

or wrong—for the present, at any rate—a very strong opinion, not shared by most of the hon. gentlemen who have spoken to-day. In 1874, Parliament did not meet until after the day of the return of the last writ, and in that year the Hon. Mr. Blake was Minister of Justice. That seems to be in keeping with the view that Parliament began to run from that period. I rise merely in view of the statement that there were none whose names were known who held the opinion, and to suggest for the consideration of the Government that there is this curious phase which seems to strengthen the idea thrown out for reference to the Supreme Court. Take this chamber to-day, those who argue, no doubt sincerely, inclining to the view I entertain, that this Parliament runs till June, happen to be desirous of promoting remedial legislation, and are anxious to see the Remedial Bill carried into effect. All the other gentlemen, without exception, who say they have no doubt that the life of this Parliament expires on the 24th of next April, desire to defeat that Bill. No gentleman advocating the Bill would like to see it dealt with irregularly and unconstitutionally, so as to be in the end abortive. I would like to see this Parliament live long enough to deal comprehensively with the measure, but if there is any reasonable doubt amongst legal minds as to our power, no advocate of the measure would wish to run any risk. I was going to make another suggestion. It has been suggested that we should refer this point to the Supreme Court. Well, it is answered, and with some force, that the decision of the Supreme Court could not be considered a final judgment, and it is too late to go to the court of last resort. But we have a committee, and I think that committee might be called into play to look upon these very references and precedents and make a report; and even if the members of that committee have not the standing of judges of the Supreme Court, still I question very much whether, on a matter of this kind, after all is said and done, the report of that committee would not be as valuable to the House of Commons. The question, at any rate, would bear investigation and discussion, for we all desire that no risk should be run in connection with this legislation; and as regards the point that Parliament may possibly have met before it had a right to meet, that point demands the consideration of this House, and that consideration, it seems to me, could be regularly obtained by references to the Committee of Privileges and Elections.

Mr. CHOQUETTE. Opinions have been given from nearly every province, and I should like to quote the opinion contained in a letter from Ottawa to the "Moniteur de Lévis," which is considered the organ of the ex-Minister of Agriculture, the Hon. Senator Angers. That letter, I believe, was written by the Hon. Senator Landry, for-

merly member of this House from Montmagny.

Mr. AMYOT. Does the hon. gentleman affirm it as a fact that the "Moniteur de Lévis" is the organ of the ex-Minister of Agriculture, and also that the letter he refers to was written by Senator Landry?

Mr. CHOQUETTE. As far as one can affirm an opinion, I do so. It is well understood in Quebec that the "Moniteur de Lévis" is the organ of the ex-Minister of Agriculture. That is well understood in Quebec. And I can affirm with certainty that the letter from which I am about to quote was written by Senator Landry. This letter goes on to quote section 50 of the British North America Act, which reads 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.

Here is what Senator Landry argues from that clause:

In decreeing that the duration of Parliament must not extend beyond the period of five years (and no longer) the law shuts the door on all ulterior delays, and every Parliament which would take upon itself to exceed this extreme limit would be without authority and against authority. The constitution would be violated and the country would fall into anarchy.

I give this as the opinion of Senator Landry, because I am sure the letter was written by him, and I feel pretty certain that this is also the opinion of Senator Angers.

Mr. EDGAR. The hon. member for St. John (Mr. Hazen) seems to think that, by reason of section 14 of the Elections Act, it was within the power of the returning officer for Algoma to extend the time of the duration of Parliament beyond five years. I do not think that the hon. member will contend that an officer can do, by a side wind, what this Parliament cannot do. We cannot constitutionally pass an Act to say that the existence of this Parliament shall be five years and one day. We have no authority; we are estopped by the British North America Act from doing it. A province can do it, but this Parliament cannot do it. How much less, then, is it possible for a returning officer, by a side wind, under a clause of a Dominion statute to do what this Parliament could not do itself. Then, with reference to the hon. member for Picton (Sir Charles Hibbert Tupper's) remarks. I could not quite make out how he argued that we may have the right, after meeting on the 29th April, 1891.—

Sir CHARLES HIBBERT TUPPER. We may have been wrong.

Mr. EDGAR. Or may have been right.

Sir CHARLES HIBBERT TUPPER. I argued that we may have been wrong.