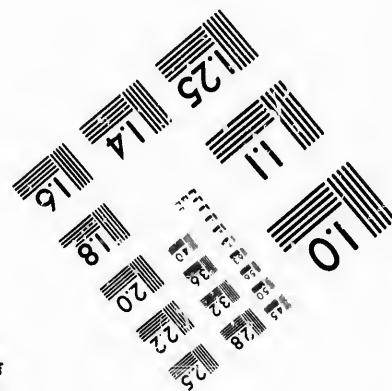
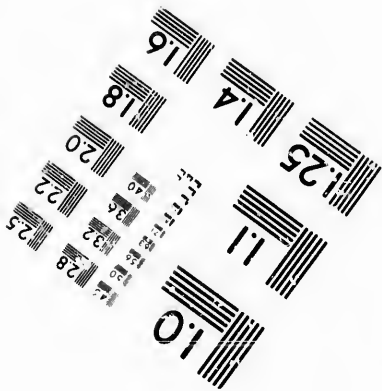
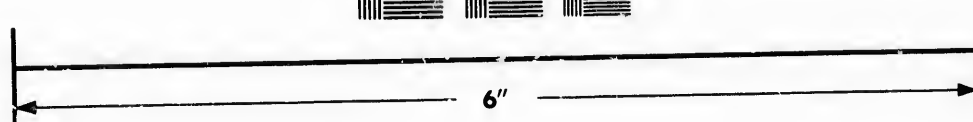
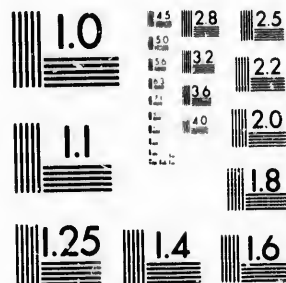


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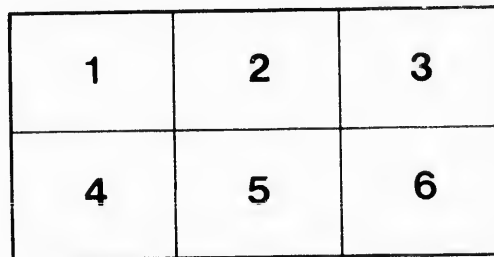
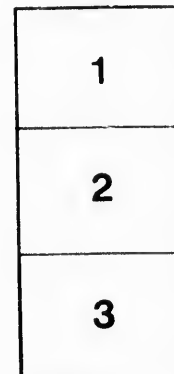
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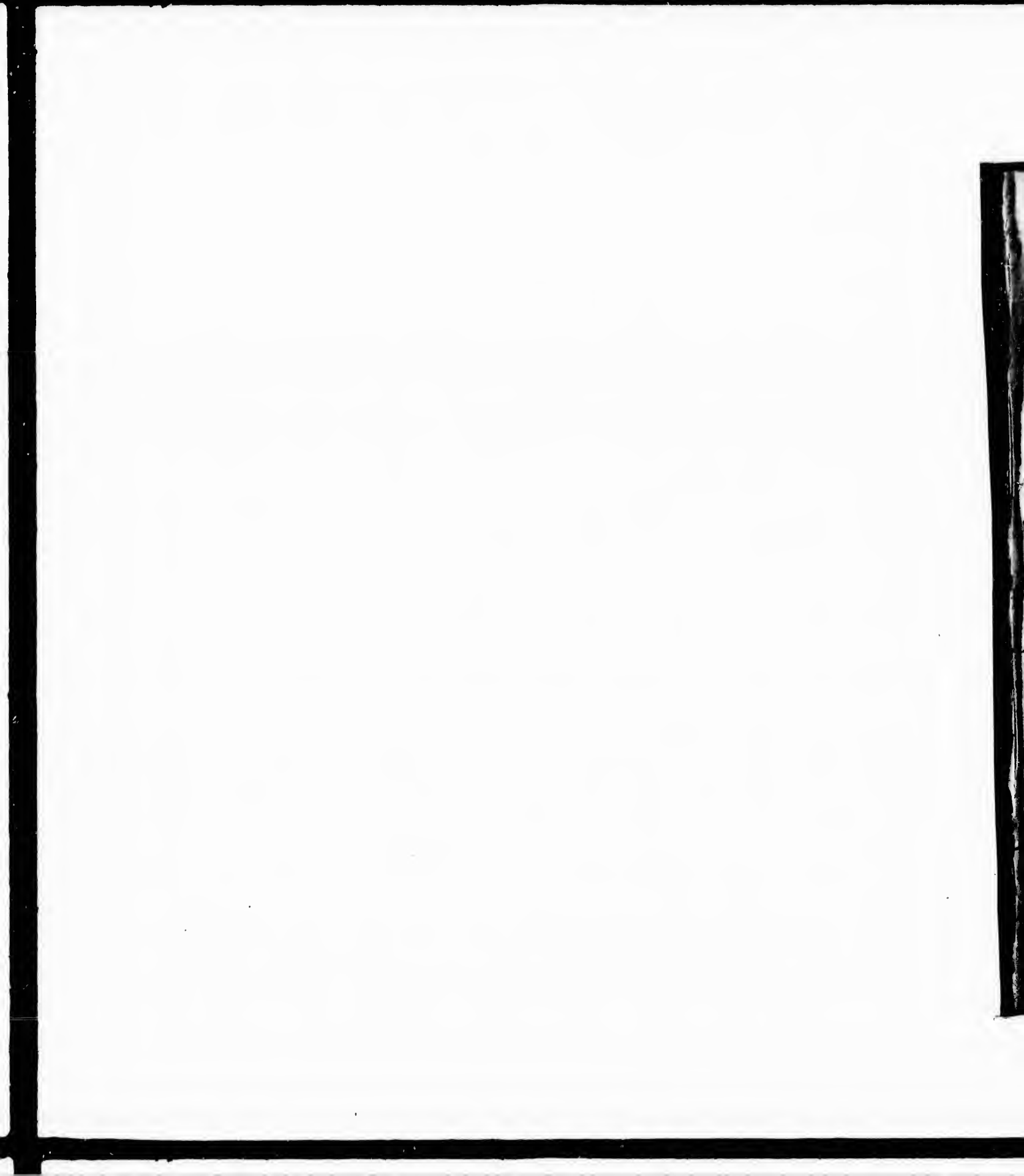
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# STATUTORY REQUIREMENTS

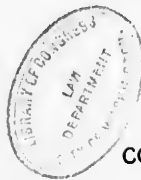
RELATING TO

# INSURANCE

IN THE

UNITED STATES AND CANADAS.

COMPRISING ALL THE REQUIREMENTS NECESSARY FOR THE ADMISSION AND TRANS-  
ACTION OF BUSINESS IN THE STATES AND IN CANADA, BY FIRE,  
LIFE, AND CASUALTY INSURANCE COMPANIES OF OTHER  
STATES AND FOREIGN COUNTRIES.



CORRECTED TO DECEMBER 1, 1889.

HARTFORD, CONN.:  
PUBLISHED BY THE INSURANCE JOURNAL.  
1889.

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GTR Sept. 2, 1920

ABSTRACT OF STATUTORY REQUIREMENTS  
OF THE SEVERAL STATES AND CANADA,  
RELATING TO INSURANCE.

N. B.—The requirements in reference to Domestic Companies are not included herein. Foreign Companies as classified herein are Companies existing under authority of governments foreign to the United States.\*

ALABAMA.

[Legislature meets biennially. Next session Nov. 4, 1890.]

CYRUS D. HOGUE, Auditor of State, MONTGOMERY.

**Admission.**—Every company desiring to transact business in this State, before admission, must pay into the State treasury one hundred dollars, must file with the Auditor a certified copy of its charter or deed of settlement, a statement under the oath of the President and Secretary, or other chief officers or managers, showing the name and location of the company, the amount of its capital stock, the amount therefor paid in, and the financial condition of the company on the preceding 31st day of December, a written instrument under seal, designating a known place of business and an agent or agents therein, authorizing the agents of the company to acknowledge service of process for and in behalf of the company, and consenting that service of process upon any such agents shall be taken and held as if served upon the company, and waiving all claim of error by reason of such service. It must also file at the office of the Secretary of State and with the auditor, an instrument in writing designating at least one known place of business in the State, and an authorized agent residing thereat.

**Certificates and Agents.**—Every agent of a life insurance company before transacting business shall procure from the Auditor a certificate of authority, and file such certificate, together with a copy of the statement and written instrument filed with the Auditor, in the office of the Judge of Probate of the county in which the office of such agent is located. Such certificate shall be renewed annually in July, and shall be annually filed, with a copy of statement, in the office of the Judge of Probate.

**Fire and Marine.**—Every company must possess at least one hundred thousand dollars of actual cash capital invested as required

\*The names of the officials given are those holding the office Nov. 1, 1889.

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by the laws of the State where organized. Annual statements shall be filed on the 10th day of January, in each year, or within thirty days thereafter, showing the condition of the company on the preceding 31st day of December. The re-insurance fund shall be fifty per cent. of the amount received for premiums on all unexpired risks.

Each company shall receive a certificate authorizing it to do business in the State, which shall expire on the 15th day of January in each year, and shall be renewed annually in January. Whenever it shall appear to the Auditor that the assets of the company, after providing for all liabilities, are reduced more than twenty-five per cent. below the capital stock, he shall revoke the authority of such company or its agents to do business in the State, and publish such revocation in one or more newspapers of general circulation published in the State.

**Life.**—(*Certificates and Agents.*)

Every company shall file with the Auditor in the month of July in each year an annual statement giving the name and locality of the company, amount of capital, amount of capital paid in, and shall state therein the gross premiums received in this State for the year, including notes, accounts, and all other things received or agreed upon, as compensation for insurance. Also state therein the amount of taxes and licenses paid in each county and the amount of funds invested in the State.

The statement shall be verified by the certificate of the President and Secretary, or Actuary, under oath, and the seal of the company.

Every company which shall invest and keep invested in Alabama the net reserve upon policies issued upon the lives of citizens of that State shall be regarded as a Home company and entitled to all the privileges of companies incorporated under the laws of that State.

**Foreign.**—Every company doing business in this State shall file with the Auditor a certificate of the Treasurer of this State or of the proper officer of some other State or of the United States that he holds on deposit and in trust for the benefit of all the policy-holders of such company in the United States, properly invested securities worth at least two hundred thousand dollars. Such companies shall file the same statements as are required of Fire and Marine company.

**Licenses.**—Every agent, before taking any risks in the city or county of Mobile, is required to pay to the Fire Department Association of Mobile, the sum of two hundred dollars, such payment to be made annually. Every agent taking risks or transacting any business of insurance in any other incorporated city or town in the State, where there is or shall be fire companies, shall pay to such city or town annually, the sum of two hundred dollars, for the benefit of such companies.

**Fees.**—Every insurance company shall pay an annual license fee to the treasurer of one hundred dollars. For every statement filed with any Judge of Probate, five dollars.

**Taxes.**—The agents of every insurance company, in the month of January in each year, must deposit with the Assessor of the county

in which the office of the agent is located a statement verified by the oath of such agent, showing the gross amount of premiums received by such agent for any company for the tax year, with a statement of expenditures, losses paid, and returned premiums.

All such premiums are subject to a tax of one per cent. after deducting expenditures, return premiums, and losses, for the payment of which tax the agent is held responsible. Any agent or company refusing to pay taxes is forever debarred from doing business in the State.

**Penalties.**— Agents doing business for a company without complying with the provisions of law are liable to fine or imprisonment. The highest fine imposed is one thousand dollars. The longest term of imprisonment, six months. Agents are also liable for taxes and for losses incurred unless they have complied with the law.

An agent is defined as any person who solicits insurance on behalf of any insurance company not organized under, or incorporated by, the laws of this State, or who takes or transmits, other than for himself, any application for insurance, or any policy of insurance, to or from such company, or who advertises, or otherwise gives notice, that he will receive or transmit the same, or who shall receive or deliver a policy of insurance of any such company, or who shall examine or inspect any risk, or receive or collect, or transmit any premium of insurance, or make or forward any diagram of any building or buildings, or do or perform any other act or thing in the making or consummating of any contract of insurance for or with any such insurance company, other than for himself, or who shall examine into or adjust, or aid in adjusting, any loss for or on behalf of any such insurance company, whether any of such acts shall be done at the instance, or request, or by the employment of such insurance company, or of or by any broker, or other person, shall be held to be the agent of the company for which the act is done, or the risk is taken.

#### ASSESSMENT INSURANCE.

**Admission.**— Assessment companies must file with Auditor statement of business for year ending previous to December 31st. Auditor will furnish blanks for statements.

**Annual Statements.**— Statements are to be made on or before March 1st, in each year of business of previous year, upon blanks furnished by Auditor.

**Agents and Attorney.**— Some place in the State must be designated as principal office, and some person named there to accept service of process. If the person thus designated shall die, the vacancy must be filled within thirty days. Notice of any change of place or person shall be given. These appointments and changes are to be made under the hand of the President and Secretary, and are to be filed in the Auditor's office.

**Taxes and Fees.**— Every such company shall pay to the State Treasurer one hundred dollars, same as other companies.

**Penalties.** — For neglect to comply with law, or for making any false statement, a penalty shall be exacted, on conviction, of not less than one hundred or more than five hundred dollars.

## ARKANSAS.

[Legislature meets biennially. Next session Jan., 1891.]

W. S. DUNLOP, Auditor and Ins. Commissioner, LITTLE ROCK.

**Admission.** — Every insurance company desiring to transact business in this State, before admission must have a subscribed capital of one hundred thousand dollars, with a paid-up capital of fifty thousand dollars, and must file with the State Auditor —

A certified copy of its charter.

A certificate giving the date of its organization, and location of its principal office.

A statement verified by the signature and oath of the President or Vice-President, and Secretary or Actuary of the company, showing its condition and business on the preceding thirty-first day of December.

A written stipulation duly authenticated by the company, agreeing that any legal process affecting the company, served on the Auditor or party designated by him, or the agent specified by the company to receive service of process, shall have the same effect as if served personally on the company within this State. Such stipulation cannot be modified or revoked, except that a new one may be substituted requiring or dispensing with service at the office of the company in this State.

**Certificates and Agents.** — Every company complying with the requirements of law shall receive from the Auditor a certificate of authority. Each company authorized to do business in this State shall certify to the Auditor the names of all agents appointed in this State. The Auditor shall issue to each agent a certificate of authority, showing that the company is authorized to do business in the State, and that he is appointed its agent.

**Examinations and Impairments.** — The Auditor, for probable cause, may visit and investigate the affairs of any company doing business in this State, at its principal office, wherever it may be (not of a State where the substantial provisions of the "Act to establish an Insurance Bureau" of this State shall be enacted). He may revoke its certificate if the reasons for granting it no longer exist, or if examination be not permitted.

If after charging a fire and marine company with a legal re-insurance reserve and all other liabilities its capital stock is impaired twenty per centum, the Auditor shall require the company to make good its whole capital stock within sixty days, and if this is not done he shall require the company to cease to do business within the State.

If any life insurance company has not assets, after providing for

all liabilities exclusive of capital stock, equal to the net value of all its policies in force, the Auditor shall publish the fact that the condition of the company is below the standard of safety established by this State, and require the company to cease doing new business in this State.

**Fire and Marine.** — Annual statements, verified by the signature and oath of the President or Vice-President and Secretary of the company, shall be filed on the first day of January in each year, or within sixty days thereafter, and shall show the condition of the company on the preceding 31st day of December, and its business for the year preceding.

Arkansas has a valued-policy law.

The re-insurance fund shall be computed at fifty per centum of all premiums on unexpired fire risks having less than one year to run; pro rata of all premiums on unexpired fire risks having more than one year to run; the entire premiums received on unexpired marine and inland risks. When the re-insurance fund, thus calculated, is less than forty per centum of all premiums received during the year, then the whole of the premium received on unexpired risks shall constitute the re-insurance fund.

**Life.** — Annual statements must be filed on the first day of January in each year, or within sixty days thereafter, showing the condition of the company on the preceding 31st day of December.

Such statements must be accompanied by a schedule of all policies in force in the company, if the certificate hereinafter mentioned is not furnished.

The Auditor is required to annually value the policies of all companies doing business in the State which do not furnish the certificate of the Insurance Commissioner of the State under whose authority the company is organized, showing the net value of all policies in force in such company, calculated upon the basis established by this State, and stating that, after being charged with all debts and claims, the company had in safe securities an amount equal to the net value of its policies in force, and that the company is entitled to do business in its own State.

The standard of valuation in this State is the American Experience Table of Mortality, and four and a half per centum interest per annum.

**Foreign.** — Foreign companies shall transmit an annual statement of their business other than that done in the United States, prior to the first day of July in each year.

**Taxes.** — Every company shall make a report to the Auditor at the time of filing its annual statement, under oath of its President, Secretary, or agent, showing the entire amount of premiums received in this State during the year ending on the preceding 31st day of December, and after deducting losses and commissions therefrom shall pay into the State treasury on or before the first day of March a tax of two and one-half per centum upon such premiums.

Municipal licenses and taxes prohibited.

**Fees.** — Filing charter, fifteen dollars.

Filing statement or certificate, ten dollars.

Certificate of authority, two dollars.

Every copy of any paper on file in the Insurance Bureau, per folio, twenty cents.

Affixing official seal and certifying such copy, one dollar.

Valuing life policies, for each one thousand dollars of insurance valued, a sum not to exceed three cents.

Official examinations, the actual expenses incurred.

Traveling agents required to pay a license fee of one hundred dollars for each year or fraction of a year. The year begins May 1st.

**Penalties.** — Any company neglecting to make and transmit any statement required, shall forfeit one hundred dollars for each day's neglect. Any person or corporation transacting the business of insurance without complying with the requirements of law shall forfeit and pay to the school fund five hundred dollars for each month or fraction thereof such illegal business is done, and every such person or persons or corporation shall also be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than five hundred dollars. Any officer or agent doing business who shall make any false statements, representations, or pretenses, for the purpose of obtaining business, shall be guilty of a felony, and on conviction sentenced to the penitentiary not less than three nor more than ten years.

#### ASSESSMENT INSURANCE.

Traveling agents are required to pay one hundred dollars for license for each year or fraction thereof. Year ends April 30th. There are no special laws regulating assessment insurance, except that all mutual or assessment companies shall give bonds to be approved by the Secretary of State in the sum of twenty thousand dollars for the prompt payment of assessments to beneficiaries.

#### CALIFORNIA.

[Legislature meets biennially. Next session Jan. 5, 1891.]

J. C. L. WADEWORTH, *Insurance Commissioner*, SAN FRANCISCO.

After April 1, 1890, J. N. E. Wilson will be insurance commissioner.

**Admission.** — Every stock company desiring to transact business of insurance in this State must, before admission, possess an unimpaired capital stock of not less than two hundred thousand dollars, and every mutual company must possess available cash assets over and above all liabilities, amounting to two hundred thousand dollars, and must file with the Insurance Commissioner a certified copy of its charter or articles of incorporation; a certificate from the proper State official showing that the company is duly organized and pos-

assesses the capital stock or assets required by this State; a statement of its condition and affairs on the preceding 31st day of December, verified by the oath of its principal executive officer; a statement of the name and place of residence of some agent in this State upon whom process of law may be served in any legal proceedings against the company; process so served gives jurisdiction over the person of such corporation or company. The agent so appointed and designated shall be deemed in law a general agent, and must be the principal agent or chief manager of the business of such corporation or company in this State.

Every such company as a condition precedent to the transaction of insurance business, and in consideration of the privilege to transact such business, shall stipulate that if at any time such company shall be without an agent in the State upon whom process may be served, that service may be made upon the Insurance Commissioner. The Insurance Commissioner must, within ten days after such service upon him, transmit the summons or legal process to the company.

If any action, commenced in this State by a citizen thereof in the State Court against such company, be transferred to the United States Circuit Court, the right of such company to do business in the State shall thereupon cease, and the Commissioner shall revoke its certificate of authority.

Every such company must also file with the Insurance Commissioner a bond signed by an officer or agent of the company, with two sureties to be approved by the Insurance Commissioner, in the penal sum of two thousand dollars, conditioned that the company or agent will pay to the proper officer, quarterly in advance, such licenses, fees, or taxes as shall be imposed by law, that such company or agent will pay to the State all stamp and other duties imposed by law, in the time and manner prescribed by law; and that such company or agent will conform to all the provisions of law made to govern them. (The general agent is required to execute and file this bond.)

All statements, percentages, estimates, payments, and calculations must be made in gold coin of the United States.

**Certificates and Agents.**— Every general agent thus appointed shall procure from the Commissioner a certificate of authority before transacting business in this State.

Before receiving a solicitor's license, if any life insurance solicitor shall have been in the employ of any other company within twelve months, he shall produce written evidence to the Commissioner that all moneys he has received for any such company have been paid to it, or to its general agent.

Every life insurance solicitor shall file with the Commissioner a power of attorney authorizing such solicitor to act for the company, and shall receive a license from the Commissioner.

All corporations or persons doing the business of insurance in this State must make and file with the Insurance Commissioner, on or before the 15th day of January of each year, a statement verified by the oath of the principal officer or manager residing in this State, showing the business done in this State during the year ending the 31st day of December then next preceding.

**Examinations and Impairments.**—The Commissioner, whenever he deems it necessary, may examine any company transacting business in this State. Such examination must be private, unless the Commissioner deems it necessary to publish the result thereof, in which case he may publish the same in two newspapers of this State, one of which must be published in San Francisco. If any company shall be found to be insolvent, the Commissioner must revoke the certificates granted in behalf of such company, and give notice by mail or personally of such revocation, and cause notice thereof to be filed in his office, and published daily for four weeks in some newspaper published in San Francisco. Such company must not thereafter issue any new policies or renew any previously issued.

Any company is insolvent when, after providing for all claims and liabilities outstanding, and the amount required by the laws of this State for a re-insurance fund or premium reserve, the capital stock of such company is reduced below two hundred thousand dollars, or below seventy five per cent. of the amount of said capital stock paid in cash; or if it be a mutual company, if the available cash assets do not exceed its liabilities as aforesaid, two hundred thousand dollars.

**Fire and Marine.**—Annual statements of other State companies must be filed on or before the tenth day of March in each year, and show the condition and affairs of the company on the preceding 31st day of December. Such statement must be published in a daily newspaper in the city where the principal office of the company is located in this State for one week. The re-insurance fund shall be computed at fifty per cent. of premiums received and receivable on all fire risks and marine time risks; the entire premium received on all unexpired marine and inland navigation risks; and ninety-five per cent. of premiums on perpetual fire risks. No company can take any one risk in excess of one-tenth part of its capital actually paid in and intact at the time of taking such a risk without re-insurance of the excess.

**Life.**—Annual statements must be filed on or before the 10th day of March in each year, and show the condition and affairs of the company on the preceding 31st day of December. Such statements must be published for one week in a daily newspaper published in the city where its principal office is located in this State.

Every company, upon the written requisition of the Commissioner, shall furnish him with the requisite data for determining the value of all its policies outstanding.

When the certificate of the Insurance Commissioner of the valuation of the policies of any company organized under the laws of this State shall not be accepted by the insurance officials of any other State, then every company of such other State doing business in this State shall be required to have its policies valued by the Insurance Commissioner of this State.

All valuations shall be made upon the basis of the American Experience Table of Mortality, with interest at four and one-half per cent. per annum. After January, 1891, the actuaries' table will be used, and interest compounded at four per cent.

Policies may be registered with the Insurance Commissioner, and the reserve on the same deposited with him.

Any life insurance company having policies in this State issued in accordance with law may have a special agent in the State to collect renewal premiums. He shall apply for and receive from the Insurance Commissioner a certificate of authority, and shall, on or before the 15th day of January, annually, file with the Commissioner a statement under oath, showing the gross amount of premiums collected by him in the State during the year ending on the preceding 31st day of December, and pay the Commissioner twenty dollars. Failing to make such statement and payment, he shall forfeit one hundred dollars for each renewal premium received by him.

Every contract or policy of insurance hereafter made by any person or corporation organized under the laws of this State, or under those of any other State or country, with and upon the life of a resident of this State, and delivered within this State, shall contain, unless specifically contracted between the insurer and the insured for tontine insurance or for other term or paid-up insurance, a stipulation that when, after three full annual premiums shall have been paid on such policy, it shall cease or become void solely by the non-payment of any premium when due; its entire net reserve, by the American experience mortality, and interest at four and one-half per cent. yearly, less any indebtedness to the company on such policy, shall be paid by such company as a single premium, at such company's published rates in force at the date of original policy, but at the age of the insured at time of lapse, either to the purchase of non-participating term insurance for the full amount insured by such policy; or upon the written application by the owner of such policy, and the surrender thereof to such company within three months from such non-payment of premium, to the purchase of non-participating paid-up policy, payable at the time the original policy would be payable if continued in force; both kinds of insurance to be subject to the same conditions, except as to payment of premiums, as those of the original policy. It may be provided, however, in such stipulation, that no part of such term insurance shall be due or payable, unless satisfactory proofs of death be furnished to the insuring company within one year after death, and that, if death shall occur within three years after such non-payment of premium, and during such term of insurance, there shall be deducted from the amount payable the sum of all the premiums that would have become due on the original policy if it had continued in force. If the reserve on endowment policies be more than enough to purchase temporary insurance, as aforesaid, to the end of the endowment term, the excess shall be applied to the purchase of pure endowment insurance, payable at the end of the term, if the insured be then living. If any life insurance corporation or company shall deliver to any person in this State a policy of insurance upon the life of any person residing in this State, not in conformity with the provisions of this section, the right of such corporation or company to transact business in this State shall thereupon and thereby cease and terminate, and the Insurance Commissioner shall immediately revoke the certificate of such corporation or company authorizing it to do business in



this State, and publish such revocation daily, for the period of two weeks, in two daily newspapers, one published in the city of San Francisco, and the other in the city of Sacramento.

**Foreign.** — Foreign companies doing any kind of insurance business in this State shall file their annual statements on or before the first day of May in each year, made up for the year ending on the preceding 31st day of December, and shall publish the same for one week in a daily newspaper published in the city where the principal office of the company in this State is located.

Foreign fire, marine, or inland insurance companies having on deposit within the United States, assets to the amount of \$200,000 over and above liabilities in the United States, as security for the policy-holders therein, may at their option make a separate statement to the Insurance Commissioner of their foreign business and assets, but shall be required to return only the business done in the United States, and the assets held by or for them within the United States for the protection of the policy-holders therein.

**Licenses.** — Municipal licenses in the city of San Francisco are authorized by statutory provisions. The licenses are established by ordinance of the city and county of San Francisco. Each agent shall pay, for every company represented by him, a license, as follows: Those doing business to the amount of fifty thousand dollars or over per quarter, one hundred dollars per quarter. Those doing business to the amount of twenty-five thousand dollars per quarter and less than fifty thousand dollars, seventy-five dollars per quarter. Those doing business to the amount of ten thousand and less than twenty-five thousand dollars per quarter, fifty dollars. Those doing business to any amount less than ten thousand dollars per quarter, twenty-five dollars per quarter.

Reciprocal provision in reference to licenses.

**Fees.** — All fees must be paid in advance in United States gold coin.

For filing charter, thirty dollars.

For filing annual statement, twenty dollars.

For filing any other paper required by law to be filed, five dollars.

For agent's licenses, one dollar.

Special agent of life insurance company to collect renewal premiums, twenty dollars.

For furnishing copies of papers filed in the office of the Commissioner, twenty cents per folio, and for certifying such copies, one dollar.

For valuation of life policies, three cents for each one thousand dollars of insurance valued.

The Commissioner shall annually assess upon every company doing business in this State, any excess of the expenditures of his office over its receipts in proportion to the amount of premiums received and receivable by such companies respectively in this State, for the year ending on the preceding 31st day of December.

Also reciprocal provision.

**Taxes.**— All taxes are collected under a reciprocal provision of statute.

**Penalties.**— One hundred dollars for failing to file statement or stipulation prescribed by law, and two hundred dollars for each month any company continues business without filing such statement. Five hundred dollars for failure to answer fully and truthfully in writing the written inquiries of the Commissioner. One hundred dollars for issuing a life policy in this State not containing written evidence that it is so issued.

## ASSESSMENT INSURANCE.

Assessment companies are not subject to the insurance laws of California, and are not under the jurisdiction of the insurance department.

## CANADA.

W. FITZGERALD, *Superintendent of Insurance, OTTAWA.*

**Admission.**— Every company desiring to transact business in the Dominion of Canada shall, before admission, file in the Department of Finance —

A certified copy of its charter or articles of association.

A statement of the condition and affairs of such company on the 31st day of December preceding, or up to the usual balancing day of the company.

A power of attorney from the company to its head officer or agent in Canada, under the seal of the company, and signed by the President and Secretary or other proper officer, verified by their oath, and further corroborated on oath by such officer or agent or some person cognizant of the facts necessary to its verification. Such power of attorney shall declare at what place in Canada the head office or chief agency of such company is, or is to be established, — and shall expressly authorize such attorney to receive service of process in all suits and proceedings against such company in any Province of Canada, in respect of any liabilities incurred by the company therein, and also to receive from the Minister\* and the Superintendent, all notices which the law requires to be given, or which it is thought advisable to give, — and shall declare that service of process for or in respect of such liabilities, and receipt of such notices, at such office or chief agency, or personally on or by such attorney at the place where such head office or chief agency is established, shall be legal and binding on the company to all intents and purposes whatsoever.

Whenever any such company changes its chief agent or chief agency in Canada, such company shall file a power of attorney, as hereinbefore mentioned, containing any such change or changes in such

\*The expression "Minister" in this act means Minister of Finance and Receiver-General.

respect, and containing a similar declaration as to the service of process and notices as hereinbefore mentioned; and every company shall, at the time of making the annual statement provided for, declare that no change or amendment has been made in the charter, act of incorporation or articles of association of the company, and that no change has been made in the chief agency or chief agent, without such amendment or change having been duly notified to the superintendent.

Duplicates of all such documents, duly verified as aforesaid, shall be filed in the office of one of the Superior Courts in the Province in which the head office or chief agency of the company is situated — or if the chief agency is in the Province of Quebec, with the prothonotary of the Superior Court of the district wherein such chief agency is established.

(See DEPOSITS.)

**Licenses.** — Every company, before transacting business in Canada, shall receive from the Minister a license, and shall give notice thereof by publication in the *Canada Gazette* and in a least one newspaper in the county, city, or place where the chief agency is established, which publication shall be continued for four weeks. Licenses shall expire on the 31st day of March, in each year, and shall be renewable from year to year. The like notice shall be given, for the space of three calendar months, when a company ceases, or gives notice that it intends to cease, to carry on business in Canada.

**Deposits.** — Every fire and inland marine insurance company shall deposit with the Minister the sum of one hundred thousand dollars for the benefit of the policy-holders in Canada. Such deposits may be made by companies of the United States, in the United States securities, or any other securities approved by the Treasury board.

If from the annual statement, or by the examination of the condition of any company, it appears that its re-insurance fund and liabilities in Canada exceed its deposit in Canada, then the company shall be called upon at once to make good the deficiency, and upon failure so to do its license shall be canceled.

Life insurance companies are required to deposit fifty thousand dollars with the Minister upon admission to do business, and to make additional deposits from time to time sufficient to equal the re-insurance reserve upon policies in force in Canada, or to place such sum in the hands of trustees in Canada for the benefit of policy-holders resident therein, under a trust deed to be approved by the Minister. Reserve computed by actuaries' table with interest at four and one-half per cent.

**Fire and Marine.** — Every fire and inland marine insurance company must annually file with the Minister, on the first day of January or within two months thereafter, under oath of its chief agent, a statement of the condition and affairs of the company in Canada. Such company must also file a statement of its general business in such form and to such date as it may be required by law to furnish to the government of the country in which its head office

is situate. No fire policy shall be issued for or extend over a longer period than three years. License issued to such company is void whenever written notice of any disputed claim, arising from any loss insured against in Canada remaining unpaid sixty days after being due, or of a disputed claim after final judgment is served on the Minister; but such license may be renewed if such claims be paid within sixty days thereafter. Upon failure to make such payment any such company shall be deemed insolvent.

**Life.** — Every company shall annually, within two months after the first day of January, make a statement of its condition and affairs, verified by the oath of the president, manager, or agent of such company, or of any person cognizant of the facts. Such statement to be made at the usual balancing day of the company.

License to be withdrawn, if company fails to pay losses within thirty days after they are due, or after final judgment, but may be renewed at discretion of Minister if the law is complied with, within thirty days.

**Fees.** — To defray the expenses of the office of Superintendent of Insurance, an assessment shall be made *pro rata* upon the gross premiums received by each company during the preceding year, and paid upon the 31st day of March in each year, but the amount assessed on fire and inland companies shall not exceed eight thousand dollars.

Life policies in Canada to be valued every five years by Superintendent at a fee of three cents for each policy.

**Penalties.** — Transacting any business without license or without filing any papers required by law, or refusing or neglecting to make annual statement, subjects the company or person so violating the law to a penalty of five hundred dollars, and an additional penalty of one hundred dollars for each month's neglect. In case of non-payment of such penalty, the Minister may suspend or revoke license.

Agents for doing business for unlicensed companies are subject to fine of not more than fifty dollars and costs for first offense, and imprisonment for second offense.

#### ASSESSMENT INSURANCE.

**Admission.** — Companies must be licensed; must make a deposit of fifty thousand dollars; must pay losses in full; cannot use any part of assessments for losses for any other purpose; must print in ink of a different color from the body of the contract, and conspicuously, "This association is not required by law to maintain the reserve which is required of ordinary life insurance companies." Every certificate must contain a promise to pay the whole amount therein mentioned, and to make assessments sufficient to pay that amount. It must also contain a stipulation that action may be brought on the certificate in any court of competent jurisdiction in the province where the policy-holder resides. The words "assessment system" must be printed in large type, at the head of every policy, circular, or advertisement.

**Penalties.** — The same as for fire and life insurance companies.

## COLORADO.

[Legislature meets biennially. Next session Jan. 7, 1891.]

LEWIS B. SCHWANBECK, *Superintendent of Insurance*, DENVER.

**Admission.** — Every fire and life insurance company desiring to transact business in this State must, before admission, possess a paid-up capital of not less than two hundred thousand dollars. Companies other than fire and life, not less than one hundred thousand dollars. Every company applying for admission shall file in the office of the Superintendent of Insurance a duly certified copy of its charter, articles of association, or deed of settlement, with a statement under oath of the president and secretary or other chief officers, showing the condition of such company on the thirty-first day of the preceding December. Companies must appoint the Superintendent of Insurance their attorney to accept service.

**Certificates and Agents.** — Companies are required to procure annually for the use of agents and solicitors, copies of certificates of authority. Certificates to be revoked if company is found unsound, and may publish results of investigation.

**Examinations.** — The Superintendent is authorized to make examinations of all companies licensed to do business in the State, at any time, for which he shall charge his actual expenses, if the examination is conducted by him personally, and if by any one appointed by him, not to exceed ten dollars a day and necessary expenses, to be paid by the company examined. For valuing life policies, ten dollars for each million of insurance valued.

**Fire and Marine.** — Annual statements must be filed on or before the first of March. Publication required. The re-insurance fund shall be fifty per cent. of gross premiums on all risks having less than one year to run, and *pro rata* on all unexpired risks having more than one year to run.

**Life.** — Annual statements must be filed on or before March 1st. The legal reserve is computed by actuaries' experience table with interest at four per cent., valuing net premiums. Paid-up policies must be given after three years. Publication required.

**Fees.** — For filing charter, twenty-five dollars; if capital exceeds two hundred and fifty thousand dollars, ten cents for each additional thousand. For filing power of attorney and preliminary statement, fifty dollars. Annual statement, fifty dollars. For certificate of authority, five dollars, and each copy of same two dollars. For copies of papers, twenty cents per folio, and for affixing seal and certifying any paper, one dollar. For each copy of process, two dollars. Two per cent. on the excess of premiums over losses and expenses in the State each year. Superintendent is authorized to assess for any deficiency in case these fees do not meet the expenses of his office.

**Penalties.**— For failure to pay fees, revocation of license. For refusal to answer, or for making false answers to questions put in examination, or false entries in books, fine or imprisonment, or both.

