

And again, at p. 60 :

Another ground of dissolving Parliament has been the existence of disputes between the Lords and Commons and of this one or two instances may be briefly referred to. Charles II prorogued his third Parliament "because to his grief he saw there were such differences between the two Houses that he is very afraid ~~VERY ILL-EFFECTS WILL COME OF IT,~~" and during the period of prorogation, the Parliament was dissolved.

And again, at p. 60 :

On another occasion of a dispute between the two Houses, Parliament was dissolved in 1801.

And again, at p. 61 :

Another dissolution of Parliament in 1705 was occasioned by a dispute between the two Houses with respect to the important case known as that of the "Aylesbury Men."

Bagehot, at page 15, says :

"Though appointed by one Parliament, it can appeal if it chooses, to the next. Theoretically, indeed, the power to dissolve Parliament is entrusted to the Sovereign only; and there are vestiges of doubt whether in ALL cases a Sovereign is bound to dissolve Parliament, when a Cabinet asks him to do so. BUT NEGLECTING SUCH SMALL AND DUBIOUS EXCEPTIONS, THE CABINET WHICH WAS CHOSEN BY ONE HOUSE OF COMMONS HAS AN APPEAL TO THE NEXT HOUSE OF COMMONS. The chief Committee of the Legislature has the power of dissolving the predominant part of that Legislature—that which at a crisis is THE SUPREME LEGISLATURE. The English system, therefore, is not an absorption of the executive power; it is a fusion of the two. EITHER THE CABINET LEGISLATES AND ACTS, OR IT CAN DISSOLVE. It is a creature, but it has the power of destroying its creators."

In regard to the right of a Government to recommend a dissolution and the duty of the Head of the Executive to accept their advice, Hearn thus lays down the British rule at page 117 :—

"The proper conduct of Parliamentary Government implies that the King shall not retain any servants whom Parliament advises him to dismiss; and that he shall, while he retains them, give to his recognized servants his full confidence AND BE EXCLUSIVELY GUIDED BY THEIR ADVICE."

May, edition of 1873, page 532, observes :

"The necessity of refusing the Royal assent is removed by the strict observance of THE CONSTITUTIONAL PRINCIPLE THAT THE CROWN HAS NO WILL BUT THAT OF ITS MINISTERS."

The greater necessity of a dissolution being granted in this country when the Houses differ, will be better demonstrated and understood by the absence from our system of a means of bringing the Lords to reason, which is provided by the British system. Hearn, p. 168, says :

"There is, however, another method by which it is said that a refractory House of Lords may be brought to reason. When that House persists in its opposition to

bod  
tha  
  
be d  
concl  
  
T  
is or  
do d  
ence  
no p  
ad va  
disso.  
  
But  
questi  
is act  
nothin  
House  
disting  
sibles  
  
Again  
should  
party, i  
from Ea  
Executi  
in grant