

NOTES.

GRAND Chancellor MacCabe will begin, in the April number, a series of articles on the rise of Guilds and Mutual Benefit Associations.

HAVE you brought one member into the C. M. B. A. since you became connected with it? If not, bring one in before the end of this year. By so doing you will benefit your friend and increase your own security at the same time.

BROTHERS, do not allow yourselves to become suspended. Ponder over the following extract from the *Fraternal Times*: "The times are hard, but they would be much harder for your wife and little ones if you should allow yourself to become suspended, and death should claim you before you had a chance to become re-instated."

The members of Branches 132 and 160 Halifax, N. S., beg to intimate to the members of the C. M. B. A. throughout Canada that any member visiting Halifax will find a welcome in their Rooms, Anderson's Building, corner Duke and Barrington streets.

Brother P. F. Boyle, Recording Secretary of Branch No. 4, has been appointed landing waiter in the customs department, London, Ont. He will prove himself a most efficient officer and a valuable addition to the civil service staff in this city. We congratulate Brother Boyle upon his appointment.

SHAKESPEARE says: "He that dies pays all debts." Is not this, even from a temporal point of view, more poetry than truth? A man's debts must be paid from his estate. If you were to die now, how much would be left to your widow after all debts were paid? Protect her by becoming a member of our C. M. B. A., and designate her as your beneficiary.

THE Insurance Commissioner of Pennsylvania says: "While I regard life insurance purely as a business, and not as a charity, yet in every thread of its warp and woof I can see the golden tints of the sweetest and rarest charity in the world. It is one of the ladders reaching from heaven to earth, adown which comes the answer to the prayers of the widows and orphans as they humbly whisper, 'Give us this day our daily bread.'"

Brother W. F. Kernahan has been elected auditor to the Ontario Institute of Chartered Accountants, in which association he held membership. We are pleased to learn this and hope it is a step towards a more lucrative position for him. Our young men should be special objects of our solicitude as upon their shoulders rests the future of the C. M. B. A., they must continue the good work of the association when the older members have passed away.

We are pleased to learn that our worthy Brother, M. F. Hackett, M. P. P., of Stanstead, and First Vice-President of the Grand Council of the C. M. B. A. of Canada has been chosen as a member of the Cabinet of the Province of Quebec. Brother Hackett was on the 1st inst. sworn in as president of the Council by His Excellency, Lieutenant Governor Chapleau. No better selection could have been made and we hope to hear of his re-election by his constituents without opposition.

ON 1st January, 1894, we had 9,605 members, whose policies amounted to \$13,698,000.00. During the year 1894 we admitted 1,752 members, whose policies amounted to \$2,536,000.00. 73 members died, holding policies amounting to \$122,000.00, 20 resigned, holding policies amounting to \$30,000.00. 213 allowed themselves to be expelled, policies amounted to \$174,000.00; and 18 members reduced their policies from \$2,000 to \$1,000. On 1st January, 1895, we had 10,051 members, with policies amounting to \$15,400,000.00. During 1894, \$118,800.00 was paid to beneficiaries of deceased members, and \$6,257.39 transferred to the Reserve Fund. The total amount of the Reserve Fund, including interest reported, on 1st January, 1895, was \$40,929.53. The total assets of the association were \$72,850.83 and the total liabilities \$25,132.05, showing the C. M. B. A. of Canada to be in a first-class condition financially.

CHANGES OF BENEFICIARY.

BY F. R. LATCHFORD.

The constitution of the C. M. B. A. has for many years contained a misleading and mischievous provision in reference to the change of beneficiaries. Members had reason for thinking, and did think, they could at will change the designation stated on the face of their certificates. It was commonly believed, for instance, that a certificate in favor of the wife of a member could be surrendered to the Association and a new certificate issued payable to the member's father or brother, to his executors, or a stranger. This, or something like it, was actually done in not a few cases. When such certificates by the death of a member became claims upon the Association, the original beneficiary and the beneficiary under the new certificate each asserted a right to the benefit *fr. ad.* In some cases the good sense of the adverse parties brought about a settlement; but in others the moneys had to be paid into Court, and the claimants left to arrange their difficulties according to the law of the province in which the member had his domicile.

But other cases no doubt exist undisclosed where changes have been made which the courts will not sanction. At the St. John convention the section of the constitution which led to the misconception was amended to read that the changes to be made shall be (as in fact they are, apart from the amendment) subject to the law of the province in which the member resides.