Any person who directly or indirectly aids in the transaction of the business of insurance by an unlicensed company, is liable to a penalty of five hundred dollars for each offense.

## ASSESSMENT INSURANCE.

**Admission.**— Other State corporations must deposit with the Superintendent certified copy of charter or certificate of incorporation, and with the Superintendent a statement, under oath of its president and secretary, under form required by him, of its business for the preceding year; a certificate under oath of its president and secretary that it is paying and has been paying for twelve months, the amount named in its certificates in full; a certificate that like companies incorporated in Colorado are permitted to do business in its home State; a copy of its policy or certificate and application, which must show that benefits are provided for by assessment.

**Annual Statements.**— Must be made on or before the first of March, on form prescribed by Superintendent.

**Fees and Penalties and Examinations.**— The same as for other insurance companies.

## CONNECTICUT.

[Legislature meets biennially. Next session January, 1891.]

O. R. FYLER, *Insurance Commissioner*, HARTFORD.

**Admission.**— Every company desiring to transact business in this State, before admission, must possess the amount of capital and invested assets hereinafter mentioned, and must file with the Commissioner—

A certified copy of its charter or deed of settlement; a statement under the oath of the President or Vice-President and Secretary of the company, showing the condition and affairs of the company. Such company shall also appoint the Insurance Commissioner its attorney, upon whom all process of law may be served, and file with the Commissioner a certificate of such appointment.

**Certificates and Agents.**— Every agent, before transacting any business of insurance for any company in this State, must procure from the Commissioner a certificate of authority stating that such company has complied with the requirements of law.

Life insurance companies and foreign companies must receive a certificate or license from the Commissioner before transacting business in this State.

All certificates and licenses must be renewed annually upon filing the annual statement of the company, and all certificates to companies and agents expire on the first day of the April following their issue.

**Examinations and Impairments.**—The Commissioner, whenever he deems it expedient, may examine into the condition and affairs of any company transacting business in the State. He may, if he deems it for the interest of the public, publish the result of such examination in one or more newspapers published in the State. Whenever it shall appear from any such examination or any report that the affairs of any company are in an unsound condition, the Commissioner shall revoke the certificates of authority or licenses granted to or in behalf of such company, and cause notice of such revocation to be published in two newspapers, one printed in Hartford, and the other in New Haven, at least four weeks.

Any fire or marine insurance company is in an unsound condition whenever the assets of such company, after charging it with its proper liabilities and the amount required by law for a re-insurance fund, amount to less than three-fourths of its capital stock. If the assets of any life insurance company are not equal to its liabilities and premium reserve, ascertained as required by law, such company is in an unsound condition.

**Fire and Marine.**—Every stock company must possess a cash capital of one hundred and fifty thousand dollars, paid-up and securely invested. Every mutual company must possess one hundred and fifty thousand dollars in cash or invested in available assets, and no company can be admitted unless similar companies of this State are admitted in such other State. Annual statements shall be filed in the month of January of each year, and shall exhibit the condition of the company on the preceding 31st day of December.

The re-insurance fund shall be computed at fifty per centum of the gross amount of premium (less return premiums and re-insurance) received on all fire risks in force not perpetual; ninety-five per centum of premiums on perpetual risks in force; one hundred per centum of the amount of premiums received on ocean marine risks in force.

In all insurance against loss by fire, the conditions of the insurance shall be stated in the body of the policy, and no condition except those so stated shall be valid. No fire insurance company doing business in this State shall expose itself to loss upon any one risk or hazard, to an amount exceeding ten per centum of its paid-up capital.

**Life.**—Annual statements shall be filed on or before the first day of March in each year, showing the condition of the company on the preceding 31st day of December.

Every company which does not furnish the certificate hereinafter mentioned must furnish a descriptive list of all its outstanding policies and contracts of insurance. Such policies and contracts shall be annually valued by the commissioner. In making such valuation he shall assume the rate of mortality shown by the Actuaries' or Combined Experience Table, with compound interest at four per cent., and he shall value only net premiums. The Commissioner shall accept a cer-

tificate of valuation, made upon the standard provided by the laws of this State, from the proper official of the State where the company is organized, in lieu of making such valuation, if such official will accept the certificate of valuation of the Commissioner of this State in reference to companies of this State doing business in such other State.

The Commissioner is also required to make valuations upon the basis of the American Experience Table of Mortality, with interest at four and one-half per cent. per annum, and to furnish certificates of such valuation to be filed in other States.

No life insurance company doing business in the State of Connecticut shall make or permit any distinction or discrimination in favor of individuals between insureds of the same class and expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance, or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of the contracts it makes; nor shall any such company or any agent, sub-agent, broker, or any other person, make any contract of insurance or agreement as to such contract, other than as plainly expressed in the policy issued thereon; nor shall any such company or agent, sub-agent, broker, or any other person, pay or allow, or offer to pay or allow, as inducement to insurance, any rebate of premium payable on the policy, or any special favor or advantage in the dividends or other benefit to accrue thereon, or any valuable consideration or inducement whatever not specified in the contract of insurance.

**Foreign.** — Every foreign insurance company doing business in this State must possess a cash capital of more than two hundred thousand dollars, and must deposit with the Treasurer of this State, or the local public officer of some other State of the United States, not less than two hundred thousand dollars in the bonds of this State, of the State of New York or Massachusetts, or of the United States, to be held in trust for the benefit and security of the policy-holders of such company in the United States. A certificate showing such deposit, under the hand and seal of the officer holding the same, shall be filed with the Commissioner. The capital of such company in the United States is the aggregate value of such securities as such company shall have on deposit with the officers of the several States for the benefit of its policy-holders, and all the other assets and property of the company in the United States, which are vested in and held by trustees, citizens of the United States approved by the Commissioner, for the general benefit and security of all policy-holders and creditors of the company in the United States, after deducting from the aggregate value of such deposits and of such assets held in trust all the liabilities of the company in the United States, including a re-insurance fund, computed as required by law. A copy of the trust deed, and of the vote of the board of directors appointing such Trustees, shall be filed with the Commissioner.

Annual statements of the affairs of such company in the United States shall be filed with the Commissioner in the month of January in each year, and shall contain, in detail, the items constituting the capital of the company, and the deductions to be made therefrom, subscribed and verified by the oath of the agent or attorney of the com-



pany in the United States. The Commissioner shall annually issue to such company a certificate showing the amount of its so-determined capital.

**Fees.**— For valuation of life insurance policies, the same rate as imposed on Connecticut companies in the State where such other companies are located.

License ten dollars, except to foreign companies, the license of which is fifty dollars.

Filing charter, foreign companies thirty dollars.

Filing statement, foreign companies twenty dollars. Companies of other States, ten dollars.

Agents' certificates, two dollars.

Reciprocal provision.

**Taxes.**— Every agent shall make a return, under oath, annually, on or before the tenth day of January, to the Commissioner, of the gross amount of premiums collected the year previous, and upon receiving from the Commissioner a certificate of the acceptance of such return, and the amount of tax due thereon, under the provisions of the reciprocal law, shall pay the same on or before the 20th day of January, to the Insurance Commissioner.

Agents may be licensed to place excessive lines in unauthorized companies on payment of a tax of four per cent.

Agents of companies of foreign countries shall, on such gross premiums so returned, pay, on or before the 20th day of January, to the Insurance Commissioner, a tax of two per cent.

**Penalties.**— Every agent of any fire or marine company transacting business in violation of law is subject to a penalty of not less than one hundred, and not more than one thousand dollars for each offense.

The agent of any insurance company of another State, or of any foreign government, which has not been admitted to transact business in this State, shall be personally liable upon all contracts of insurance made by or through him, directly or indirectly, for or in behalf of any such company.

Every officer or agent of any life insurance company transacting business in violation of law shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars for each offense. Agents are subject to a fine of from one hundred to five hundred dollars for doing any business for or aiding in the transaction of business by unauthorized companies.

A penalty of five hundred dollars for giving any rebate of premium in life insurance and a revocation for three years of agent's certificate.

No fire company is permitted to advertise or represent any funds or assets to be in its possession not actually possessed by it, or subscribed capital not actually paid up in cash, and all such advertisements and statements purporting to show the financial condition of the company shall correspond with the last verified statement to the insurance department, and every violation of this provision shall be punished by a fine, for the first offense, of five hundred dollars, and every subsequent offense, one thousand dollars.

## ASSESSMENT INSURANCE.

**Admission.**— Must deposit with the Insurance Commissioner a certified copy of its statement of business for the year ending the thirty-first day of the preceding December, and of its condition at that date, with a certificate sworn to by the president and secretary, setting forth that it has paid, and has the ability to pay, its certificates to the full limit named therein; that it does not issue certificates upon the lives of persons more than sixty-five years old; that its certificates are payable only to beneficiaries having a legal insurable interest in the life of the insured; that an ordinary assessment is sufficient to pay its maximum certificate. It must also furnish a certificate from the insurance officials of its own State certifying that it is legally entitled to do business, and that like corporations of Connecticut are legally entitled to do business in that State. It must also furnish copies of its application and certificate forms, and of its constitution and by-laws.

**Fees, Penalties, Etc.**— Assessment companies are subject to all the laws regarding life insurance companies, except that requiring a reserve. Reciprocal provision.

## DAKOTA.\*

**Admission.**— Every joint stock company applying for admission to transact business in this Territory must possess actual cash capital to the amount of one hundred thousand dollars. No requirements specially fixed regarding assets of mutual companies. Every company must file with the Auditor a copy of the charter or act of incorporation of the company, a sworn statement of the financial condition of the company on the preceding 31st day of December, and a written instrument under seal of the corporation, signed by its president and secretary, appointing in each judicial district in which it does business an attorney for acceptance of service of process.

**Certificates and Agents.**— Every agent must be supplied with a certificate from the Auditor before doing business. Every company shall file in the office of the Register of Deeds of the county in which an agency is established a copy of the statement filed with the Auditor, and the certificate of the Auditor, and such statement and certificate shall be published for at least three times in a newspaper of general circulation, printed and published in each judicial district of the Territory in which the company has an agency. The company may choose the paper from one of three selected by the Auditor. Certificates and statement procured and filed as above annually in January.

**Fire and Life.**— Annual Statements must be filed in the month of January in each year. The Auditor may require additional statements, and make examinations whenever he deems it expedient.

\* The legislatures of North Dakota and South Dakota will meet in January. North Dakota has an insurance commissioner, A. L. Carey, Bismarck, and in South Dakota, L. C. Taylor, Auditor, has charge of insurance matters. The territorial laws have not been changed, but an effort will be made at the opening of the legislature to adopt a better code of insurance laws.

**Foreign.**— Every company must procure a certificate of authority from Auditor. Comply with all requirements relating to American companies. Statements must be sworn to by manager or general agent. Home office statement to be filed before May 1st.

**Fees.**— To Auditor—

For filing declaration and charter, twenty-five dollars.

For filing annual statement, ten dollars.

For each certificate of authority or copy thereof (only one individual to be included in each certificate), two dollars.

For copies of papers, twenty cents per folio, and affixing seal thereto, one dollar.

For official examination of companies' actual expenses, not exceeding ten dollars per diem.

For making copies of annual statement for publication, one dollar each.

**Penalties.**— For not filing statement required, one hundred dollars for each week's delay. Agents doing business for companies which have not complied with law, five hundred dollars for each violation. Embezzlement of company funds, larceny.

**Taxes.**— Two and one-half per cent. of the gross premiums received in the Territory during the preceding year, to be paid before renewal of certificate. No local taxes.

Reciprocal provision for taxes, fees, penalties, and deposits.

ASSESSMENT INSURANCE.

No special laws for the conduct of assessment companies.

DELAWARE.

[Legislature meets biennially. Next session Jan., 1891.]

ISAAC N. FOOKS, *Insurance Commissioner*, GEORGETOWN.

**Admission.**— Every company desiring to transact business in this State must possess one hundred and fifty thousand dollars over all liabilities and claims; or if a mutual fire company, one hundred *bona fide* applications for insurance, and securities to the amount of twenty thousand dollars, and authority to transact business in its own State; or, if a plate-glass insurance company, one hundred thousand dollars above all liabilities; before admission must file with the Insurance Commissioner a certified copy of its charter or declaration of organization, a statement of its condition under the oath of its president, or vice-president and secretary; a certificate of the name and residence of some person within this State upon whom any civil process may be served. Making affidavit to a statement falsely is perjury.

**Certificates and Agents.**— Every company and each of its agents before doing business in this State must procure a certificate

from the Insurance Commissioner; such certificate shall not be issued to any agent until he files with the Insurance Commissioner a duplicate tax receipt, showing that all taxes have been paid, nor until he has procured a license from the Clerk of the Peace. Every agent must procure a license from the Clerk of the Peace in the county in which his office is located, who shall be entitled to fifty cents for issuing the same.

**Examinations and Impairments.**—The Commissioner may examine any company doing business in this State. If he finds any life insurance company doing business in this State has not on hand the net value of all its policies in force, he shall publish the fact and withdraw the authority of the company to do business in this State. In case of any other company having capital stock, if its capital stock shall become impaired to the extent of twenty per cent., he shall give notice to such company to make good its capital stock within sixty days, and if this is not done he shall require the company to cease to do business in this State.

**Fire, Marine, and Life.**—Every company shall file on or before Feb. 1st in each year a statement of its condition on the preceding 31st day of December. The Commissioner shall require all life companies doing business in this State to furnish him the certificate of valuation of the Insurance Commissioner of either Pennsylvania, New York, or Massachusetts, or of the State where it is incorporated. If the company is incorporated in any other State than Pennsylvania, New York, or Massachusetts, its policies shall be valued on the "New York basis." If the company fail to furnish such valuation he shall revoke its certificate of authority to do business. Any life insurance company which collects its premiums for insurance on lives in weekly payments may apply to the Clerk of the Peace in any county for a proper license authorizing and empowering such company to engage in and carry on its business in this State, and upon payment to the said Clerk of the Peace of the sum of fifty dollars and also the fee to the Clerk of the Peace for issuing the license, it shall be the duty of such Clerk of the Peace to issue to it a proper license to transact business for one year from the date thereof. Any such company, after receiving such license, and otherwise complying with the insurance laws of this State, shall be authorized to transact its business in the State, and any agents or employes of such company employed to solicit applications for insurance and collect premiums, shall not be required to pay any other license fee as an insurance agent, except the fee of two dollars to the insurance commissioner for the certificate of authority of said agent; provided, that such agent or employe is not engaged in soliciting or transacting business within the State for any other foreign fire or life insurance company.

Delaware enacted a valued-policy law in 1889.

**Licenses and Fees.**—Every agent must pay a yearly license of fifty dollars.

There shall be paid to the Insurance Commissioner for his own use —

For filing charter, ten dollars.  
 For filing annual statement or printed report, ten dollars.  
 For each certificate of authority, two dollars.  
 For every copy of every paper filed in the office, twenty cents per folio.  
 For affixing seal and certifying such copy, one dollar.  
 For official examinations, the actual expenses incurred.

**Taxes.**— Every agent, at the time of obtaining his license each year, shall furnish the Clerk of the Peace a statement under oath, showing the amount of premiums received and assessments collected within the State during the year preceding, and shall pay a tax of two and one-half per cent. upon the amount of such premiums and assessments.

Unless the tax thus paid shall include all the premiums taken on insurances in the State, the company must make a supplemental statement, and pay to one of the Clerks of the Peace a like tax upon all premiums received by the company which do not pass through the hands of a licensed agent.

**Penalties.**— Persons violating law are liable to a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both.

Every agent neglecting to take out a license is subject to a fine not exceeding five hundred dollars, or imprisonment not exceeding thirty days, or both.

#### ASSESSMENT INSURANCE.

Assessment companies are required to comply with all the laws relating to other life companies, except as regards reserves.

### DISTRICT OF COLUMBIA.

Insurance is in charge of Assessor's office, Washington, ROGER WILLIAMS, Assessor.

Every insurance company doing business in said District must transmit to the Commissioners of the District a statement of its condition and business for the year ending on the preceding thirty-first day of December, which statement shall be rendered on the first day of January following or within sixty days thereafter, except that foreign companies shall transmit their statements of business other than that done in the United States, prior to the following first day of July, which statements must be in form and state the particulars required by the blanks prescribed by the Commissioners; and the Commissioners, or any two of them, may require at any time statements from any company doing business within the District, or from any of its officers or agents, on such points as they may deem necessary and proper to elicit a full exhibit of its business and standing, all of which statements herein required must be verified by the signatures and oaths of the president or vice-president, or the secretary or actuary. No company having neglected to file a statement required of it within the time and manner prescribed shall do any business, after notification by

the Commissioners, or any two of them, while such neglect continues; and any company or association neglecting to make and transmit any statement required shall forfeit one hundred dollars for each day's neglect.

Every fire insurance company, to entitle itself to the written authority by this act required to transact business in the District, shall have assets equal to its liabilities, including a re-insurance reserve liability equal to fifty per centum of premiums received upon one-year risk, and an amount proportioned to the unexpired time upon all other fire risks. Every company doing an inland or marine business shall have assets equal to its liabilities, including a re-insurance reserve liability equal to the total premiums charged upon all unexpired inland or marine risks. Every life insurance company, excepting those organized upon the plan of assessments on their members, shall have assets equal to its liabilities, including a reserve liability computed upon the basis of the American experience table of mortality, at four and one-half per centum interest. Before issuing any written authority to any company to transact business in the District, the Commissioners, or a majority of them, shall satisfy themselves that such company has complied with the law; and at any time thereafter they shall revoke such authority when satisfied that such company has fallen below such requirements.

No insurance company organized or incorporated under the laws of any of the United States of America, or of any foreign State or country, shall transact the business of insurance in any of its branches within the District of Columbia, until such company shall have duly constituted some proper person domiciled in the District their agent and attorney-in-fact for the purpose of receiving for them summonses, writs, and processes issuing out of any court having any jurisdiction in said District, and until the evidence of such appointment of such agent and attorney-in-fact, authenticated in a manner satisfactory to the Commissioners of the District, or any two of them, shall be filed in the office of such Commissioners.

Any insurance company, or any officer or agent of any insurance company, effecting any contract of insurance in behalf of such company when the written authority required by this act shall not have been given by said Commissioners, or after such authority has been revoked, shall be subject to a penalty of one hundred dollars for every offense, to be recovered by due process in the courts of the District. Policies must have copy of the application attached.

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## FLORIDA.

[Legislature meets biennially. Next session, April, 1891.]

F. J. PONA, *State Treasurer*, TALLAHASSEE.

**Admission.**— Every company desiring to transact business in this State must, before admission, furnish the State Treasurer —

A copy of its charter or act of incorporation.

A statement under the oath of the president, or vice-president and

secretary of the company, showing the name, location, capital stock, assets, and liabilities of the company.

A written agreement under the seal of the company, signed by its president and secretary, agreeing that service of process in any civil action against such company may be made upon any agent of the company in this State, and authorizing each agent, for and in behalf of the company, to admit service of process, and agreeing that service of process upon any agent shall be as valid and binding upon the company as if made upon the president or secretary thereof.

**Certificates and Agents.**— Every company, before transacting any business in this State, shall procure from the State Treasurer a certificate of authority, which shall be renewed annually in January.

Every agent shall procure a license for each company represented by him.

If any company fails to pay any judgment rendered against it in this State, an execution having been issued thereon and returned unsatisfied, the Treasurer, when furnished with a properly certified copy of the record, shall forthwith revoke all certificates of authority and licenses to transact business in this State granted such company, and shall publish notice of such revocation in a newspaper published in Tallahassee or Jacksonville, for at least one week. Such company shall not transact any further business in the State until such judgment and all fees and expenses are paid.

**Examinations and Impairments.**— It is the duty of the Board of Insurance Commissioners to examine into the affairs of any company doing business or applying to do business in this State, and whenever the Treasurer shall deem it for the interest of the public so to do he may publish the result of such examination in one or more newspapers of the State. Whenever any company shall be found upon such examination to be in an unsound condition, the Board of Insurance Commissioners shall revoke the certificate of authority granted such company, and shall cause notice thereof to be published in some newspaper published at the Capital.

**Fire and Marine.**— Every company must possess at least one hundred and fifty thousand dollars in value invested in United States or State bonds, or other bankable interest-bearing stocks of the United States. Annual statement must be filed in the month of January in each year.

**Life.**— Every company must possess one hundred thousand dollars in United States or State bonds, or other bankable interest-bearing stocks of the United States at their market value, or in mortgages on unincumbered real estate worth double the amount loaned thereon. Annual statement must be filed in the month of January in each year.

**Fees.**— For filing each statement five dollars.  
Licenses for agents, ten dollars in each county.

**Taxes.** — An annual State tax of two hundred dollars is required to be paid by each company.

**Penalties.** — Every company willfully making a false return or statement, shall be liable to a fine not less than five hundred nor more than five thousand dollars.

Any person violating any of the provisions of law relating to insurance shall be fined not exceeding one thousand dollars, or imprisoned not more than six months, or both.

## ASSESSMENT INSURANCE.

The above requirements are applicable to assessment companies.

## GEORGIA.

[Legislature meets biennially. Next session, November, 1890.]

W. A. WRIGHT, *Comptroller-general and Insurance Commissioner,*  
ATLANTA.

**Admission.** — Every company desiring to transact business in this State shall, before admission, file with the Insurance Commissioner —

A certified copy of its charter or act of incorporation; a statement under oath, showing the name and location of the company, and its condition on the 31st day of December then next preceding.

**Certificates and Agents.** — The Insurance Commissioner shall issue to all companies complying with the provisions of law, and to all agents such companies may appoint and commission, certificates of authority to transact business in this State, which shall be renewed annually. Every agent, before transacting business in this State, must procure a license.

**Fire, Marine, Life, and Accident.** — Every company must possess at least one hundred thousand dollars, invested in bonds and stocks, estimated at their market value, or in mortgages or real estate, worth double the amount for which the same is mortgaged. Semi-annual statements showing the conditions of the company on the 30th of June and the 31st of December, of each year, must be filed on the succeeding first days of July and January, or within sixty days thereafter, and must publish a duplicate thereof in a newspaper of general circulation, published in the town or city in the State where the agent making the report is located. The above statement is to be made to the Governor. Annual statements must be made to the Comptroller-General on the 1st day of January in each year, or within sixty days thereafter.

**RE-INSURANCE RESERVES.** Reserves for fire insurance companies are to be computed at fifty per cent. of premium on all policies having



less than one year to run; pro rata on all others. *Life Actuaries Table* and four per cent.

**Deposits.** — *LIFE.* All life and accident companies of other States of the Union, or of foreign states, must show that they have deposited with the proper officer of their own State, or of this State, not less than one hundred thousand dollars, in such securities as he may deem equivalent to cash, subject to his order, as a guarantee fund for the security of policy-holders.

*FIRE AND MARINE.* Must deposit with the Treasurer of this State bonds of this State or of the United States, of the face value of twenty-five thousand dollars, before receiving license of the Comptroller-General.

**Fees.** — Filing charter or certificate of no change or amendment since last report, twenty dollars.

For filing each statement of the company, twenty dollars.

For certificates to agents, three dollars. Also reciprocal provision in reference to fees.

**Taxes.** — Every company, and the agents of every foreign company, must make a written return, under the oath of the presiding officer of the company, or such agent, to the Comptroller-General, for the year ending on the 30th of April, showing the total amount of premiums received in the State *by agencies*, and must pay, on or before the first day of July in each year, a tax of one per cent. thereon. Each agent shall also pay a tax of ten dollars in each county in which such agent does business. Special, general, and traveling agents pay fifty dollars for the State at large.

**Penalties.** — All persons convicted of violating any of the provisions of law relating to insurance shall be fined not less than one hundred dollars, nor more than one thousand dollars.

For default in payment of taxes, five hundred dollars, and imprisonment not to exceed six months.

#### ASSESSMENT INSURANCE.

**Admission.** — Assessment companies must file copy of charter, or articles of incorporation; a statement of its business and condition for the year ending the preceding 31st of December; a certificate sworn to by the president and secretary that it has paid and has the ability to pay its certificates to the full limit named therein; that they are only payable to beneficiaries having an insurable interest; that an ordinary assessment will pay a full loss; a certificate from the proper officers of its home State that it is legally entitled to do business there; a copy of its application, and of its constitution and by-laws.

It must also execute a power of attorney authorizing some resident of this State to accept service of process.

**Agents.**—Licenses must be taken out, and must be renewed annually. Any one who receives or transmits an application other than his own is deemed an agent.

**Annual Statements** must be made on or before the first of March of business of year ending preceding December thirty-first.

**Fees.**—Same as required of all other companies.

**Penalties.**—For transacting business without license, not less than fifty, nor more than one hundred dollars for each offense.

**Taxes.**—One per cent. on the gross amount received on business done in the State. Returns to be made by companies on or before July first for the year ending April 30th.

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## ILLINOIS.

[Legislature meets biennially. Next session, January 7, 1891.]

CHAS. W. PAVEY, *Auditor of Public Accounts*, SPRINGFIELD.

**Admission.**—Every company desiring to transact business in this State before admission must file with the Auditor of Public Accounts—

A written application for a license to do business in this State, signed by its president and secretary, with its corporate seal attached, which statement shall contain the following declaration: That it desires to transact the business of insurance in this State; that it will accept a license therefor, according to the laws of this State; that said license shall cease and terminate in case and whenever it shall remove, or make application to remove, into any United States court any action or proceeding commenced in any of the State courts of this State upon any claim or cause of action arising out of any business transaction, in fact, done in this State; any permission, consent, agreement, condition, or provision incorporated in any contract, mortgage, note, bond, obligation, or policy of insurance, authorizing or consenting to such removal, to the contrary notwithstanding.

And must also file—

A certified copy of its charter or deed of settlement.

A statement under the oath of the president or vice-president, or other chief officer and secretary of the company, showing the name and location of the company, the amount of its capital, and its assets and liabilities in detail.

A copy of the last annual report, if any, made under the law of the State, by which such company was incorporated. Such company shall appoint an attorney in this State on whom process of law can be served, and file in the office of the Auditor a written instrument, duly signed and sealed, certifying such appointment, which shall continue until another attorney shall be substituted.

**Certificates and Agents.** — Every company must procure from the Auditor of Public Accounts a certificate or license before doing business in the State.

Every agent, before transacting any business in this State, must procure from the Auditor a certificate of authority, showing that the company for which he acts has complied with all the requirements of law, and stating the name of the attorney appointed to act for such company, which certificate shall be renewed annually. Every agent of a fire or marine insurance company, in all advertisements of such agency, shall publish the location of the company, giving the name of the city, town, or village in which the company is located, and the State or government under the laws of which it is organized. Every agent of a life insurance company shall exhibit, in conspicuous letters, on the sign designating his place of business, the name of the State under whose authority the company is incorporated, and shall print the name of said State in large type upon all policies issued in this State, and on all placards, pamphlets, and circulars published, issued, or circulated in this State relating to the business of such company.

**Examinations and Impairments.** — It is the duty of the Auditor, whenever he deems it expedient, to examine into the affairs of any company transacting business in this State. Whenever he shall deem it for the best interest of the public, he shall publish the result of such examination in one or more papers in this State. If it shall appear from such examination that the affairs of any company are in an unsonnd condition, the Auditor shall revoke the certificates granted in behalf of such company, and cause notice of such revocation to be published in a newspaper of general circulation published in the city of Springfield, and mail a copy thereof to each agent of the company.

No fire or marine company can transact business in this State if its capital is impaired to the extent of twenty per cent. while such impairment shall exist. Life companies must possess assets equal to their outstanding liabilities and premium reserve, computed as required by law.

Every company making any false statement or report shall have its certificates revoked and the fact published. Every company transferring a cause to the United States court shall also have its certificates revoked.

**Fire and Marine.** — Every joint stock fire and marine company doing business in the State must possess a paid-up cash capital of not less than one hundred thousand dollars. Annual statements must be filed on the first day of January in each year, or within thirty days thereafter, showing the condition of the company on the preceding 31st day of December. The Auditor shall cause such annual statements to be published in two daily newspapers of general circulation not less than fifteen days. One of said newspapers shall be published in Chicago, and the other in Springfield. The re-insurance fund is computed at the gross amount of unearned premiums on unexpired risks.

Companies doing business in this State are not permitted to assume any one risk greater than ten per cent. of their paid-up capital.

Every advertisement, public announcement, sign, circular, or card hereafter issued by any company or its agents authorized to transact fire insurance business in this State, purporting to show the financial condition of the company, shall exhibit the amount of capital actually paid in cash, and net surplus as allowed by the Auditor of Public Accounts of Illinois over all liabilities, and shall show its conditions, as exhibited in its last preceding statement to the insurance department of this State, and shall not claim or state any funds or assets to be in possession of such company not actually possessed by it.

**Plate Glass, Steam Boiler, and Miscellaneous Companies.**—These companies are subject to the same laws which control fire, marine, and inland insurance companies, but are required to have only one hundred thousand dollars capital actually paid up, and must deposit with the State Treasurer of this State, or the proper officer of the State where the company is organized, securities duly assigned in trust for the benefit of its policy-holders, the market value of which shall, at all times, be equal to one hundred thousand dollars.

**Life.**—Every life insurance company doing business in this State must possess actual assets to the amount of at least one hundred thousand dollars, properly invested. Annual statements must be filed on or before the first day of March in each year, showing the standing and affairs of the company on the preceding 31st day of December. The Auditor, for good and sufficient reasons, may extend the time for filing such statements. The Auditor shall cause such statements to be published in two daily newspapers of general circulation not less than one month. One of said newspapers shall be published in Chicago, and the other in Springfield.

If any company shall transact business in this State, and its outstanding policies are not valued by the insurance department or proper officers of any other State, the Auditor shall make a valuation of the policies of such company. The basis of such valuation shall be the Actuaries' or Combined Experience Table of Mortality, with interest at four per centum per annum.

**Foreign.**—Every foreign company shall either file with the Auditor a certificate from the Superintendent of the Insurance Department of some other State, showing that a deposit of securities to the amount of two hundred thousand dollars has been made by such company in that State, for the protection of all its policy-holders in the United States, which certificates shall be renewed annually, or such company shall deposit with the Auditor securities to the amount of two hundred thousand dollars for the general benefit and security of policy-holders residing in the United States. Annual statements must be filed on the first day of January in each year, or within thirty days thereafter, showing the condition and affairs of the company on the preceding 31st day of December. The filing of home office statements is discretionary, but unless such statements are filed the advertising of foreign assets is prohibited. Such home office statements must bear the same date as the statement of business in the United States. Special deposits made in any State for the exclusive benefit of the insured in such State are not to be counted as assets.

United States Branch annual statements, duly verified by the resident manager, showing the investments and condition of the company in the United States on the preceding 31st day of December, shall be filed on the first day in January in each year, or within thirty days thereafter. Foreign life companies shall file their annual statements on or before the first day of April in each year, showing their condition on the preceding 31st day of December.

**Accident.**—Every accident insurance company must possess a paid-up capital of at least one hundred thousand dollars, deposited in its own State or in this State, to enable it to do business in the State. Annual statements must be filed on or before the first of March in each year. A re-insurance reserve of fifty per cent. of the gross premiums on all outstanding policies must be maintained, and no company is allowed to do business where its capital is unpaid to the extent of twenty-five per cent. thereof. Every agent must procure a certificate of authority from the Auditor stating that such company has complied with all the laws of the State relating to such companies, which shall continue in force until the first day of March next after its issue, unless revoked for cause. The penalty for making insurance in violation of the laws of the State regulating accident life insurance companies is the forfeiture for each offense of a sum not exceeding one thousand dollars. It is the duty of the Auditor to make an examination of any company doing business in this State whenever he shall deem it expedient, and the expenses incurred are to be paid by the company examined.

Every company must in entering appoint an attorney for service in the State, and must file a written application for license stipulating not to remove suits from State to federal courts.

**Fees.**—For filing certified copy of charter or deed of settlement, thirty dollars.

For filing annual statement, ten dollars.

For each agent's certificate of authority, two dollars.

For copies of papers on file in the office of the Auditor, per folio, twenty cents, and for affixing the official seal to such copy and certifying the same, one dollar.

For valuation of life policies, three cents for each one thousand dollars of insurance valued.

For examinations, the actual expenses incurred.

Also a reciprocal provision in reference to fees, greater than those herein given.

**Taxes.**—Every agent of any fire or marine company shall annually, in the month of May, return to the proper officer of the county, town, or municipality in which his office is located, the amount of his net receipts as such agent for the preceding year, which shall be entered upon the tax lists of such town, county, or municipality, and be subject to the same rate of taxation—State, county, town, and municipal—for all purposes as personal property is subject to, at the place where such agency is located. Such tax is in lieu of all town and municipal licenses, except that cities having an organized fire department may levy a tax or license fee, not exceeding two per cent.

upon the gross premium receipts of any such company in such city, to be applied exclusively to the support of the fire department.

Also a reciprocal provision in reference to taxes greater than those imposed by the laws of this State.

**Penalties.**— Every fire or marine company failing to file statement as required by law, or to answer any inquiry made by the Auditor, shall be subject to a penalty of five hundred dollars, and an additional penalty of five hundred dollars for every month such company shall continue thereafter to transact business in this State.

Any violation of any of the provisions of the laws relating to insurance shall subject the offender to a penalty of five hundred dollars for such offense.

Every life company neglecting to file a statement within the time prescribed by law shall be subject to a fine of one hundred dollars each day such neglect continues.

#### ASSESSMENT INSURANCE.

**Admission.**— Assessment companies applying for admission must deposit with the Auditor a certified copy of its charter or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by its president and secretary, or like officers, showing a detailed account of expenses and income, the amount of life indemnity in force, its assets and liabilities in detail, number of members, and a certificate sworn to by the president and secretary, or like officers, setting forth that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership to the full limit named therein; a certificate from the State official charged with the enforcement of the insurance laws, or, if there be no such official, a certificate from the Attorney-General of its home State certifying that corporations, associations, or societies, furnishing life indemnity on the assessment plan, and whose ordinary assessments are sufficient to pay its maximum certificate in full, and are chartered under the laws of this State, are legally entitled to do business in its home State; a copy of its policy or certificate of membership, application, and by-laws, which must show that death losses are in the main provided for by assessments upon the surviving members; and it shall legally designate a person or agent residing in this State to receive service of process for said corporation, or, in default of such designation, that service of process may be made upon the Auditor of Public Accounts of Illinois, who shall be deemed its agent for that purpose. By a reciprocal provision companies and agents are also subjected to the same obligations imposed by the laws of their own States.

**Examinations.**— The Auditor has authority to examine companies, and if found unsound or fraudulent shall report to the Attorney-General, who shall commence proceedings to revoke its license.

**Fees.**— The Auditor shall receive a fee of twenty-five dollars for licensing each company.

**Penalties.**— For doing business for unauthorized companies a fine of not more than one thousand dollars, or imprisonment for not more than one year, or both.

### INDIANA.

[Legislature meets biennially. Next session, January, 1891.]

BRUCE CARR, Auditor of State, INDIANAPOLIS.

**Admission.**— Every company desiring to transact business in this State must, before admission, possess at least two hundred thousand dollars, actual capital, invested in the stocks or bonds of the United States or of the various States, or in bonds secured by mortgages of unincumbered real estate worth double the amount of such mortgage. Such company shall also file with the Auditor—

A certified copy of the act of incorporation or charter of such company.

A statement, under the oath of the president or secretary of the company, showing the name, location, capital stock, and condition of the company.

A written instrument, under the seal of the company, signed by the president and secretary, authorizing any agent of the company to acknowledge service of process for and in behalf of the company, and consenting that service of process upon such agent shall be taken and held to be as valid as if served upon the company, according to the laws of this or any other State, and waiving all claim of error by reason of such service; also that, if at any time the company shall have no agent in the county, that service may be made upon the Auditor of State.

