

*In the  
Supreme  
Court of  
Canada.*

No. 4.

**No. 4.**

**Extracts from The British North America Act, 1867.**

*(Printed in Joint Appendix, page 18.)*

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No. 5.

**No. 5.**

**Extracts from The British North America Act, 1915.**

*(Printed in Joint Appendix, page 40.)*

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No. 6.  
Factum of  
the Appel-  
lants.

**No. 6.**

**Factum of the Appellants.**

**PART I.**

This is a Reference by the Governor-General in Council under the provisions of Section 60 of the Supreme Court Act, to ascertain the meaning of the word "Persons" in Section 24 of The British North America Act, 1867. This section provides :

"The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of Canada, summon qualified Persons to the Senate; and, subject to the Provisions of this Act, every Person so summoned shall become and be a Member of the Senate and a Senator."

- Record p. 3. The Petitioners are interested in the admission of women to the Senate of Canada. The Law Officers of the Crown have expressed the view that male persons only may be summoned to the Senate. The Petitioners contend that female persons may also be summoned under the provisions of The British North America Act, 1867, and this Reference has been made by the Governor-General in Council to ascertain the meaning of the word "Persons" in Section 24 of The British North America Act, 1867. The question submitted is—"Does the word 'Persons' in Section 24 of The British North America Act, 1867, include female persons?"
- Record p. 4.

**ARGUMENT.**

1. There is nothing in the word "Persons" to suggest that it is limited to male persons. The word in its natural meaning is equally applicable to female persons and it is submitted it should be so interpreted.

2. The only limitation on the word "Persons" as used in Section 24 of The British North America Act, 1867, is the word "qualified," and for the meaning of "qualified" reference must be made to Section 23, which defines the qualifications of a Senator. While the masculine pronoun "He"

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