

The Rise of Guilds and Mutual Benefit Associations.

By GRAND CHANCELLOR MACCABE.

II.

Societies of artisans were organized in Rome at a very early period; and, together with merchants' corporations, continued to increase in number and importance. Incorporated with fixed statutes, under the Cæsars, they spread all over the Roman Empire. The Christian religion found them among the laboring classes in the East and the West, infused into them its active spirit of brotherly charity and thus the old pagan corporation became the Christian Guild.

A general understanding of the diversified objects of Guilds may be obtained by a detailed review of their recorded regulations. Care for the fitting burial of the brethren at the cost of the Guild, was an object of the first and most general solicitude. Help to the poor, the sick, the infirm and aged, by money, food, or clothing, was also equally general. Assistance to those who were overtaken by misfortune, as fire, flood, robbery, was a common provision. Loans of money from the common Guild stock were made in some Guilds, under special circumstances only; in others as a part of their ordinary working; while in others, free loans or gifts to the young, in view of enabling them to obtain a place in the world, was an especial feature. Brethren cast into prison were to be visited and aided in getting their release. Others going on pilgrimages, whether to the Holy Land or to Rome, were helped and honored. Sometimes the brethren were to be visited by, and other times entertained at the houses of, their richer brethren. One Guild merchant kept a "lodging house with thirteen beds to lodge poor folks coming through the land on pilgrimage, or any other work of charity."

The following is an enumeration of the wide range of their prevalent and useful objects:—

1. Relief in poverty.
2. Relief in sickness.
3. Relief in old age.
4. Relief on loss of sight.
5. Relief on loss of limb.
6. Relief on loss of cattle.
7. Relief on fall of a house.
8. Relief on making pilgrimage.
9. Relief in case of fire.
10. Relief in case of floods.
11. Relief in case of robbery.
12. Relief in case of shipwreck.
13. Relief in case of imprisonment.
14. Aid in temporary pecuniary difficulties.
15. Aid in obtaining work.
16. Relief in defending himself at law.
17. Relief in being deaf or dumb.
18. Relief in being afflicted with leprosy.
19. Dowries on marriages of females, or on their entering a House of Religion.
20. Repairs of roads and bridges.
21. Repairs of Churches.

Finally the Guild, which stood like a loving mother, providing and assisting at the side of her sons in every circumstance of life, cared for her children even after death, and the ordinances as to this last act breathe the same spirit of equality amongst her sons, in which all her regulations were founded, and which constituted her strength. In case of insolvency at death, the funerals of poor members were to be equally respected with those of the rich.

Turning next to works of public usefulness, we find that some of the Guilds charged themselves with the repairs of certain highways; some with the repair of the walls and bridges of the cities in which the Guilds were established. Many Guilds made contributions to the repair of churches. One curious example of this is the following. Some bushels of barley were given "to put out to increase for the use and repair of the Church, which is in poor condition and partly decayed, and, as of necessity, in a short time the top of this, called the roof, must be made anew, and it cannot be done without the aid of the Guild, they pray to God that their goods be not disturbed." Other Guilds undertook the "repairs of the Church, and the renovation of vestments, books and other ornaments of the Church." And among the good works which the elastic constitution of the Guilds rendered it natural and fitting for them to take up was the maintenance of free schools.

Before speaking of the various classes of Guilds, and the gradual rise of "Social" Guilds, or Mutual Benefit Associations, it may be well to make a geographical survey, to trace the Guilds to the localities of their origin, to see them as they actually existed, to study how far they were influenced by surrounding circumstances, or how much, and in what direction they exerted any controlling influence upon the trade and industry of such places.

This geographical survey will be made in the next paper.

CHANGES OF BENEFICIARY.

By F. R. LATCHFORD.

II.

Section 5 of the Act cited speaks of "a policy of insurance." It is provided by the amending Act of 1885 that a certificate, such as that issued by the C. M. B. A., falls within the terms mentioned. Such a policy may be expressed upon the face of it to be for the benefit of the wife and children of a member or of the wife alone, or of the children alone. Policies are some times issued payable to a member of his heirs, executors or administrators. The person to whom a policy of this kind has issued may make it payable to his wife, mother or children by a declaration endorsed upon the policy or otherwise identifying it. No set form of words is necessary to constitute a valid declaration. The following may be used:

I, —, the person assured by the within certificate (or by certificate No. — of the Grand Council of the C. M. B. A. of Canada, do hereby declare, pursuant to the Statute in that behalf, that such policy shall be for the benefit of —, my wife, or — and — and — my wife and children; or as the member desires.

Dated this — day of — A. D., 189—.

Witness: C. D. A. B.
The member may if he desires apportion the amount of the policy, if payable to more than one beneficiary, by directing that a specific sum shall be paid to each.

Declaration may also be validly made by will that a policy payable to the insured shall be payable to his wife, mother or children.

As soon as a policy is issued payable to wife, mother or children, or is made so payable by proper declaration, it becomes a trust for the benefit of the wife for her separate use, or of the mother of the member or for the benefit

of his children, according to the intent so expressed or declared; and so long as any object of the trust remains, the moneys payable under the policy shall not be subject to the control of the husband or his creditors.