**Certificates and Agents.**— Every agent, before transacting business, shall procure from the Auditor a certificate of authority, which shall be renewed semi annually upon filing with the Auditor the semi-annual statement, as required by law. The agents shall file such certificate, together with a certified copy of the statement on which it was obtained, with the Clerk of the Circuit Court of the county in which such agency is established, who shall preserve the same for public inspection. [It has been held that an agent can only do business in counties where certificate and copy of statement have been filed.] If any company shall sustain any loss upon policies issued in this State, it is the duty of the agent by whom the insurance was made to retain in his hands all moneys belonging to such company which may then be or thereafter come into his possession, until such loss is adjusted and paid. The insured who has suffered a loss may also notify any other agent of such company thereof, who shall in like manner retain all money belonging to such company which is then in or shall thereafter come into his hands. If suit be commenced by the party insured against the company, the agent may deposit in court

double the amount mentioned in the policy, to abide the event of the suit; or if the party insured shall not commence suit within ninety days after the agent shall have given written notice to him that such loss will not be paid, the agent may thereafter pay over the money in his hands to the company.

**Fire, Marine, and Life.**—Statements shall be filed with the Auditor semi-annually, in the months of January and July, and the Auditor shall cause a copy of such semi-annual statement to be published in the two leading daily newspapers of the State having the largest general circulation.

No insurance company shall insert any condition in any policy hereafter issued requiring the insured to give notice forthwith, or within a period of time less than five days, of the loss of the insured property; nor shall any condition be inserted in such policy requiring the insured to procure the certificate of the nearest justice of the peace, mayor, judge, clergyman, or other official or person, of such loss, or the amount of such loss; and any provision or condition contrary to the provisions of this section, or any condition in said policy, inserted to avoid the provisions of this section, shall be void, and no condition or agreement not to sue for a period less than three years, shall be valid.

**Foreign.**—Foreign companies must possess one hundred thousand dollars held within the United States by a citizen or citizens thereof as the agent or agents, trustee or trustees of such company, for the protection and benefit of its policy-holders within the United States.

**Fees.**—For examination of statements and investigation of evidences of investment, five dollars.

For accepting service as attorney, three dollars, and for filing copy of same, five dollars.

For each certificate of authority, two dollars.

To Clerk of Court for filing certificate and statement, fifty cents.

To the Auditor all expenses actually incurred in the examination of any insurance company.

Reciprocal provision.

**Taxes.**—Every company shall, in the months of January and July in each year, report to the Auditor, under the oath of its president and secretary, the gross amount of premiums received in the State for the six months preceding, ending on the last days of December and June in each year, and shall, at the same time, pay the State Treasurer the sum of three dollars for every one hundred dollars of such premiums, less losses actually paid within the State.

**Penalties.**—Any person violating the provisions of law relating to insurance shall be fined not exceeding one thousand dollars, or imprisoned in the county jail not more than thirty days, or both. Any company neglecting for more than thirty days to render an account of its premiums received and pay the tax thereon, as required by law, shall forfeit one hundred dollars for each additional day such report and payment shall be delayed.



## ASSESSMENT INSURANCE.

**Admission.**— Any company of other State and foreign government seeking admission must deposit with the Auditor of State a certified copy of its charter or articles of incorporation; a copy of its statement of business for the preceding year, with the names and residence of its officers, sworn to by the president and secretary, or like officers, showing a detailed account of expenses and income, the amount of insurance in force, its assets and liabilities in detail, and setting forth that it has the ability to pay its policies or certificates to the full limit named therein; a certificate from the Insurance Commissioner or from a judge or clerk of a court of record of its home State certifying that corporations or associations insuring life on the assessment plan, and paying policies in full or providing accident indemnities, and chartered under the laws of this State are legally entitled to do business in its home State; a copy of its policy or certificate of membership, application, and by-laws, which must show that death losses are, in the main, provided for by assessment upon the surviving members; and it shall legally designate a person, agent, or attorney in fact residing in this State, upon whom service of process for said company or association may be made, and in default of such designation, service of process may be made upon the Auditor of State of this State, who shall be deemed its agent for that purpose, and he shall immediately notify any corporation or association thus served.

**Annual Statements** must be made and filed previous to August thirty-first.

**Fees.**— For admission, twenty-five dollars.

For filing annual statements, ten dollars. This act does not apply to secret or fraternal societies.

Reciprocal provision.

## IOWA.

[Legislature meets biennially. Next session, January, 1890.]

JAMES A. LYONS, Auditor of State, DES MOINES.

**Admission.**— Every company desiring to transact business in this State, before admission, must file with the Auditor—

A certified copy of its charter or deed of settlement.

A statement, under oath of the president, vice-president, or other chief officer and secretary of the company, giving the name, location, and capital stock of the company, and showing its condition.

A copy of the last annual report, if any, made by a fire or marine company under the laws of the State by which such company was incorporated.

Fire and marine companies shall also file a written instrument, duly signed and sealed, authorizing any agent of the company to acknowl-

edge service of process for and in behalf of the company, and consenting that service of process upon any such agent shall be taken and held to be valid, as if served upon the company, and waiving all claim or right of error by reason of such acknowledgment or service.

Life companies shall appoint an attorney, or agent, on whom process of law can be served, in each county in which the company has an agency, and file with the Auditor a copy of such certificate of appointment. Such appointment shall continue in force until another attorney be substituted.

Any foreign or other State corporation sued or impleaded in any of the courts of this State upon any contracts made or executed in this State or to be performed in this State or for any act or omission, public or private, arising, originating, or happening in the State, who shall remove any such cause from such State court into any of the federal courts held or sitting in this State, for the cause that such corporation is a non-resident of this State or a resident of another State than that of the adverse party, or of local prejudice against such corporation, shall thereupon forfeit and render null and void any permit issued or authority granted to such corporation to transact business in this State.

**Certificates and Agents.**—Every company doing a fire or marine business in this State shall procure from the Auditor, and publish annually in two newspapers of general circulation, one of which shall be published at the capital, a certificate showing that such company has in all respects complied with the laws of the State relating to insurance, and containing a statement, under the oath of the president or secretary of such company, stating the actual amount of paid-up capital, the aggregate amount of assets and liabilities at the date of such certificate, together with the aggregate income and expenditure of such company for the year preceding.

Every company doing a life business shall procure from the Auditor a certificate annually, which shall be recorded in the office of the recorder of the county in which the principal office of the company is located in this State.

Every agent of a fire or marine company shall annually procure from the Auditor a certificate of authority.

Every agent of a life company shall annually procure from the Auditor a certificate of authority, and a certified copy of such certificate shall be filed in the county recorder's office of the county where the office of the agent is located, and the general agent shall procure from the Auditor, and furnish to each local or traveling agent a certified copy of the certificate of authority issued to the company.

Every agent, in all advertisements of his agency, shall publish the location of the company, giving the name of the city, town, or village in which the company is located, and the State or government under the laws of which it is organized.

**Examinations and Impairments.**—The Auditor may examine the affairs and condition of any company doing business in this State, and may, whenever he deems it for the best interests of the public, publish the result of such examination in one or more papers in this State.

If it shall appear from such examination that the affairs of any company doing fire or marine insurance business in this State are in an unsound condition, the Auditor shall revoke the certificate granted in behalf of such company, and cause notice of such revocation to be published in some newspaper of general circulation published at Des Moines.

If it shall appear from such examination that the affairs of any company doing a life insurance business are in an unsound condition, or that proceeding further with its business will be hazardous to the public or its policy-holders, he shall communicate the facts to the Attorney-General, who shall at once apply to a judge of the Supreme or District Court to issue an injunction restraining such company from transacting further business in this State.

No fire or marine company can transact business in this State if its capital is impaired to the extent of twenty per cent. thereof, while such deficiency continues.

No life company can transact business in this State if its assets are not equal to its liabilities, including its premium reserve, computed as required by law.

**Fire and Marine.**— Every company must possess an actual paid-up capital of two hundred thousand dollars, exclusive of any assets deposited in any State or Territory for the special benefit or security of the insured therein, but any mutual company having two hundred thousand dollars, over and above all liabilities, including the re-insurance reserve, shall be deemed possessed of two hundred thousand dollars of actual paid-up capital. Annual statements shall be filed on the first day of January of each year, or within thirty days thereafter, showing the condition and affairs of the company on the preceding 31st day of December.

The re-insurance fund is computed at forty per cent. of the premiums received on all unexpired risks.

No company shall expose itself to loss on any one risk or hazard to an amount exceeding ten per cent. of its paid-up capital, unless the excess shall be re-insured in some other good and reliable company.

Every company shall submit the form of its policy contracts to the Auditor, who shall see that they provide for the cancellation of the same upon equitable terms.

False statements, advertisements, etc., are prohibited.

All insurance companies or associations shall, upon the issue or renewal of any policy, attach to such policy or indorse thereon a true copy of any application or representations of the assured which, by the terms of such policy, are made a part thereof, or of the contract of insurance, or referred to therein, or which may in any manner affect the validity of such policy. The omission so to do shall not render the policy invalid, but if any company or association neglects to comply with the requirements of this section, it shall forever be precluded from pleading, alleging, or proving such application or representations, or any part thereof, or falsity thereof, or any parts thereof, in any action upon such policy; and the plaintiff in any such action shall not be required, in order to recover against such company

or association, either to plead or prove such application or representations, but may do so at his option.

In any suit or action brought in any court in this State on any policy of insurance against the company or association issuing the policy sued upon, in case of the loss of any building so insured, the amount stated in the policy shall be received as *prima facie* evidence of the insurable value of the property at the date of the policy; *provided*, nothing herein shall be construed to prevent the insurance company or association from showing the actual value at the date of the policy, and any depreciation in the value thereof before the loss occurred; *provided further*, such insurance company or association shall be liable for the actual value of the property insured at the date of the loss, unless such value exceeds the amount stated in the policy. And, in order to maintain his action on the policy, it shall only be necessary for the assured to prove the loss of the building insured, and that he has given the company or association notice in writing of such loss, accompanied by an affidavit stating the facts as to how the loss occurred, so far as they are within his knowledge, and the extent of his loss; which notice shall be given within sixty days from the time the loss occurred; *provided further*, that no action shall be begun within ninety days after notice of such has been given. All the provisions of this chapter shall apply to and govern all contracts and policies of insurance contemplated in this chapter, anything in the policy or contract to the contrary notwithstanding.

That in every instance where a fire insurance company or association, doing business in this State, shall hereafter take a note or contract for the premium on any insurance policy, or shall hereafter take a premium note or contract which, by its terms, or by any agreement or rule of the company or association, is assessable for the premium due on the policy for which it was given, such insurance company or association shall not declare such policy forfeited or suspended for non-payment of such note or contract except as hereinafter provided, anything in the policy or application to the contrary notwithstanding.

Within thirty days prior to, or at any time after the maturity of any note or contract, whether assessable or where the time of payment is fixed in the contract, given for the premium on any policy of insurance, such company or association may serve a notice in writing upon the insured that his note or an installment thereof is due, or to become due, stating the amount which will be due on the note or contract, and also the amount required to pay the customary short rates, including the expense of taking the risk up to the time the policy will be suspended under the notice in order to cancel the policy, and that, unless payment is made within thirty days, his policy will be suspended. Such notice may be served either personally or by registered letter addressed to the insured, at his post-office address named in or on the policy, and no policy of insurance shall be suspended for non-payment of such amount until thirty days after such notice has been served.

The assured may, at any time after the maturity of the note, contract, or installment, pay to the insurance company or association the

customary short rates, including the expense of taking the risk, and the cost of suit in case suit has been commenced or judgment rendered on the note or contract, and upon such payment, if he so elect, his said policy shall be canceled, and any note or contract, or any judgment rendered thereon, shall be canceled, and shall be actually void in whomsoever hands the same may be: *provided*, that the assured may, at any time before cancellation of the policy, pay to the insurance company or association the full amount due upon any note or contract, and from the date of such payment the policy shall be revived, and shall be in full force and effect; *provided*, such payment is made during the time stated in the policy and before a loss occurs; and *provided further*, that when any insurance company or association shall bring suit upon such note or contract, and shall collect the same, from the date of such collection the policy shall be revived and be in full force from the time of such collection; *provided*, such collection is made during the time stated in the policy, and before a loss occurs. The provisions of this act shall apply to and govern all contracts and policies of insurance contemplated in this chapter, anything in the application or policy to the contrary notwithstanding.

**Life.**— Every company transacting business in this State shall possess at least one hundred thousand dollars, invested in stocks or bonds of the United States, of this State, of the State where located, or of the State where the same are deposited, or loaned on bond secured by mortgage of unencumbered real estate, worth double the amount loaned, situated within the State where the company is located. Such stocks and securities shall be deposited with the Auditor, Comptroller, or chief financial officer of the State in which such company is located, or of some other State, and the Auditor furnished with a certificate, under the hand and official seal of the officer holding such deposit, showing that he holds the same in trust for the benefit of all the policy-holders of such company, stating the items of such securities, and that he believes they are worth one hundred thousand dollars.

Annual statements shall be filed on or before the first day of April of each year, showing the affairs and condition of the company on the preceding 31st day of December.

Valuations shall be made upon the basis of the American Experience Table of Mortality, with interest at four and one-half per cent. per annum, or upon the basis of the Actuaries' or combined Experience Table of Mortality, with interest at four per cent. per annum.

If the policies of any company have been valued by the proper official of any other State upon the basis above specified, the Auditor shall accept a certificate of such valuation as sufficient evidence of the amount of premium reserve of such company. In the absence of such certificate, the Auditor may value the policies of any company doing business in the State, or may accept, upon such evidence as he shall determine, a valuation made by such company.

In all suits on policies of life insurance, when the defendant seeks to avoid liability on the ground of intemperate habits or habitual intoxication, it shall be sufficient reply for the plaintiff to show that the habits of the assured were generally known in the community

where the agent of the defendant resided or did business, if the company continued to receive premiums after such knowledge.

A certificate of health from the medical examiner of a life insurance company, or the physician acting as such, which declares the applicant a fit subject for insurance, under the rules of such company, shall estop the company from setting up as defense, in suit on such policy, that the assured was not in the condition of health required by the policy at the time of issuing the same, except when such certificate is procured by fraud or deceit.

**Fees.**— For filing certified copy of charter, twenty-five dollars.

For filing annual statement, twenty dollars.

For each certificate of authority and certified copy thereof, two dollars.

For every copy of any paper filed in the department, the sum of twenty cents per folio, and for affixing the official seal to such copy and certifying the same, one dollar.

For valuing policies of life insurance companies, ten dollars per million of insurance, or for any fraction thereof.

For official examinations of companies, the actual expense incurred.

Reciprocal provision in reference to fees.

**Taxes.**— Every company, at the time of filing annual statement, shall pay into the State treasury a tax of two and one-half per cent. upon the gross amount of premiums received in this State during the preceding year, taking duplicate receipts therefor, one of which shall be filed with the Auditor. Such tax shall be in full for all State and local taxes.

**Penalties.**— Any person or officer doing business for any fire or marine company without complying with the requirements of law, or violating any of the provisions of law relating to insurance, shall be fined in a sum not exceeding one thousand dollars, and be imprisoned in the county jail for a period not less than thirty days, nor more than six months. Every life insurance company failing to file annual statements, and procure certificate of authority, as required by law, shall forfeit one hundred dollars for every day's neglect; and any of its agents making insurance, or soliciting applications, shall forfeit three hundred dollars; and any person acting for any such company, without having a certificate of authority, shall forfeit twenty-five dollars for each day's neglect to procure such certificate.

#### ASSESSMENT INSURANCE.

**Admission.**— Before admission each corporation shall file with the Auditor of State a copy of its charter or articles of incorporation duly certified by the proper officers of the State wherein organized, together with a copy of its by-laws, application, and policy or certificate of membership. It shall also file with said Auditor a sworn statement signed and verified by its president and secretary, which statement shall contain the name and location of the said corporation or association, its principal place of business, the name of its

president, secretary, and other principal officers, the number of certificates or policies in force, the aggregate amount insured thereby, the amount paid to beneficiaries in event of death or accident, the amount collected of each member on each assessment, and the purposes for which assessments are made and the authority under which they are made; the amount paid on the last death loss and the date thereof; the amount of cash or other assets owned by the company and association and how invested; and any information which the Auditor may require. All said statements and papers thus filed shall show that death or surrender value of certificate of insurance or accident indemnity is in the main provided for by assessments upon or contributions by surviving members of such corporation or association, and shall show to the satisfaction of said Auditor that said corporation or association is legally organized and honestly managed, and that an ordinary assessment upon its members or other regular contribution to its mortuary fund, is sufficient to pay its maximum certificate to the full limit named therein. Such foreign corporation or association shall also designate to the said Auditor an attorney or agent residing in this State on whom service of process or original notice may be made; and in the event of a failure to appoint or designate such attorney, such service may be made upon the Auditor, who shall at once notify said company by mailing a copy of said notice to the secretary of said corporation or association, directed to his last known post-office address. Any action commenced in this State by service upon such attorney or Auditor may be commenced in the county of the plaintiff's residence, regardless of the residence of said attorney or Auditor, and every corporation or association coming into this State shall file with the Auditor of State a contract or agreement that it will not transfer any action commenced against it in any court of this State to the United States courts, which contract shall contain the provision that if such transfer is made to the United States courts, the certificate of authority issued by said Auditor to do business shall be revoked or canceled, and it shall be the duty of the Auditor to promptly revoke the certificate of such corporation or association as soon as such transfer is made; and such corporation or association shall not be permitted to do business again within the State. Upon complying with the provisions of this section, and upon payment of twenty-five dollars, and Auditor shall issue to such foreign corporation or association so complying, a certificate of authority to do business in this State, provided the same right is extended by the State in which said corporation is organized, to similar corporations or associations organized in this State.

**Annual Statements.** — A detailed statement shall be made annually before the first day of March, on blanks furnished by the Auditor, of the condition of each corporation on the thirty-first day of December preceding.

**Examinations.** — Auditor has power to visit and examine companies.

**Certificates and Agents.** — Companies and agents must have Auditor's certificate before doing business.

**Fees.**— For filing charter and other papers, twenty-five dollars.  
For annual statement, twenty dollars.  
For examinations, five dollars a day and actual traveling and hotel expenses.

For agent's certificate, two dollars.  
All other fees the same as provided for life companies.

**Penalties.**— Taking or soliciting applications for unauthorized companies is a misdemeanor, and subjects offenders to a fine not exceeding one hundred dollars and costs.

Compliance with the act by secret or fraternal organizations is not compulsory.

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## KANSAS.

[Legislature meets biennially. Next session, January, 1891.]

D. W. WILDER, *Superintendent of Insurance*, TOPEKA.

**Admission.**— Every company desiring to transact business in this State before admission shall file with the Superintendent of Insurance—

A certified copy of its charter or act of incorporation.

A copy of the last annual report, if any was made under any law of the State and country by which such company was incorporated.

A statement under the oath of the president or vice-president and secretary of such company, showing the capital, location, and condition of such company. In case of life companies, the statement shall show the condition of the company on the preceding first day of January.

Every company shall file in the Insurance Department its written consent, irrevocable, that actions may be commenced against the company in any county in the State in which the cause of action shall arise or the plaintiff shall reside, and process served on the Superintendent of Insurance, and agreeing that such service shall be as binding as if made upon the proper officer of such company. Such written consent must be executed by the president and secretary of the company, authenticated by the seal of the company, and accompanied by a certified copy of a vote or resolution of the board of directors authorizing the president and secretary to execute the same. The summons in any process against any such company shall be addressed to the Superintendent of Insurance, and require the defendant to answer by a certain day, not less than forty days from its date. The summons shall be forwarded by the clerk of the court to the Superintendent, who shall immediately forward copies thereof to the company, and to its general agent, if such agent reside in this State.

**Certificates and Agents.**— Every company, before transacting business, must procure from the Superintendent a certificate of authority.

Every company shall certify to the Superintendent the names of the agents appointed to act for the company, and such agents shall



receive a license from the Superintendent. Any company may appoint a general agent in this State with authority to appoint other agents. A certified copy of such appointment shall be filed with the Superintendent. All certificates and licenses shall be renewed annually, and shall continue in force until the last day of February in each year.

**Examinations and Impairments.**—Whenever the superintendent has good reason to suspect the correctness of any annual statement made by any company, or that any such company is in an unsound condition, he shall make or cause to be made an examination into the affairs of such company. Whenever the Superintendent shall deem it for the interest of the public, he shall publish the result of such examination in some newspaper of general circulation printed at Topeka. If it shall appear from such examination or otherwise that the affairs of any company are in an unsound condition, he shall revoke the authority granted to such company to do business in this State, and cause notice thereof to be published in at least one newspaper published in the city of Topeka.

No fire or marine company can transact business in this State, if its capital stock, after the company is charged with its proper liabilities, is impaired more than twenty per cent.

No life company can transact business in this State if its assets, after being charged with all proper liabilities, are not equal to its premium reserve ascertained as required by law.

**Fire and Marine.**—Every company must possess a paid-up capital of one hundred thousand dollars.

Annual statements must be filed on or before the first day of March in each year, showing the condition of the company on the preceding thirty-first day of December. A synopsis of such annual statement shall be published in each county where the company has an agent, showing the assets and liabilities of the company, within sixty days after filing such statement.

The re-insurance fund is computed at forty per cent. of the amount received for premiums upon unexpired risks.

No fire risk is permitted to be written on property located in Kansas except by licensed resident agents. Violation of this law subjects the company to a revocation of its license for one year.

**Life.**—Every company must possess at least one hundred thousand dollars invested in the bonds of the United States, or this State, or of the State by which it is incorporated, or loaned on notes or bonds secured by mortgage of unencumbered real estate worth double the amount loaned. Securities to the amount of one hundred thousand dollars shall be deposited with the proper official of the State under whose laws the company is incorporated, for the security of the policy-holders of the company. A certificate under the hand and official seal of the officer with whom such deposit is made, showing the character of the securities deposited with him, that he holds the same in trust for the benefit of the policy-holders of the company, and that he is satisfied they are worth one hundred thousand dollars, shall be filed with the Superintendent. Annual statements shall be

filed on the first day of January in each year, or within sixty days thereafter, showing the condition of the company on the preceding thirty-first day of December. A synopsis of such annual statement shall be published in each county where the company has an agent, showing the assets and liabilities of the company, within sixty days after filing such statement. Valuations are made upon the American Experience Table of Mortality, with interest at four and one-half per cent. per annum. The Superintendent shall once in three years value the policies of all companies transacting business in this State, if the same are not valued under the provisions of the laws of some other State, upon any basis which will not require a premium reserve less than that provided by the basis of valuation established by the laws of this State. If a certificate of such valuation in any other State shall be furnished the Superintendent, no valuation shall be made in this State.

**Foreign.**—Every company must have invested in the stocks of the United States or some one or more of the States two hundred thousand dollars, and such stocks must be held by citizens of the United States.

Life companies must deposit with the Treasurer of this State one hundred thousand dollars in bonds or securities for the benefit of the policy-holders of any such company, citizens, or residents of the United States, or furnish the Superintendent with a certificate from the proper official of some other State showing that a deposit of like character and amount has been made with him for the security of the policy-holders of such company in the United States.

Annual statements shall be filed on the first day of January in each year, or within sixty days thereafter, showing the condition of the company on the preceding thirtieth day of June, and shall be accompanied by a supplementary annual statement showing the condition of the company in the United States on the preceding thirty-first day of December. A synopsis of such annual statement shall be published in each county where the company has an agent, showing the assets and liabilities of the company, within sixty days after filing such statement.

**Fees.**— For filing charter, fifty-five dollars.

For filing annual statement, fifty dollars.

For each license to agents, two dollars.

For every copy of a paper filed in this office, twenty cents per folio.

For affixing the seal of office and certifying any paper, one dollar.

For valuation of life policies, one cent for every one thousand dollars of insurance valued.

For examinations, the actual expenses incurred. If the expenses of the department exceed the fees collected, such excess shall be assessed equally upon all companies doing business in the State, and paid into the Treasury.

Each company must, in addition to the above fees, pay into the State Treasury for the benefit of the annual school fund the sum of fifty dollars each year. Reciprocal provision where other and greater fees are charged in other States.

**Taxes.**— Foreign companies are required to pay a tax of two per cent. annually on or before the first day of March on all premiums received in this State for the year ending on the preceding thirty-first day of December. Reciprocal provision in reference to taxes upon other companies.

**Penalties.**— Every company transacting business in this State without complying with the provisions of law, and every agent acting for any company without procuring a license, shall be subject to a penalty of five hundred dollars. Every violation of any provision of law relating to insurance shall subject the person guilty of such violation to a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense.

Combinations to control rates of insurance are declared void, and agents or corporations entering into them are subject to a fine of one thousand dollars.

**Admission.**— Company must file with the Superintendent of Insurance a certified copy of its charter, by laws, application, and certificate of membership; a certificate of the proper officer in its own State that it has complied with the law; a bond with sufficient sureties in the sum of fifty thousand dollars, for the honest and faithful management by the officer of the company's affairs; a statement under oath of its chief officers or manager and secretary of all the facts and items required in the annual statement, and that it has paid and has the ability to pay its certificates to the full limit; and its written consent irrevocable, that service of process may be made upon the Superintendent of Insurance.

There shall be set aside and deposited with the Treasurer of this State, by every assessment association doing business in this State, not less than ten per cent. from each assessment made for the payment of death claims. The net interest accruing upon such reserve shall be placed to the credit of the mortuary fund, and become a part thereof. When the death rate of said association shall be in excess of the American experience mortality table, or a semi-annual ratio thereof, then and in that event the association may draw on such reserve fund to pay such excess. When such reserve shall have accumulated in excess of one per centum of the insurance in force in such association, such excess may, by the order of the board of directors or trustees thereof, be distributed by the Treasurer of State to the members of said association, for the payment of assessments.

These deposits are to be made with the Treasurer quarterly, and must be invested in United States bonds, Kansas State and School bonds, bonds of a county, township, or municipal corporation in this State, issued in conformity with law, or bonds and mortgages on unincumbered real estate within this State, worth fifty per cent. more than the sum loaned thereon, exclusive of buildings.

The deposit provisions do not apply to companies, associations, or corporations having a paid-up cash capital of at least one hundred thousand dollars.

**Annual Statements.**— Annual statements must be filed, on blanks furnished by the Superintendent, on the first day of January or within sixty days thereafter.

**Licenses.**— Licenses expire on the last day of February.

**Examinations.**— The Superintendent has authority to examine companies and revoke certificates.

**Fees.**— An annual license of one hundred dollars, or *pro rata* from the date of certificate to the last day of February following, but in no case less than twenty-five dollars.

For filing certificate, copy of charter, and other preliminary papers and for filing annual statement, ten dollars.

For certificate of authority annually, five dollars.

For each agent licensed annually, two dollars.

## KENTUCKY.

[Legislature meets biennially. Next session, December 30, 1899.]

HENRY F. DUNCAN, *Insurance Commissioner*, FRANKFORT.

**Admission.**— Every company desiring to transact business in this State before admission must file with the Commissioner —

A certified copy of its charter, articles of incorporation or deed of settlement.

A statement under the oath of its president, or vice-president and secretary, showing the condition of the company, which may be a copy of the last annual report, if any, made under any law of the State by which such company was incorporated.

A written instrument or power of attorney, duly signed and sealed, authorizing any agent of the company to acknowledge service of process for and in behalf of the company, and consenting that service of process upon any such agent shall be as valid and binding as if served on the company.

If any such company shall, without the consent of the other parties to any suit or proceeding against it in any court of this State, remove such suit or proceeding into any Federal court, or if such company shall hereafter institute any suit or proceeding against any citizen of this State in any Federal court, it shall be the duty of the Auditor forthwith to revoke all authority to such company or its agents to do business in this State, and to publish such revocation in some newspaper published in this State.

**Certificates and Agents.**— The Auditor, upon receiving a certificate from the Insurance Commissioner, showing that any company has fully complied with the requirements of law, and is possessed of the requisite capital or assets, shall furnish to such agents as the company directs a copy of the certificate of the Commissioner, together with a license to such agents to transact business for such company.

The certificate of the Commissioner to the Auditor and copies of such certificate, together with the licenses to agents, shall be renewed annually.

Every agent, in all advertisements of his agency, shall publish the location of the company he represents, giving the name of the city, town, or village in which it is located, and the State or government under the laws of which it is organized.

Agents may be licensed to place insurance in unauthorized companies under certain circumstances, but unless done under such license such insurance is null and void.

**Examinations and Impairments.**—The Commissioner, whenever he deems it necessary, may examine into the affairs and condition of any company doing business in this State. Whenever it shall appear to the satisfaction of the Commissioner that the affairs of any such company are in an unsound condition, or not conformable to any standard adopted by this State, or if any company shall refuse to permit an examination, the Auditor, at the request of Commissioner, shall revoke all certificates granted in behalf of such company, and shall cause notice of such revocation to be published in some one or more newspapers of general circulation published in the State, and a copy thereof mailed to each agent of such company licensed by the Auditor.

No fire or marine company can transact business in this State if, after the company is charged with its proper liabilities and the amount required by law for a re-insurance fund, its capital is impaired to the extent of twenty per cent., unless such impairment shall be made good within sixty days. No credit is given for re-insurances in unauthorized companies, and schedules of re-insurances are required.

No life company can transact business in this State if its assets are not of a net cash value equal to its liabilities, including the premium reserve computed as required by law.

**Fire and Marine.**—Every company must possess a paid-up cash capital of not less than one hundred and fifty thousand dollars.

Annual statements shall be filed on the 10th day of January in each year, or within one month thereafter, and shall show the condition of the company on the preceding 31st of December.

The Commissioner may, for good cause shown, extend the time for filing annual statements.

The re-insurance fund is computed at fifty per cent. of the gross premiums received and receivable upon all unexpired risks.

**Life.**—Every company must possess well-invested assets to the amount of one hundred thousand dollars.

Every company must file with the Commissioner the certificate of the Superintendent, Insurance Commissioner, or chief financial officer of some other State, under his hand and official seal, that he holds on deposit for the benefit of all policy-holders of such company stocks and securities to the amount of one hundred thousand dollars, stating the character of such securities.

Annual statements must be filed on the 10th day of January, or

within sixty days thereafter, showing the condition of the company on the preceding 31st day of December.

The basis of valuation in this State is the American Experience Table of Mortality, with interest at four and one-half per cent. per annum.

The Commissioner is required to value the outstanding policies of all companies doing business in this State annually, if such company is not incorporated in a State where there is a regularly organized Insurance Bureau or Department. In such case, if the company shall furnish a certificate of the Insurance Commissioner or Superintendent in due form under seal, setting forth the existing value of all its outstanding policies, such certificate shall be accepted by the Commissioner, and no valuation of the policies of such companies shall be made by him. Such certificate is not required to show a valuation made upon any particular basis, provided the values are not less than those on the basis adopted by the State.

Every company must annually file with the Commissioner a descriptive list of all policies in force, and a like list of all policies which have terminated, with the mode and manner of termination and the amount paid in each case.

**Miscellaneous.**— No company doing a fire and marine business can do accident, plate-glass, live stock, steam boiler, guaranty or other business, and no company organized for the latter can do a fire and marine business, nor more than one of the other classes, without depositing one hundred thousand dollars with the proper officer of the State where organized, and fifty thousand additional for each kind of business transacted.

**Foreign.**— Every company doing a fire or marine business shall file with the Commissioner the certificate of the Auditor, Comptroller, or chief financial officer of some other State of the United States, under his hand and official seal, showing that such officer holds on deposit and in trust for the benefit of all the policy-holders of such company in the United States securities to the amount of two hundred thousand dollars.

In case no such deposit is made in any other State, such deposit may be made with the Auditor of this State.

**Fees.**—

For license to each agent of a fire company, five dollars.

For license to each agent of a life company, ten dollars.

For original deposit of securities, ten dollars.

For filing certified copy of charter or deed of settlement, forty dollars.

For filing annual statement of condition, forty dollars.

For filing any additional or supplemental statement, twenty-five dollars.

For seal of office with certificate, one dollar.

For copies of any papers on file, twenty cents per folio.

For cost of making valuations, not to exceed three cents for every

thousand dollars of insurance valued. The reasonable expenses of the examination of any company shall be paid by the company examined.

The Commissioner is authorized to assess an equal amount upon each company doing business in this State, to provide for any deficiency in the expenses of the bureau.

Reciprocal provision.

**Taxes.**— Every fire or marine company shall, on the last days of June and December in each year, report under oath to the Auditor the total amount of all premiums received within this State for the six months preceding, and shall at the same time pay into the treasury of the State a tax of two dollars and fifty cents upon each one hundred dollars of such premiums.

The State agent or manager of every life company, and when there is no State agent or manager, then a special agent appointed for the purpose, shall on the first days of January and July in each year, or within thirty days thereafter, return to the Auditor a correct statement under oath of all premiums received or receivable by any of the agents of the company in this State, and the amount of insurance effected for the six months ending on the last days of the preceding June or December, or since the last return was made. Every life company shall, on or before the first Mondays of February and August in each year, pay into the State treasury a tax of two dollars and fifty cents upon each one hundred dollars net premiums received in cash.

**Penalties.**— Every agent of an insurance company transacting business without a license shall be subject to a penalty not exceeding fifty dollars for each offense, with imprisonment if not paid or replevied.

Every agent doing business for any company after the revocation of its authority shall be subject to a penalty not exceeding one hundred dollars.

Any life company doing business in this State and neglecting to make return as required by law, shall forfeit ten dollars for each day's neglect.

Every fire or marine company neglecting for thirty days to make return of premiums and pay taxes as required by law, shall forfeit and pay one thousand dollars.

Every agent of a life company required to make return and pay tax and neglecting to do so within the time prescribed by law, shall forfeit twenty five dollars. If such agent neglects for ten days after notice from the Commissioner to pay such tax, he shall forfeit five hundred dollars.

An insurance company of another State or country appealing from a judgment, shall be subject to a penalty of ten per cent. of the amount of the judgment.

#### ASSESSMENT INSURANCE.

**Admission.**— An assessment company applying for admission must file with the Insurance Commissioner a certified copy of its charter or articles of incorporation, a copy of its statement of business for the year ending the 31st day of the next preceding December,

sworn to by the president and secretary or like officers thereof, setting forth the number and amount of certificates of membership or policies in force, and a detailed account of its expenditures, income, assets, and liabilities, and also a certificate sworn to by the president and secretary, or like officers thereof, setting forth that it has paid and has the ability to pay its certificate or policies to the full limit named therein; that its certificates or policies are payable only to beneficiaries having a legal insurable interest in the life of the member or insured; that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership or policy theretofore issued, if any, or thereafter to be issued to residents of this State, to the full amount or limit named therein; a certificate from the Insurance Commissioner, or other like officer charged with the duty of executing or enforcing the execution of the insurance laws of its home State, certifying that it is legally entitled to do business in its home State; a copy of the application for membership or insurance, and of each form thereof, if more than one form is used; a copy of the form of certificate of membership or policy, and each form thereof, if more than one form is used; a copy of the constitution and by-laws and of each and every edition thereof, which must show that all indemnities to beneficiaries are in the main provided for by assessments upon all surviving members.

It must also file a power of attorney authorizing any and every agent to accept service of process, and also an attorney for the State who is a resident thereof. Removal of, or commencing, suits to United States Courts forfeits right to do business in the State.

**Statements and Licenses** must be renewed annually, and the general provisions regarding supervision are the same as those for life companies. Fraternal societies are exempt from compliance.

**Fees.**— To Commissioner:

For filing charter and other papers when admitted, and for all licenses issued during the ensuing year, two hundred dollars.

For filing annual statement and for licenses each year thereafter, two hundred dollars.

**Taxes.**— One per cent. on all moneys received in the State on new business during the year ending December thirty-first.

**Penalties.**— For transacting business for companies not having complied with the law, a fine of not less than fifty nor more than one hundred dollars for each offense, with imprisonment if not paid or replevied.

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LOUISIANA.

[Legislature meets biennially. Next session, May 12, 1890.]

SIMEON TOBY, *Assistant Secretary of State, NEW ORLEANS.*

**Admission.**— No insurance company can do business in this State until it shall have filed with the Secretary of State a copy of the last annual statement of its business and affairs, duly sworn to under



oath, of the President and Secretary of the company, or in their stead the resident manager of the United States, if it be a foreign insurance company, with power of attorney to, and appointing an agent, and obtaining a certificate of compliance from the Secretary of State.

