

This action is an outgrowth of former litigation in connection with "The Copper Cliff Young People's Society." In the report of that former litigation the early history and organisation of the Society is set forth in the judgment of Mr. Justice Maclaren in *Vick v. Toivonen*, 4 O.W.N. 1542.

The society began in a voluntary association of 25 persons, in February, 1903, and their local habitation was provided for by a lease of land from the Canadian Copper Company of Copper Cliff to Herman Vick, as trustee of the Finland Temperance Hall of Copper Cliff, on which a hall or place of entertainment was put up by the associates.

This lease was renewed on the 2nd January, 1914, to the same Vick (who is the defendant), as trustee of the Finland Temperance Hall of Copper Cliff.

The first action centred on proceedings taken at the annual meeting on the 7th January, 1912, when the members resolved, by a vote of 74 to 24, that the Young People's Society should unite with the Socialist Party of Canada. This was a packed meeting, and the opponents of the Socialistic movement were taken by surprise. Though the vote was on the 7th, the charter affiliating this society with the Social-Democratic Party of Canada bears date the 1st January, 1912.

This action of the majority was declared by the judgment in appeal *ultra vires*, and in violation of the original constitution of the Young People's Society—the emphatic note in which was "Temperance."

After this date—7th January, 1912—the Socialistic section practically ousted the original (Temperance) section from the hall and associate property, and such was the physical situation till Christmas-day, 1913, when the manager of the hall gave up the key to the defendant, and he took possession as trustee of the Temperance Hall and for the use of the faithful members of the Young People's Society.

In the County Court action brought by Vick to restrain the Socialistic movement, judgment was against him in the Court below, but this was reversed on appeal, and the ultimate decision, by judgment dated the 26th June, 1913, was brought to the attention of those in possession by the defendant Vick towards the end of September, 1913. They then sought to neutralise or obliterate what had been done, by procuring a repeal of the charter by which the Young People's Society had been enrolled as No. 31 of the Social-Democratic Party. The date of this was about the 1st October, 1913. The fact of this with-