

rather disavowed invoking it. Mr. Geoffrion, however, appealed to it, and in his brief reply Mr. Chrysler appeared to insist upon its application. If this rule of construction would otherwise have governed, its application to section 6 of the War Measures Act of 1914 is clearly excluded by the words which precede the enumeration of the specified subjects, namely, "for greater certainty, but not so as to restrict the generality of the foregoing terms, it is hereby declared, etc." That same language is found in section 91 of the B. N. A. Act, and I have never heard it suggested that the residuary powers of Parliament under the general terms of that section "to make laws for the peace, order and good government of Canada" are restricted to matters and things *ejusdem generis* with the subjects enumerated in its succeeding clauses, or, as Mr. Chrysler put his argument on this branch in opening, that the specified subjects should be regarded as illustrative of the classes of matters to which the application of the preceding general terms should be confined. Rather, I think, as put by Mr. Newcombe and Mr. Tilley, the specification should be deemed to be of cases in which there might be such doubt as to whether they fell within the ambit of the general terms—wide as they are—that *ex abundante cautela* it was safer to mention them specifically.

Mr. Justice Beck appears to have appreciated that this was the purpose of the words "for greater certainty," etc.; yet, by some mental process that I am unable to follow, after saying "the enumeration of the particular subjects of jurisdiction is obviously made in order to remove doubts which might possibly arise as to whether or not the particularized subjects would fall within the general statement of the subjects of jurisdiction," he proceeds to add that "such an enumeration of particular subjects must necessarily be taken as interpretative and illustrative of the general words, which must consequently be interpreted as intended to comprise only such subjects, in addition to those particularly specified, as fall within a generic class of which the specified instances are illustrative and definite of the general characteristics of the class," and he makes a strict application of the *ejusdem generis* rule, thereby excluding the making of orders for the enlistment of certain men exempt under the Military Service Act, 1917, as to which, whatever else may be said of them, there cannot be a shadow of doubt that they were made "by reason of the existence of real war" and because "deemed necessary or advisable for the security, defence and welfare of Canada."

The very purpose of inserting the words "for greater certainty, but not so as to restrict the generality of the foregoing terms," would appear to have been to insure the exclusion of the rule of construction under consideration. "The terms" of s. 6, the generality of which is not restricted, are "to do and authorize such acts and things and to make from time to time such orders and regulations as he may by reason of the existence of real or apprehended