*Annual Statements* must be made under oath of president and secretary, or resident manager of foreign company, between the first day of January and the first day of March. Statements must be published by agent for one month in two newspapers of the parish where he is located, and must be filed in the office of the Secretary of State. The publication is of Louisiana business only.

*Life* companies must file with the State Auditor, annually on the first of January or within ninety days thereafter, a statement similar to the annual statement required by their charter or by the laws of the State where organized.

*Foreign.*—Every foreign company must deposit twenty-five thousand dollars with the Treasurer of Louisiana, unless it has an equal amount deposited in some other State for the protection of all policy-holders. It must not take credit in its statements or advertisements for any assets not in the hands of American trustees, or deposited for the benefit of all policy-holders, and within the United States.

No foreign insurance company shall be admitted to transact a fire, river, marine, or inland navigation insurance business, or take any risks through any agent, agents, or attorney, until they shall have filed with the Secretary of State a copy of their charter, officially verified, a certified copy of a statement of their affairs, a certified copy of the vote or resolution by which their agent or agents were appointed in the United States, and this State, together with a certified copy of the trust deed or instrument under which they are to act, defining their powers, and if the agent or agents' appointment in this State is derived from the general agent for the United States, said agent or agents shall be further vested. That service of legal process, original *mesne* or final on such agent shall be taken and held as valid as if served on the company, and that acknowledgement of service of such process by him, for or on behalf of such company, shall be obligatory on it, and that judgment recovered on such service or acknowledgment shall be conclusive evidence of the indebtedness of the company.

*Taxes.*—Foreign fire and marine companies are taxed upon their capital six mills on the dollar, unless the same pays a tax in some other State. The capital here meant is the aggregate of deposited securities in this and other States and real estate bonds and mortgages.

*Licenses* are based upon the premiums annually collected in the State, less reinsurances and cancellations, and must be paid to the tax collectors of the parishes on or before the first day of March, after which date they bear interest at the rate of two per cent. a month. They are divided into classes as follows:

First class—When said premiums are three hundred thousand dollars or more, the license shall be seventeen hundred and fifty dollars (\$1,750).

Second class — When said premiums are two hundred and fifty thousand dollars and less than three hundred thousand dollars, the license shall be fifteen hundred dollars (\$1,500).

Third class — When said premiums are two hundred thousand dollars, and less than two hundred and fifty thousand dollars, the license shall be twelve hundred and fifty dollars (\$1,250).

Fourth class — When said premiums are one hundred and fifty thousand dollars, and less than two hundred thousand dollars, the license shall be one thousand dollars (\$1,000).

Fifth class — When said premiums are one hundred thousand dollars, and less than one hundred and fifty thousand dollars, the license shall be seven hundred and fifty dollars (\$750).

Sixth class — When said premiums are eighty thousand dollars, and less than one hundred thousand dollars, the license shall be seven hundred dollars (\$700).

Seventh class — When said premiums are seventy thousand dollars, and less than eighty thousand dollars, the license shall be six hundred and fifty dollars (\$650).

Eighth class — When said premiums are sixty thousand dollars, and less than seventy thousand dollars, the license shall be six hundred dollars (\$600).

Ninth class — When said premiums are fifty thousand dollars, and less than sixty thousand dollars, the license shall be five hundred and fifty dollars (\$550).

Tenth class — When said premiums are forty thousand dollars, and less than fifty thousand dollars, the license shall be five hundred dollars (\$500).

Eleventh class — When said premiums are thirty thousand dollars, and less than forty thousand dollars, the license shall be four hundred and fifty dollars (\$450).

Twelfth class — When said premiums are twenty thousand dollars, and less than thirty thousand dollars, the license shall be four hundred dollars (\$400).

Thirteenth class — When said premiums are ten thousand dollars, and less than twenty thousand dollars, the license shall be three hundred and fifty dollars (\$350).

Fourteenth class — When said premiums are less than ten thousand dollars, the license shall be three hundred dollars (\$300).

The Attorney-General rules: "Under Sec. 28 of Act 101, 1886, any person, firm, or company having more than one place of business of any kind, shall pay a separate license for each. This does not mean a double or treble license for *all* the business done at *all* the places, but that license for *each place* shall be graded on the amount of business done there alone." "Under this general provision separate insurance agencies, reporting independently to the same foreign company, or its general agent outside of this State, would be liable for separate licenses, each according to the business done by it."

Under this ruling all sub, dual, or co-agents must report to the general agent and attorney of the company, where said agent and attorney resides, which is considered the domicile of the company in this State, or pay separate licenses. Nor can any person represent

such companies, unless by authentic act, a certified copy of the act deposited with the Secretary of State, and his certificate of authority and compliance obtained.

Every municipal corporation in the State, where an agent is domiciled, has the right to demand the same amount of license as the State. New Orleans is the only city that demands it; all others are small in amount. The basis of license for companies entering the State between January and July, is computed upon the premiums received the first two months, multiplied by six; all companies entering after the first day of July, pay a half yearly license.

Agents are required to post their licenses in a conspicuous place in their offices.

Rebates to the assured are prohibited by law under penalties of forfeiture of right to do business.

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## MAINE.

[Legislature meets biennially. Next session January 7, 1891.]

JOSEPH O. SMITH, *Insurance Commissioner*, AUGUSTA, P. O.

**Admission.** — Every insurance company desiring to transact business in this State, before admission must file with the Insurance Commissioner a certified copy of its charter and by-laws; a statement under oath signed by its president or secretary, showing its financial condition.

Service of process may be made upon any authorized agent of such company, and shall be valid and binding upon the company. If no agent can be found service may be made on the Insurance Commissioner and shall be as valid as though served on the agent. If judgment is not paid within thirty days after demand made of agent or Insurance Commissioner, the Commissioner on notice and hearing may suspend the power of the company to do business in this State. No stipulation shall deprive the courts of this State of jurisdiction of actions against any company, nor limit the period before commencing the same to less than two years from the time the cause of action accrues.

**Certificates and Agents.** — Every company before transacting business in this State must procure a license from the Commissioner, which shall authorize the company to do business in the State until the first day of next July, and shall be renewed thereafter annually.

No agent shall transact any business until there has been filed with the Commissioner a duplicate power of attorney from the company or its authorized agent, or a certificate from the company authorizing him to act, setting forth that such person has been duly appointed and authorized as agent thereof. The Commissioner shall thereupon issue a license to him, which shall continue in force until the first day of the next July, and may be renewed from year to year in like man-

ner. The knowledge of the agent of the company in reference to risks and of omissions and misdescriptions, shall be regarded as the knowledge of the company, and as waived by it the same as if noted in the policy.

Special licenses may be granted to fire insurance agents to place excess lines in unauthorized companies having \$100,000 capital, on payment of ten dollars license fee and filing a bond that they will pay a tax on gross premiums of one per cent.

**Examinations and Impairments.**— Whenever the Commissioner deems it necessary for the protection of policy-holders, he may examine into the condition of any company transacting business in this State.

If it shall appear upon such examination or otherwise that the assets of any fire or marine company having a specific capital, after deducting therefrom the amount of its liabilities and a re-insurance fund as required by law, do not amount to more than three-fourths of its capital stock, the company shall, by assessing its stock, or in some other way, fully repair its capital, and unless it do so within three months after notice from the Commissioner, the Commissioner shall suspend its right to do business in the State.

Whenever it shall appear that the net cash funds of any life insurance company are not equal to its liabilities, including its premium reserve, computed as required by law, he shall give notice to the company and its agents to cease the issue of policies within the State.

Whenever the Commissioner thinks any licensed company is in failing condition, or unsafe, he may, on reasonable notice, suspend its right to do business in the State.

**Fire and Marine.**— Every stock company shall possess a *bona fide* paid-up capital of at least two hundred thousand dollars, well invested and secured, and every mutual company shall possess cash assets of like amount.

Annual statements shall be filed on or before the 31st day of January in each year, and shall show the exact condition of the company on the preceding 31st day of December. Such annual statement condensed, shall be published three weeks successively in some daily or weekly paper, printed in the county where the company has a duly authorized agent or takes policies.

The re-insurance fund shall be computed at fifty per cent. of all premiums on existing fire and inland risks, and the entire premium on outstanding marine risks.

**Life.**— Every company must possess net assets to the amount of one hundred thousand dollars, invested in or secured by real estate, bonds, stocks, and other available securities.

Annual statements shall be filed on or before the thirty-first day of January in each year, and shall show the condition of the company on the preceding 31st day of December.

The basis of valuation is the Actuaries' or Combined Experience Table of Mortality, with interest at four per cent. per annum.

The Commissioner accepts a certificate of valuation from the

proper official of any other State of the amount of premium reserve computed upon the basis required by law.

Maine has an anti-rebate law similar to those of Massachusetts and other States.

**Licenses.** — Every company must annually procure from the Commissioner a license, which shall expire on the first day of July in each year. Amount of license fee, twenty dollars.

**Fees.** — For agent's licenses, one dollar.  
For examination of companies, the actual expenses incurred.

**Taxes.** — Every company, on or before the 31st day of January, annually, shall make a return under oath to the Insurance Commissioner, stating the amount of all premiums received in this State by the company during the year ending on the preceding 31st day of December, and the amount to be deducted therefrom for losses in this State during the year, and so much of any of said premiums as may be returned or allowed during the year to the insurer, as not collected, used, or earned. Such company shall pay a tax of two per cent. upon the balance of such premiums remaining after deductions as aforesaid on or before May first.

**Penalties.** — Every agent who acts for any company without procuring a license from the Commissioner, shall be subject to a penalty of not more than fifty dollars for each offense.

If any company or its agents, after notice from the Commissioner to suspend its business in the State, issue any policies or do any business, such company or agent shall forfeit not exceeding two hundred dollars.

#### ASSESSMENT INSURANCE.

Every assessment company, as a condition precedent to the transaction of business, shall deposit with the Insurance Commissioner a certified copy of its charter; a statement under oath, of its president and secretary, in the form by the Insurance Commissioner required, of its business for the preceding year; a certificate, under oath, of its president and secretary, that it is paying and for the twelve months preceding has paid, the maximum amount named in its policies or certificates in full; a certificate from the proper authority in its home state that corporations of this State, engaged according to the provisions of this act in life or casualty insurance on the assessment plan, are legally entitled to do business in such State; a copy of its policy or certificate and application, which must show that benefits are provided for by assessment upon policy or certificate holders; evidence satisfactory to the Insurance Commissioner that the corporation accumulates a fund, equal at all times in amount to not less than the proceeds of one assessment on all policy or certificate holders thereof, that such accumulation is permitted by the law of its incorporation, and is a trust for the benefit of policy or certificate holders, and is securely invested.

The Insurance Commissioner is made the authorized and lawful attorney for such corporation.

The provision in regard to licenses, agents, and brokers are the same as are applicable to other insurance companies.

No corporation shall issue a policy or certificate on the life of any person more than sixty years of age.

Every corporation doing business under this act shall annually, on or before the thirty-first day of January, return to the Insurance Commissioner, in such manner and form as he shall prescribe, a statement of its affairs for the year ending on the preceding thirty-first day of December, and the said Commissioner, in person or by deputy, shall have the powers of visitation of and examination into affairs of any such corporation which are conferred upon him in the case of life insurance companies.

The fees for filing statements, certificates, or other documents, or for any service or act of the Insurance Commissioner, and the penalties for any violation of this act shall be the same as provided in the case of life insurance companies.

Reciprocal provision.

## MARYLAND.

[Legislature meets biennially. Next session, January 2, 1890.]

J. FREDERICK C. TALBOTT, *Insurance Commissioner*, ANNAPOLIS, Branch Office, BALTIMORE.

**Admission.**— Every company desiring to transact business in this State, before admission must file with the Insurance Commissioner—

A certified copy of its charter or deed of settlement.

A certificate from the Insurance Commissioner or other proper official of the State or nation where the company is organized, showing that the company is entitled to assume risks and issue policies.

A statement verified by the signature and oath of the president, or vice-president and secretary or actuary, showing the condition and affairs of the company.

A written stipulation, duly authenticated by the company, agreeing that any legal process affecting the company served on the agent specified by said company to receive service of process for the company, shall have the same effect as if served personally on the company.

If such company should cease to maintain an agency in this State, process affecting such company may be thereafter served on the Commissioner.

Such stipulation cannot be revoked or modified by the company, except that a new one may be substituted.

A certificate of the appointment of a general agent for this State, and a list of agents authorized to transact business for the company.

**Certificates and Agents.**— Every company, upon complying with the requirements of law, shall receive from the Insurance Com-

missioner a certificate of authority or license. Every agent or solicitor must obtain from the Commissioner a certificate of authority. All certificates and licenses shall expire on December 31st in each year.

**Examinations and Impairments.**— Whenever the Insurance Commissioner has reason to doubt the solvency or the correctness of any statement of a company, he shall communicate such doubts and the reasons for them to the Insurance Commissioner of the State in which the company is located, and if he is not satisfied with the information obtained from such Insurance Commissioner or the officers of the company that the condition of the company is such as to warrant him in permitting it to transact business, he shall make an examination of the company.

If any fire or marine company, after being charged with its proper liabilities and a re-insurance fund as required by law, has its capital stock impaired to the extent of twenty-five per cent., the Commissioner shall give notice to the company to make good its whole capital stock within sixty days; and if this be not done, he shall require the company to cease to do new business within the State.

If any life company doing business in this State has not on hand assets equal to the net value of all its policies in force, after all the other debts of the company and claims against it have been provided for, exclusive of capital stock, the Commissioner shall publish the fact that the then existing condition of the company is below the standard of safety required by the laws of this State, and he shall require the company to at once cease doing new business within the State.

**Fire and Marine.**— Every stock company must possess a capital stock of at least one hundred thousand dollars. Annual statements must be filed on the first day of January in each year, or within sixty days thereafter, and shall show the affairs and condition of the company on the preceding 31st day of December.

The Insurance Commissioner annually at the time of issuing license shall publish an abstract of the annual statement of each company doing business in this State once a week, for three successive weeks, in a daily newspaper published in Baltimore.

Each company shall publish in another paper such abstract three consecutive times, such publication to be made the first time prior to the first day of March in each year. Both publications to be paid for by company.

The re-insurance fund is computed at fifty per cent. of all premiums on unexpired fire-risks having less than one year to run, and a *pro rata* of all premiums received on unexpired fire-risks having one year or longer to run; all the premiums received on unexpired marine and inland risks for less than one year, and sixty per cent. of premium upon yearly risks and risks covering more than one passage not terminated.

**Life.**— Every company must possess well-invested assets to the amount of one hundred thousand dollars. Annual statements must be filed on the first day of January in each year, or within sixty days thereafter, and shall show the condition of the company on the preceding 31st day of December. Must publish annual statement same

as in fire and marine, except that the first publication must be made prior to the first day of April in each year.

Valuations are based on the American Experience Table of Mortality, with interest at four and one-half per cent. per annum.

The Commissioner is required to accept the valuation of the Commissioner of the State where the company is located or in which it elects to have its policies valued, if such valuation be made on sound and recognized principles and a basis not less than that established by this State. The company shall furnish the Commissioner a certificate from the Commissioner of such State, showing the value of all outstanding policies of such company on the preceding 31st day of December, and stating that after all debts and claims of the company are provided for, the company possesses assets equal to the net value of all its policies in force, and is authorized to do business in its own State. Any company that fails promptly to furnish such certificate shall furnish a detailed list of its policies and securities.

Any company, association, partnership, or corporation, granting insurance on the lives of persons under the age of ten years, must value all its policies issued, on the lives of persons under the age of ten years, in accordance with the general legal rules for the valuation of life insurance policies, based on the mortality table known as Farr's number three, for males; provided, that in no case the valuation for the said policies on the lives of persons under ten years of age shall be less than eight-tenths of the weekly gross or office premiums thereon, with no credit for deferred net premiums.

Each company shall annually file a certificate showing a deposit of one hundred thousand dollars, in proper securities, with the chief financial officer of the State where the company is organized, for the benefit of all its policy-holders.

Companies doing industrial business must take a bond from each agent or solicitor of not less than \$50.

**Foreign.**— Annual statements of the business and condition of the company, other than that relating to its affairs in the United States, shall be filed on or before the first day of July in each year, and shall show the condition of the company on the preceding 31st day of December. In calculating the re-insurance fund to determine the right of any such company to do business in this State, the same shall be computed only upon its business in the United States. "The basis" of such re-insurance fund so required shall be the assets of such company held and invested in the United States.

**Fees.**— For filing certified copy of charter, twenty-five dollars.

For filing annual statement, twenty-five dollars.

For each agent's certificate of authority, ten dollars; but sub-agents or solicitors appointed by the general agent of a life insurance company in this State shall pay for their certificates of authority two dollars.

For each abstract of annual statement for publication, two dollars, also the actual net cost of such publication.

For every copy of any paper filed in the department, twenty cents per folio; and for affixing the official seal to such copy and certifying the same, one dollar.



For valuing policies of life insurance companies, thirty dollars per million of insurance, or any fraction thereof.

For official examination of companies under this act, the actual expenses incurred.

**Taxes and Licenses.**—Every company, upon procuring from the Commissioner a certificate of authority or license, shall pay into the State treasury annually the sum of two hundred dollars, and proportionately for any fraction of the year it shall do business in the State prior to the thirty-first day of December next after its admission.

The general agent or chief accounting officer of each company shall report under oath to the Insurance Commissioner the gross premiums received and losses paid in this State during the last license year, and such company shall pay into the treasury a tax of one and one-half per cent. upon such premiums, less such losses, not including in such losses endowments. Reciprocal provision.

**Penalties.**—Any person or company violating any of the provisions of law relating to insurance shall be subject to a fine not less than one hundred dollars nor more than one thousand dollars.

#### ASSESSMENT INSURANCE.

Assessment companies of other States are required on admission to comply with all the foregoing requirements relating to life insurance companies so far as they may be applicable.

### MASSACHUSETTS.

[Legislature meets annually. Next session, January, 1890.]

GEORGE S. MERRILL, *Insurance Commissioner*, BOSTON.

**Admission.**—Every company desiring to transact business in this State, before admission must file with the Insurance Commissioner—

A copy of the charter of the company duly certified.

A statement signed and sworn to by the President and Secretary of the company, in the form prescribed for annual statements.

Every company shall appoint, in writing, the Insurance Commissioner of this State, or his successor in office, to be its true and lawful attorney in this State, upon whom any process may be served with the same effect as if the company existed in the State. A copy of such writing shall be filed in the office of the Insurance Commissioner. Fidelity insurance companies can be admitted to this State if possessed of not less than \$200,000 capital. The capital must be fully paid up in cash and must be unimpaired.

**Certificates and Agents.**—Any person not a duly licensed insurance broker, who solicits insurance on behalf of any insurance company, or transmits for a person other than himself an application

for or a policy of insurance to or from such company, or offers or assumes to act in the negotiation of such insurance, shall be deemed an insurance agent within the intent of these statutes, and shall thereby become liable to all the duties, requisitions, liabilities, and penalties to which an agent of such company is subject.

An insurance agent shall be personally liable on all contracts of insurance unlawfully made by or through him, directly or indirectly, for or in behalf of any company not authorized to do business in the Commonwealth.

An insurance agent or broker who acts for a person other than himself in negotiating a contract of insurance by an insurance company shall for the purpose of receiving the premium therefor be held to be the company's agent, whatever conditions or stipulations may be contained in the policy or contract.

No agent shall make or procure to be made, or act or aid in any manner in the negotiation of, any insurance with such company until he shall procure from the insurance commissioner a certificate of authority so to do which shall state in substance that the company is authorized to do business in the Commonwealth, and that the person named therein is the constituted agent of the company for the transaction of such business. Such certificate shall continue in force until the first day of April next after its issue, and, by renewal thereof before the first day of April of each year, until revoked by the commissioner for non-compliance with the laws, or until the appointment of the agent is revoked by written notice from the company to that effect filed with the insurance commissioner. While such certificate remains in force the company shall be bound by the acts of the person named therein within his apparent authority as its acknowledged agent.

Every person acting for a foreign insurance company shall exhibit in conspicuous letters, on the sign designating his place of business, the name of the State or country under whose authority the company he represents has been incorporated or formed. And said company and agent shall also have printed in large type the name of such State or country and the kind of office, whether chartered or formed as a mutual or stock company, upon all policies issued to citizens of this Commonwealth, on all cards, placards, and pamphlets, and in all advertisements published, issued, or circulated in this Commonwealth by them or him, relating to the business of such company.

No person shall, as agent of any foreign insurance company, make or procure to be made any insurance in this Commonwealth, until he has given a bond to the Treasurer of the Commonwealth, with sufficient sureties, to be approved by the Insurance Commissioner, whose approval shall be indorsed thereon, in the sum of five hundred dollars, with condition that he will make all the returns, which, by the provisions of the laws of this Commonwealth, he may be required to make according to the requirements of such laws. Any person making insurance or soliciting or procuring insurance to be made in violation of the provisions of this section shall be punished by fine not exceeding one thousand dollars; *provided*, that agents in this Commonwealth of foreign life insurance companies, who are accountable to any agent therein for premiums received, need not give such bond.

**Examinations and Impairments.**— The Commissioner may at any time examine the affairs of any company transacting business in this State, and its directors, officers, and agents under oath in relation to its affairs. He may for sufficient cause revoke the certificate of authority granted on behalf of any company.

If the assets of any fire company, after setting aside a sum equal to its outstanding liabilities and re-insurance fund, do not amount to more than three-fourths of its capital stock, the company shall repair its capital to the original amount, and failing to do so shall not be permitted to do business in this State.

If the assets of any life company are not equal to its liabilities and premium reserve computed as required by law, the commissioner shall give notice to the company to discontinue the issue of new policies.

**Fire and Marine.**— Every stock fire company shall possess a capital paid up of not less than two hundred thousand dollars.

Every stock marine or fire and marine company shall possess a paid-up capital of not less than three hundred thousand dollars. Every mutual fire company must possess available funds over and above all liabilities equal to fifty per centum of all premiums received in cash on policies in force, and have premium obligations liable to assessment amounting to at least the cash premiums received.

No company shall insure in a single hazard a larger sum than one-tenth of its net assets.

Annual statements must be filed on or before the fifteenth day of January in each year, showing the condition of the company on the preceding thirty-first day of December. The Commissioner for cause may extend the time for filing such statement to February fifteenth.

The re-insurance fund shall be computed at fifty per cent. of the premiums received on fire and inland risks and full amount of premiums received on marine risks, except upon yearly risks, upon which the reserve is sixty per cent.

The mayor and aldermen of the several cities and the selectmen of towns having more than four thousand inhabitants shall, before the first day of October, in the year eighteen hundred and seventy-three, divide their respective cities and towns into fire insurance districts, and immediately thereafter file plans and specifications thereof with the Insurance Commissioner, and the same shall be subject to his approval; and if he disapproves the same, the mayor and aldermen or selectmen shall forthwith redistrict such city or town in conformity to his requirement. And no company or association transacting the business of fire insurance in this Commonwealth shall take or have at risk on property other than dwelling-houses, farm buildings, and their contents, in any town or such fire insurance district of a city or town therein, an amount exceeding its net assets available for the payment of losses in Massachusetts; and in computing the assets of such company or association insuring property upon the mutual principle, its premium notes shall be included. When from any cause the net assets as aforesaid of any such company or association shall be reduced to a sum less than the amount taken or held at risk in any town, or any such fire insurance district as provided in this section, such company or association shall forthwith either cancel and return to the

holder the unearned portion of the premium upon policies upon property in such territory to an amount equal to the difference between the net assets and the amount taken or held at risk, as aforesaid, or effect re-insurance upon such property for a like sum; and no such cancellation shall take place except after notice to the holder of the policy. Every such company or association shall annually, on or before the fifteenth day of January, return to the Insurance Commissioner a sworn statement of the amount taken or held at risk in each town or fire insurance district of a city in this Commonwealth, on the thirty-first day of December next preceding. The Insurance Commissioner may, whenever he deems it expedient, require of said companies or associations such a statement or any part thereof; he may also require such other information, and adopt such rules and regulations as he may deem proper and necessary to procure reliable information upon this subject.

No insurance company shall knowingly issue any fire insurance policy upon property within this Commonwealth for an amount which together with any existing insurance thereon exceeds the fair value of the property, nor for a longer term than seven years.

In all insurance against loss by fire, the conditions of the insurance shall be stated in the body of the policy, and no conditions not so stated shall be considered a part of the contract.

Whenever any company advertises its assets it shall in the same connection and with equal conspicuousness, advertise its liabilities, to be determined as required in the annual statement.

All advertisements of capital shall show the capital that has been actually paid up in cash.

Policies, renewals, signs, circulars, cards, or other means of public announcement are held to be advertisements.

No oral or written misrepresentation made in the negotiation of a contract or policy of insurance, by the assured or in his behalf, shall be deemed material or defeat or avoid the policy, or prevent its attaching, unless such misrepresentation is made with actual intent to deceive, or unless the matter misrepresented increases the risk of loss.

Mutual insurance companies may be authorized to issue policies in this State if they have net cash funds equal to those required of stock companies.

No fire insurance company authorized to issue policies in this Commonwealth, shall issue any policy other than the standard form adopted by the legislature, excepting that every such company may insert any provisions varying from the provisions of the said standard policy, provided such provisions are printed on separate slips or riders, in type of size not smaller than long primer, and are accepted by the insured; and that every such slip or rider is signed by him as well as by an agent or officer of such company duly authorized thereto.

This law does not prevent any company authorized to insure against damage by lightning from adding in the clause in said standard policy enumerating the perils insured against the words "also any damage by lightning, whether fire ensues or not," and also from adding in the clause of said policy providing for an apportionment of loss in case of other insurance, the words "whether by fire, lightning, or both."

Companies doing business in Massachusetts are not permitted to re-insure risks in unauthorized companies. For violation of this provision the penalty is five hundred dollars.

All contracts of insurance on property in Massachusetts shall be deemed to be made therein.

If any re-insurance is negotiated by any company, other than through the licensed resident agents, no deduction therefor shall be made upon the tax returns.

*Life.*— Every company must possess available cash funds to the amount of one hundred thousand dollars.

Annual statements must be filed on or before the fifteenth day of January in each year, showing the condition of the company on the preceding thirty-first day of December. The Commissioner may extend the time for filing annual statements. The Commissioner is required to annually calculate the present value of all policies in companies transacting business in this State. The basis of such valuation is the Actuaries' or Combined Experience Table of Mortality, with interest at four per cent. per annum.

In valuing the assets which compose the legal reserve of a life insurance company, the real estate, the bonds and stocks shall be taken at such a value that the average annual income thereof shall not be less than four per cent. of the valuation; and if any asset or investment is conditioned upon a rate of interest of less than four per cent. annually, such asset or investment shall be rated at its value, considering the actual income and time it has to run, as the equivalent of a four per cent. investment; loans and credits shall not be allowed for more than their face value, nor shall any asset or investment be appraised for more than its market value. This clause shall take effect on the thirty-first day of December, in the year one thousand eight hundred and eighty-nine.

Foreign life companies must have and keep on deposit or in the hands of trustees in the United States an amount equal to the net value of all its policies in the United States and not less than two hundred thousand dollars.

No life insurance company doing business in Massachusetts shall make or permit any distinction or discrimination in favor of individuals between insureds of the same class and equal expectation of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance, or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of the contracts it makes; nor shall any such company or any agent thereof make any contract of insurance, or agreement as to such contract, other than as plainly expressed in the policy issued thereon; nor shall any such company or agent pay or allow or offer to pay or allow as inducement to insurance, any rebate of premium payable on the policy, or any special favor or advantage in the dividends or other benefit to accrue thereon, or any valuable consideration or inducement whatever not specified in the policy contract of insurance.

No discrimination shall be made on account of the color of applicants for insurance.

Admitted companies shall make contracts of insurance upon lives

or property in Massachusetts only by lawfully constituted and licensed resident agents.

**Foreign.** — Every foreign fire insurance company shall deposit with the Treasurer of this State or the proper officer of some other State the sum of two hundred thousand dollars for the benefit and security of the policy-holders in the United States. Marine companies must deposit three hundred thousand dollars. Such deposit cannot be withdrawn until all policy and other obligations are satisfied.

The capital of any such company consists of the securities it has on deposit with the several insurance or other departments of the various States, and of the net assets in the hands of trustees, residents and citizens of the United States, approved by the Commissioner, for the general benefit and security of all policy-holders in the United States. The amount of any one hazard or risk assumed by any such company in this State shall be limited to ten per cent. of its capital so determined.

Annual statements shall be filed on or before the fifteenth day of January in each year, showing the investments and condition of the company in the United States the preceding thirty-first day of December.

**Fees.** — For filing certified copy of charter, or deed of settlement, thirty dollars.

For filing statement, twenty dollars.

For agent's certificate, two dollars.

For certificate of valuation or examination, two dollars.

For license to procure fire insurance in unauthorized companies, twenty dollars.

For broker's license, ten dollars.

For service of process on Commissioner, two dollars.

For valuation of life policies, five mills for each one thousand dollars of insurance valued.

For copies of any paper on file in the office of the Commissioner, twelve cents per page, and for certifying the same, one dollar.

Reciprocal provision in reference to fees.

**Taxes.** — Every foreign company (liable to pay a tax in this State) shall, between the first and fifteenth days of November in each year, make to the tax commissioner a return, signed and sworn to, of the amount insured, premiums received, and assessments collected for the year ending on the preceding thirty-first day of October. The tax commissioners shall thereupon notify each company of the amount of tax due. Such tax shall be paid to the Treasurer on the tenth day of December next succeeding.

Every company (except life companies) shall pay a tax of two per cent. upon all premiums collected in this State.

Reciprocal provision in reference to any other or greater taxes than those imposed by the laws of this State.

Every life insurance company doing business in this State is required to pay annually an excise tax of one-quarter of one per centum per annum upon the net value of all policies in force on

the 31st day of December, next preceding, held by residents of this State.

Such company must, on or before the 10th day of May annually, make a return to the tax commissioner, under oath of its president and secretary, or general agent, showing the number, date, and class of policies so held, the age of the assured life, and their net value, and the combined aggregate net value.

The tax commissioner shall, upon such return and upon any other evidence, assess and determine the amount to be paid by such corporation.

**Penalties.**—A contract of insurance made by any company without complying with the provisions of law shall be valid, but the agent procuring the insurance shall be liable to a fine not exceeding five hundred dollars, except that the Commissioner may license (on the payment of a fee of twenty dollars) agents to place insurance in unauthorized companies. Such licensed agents must, however, in each case file an affidavit that the insurance so placed cannot be had in authorized companies, and must execute a bond for the payment by him to the Treasurer of the Commonwealth of four per cent. of the premiums on such insurance.

Any agent doing business without procuring a certificate of authority, or failing to make annual returns, and for various other offenses, is subject to a penalty of five hundred dollars for each offense.

Any agent or broker procuring the payment of a premium by fraudulent representations is subject to a fine not exceeding one thousand dollars or imprisonment.

Any company failing to file a statement within the time prescribed by law is subject to a penalty of one hundred dollars for each day's neglect, but upon application the Commissioner may extend the time for filing annual statements. For willfully making a false statement the penalty is not less than five hundred or more than five thousand dollars.

Every life insurance company neglecting to make the return required for taxation shall forfeit fifty dollars for each day of such neglect, and every such company that makes any false statement in such return shall pay a fine of not less than five hundred nor more than five thousand dollars.

#### ASSESSMENT INSURANCE.

**Admission.**—Any corporation organized under authority of another State or government to issue policies or certificates of life or casualty insurance on the assessment plan, as a condition precedent to transacting business in this State, shall deposit with the Insurance Commissioner a certified copy of its charter; a statement, under oath of its president and secretary, in the form by the Insurance Commissioner required, of its business for the preceding year; a certificate, under oath of its president and secretary, that it is paying, and for the twelve months then next preceding has paid the maximum amount named in its policies or certificates in full; a certificate from the proper authority in its home State that corporations of this commonwealth,

engaged according to the provisions of this act in life or casualty insurance on the assessment plan, are legally entitled to do business in such State; copy of its policy or certificate and application, which must show that benefits are provided for by assessment upon policy or certificate holders; evidence satisfactory to the Insurance Commissioner that the corporation accumulates a fund which shall be at all times not less than the proceeds of one death assessment upon all policy or certificate holders thereof; that such accumulation is permitted by the law of its incorporation, and is a trust for the benefit of policy or certificate holders only, and is securely invested. Every such corporation shall also appoint, in writing, the Insurance Commissioner its attorney to accept service of legal process. The Insurance Commissioner shall thereupon issue or renew the authority of such corporation to do business in this commonwealth, and such authority shall be revoked whenever the Insurance Commissioner, on investigation, is satisfied that such corporation is not paying the maximum amount named in its policies or certificates in full, and no new business shall be thereafter done by it or its agents in this commonwealth. When any other State or country shall impose any obligation upon any such corporation of this State, the like obligation shall be imposed on similar corporations and their agents of such State or country doing business in this State.

The Commissioner has the same right to examine as is conferred upon him in the case of other companies, and assessment companies are subject to the same fees and penalties as other life insurance companies.

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## MICHIGAN.

[Legislature meets biennially. Next session, January, 1891.]

HENRY S. RAYMOND, *Insurance Commissioner*, LANSING.

**Admission.**— Every company desiring to transact business in this State, before admission must file with the Commissioner a certified copy of its charter, or deed of settlement.

A statement under oath of the president, or vice-president, or other chief officer and secretary of the company, stating the name, location, capital, and condition of the company.

A copy of the last annual report, if any made, under any law of the State by which such company is incorporated.

Every company shall appoint an attorney in this State, on whom processes of law can be served, and shall file with the Commissioner a certified copy of the vote or resolution of the board of directors appointing such attorney, which appointment shall continue until another attorney shall be substituted.

Every company shall also file with the Commissioner a written stipulation, duly authenticated by the company, stipulating and agreeing that any legal process affecting such company, served on the Insurance Commissioner or his deputy, shall have the same effect as if



personally served on the company or its authorized attorney in this State.

When any process affecting any company is served on the Commissioner or his deputy, the same shall be by duplicate copies, one of which shall be filed in the office of the Commissioner, and the other immediately mailed, postage prepaid, to the home office of the company, or to the branch, or general agency of the company, or to the address of the authorized resident attorney in this State, as the company may designate in such stipulation.

Necessary blanks will be furnished by the Commissioner on request.

**Certificates and Agencies.**— Every company before transacting business in this State, must procure from the Commissioner a certificate of authority or license.

Every agent of a fire or marine insurance company must procure from the Commissioner a certificate of authority, and file a certified copy thereof with the clerk of the county in which his agency is established, together with a copy of the statement of the company. A copy of such certificate of authority and statement shall be published in some paper of general circulation in this State, four successive times, and proof of such publication be filed in the office of the Commissioner within 30 days.

All certificates must be renewed annually, and agents of fire and marine companies are required to annually file copies of such certificates with the clerk of every county in which the company has agents, but publication of such renewal certificate is not required.

Every agent of a fire company shall in all advertisements publish the location of the company, giving the name of the city, town, or village in which the company is located, and the State or government under the laws of which it is organized.

**Examinations and Impairments.**— The Commissioner, whenever he shall deem it expedient, may examine into the affairs and condition of any company transacting business in this State. He may, if he deems it for the best interest of the public, publish the result of such examination in one or more papers in this State. Whenever it shall appear to the Commissioner that the affairs of any company are in an unsound condition, he shall revoke all certificates of authority or license granted in behalf of such company, and publish notice of such revocation in some paper of general circulation in this State, for four weeks.

No fire or marine company can transact business in this State if, after providing for its proper liabilities and re-insurance fund, computed as required by law, its capital stock is impaired to the extent of fifteen per cent. No life company can transact business in this State if its assets are not equal to its outstanding liabilities and premium reserve, ascertained as required by law. No accident, plate-glass, live stock, or steam-boiler company can transact business in this State if its capital is impaired fifteen per cent.

**Fire and Marine.**— Every stock company must possess a paid-up capital of at least one hundred thousand dollars.

Annual statements must be filed on the first day of January in each year, or within one month thereafter.

The re-insurance fund is computed at fifty per cent. of premiums received on all unexpired fire risks having less than one year to run—a *pro rata* of all premiums received on unexpired fire risks that have more than one year to run; the whole amount of the deposit or premium upon perpetual policies; all the premiums received on unexpired marine and inland risks.

