

ness by the different branches of the Order, the powers and duties of their various officers, the rights and liabilities of the members, the creation and maintenance of a reserve fund and a beneficiary system, and other matters. No distinction, in this document, is drawn between what might be considered constitutional principles, and what, mere details; but all are dealt with in the one instrument in consecutive sections from 1 to section 172, and together represent the nature of the compact between the Order and its members, and the rights of its members between themselves.

The change proposed by the Mills Amendment is a most material change. In fact, it is difficult to imagine any alteration of this compact which might have more serious results than would one affecting the assessment rates, and I cannot assent to Mr. Johnston's contention that they may be changed at the mere will of Grand Lodge, without previous notice to the subordinate lodges as required by section 169.

For these reasons I think the judgment appealed from should be affirmed with costs here and below, and that the injunction should remain perpetually. Having reached the foregoing conclusion, it is not necessary to deal with other objections advanced by the plaintiffs.

CLUTE, J., came to a similar conclusion, giving reasons in writing.

SUTHERLAND, J., agreed with the judgment of MULOCK, C.J.

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SHEARDOWN v. GOOD—MASTER IN CHAMBERS—DEC. 21.

*Pleading — Statement of Claim — Mistake — Motion to Amend.*—Motion for leave to amend statement of claim by rectifying a mistake and claiming mesne profits. In this case a new trial was ordered by the Divisional Court which gave liberty to the defendant to amend the statement of defence and to plaintiff leave to reply thereto within a week after such amendment. The defendant amended on 9th December and the plaintiff replied next day. He now moved for leave to amend as above. The Master said that the whole question had been considered by him in the case of *Hunter v. Boyd*, 6 O.L.R. 639, and that he saw no reason to depart from that decision, or to qualify the reasoning on which it proceeded. An order would therefore be made allowing the plaintiff to withdraw the reply and