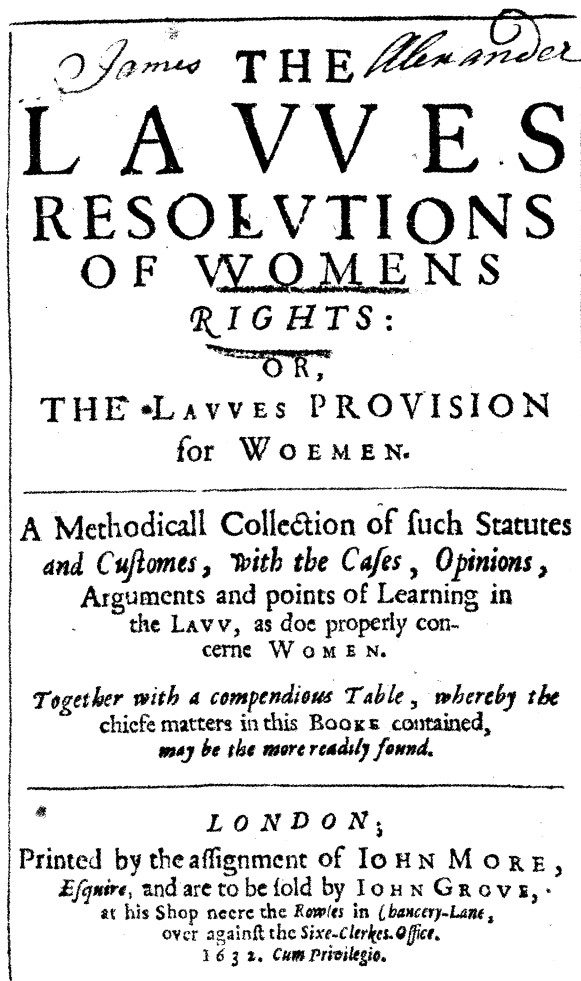


**This is a section from the British Council Privy Paper stating that women were now 'persons.'**

On the 29th August, 1927, the appellants petitioned the Governor-General in Council to refer to the Supreme Court certain questions touching the powers of the Governor-General to summon female persons to the Senate, and upon the 19th October, 1927, the Governor-General in Council referred to the Supreme Court the aforesaid question. The case was heard before Chief Justice Anglin, Mr. Justice Duff, Mr. Justice Mignault, Mr. Justice Lamont and Mr. Justice Smith, and upon the 24th April, 1928, the Court answered the question in the negative; the question being understood to be 'Are women eligible for appointment to the Senate of Canada.'

The Chief Justice, whose judgment was concurred in by Mr. Justice Lamont and Mr. Justice Smith, and substantially by Mr. Justice Mignault, came to this conclusion upon broad lines mainly because of the Common Law



*The title page from the Lavves resolutions  
 of women's rights (1632).*

disability of women to hold public office and from a consideration of various cases which had been decided under different statutes as to their right to vote for a member of Parliament.

Mr. Justice Duff, on the other hand, did not agree with this view. He came to the conclusion that women are not eligible for appointment to the Senate upon the narrower ground that upon a close examination of the British North America Act of 1867 the word 'persons' in section 24 is restricted to members of the male sex. The result therefore of the decision was that the Supreme Court was unanimously of opinion that the word 'persons' did not include female persons, and that women are not eligible to be summoned to the Senate.

Their Lordships are of opinion that the word 'persons' in section 24 *does* include women, and that women are eligible to be summoned to and become members of the Senate of Canada.