

The recommendation of the executive committee was that the tariff should be increased year by year till 82 years and \$16.12 monthly instalment—"provided that any member who shall have joined the Order prior to the said 1st day of October, 1912, shall have the option of having his or her certificate rated at his or her attained age as of the 1st day of May, 1905, or at his or her attained age at date of joining, if he or she shall have joined the Order subsequent to the 1st day of May, 1905, upon either paying an additional assessment, consisting of the difference between the rate hereinbefore provided for and the rate theretofore paid by such member, which is according to the following schedule." The schedule set out ages and rates as in the original.

The constitution required (sec. 169) that a copy of all proposed amendments should be forwarded to the Grand Recorder on or before the 31st October, in order that he might send a copy to each subordinate Lodge in time for a full discussion of the proposed amendment before selection of a Grand Lodge representative.

In all important matters the representative in Grand Lodge of a subordinate Lodge has as many votes as his Lodge has members.

No notice of the amendment which was adopted was forwarded to the Grand Recorder.

I. F. Hellmuth, K.C., for the plaintiffs.

E. F. B. Johnston, K.C., for the defendants.

RIDDELL, J. (after setting out the facts):—It must be perfectly manifest that this amendment never was submitted to the subordinate Lodges for the consideration of their members, and that the members of the Order at large have had no opportunity of considering and discussing the same and of instructing their representatives in respect thereof. This, of course, would—or might—be no objection where the representative was a representative, as in the Dominion and Province, of the whole Dominion or Province, and not of a particular constituency.

It may perhaps not be a prerequisite, taking sec. 169 strictly, for the Grand Recorder to send a copy of the amendment to the Lodges; but it is, in any reading, necessary that the amendment shall be forwarded to the Grand Recorder on or before the 31st October before the meeting at which it is to be considered.

There are other objections to the amendment upon which I do not pass.