No company shall assume any one risk or hazard to a greater amount than ten per cent. of its paid-up capital.

Mutual companies possessed of two hundred thousand dollars of net cash assets may be admitted, on compliance with the other provisions of the law, and mutual marine companies may be admitted without the net assets, on compliance with the law.

Companies must enter into a stipulation that they will not directly or indirectly enter into any contract, agreement, arrangement, or undertaking of any nature or kind whatever with any other company, companies, association or associations, the object or effect of which is to prevent open and free competition between it and said company, companies, association or associations, or the agents of their respective companies or associations in the business transacted in the State of Michigan, or in any part thereof.

Michigan has standard form of policy which must be used, almost the same as the New York Policy.

**Life.** — Every company must possess one hundred thousand dollars properly invested, and must deposit the same with the treasurer of this State for the security of all the policy-holders of such company, or furnish the Commissioner a certificate under the hand and official seal of the proper officer of some other State, showing that he holds on deposit one hundred thousand dollars of the assets of such company for the general benefit of all its policy-holders, and stating the amount and securities so held by him. Fifty thousand dollars of such securities must be State or United States bonds.

Annual statements must be filed in the month of January of each year, showing the affairs and condition of the company on the preceding 31st day of December.

The Commissioner shall accept a certificate of valuation from the Commissioner or other State officer of some other State, where an official valuation of the policies of any company are made, showing the amount of such valuation, and the basis upon which it was made.

If such certificates be not furnished, the Commissioner shall annually value the policies of such company.

In making such valuation he shall assume the rate of mortality shown by the American Experience Table, with interest at four and one-half per cent. per annum.

Anti-rebate law took effect June 20, 1889.

**Accident, Plate-Glass, Live Stock, and Steam-Boiler.** — Every such company must possess a paid-up capital of one hundred thousand dollars, and must have deposited with the proper officer of the State where organized, for the benefit of all its policy-

holders, at least one hundred thousand dollars in bonds or stocks of the State where organized, or of the United States, or first mortgages on real estate worth double the sum loaned thereon. Such companies must comply with the law relating to life insurance companies, so far as applicable. Re-insurance fund is computed at fifty per cent. of all premiums upon unexpired risks.

Annual statements must be filed in the month of January in each year.

**Foreign.**— Every such company shall deposit securities with the proper officer of some State of the United States to the amount of two hundred thousand dollars for the benefit and security of the policyholders of the company in the United States, and shall file with the Insurance Commissioner a statement of the character of such deposit, attested under the oath of the trustees thereof, who must be residents of the United States.

Such deposit shall be considered the cash capital of the company. It shall also file with the Insurance Commissioner its consent that the managers, resident directors, resident secretary, or general agents in the United States shall be deemed the legal officers of such company.

Annual statements shall be filed on the first day of June in each year, or within sixty days after the annual meeting of the company as specified in its charter.

Supplementary annual statements shall be filed on the first day of January in each year, or within thirty days thereafter, showing the business of the company in the United States for the year ending on the preceding 31st day of December.

**Fees.**— For valuation of life policies, one cent for each one thousand dollars insurance valued.

For examination of companies, the actual expenses incurred. Reciprocal provision in reference to life companies.

**Taxes.**— Every company excepting those hereafter specified, at the time of filing its annual statement shall file a statement of the gross amount of premiums received in this State, during the preceding year, with the State Treasurer, and shall pay a tax of three per cent. thereon. Every company insuring life, and every accident, plate-glass, live stock, and steam-boiler insurance company shall make return, under oath, of the gross premiums received in this State the year preceding, and at the time of filing its annual statement pay to the State Treasurer a tax of two per cent. on all premiums received in cash or otherwise, by such companies or their agents, or from insured parties residing therein, during the preceding year. This specific tax shall be in lieu of all other taxes in this State.

**Penalties.**— Fire companies transacting business in this State, without complying with the provisions of the law, are subject to a penalty of five hundred dollars, and an additional penalty of one hundred dollars for each month they shall continue such illegal business. Agents doing business without certificate from Insurance Commissioner are punishable by fine not less than fifty dollars, nor more than five hundred dollars.

Companies violating the agreement regarding compact laws will have certificates revoked, and agents are punished by fine and imprisonment.

Life companies doing business without complying with the law are subject to a penalty of one hundred dollars for "every application obtained, or insurance, guaranty, contract or pledge made."

Any person soliciting applications for insurance, or making any such insurance guaranty, contract, or pledge as aforesaid, before the deposit of such securities or before compliance with any condition precedent provided by the laws of this State for life insurance companies, shall be liable to a penalty of one hundred dollars for every application obtained, or insurance, guaranty, contract, or pledge made; and any person who may have paid moneys therefor shall be entitled to recover the same back from the person to whom it was paid, or in case such person was an agent, then, at his option, from the principal of such agent, by action of assumpsit, to be brought at any time within six years after such payment.

#### ASSESSMENT INSURANCE.

**Admission.**— Any corporation organized to do life or accident business on the assessment plan must file in the office of the Commissioner of Insurance a copy of its charter or articles of association, certified under seal by the proper officer in charge of the record.

A copy of its statement of financial condition and business for the preceding year, sworn to by its president and secretary, or like officers, and in case application for authority is made after the first of July, a supplementary statement should be made showing its condition on the last day of the month immediately preceding the date of application.

A certificate under oath of its president and secretary that it does not issue policies or certificates upon the lives of persons under twenty-one or over sixty-five years of age, nor upon any person unless such person shall have personally made and signed an application for such certificate or policy, and that it has in force policies of insurance on which the proceeds of one assessment will pay the highest amount insured upon each of the lives of members for which the assessment is levied, the full amount agreed to be paid upon the death of any one member, and that it is paying, and for the twelve months next preceding has paid, the highest amount named in its policies or certificates in full.

A certificate from the Commissioner of Insurance, or other officer in charge of the business of insurance, certifying that the State or territory of the United States or District of Columbia, or foreign country, under whose laws such corporation or association is organized, shall extend the right to such corporations of this State to do business in such State or territory of the United States or District of Columbia, or foreign country, upon similar conditions to those in the said act prescribed.

A certificate from the insurance department, if any, of its home State or territory of the United States or District of Columbia, or foreign country that it is authorized to do business in such home State

or territory of the United States or District of Columbia, or foreign country.

A power of attorney to some citizen and resident of this State, upon whom all process against said corporation or association may be served, and shall also agree that such service may be made upon the Commissioner of Insurance of this State, who shall be deemed its agent for that purpose.

A copy of its certificate of membership, application, and by-laws. It is a requirement of the department that application statements be verified by the insurance official of the State in which the association applying for authority is organized, or by an examination to be made under the direction of the Commissioner of Insurance of this State, and at the expense of the association examined.

**Annual Statements** must be made on or before March first, on blanks furnished by the Insurance Commissioner.

**Fees.**— For filing preliminary papers and first license, twenty-five dollars.

For filing subsequent annual statement, twenty-five dollars.

**Penalties.**— Any such foreign corporation or association doing business in the State that shall refuse or neglect to comply with the provisions of law, shall be deemed and held to be doing business unlawfully, and if any officer, agent, or employee of any such corporation or association shall do business in the State, or assist in, or knowingly permit the same, in violation of the provisions of this act, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five hundred dollars, or be imprisoned in the county jail not more than ninety days, or both, in the discretion of the court.

The act does not apply to fraternal organizations.

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## MINNESOTA.

[Legislature meets biennially. Next session, January, 1891.]

CALVIN P. BAILEY, *Insurance Commissioner*, ST. PAUL.

**Admission.**— Every company desiring to transact business in this State, before admission must file with the Insurance Commissioner —

A certified copy of its charter, deed of settlement, or articles of incorporation, or a statement verified by the signature and oath of the president, or vice-president and secretary, or actuary, showing the condition and business of the company.

Every company shall file with the Commissioner a written agreement signed by the president and secretary, agreeing upon the part of the company that service of process in any civil action against the company may be made upon such agent or agents as it shall designate in such agreement or upon the Insurance Commissioner, and authorize

such agent or agents to admit service of process for and in behalf of the company, and agreeing that such service shall be valid and binding upon the company.

There shall be filed with the Commissioner a written stipulation, duly authenticated by the company, agreeing that any legal process affecting the company, served on the Insurance Commissioner, shall have the same effect as if served on the company or its authorized attorney.

All companies are prohibited from removing suits from the State to the Federal courts, under penalty of revocation of license.

**Certificates and Agents.**—Every company must procure from the Commissioner a certificate of authority, showing that it has complied with the requirements of the law of this State, and is entitled to assume risks and issue policies. A certificate showing compliance shall be published in connection with the annual statement.

Every agent must procure from the Commissioner a certificate of authority before transacting any business in this State.

Such certificate must be renewed annually, within sixty days from the first day of January.

Every company and agent in all advertisements of the company or agency in this State shall publish the location of the company, giving the name of the city, town, or village, and State, in which it is located, and in all advertisements and circulars in which the capital of the company is stated, the amount at risk the preceding thirty-first day of December shall be stated.

Soliciting agents for fire insurance must be residents of the State.

**Examinations and Impairments.**—The Commissioner may examine or cause to be examined, the affairs of any company doing business in this State, whenever in his opinion the interests of the policy-holders require it. He may publish the result of any examination, when in his opinion the interests of the public require it. He shall suspend the business of any company in this State whenever its assets appear to him insufficient to justify its continuance in business, by suspending or revoking the certificates granted by him to such company or its agents, and shall give notice of such action to the insurance officials of every other State, and publish notice thereof in the papers in which by law State notices are required to be published.

A fire or marine company cannot transact business in this State if, after providing for all claims against it and a re-insurance fund as required by law, its capital stock is impaired to the extent of ten per cent., unless such impairment be made good within sixty days.

A life company cannot transact business in this State, if its assets are not equal to its liabilities and claims against it and the amount of its premium reserve computed as required by law. All other insurance companies cannot transact business in this State if the capital stock is impaired to the extent of ten per cent.

**Fire and Marine.**—Every fire company doing business in this State must possess a paid-up capital of two hundred thousand dollars.

Annual statements must be filed on the first day of January in each year, or within thirty days thereafter, verified by the signature and oath of the president or vice-president together with that of the secretary or actuary, showing the condition and affairs of the company on the preceding thirty-first day of December.

Such statement must be published at least three times, in a daily or weekly newspaper of general circulation, printed and published in either Hennepin or Ramsey counties, and having a *bona fide* circulation of two thousand copies or more, or in the county where the State agency of the company is located. Commissioner's certificate of authority must be published with statement. Printer's affidavit of publication must be filed with Commissioner.

The re-insurance fund shall be computed as follows: fifty per cent. of all premiums on unexpired fire risks, that have less than one year to run; a *pro rata* of all premiums received on unexpired fire risks that have more than one year to run; the entire premium received on unexpired marine and inland risks.

Where the fire reserve is less than forty per cent. of all the fire premiums received during the year, the whole of such premiums shall constitute the reserve on fire business.

No fire company shall expose itself to a greater loss on any one risk than five per cent. of its paid-up capital, and no marine or inland company to more than ten per cent., and no fire or fire and marine company can do a life business.

No mutual fire insurance company not of this State shall do business in this State unless it shall be possessed of at least two hundred thousand dollars of actual cash surplus, over and above all liabilities, including the re-insurance reserve fund required by the laws of this State. But mutual insurance companies of other States may be admitted in case the State where such insurance companies are located admit the mutual insurance companies of this State, by complying in all respects with the conditions and obligations imposed by such States on the mutual insurance companies of this State.

Minnesota has adopted a standard policy exactly a copy of the New York form.

*Life.*— Every company must possess available assets to the amount of one hundred thousand dollars.

Every company must furnish the Commissioner the certificate of the proper official of the State where the company is located, showing that as such official he holds in trust and on deposit, for the benefit of all the policy-holders of the company, securities to the amount of one hundred thousand dollars, and stating the items thereof, and that he is satisfied such securities are worth one hundred thousand dollars. Any company failing to furnish such certificate shall make a like deposit with the Commissioner or other financial officer of this State.

Annual statements must be filed on the first day of January, or within forty days thereafter, showing the condition of the company on the preceding thirty-first day of December. Such statement must be published in the same manner as the statements of fire and marine companies.

The Commissioner is required to make a valuation of all the out-

standing policies of any company doing business in this State, if such company does not file with the Commissioner the certificate of the proper official of the State where the company is organized, giving the value of all its policies, calculated upon the basis required by the laws of this State, and stating that after all debts and claims against the company are provided for, it has in safe securities an amount equal to the value of its policies.

The basis of valuation, as established by the laws of this State, is the American Experience Table of Mortality, with interest at four and one-half per cent. per annum.

**Companies other than Fire and Marine and Life.**—Every such company must possess a paid-up capital of at least one hundred thousand dollars, and must deposit with the proper officer of the State where organized at least one hundred thousand dollars in United States bonds, or the bonds of such State, or in bonds and mortgages on improved unincumbered real estate worth double the amount loaned thereon, and assign the same to such officer in trust for the benefit of all its policy-holders.

Such companies must comply with the provisions of law relating to life insurance companies so far as the same are applicable. The re-insurance reserve shall be computed at fifty per cent. of all premiums on unexpired risks. Annual statements must be filed in the month of January, and published as above.

**Foreign.**—Every company must deposit with the proper official of some one of the States, for the security of all its policy-holders in the United States, securities to the amount of two hundred thousand dollars, and must furnish the Commissioner a certificate from such official that he holds such deposit, and stating the purpose for which it is held.

The capital of any such company shall be the aggregate value of all deposits in the various States for the security of policy-holders, and its assets and investments vested in trustees in the United States, for the security of the policy-holders and creditors of the company in the United States, after deducting therefrom the amount of all unpaid losses and claims against the company, and the amount of re-insurance reserve on the business of the company in the United States.

The Commissioner must annually issue to such company a certificate showing the amount of its so determined capital, and such company must not assume any one risk in this State, greater than five per cent. thereof.

**Fees.**—For filing certified copy of charter, twenty-five dollars.

For filing annual statement, twenty dollars.

For each certificate of authority and certified copy thereof, one dollar.

For every copy of any paper filed with the Commissioner, twenty cents per folio, and for affixing seal and certifying such copy, one dollar.

For valuing life insurance policies, ten dollars per million of insurance or any fraction thereof.



For official examinations of companies, the actual expenses incurred. In case the necessary expenses of the Commissioner exceed the fees collected, he shall assess annually such excess equally upon all companies doing business in this State. Reciprocal clause.

**Taxes.**— A tax of two per cent. upon all premiums collected within the State during the year ending on the preceding thirty-first day of December, shall be paid to the Treasurer annually at the time of issuing the certificate of authority. Reciprocal clause.

**Penalties.**— Any person acting as agent without license is subject to a fine not exceeding one hundred dollars. Any company willfully neglecting to make and transmit any statement required shall forfeit one hundred dollars for each day's neglect, and any company willfully making a false statement in any report to the Commissioner is liable to a penalty of five hundred dollars. The same penalty is attached to a failure to reply to a letter from the Commissioner asking for information.

If any company shall violate any of the provisions of the law, or shall, by means of any advertisement, circular, notice, or statement, printed or written, published, posted, or circulated through and by the agency of any officer, agent, or other person, or by any other means falsely represent or hold out to the public that the capital stock of such company is greater than its actual amount, or that the accumulation of such company is greater than its actual cash or market value, every director, officer, or agent of such company guilty of any willful participation therein, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment, in the discretion of the court; and if any such company after any such false advertisement, posted or circulated, shall receive any note or obligation for the payment of money, from any person, as a consideration for any insurance made, or policy issued, or to be issued, by such company, such money, note, or obligation shall be deemed and taken to have been received without consideration, and the directors of such company, and any officer or agent receiving the same, shall be jointly and severally liable in a civil action for the re-payment thereof, and shall also, in like manner, be liable to the person insured for the amount of the premium paid.

#### ASSESSMENT INSURANCE.

**Admission.**— Companies must file with the Insurance Commissioner such statement as he may require of their condition and business, and satisfy him that similar companies organized under the laws of Minnesota would be admitted to do business in the State where such companies are organized, and must receive from him a certificate of authority before transacting any business.

**Annual Statements** must be filed on or before the first day of February, on blanks furnished by the Commissioner.

**Fees.**— For filing and recording preliminary papers, ten dollars.  
For filing annual statement, ten dollars.

For each certificate of authority and copy thereof, one dollar.

For copies of papers, twenty cents per folio, and for affixing seal and certifying to same, one dollar.

For examinations, necessary expenses not to exceed in any one year, fifty dollars.

**Penalties.**— For non-compliance with law a fine of not more than five hundred dollars, or imprisonment, or both.

When any other State or territory shall impose any obligation upon such corporation, association, or society of this State, or their agents transacting business in such other State or territory, the like obligations are hereby imposed on similar corporations, associations, or societies of such other State or territory and their agents or representatives transacting business in this State.

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## MISSISSIPPI.

[Legislature meets biennially. Next session, January 6, 1890.]

W. W. STONE, Auditor of Public Accounts, JACKSON.

**Admission.**— Every company desiring to transact business in this State, must, before admission, possess an actual capital of one hundred and fifty thousand dollars, and must file with the Auditor —

A copy of the charter, or act of incorporation of the company.

A statement under oath of the president or secretary of the company, showing the name, location, capital stock, assets, and liabilities of the company.

A written instrument, under the seal of the company, signed by its president and secretary, authorizing the agent of the company to acknowledge service of process for and in behalf of the company, consenting that service of process upon such agent shall be as valid and binding as if served on the company, and waiving all claim of error by reason of such service. If the agent remove from this State, abscond or conceal himself so that he cannot be served with process, or if from any cause any company should be without an agent upon whom process can be served, then such service may be made on the State Treasurer as garnishee of such company.

**Certificates and Agents.**— Every agent shall procure from the auditor a certificate of authority, before transacting business in this State, and before said certificate can be issued the agent must furnish the Auditor a certificate from the tax collector that he has paid his privilege tax.

Such agent shall file in the office of the chancery court of the county in which he desires to establish an agency for such company, a copy of the statement filed with the Auditor, together with the certificate of authority issued to him.

Such certificate of authority shall be renewed annually, and with copy of statement shall be filed as aforesaid.

The agent of two authorized companies may receive a license to place insurance in companies not complying with the law (in case such insurance cannot be placed in authorized companies), by filing a bond of five hundred dollars, and paying a special license fee of twenty-five dollars. He shall make quarterly reports to the Auditor of such insurance, and pay a tax of one-tenth of one per cent. on the amount of insurance so placed.

**Fire, Marine, and Life.**— Annual statements shall be filed on the first day of March in each year.

**Foreign.**— No insurance company, or agent of any insurance company, incorporated by any other State, shall transact any business of insurance in this State unless such company is possessed of at least one hundred and fifty thousand dollars, of actual capital, invested in stocks of at least par value, or in bonds, or mortgages of real estate, worth double the amount for which the same is mortgaged.

**Deposits.**— Each foreign insurance company whose capital does not exceed two hundred and fifty thousand dollars, must deposit in the State Treasury ten thousand dollars in 4 per cent. State bonds, or currency, and fifteen thousand dollars in United States bonds. Each company whose capital exceeds two hundred and fifty thousand dollars, and not five hundred thousand dollars, must deposit fifteen thousand dollars in four per cent. State bonds, or currency, and ten thousand dollars in United States bonds. Each company whose capital exceeds five hundred thousand dollars, must deposit twenty thousand dollars in four per cent. State bonds, or currency, and five thousand dollars in United States bonds.

**Fees.**— For issuing each license and receiving statement, five dollars, to auditor.

To clerk of chancery court, for filing each statement, fifty cents.

Insurance agents are required to pay a privilege tax of from fifteen dollars to forty dollars. The forty dollars tax is good for entire State.

**Licenses and Taxes.**— A tax on privileges shall be levied as follows, to wit: on each fire insurance company doing business in this State, one thousand dollars. On each life insurance company, seven hundred and fifty dollars. On each accident insurance company, two hundred and fifty dollars. The city of Vicksburg is empowered to assess a privilege tax of one hundred and twenty-five dollars annually, upon each fire insurance company transacting business in this city. Any company paying the sum of one hundred dollars to the Firemen's Charitable Association of Vicksburg, is exempted from paying the privilege tax to the city, and after one payment is not required to pay the same in any year succeeding one in which its losses are more than its net cash receipts in the city. Other cities and towns in the State having an organized fire department, may also assess a privilege tax, but such tax shall bear the same pro-

portion to the tax permitted in Vicksburg, as the net premium receipts of the company in such city or town bear to its net premium receipts in Vicksburg, or shall not exceed such proportion.

**Penalties.** — Every person violating any of the provisions of law relating to insurance shall, upon conviction thereof, in any court of competent jurisdiction, be fined five hundred dollars, and imprisonment in the county jail not more than twelve months.

## ASSESSMENT INSURANCE.

Mississippi has no enactments relating to assessment companies.

## MISSOURI.

[Legislature meets biennially. Next session, January, 1891.]

C. P. ELLERBE, *Superintendent of the Insurance Department, St. Louis.*

Every company desiring to transact business in this State, before admission shall file with the Superintendent —

A certified copy of its charter, or act of incorporation.

A statement, under the oath of the president and secretary of the company, showing its condition and affairs on the preceding first day of January.

A copy of the last annual report, if any was made in compliance with any law of the State, or country, by which such company was incorporated.

A written instrument, duly signed and sealed, authorizing the Superintendent of the Insurance Department to acknowledge and receive service of process, and consenting that service of process on him shall be taken and held to be as valid as if served upon the company, and in case such company shall cease to transact business in this State, he shall be held to continue attorney of such company for the service of process.

**Certificates and Agents.** — Every company, previous to transacting business in this State, shall procure from the Superintendent a certificate, stating that such company has complied with the requirements of law, and authorizing it to do business in this State.

A certified copy of such certificate shall be held by every agent or solicitor doing business for the company within the State, and shall in some convenient manner give the name of the agent or solicitor for whose use it is issued. Such certificate shall be annually renewed and a copy of such renewal furnished each agent or solicitor.

**Examinations and Impairments.** — The Superintendent may at any time examine the affairs and condition of any company doing business in the State. Whenever it shall appear from such examination, or from the statements of the company, that the affairs of

any such company are in an unsound condition, or that its capital or fund is impaired, or the Superintendent has reasonable cause to suspect that the further continuance of the business of the said company is hazardous to the public or to those holding its policies, he may suspend or revoke the certificate granted to the company and shall cause notice thereof to be published in some newspaper published in St. Louis.

**Fire and Marine.**— Every joint stock company shall possess a paid-up capital stock of at least two hundred thousand dollars.

Annual statements shall be filed on the first day of January, in each year, or within thirty days thereafter, showing the affairs and condition of the company on the preceding thirty-first day of December.

Missouri has a valued-policy law, and an anti-trust law which is construed by the State officials to apply to insurance companies.

**Life.**— Every stock company must possess an actual paid-up capital of one hundred thousand dollars, and every mutual company must possess assets to the amount of one hundred thousand dollars.

Every company must have on deposit with the proper officer of the State where it is incorporated, for the security of all its policy-holders, one hundred thousand dollars in stocks and bonds of the United States, or of the State where it is incorporated, or of this State, or loaned on bonds or notes secured by mortgages of unencumbered real estate, worth double the amount loaned, and must file with the Superintendent a certificate under the hand and official seal of the officer holding such deposit, certifying that he holds in trust and on deposit for the benefit of all policy-holders of the company such stock and securities, and stating their character, and that he is satisfied they are worth one hundred thousand dollars.

Annual statements must be filed on the first day of January in each year, or within thirty days thereafter, showing the condition of the company on the preceding thirty-first day of December.

Life insurance companies must not do any other kind of business except the taking of life risks, issuing endowment policies, and annuity bonds.

Misrepresentations made upon procuring a policy of insurance upon life shall not be deemed material or render the policy void, unless the matter misrepresented shall actually contribute to the contingency or event on which the policy is to become due and payable.

In suits upon life policies, no defense based upon misrepresentations in obtaining the same shall be valid, unless the defendant company shall at or before the trial deposit in court, for the benefit of the plaintiffs, the premiums received on such policy.

In suits upon life policies it shall be no defense that the insured committed suicide unless it shall be shown that the insured contemplated suicide at the time he made his application for the policy, and any stipulation in the policy to the contrary shall be void. All policies issued after August 1, 1879, by any company authorized to do business in the State after the payment of two or more annual premiums are not forfeitable for failure to pay premiums. Such policies are to

be carried for the full amount for such period as three-fourths the net value of the policy calculated at four and one-half per cent., less any indebtedness to the company for premiums on said policy by note or otherwise will pay for taken as a net single premium. The holder of such policy may within sixty days demand a paid-up policy.

**Accident and Plate Glass** insurance companies must have a paid-up capital of one hundred thousand dollars.

**Foreign.**— Every life insurance company must either deposit in this State or in some one of the other States of the United States, for the benefit of the policy-holders of such company, citizens or residents of the United States, one hundred thousand dollars in safe stocks or securities.

Companies other than life (except plate glass and accident companies), shall have on deposit not less than two hundred thousand dollars.

When such deposit is made in some other State, a certificate shall be filed with the Superintendent, under the hand and official seal of the officer holding such deposit, certifying that he holds in trust and on deposit for the benefit of all the policy-holders of such company, citizens or residents of the United States, such stocks or securities, and stating the kind and amount of each, and that he is satisfied they are worth two hundred thousand dollars.

Annual statements must be filed on the first day of January in each year, or within sixty days thereafter, showing the affairs and condition of the United States branch of the company on the preceding thirty-first day of December. Deposits are treated as capital when made for the benefit of all policy-holders in the United States. Home office statements of foreign companies shall be filed at such times as may be required by the Superintendent of Insurance.

**Licenses.**— The agent or agents of any insurance company doing business in any city in this State having a population of more than one hundred thousand shall, on or before the first day of February in each year, pay to the collector of such city the sum of one hundred dollars, and such collector shall issue a license to such agent or agents.

**Fees.**— For filing statement and certified copy of charter, fifty dollars.

For filing annual statement, thirty dollars.

For filing supplementary statements, ten dollars.

For filing any other paper required to be filed, ten dollars.

For agent's certificate, two dollars.

For furnishing copies of records, papers, or documents on file, twenty cents per folio.

For affixing seal of office, one dollar.

For valuation of policies, ten dollars for each million dollars of insurance, or fractional part thereof.

Reciprocal provision.

In case the expenses of the department shall exceed the amount of fees collected, the Superintendent shall annually assess, upon all

companies doing business in this State, a sum equal to such excess. Such assessments shall be made in proportion to the relative amounts of the assets of each company.

**Taxes.**— Every company shall annually on or before the thirty-first day of January, make a sworn return to the Superintendent of all premiums received by the company in cash or notes in each county of the State and in the city of St. Louis, during the year ending on the thirty-first day of December preceding, and the amount of return premiums and losses actually paid during the year in this State, and shall pay a tax of one per cent. upon the excess of such premiums over such losses and return premiums. This tax shall be paid to the State Treasurer on or before the first day of April following.

Every company shall also, on or before the first day of February in each year, deposit with the Assessor of the county and of the city or town in which any such office or agency of such company is located, a statement, verified by the oath of the agent of such company, showing the whole amount of premiums received in such county, city, or town, deducting all return premiums and cash actually paid by such company for losses received in such county, city, or town during the year ending on the first day of January preceding. Such premiums are subject to the same taxes as other property in the county, city, or town in which such office or agency is located.

Reciprocal provision.

**Penalties.**— Any agent neglecting to pay the fees or taxes properly assessed upon his company shall be subject to a fine of two hundred dollars.

Any company neglecting to pay any fees or taxes for ten days after demand, made in writing, shall be liable to pay double the amount thereof.

Any violation of the provisions of law shall subject the party violating to a penalty of not less than fifty nor more than five hundred dollars.

Agents doing business without authority are subject to a fine of not less than ten, nor more than one hundred dollars, or to imprisonment not less than ten days, nor more than six months, or both.

#### ASSESSMENT INSURANCE.

**Admission.**— A company applying for admission shall deposit with the superintendent of the insurance department, a certified copy of its charter, a statement under oath of its president and secretary in the form by the said superintendent required, of its business for the preceding year; a certificate under oath of its president and secretary that it is paying, and for the twelve months next preceding has paid, the maximum amount named in its policies or certificates in full; a certificate from the proper authority in its home State that corporations of this State engaged according to the provisions of this act in life or casualty insurance on the assessment plan are legally entitled to do business in such State; a copy of its policy or certificate, and application, which must show that benefits are in the main provided

for by assessments upon policy or certificate holders, evidence satisfactory to the said superintendent that the corporation accumulates a fund equal in amount to the maximum policy or certificate which it issues, that such accumulation is permitted by the law of its incorporation and is a trust for the benefit of policy or certificate holders only and is securely invested. The authority of such corporation to do business in this State shall be revoked whenever the said superintendent, on investigation, is satisfied that such corporation is not paying the maximum amount named in its policies or certificates in full.

Policies or certificates must not be issued upon persons over sixty years of age, nor without the beneficiaries have an insurable interest, nor shall any endowments be issued, and all calls for payments by certificate holders must distinctly state the purposes of the same.

**Annual Statements**— Shall be made on or before the first of February, of the business for the year ending December 31st.

The superintendent has power to visit and examine the same as in other insurance companies.

**Fees.**— The fees for issuing certificates of authority to do business, and for filing annual statements, shall in each of aforesaid cases be the sum of twenty-five dollars, and the fees and costs of examination shall be the same and paid by the company in like manner as now provided by law for the examination of life insurance companies.

**Penalties.**— For doing business without authority, not exceeding five hundred dollars and imprisonment.

False statements regarding proofs of death sworn to by agents or medical examiners is made perjury.

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## MONTANA.\*

**Admission.**— Every company must possess an actual capital of two hundred thousand dollars, exclusive of special deposits; shall appoint one attorney in each county in which agencies are established, resident at the county seat, and shall file with the Territorial Auditor a written instrument, duly signed and sealed, authorizing such attorney of such company to acknowledge service of process, consenting that such service of process, mesne, or final, upon such attorney, shall be taken and held as valid as if served upon the company, and waiving all claims of right or error by reason of such acknowledgment of service, and also a certified copy of its charter or deed of settlement, together with a statement, under the oath of the president or vice-president, or other chief officer, and the secretary of the company for which they may act, stating the name of the company and the place where located, the amount of its capital, with a detailed statement of the condition of the company. Such statement shall also show that said com-

\* There has been no change in the laws of Montana as yet, and we are not advised of any change in Auditor. Legislature is in session.



pany, if organized without the United States of America, has deposited in some one of the United States or Territories a sum not less than one hundred thousand dollars for the special benefit or security of the assured in the United States; and shall file also a copy of the last annual report, if any, made under any law of the State, territory, or foreign country by which such company was incorporated.

**Certificates and Agents.**— Every company complying with the requirements of law shall receive a certificate from the Auditor.

Agents must have certificate of authority from the Auditor. Agents must, in all advertisements, publish the location of the company, and shall not advertise any assets of a fire insurance company not applicable to its losses, nor unpaid capital. Company must publish Auditor's certificate once in two papers of general circulation, one of which shall be published at the capital.

**Five and Life.**— Annual statements must be filed with the Auditor on the first day of January in each year, or within ninety days thereafter, showing the condition of the company on the preceding thirty-first day of December. Blanks will be furnished by the Auditor.

**Examinations and Impairments.**— The Auditor, or some one appointed by him, shall have power to examine companies. No agent shall be allowed to transact business for any company whose capital is impaired twenty per cent.

**Fees.**— To be paid to the Auditor.

For filing and examination of the first application of any company, and issuing the certificate of license thereon, fifty dollars.

For filing each annual statement herein required, twenty-five dollars.

For each certificate of authority, two dollars.

For every copy of paper filed, ten cents per folio, and fifty cents for certifying to the same, and affixing the seal of office thereto.

Reciprocal provision. For examinations, necessary expenses.

**Penalties.**— For failure to conform to, or for violation of laws, a fine not to exceed one thousand dollars, and imprisonment not exceeding six months.

**Taxes.**— Each and every insurance company transacting business in this territory shall be taxed upon the excess of premiums received over losses and ordinary expenses incurred within the territory during the year previous to the year of listing in the county where the agent conducts the business, properly proportioned by the company at the same rate all other personal property is taxed, and the agent shall render the list, and be personally liable for the tax; and if he refuses to render the list, or to make affidavit that the same is correct to the best of his knowledge and belief, the amount may be assessed according to the best knowledge and discretion of the assessor, and the county board of equalization may, at their discretion, add fifty per cent. to the amount returned by the assessor. Insurance companies shall be subject to no other taxation under the laws of this territory, except taxes on real estate, and the fees imposed as above.

## ASSESSMENT INSURANCE.

**Admission.**—The papers for admission must show that the company applying has deposited not less than fifty thousand dollars with the proper authorities of its own State as a guarantee fund for the security of its members. It must also deposit with the Auditor a certified copy of its charter or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by its president and secretary, or like officer, showing a detailed account of expenses and income, the amount of life indemnity in force, its assets and liabilities, in detail, number of members, and a certificate, sworn to by the president and secretary, or like officers, setting forth that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership to the full limit named therein; a copy of its policy or certificate of membership, application and by-laws, which must show that death losses are in the main provided for by assessments upon the surviving members; and it shall legally designate a person or agent residing in the territory to receive service of process for said corporation. Also that benefits are only paid to persons having an insurable interest.

**Annual Statements** must be filed on or before March 1st in each year, on blanks furnished by Auditor.

**Fees.**— For filing preliminary papers, one hundred dollars.  
For filing annual statements, twenty-five dollars.

**Penalties.**— Agents, for doing business for unauthorized companies, are subject to a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both.

## NEBRASKA.

[Legislature meets biennially. Next session, January 1, 1891.]

T. H. BENTON, Auditor of Public Accounts, LINCOLN.

**Admission.**— Every company desiring to transact business in this State before admission shall file with the Auditor—

A certified copy of its charter, act of incorporation, or deed of settlement.

A statement under the oath of the president, vice-president, or other chief officer and secretary of the company, showing its name, location, capital, and also its assets and liabilities, in detail.

A copy of the last annual report, if any made, under any law of the State by which the company was incorporated.

Every life company shall also file a written instrument under the seal of the company, signed by the president and secretary, authorizing an agent of the company to acknowledge service of process, and consenting that service of process upon such agent shall be taken and

held to be as valid as if served on the company, and waiving all claims of error by reason of such service.

Fire, marine, and other companies shall appoint an attorney resident at the county seat of each county in which the company shall establish agencies, and shall file with the Auditor a written instrument authorizing such attorney to acknowledge service of process for and in behalf of the company, and consenting that service of process upon such attorney shall be taken and held to be as valid as if served upon the company, and waiving all claim of error by reason of such service.

**Certificates and Agents.**—Every company (except a life company) shall procure a certificate from the Auditor, showing that the company has complied with all the requirements of law relating to insurance, and such certificates shall be published once, in two newspapers of general circulation, one of which newspapers shall be published at the capital of the State.

The agent of every life company shall procure from the Auditor a certificate, and file the same, together with a copy of the statement filed with the Auditor, in the office of the clerk of the county in which he or they may desire to establish an agency for any such company. Such statement and certificate shall be published one week in one daily, and four weeks in one weekly newspaper, published in the county in which such agency is established; if no daily paper be published in such county, then such publication shall be sufficient if made in one weekly newspaper as aforesaid; if no weekly newspaper be published in the county, then such publication shall be made in one weekly newspaper of this State, of most general circulation in such county.

Every agent before transacting business shall procure from the Auditor a certificate of authority.

All certificates shall be renewed annually, and shall annually be filed and published as aforesaid.

Every agent of any company, in all advertisements of such agency, shall publish the location of the company, giving the name of the city, town, or village in which the company is located, and of the State or government under the laws of which it is organized.

**Examinations and Impairments.**—The Auditor, whenever he shall deem it expedient, may examine into the condition and affairs of any company doing business in this State. Whenever the Auditor shall deem it for the best interest of the public, he shall publish the result of such examination in one or more papers of this State. If it shall appear to the satisfaction of the Auditor that the affairs of any such company are in an unsound condition, he shall revoke the certificate granted in behalf of such company; and shall cause the notification thereof to be published in some newspaper of general circulation published at the State capital.

