the Representation of the People Act, 1867, says: "The conclusion at which I have arrived is that the Legislature used "*man*" in the same sense as "*male person*" in the former Act, and this word was intentionally used to designate expressly the male sex, and that it amounted to an express enactment and provision that every man, as distinguished from woman, possessing the qualification, was to have the franchise, and in that view Lord Romilly's Act does not apply to this case, and will not extend the word "man" so as to include "woman." The other judges, Willes, Byles and Keating, fully concurred with the Chief Justice as to the construction to be put upon the statute, saying that the words "man" and "male person," together with the context of the statute throughout, showed conclusively that it was not intended to confer the franchise on women. Judges Willes and Byles went further, expressing their opinion that women were under a "legal incapacity" from either being electors or elected; the latter observing that "women for centuries have always been considered legally incapable of voting for members of parliament, as much so as of being themselves elected to serve as members," and he hoped "that the ghost of a doubt on this question would henceforth be laid forever." Even the casual opinion of such eminent men is entitled to the highest respect, though the point actually under their consideration and decided by them, was the construction of a particular statute as to *the right of a woman to vote*, not as to the right of the electors to choose one as their representative. The language of the statutes before them was different from the language of the Ontario statute. The latter is the one which governs here. It professes to deal with the whole question—being essentially a question—with which the Ontario legislature had the exclusive power to deal. It classifies and deals with the voters and candidates separately and exhaustively, and throughout the whole contest there is nothing inconsistent with such a conclusion.

Ansley (Thomas Chasholm) in his able review of the Representation of the People's Act, 1867, and of the Reform Act of 1832, ably handles the whole subject, and differs entirely from the views laid down by the learned judges on the case referred to—not upon the broad question, but upon the construction of the statute. His work was written in 1867, their decision given in 1869. In the course of his work he gives Mr. Denman, Q. C., as authority for the statement that the word "person" used in an Act of the legislature of one of the colonies of Australia had given the franchise to women.

It is also further to be observed, that in the Imperial Act 33 and 34 Vic. c. 75, entitled "An Act to provide for Public Elementary Education in England and Wales," (passed in 1870, since the decision in *Chorlton* v. *Lings*), which regulates the distribution and management of the parliamentary annual grants, in aid of public education, and provides for such distribution and management by means of a board or school parliament, with great powers, chosen by election by the ratepayers, the word "person" is used throughout with reference to those chosen to form the board, and under that designation women have been held eligible and taken their seats, notwithstanding that in speaking of such members the word "himself," and other words of the masculine gender only, are used. It would seem, therefore, taking all points into consideration, to require an arbitrary and unusual construction to be put upon such word, to deprive the electors of Ontario of the right of choosing a female representative for their own legislature, if they be so minded.

In all three of the Provinces persons holding offices of profit or emolument under the Crown, excepting members of the executive government, are debarred from holding seats in the Assembly. In all the three Provinces there must be a registration of voters, the foundation in all being the same, namely—the assessment list of the district—the details for the register of voters, simply varying according to the qualifications which give the vote, and which entitles the voter's name to be put upon the list—the exceptional instances in Nova Scotia being when the representatives of a deceased party, or the members of a firm assessed are entitled to vote: and in New Brunswick, when there has been no assessment in the parish for the year for which the list ought to be made up.

In Ontario the voting is *viva voce*.

In New Brunswick and Nova Scotia—by Ballot—introduced in elections in New Brunswick in 1855; in Nova Scotia in 1870.

The mode of conducting the Election.

The mode of conducting the election by ballot is very much the same in Nova Scotia as it is in New Brunswick, the most material distinction between the two being that in the several polling districts in New Brunswick the ballots are openly counted at the close of the poll at each polling place, in the presence of the candidates, or their agents, duly added up openly in the presence of all parties, entered in the poll books or check list, signed by the poll clerk, and countersigned by the candidates or their agents, and the ballots then forthwith destroyed, the countersigned poll book or check list with a written statement of the result of the poll at that district, with the signatures of the candidates or their agents is then forthwith enclosed, sealed up, and publicly delivered to the presiding officer to be transmitted to the sheriff to be opened on declaration day.

Whereas in Nova Scotia the ballot boxes, with the ballots, are sealed up and sent. This mode was in accordance with the law first introducing the ballot in New Brunswick, but, being found liable to abuse, was subsequently amended as above mentioned.