To state briefly the laws in force in the several provinces of the Dominion affecting the transfer of our certificates is the task that has been set for me. I cannot hope to meet all the difficulties that may be suggested or even to state with certainty what the law is where there are no statutory enactments affecting the matter and few decisions of the courts to light the way. The whole subject of life insurance law is comparatively new. On many points the decisions are conflicting and the law unsettled. I shall, however, endeavor to indicate what I consider to be the true state of the law. If I should be thought to err I shall be glad if those who regard me as in error will state in what they consider me to be wrong. Criticism in a proper

spirit and discussion are invited, and will be welcomed wherever they tend to make clear and certain whatever may be obscure and uncertain.

As Ontario has the largest membership, the law of that Province affecting the change of beneficiaries will be stated first. The statutory law on the question is set forth in Chapter 136 of the Revised Statutes of Ontario, 1887, sections 5, 6 and 7. This Statute has since been frequently amended. In 1888 an Act was passed to remove any doubt as to whether chapter 136 applied to friendly societies. In 1890 and 1891 the sections mentioned were still further amended, so that they now read as follows.

5. In case a policy of insurance effected by a man on his life is expressed upon the face of it to be for the benefit of his wife, or of his wife and children, or any of them, or in case he has heretofore endorsed or may hereafter endorse, or by any writing identifying the policy, by its number or otherwise has made or may hereafter make a declaration that the policy is for the benefit of his wife, or of his wife and children, or any of them: such policy shall ensure and be deemed a trust for the benefit of his wife for her separate use and of his children or any of them, according to the intent so expressed or declared, and so long as any object of the trust remains the money payable under the policy shall not be subject to the control of the husband or his creditors, or form part of his estate when the sum secured by the policy becomes payable; but this shall not be held to interfere with any pledge of the policy to any person prior to such declaration.

(2) In the case of a policy or written contract of life insurance effected before marriage a declaration under this section shall be, and shall be deemed to have been as valid and effectual as if such policy or contract had been effected after marriage, but nothing herein contained shall affect any action or proceeding now pending.

6. The insured may, by an instrument in writing attached to or endorsed on, or identifying the policy by its number or otherwise or an apportionment previously made so as to restrict or extend transfer or limit the benefits of the policy to the wife alone, or the children, or to one or more of them, or to the mother of the insured as a beneficiary or sole beneficiary, although the policy is expressed or declared to be for the benefit of the wife and children or of the wife alone, or for the child or children alone, or for the benefit of the wife for life, and of the children after her death, or for the benefit of the wife, and in case of her death during the life of the insured then for the child or children or any of them or for the benefit of any one or more of the above mentioned persons for life and after his or their decease for the benefit of any one or more of the survivors, or although a prior declaration was so restricted; and he may also apportion the insurance money among the persons intended to be benefited; and may, from time to time, by an instrument in writing attached to or endorsed on the policy or referring to the same, alter the apportionment as he deems proper; he may also, by his will, make or alter the apportionment of the insurance money; and an apportionment made by his will shall prevail over any other made before the date of the will, except so far as such other apportionment has been acted on before notice of the apportionment by the will.

(2) This section applies to policies heretofore issued, as well as to future policies.

7. (1) Where no apportionment is made, all persons entitled to be benefited by the insurance shall be held to share equally in the same, and where it is stated in the policy or declaration that the insurance is for the benefit of the wife and children generally, or of the children generally, without specifying the names of the children, the word "children" shall be held to mean all the children of the insured living at the maturity of the policy, whether by his then or any former wife, and the wife to benefit by the policy shall be the wife living at the maturity thereof.

(2) Any such policy may be surrendered or assigned.

(a) Where the policy is for the benefit of children only, and the children surviving are all of the full age of twenty-one years, if the person insured, and all such surviving children agree to so surrender or assign: or

(b) Where the policy is for the benefit of both a wife and children, and the surviving children are all of the full age of twenty-one years, if the person insured, and his then wife (if any), and all such surviving children agree to so surrender or assign: or

(c) Where the policy is for the benefit of a wife only or of a wife and children and there are no children living, if the person insured and his then wife agree to so surrender or assign.

The effect of these enactments will be considered next month.

NEW BRANCHES ORGANIZED SINCE THE ST. JOHN CONVENTION.

Branch 233 was organized on October 27, 1894, at Quebec, Que., by Grand Deputy Charles Dupont Hebert. The following is the list of officers: Spiritual Advisor, Rev. F. N. Faguy, P. P. President, J. Almo Lantier; First Vice-President, J. E. Albert Lobel; Second Vice-President, Amable J. Caron; Rec. Sec., Joseph Hector Chouinard; Asst. Rec. Sec., Charles John Dunn; Financial Secretary, Joseph Emile Roy; Treasurer, Joseph Etienne Fecteau; Marshal, P. O. Dupuis dit St. Michel; Guard, Albert W. Dunn.

