

Her Majesty's Reign, and in any future Session of the Parliament of Canada, except in so far as the provision is inconsistent with the intent and object of such Act, or the interpretation which such provision would give to any word, expression or clause is inconsistent with the context,—and except in so far as any provision thereof is in any such Act declared not applicable thereto;—Nor shall the omission in any Act of a declaration that the " Interpretation Act " shall apply thereto, be construed to prevent its so applying, although such express declaration may be inserted in some other Act or Acts of the same Session."

*In the
Supreme
Court of
Canada.*

No. 8.
Factum
of the
Attorney-
General of
Quebec—
continued.

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" 6. In construing this or any Act of the Parliament of Canada, unless it is otherwise provided or there be something in the context of other provisions thereof indicating a different meaning or calling for a different construction."

(1) * * * * *

" 7. Subject to the limitations aforesaid,—in every Act of the Parliament of Canada, to which this section applies :—

First. * * * * *

Tenthly. Words importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one and females as well as males and the converse.

Eleventhly. The word " person " shall include any body corporate and politic or party to whom the context can apply according to the law of that part of Canada to which such context extends."

Many Acts of course contain their own interpretation clause and from some of these it might be gathered that the word " person " is not always to be taken in its widest sense. Thus in the English Trustee Act of 1850, it is provided that " person " used and referred to in the masculine gender shall include females as well as a male and shall include a body corporate.

Again it has been held that the word " person " in section 4 of the Vagrancy Act of 1824, 5 Geo. IV, c. 83 does not include a woman, (*Peters v. Cowie*, 46 L.J., M.C., 177, 2 Q.B.D. 131).

The expression " Male British Subject " does not occur in the British North America Act except in a special proviso to sections 41 and 84 regarding the election of a member for the district of Algoma.

We are therefore thrown back upon the context for the meaning of the word " person " in section 24 and very wide considerations are open for implications as to the restriction to be put on the word in the particular section.

As above pointed out, the British North America Act recites that the constitution is to be similar in principle to that of the United Kingdom and of course this must be held as of the constitution of the United Kingdom in the year 1867 not as it may be altered by any subsequent legislation.