

the books, which he thought was out of place in any office of the Government. (Laughter.)

Mr. WOOD regretted very much that his hon. friend had brought this matter up. If the hon. gentleman had communicated with himself privately he would have been given to understand that the whole responsibility rested on himself and on himself alone. (Hear, hear.) By his order the Inspector had got 200 copies bound, and he was told that they cost just 15 cents a volume, or \$15 a hundred. (Hear, hear.) He had further directed the Inspector to address a copy to each member of the House. (Hear, hear.) There was no distinction made whatever; it would be a most contemptible thing to show anything of the kind, and they were not guilty of it on that side of the House. As fast as these books were bound they were distributed, and he had no doubt every member would receive a copy within twenty-four hours. As to the taste of the Inspector presenting his compliments, he would leave the honourable gentleman to discuss the matter with himself. He thought that question of taste was in mentioning the matter in the House at all. (Hear, hear.)

Mr. MILLER agreed to a certain extent with the hon. member for North Grenville. He thought it improper for an officer in the employ of the Government to send books in such a way to members of the House.

Mr. WOOD said that it was customary for the Inspector of Prisons to get a certain number of copies bound, and have them sent with his compliments to institutions in the United States, from whom similar favours were received. He had no doubt the mistake had arisen in that way, for he was sure Mr. Langmuir had no intention to insult members of the House, or to cause ill-feeling in any way.

#### DURATION OF THE LEGISLATURE.

Mr. SCOTT, before the orders of the day were proceeded with, wished to discuss the question of the duration of the present Parliament. He thought that the matter could properly be brought up as a question of privilege. If the interpretation of the law were right that Parliament would be defunct on the 3rd of February next, there would not be much more than time before that date to pass legislation for the purpose of extending its duration. It had been said the matter was one simply of convenience, but he thought such a position untenable. Another reason for bringing the matter up as one of privilege, instead of by way of resolution, was that any matter brought up in the latter way was invariably treated as a matter of want of confidence in the Government. He could not agree with the hon. member for Stormont in his statement that hon. gentlemen on that side of the House should, if they thought the House would expire on the date he had mentioned, retire from their places altogether. It was impossible that on a question such as this there should be unanimity of opinion. In the general elections of 1875 the writs were returnable on the 2nd of February, with the exception of that for the district of Algoma, which was not returnable until the month of August following. A proclamation had been issued calling the Parliament together in February of that year, and if the Parliament were a Parliament at that time it was quite clear that it would expire on the 2nd of February next. The hon. member for Stormont had discussed the matter very clearly and candidly, but in his (Mr. Scott's) opinion he had not gone far enough, and had left out of view the most salient features of the case. He had pointed out, and to that extent he agreed with his hon. friend, that under the British North America Act it was necessary, before the Parliament could be complete, that Algoma should either be represented or that an opportunity should be afforded it of returning a representative. But his hon. friend had not gone far enough, because in his (Mr. Scott's) estimation the matter was to be decided by whatever construction might be placed upon the Acts of the Ontario Legislature irrespective altogether of the provisions of the B. N. A. Act. He thought it would be admitted upon all hands that they had as a legislative body the right to alter and change their constitution almost to an unlimited extent, except so far as related to the office of the Lieutenant-Governor and the prerogative

of the Crown. Such powers were conferred upon the Legislature by the 1st sub-section of the 92nd section of the British North America Act. He thought there could be no doubt that under the powers which they had under that Act it would have been quite competent for the Legislature at the session of 1874 to have declared itself complete irrespective altogether of the district of Algoma. They might have passed an Act declaring that the general elections of the Province of Ontario should be held on one day with the exception of the district of Algoma, and that notwithstanding the delay in the return of the writ for that district, the Parliament returned by the general writs should be an authoritative and valid Parliament. There could be no doubt that the four years should commence to run upon the 2nd of February, 1875. The "writs" mentioned in the British North America Act, from the return of which the four years would commence, did not mean the entire number of writs directed to all the constituencies in the Province, but simply those writs which would return a Parliament. The section reads thus:—

Every Legislative Assembly of Ontario and Quebec shall continue for four years from the time of the return of the writs for the choosing of the same.

So that if it had been declared that the Parliament should be complete irrespective of Algoma, then the writs choosing the Parliament would have been returnable on the 2nd of February. He contended that the only construction that could be put upon the various statutes passed in this Province since Confederation was that the Parliament was properly constituted by the writs as returnable on the 2nd of February. He wished to direct attention to the various Acts bearing on the subject. The first Act was the British North America Act, which provided that Parliament should continue for four years from the return of the writs. In the session 1868-9, the first amendment was made by this Legislature, providing that all the elections should be held on the same day, an exception being made in the case of Algoma. The Act passed in the second session of 1874 provided that no election should be held in Algoma during seven months in the year. In putting a construction on these Acts, it was necessary to discover the intention of the Legislature—whether that the district of Algoma should remain unrepresented for seven months in the year, or that the whole Province should be unrepresented for the same length of time. (Hear, hear.) It appeared to him that the Legislature intended that the smaller district should be unrepresented, and not the greater. It was absurd to think that this one constituency should prevent the representation of all the other constituencies in the Province. The intention of the Legislature, he thought, was that it was better that that district should be temporarily disfranchised than that the meeting of Parliament should be delayed, or the rest of the Province disfranchised, for the sake of this single constituency. In proof of this view, he cited sub-section 4 of section 18 of 32 Victoria. It was a well known rule that when doubt existed as to the meaning of a statute that interpretation should be accepted which would involve the fewest inconveniences. If the interpretation of hon. gentlemen opposite prevailed, this Province might be without a Parliament for very nearly a whole year. The history of constitutional law showed that wherever there had been a proclamation dissolving a Legislature, side by side with it there had been a proclamation directing the issue of the writs for a new Parliament. If this Parliament expired in September, we should have to wait for ten or twelve months before another could be called into existence. If the Government were defeated in the House, or if the Lieutenant-Governor desired them to go before the people, it would be impossible for them to learn the will of the people for about a year, and during that time the Province would be without a Legislature. It was a general presumption that the Legislature should not interfere with the prerogative of the Crown; but if the interpretation of hon. gentlemen opposite were correct, the prerogative of the Lieutenant-Governor to dissolve the House was taken away for eight or ten months in the year, as there would be no Legislature to dissolve. It was also a presumption that the Legislature should not exceed its own jurisdiction. The British North America