Trustees, Joseph Hector Chouinard, P. O. Dupuis dit St. Michel, Rev. J. O. Guilmond, Charles John Dunn, Louis Panthaleon Berlinguet.

Branch 230 was organized on December 20, 1894, at Stony Point, Ont., by District Deputy John Duggal. The following is the list of officers: Spiritual Advisor, Rev. N. D. St. Cyr, P. P. President, Leon Souchereau; First Vice-President, Jean B. Lafabvre; Second Vice-President, Israel Ladouceur; Rec. Sec., George N. Gagnier; Asst. Rec. Sec., Jermie Mailloux; Financial Secretary, Edouard Beaune; Treasurer, Philippe Mailloux; Marshal, Edmond C. Jauloux; Guard, Philoctete Jette; Trustees, J. Bte. Quonnonville, Alexander Chauvin, Alfred Ladouceur, Joseph Trudel, Etienne Souchereau.

Branch 97, Quebec, Que., which was one of the Branches which left us at the time of our separation from the Supreme Council, was, through the energy and good work of Deputy P. J. Montrouil, re-organized under our Council on December 23, 1894. It retains its old number—97. The following is the list of officers:

Spiritual Advisor, Rev. F. H. Belanger; President, Charles A. Parout; First Vice-President, Alexandre Valliere; Second Vice-President, W. A. Vergo; Rec. Sec., Joseph Edouard Philibert; Financial Secretary, V. Dupuis; Treasurer, L. Boanibien; Guard, Edmond Barbeau; Trustees, Joseph Charest, John Noler, Ferdinand Bourret, Joseph Gauthier, Alexander Fraser.

Branch 240 was organized on February 1, 1895, at St. Hubert de Montclair, Que., by District Deputy C. Daudelin. The following is the list of officers:

Spiritual Advisor, Rev. Augusto Lacasse; President, Francois Xavier Lenoir; First Vice Pres., Theophile Blonvoux; Second Vice-Pres., George Paquette; Rec. Sec., L. A. Picard; Asst. Sec., Oliver Gonst; Fin. Sec., Jos. Edmond Mailloux; Treasurer, Pierre Corboil; Marshal, Louis Chabot; Guard, Alphonse Charotte; Trustees, George Paquette, A. Charotte, O. Gonst, A. Lenoir, L. Chabot.

Branch 241 was organized on February 11, 1895, at Pakenham, Ont., by District Deputy M. Galvin. The following is the list of officers:

Spiritual Advisor, Rev. D. J. Lavin; President, John Edward O'Connor; First Vice Pres., John A. McDonald; Second Vice Pres., Patrick Ruddy; Rec. Sec., James Robert Kelly; Asst. Rec. Sec., Wm. Francis Burko; Fin. Sec., Alexander Leauge; Treasurer, Patrick B. Farrell; Marshal, Alfred Delisle; Guard, Joseph H. Jaundraw; Trustees, Stephen Sullivan, John H. Burko, Patrick Grace, John Regan, Patrick Ruddy.

Branch 242 was organized on February 13, 1895, at Fredericton, N. B., by Grand Deputy P. J. O'Keefe, assisted by Brother McDade of Branch 131 St. John city and Brother P. Veiot M. P. P. of Bathurst Branch and Brother John O'Brien M. P. P. of Chatham Branch. The name of the Branch will be St. Dunstan's. The following are the officers:

Spiritual Advisor, Rev. Edward Savage; President, Alphonse Belliveau; First Vice Pres., Wm. F. P. Stockloy; Second Vice President, F. J. Seery; Recording Secretary, Hugh G. Kealis; Asst. Rec. Sec., Peter Farrell; Fin. Sec., James Francis Owens; Treasurer, Wm. Henry Carton; Marshal, Wm. James Duncan; Guard, James Edward Carton; Trustees, John McCluskey, John Donahue, John F. McGinnis, Rev. J. P. Kiernan, John O'Neill.

After the organization, Brothers McDade the official reporter of the House of Assembly, and Brothers Veniot and O'Brien members of the Local Government, made some excellent remarks on the benefit of the C. M. B. A. and the advisability of spreading the order until every parish in the Province will have a branch. Further remarks were made by Rev. Father's Savage and Kiernan, also Prof. Belliveau of Normal School and Stockley of the University of New Brunswick, followed by the Grand Deputy. The charter membership is sixteen and if all reports are true the celestial city Branch will in the future try and pose as the banner branch in N. B.

Branch 243 was organized on February 14, 1895, at Egmont Bay, P. E. I., by District Deputy Rev. A. E. Burke. The following is the list of officers: Continued on Fourth Page.