No fire or marine company can transact business in this State if, after the company is charged with its proper liabilities and the sum requisite for re-insurance ascertained as required by law, its capital stock is impaired to the extent of twenty per cent. thereof.

**Fire and Marine.** — Every company must possess an actual paid-up capital of two hundred thousand dollars, exclusive of any assets deposited in any other State or territory, for the special benefit or security of the insured therein.

Every such company must also have on deposit, in some one of the United States or territories, a sum not less than twenty-five thousand dollars, for the special benefit and security of the insured therein.

Annual statements shall be filed on the first day of January in each year, or within thirty days thereafter, showing the condition and business of the company on the preceding thirty-first day of December.

The re-insurance fund shall be computed at forty per cent. of the premiums on all unexpired risks.

Nebraska has a valued-policy law.

**Life.** — Every company must possess assets, properly invested, to the amount of one hundred thousand dollars.

Annual statements shall be filed in the month of January in each year, showing the condition and affairs of the company on the preceding thirty-first day of December.

If any such company has made any deposits in any other State or territory for the exclusive benefit of its policy-holders therein, then such company shall, on the first day of January, annually, return under oath to the Auditor a statement showing the amount of premiums received in this State during the year preceding, and shall deposit with the Auditor, for the benefit of the insured in this State, five per cent. of such premiums, either in money or in stocks, or bonds, secured by mortgage of property in this State, and shall continue such deposit from year to year, until the sum of forty thousand dollars is deposited.

**Foreign.** — Every life company shall furnish evidence, to the satisfaction of the Auditor, that it has invested in the stocks of some one or more of the States of this Union, or of the United States, the amount of one hundred thousand dollars, and that such stocks are held by citizens of the United States, or in bonds secured by mortgages of real estate situated in the United States, fully securing the amount for which the same is mortgaged, or bonds of cities of the United States, the aggregate market value of the investment of the company in which shall not be less than one hundred thousand dollars.

**Deposits.** — (See *Life and Foreign*).

**Fees.** — For filing and examination of the first application of any company, and issuing the certificate or license thereon, fifty dollars.

For filing each annual statement, twenty dollars.

For each certificate of authority, two dollars.

For every copy of any paper on file, ten cents per folio, and fifty cents for certifying the same and affixing the seal of office thereto.

For examining companies, the actual expenses incurred.

Reciprocal provision.

**Taxes.** — Each and every insurance company transacting business in this State shall be taxed upon the excess of premiums received

over losses, and ordinary expenses incurred within the State during the year previous to the year of listing in the county where the agent conducts the business, properly proportioned by the company at the same rate that other personal property is taxed, and the agent shall render the list and be personally liable for the tax; and if he refuses to render the list, or to make affidavit that the same is correct, the amount may be assessed according to the best knowledge and discretion of the assessor. Insurance companies shall be subject to no other tax, fees, or licenses under the laws of this State except taxes on real estate and the fees imposed as above.

The legislature of 1889 passed a law which provides a tax of two per cent. on premiums for fire department purposes in every city or town having organized departments properly equipped, and compels agents to execute a bond that they will pay these taxes.

#### ASSESSMENT INSURANCE.

Nebraska has no law regulating the admission of assessment companies other than secret benevolent societies. All others must comply with the insurance laws.

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### NEVADA.

Legislature meets biennially. Next session, January 19, 1891.]

J. F. HALLOCK, *State Controller*, CARSON CITY.

**Admission.** — Every company must possess a paid-up cash capital, unimpaired, of two hundred thousand dollars, and must file with the Controller —

A certificate showing the possession of such capital.

A power of attorney showing the company to be a duly organized insurer or corporation, the principal place of business of the company and its principal place of business for the Pacific coast, and authorizing a citizen and resident of the State to act as its attorney, upon whom all legal process may be served. In case of death, or removal of such person from the State, legal service of process against such company may be made upon the Controller.

The Controller may require the filing of a certified copy of the charter of such company.

**Annual Statements.** — Every insurance company, of whatever kind or character, and every mutual life or assessment association, except charitable secret societies issuing benefits to its own members only, shall annually, during the month of January, file in the office of the State Controller a statement, signed and sworn to by its president and secretary, which shall exhibit its financial condition on the thirty-first day of December of the previous year, and shall include a detailed statement of its assets and liabilities, the amount and character of its business transacted and moneys received and expended during that year, specifying particularly its business transacted in Nevada, and such other

information as the State Controller may deem necessary to elicit a complete and accurate exhibit of its condition and transactions, and in such form as he may prescribe. The annual statement of a company of a foreign country shall embrace only its business and condition in the United States, and shall be subscribed and sworn to by its resident manager or principal representative in charge of its American business. The transaction of any new business by any company, or its agents, after neglect to file a statement in the manner herein provided, shall be unlawful.

**Certificates.**—Every company, before transacting business in the State, must procure from the Controller a certificate of authority.

**Examinations and Impairments.**—Upon the written representation of three citizens, and the belief of the Controller, that any company has less than two hundred thousand dollars paid-up unimpaired cash capital, he shall make investigation, or require proof of the financial condition of any company. The certificate of the insurance officer of any State having an insurance department shall be sufficient evidence of the possession of said capital unimpaired. If such certificate on request is not furnished in sixty days, the Controller may revoke the certificate of such company to do business in this State.

**Life.**—The requirement of capital paid up shall not apply to mutual life insurance companies having assets to the amount of one million dollars or more. Any company having outstanding policies in this State may appoint agents solely to collect premiums, if it shall appoint an attorney and file such appointment with the Controller. The Controller will then issue a certificate authorizing agents to make such collection.

**Foreign.**—Company must have invested or deposited in the United States, for benefit of policy-holders therein, two hundred thousand dollars in excess of its liabilities in the United States.

**Fire.**—In case of total loss, if the amount thereof is ascertained to be less than the amount insured, the insurer shall return to the insured the unearned premium for the excess of insurance over loss.

**License and Fees.**—Each company must pay for an annual license one hundred dollars.

For filing power of attorney and issuing certificate, five dollars.

**Penalties.**—Any company that neglects to make and file its annual statement in the form and within the time provided shall forfeit one hundred dollars for each day's neglect, and upon notice by the State Controller to that effect, its authority to do new business shall cease while such default continues. For willfully making a false annual or other statement it is required by law to make, an insurance company and the persons making oath to or subscribing the same shall severally be punished by fine of not less than five hundred nor more than five thousand dollars.

## ASSESSMENT INSURANCE.

**Admission.**— Mutual life, endowment and accident associations, conducted wholly on the assessment plan, duly incorporated and organized, shall not be required to make a showing of capital stock, but shall be permitted to do business in this State upon the following conditions only: They shall each pay into the Treasury of the State under the direction and to the satisfaction of the State Controller, the sum of two hundred dollars per annum; upon the payment of said sum the State Controller shall issue to such life association a license, duly verified under his hand and attested by his seal of office authorizing such association to do business in this State for the period of one year from the date thereof, and subject to the provisions of an Act entitled "An Act to license and regulate insurance business in this State," approved February 23, 1881, except so far as in this Act special provision is made.

## NEW HAMPSHIRE.

[Legislature meets biennially. Next session, First Wednesday of January, 1891.]

HENRY H. HUSE, *Insurance Commissioner*, CONCORD.

**Admission.**— Every company desiring to do business in this State, before admission must file with the Commissioner —  
A certified copy of its charter and by-laws.

A statement under the oath of the president and secretary, showing the condition and affairs of the company.

Every such company heretofore admitted to do business in this State prior to March first, 1876, and every company applying for admission, shall file with the Insurance Commissioner a written stipulation, duly authenticated by the company, agreeing that any legal process affecting the company served on the Insurance Commissioner for the time being shall have the same effect as if served personally on the company within this State. When process is served on the Commissioner he shall make a memorandum of the fact and inform the company by letter addressed to its principal office in this country, and shall on the next day forward the copy of process served upon him to the company.

If any company neglect to pay any final judgment against it for thirty days after demand is made for the same upon the attorney of the company, the Commissioner shall suspend the business of the company in this State until such judgment is paid.

**Certificates and Agents.**— Every company, before doing business in this State, shall receive from the Commissioner a license, which shall expire on the first day of next April, and shall be renewed on said day and annually thereafter.

Every agent, before doing business for any company, must file with the Commissioner a certificate from the company, or its general agent, authorizing him to act as such agent and receive from the Commis-

sioner a license, which shall continue in force until the first day of the next April, and shall be renewed on said day and annually thereafter, upon the filing by such agent of his certificate of appointment as aforesaid. Agents must be residents of the State.

Any person who solicits insurance on behalf of any life insurance company, or transmits for any person other than himself an application for a policy of life insurance to or from such company, or offers or assumes to act in the negotiation of such insurance, shall be deemed a life insurance agent within the intent of the laws of New Hampshire, and shall become thereby liable to all the duties, requisitions, liabilities, and penalties to which an agent of such life insurance company is subject.

Any life insurance agent who acts for a person other than himself in negotiating for a contract of insurance by a life insurance company shall, for the purpose of receiving the premium therefor, be held to be the company's agent, whatever conditions or stipulations may be contained in the policy or contract; and such agent, knowingly procuring by fraudulent representations, payment, or an obligation for the payment of a premium of life insurance, shall be punished by fine of not more than five hundred dollars, or imprisonment for not more than one year.

**Examinations and Impairments.**—The Commissioner may at any time examine into the condition of any foreign insurance company doing business in this State. If, in his opinion, such company is in an unsound or failing condition, he shall revoke all licenses granted to such company and its agents by written notice to the company and publication thereof in one newspaper published at Concord and one at Manchester, having each the largest circulation in this State from those places.

No mutual company can do business in this State if its assets are not equal to its outstanding liabilities and re-insurance reserve, calculated as required by law.

**Fire and Marine.**—Every stock company must possess a paid-up capital of two hundred thousand dollars, and every mutual company assets readily convertible into cash, amounting to two hundred thousand dollars.

Annual statements shall be filed on or before the first day of February in each year, showing the affairs and condition of the company on the preceding thirty-first day of December.

The re-insurance fund is calculated at fifty per cent. of premiums on unexpired fire risks, and the whole premium on unexpired marine risks.

All losses on fire risks shall be adjusted within fifteen days after notice thereof.

If any company has determined to rebuild or repair any premises destroyed or damaged by fire, such company shall commence within twenty days after such adjustment and prosecute the work with all reasonable diligence until completed. If any company neglect to adjust any such loss, or rebuild or repair the premises within the time



limited, the person insured may rebuild or repair the same at the expense of the company, not exceeding the amount insured.

All policies written in New Hampshire are subject to its valued-policy law. Companies entering the State are prohibited from combining to govern or control rates; they must write a standard policy prescribed by law, and warranties are made representations merely, and their untruth must contribute to the loss to void the policy.

**Life.**— Every company shall possess assets to the amount of two hundred thousand dollars.

Annual statements shall be filed on or before the first day of February in each year, showing the condition of the company on the preceding thirty-first day of December.

The premium reserve shall be ascertained upon the basis of the Actuaries' Table of Mortality, with interest at four per cent. per annum.

**Fees.**— For filing copy of charter, twenty-five dollars.

For filing statement, fifteen dollars.

For license to company, five dollars.

For license to agents, two dollars.

**Taxes.**— Every company shall, on or before the first day of February in each year, make to the Commissioner a statement under the oath of the president and secretary, showing the gross amount of premiums received on property located and persons resident in the State for the year ending on the preceding thirty-first day of December. The Commissioner shall, on or before the first day of April in each year, assess a tax of one per cent. upon such premiums, and shall give notice of the amount thereof to each company. The amount of such tax shall be paid to the State Treasurer within one month after such notice.

**Penalties.**— Any violation of any of the laws relating to insurance shall subject the offender to a penalty not exceeding two thousand dollars for each offense.

Fire insurance agents acting without license, or for unauthorized companies, are subject to a penalty of one hundred dollars for each offense.

Any person who shall assume to act as an agent of any life insurance company without license therefor as provided by law, or who shall act in any manner in the negotiation of unlawful insurance with a foreign life insurance company not admitted to do business in this State, or who, as principal or agent, shall violate any provision of the laws of this State in regard to the negotiation or effecting of contracts of life insurance, shall be punished by a fine of not more than five hundred dollars for each offense.

#### ASSESSMENT INSURANCE.

New Hampshire has no laws regulating admission of assessment-companies as such. They must comply with life insurance laws.

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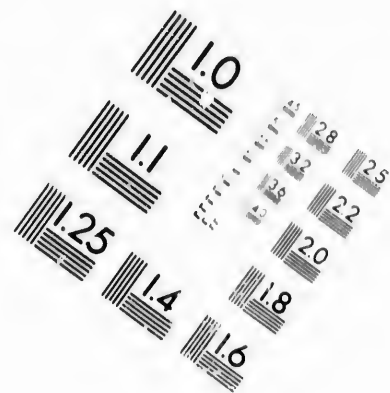
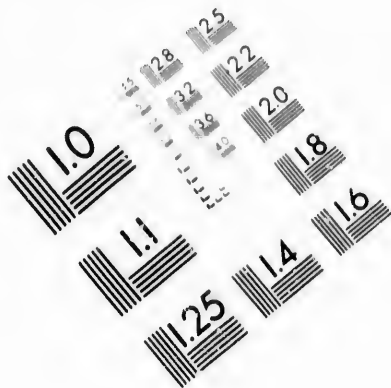
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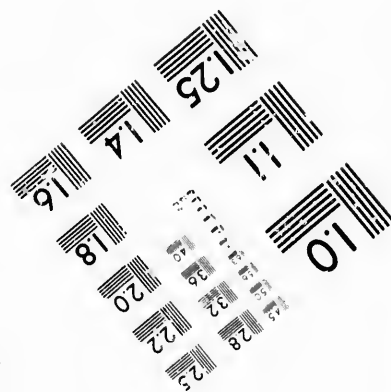
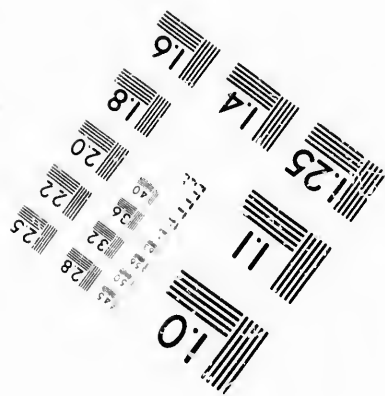
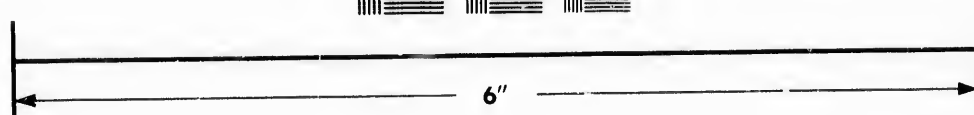
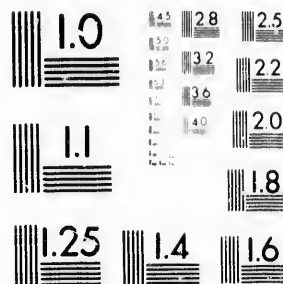
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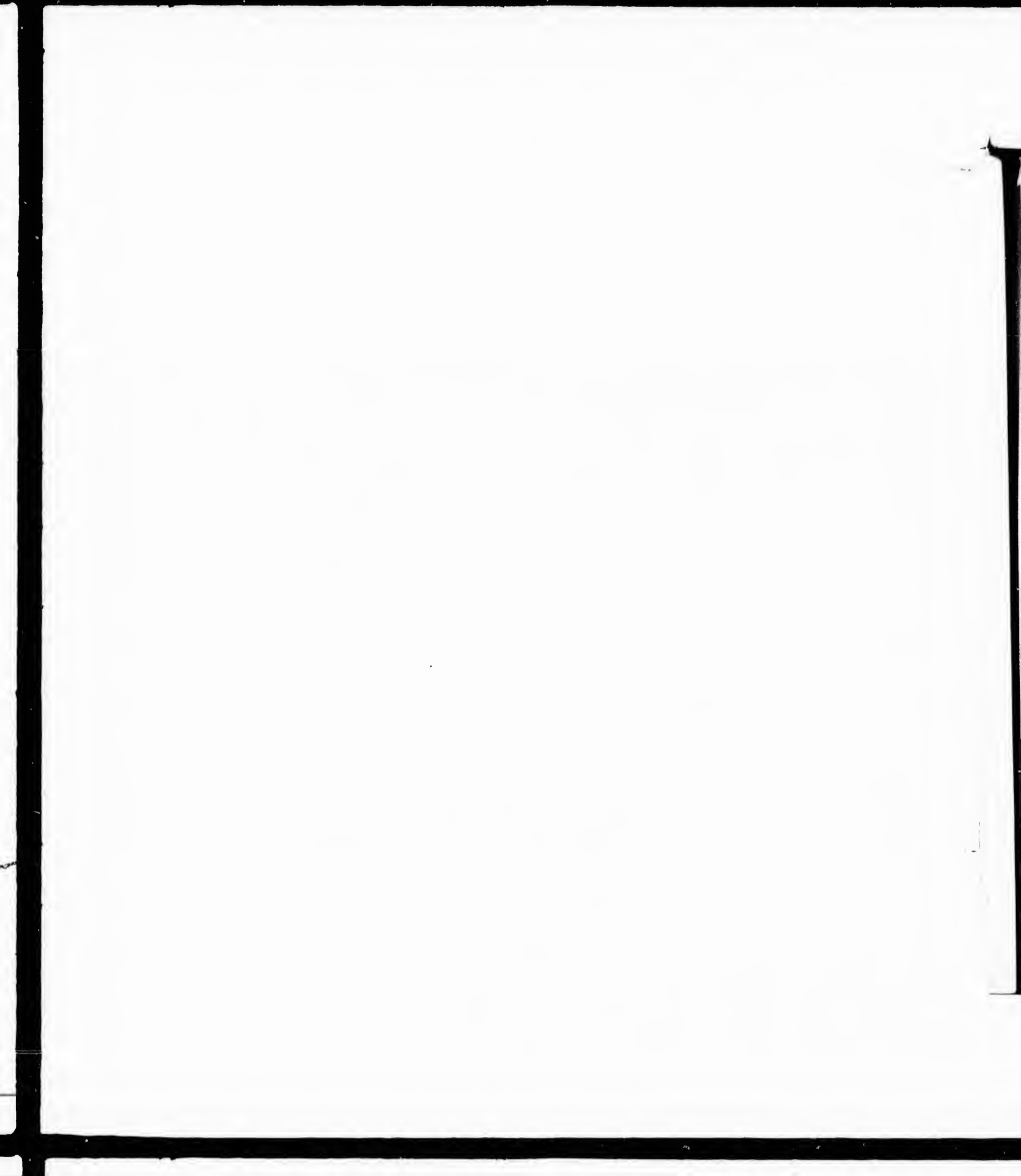
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## NEW JERSEY.

[Legislature meets annually. Next session, January 14, 1890.]

HENRY C. KELSEY, *Secretary of State*, TRENTON.

**Admission.**—Every company, before admission to this State, must possess an actually paid in and well-invested capital stock of at least one hundred and fifty thousand dollars, over and above all claims and liabilities, and shall file with the Secretary of State a statement signed and sworn to by its president and secretary showing the condition and business of the company, and giving the name and residence of each agent of the company in this State.

**Certificates and Agents.**—Every company, before transacting business, shall procure from the Secretary of State a certificate of authority authorizing it to transact business and establish agencies in this State.

Every company shall furnish the Secretary of State a list of the agents appointed and commissioned in the State, and every such agent shall procure from him a certificate of authority before transacting business.

All certificates of authority shall be renewed annually in the month of January.

**Examinations and Impairments.**—The Secretary of State may examine any company doing business in this State, and if it shall appear as a result of such examination that the assets of any fire insurance company, after charging it with the amount requisite for the re-insurance of its outstanding risks and with its other proper liabilities, amount to less than three-fourths of its capital stock, or that the assets of any life insurance company are not sufficient to re-insure its outstanding risks and discharge its total actual liabilities, he shall revoke the certificates granted to such company and its agents, and publish notice of such revocation in two newspapers published in Trenton and Newark respectively, at least six times.

**Fire, Marine, and Life.**—Annual statements shall be filed in the month of January in each year, and shall show the condition of the company on the 31st day of December preceding, and state the name, residence, and amount of premiums received by each agent during the preceding year.

Foreign companies that do not make a statement of their home business to the Secretary of State, are prohibited from advertising the same.

Life policies may be valued by the American Experience Table of Mortality, with interest at four and one-half per cent. per annum, or the Actuaries' Table of Mortality, with interest at four per cent. per annum, or any other recognized standard of valuation.

**Fees.**—For filing certified copy of charter, twenty dollars.  
Annual statement, twenty dollars.  
Certificate to agents, two dollars.  
Reciprocal provision.

**Taxes.**—Every insurance company in its annual statement shall state the gross amount of premiums received in the State during the preceding year, and pay to the Secretary of State a tax of two per centum upon such premium.

Every fire insurance company of another State doing business in this State, is required to return to the treasurer of the firemen's relief association in any city, town, borough, township, or fire district, on the 1st day of January and 1st day of July in each year, an account of all premiums received during the previous six months for insurance against loss or injury by fire upon property in any such city, town, borough, township, or fire district, and to pay a tax of two per cent. thereon within one month after the respective times for making of said returns to such treasurer.

Agents are also required to make a like return and to pay a like tax thereon. Payments made by agents to be deducted from the amount to be paid by said companies. Upon failure to make such return and payment, the certificates to company or agent shall be revoked. The amount thus paid is deducted from the amount payable to the Secretary of State.

Life insurance companies of States which do not impose a greater assessment upon companies of this State, shall pay annually, in lieu of the tax of two per centum, the sum of twenty dollars for each and every agent appointed by and acting for them. But agents transacting industrial business only are exempt from said charge of \$20. The act is not reciprocal in regard to the above charges; and when, by the laws of any State or nation, greater taxes than the foregoing, or other requirements or impositions whatsoever are imposed or made upon companies of this State, like taxes and requirements are imposed upon companies of such State or nation doing business in New Jersey.

**Penalties.**—Every violation of the laws relating to insurance shall subject the offender to a penalty of not more than five hundred dollars for each offense.

Every advertisement of whatever nature which gives the assets of a company must also state its liabilities, and it is unlawful to advertise unpaid capital. Any company or agent circulating advertisements contrary to this provision is subject to a fine as above. Agents are subject to the same fine for doing business without authority, or for unauthorized companies.

Any company failing to make and file its annual statement for thirty days after the time provided by law, shall be subject to a penalty of five hundred dollars, and a like penalty for every month it continues to do business in this State without filing such statement.

#### ASSESSMENT INSURANCE.

The laws of New Jersey do not permit the admission to transact business in that State of co-operative or mutual assessment companies of other States, except upon the same terms as are offered to regularly organized life insurance companies. Mutual or assessment accident or casualty companies or associations may be admitted to transact accident insurance solely, if possessed of and maintaining assets invested in securities to be approved by the Secretary of State to the amount of at least fifty thousand dollars.

## NEW MEXICO.

[Legislature meets biennially. Next session, December, 1890.]

TRINIDAD ALARID, *Territorial Auditor*, SANTA FE.

**Admission.**— Every insurance company, excepting plate-glass and accident companies, must have a paid-up capital of three hundred thousand dollars. Accident companies, either stock or mutual, and all companies confining their business exclusively to the insurance of plate-glass, must each have one hundred thousand dollars paid-up capital or available cash assets. In each county in which a company transacts business an attorney to accept service must be appointed; such attorney must reside at the county seat and may be the company's agent. Foreign companies must show to the satisfaction of the auditor that they have deposited in some State or territory at least one hundred thousand dollars for the special security of the assured. No agent is allowed to transact business for any company whose capital is impaired to the extent of twenty per cent. by liabilities, so long as such impairment continues. A synopsis of annual statement, showing assets and liabilities, must be published, within sixty days after filing same in one newspaper in every county wherein the company has an agency; if there is no county newspaper, then in some newspaper of general circulation in said county.

**Annual Statements.**— Statements must be filed with auditor annually of the business and condition of companies on the preceding thirty-first day of December.

**Agents and License Fees.**— Upon January 1st of each year every agent in the territory must make a sworn statement of the amount of premiums received in the territory for each company represented by him; and this statement he must forward to the Auditor by February 1st, together with his annual license fee. The amount of this fee is determined by his premium receipts, as follows: When less than \$10,000 during the year, \$25; when over \$10,000 and less than \$20,000, \$50; and for every \$10,000 thereafter an additional \$50 fee is required. Every agent or solicitor must be a resident of the territory. Every company not organized under the laws of the territory must have at least one authorized agent at the county seat of every county in which business is solicited.

## ASSESSMENT INSURANCE.

There are no laws in the territory of New Mexico regulating the business of assessment insurance.



## NEW YORK.

[Legislature meets annually. Next session, Jan. 1, 1890.]

R. A. MAXWELL, *Superintendent of Insurance Department*, ALBANY.

**Admission.**— Every company must possess the amount of capital and assets hereinafter mentioned, before being admitted to transact business in this State, and must file with the Superintendent—

A certified copy of its charter or deed of settlement.

A statement under the oath of the president, or vice president, or other chief officer and secretary of the company, stating the name, location, capital, assets, and liabilities of the company, in detail.

A copy of the last annual report, if any, made under any law of the State by which said company is incorporated.

Every company must also appoint the Superintendent of Insurance its attorney to accept service of process, in any suit or proceeding at law.

**Certificates and Agents.**— Every agent of any company admitted to transact business in this State shall procure from the Superintendent a certificate of authority, stating that such company has complied with all the requirements of law, and the name of the attorney appointed to act for the company. A certified copy of such certificate of authority shall be filed in the office of the clerk of the county where the agent's office is located and the agency established.

Agents of every fire company must also file with the county clerk a copy of the statement of the company, and publish the certificate of authority four successive times in the paper in which the State's notices are required to be inserted, and within thirty days thereafter file with the Superintendent the affidavit of the publisher of such paper, his foreman or clerk, showing such publication. Every agent doing a fire business in any incorporated city or village shall execute a bond, with such sureties as the treasurer of the fire department shall approve, conditioned that he will make true and correct returns as required by law of the amount of premiums received by him and pay the taxes thereon imposed. In the city or county of New York such bonds must be for the sum of one thousand dollars. In every other incorporated city and village, such bond must be in a sum not exceeding five hundred dollars. Where company has no agent its officers or manager must file bond with Superintendent, in the sum of two thousand five hundred dollars before it may lawfully write policies upon property in such cities or villages. Agents of each marine company shall file in the office of the clerk of the county in which they reside a copy of the statement of the company, and publish the same in a newspaper (if one be published in the county) at least six successive weeks after the same is so filed. Such agents shall execute and deliver to the Comptroller a bond in the sum of one thousand dollars, with such sureties as the Comptroller shall approve, conditioned that such agents shall make returns and pay taxes as required by law.

Certificates of authority shall be renewed annually, and shall be

filed and published in the same manner as the original certificate of authority.

Every agent, in all advertisements of any company he represents, shall publish the location of the company, giving city, town, or village, and State.

The following are the provisions for licensing agents to place excess lines in unauthorized companies:

The Superintendent of the Insurance Department shall be authorized to issue to citizens of this State, in consideration of the yearly payment of two hundred dollars, a license which shall be subject to revocation at any time, permitting the person or firm named in said license to act as agent or agents and procure policies of fire insurance for themselves or others, on property in this State in companies which have not complied with the laws of the State; but before any person or firm shall act as agent or agents under or by virtue of said license and procure policies in said companies, he or they shall execute an affidavit in duplicate, one of which shall be filed with the insurance department, and the other in the clerk's office of the county in which the property proposed to be insured is located, setting forth that the person, firm, or corporation desiring insurance is unable to procure the amount of insurance required to protect said property owned or controlled by the said person, firm, or corporation, from the insurance companies duly authorized to transact business in this State; provided, however, that in counties having less than one hundred thousand inhabitants the license fee for such agent shall not exceed twenty-five dollars. The agent or agents who by virtue of said license shall place any such insurance or procure policies in any such unrepresented companies, shall keep a separate account thereof, open at all times to the inspection of the Superintendent, showing (1) the exact amount of such insurance placed for any person, firm, or corporation; (2) the gross premiums charged thereon; (3) in what companies; (4) the date of the policy; and (5) the term thereof.

The agents provided for by this act shall not exceed two hundred in number, and each person or firm receiving such license shall, before transacting business as herein authorized, execute and deliver to the superintendent, a bond to the people of this State, in the penal sum of two thousand dollars, with such sureties as the Superintendent shall approve, with a condition that the said agent will faithfully comply with all the requirements of this act, and will pay to the said Superintendent, in January and July of each year, the sum of three dollars upon the hundred dollars, and at that rate upon the amount of gross premiums charged to policy-holders upon all policies procured by such agent during the preceding six months, pursuant to this act. It is further provided that all fire insurance policies issued to residents of this State, on property located herein, by companies that have not complied with the requirements of the general insurance laws of the State, shall be null and void, and of no force or effect whatever, except such as have been procured in the manner in this act provided.

**Examinations and Impairments.** — The Superintendent, whenever he deems it expedient, or whenever he has occasion to suspect the correctness of any statement, shall cause an examination

to be made into the affairs of any company doing business in this State. Whenever he shall deem it for the interest of the public, he shall publish the result of such examination. Whenever it shall appear from such examination that the affairs of any company are in an unsound condition, the Superintendent shall revoke the certificate granted in behalf of such company, and cause a notification thereof to be published in the State paper for four weeks.

A fire insurance company cannot do business in this State when its capital stock is impaired to the extent of twenty per cent.

A mutual life insurance company cannot do business in this State when its assets are not equal to its liabilities, including the premium reserve computed as required by law.

A stock life insurance company cannot do business when its stock is impaired to the extent of fifty per cent.

**Fire and Marine.**—A fire or marine insurance company must possess a paid-up capital of two hundred thousand dollars.

Annual statements must be filed in the month of January in each year, and show the condition and affairs of the company on the preceding 31st day of December.

The re-insurance fund is computed at fifty per cent. of all premiums on unexpired fire risks having one year or less to run. *Pro rata* of all premiums on unexpired fire risks having more than one year to run. The entire premium received on unexpired marine risks.

Every company must file in the office of the Insurance Superintendent an agreement, under its corporate seal, that it will not transact any business which any fire insurance company is prohibited from transacting.

No investment will be allowed as an asset that is not held as prescribed by the law of this State except unpaid premiums on policies written within three months. Every policy of insurance must be canceled at the request of the insured and the premium paid returned less the customary short-rate premium for the expired time of the full term for which said policy has been issued. No company can take any one risk in this State in excess of ten per cent. of its paid up capital stock and net surplus. No company shall re-insure any risk written or located in this State with any company not admitted to transact business in this State, and schedules of re-insurances must be filed with annual statement.

Every advertisement purporting to make known the financial standing of any company shall exhibit the capital actually paid in in cash, and the amount of net surplus over all liabilities, including in the liabilities the re-insurance reserve on outstanding risks. Such assets shall only be included in the advertisement as are held for the protection of holders of policies of fire insurance. Such advertisement shall in its statement of the financial condition of the company correspond with the verified statement last filed with the Insurance Department. No marine company is permitted to pay to its agents more than fifteen per centum of premiums received for insuring property *in transitu* on the canals of this State. No part of the remainder shall be paid to any shipper, middleman, or other person, directly or indirectly. Every company shall under oath make such statement in

reference to such payment as the Insurance Superintendent shall require. Violations of this requirement may be punished by revocation of authority to do business.

On and after the first day of May, eighteen hundred and eighty-seven, no fire insurance company, corporation, or association, their officers or agents, shall make, issue, use or deliver for use, any fire insurance policy, or a renewal of any fire policy, on property in this State other than such as shall conform in all particulars as to blanks, size of type, context, provisions, agreements, and conditions with the printed form of contract or policy filed in the office of the Secretary of State known as the standard form of policy, and no other or different provision, agreement, condition, or clause shall in any manner be made a part of said contract or policy, or be indorsed thereon or delivered therewith, except as follows, to wit:

*First* — The name of the company, its location and place of business, the date of its corporation or organization, whether it is a stock or mutual company, the names of its officers, the number and date of the policy, and if it be issued through a manager or agent, the words "this policy shall not be valid until countersigned by the duly authorized manager or agent of the company at \_\_\_\_\_," may be printed on policies issued on property in this State.

*Second* — Printed or written forms of description and specification or schedules of the property covered by any particular policy, and any other matter necessary to clearly express all the facts and conditions of insurance on any particular risk (which facts or conditions shall in no case be inconsistent with, or a waiver of any of the provisions or conditions of the standard policy herein provided for), may be written upon or attached or appended to any policy issued on property in this State.

*Third* — A company, corporation, or association organized or incorporated under and in pursuance of the laws of this State or elsewhere, if entitled to do business in this State, may, with the approval of the superintendent of the insurance department, if the same is not already included in the standard form to be filed in the office of the Secretary of State, as provided for in the first section of this act, print on its policies any provision which it is by law required to insert therein if such provision is not in conflict with the laws of this State, or of the United States, or of the provisions of the standard form provided for herein, but said provision or provisions shall be printed apart from the other provisions, agreements, or conditions of the policy, under a separate title, as follows: "Provisions required by law to be stated in this policy."

Any insurance company, its officers or agents, or either of them, making, issuing, delivering or offering to deliver any policy of fire insurance on property in this State except as hereinbefore provided, shall be guilty of a misdemeanor, and upon complaint made by the Superintendent of the Insurance Department or by any citizen of this State, shall upon conviction thereof be punished by a fine of not less than twenty-five nor more than one hundred dollars for the first offense, and of not less than one hundred nor more than two hundred and fifty dollars for each subsequent offense; but any policy so made,

issued, and delivered shall notwithstanding be binding upon the company issuing the same.

**Life and Accident.**— Every company transacting business in this State must possess at least one hundred thousand dollars invested in the stocks or bonds of the United States, the State of New York, or of the State where the company is located, or in loans secured by mortgage on improved, unincumbered real estate within the State where such company is located, worth seventy-five per cent. more than the amount loaned thereon. Such securities shall be deposited with the Auditor, Comptroller, or chief financial officer of the State where said company is incorporated, for the benefit of all the policy-holders of such company, and the Superintendent shall be furnished with a certificate thereof under the hand and official seal of such officer, stating the items of such securities, and that such officer is satisfied that they are worth one hundred thousand dollars.

Annual statements must be filed on the first day of January in each year, or within sixty days thereafter, showing the condition and affairs of the company on the preceding 31st day of December.

The Superintendent shall, at least once in five years, and annually in his discretion, make valuations of all outstanding policies, in every life insurance company doing business in this State. For the purpose of such valuation the rate of interest assumed shall be four per cent. per annum, and the rate of mortality shall be that established by the Actuaries' or Combined Experience Table. The Superintendent may in his discretion accept the valuation of the Department of Insurance of any other State, in place of making such valuation, provided the insurance officer of such State does not refuse to accept as sufficient and valid for all purposes the certificate of valuation of the Insurance Department of this State.

Life insurance companies shall not make any discrimination in favor of individuals of the same class and of the same expectation of life, either in the amount of premium charged or in return of premium, dividends or other advantages, and no agent of any such insurance company shall make any contract for insurance or agreement as to such contract of insurance other than that which is plainly expressed in the policy issued, nor shall any such company or agent pay or allow, or offer to pay or allow, as inducement to any person to insure, any rebates of premium, or any special favor or advantage whatever, in the dividends to accrue thereon, or any inducement whatever, not specified in the policy.

The re-insurance reserve upon accident policies is the unearned premium on policies in force computed on each risk from the date of issuing the policy.

Policies of life insurance issued in this State upon lives of husbands for benefit of wives, may be assigned by the wife with the written consent of her husband, and in case of her death by her legal representatives with like consent.

