

As whereas the said question came before this Court for hearing on the fourteenth day of March in the Year of Our Lord One thousand Nine Hundred and Twenty-eight, in the presence of Counsel for the Attorney General of Canada, the Attorney General of the Province of Quebec and Henrietta Muir Edwards, and others, petitioners.

Whereupon and upon hearing what was alleged by Counsel aforesaid, this Court was pleased to direct that the said Reference should stand over for consideration and the same having come on this day for determination, the following judgment was pronounced :—

10       “ The question being understood to be ‘ Are women eligible for appointment to the Senate of Canada ’ the question is answered in the negative.”

(Sgd.)       E. R. CAMERON,  
Registrar.

*In the  
Supreme  
Court of  
Canada.*

No. 9.  
Formal  
Judgment,  
24th April,  
1928—con-  
tinued.

### No. 10.

#### Reasons for Judgment.

(a) ANGLIN C.J.C.—By Order of the 19th of October, 1927, made on a petition of five ladies, His Excellency the Governor in Council was pleased to refer to this court “ for hearing and consideration ” the question :

20       “ Does the word ‘ Persons ’ in section 24 of the *British North America Act, 1867*, include female persons ? ”

Notice of this reference was published in the *Canada Gazette* and notice of the hearing was duly given to the petitioners and to each of the Attorneys General of the several provinces of Canada. Argument took place on the 14th of March last when counsel were heard representing the Attorney General of Canada, the Attorneys General of the provinces of Quebec and Alberta and the petitioners.

30       Section 24 is one of a group, or fasciculus of sections in the *British North America Act, 1867*, numbered 21 to 36, which provides for the constitution of the Senate of Canada. This group of sections (omitting three which are irrelevant to the question before us) reads as follows :

#### “ THE SENATE.

“ 21. The Senate shall, subject to the Provisions of this Act, consist of Seventy-two Members, who shall be styled Senators.

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“ 23. The Qualification of a Senator shall be as follows :

(1) He shall be of the full age of Thirty Years ;

(2) He shall be either a Natural-born Subject of the Queen, or a Subject of the Queen naturalized by an Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of

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No. 10.  
Reasons for  
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(a) Anglin,  
C.J.C.