

After a stormy debate this was carried on a ballot vote by 74 to 24. The secretary was instructed to apply for a charter, which he did, and one was issued to them as "Local No. 31, Social-Democratic Party of Canada," the charter under which the Copper Cliff local socialist branch existed up to that time being surrendered. The Young People's Society paid \$12 for the new charter.

The plaintiff objected to the above resolution on the ground that no previous notice had been given of it. The only rule of the society bearing upon this is number 25, which reads: "The rules cannot be altered, amended or changed otherwise outside of an annual or semi-annual meeting." Nothing is said about notice. The resolution, would, therefore, appear not to be invalid on this account.

There is, however, a more serious objection.

It is well settled principle of law that the property of a voluntary society like this, cannot be diverted by a majority of its members from the purposes for which it was given by those who contributed to it, or devoted to purposes that are alien to or in conflict with the fundamental rules laid down by the society, and the dissenting minority who adhere to these rules are entitled to have them restrained from so doing. The question is, has this been done in the present instance?

It is quite evident that there has been a complete merger of the two societies. Their funds have been combined in a common fund. The officers of the Young People's Society are the officers of the Socialist Local No. 31. The treasurer, a witness for the defence, says that to become a member of the Young People's Society, one must join the Socialist Party, and two members who wished to join the Athletic Association of the society would not be received because they would not become socialists or pay the socialist tax of 10 cents a month. The evidence is that this applies to all the subordinate societies.

The rules shew that the leading principle of the Young People's Society was that of "absolute temperance" or total abstinence, and that they were to work for the advancement of education amongst the Finnish nationality, and this they were to seek to accomplish by the means already indicated. They were also to have complete freedom to express religious as well as other opinions, something suggested, no doubt, by what they considered the narrowness of the older society from