No life company doing business in this State shall have power to declare forfeited or lapsed any policy issued in this State by reason of non-payment of any annual premium or interest, unless such company shall, when any premium or interest on such policy is due and unpaid,

send to the insured or his assignee, at his last known post-office address, postage paid, a written or printed notice stating the amount of premium or interest due, the place where and the person to whom the same is payable, and that if said premium or interest is not paid within thirty days after mailing of such notice the policy and all payments thereon will be forfeited. If the insured shall within the thirty days pay the required amount, such payment shall be a full compliance with the requirements of the policy in that respect. Such notice may be sent to the insured or his assignee not less than thirty nor more than sixty days prior to the time when the premium is payable, and shall have the same effect as if sent when the premium is past due.

**Plate-Glass.**—Such companies shall make the same deposit as life companies, and obtain certificate of authority before doing business.

**Foreign.**—Every fire and marine insurance company must possess a capital of which there is paid up in cash, and invested in securities of the same general character as those which companies of this State are permitted to hold, not less than five hundred thousand dollars.

It shall also file with the Insurance Superintendent an agreement under the corporate seal of the company that it will not, while authorized to do business in this State, transact any business in this State which companies of this State are prohibited from transacting.

Every such company shall deposit with the Superintendent, for the benefit and security of policy-holders residing in the United States, a sum not less than two hundred thousand dollars in stocks of the United States, or of the State of New York, or in bonds secured by mortgage on improved, unincumbered real estate in the State of New York, worth fifty per cent. more than the amount loaned thereon, or stocks or bonds of any county or incorporated city of that State authorized to be issued by the legislature, such stocks or bonds not to be received by said superintendent at a rate above their par value or above their current market value. The capital of such company shall be the aggregate value of such sums or securities as such company has on deposit with the officials of various States, and all other assets and property of the company in the United States, conveyed to and vested in trustees, citizens of the United States, approved by the superintendent, for the general benefit and security of the policy-holders and creditors of the company in the United States, after taking from such aggregate value the amount of all the debts and liabilities of the company in the United States, including a proper sum for a re-insurance fund as provided by law or the rules of the Insurance Department.

The Superintendent shall annually issue a certificate to such company of the amount of its so-determined capital.

Canada companies may make deposit in Canada bonds or such other securities as meet the approval of the Superintendent.

Every foreign insurance company doing a life insurance business shall make a deposit with the Superintendent in securities of the value of one hundred thousand dollars.

Annual statements of every foreign fire company shall be filed in

the month of January in each year, showing the investments constituting the capital of the company in the United States, and the condition and business of the company in the United States, on the preceding 31st day of December. Every such company shall duly advertise, publish, or claim in any statement only such assets or business as it has and has done within the United States. The certificate of any company violating this provision will be revoked.

*Fees.*— For every copy of any paper filed in the department, the sum of ten cents per folio, and for affixing the seal of said department to such copy and certifying the same, one dollar.

For filing charter, \$30.

For filing annual statement, \$20.

For each certificate of authority and certified copy of same issued to an agent, such sums not exceeding five dollars as shall be fixed from time to time by the superintendent.

For examinations of insurance companies, the actual expenses incurred.

Reciprocal provision.

*Taxes.*— The agents of all marine companies shall pay to the Insurance Department on the first day of January in each year, a tax of two dollars on the one hundred dollars, and at that rate upon all premiums which shall have been received in this State for the year ending on the preceding 31st day of December. But the Superintendent of the Insurance Department shall deduct from the amount of such tax any other taxes paid by such companies in this State.

The agents of all fire companies taking risks in incorporated cities or villages, except those of New York and Buffalo, shall annually, on the first day of February, render to the treasurer of the fire department of such city or village an account, verified by oath, of all premiums received by him within any incorporated city or village for the year ending on the preceding 31st day of December, and shall pay to such treasurer a tax of two dollars on the one hundred dollars, and at that rate for the whole amount of such premiums.

Every fire or marine insurance company, incorporated or organized under the laws of any foreign country, shall, annually, on or before the first day of August, pay to the Treasurer of the State, as a tax on its corporate franchise or business in this State, a sum equal to one-half of one per centum upon the gross amount of premiums received by such company during the year ending the preceding thirtieth day of June, on business done in this State by such company, whether the said premiums were in money or in the form of notes, credit, or any other substitute for money.

Other State and foreign companies doing business in New York city have to pay a tax upon city premiums of two per cent. to the trustees of the exempt firemen's benevolent fund.

Every such insurance company shall annually, on or before the first day of August, make a return to the Comptroller of the State, signed and sworn to by its president and secretary or manager, giving the total amount of premiums received by such company during the year ending the preceding thirtieth day of June, on business done in

this State by such company, whether the said premiums were in money or in the form of notes, credits, or any other substitute for money.

The lands and real estate of such insurance companies shall continue to be assessed and taxed where situated for State, city, town, county, village, school, or other local purposes.

Foreign life insurance companies shall annually pay to the Superintendent, on or before the first day of March, a tax of two per cent. upon all premiums received in this State for the year ending on the preceding 31st day of December.

Reciprocal provision.

**Penalties.**— Any violations of the provisions of law relating to fire insurance shall subject the party violating to a penalty of five hundred dollars.

Any company failing to file annual statements as required by law, and continuing business, is subject to a penalty of five hundred dollars, and five hundred dollars for each month such business is transacted.

Any person violating the provisions of the act to prevent discriminations in policies and premiums in life insurance, shall be deemed guilty of a misdemeanor, and it is made the duty of the Superintendent of the Insurance Department, on the conviction of any person acting as agent, sub-agent, or broker, to revoke at once the certificate of authority, issued to him, and no such certificate shall be thereafter issued to said convicted person by said Superintendent for the term of three years from the date of his conviction.

#### ASSESSMENT INSURANCE.

**Admission.**— Companies must file with the Superintendent of Insurance a statement, on blanks furnished by the department, of its condition and business; the necessary documents to show that similar companies organized under the laws of New York may be authorized to do business in the State where such company is organized; must designate some place in the State where its principal agency is located, and appoint an attorney to accept service.

**Annual Statements.**— Statements must be filed on or before the first day of March in each year, upon blanks furnished by the Superintendent, showing the condition of its affairs and its transactions for the preceding year.

**Fees.**— For filing preliminary papers and declaration, ten dollars. For filing annual statement, one dollar for each 100 members or fraction thereof, and not exceeding twenty-five dollars.

For each certificate of authority or certified copy, five dollars.

For copies of papers ten cents per folio, and one dollar for official seal.

For special examinations, actual outlay, not to exceed fifty dollars in any one year.

Reciprocal provision.



## NORTH CAROLINA.

[Legislature meets biennially. Next session, January 1891.]

W. L. SAUNDERS, *Secretary of State*, RALEIGH.

**Admission.** — Every insurance company desiring to do business in the State must appoint a general agent, who shall be a citizen and a resident of the State, and file a certificate of such appointment under the seal of the applicant, together with the written acceptance thereof by such appointee, with the Secretary of State. The certificate shall contain a stipulation agreeing that so long as there may be any liability on the part of the applicant under any contract entered into in pursuance of any law of the State concerning insurance, any legal process affecting the applicant may be served, in his absence, upon such general agent or upon the Secretary of State, and when so served shall have the same effect as if served personally on such applicant in the State.

It must file in the office of the Secretary of State, in such form and in such detail as he shall prescribe a statement of the business standing and financial condition of the applicant on the preceding thirty-first day of December, signed and sworn to by said principal, or by the chief managing agent or officer thereof, before the Secretary of State, or before a commissioner of affidavits for North Carolina, or before some notary public. It shall also file in the office of the Secretary of State a copy of the charter, articles of association, or other statement showing the mode in which the applicant proposes to do business, and shall pay the license and other fees required.

Abstracts of annual statements must be published in some State newspaper.

**Agents.** — Every general agent shall file in the office of the Secretary of State, on or before the first day of March in each year, in such form and in such detail as the Secretary shall prescribe, a statement showing the business standing and financial condition of his principal, on the preceding thirty-first day of December, signed and sworn to by said principal, or the chief managing agent, or officer thereof, before the Secretary of State, or before a commissioner of affidavits for North Carolina, or before some notary public.

**Taxes.** — Every general agent shall, within the first thirty days of January and July of each year, make a full and correct statement, under oath, of the amount of the gross receipts derived from insurance business obtained from residents of the State during the preceding six months, and shall within the first fifteen days of February and August of each and every year, pay to the Secretary of State a tax of two per cent. upon the amount of such gross receipts therein returned (*provided*, that if any general agent shall exhibit to the Secretary of State a sworn statement of investments in real property in the State by his principal, or a like statement of loans, secured by mortgage to citizens of the State, of an amount equal to one-half of such gross receipt, the tax shall be only one per cent. thereon).

**Fees and Licenses.** — The fee for license is fifty dollars per annum, and the license shall continue for the next ensuing twelve months after the first day of April in each year; *provided*, the Secretary of State may receive from applicants after the first day of April so much of said license fee as may be due *pro rata* for the remainder of the year.

No person licensed to do insurance business shall limit the term within which any suit shall be brought against such person to a period less than one year from the time when the loss insured against shall accrue.

**Penalties.** — Any insurance agent doing business in the State, who shall unlawfully withhold or expend the funds of his principal, shall, upon conviction thereof, be deemed guilty of a felony, and punished accordingly.

Every person who, either as principal or agent, shall solicit, examine, or inspect any risk, or shall examine into, adjust, or aid in adjusting any loss, or shall receive, collect, or transmit any premium of insurance, or shall do any other act in the soliciting, making, or executing any contract of insurance of any kind otherwise than as the law permits, shall forfeit and pay to the sheriff of the county in which he may be found, to the use and benefit of such sheriff, fifty dollars for every such violation, to be recovered before any justice of the peace at the suit of said sheriff.

Every general agent who shall fail or refuse to perform any duty required of him by this act, shall forfeit and pay to the Secretary of State fifty dollars for every such refusal, to be recovered before any justice of the peace at the suit of said Secretary.

## ASSESSMENT INSURANCE.

The insurance laws of North Carolina do not apply to assessment companies as such. All such corporations must comply with the act as quoted above, except fraternal and benevolent associations incorporated by the State, and which do not solicit business through agents.

## OHIO.

[Legislature meets biennially. Next session, January, 1891.]

SAMUEL E. KEMP, *Superintendent of Insurance*, COLUMBUS.

**Admission.** — Every company desiring to transact business in this State, before admission must file with the Superintendent —

A certified copy of its charter or deed of settlement.

A statement under the oath of the president or vice-president, and secretary of the company, showing its condition and affairs.

A copy of the last annual report of the company, if any was made under any law of the State by which such company was incorporated.

A written statement duly signed and sealed, authorizing any

agent of the company in this State to acknowledge service of process, for and in behalf of the company; and consenting that service of process upon any such agent shall be taken and held to be as valid as if served upon the company, and waiving all claim of error by reason of such acknowledgment or service; and in case suit shall be brought against any company which has ceased to do business in this State, such written instrument shall also provide that service of process may be made therein, by the sheriff sending a copy of such process by mail, postage prepaid, addressed to the company at the place of its principal office in the State where it was organized; or, in case of a foreign company, addressed to the company at the place of its principal office in the United States, thirty days before judgment in the suit.

Every company in its advertisements shall state only the assets admitted by the Superintendent of Insurance, and shall include therein all its liabilities, including its re-insurance reserve computed according to law.

If any company make an application to remove any suit or action commenced in a State court to any United States court, the Superintendent shall forthwith revoke its license to transact business in this State, and no renewal thereof shall be granted for three years.

**Certificates and Agents.**— Every company, before transacting business in this State, must procure from the Superintendent a certificate of compliance. Such certificate of compliance, containing a statement under the oath of the president or secretary of such company showing the actual amount of the paid-up capital, the aggregate amount of assets and liabilities, together with the aggregate income and expenditures of the company for the year preceding the date of such certificate, shall be published at least once in every year in some newspaper in general circulation in every county where such company has an agent. A copy of such certificate shall be filed in the office of the recorder of county in which such company has an agent.

Every agent before transacting business, shall procure from the Superintendent a license for each company he represents, and shall deposit a certified copy of such license in the office of the recorder of the county in which the office of such agent is established.

All certificates shall be renewed annually.

**Examinations and Impairments.**— Whenever the Superintendent shall have good reason to suspect the correctness of any annual statement, or that the affairs of any company are in an unsound condition, it is his duty to make or cause to be made an examination into the affairs of such company. If he deems it for the best interest of the public, he shall publish the result of such examination in a newspaper of general circulation published at Columbus.

Whenever the affairs of any company are found to be in an unsound condition, the Superintendent shall revoke the certificates granted to such company to do business in this State, and shall publish a notice of such revocation in a newspaper published at Columbus and in the county where the general agency of the company is located.

A fire and marine company cannot transact business in this State if, after the company is charged with its proper liabilities and a re in-

insurance fund as required by law, the capital stock is impaired to the extent of twenty per cent. thereof, while such impairment continues.

A life company cannot transact business in this State if its assets are not equal to its outstanding liabilities, including its premium reserve ascertained as required by law.

**Fire and Marine.**— Every company must possess a paid-up capital of one hundred thousand dollars. The re-insurance fund is computed at fifty per cent. of the whole amount of premiums received on unexpired risks and policies.

Annual statements of fire and marine insurance companies shall be filed on the first day of January in each year, or within thirty days thereafter, showing the condition and business of the company on the preceding 31st day of December.

**Life.**— Every stock company must possess an actual paid-up capital of one hundred thousand dollars. Every mutual company must possess actual cash assets to the amount of one hundred thousand dollars.

Every such company shall deposit with the Superintendent of this State, or the proper officer of the State where it is organized, for the benefit of all its policy holders, stocks and bonds of some one of the States or of the United States, of the market value of one hundred thousand dollars in the city of New York, or loans on bonds secured by mortgage of unincumbered real estate situated in this State or the State where the company is organized, of like amount.

If such deposit be made in some other State, the Superintendent shall be furnished with a certificate under the hand and official seal of the officer holding such deposit, showing that he holds such securities in trust and on deposit for the benefit of all the policy-holders of such company, giving the items of such securities, and stating that he is satisfied they are worth at least one hundred thousand dollars.

Annual statement must be filed on the first day of January in each year, or within sixty days thereafter, showing the affairs and condition of the company on the preceding 31st day of December.

The premium reserve shall be computed on the basis of the American Experience Table of Mortality, with interest at four per cent. The Superintendent shall annually value the policies outstanding in all companies doing business in this State, which do not furnish him a certificate from an officer of some other State authorized by law to make valuations, showing a valuation of such policies upon the standard established by the law of this State, or upon any other standard or valuation which shall make the value of such policies not less than that by the standard of valuation adopted by this State.

**Foreign.**— Every company must make a deposit with the Superintendent of one hundred thousand dollars in the stocks of the State of Ohio, or of the United States, for the benefit, in case of fire companies, of policy-holders in this State, and in case of life companies, of the policy-holders in the United States.

The capital of a foreign fire company shall be the aggregate value of its deposits with the several States, and the amount of its

investments held by trustees, citizens of the United States approved by the Insurance Commissioner, for the benefit of policy-holders in the United States.

In addition to the annual statement, every such company shall annually file at the same time a supplementary statement showing its investments, condition, and affairs in the United States on the preceding 31st day of December.

Such supplementary statements must be verified in case of fire companies by the oath of the manager residing in the United States, and in case of life companies by the oath of general agent or attorney in this State.

**Deposits.** — (See Life and Foreign.)

**Fees.** — For filing charter of any company, twenty-five dollars.

For filing the preliminary statement, twenty dollars, and the same fee for filing each annual statement.

For each certificate of authority, or license and certified copy thereof, two dollars.

For any copy of every paper filed in the office of the Superintendent, twenty cents per folio; and for affixing the seal of office and certifying the same, one dollar.

Any company may pay to the Superintendent two hundred and fifty dollars for licenses to its agents, and may appoint as many agents as it chooses without further charge.

For valuation of life policies, one cent for each thousand dollars of insurance valued.

For making examinations of companies, the actual expenses incurred.

Reciprocal provision.

**Taxes.** — Every agency of an insurance company incorporated by the authority of any other State or government, shall return to the auditor of each county in which such company does business, or from which it collects premiums, in the month of February, annually, the amount of the gross premium receipts of such agency for the previous calendar year in such counties, which shall be entered upon the tax-list of the proper county, and subject to the same rate of taxation for all purposes that other personal property is subject to at the place where located, for the year in which such premiums are received.

The whole of such tax is due and payable on the 20th day of December next ensuing. It is the duty of the county auditors, in the month of March, to certify to the Superintendent of Insurance the amount of receipts returned under this act by each company, with the rate charged against the same; and the Superintendent in the month of April annually charges and collects from all such companies such a sum as added to the sum payable to the county treasuries will produce an amount equal to two and one-half per cent. on the gross premium receipts of such companies. Retaliatory provision.

**Penalties.** — Every person who shall violate the provisions of law relating to insurance, or solicit insurance, or act as agent for any company not authorized to do business in the State, or in any manner

aid therein, shall be liable to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months.

Every company that neglects or refuses to make an annual statement as required by law, shall be subject to a fine of five hundred dollars, and five hundred dollars for each month it continues to do business thereafter.

Every violation of the act relating to the advertisement of insurance companies after the second notice from the Superintendent of such violation, shall subject the company violating to a fine of one thousand dollars.

#### ASSESSMENT INSURANCE.

**Admission.**— Assessment companies of other States must appoint an agent or attorney upon whom process may be served; must satisfy the Superintendent that like companies may be admitted to the State where it is organized under like conditions.

The conditions of admission are the same as those applicable to Ohio companies. Every applicant must be submitted to medical examination, and found to be a good risk; must be over fifteen and under sixty-five years of age; the expenses of the association must be met by fixed annual payments, or by assessments made expressly for expenses; agents and treasurer must give bonds for the faithful accounting for and proper disbursement of all moneys that come into their hands; associations must not issue certificates for a greater amount than can be paid from the proceeds of one assessment.

**Fees.**— No fees are charged to co-operative associations except under reciprocal laws.

The act does not apply to fraternal and benevolent societies formed for the mutual benefit of the members thereof, and their families exclusively.

#### OREGON.

[Legislature meets biennially. Next session, January, 1891.]

GEORGE W. McBRIDE, *Insurance Commissioner ex officio*, SALEM.

**Admission.**— Before transacting business companies must have certificate of authority from the Insurance Commissioner; must deposit with the State Treasurer fifty thousand dollars, to be kept for the benefit of creditors in Oregon, the deposit to be in United States or State bonds, or municipal, school district, county, or town bonds issued by legal authority in the State of Oregon; or in money, or an investment of \$65,000 in real estate may be made in lieu of the deposit; must execute a power of attorney appointing some citizen and resident of the State to accept service, and cause the same to be recorded in the clerk's office of each county where it has a resident agent. It must show to the Insurance Commissioner by the reports or certificate of the proper officer of some other State having an insurance department that it is possessed of a paid-up capital of at least two hundred thousand dollars, and is duly organized as an insurance company. The deposit of \$50,000 is not required of life insurance companies.

**Annual Statements** and application for license must be made to the Insurance Commissioner within thirty days from the first of January, at which time companies so applying shall pay to the commissioner the fee required by the statute.

**Examinations.**—The Commissioner is authorized to examine the condition of companies upon complaint of three citizens unless the company presents him a certificate from some other Commissioner that it is in sound condition financially. If such certificate or satisfactory proof is not forthcoming within sixty days after demand the Commissioner shall revoke certificate.

**Life.**—The Commissioner shall accept the valuation certificate of the Commissioner of any State in which company is organized. Companies may appoint agents to collect premiums only on payment of five dollars for certificate.

**Fees.**—To Commissioner—

For filing power of attorney and issuing certificate, five dollars.

For annual license to fire insurance company, fifty dollars.

For annual license to life companies, one hundred dollars.

For examinations, expenses incurred.

To treasurer, ten dollars for filing certificate of deposit, and expenses of printing notices.

**Foreign.**—Companies, except marine, must have deposited in the United States at least two hundred thousand dollars, besides fifty thousand in Oregon.

**Taxes.**—Fire and marine insurance companies must appoint a general agent to whom all other agents in the State shall report, and who shall, on or before the first day of March in each year, furnish the Insurance Commissioner a sworn statement of the total business transacted by such company within the State of Oregon during the year ending December 31st prior thereto. Such statement shall show the total gross premiums received during the year, from which shall be deducted returned premiums, re-insurance, agents' commissions, office expenses, and licenses, and losses paid in the State; and every such foreign fire and marine insurance company shall, within thirty days from the date of such annual statement, pay to the Insurance Commissioner a tax of one per cent. upon the total amount of net premiums received by it upon business done or risks assumed within this State, as shown by its annual statement, and shall pay the Commissioner a fee of five dollars for filing such statement.

**Penalties.**—For deceptive advertising, five hundred dollars fine.

For doing business without authority, five hundred dollars.

For violation of any other provisions of the law, a fine of not less than one hundred nor more than five hundred dollars.

ASSESSMENT INSURANCE.

The above requirements apply to assessment companies, except secret and fraternal orders.

## PENNSYLVANIA.

[Legislature meets biennially. Next session, January 1, 1891.]

J. M. FORSTER, *Insurance Commissioner*, HARRISBURG.

**Admission.**— Every company desiring to transact business in this State, before admission must file with the Insurance Commissioner —

A certified copy of its charter.

A statement, verified by the signature and oaths of the president or vice-president and secretary or actuary of the company, showing its affairs and condition.

A written stipulation, duly authenticated by the company, agreeing that any legal process affecting the company served on the Insurance Commissioner or the party designated by him, or the agent specified by said company to receive service of process for such company, shall have the same effect as if served personally on the company within this State; and if such company should cease to maintain an agent in this State so designated, such process may be thereafter served on the Insurance Commissioner. So long as any liability of such company to any resident of this State continues, such stipulation cannot be revoked or modified, excepted that a new one may be substituted, so as to require or dispense with service at the office of the company in this State.

**Certificates and Agents.**— Every company, before transacting business in this State, must procure from the Commissioner a certificate of authority showing that such company is authorized to do business in this State.

Every such company shall from time to time certify to the Commissioner the names of the agents appointed by it to solicit risks in this State.

Every such agent, before transacting business for any such company, shall procure from the Commissioner a certificate of authority showing that the company has complied with the requirements of law and that he is duly appointed its agent.

All certificates must be renewed annually.

**Examinations and Impairments.**— The Commissioner, for probable cause, may visit and examine any company doing business in this State, provided such company is not located in a State where the substantial provisions of the act of this State entitled "An Act to Establish an Insurance Department" are enacted. Whenever he shall deem it for the interest of the public, he shall publish the result of such examination in one or more publications in this State. He shall revoke or modify any certificate of authority granted to or in behalf of any such company, whenever its assets are insufficient to justify its continuance in business, or when any conditions prescribed by law for granting it no longer exist.

If the capital stock of any fire or marine company, after the company is charged with all debts and claims against it and the sum



required by law for a re-insurance fund is impaired to the extent of twenty per centum, the Commissioner shall give notice to the company to make good its whole capital stock within sixty days; and if this is not done he shall require the company to cease to do business in this State.

If any life insurance company has not on hand the net value of all its policies in force, ascertained as required by law, after providing for all debts and claims against it, exclusive of capital stock, the Commissioner shall publish the fact that the then existing condition of the affairs of such company is below the standard of legal safety established by the laws of this State, and shall require the company at once to cease doing new business.

**Fire and Marine.**—Every company must have a capital stock paid in not less than two hundred thousand dollars, or having a capital stock less than that sum and more than one hundred thousand dollars, must have a surplus over all liabilities sufficient to amount with its capital stock to said sum of two hundred thousand dollars. This provision shall not apply to companies authorized to do business in this State at the time of the passage of the act, until the first day of May, A.D. 1881.

Annual statements must be filed on the first day of January in each year, or within sixty days thereafter, showing the condition and business of the company on the preceding thirty-first day of December.

The re-insurance fund is computed a fifty per centum of all premiums received on unexpired fire risks having less than one year to run, and pro rata of all premiums received on unexpired fire risks that have more than one year to run; the entire premium received on unexpired marine and inland navigation risks. Every policy which contains a reference to the application of the insured, or the constitution, by-laws, or other rules of the company, either as part of the policy or having any bearing thereon, must have attached thereto correct copies of the application or of such constitution, by-laws, or rules, and unless so attached such application, constitution, by-laws, or rules shall not be considered a part of the policy or received in evidence.

**Life.**—Annual statements must be filed on the first day of January in each year, or within sixty days thereafter, showing the condition and business of the company on the preceding thirty-first day of December.

Valuations are made upon the basis of the Actuaries' Table of Mortality, with interest at four per centum per annum.

The Commissioner is required to annually calculate the premium reserve of every company which does not furnish, on or before the first day of March in each year, a certificate from the Insurance Commissioner of the State under whose authority the company is organized, showing the value of all the policies in force in the company on the preceding thirty-first day of December, calculated on the basis required by the laws of this State, and stating that after all the debts of the company and claims against it were provided for, it had in safe securi-

ties an amount equal to the net value of all its policies in force, and that the company was entitled to do business in its own State. Every company that fails to promptly furnish such certificate shall make full detailed lists of its policies and securities to the Commissioner, and pay all charges and expenses consequent on not having furnished such certificate. Every policy which contains a reference to the application of the insured, or the constitution, by-laws, or other rules of the company, either as a part of the policy, or as having any bearing thereon, must have attached thereto correct copies of the application, or of such constitution, by-laws, or rules, and unless so attached the same shall not be considered a part of the policy, or received in evidence.

**Foreign.** — Annual statements other than those relating to business in the United States must be filed on or before the first day of July in each year, showing the condition and business of the company on the preceding thirty-first day of December.

**Fees.** — For filing certified copy of charter, twenty-five dollars.  
For filing annual statement, or certificate in lieu thereof, twenty dollars.

For each certificate of authority and certified copy thereof, two dollars.

For every copy of any paper filed in the department, twenty cents per folio; and for affixing the official seal to such copy and certifying the same, one dollar.

For valuation of life insurance policies, not exceeding three cents for each one thousand dollars of insurance valued.

For official examinations of companies, the actual expenses incurred.

If the necessary expenditures of the department exceed the amount of fees collected, such excess shall be annually assessed by the Commissioner in just proportion upon all insurance companies doing business in this State.

Reciprocal provision.

**Taxes.** — Every company authorized to transact business in this State shall annually, in the month of January, report to the Commissioner, under the oath of its president or secretary, the entire amount of premiums received by such company in this State during the year ending on the preceding thirty-first day of December, and pay into the State Treasury a tax of two per centum on such premiums.

**Penalties.** — Any company neglecting to make or transmit any statement required shall forfeit one hundred dollars for each day's neglect.

Any person transacting business for any company without procuring a certificate of authority, and every company doing business without complying with the requirements of law, shall forfeit and pay the sum of five hundred dollars for each month and fraction thereof in which such illegal business is transacted.

## ASSESSMENT INSURANCE.

**Admission.** — Assessment companies of other States must deposit with the Insurance Commissioner a certified copy of its charter or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by the president and secretary or like officers, showing a detailed account of the expenditures and income, the amount of insurance in force, its assets and liabilities in detail, and a certificate sworn to by the president and secretary or like officers, setting forth that it has paid and has the ability to pay its policies or certificates to the full limit named therein, a certificate from the Insurance Commissioner or from a judge or clerk of a court of record of its home State, certifying that corporations or associations insuring lives on the assessment plan, and paying policies in full, or providing accident, indemnity, and chartered under the laws of Pennsylvania, are legally entitled to do business in its home State, a copy of its policy or certificate of membership, applications, and by-laws, which must show that death losses are, in the main, provided for by assessment upon surviving members, and it shall legally designate a person or agent residing in this State to receive service of process for said company, or in default of such designation, service of process may be made upon the Insurance Commissioner of this State, who shall be deemed its attorney for that purpose.

**Annual Statements.** — Annual statements must be made to the Insurance Commissioner, under oath, before the first day of March, of each year, a statement such as is required from like companies organized within this State, and answer such interrogatories as the Insurance Commissioner, who shall furnish a blank for the purpose, may make, in order to ascertain its financial character and condition. In the event of its failure to make such statement, on or before the first day of March of each year, the Commissioner shall revoke its license, and thereafter, until such statement is made, it will be deemed to be doing business unlawfully in this State.

**Fees.** — For filing each annual statement, twenty dollars.  
For license to do business, twenty-five dollars annually.

**Penalties.** — Any officer, agent, or employee doing business for a company which has not complied with the law is deemed guilty of a misdemeanor, and shall be subject on conviction to a fine of not more than five hundred dollars and imprisonment not more than ninety days.

Fraternal societies are not subject to this law.

## RHODE ISLAND.

[Legislature meets semi-annually. Next session, Jan. 28, 1890.]

WILLIAM C. TOWNSEND, *Insurance Commissioner*, PROVIDENCE.

**Admission.**— Every company desiring to transact business in this State, before admission must file with the Commissioner:—

A certified copy of its charter.

A statement signed and sworn to by the president and secretary of the company, showing the condition and affairs of the company.

Every company shall appoint the Insurance Commissioner of this State its attorney, with authority to accept service of process against such company in this State, and upon whom all lawful process against such company in this State may be served. A copy of such power of attorney, duly certified and authenticated, shall be filed with the Commissioner.

Companies admitted to do business in the State shall make contracts of insurance only through lawfully constituted and licensed agents.

**Certificates and Agents.**— Every agent before transacting business for any company shall give bond to the general treasurer, with two or more sureties to be approved by him, in the sum of two hundred dollars at least, conditioned to make the annual returns and pay the taxes prescribed by law.

No such agent doing business in any town in this State shall establish a branch agency in any other town.

Every person who acts or aids in any manner in negotiating contracts of insurance or re-insurance, or placing risks, or effecting insurance or re-insurance for any person other than himself, and receiving compensation therefor in any insurance company not incorporated under the authority of this State, and who is accountable to any agent in this State of such insurance company for premiums received, shall be known and designated as a sub-agent. No person shall act as a sub-agent of any life insurance company not incorporated under the authority of this State, until he has procured from the Insurance Commissioner a certificate of authority so to act, for which he shall pay two dollars to and for the use of the State. Such certificate shall continue in force until the first day of January next after the date thereof, and shall authorize the person named therein to negotiate contracts of insurance or re-insurance for the agent of any one life insurance company not incorporated under the authority of this State, duly authorized to do business therein; provided, such agent has, according to law, given bond to make returns and pay taxes, and has complied with all the other requirements of law.

**Examinations.**— The Commissioner may, when he shall deem it important for the safety of the policy-holders, visit and examine the condition of any company doing business in this State.

**Fire and Marine.**— Every company shall possess a capital of one hundred thousand dollars.

Every fire company shall file its annual statement on the first day of January in each year, or within thirty days thereafter, showing its business and its exact condition on the preceding 31st day of December.

Every marine company shall file its annual statement on the first day of January of each year, or within thirty days thereafter, showing its business and condition on the preceding 31st day of December. The Commissioner shall annually in the month of February publish in pamphlet form an abstract of the statements filed in his office; the expense thereof to be paid by the companies.

**Life.** — Every company must possess one hundred thousand dollars in good and safe stocks or securities, and deposit the same with the Auditor, Comptroller, or chief financial officer of the State by whose laws the company is incorporated, and furnish the general Treasurer with the certificate of such officer, under his hand and official seal, showing that he holds such stocks and securities in trust and on deposit for the benefit of all the policy-holders of such company, giving the items of such securities, and stating that he is satisfied that such securities are worth one hundred thousand dollars.

Annual statements shall be filed on the first day of January in each year, or within thirty days thereafter, showing the business and the exact condition of the company on the preceding 31st day of December.

The agents of such company shall publish an abstract, to be approved by the Insurance Commissioner, of its statement in some newspaper printed in the county in which he has his place of business, once a week for three weeks successively in the month of March.

**Fees.** — Upon the deposit of charter and preliminary statement, there shall be paid the sum of thirty dollars for filing charter, and twenty dollars for filing statement.

For filing annual statement, twenty dollars.

For certificate to agent, two dollars.

For copy of service of process, two dollars.

For examination of companies, the actual expenses incurred.

Reciprocal provision.

**Taxes.** — Every agent shall, during the month of January in each year, make returns to the general Treasurer of the amount insured or procured to be insured by him in this State during the year preceding and of the amount of premiums received and assessments collected during the same period, and shall at the same time pay to the general Treasurer a tax of two per cent. on the amount of such premiums and assessments.

Reciprocal provision.

**Penalties.** — Every person acting as agent for any company within this State respecting the issue of any policy of insurance, when such company has not complied with the requirements of law, shall be fined not less than three hundred dollars, nor more than one thousand dollars.

Any agent of any company doing business without complying with the requirements of law shall be fined one thousand dollars.

Every agent refusing or neglecting to answer any interrogatories of the Commissioner for thirty days shall be fined one thousand dollars.

## ASSESSMENT INSURANCE.

**Admission.**—As a condition precedent to doing business, each company must deposit with the Insurance Commissioner a certified copy of its charter; a statement under oath of president and secretary of its business for the preceding year, and that it is paying and for the preceding year has paid the maximum amount named in its policies; a copy of its policy or certificate and application, which must show that benefits are provided for by assessments; evidence that the corporation has one hundred thousand dollars safely invested in real estate or other securities at or above par. It must also appoint the Insurance Commissioner its attorney to accept service. All beneficiaries under certificates must have an insurable interest. Companies must also provide in contracts for an emergency fund.

**Annual Statements** must be made in the month of January for the year ending December 31st.

**Fees.**—The same fees are charged as for other insurance companies.

**Penalties.**—Agents are subject to fine of one thousand dollars for non-compliance with the law, or for soliciting for unauthorized companies.

The law does not apply to secret or benevolent societies.

## SOUTH CAROLINA.

[Legislature meets annually in November.]

T. S. VERNER, *Comptroller-General*, WINTHROP WILLIAMS, *Chief Clerk in Charge of Insurance Department*, COLUMBIA.

**Admission.**—Every company desiring to transact business in this State, before admission must file with the Comptroller-General—  
A certified copy of its charter.

A statement, under the oath of the president or secretary of the company, showing the capital stock, assets, and liabilities of the company, which statement shall be published.

A certified copy of the vote or resolution of the trustees or directors of such company appointing an agent or attorney of the company, accompanied by a warrant of appointment under the seal of the company and signed by the president and secretary, which vote and appointment shall contain a provision consenting that process of law may be served on such agent for all liabilities of every nature incurred in this State by the company, and that such service shall be valid and binding upon the company, and that such appointment shall be irrevocable until another is made.

**Certificates and Agents.**—It shall not be lawful for any insurance company not incorporated under the laws of this State, or any agent of such company, to take risks or transact any business of insurance in this State without first obtaining a license from the Comptroller-General, which license shall serve throughout the State, and authorize such company, or agents thereof, to take risks or transact any business of insurance in each and every county of this State, and the same shall be granted so as to expire on the 31st of March of each year; said license shall give the company the power and authority to appoint any number of agents to take such risks, or transact any business of insurance, in each and every county of the State; *provided*, the Comptroller-General is notified of such appointment before the said agents take any risks or transact any business as aforesaid, giving the post-office address, residence, and a certified copy of the resolution appointing each agent, or agents, duly signed by the president and secretary of such company.

Any person who shall transact any business of insurance in this State for any company of the United States or foreign state, not incorporated by the laws of this State, without having first obtained license by law required, or after his license has been withdrawn, or shall in any way violate the foregoing provisions in relation to licenses of insurance companies or agents thereof, shall, upon conviction in any court of competent jurisdiction, be fined for every such offense not more than one hundred dollars.

Licenses are not transferable.

**Fire, Marine, and Life.**—Annual statements must be filed with the Comptroller-General, and published.

Life companies that shall receive premiums on any policy for two years shall be deemed to have waived any right to dispute the truth of the application for insurance, and the application shall be taken to be true. Such companies are authorized at any time within two years to apply to vacate any policy on the ground of falsity of representations in the application.

**Fees.**—For every license or certificate issued to any company, fifty dollars.

**Taxes.**—Each agent shall annually, between the first of May and the twentieth of June, return to the Auditor of the county in which such agency is located a sworn statement of the gross receipts of such agency for the year ending on the 31st day of December in each year, together with all the value of any personal property of any company situated at said agency, and shall be charged with taxes on the amount so returned at the place of said agency. Agents are personally responsible for this tax.

