

right hon. the Prime Minister himself also spoke with special reference to the tariff. I have already quoted the nature of his appeal on the general issue. Here is what he had to say more particularly with reference to the tariff:

In time of peace we can afford to support a candidate with a reservation, but in time of war they are a menace to a nation. I make no imperious demands. I only ask the people of this country to see the issue as it is, and to rise to a certainty that a vote in opposition to the new administration is a vote which will imperil the conditions under which we work for the war. We ask from no man and from no woman a reversal or abrogation of his or her convictions on fiscal matters or tariff matters or any other subject.

Mr. MEIGHEN: Hear, hear.

Mr. MACKENZIE KING: My right hon. friend says "hear, hear." I would ask him: Will he presume to say that his ministry in attempting to legislate on the tariff in the present session is not obliging the men and women of this country to forego an expression of their views on the tariff question? If my right hon. friend will say that he intends to appeal to the people, then I am quite prepared to admit that he may not be denying them that right which he then said he would not take from them. But if he presumes in this session to attempt to deal with the tariff, the people will hold him guilty of as great a breach of faith as it is possible for a public man to commit.

We only ask that they postpone the prosecution of those opinions and convictions, and subordinate them to the infinitely greater necessity until we get through these abnormal times. This is all the appeal we make. The accepted basis of union was the only basis on which union was possible at the present time. What Mr. Calder, Mr. Crerar and I ask is that the people of this country unite on the same basis that the Government of the country united.

In the quotations I have cited, you have heard from the lips of the then Minister of Agriculture and the present Minister of Immigration and Colonization what the accepted basis of union was. They have both said that it expressly excluded any dealings with the tariff. My right hon. friend joins with them in an appeal on that ground. Again, I ask, how dare my right honourable friend presume to say that his Government is justified in dealing with this all-important question, without first giving to the people of Canada an opportunity to return to Parliament a House of Commons that will give a proper expression to their views?

Well, Mr. Speaker, one is almost at a loss to imagine what my right hon. friend can say in reply in view of the statements which I have just quoted.

Mr. EDWARDS: Do not worry; you will know soon enough.

Mr. MACKENZIE KING: I think I know already what he will say. He and his colleagues in different parts of the country have apparently found it necessary to work out a defence for their position, they realize they are on the defensive in this matter, and when addressing different meetings they have attempted to make an explanation to the public, which they hope will be accepted. As far as I have been able to follow the remarks of my right hon. friend and his colleagues, there are broadly four grounds upon which an attempt will be made to justify the continuance of this Government. First of all he will seek refuge in the law and the constitution, in the limit of time permitted a Parliament by the British North America Act; in the right of a ministry to exist so long as it has 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 constitution. 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. 33) 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 provides a limit beyond which the term of Parliament may not run, but having regard to the rights of the people the parliaments of Great Britain have for the most part found it desirable and necessary to exhaust only about one-half, some of them two-thirds, of the full period which the constitution allows.

Take, next, the history of our own Parliament since Confederation. In Canada, notwithstanding the 5 year limit fixed by the British North America Act, the duration of the several Parliaments since Confederation, has been as follows:

The 1st Parliament dissolved July 8, 1872, 4 years, 9 months, 15 days.

The 2nd Parliament dissolved January 2, 1874, 1 year, 4 months.

The 3rd Parliament dissolved August 17, 1878, 4 years, 5 months, 24 days.

The 4th Parliament dissolved May 18, 1882, 3 years, 5 months, 27 days.

The 5th Parliament dissolved January 15, 1887, 4 years, 5 months, 8 days.

The 6th Parliament dissolved February 3, 1891, 3 years, 9 months, 28 days.

The 7th Parliament dissolved April 24, 1896, 4 years, 11 months, 30 days.

The 8th Parliament dissolved October 9, 1900, 4 years, 2 months, 26 days.

The 9th Parliament dissolved September 29, 1904, 3 years, 11 months, 20 days.

The 10th Parliament dissolved September 17, 1908, 3 years, 11 months, 18 days.

The 11th Parliament dissolved July 29, 1911, 2 years, 10 months, 20 days.

The 12th Parliament (the War Parliament) dissolved October 6, 1917, 6 years, 3 months, 17 days.

The 13th Parliament, until February 14, 1921, 3 years, 3 months, 27 days.