

*Government's Right to Office*

of the House uselessly to dwell upon this clause of the amendment; the seats opposite speak for themselves. Half the government was defeated; just which half it was, whether the upper or lower, I am not prepared to say. The fact is that half of its members went down to defeat, none of those defeated members having now seats in parliament. The Prime Minister was included in the six ministers who were defeated in Ontario; three others outside the province of Ontario were defeated; and in addition to those nine ministers, a minister designate from the province of Manitoba found the handicap of prospective membership in a Liberal government under Mr. Mackenzie King too great in his constituency and he was defeated as well.

The third assertion in the amendment is to the effect that the party represented in the last parliament by His Majesty's opposition secured in the said election by far the largest support in the popular vote and has substantially the largest number of members of any party in the present House of Commons. That this is clear there is no question. This party stands now, assuming that the result in Peace River may not reverse the situation that exists there now, with fifteen members in excess of those of the party opposite.

The last clause of the amendment, to which I wish to direct attention especially now, declares that those who now assume to be His Excellency's advisers have among them no Prime Minister with a seat in either house of parliament and under such circumstances are not competent to act as or to become the committee of parliament commonly known as the government, or to address parliament through His Excellency, and that their attempted continuance in office is a violation of the principles and practices of British constitutional government.

Before commenting further on the constitutional effect of the Prime Minister's absence from this House or from the other House by reason of his rejection at the polls and his not yet having a seat, I want to refer to the conclusion with which this paragraph ends as related to the other assertions in the amendment itself. That a government whose candidates were successful in only 101 seats out of 245 should seek to continue in office is of course without precedent in our Dominion. Were they however in the position that, taking part in the election in question, there was no other party which had been returned with a larger number of supporters than themselves, then undoubtedly they would have been justified in assuming that they had the same right to expect the

[Mr. Meighen.]

allegiance or at least the independent support of those who ran in other capacities, such as Progressives or as Independents, as would another party which had a minority in comparison with themselves, and if they did get that support they would be justified in assuming that they would be able to carry on the administration of the country. I make that statement subject of course to this limitation, that in the present instance the Prime Minister, before his defeat, declared that even under such circumstances he would not assume the responsibility of office inasmuch as, if he did assume it, the utmost he could expect to do would be to mark time, to draw salary and indemnity, and to enjoy the sweets of power, and that he could not serve this country in the manner in which the country must be served under such conditions as now obtain. However, leaving aside the remarks of the Prime Minister to that effect, there would have been justification for the present course of the government, even had they come back in a minority, did there exist no stronger party elected to the House, with a right equal to theirs to present to parliament the programme of that party and to ask for the support of all elected on other tickets, if that programme appealed to them. Never in the history of this Dominion; never in the history of the British parliament; never in the history of any province of our Dominion or of any province or state in any other dominion, has a government returned from an election, held under its own auspices and at its own instance, merely representing within its fold a minor group of the House, while a larger group has been returned, and ventured to assert its right to hold office or even to appeal for confidence to parliament.

So I ask hon. gentlemen opposite to reflect for a moment on the position in which they find themselves. To their coming and facing parliament there can be no legal objection. But there is a constitutional objection. The practice has been for many years to resign office before the assembling of parliament—a practice invariable over half a century save in one instance, and that was more than a third of a century ago, where a defeated government decided to wait for the express verdict of parliament before resigning. That the example of more than a third of a century ago, an example which at the time was severely commented upon in the press of Great Britain, should be followed is itself no credit to this alleged administration. But they are not even in a position to rely upon this somewhat hoary precedent for they have emerged from the election as merely a minor group of the House