Columbia imposes a license tax of fifty dollars for the first thousand dollars in premiums and thirty dollars for each additional thousand.

**Penalties.**—Every person or corporation violating any of the provisions of law relating to insurance shall be subject to a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense.

## ASSESSMENT INSURANCE.

Assessment companies must comply with the insurance laws. The application must contain a certified copy of the company's charter or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by the president and secretary, or like officers, showing a detailed account of the expenditures and income, the amount of insurance in force, its assets and liabilities in detail, and a certificate sworn to by the president and secretary, or like officers, setting forth that it has paid, and has the ability to pay, its policies or certificates to the full limit named therein; a certificate from the Insurance Commissioner, or a judge or a clerk of a court of record of its home State, certifying that corporations and associations insuring lives or property on the assessment plan and paying policies in full, or providing accident indemnity, and chartered under the laws of this State, are legally entitled to do business in its home State; a copy of its policy or certificate of membership, application, and by laws, which must show that all losses by death or fire and all accidents are, in the main, provided for by assessment upon all surviving members.

After any such company or association shall have been authorized to do business in this State, it shall make annually to the Comptroller-General, under oath, before the 31st day of March of each year, a statement such as is required by the insurance department of the home State, and answer such interrogatories as the Comptroller-General may make, in order to ascertain its financial character and condition; and in the event of the failure of any company or association to make such statement on or before the 31st day of March of each year, the Comptroller-General shall revoke its authority and decline to issue license to any of its agents; and until such statement is made, any agent doing business for such company or association shall be deemed to be violating the insurance laws of the State.

## TENNESSEE.

[Legislature meets biennially. Next session, January, 1891.]

M. F. HOUSE, *Insurance Commissioner*, NASHVILLE.

**Admission.**— Every company desiring to transact business in this State, before admission must file with the Commissioner —

A certified copy of its charter, or deed of settlement.

A statement of its condition on the 31st day of December, preceding, subscribed under oath, by the president and secretary, or other chief officer of the company.

A written instrument under seal of the company, and signed by the president and secretary, authorizing the Secretary of State in case of life companies and the Insurance Commissioner in case of all other companies to acknowledge service of process for and in behalf of the company, and consenting that service of process on the Secretary of State or Insurance Commissioner, as the case may be, shall be taken and



held as valid as if served upon the company, and waiving all claim of error by reason of such service.

*Certificates and Agents.* — Every company shall certify to the Commissioner the names of all agents appointed in this State, and the Commissioner shall issue a certificate of authority to such agents, authorizing them to transact business for such company. Every life insurance company shall procure a license from the Insurance Commissioner.

All certificates and licenses shall be renewed annually in January.

Agents of all companies, except life, shall deposit a copy of the certificate of authority, duly certified, with the clerk of the county in which the office of the agent is located.

It shall not be lawful for any person or persons to act as agent, or solicit risks, or in any way, directly or indirectly, to transact the business of insurance without first obtaining a certificate of authority from the Commissioner, and depositing a certified copy of such license in the office of the clerk of the county in which the office or place of business of such agent or agents may be established.

The Insurance Commissioner is authorized to issue to any duly authorized agent of the State, in consideration of the yearly payment of fifty dollars, in counties of fifty thousand population, or more, and twenty-five dollars in counties of less population, fee to the Commissioner, a license which shall be renewed annually on the first of January each year, and subject to revocation at any time, permitting the person or firm named in said license to act as agent or agents, and procure policies of fire insurance for themselves or others on property in this State in companies which have not complied with the laws of the State; but before any person, or firm, shall act as agent or agents, under or by virtue of said license, and procure policies in said companies, he or they shall execute an affidavit in duplicate, one of which shall be filed with the insurance department, and the other in the county court clerk's office of the county in which the property proposed to be insured is located, setting forth that the person or corporation desiring insurance is unable to procure the amount of insurance required to protect the said property owned or controlled by the said person, firm, or corporation, from the insurance companies duly authorized to transact business in this State. The agent or agents who, by virtue of said license shall place any such insurance or procure policies in any such unrepresented companies, shall keep a separate account thereof, open at all times to the inspection of the Superintendent or Commissioner of insurance, showing (1) the exact amount of such insurance placed for any person, firm, or corporation; (2) gross premiums charged thereon; (3) in what company or companies; (4) the date of the policy, and (5) the term thereof. Each person or firm receiving such license shall before transacting business, as herein authorized, execute and deliver to the Insurance Commissioner a bond to the State in the penal sum of one thousand dollars, with such sureties as the Commissioner shall approve, with a condition that said agent will faithfully comply with all the requirements of this act, and will pay to the said Commissioner in January and July of each year the sum of two dollars and fifty cents upon the hundred dollars, and at that

rate upon the amount of gross premiums charged to policy-holders upon all policies procured by such agent during the preceding months pursuant to this act. It is further provided, that all fire insurance policies issued to residents of this State on property located herein by companies that have not complied with the requirements of the general insurance laws of the State shall be null and void, and of no effect or force whatever, except such as have been procured in the manner of this act provided.

**Examinations and Impairments.**—The Commissioner, whenever he shall deem it expedient, may examine into the affairs of any company transacting business in this State. If it shall appear from such examination that the affairs of such company are in an unsound condition, the Commissioner shall revoke all authority to such company or its agents to do business in this State, and cause a notification thereof to be published at least three times in some newspaper of general circulation.

A fire or marine company is in an unsound condition whenever its capital stock, after the company is charged with its proper liabilities and a re-insurance fund, as provided by law, is impaired more than twenty per cent.

A life company is in an unsound condition if it does not possess assets necessary to provide for all outstanding and unpaid debts and claims, and to provide a re-insurance reserve computed as required by law.

**Fire and Marine.**—Every company must possess at least two hundred thousand dollars, cash capital, of which one hundred thousand dollars shall be invested in United States bonds, or bonds of one or more of the States, or other good securities to be certified as such by the Insurance Commissioner of the State in which the company is organized.

Annual statement must be filed on the 31st day of December in each year, or within thirty days thereafter, showing the condition of the company on the said 31st day of December.

The re-insurance fund is computed at fifty per cent. of all premiums on unexpired risks having not more than one year to run, and *pro rata* of premiums on risks having more than one year to run.

**Life.**—Every company must possess actual cash assets to the amount of one hundred thousand dollars, invested as required by the laws of the State where it is organized, and must furnish the Commissioner a certificate from the proper officer of the State where located, showing that he holds securities of the value of one hundred thousand dollars on deposit for the security of the policy-holders of the company.

Annual statements shall be filed on the thirty-first day of December in each year, or within thirty days thereafter.

The Commissioner shall annually value all the policies outstanding in every life company doing business in this State, which does not furnish him a certificate of valuation, under the seal from the Commissioner or Superintendent of the State by whose laws it is incorporated, showing the existing values of all outstanding policies.

All valuations made by the Commissioner shall be upon the basis of the American Experience Table of Mortality, with interest at four and one-half per cent. per annum. The stock, or non-participating policies of such company may be valued upon the basis of said Table, with interest at six per cent. per annum.

**Foreign.**— Every foreign company shall file with the Commissioner a certificate under the hand and official seal of the chief financial officer of some other State, showing that he holds on deposit and in trust for the benefit of all the policy-holders of such company in the United States, stocks and securities to the value of two hundred thousand dollars.

**Licenses.**— Reciprocal provision.

**Fees.**— Fire and Marine.

For filing copy of charter or deed of settlement, ten dollars.

For filing annual statement, twenty-five dollars.

For filing additional or supplemental statement, ten dollars.

For each certificate of authority, six dollars.

For copies of any paper on file, twenty cents per folio, and for affixing seal of office and certifying the same, one dollar.

For cost of valuation, not exceeding three cents on each thousand dollars of insurance valued.

For making examinations, the actual expenses incurred.

Life companies shall pay the Commissioner fifty dollars for examining and filing annual statement, and six dollars for each certificate of authority.

Reciprocal provision.

**Taxes.**— Each fire or marine company shall, on the thirtieth day of June and December in each year, report, under the oath of the president and secretary, or other chief officers of such company, the total amount of premiums received in this State, within the six months last preceding, and at the same time shall pay into the State treasury the sum of two dollars and fifty cents on each one hundred dollars of such premiums. Life companies shall make a like return on the first days of January and July, and pay a tax of two and one-half per cent. upon such premiums.

Reciprocal provision.

**Penalties.**— Every agent doing business for any company without a certificate of authority from the Commissioner, or who continues business when authority is revoked, shall be subject to a penalty of five hundred dollars for each offense.

Every company failing to make returns and pay taxes as required by law shall forfeit and pay to the State five hundred dollars.

#### ASSESSMENT INSURANCE.

Assessment companies must file a statement, verified by the oath of the president and secretary thereof, setting forth that such company has a mortuary or reserve fund on hand not less than the maximum

or largest policy or certificate issued by such company and in force at the time such statement is made. Such company shall be licensed to do business in this State until it has not less than two hundred members holding its policies or certificates.

It shall file with the Commissioner of Insurance a certified copy of its charter or articles of incorporation, and shall make, annually, on the first day of January, a statement to said Commissioner, showing its financial condition, embracing the number of policies or certificates issued or risks written, the premiums or amounts received thereon, the losses or death claims incurred, and the amounts paid on the same, and the Commissioner of Insurance shall charge a fee of ten dollars for filing such report; and the Commissioner aforesaid shall be allowed to charge the further sum of three dollars for each certificate or license issued at the request of the company to agents to do business in this State, and such payment shall be in lieu of all license tax, whether State, county, or municipal, to be required of such agent.

Any person, company, or agent, who shall solicit applications, or offer to issue policies or certificates of insurance, or shall procure and deliver policies or certificates in any such company or organization without taking out license as provided in this act, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than double the tax aforesaid, and for the further enforcement of this act, it shall be the duty of the sheriffs, constables, or justices in the several counties to arrest, or have arrested, persons violating the same, who shall be bound over to the circuit or criminal court.

Assessment companies shall pay a privilege tax of one hundred dollars per annum, in lieu of all other taxes.

Charitable or benevolent associations or orders are exempt from this law.

## TEXAS.

[Legislature meets biennially. Next session, January, 1891.]

L. L. FOSTER, *Insurance Commissioner*, AUSTIN.

**Admission.**— Every company desiring to transact business in this State before admission must file with the Insurance Commissioner —

A duly certified copy of its charter and by-laws, with all amendments; name and residence of each of its officers, directors, and members.

A statement under oath of the president or vice-president and secretary of the company, showing the condition and business of the company.

A written instrument under the seal of the company, signed by the president and secretary, and authorized by resolution of the directors in case of fire and marine companies, appointing some person in this State its attorney upon whom all service of process may be made in any action against said company in this State. In case of life companies such written instrument shall authorize service to be made upon any duly appointed agent in this State.

**Certificates and Agents.**—Every insurance company shall procure from the Commissioner, before transacting business, a certificate of authority, which shall be renewed annually at the time of filing the annual statement.

Such certificate shall be published for three successive weeks in two newspapers printed in the State, having general circulation. The first publication must be made within thirty days after issue of certificate, and evidence of the publication must be filed with the Commissioner.

All agents, before transacting business for any company in this State, shall procure from the Commissioner a certificate of authority, which shall be renewed annually on the first day of January, or within sixty days thereafter.

**Examinations and Impairments.**—The Commissioner, when he deems it expedient, may examine into the condition and affairs of any company doing business in this State, and if he is satisfied that the affairs of any company are in an unsound condition he shall revoke the certificate granted in behalf of such company, and publish notice thereof in one or two newspapers published in this State.

A fire or marine company is in an unsound condition if, after charging it with a re-insurance fund and its proper liabilities, its capital stock is impaired twenty-five per cent.

**Fire and Marine.**—Annual statements must be filed on the first day of January or within sixty days thereafter. Every such company must possess an actual paid-up capital of one hundred thousand dollars, exclusive of any assets deposited in any State or territory for the special benefit of the insured therein.

The re-insurance fund shall be computed at fifty per cent. for one year, and *pro rata* for term risks of all premiums on unexpired fire risks, and the entire premium on unexpired marine and inland risks. If any company fails to pay any execution against it, on a valid final judgment in this State, for thirty days, the certificate of the company shall be revoked, and it shall not be permitted to transact further business in this State until such execution is paid.

A fire insurance policy, on real property, in case of a total loss by fire of property insured, shall be held to be a liquidated demand against the company for the full amount.

**Life.**—Every company shall possess at least one hundred thousand dollars of actual capital invested in stocks, bonds, and mortgages, or other satisfactory securities of the market value of at least one hundred thousand dollars. Every such company organized in any foreign country shall furnish a certificate that it has one hundred thousand dollars on deposit with the proper officer of some other State of the United States, or shall make such deposit with the Treasurer of this State.

Annual statements shall be filed on the first day of January, or within sixty days thereafter. If any company fails to pay any claim arising under any policy, within the time specified in such policy, it shall in addition thereto pay not more than twelve per cent. on the

amount thereof, and reasonable attorney's fees for the prosecution of the claim against the company. If such company fails to pay any execution issued on final judgment, for thirty days, the certificate granted such company shall be void, and such company shall be prohibited transacting further business in this State until such execution is paid.

**Licenses and Taxes.**— Every life insurance company shall pay an annual tax of three hundred dollars, and in every county in which it does business, ten dollars.

Every fire and marine insurance company shall pay an annual tax of two hundred dollars, and ten dollars in every county in which it does business.

The cities and towns throughout this State have the power to levy taxes to the amount of one-half the State taxes. Any such company doing business for less than a year shall pay a *pro rata* amount of such taxes.

**Fees.**— FIRE AND MARINE.— For filing certified copy of charter, twenty-five dollars.

For filing annual statement, twenty dollars.

For each certificate of authority, one dollar.

For all copies of papers on file, twenty cents per folio, and one dollar for certifying the same and affixing the seal of office.

For valuing life policies, ten dollars for each million dollars of insurance valued.

For examinations, ten dollars per day and the actual expenses incurred, not to exceed two hundred and fifty dollars.

Reciprocal provision.

**Penalties.**— Every person violating any of the provisions of law relating to insurance is punishable by a fine of not less than five hundred dollars nor more than one thousand dollars.

#### ASSESSMENT INSURANCE.

By an act of the legislature of 1889, life or health companies doing business on the assessment or natural premium plan may be admitted to the State. Such companies must possess one hundred thousand dollars cash assets. Each company applying for admission under this act is required to furnish the department with a certificate from the Commissioner of the State in which its home office is located, showing that the company has been legally organized, is authorized to transact business in that State and is possessed of cash assets as above stated; also a certificate of the president and secretary of the company stating that the company is paying and has paid for the twelve months next preceding the date of application for admission, the maximum amount named in its policies.

Knights of Honor and substantially similar organizations excepted from the provisions of this act, and may be permitted to transact business in the State at the discretion of the Commissioner.

Fees same as for other insurance companies.

## UTAH.

[Legislature meets biennially. Next session, January 1, 1890.]

ELIJAH SELLS, *Secretary*, SALT LAKE CITY.

**Admission.** — Every company must file with the secretary of the territory, and with the probate judge of the county in which its principal office in the territory is located, within sixty days after commencing business —

A certified copy of its charter and by-laws, and of any amendments and alterations thereof. A designation of some person residing in the county in which its principal office is located in this territory, upon whom legal process may be served.

Each fire insurance company must have a capital paid-up of not less than two hundred thousand dollars. Must file with the Secretary a sworn statement, giving the name, locality, and financial condition of the company.

**Annual Statements.** — These must be made in the month of April, and shall be published by each company on or before the 30th day of April of each year, at least four times in some newspaper published in the territory and having general circulation therein.

**Licenses.** — A license fee, \$25, is required to be paid for the privilege of doing business in Salt Lake City.

**Fees.** — To the secretary —

For filing statements, five dollars.

For certificate of authority, five dollars.

For affixing certificate and seal, one dollar and a half.

**Penalties.** — Any person violating any of the provisions of law shall be guilty of a misdemeanor.

## VERMONT.

[Legislature meets biennially. Next session, 1st Wednesday in October, 1890.]

CHARLES W. PORTER and W. H. DU BOIS, *Insurance Commissioners*, MONTPELIER.

**Admission.** — Every company desiring to transact business in this State, before admission shall file with the Secretary of State —

A certified copy of its charter and by-laws.

A statement signed and sworn to by the president and secretary of the company, showing its capital, assets, and liabilities.

Every such company, by a written stipulation filed with the Secretary of State, shall agree that all lawful process against such company may be served upon the Secretary of State and shall have the same effect as if served personally upon the company. When process is

served on the Secretary of State it shall be served by duplicate copies, and one copy shall be immediately forwarded to the company.

**Certificates and Agents.**— Every company shall, before doing business, obtain a license from the Commissioners. Such licenses shall be renewed annually on the first day of April.

Every agent, before doing business for any company, shall file with the Commissioners a certificate of his appointment from the company or its general agent. The Commissioners shall thereupon issue a license to every such agent. Such license shall be renewed annually on the first day of April.

If any judgment remains unpaid thirty days after demand and notice to the Commissioners, the Commissioners may suspend the business of the company in this State.

**Examinations and Impairments.**— The Insurance Commissioners may at any time examine into the affairs and condition of any company doing or proposing to do business in this State. If in their opinion such company is in an unsound or failing condition, they shall revoke the licenses granted to such company and its agents, and publish notice thereof in every county in which the company has an agent.

No company can transact business in this State if its capital stock is impaired more than twenty per cent.

**Fire and Marine.**— Every stock company must have a paid-up capital of one hundred thousand dollars, not less than one-half of which shall be invested in cash securities other than mortgages on real estate, and in addition to such capital assets equal to its outstanding liabilities, re-insurance reckoned as below. Annual statements shall be filed on or before the first day of March in each year, showing the condition of the company the preceding 31st day of December. The re-insurance fund shall be computed at fifty per cent. of the premiums on unexpired fire risks and the entire premium on marine risks. Companies are liable for the acts and neglect of their agents, as between such companies and the insured. If not made so by law of their act of incorporation, their policies must contain a proviso to that effect.

**Life.**— Every life insurance company must possess not less than one hundred thousand dollars, and in addition assets equal to its liabilities, reserve reckoned on Actuaries' Table of Mortality with interest at four per cent.

Annual statements shall be filed previous to the first day of March in each year, showing the condition of the company the preceding 31st day of December.

Rebates to the assured in any form are prohibited after January 1, 1889.

**Taxes.**— Every insurance corporation of another State must pay annually in the month of February, and before the tenth day, a tax of two per cent. upon all premiums and assessments received in the State for the year ending the thirty-first of December preceding, deducting from the gross premium re-insurances in authorized com-



panies, return premiums on canceled policies, unused balances of premium notes, and dividends to policy-holders.

Reciprocal provisions.

**Fees.** — For filing annual statement, twenty dollars.

For company's license, five dollars.

For agent's licenses, one dollar.

**Penalties.** — Any violation of the act relating to insurance is punishable by a fine not exceeding two thousand dollars.

Agents transacting business for unauthorized companies, subject to fine of not more than five hundred dollars.

#### ASSESSMENT INSURANCE.

Every company desiring to do business must comply with the life insurance laws; except that mutual accident companies may be admitted with assets or a reserve fund applicable to the payment of losses to the amount of fifty thousand dollars.

### VIRGINIA.

[Legislature meets biennially. Next session, December 4, 1899.]

MORTON MAYRE, Auditor of Public Accounts, RICHMOND.

**Admission.** — Every company, before transacting business in this State, shall deposit with the Treasurer bonds of the State of Virginia, or bonds of the United States, or bonds of the cities of Richmond, Petersburg, Lynchburg, Norfolk, Alexandria, or Danville, to the amount of five per centum of its capital stock; such deposit to be not less than ten thousand dollars nor more than fifty thousand dollars.

Such deposit shall be accompanied by a statement, under oath, of the amount of capital stock of such company.

Every such company, by a written power of attorney, shall appoint some person, a resident and citizen of this State, its agent or attorney, who shall accept service of all lawful process against such company in this State, and cause an appearance to be entered in any action against it.

In case of the resignation or removal from the State of such attorney, until his successor shall be appointed, service of process may be made on the Auditor of State in the same manner and with the same effect as on such attorney.

A copy of such power of attorney duly certified and authenticated shall be filed with the Auditor.

Every such company, through its attorney, shall give bond to the Auditor with two or more sureties, in a sum not less than one thousand dollars, nor more than five thousand dollars, conditioned to make returns and pay taxes as required by law.

**Licenses.**— Any company, upon making the deposit required by law, shall receive from the Treasurer a receipt therefor, and upon the payment into the treasury of a specific license tax of two hundred dollars shall receive a license to transact business in this State. Such license tax shall be paid and license renewed annually, before the fifteenth day of January. For fractions of year the license is *pro rata*.

**Fire, Marine, and Life.**— The Auditor is authorized to make a valuation of policies outstanding in any life company incorporated by this State, upon the basis of the American Experience Table of Mortality, with interest at four and one-half per cent. per annum.

If the insurance department of any other State refuses to receive as sufficient the valuation made by the Auditor of the policies of any company of this State, doing business in such other State, then the policies outstanding in any company of such other State shall be specially valued at the expense of the company under the direction of the Auditor, before such company shall be permitted to transact business in this State.

Annual statements shall be filed with the Auditor on or before the 31st day of March in each year, showing the condition of such company on the last day of its fiscal year, and shall be verified by the oath of its president and secretary. Such statement shall be published for six days in one of the newspapers published in Richmond, at the expense of the companies. All conditions and restrictive provisions in every policy of insurance shall be printed in long primer type or written with pen and ink in or on the policy.

**Taxes.**— Every company shall certify to the Auditor under the oath of its chief accounting officer or principal agent in this State, between the first and thirty-first days of January in each year, the gross amount of all premiums collected in this State, and shall immediately pay into the treasury of the State a tax of one per cent. thereon.

Reciprocal provision.

**Penalties.**— Every person who shall act as agent for any company that has not complied with the requirements of law shall forfeit a sum not exceeding one thousand dollars, nor less than three hundred dollars, for each offense.

For failure to pay taxes five per cent. a month during the continuance of such failure.

## WASHINGTON TERRITORY.\*

O. C. WHITE, *Secretary.*

**Admission.**— Companies must file and record in the office of the secretary of the territory a certified copy of its charter or articles of incorporation, and shall appoint an agent and attorney at its principal place of business in the territory and file and record such appointment with the secretary.

\*Legislature of new State now in session.

Agents carrying on business contrary to law are guilty of a misdemeanor, to be punished by a fine not exceeding two hundred dollars, or by imprisonment, or both.

## WEST VIRGINIA.

[Legislature meets biennially. Next session, second Wednesday in January, 1891.]

PATRICK F. DUFFY, *State Auditor*, CHARLESTON.

**Admission.** — Every company desiring to transact business in this State, before admission must file with the Auditor —

A statement of the condition of the company, under the oath of the president or secretary.

A power of attorney duly acknowledged and authenticated, appointing some person residing in this State to accept service of process and notice in this State for such company, and consenting that service of any process or notice upon such person, or his acceptance of service, shall have the same effect as service on the company.

**Certificates and Agents.** — Every company and its agents must procure from the Auditor a certificate of authority, and cause the same to be published in some newspaper of general circulation, published in this State, and cause a copy of such publication to be filed in the office of the circuit court in each county where said company does insurance business. Such certificates shall be renewed annually, and annually published and filed as aforesaid.

**Examinations.** — The Auditor is authorized to examine the affairs of any company doing business in this State. Whenever it shall appear to his satisfaction that the affairs of any such company are in an unsound condition, he shall revoke the certificate of authority granted in behalf of such company and cause notification thereof to be published in some newspaper of general circulation, published at the capital of this State.

**Fire, Marine, and Life.** — Every company must possess at least one hundred thousand dollars actual capital, invested in safe securities.

Annual statements shall be filed in the month of January, in each year, showing the condition and affairs of the company on the preceding 31st day of December.

**Fees.** — For filing and examination of statement, ten dollars.  
For each certificate of authority, five dollars.  
Reciprocal provision.

**Taxes.** — Every company doing business in this State shall, at the time of filing annual statement, pay into the State treasury a tax of two per centum upon the gross amount of premiums collected in this State during the preceding year.

Every life insurance company which shall invest in this State the whole amount of its net receipts from its business therein shall pay only one half of such tax. The city of Wheeling is authorized to impose a tax of one-half of one per cent. semi-annually upon premium receipts in said city. Agents are required to procure from the City Clerk a certificate of authority before doing business, and to make return and pay to the city said tax on or before the fifteenth days of January and July in each year, on all such premium receipts for the six months ending on the preceding first days of July and January.

**Penalties.**— Every company or agent required to make return or payment of taxes or fees who shall fail to do so, or knowingly make a false return, shall forfeit not less than twenty nor more than two hundred dollars for every such offense, and any officer or agent of any insurance company who shall make, renew, or negotiate, in this State, any insurance or contract for insurance for, or in the name of, any company which has not fully complied with the requirements of the laws relating to making the annual statement or paying taxes, shall forfeit fifty dollars for every such offense.

## ASSESSMENT INSURANCE.

**Admission.**— Assessment companies must appoint an attorney; must satisfy the Auditor that they do not issue certificates on persons over sixty-five years of age; that they are authorized to do business in the State of their incorporation; that they are paying and are able to pay certificates in full; that they pay no benefits except for death (or at the end of a stipulated period of years) or accident, and do no other business.

**Annual Statements** must be filed with Auditor on or before March first, showing condition December thirty-first preceding.

**Fees.**— To Auditor for filing each statement ten dollars, and twenty-five dollars for each certificate of authority.

**Penalties.**— Agents doing business for unauthorized companies, subject to a fine of one hundred dollars for each offense.

## WISCONSIN.

[Legislature meets biennially. Next session, second Wednesday in January, 1891.]

PHIL CREEK, JR., *Insurance Commissioner*, MADISON.

**Admission.**— Every company desiring to transact business in this State shall, before admission, file with the Insurance Commissioner—

A certified copy of its charter or deed of settlement.

A statement under the oath of the president, vice-president, or other chief officer, and secretary of the company, showing its affairs and condition.

A copy of the last report, if any made, under any law of the State by which the company was incorporated.

Every such company shall appoint in writing, the Commissioner of Insurance or his successors in office, an attorney, upon whom all lawful process can be served, with like effect as if said company existed in this State. Such written instrument, in case of fire companies, shall contain a provision that such company will not remove any suit against it in this State to the United States courts. A copy of such written instrument or power of attorney, duly certified and authenticated, shall be filed with the Insurance Commissioner. It is also provided that service of any process may be made on any agent of such company in this State, and such service shall be valid personal service upon such company.

**Certificates and Agents.**—Every insurance company shall, before transacting business, obtain from the Insurance Commissioner a license or certificate of authority, which shall be renewed annually.

Every agent shall, before doing business, procure from the Insurance Commissioner a certificate authorizing him so to do. Such certificate, in case of fire, marine, or inland companies, shall expire on the 31st day of January in each year, and in case of life companies on the first day of March in each year, and all such certificates shall be renewed annually.

**Examinations and Impairments.**—The Insurance Commissioner, whenever he shall deem it expedient, may examine into the condition of any company doing business in this State. Whenever he shall deem it for the best interest of the public, he shall publish the result of such examination in one or more papers in this State. If it shall appear from such examination that the affairs of any company are in an unsound condition, the Insurance Commissioner shall revoke the certificate granted in behalf of such company, and cause notification thereof to be published in the official State paper, and mail a copy thereof to each agent of the company.

No fire or marine company can transact business in this State if, after the company is charged with its proper liabilities, including its re-insurance fund, the capital stock of such company is impaired to the extent of twenty per cent. thereof, while such deficiency continues.

No life company can transact business in this State if its assets, after providing for all its liabilities, are not equal to its premium reserve, ascertained as required by law. No accident company if its capital is impaired to the extent of fifteen per cent.

**Fire and Marine.**—Every company transacting business in this State, must possess an actual cash capital of two hundred thousand dollars. But mutual companies may be admitted upon complying with the same rules and regulations as mutual companies of this State are required to comply with in order to do business in the State where such companies are organized.

Annual statements must be filed on the first day of January in each year, or within one month thereafter, showing the condition and affairs of the company on the preceding 31st day of December. Such state-

ment shall be published in the official State paper for two weeks, and in one daily paper of general circulation published in the City of Milwaukee.

When any insurance company or companies issue a policy of insurance against loss by fire upon the real property of any individual or incorporation in this State, and the property so insured shall be wholly destroyed, without criminal fault on the part of the assured, the amount of insurance written in said policy or policies shall be taken and deemed the true value of the property at the time of such loss and the amount of the loss sustained by the individual or corporation in whose favor the said policy was issued, and such amount shall be taken and deemed the measure of damages.

Advertisements must represent only such assets of the company as are held exclusively for the protection of holders of fire insurance policies, and every such advertisement which purports to show the financial standing of any company shall exhibit the capital actually paid in in cash, and the surplus of assets over liabilities, including in such liabilities capital actually paid in and the re-insurance reserve. Such statement of condition shall correspond with verified statement last filed with the Insurance Commissioner.

**Life and Accident.**—Every company must possess one hundred thousand dollars invested in safe securities approved by the Insurance Commissioner. Annual statements must be filed on or before the first day of March in each year, showing the condition and affairs of the company on the preceding 31st day of December.

The Insurance Commissioner shall calculate the value of the policies outstanding in any life company whose policies are not valued by the insurance department or proper officers of any other State. Such valuation by the Insurance Commissioner shall be made upon the basis of the American Experience Table of Mortality, with interest at four and one-half per cent. per annum. The re-insurance reserve of accident companies shall be fifty per cent. of gross premiums of all policies in force.

Accident insurance companies shall be possessed of a cash capital of one hundred thousand dollars, and shall deposit that amount with the insurance department of the State where organized, and shall file annual statements and pay the fees and taxes required of fire insurance companies.

The reserves of such companies shall be computed at fifty per cent. of the gross premiums upon all policies in force.

**Foreign.**—Every company shall file evidence with the Insurance Commissioner that it has on deposit with the proper official of some other State, or vested in trustees, citizens, and residents of the United States, two hundred thousand dollars, for the benefit and security of the policy-holders of such company residing in the United States. In default of such evidence, such company shall deposit with the State Treasurer bonds and stocks to the amount of fifty thousand dollars.

**License.**—Every fire or marine company shall procure a license, and shall pay as a license fee to the State Treasurer, on or before the

first day of February annually, the amount stated herein under the caption *Taxes*.

Life companies shall pay an annual license fee of three hundred dollars.

Reciprocal provision.

**Fees.**— For filing certified copy of charter, twenty-five dollars.

For filing annual statement, twenty-five dollars.

Each life insurance agent's certificate of authority, one dollar.

Each fire insurance agent's certificate of authority, two dollars.

For every copy of any paper filed in the office of the Insurance Commissioner, fifteen cents per folio; and for affixing the seal to such copy, and certifying the same, fifty cents.

For valuation of life policies, one cent for each one thousand dollars of insurance valued.

For examinations, the actual expenses incurred.

Reciprocal provisions.

**Taxes.**— Every fire or marine company in its annual statement shall state the gross amount of premiums received in this State for the preceding year, and shall before receiving its license pay to the State Treasurer a tax of two per cent. upon such premiums.

Every agent of any fire company, located in any incorporated city or village having an organized fire department, shall give bond to the treasurer of such department in the penal sum of one thousand dollars, with such sureties as such treasurer shall approve, conditioned that he will, on the first day of February in each year, render to such treasurer a correct statement, under oath, of all the premiums received by him for insurance against loss by fire in such city or village for the year ending on the preceding first day of January, and pay to such treasurer two dollars on every hundred, and at that rate, upon the amount of such premiums.

Every such agent shall pay said tax of two dollars on each one hundred dollars, on or before the first day of February in each year.

**Penalties.**— For doing business without certificate of authority, not less than fifty nor more than five hundred dollars.

For willfully making false statement, not less than five hundred dollars nor more than one thousand dollars.

#### ASSESSMENT INSURANCE.

Wisconsin has no laws regulating the admission of companies of other States except fraternal societies, and these are mentioned by name in the act exempting them from compliance with the insurance laws.

All so-called fraternal societies are required to file sworn statements on or before April 15th of each year.

All fraternal societies named in Wisconsin statutes as exempt from insurance laws, that are organizations of States other than Wisconsin, must appoint Commissioner of Insurance an attorney on whom process can be served.

Assessment accident associations admitted after examination on same terms as other accident companies, discretionary with Commissioner.

## WYOMING TERRITORY.

[Legislature meets biennially. Next session, January, 1890.]

M. N. GRANT, Auditor, CHEYENNE.

**Admission.**— Every company desiring to transact business in this territory shall possess an actual paid-up capital of not less than three hundred thousand dollars, and shall file with the Auditor—

Certified copy of its charter or deed of settlement.

A statement, under oath, of the president or vice-president and secretary, of its condition.

A power of attorney authorizing one agent in each county resident at the county seat to acknowledge service of process, and consenting that service on such agent shall be as valid as if served on the company.

**Certificates and Agents.**— Every agent shall procure a certificate of authority from the Auditor, showing that the company he represents has complied with the requirements of the law.

Every agent, in all advertisements, shall publish the location of the company and the actual paid-up capital and cash assets.

**Examinations and Impairments.**— The Auditor, whenever he shall deem it expedient, may appoint one or more persons to examine into the affairs and condition of any company doing business in this territory, or make such examination himself; and whenever he shall deem it for the best interest of the public he shall publish the results of such examination in one or more papers of the territory.

If it shall appear to the Auditor that the affairs of such company are in an unsound condition, he shall revoke the certificates granted in behalf of such company, and publish such revocation in some newspaper of general circulation published at the territorial capital. No company shall transact business in this territory if its capital is impaired to the extent of twenty per cent, while such deficiency shall continue.

**Fire and Marine.**— Annual statements shall be filed on the first day of January or within sixty days thereafter.

The re-insurance fund shall be computed at fifty per cent. of the premiums on all unexpired risks under one year, and *pro rata* on all other unexpired risks.

Every company shall receive a certificate from the Auditor showing that it has complied with the requirements of law, and shall publish the same in two newspapers of general circulation in the territory, one of which shall be published at the capital.

**Fees.**— For filing examination of application and issuing certificate, fifty dollars.

For filing annual statement, twenty-five dollars.

For every certificate of authority, one dollar.

For each copy of paper on file, fifteen cents per folio.

For certifying the same and affixing seal, fifty cents.

For examinations, the actual expenses incurred.



**Taxes.** — Every company shall be taxed upon the excess of premiums over losses and ordinary expenses within the territory during the year previous to the year of listing in the county where the agent conducts the business, at the same rate that other personal property is taxed. The agent shall render the list and be personally liable for the tax.

ASSESSMENT INSURANCE.

**Admission.** — Assessment companies must deposit with Auditor a certified copy of its charter or articles of incorporation ; a copy of its statement of business for the preceding year sworn to by its president and secretary or like officers, giving in detail expenses and income, indemnity in force, assets and liabilities, and number of members ; a certificate under oath of officers that an ordinary assessment is sufficient to pay its maximum certificate in full ; a copy of its policy or certificate of membership, application, and by-laws, which must show that death losses are provided for in the main by assessments upon surviving members ; shall designate a person or agent residing in the territory to accept service of process, or stipulate that such service may be made upon the Auditor.

**Annual Statements.** — Must be filed on or before April first in each year. On failure to file statement Auditor shall revoke certificate of authority.

**Examinations.** — The Auditor, as insurance commissioner *ex officio*, shall have power to examine companies whenever he shall have reason to doubt their solvency or the accuracy of their statements, or whenever they shall fail to pay the maximum amount of their certificates.

Companies are forbidden to grant certificates without insurable interest.

The law does not apply to secret benevolent societies.

**Fees.** — For admission, on filing papers, twenty-five dollars.  
For filing annual statement, ten dollars.

**Penalties.** — For doing business without compliance with law by agent, officer, or employee, a fine of not less than fifty nor more than a thousand dollars, or imprisonment, or both.

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