taking the period most unfavourable to the continuance of the life of this Parliament, I say, beyond that period this Parliament should not sit, and before that period arrives this Parliament should be dissolved. That, Sir, is the principle of parliamentary law applicable to this case, and I do not think that this is a question which ought to be referred to the Supreme Court, or that where there is any doubt any action should be taken after the period mentioned has expired.

Mr. MARTIN. I do not rise, Mr. Speaker, to discuss the very interesting and important question before the House, but I rise to enter my protest against any question of this kind consuming the time which belongs to private members. We have on the Notice Paper forty-six matters under Notices of Motions, nearly all of which are contentious matters, nearly all of which are matters which different private members desire to bring before the House as being matters mainly interesting to their own particular constituents, it is true. But one of the rights and duties of the members, private members, is to bring matters of this kind before the House, and it is the only way they can do so. The interesting and important question debated here this afternoon is one that should be brought up on a Government day, because it is a matter not affecting private members, but the constitution of this House. According to the views of many hon. gentlemen, the term of this Parliament will expire on 25th of April. We know the Government find it necessary every session, as the session grows older, to take private members' days for Government business. Under the most fortunate circumstances, we cannot expect to have many more private members' days, and as a member who has several matters of a very special importance to my own constituents, and to my own province and to the west generally, to bring before the House, I protest against a discussion like this, which is likely to be a long discussion, and likely to elicit the opinions of many members, taking up time when the opportunity for considering private members' business will probably not come to private members. Last Monday, unfortunately, we had a long discussion on another question. The first order on Monday was private Bills, and we had a long discussion on the motion of the hon. member for West-

Mr. MILLS (Bothwell).