

Court to interfere actively by changing the possession of the hall. But *quaere*, were those adherents of the plaintiff's side to be reckoned as rightful members in regular succession to the associates of 1903? Guided by the reason assigned by the Court of Appeal I should take it that there was a distinct breach in the society occasioned by the *ultra vires* action of the then majority. They voted themselves out of the original body and established a new chartered entity bound together by obligations to and connection with the Social-Democratic Party of Canada. They separated themselves from the original body, and the true line of associated succession is to be found in the then minority, who have remained faithful to its principles throughout the whole period. Can the separated ones seek to retrace their steps to equal status with the faithful ones, without some inquiry as to their suitability. For instance, those represented by the plaintiffs are all or almost all members of the local body No. 31 of the Social-Democratic Party. Now, it is one of the rules laid down in the constitution of the Young People's Society that a person is "not able to act energetically enough in two societies at the same time;" and those who now hold the majority may think fit to invoke that provision to exclude outstanding socialists who are thought over-zealous in their propaganda. It is not necessary for the disposal of this case to pass definitely upon this question, for, I think, on other grounds, as now stated and as also stated *viva voce* at the close of the argument, that the *locus standi* of the plaintiffs does not call for the interference of the Court.

It is alleged by the plaintiffs that the defendants by fraudulent means obtained possession of the keys at Christmas, 1913. This has not been proved—so far as appears, the keys were yielded by the then holder as manager of the hall in obedience to the demand based upon the judgment of the Court of Appeal. A copy of the judgment was nailed up in the hall contemporaneously as the justification of the act. Though the judgment does not in terms pass upon this, it may be inferred that this result is to be reasonably deduced therefrom. At all events, the plaintiffs had no right to exclude the party of the defendants as they did unless they would submit to socialistic control.

In the line of true succession Vick has been elected president and treasurer of the society, and he is also the fiduciary