Where the sole beneficiary dies in the lifetime of the insured, the policy, in the absence of a new designation, will at his death become part of his estate and be liable for payment of his debts. The insured may, however, while living, make it payable to his children or others as he thinks proper. Should he not make a declaration regarding it, the moneys payable under the policy will at his death form part of his estate and be liable for his debts, even though his deceased wife has children living, and the policy is payable to her and her heirs.

If the sole beneficiary or all the beneficiaries should die, the member should at once designate new objects to whom the proceeds of the policy will be paid.

If such new objects are the wife, children or mother of the assured, the proceeds of the policy will not be liable to the claims of any creditor.

As one of the consequences of making a policy payable to a wife, child or mother, is that the insured cannot, while the beneficiary is living, take away the benefit of the policy, the greatest consideration should be given to the designation of a beneficiary, whether by the original policy or by a declaration referring to it. It need not trouble the assured that the proceeds of the policy in such case cannot be attached by his creditors, but he may wish to make the policy payable at some future time to a person other than one of the class which he first intended to benefit, and then is surprised to find that he cannot lawfully do so. What he can do is defined by sections 6 and 7. He may, by a declaration in writing, endorsed on or identifying the policy in any way, or even by will, vary within certain limits, in subsections defined, an apportionment previously made.

For instance, if the policy is payable to wife and children, he can make it payable to the wife alone, or the children alone, and if the policy is payable to the wife, the member may make it payable to any child or children. The limitation is only as to the objects among which such variation may be made.

As an example, it may be pointed out that a member cannot take from a wife benefits, whether payable to her by the original policy or by a declaration properly made, and have such benefits paid to his brother, or sister, or his father, or a stranger, though he can make such variation in favor of his mother, or wife, or his children or child.

If no apportionment is made, the beneficiaries named in the policy take, in Ontario, each an equal share in the amount of the insurance.

The circumstances under which a policy may be surrendered or assigned are set in subsection 2 of section 7. They amount, briefly, to this: When the beneficiaries are of age, and they join with the assured in an assignment of the policy, the benefits under the policy may be validly transferred.

An inconvenience which was felt under the law as it stood up to 1884, was that, where a wife had become guilty of gross misconduct, and the assured had no child to whom the policy might be transferred, or did not wish so to transfer or vary the policy, the erring wife could not be deprived

of the benefits the husband had voluntarily conferred upon her. This was obviously an injustice, and it was remedied by the following enactment:

"Where it is proved to the satisfaction of the executive of a registered friendly society that any beneficiary under an insurance certificate or contract of the society is leading an immoral life, then, and notwithstanding anything contained in chapter 136 of the Revised Statutes of Ontario, 1887, or in any other Act of this Province, it shall be competent for the assured, with the consent of the said executive, to declare, either by endorsement on the certificate or contract, or by other writing, that all right, title and interest of the said beneficiary in or to the certificate is forfeited and annulled, and thereupon the said right, title and interest shall be forfeited and annulled accordingly and the assured, by a like writing, may then or thereafter from time to time make a new appropriation in accordance with the lawful rules of the society, and may re appropriate the benefits, and the right of the assured in this behalf shall be in addition to his rights under chapter 136 of the Revised Statutes or other Acts of this Province."

This section applies to certificates or contracts heretofore issued as well as to future certificates or contracts.

Archbishop Begin on Benefit Associations.

The following extract from a circular issued by His Grace Archbishop Begin, of Quebec, to the clergy in his Archdiocese, will be read with much interest by our C. M. B. A. members. The words "of Canada" after Catholic Mutual Benefit Association, were added by His Grace to the copy given, a member of our Grand Council:

Archbishopric of Quebec,
March 7, 1895

In his recent encyclical to the Bishops of the United States, Our Holy Father Pope Leo XIII., speaking of benevolent associations that spring from all quarters and which merit more or less the confidence of the faithful, gives the following teaching:

"As for the enrollment into societies, extreme caution should be taken to avoid being led into error, and we desire to be understood as making allusion in a special manner to the working classes, which surely have the right to unite in associations to promote their interests, a right recognized by the Church and conformable to nature. But it is very important that you should take care with whom the working men associate, otherwise, although working for the improvement of their condition, they might put in danger much more worthy interests."

"The most effective caution against this peril is to resolve never to take part at any time or in anything, violating justice."

"Consequently every society that seditiously obeys leaders that are not champions of right, and friends of religion, may become extremely prejudicial to the advantage of the community. It cannot be useful. Following this conclusion, avoid not only associations that have been openly condemned by the judgment of the Church, but also those that, according to the advice of intelligent men and social Bishops, are considered as doubtful and dangerous. Likewise, Catholics must prefer to associate with Catholics, which would be very useful for the safeguard of their faith."

From this wise direction of the Supreme Pontiff you should prudently dissuade your flock from joining those new societies that are not, at least, known as openly Catholic.

The aim that they claim to pursue outside the Catholic Church, their rituals and constitutions, their relation that their chiefs have sometimes with societies already forbidden are of proper nature to inspire serious and perfectly legitimate fears."

However, we have here benefit societies that have already given proof and satisfaction in every respect. It is sufficient for me to mention the St. Joseph's Union, already existing in many parishes, the Catholic Mutual Benefit Association of Canada (C. M. B. A.), the Societe des Artisans Canadiens-Français de Montreal, and the Catholic Order