

which they had withdrawn, as stated in the preamble to the rules.

It can hardly be pretended that the proved objects and principle of the socialist party come within the scope of even the subsidiary objects of the Young People's Society. The mission of the party is stated in the charter issued to Local No. 31, in this case to be "to educate the workers of Canada to a consciousness of their class position in society; their economic servitude to the owners of capital, and to organize them into a political party, to seize the reins of government and transform all capitalistic property into the collective property of the working class."

Every applicant for membership must pledge himself to support the ticket of the party, and if he supports any other party he is expelled, or "kicked out" as one of the chief officers graphically puts it.

The original rules of the Young People's Society shew that its members, provided they kept their pledge of "absolute temperance" were to have perfect freedom to think and act on other questions as they saw fit, so long as they avoided "participation in low acts." Without expressing any opinion as to the merits of the principles of the party to which the majority have decided to affiliate the society, their compulsory and restrictive methods are at variance with the fundamental principles of freedom of opinion on which the society was founded, and those who contributed to the property and funds of the society for the proprogation of these ideas have a right to complain when it is sought to divert these funds into another channel, and to prevent them from enjoying the advantages of the society and its property, unless they submit to restrictions inconsistent with the principles on which the society was founded.

The resolution of the 7th of January, 1912, was, consequently *ultra vires* of the Young People's Society, and the defendants should be restrained from diverting the property or moneys of the society to the socialist party or depriving the members of the society of any rights or privileges unless they join or contribute to the said party.

The appeal should be allowed with costs.

HON. SIR WM. MEREDITH, C.J.O., HON. MR. JUSTICE MAGEE, and HON. MR. JUSTICE HODGINS, agreed.