

charter, held on the 9th day of August A. D. 1856, is hereby declared to be as valid and effectual to all intents and purposes as it would have been if the act incorporating said city had expressly provided for such election; and all official acts of such officers or any of them are as valid as if they had been elected in pursuance of express enactment.

Repeal. SEC. 3. That all that part of section first, relating to the boundaries of said city, and the 24th section of the act to which this is amendatory, be, and the same are hereby repealed.

**Lunatic
lum.** **asy.** SEC. 4. No part of the land purchased by the State for the use of the Iowa State Hospital for the insane shall be embraced within said city, so as to subject the same to any city ordinance, rules or regulations whatever, or to any city tax that may hereafter be imposed by the authorities of said city.

SEC. 5. This act to take effect and be in force from and after its publication in the Mount Pleasant Observer and Home Journal, the expenses of the publication to be paid by the city of Mount Pleasant.

Approved January 28, 1857.

I certify that the foregoing act was published in the Mt. Pleasant Observer, Feb. 7, 1857.

ELIJAH SELLS,
Secretary of State.

CHAPTER 149.

INSURANCE COMPANIES.

AN ACT in relation to insurance companies.

**Insurance
companies.** SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be the duty of each and every insurance company, incorporated under the laws of this State for the purpose of insuring property against fire and marine losses, to file with the auditor of State, within sixty days from the taking effect of this act, and with the clerk of the district court of the county in which said company is

located, a full and specific statement of the amount of cash paid in upon said stock; the amount of stock not paid for in cash; the amount secured by notes endorsed by third parties; the amount secured by mortgages or pledges of real estate; the names and residences of the stockholders in said company, with the amount of stock owned or held set opposite the name of each, and if not all paid up in cash, the amount unsecured and the amount secured, specifying whether by real or personal security. Also set opposite the name of each, the names of all the officers and agents of the company wherever residing; the amount of policies issued by and outstanding against the company at the date of said report; the amount of premiums received by said company during the preceding six months; the amount of cash on hand; the amount of bills payable and receivable at the date of said statement; the amount of real estate owned by said company, where held and owned, in what manner, such real estate became vested in said company, which report and statement shall be verified by the oath of the president and secretary of the company.

SEC. 2. It shall be the duty of every such insurance company now created or that may hereafter be created, under the laws of this State, to file a semi-annual statement of the affairs of said company with the auditor of State, and with the clerk of the district court in the county where such company is located, on the first day of January and July in each year, which statement shall be verified by the oath of the president of the company. Such statement shall contain—

- 1st. The name and locality of the company.
- 2d. The amount of capital stock of said company.
- 3d. The amount of its capital stock paid up.
- 4th. The assets of the company including
 - 1st. The amount of cash on hand.
 - 2d. The amount of cash in hands of agents.
 - 3d. The real estate unincumbered.
 - 4th. The bonds and notes of the company, and how they are secured, with the rate of interest thereon, and whether given in payment of stock subscription, or for bona fide loans.
- 5th. Debts of company secured by mortgage.

Statement filed
semi-annually

Statement.

6th. Debts otherwise secured.

7th. Debts for premiums.

8th. All other securities.

5th. The amount of liabilities due or not due to banks or other creditors by the company.

6th. Losses adjusted and due.

7th. Losses adjusted and not due.

8th. Losses unadjusted.

9th. Losses in suspense.

10th. All other claims against the company.

11th. The greatest amount insured by any one risk.

Penalty for not
filing report.

SEC. 3. A failure to comply with the provisions of the two preceding sections shall subject the president and secretary of any company, each, individually, to the penalty of one hundred dollars, to be recovered in an action at law, in the name of any citizen of the State, one half of the same to the use of the State, and the other moiety to the use of the informer.

Cannot hold re-
al estate.

SEC. 4. It is declared unlawful for any insurance company in this State to purchase or hold any real estate, save what shall be necessary for the transaction of its legitimate business of insurance, and deeds and conveyances to said company for other purposes are hereby declared to be void.

Foreign cos.

SEC. 5. That it shall not be lawful for any agent or agents of any insurance company, incorporated by any other State than the State of Iowa, directly or indirectly to take risks, or transact any business of insurance in this State,

Certificate from
auditor.

without first procuring a certificate of authority from the Auditor of State, and before obtaining such certificate, such agent or agents shall furnish the Auditor with a statement, under oath, of the president or secretary of the company, from which he or they may act, which statement shall show

Statement to
auditor.

1st. The name and locality of the company.

2d. The amount of its capital stock.

3d. The amount of its capital stock paid up.

4th. The assets of the company, including,

1st. The amount of cash on hand, and in the hands of agents or other persons.

2d. The real estate unincumbered.

3d. The lands owned by the company, and how they

are secured, with the rate of interest thereon.

4th. Debts of the company secured by mortgage.

5th. Debts otherwise secured.

6th. Debts for premiums.

7th. All other securities.

*5th. The amounts of liabilities due or not due to banks or other creditors by the company.

6th. Losses adjusted and due.

7th. Losses adjusted and not due.

8th. Losses unadjusted.

9th. Losses in suspense, waiting for further proof.

10th. All other claims against the company.

11th. The greatest amount insured by any one risk.

12th. The greatest amount allowed in the rules of the company to be insured in any one city, town or village.

13th. The greatest amount allowed to be insured in any one block.

14th. The act of incorporation of such company, which statement shall be filed in the office of said auditor, together with a written instrument, under the seal of the company, signed by the president and secretary, authorizing such agent to acknowledge service of process for and in behalf of such company, 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 State, or any other State, and waiving all claims of errors by reason of such service, and no insurance company, or agents 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 thousand dollars of actual capital, invested in stocks of at least par value, or in bonds, or mortgages on real estate, worth double the amount for which the same is mortgaged, and upon filing the aforesaid statement and instrument with the auditor of State, and furnishing him with satisfactory evidence of such instrument as aforesaid, it shall be the duty of said auditor to issue a certificate thereof, with authority to transact business of insurance to the agent or agents applying for the same.

Act of incorporation.

Authority of agent.

Am't of capital

Character and value of stock.

Duty of auditor.

Sec. 6. It shall be unlawful for any incorporated com-

Foreign com-
panies.

pany or association, partnership, firm or individual, or any member or agent or agents thereof, or for any agent or agents of any company incorporated by any foreign government other than a State of this Union, to transact any business of insurance in this State, without procuring a certificate of authority from the auditor of State. Such company, association, partnership, firm or individual, or any agent or agents thereof, having first filed under oath in the office of said auditor, a statement setting forth the charter or act of incorporation of any and every such incorporated company; and the by-laws, copartnership, agreement, articles of association, of any and every such unincorporated company, association, partnership, or firm; and the name and residence of such individual; and the names and residences of the members of every such partnership or firm; and the matters required to be specified by the first section of this act and the written authority herein mentioned; and furnished evidence, to the satisfaction of the auditor of State, that such company has invested in stocks, in 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 or 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; and such incorporated company or unincorporated company, association, partnership, firm or individual, or any agent or agents thereof, filing said statement, and furnishing evidences of investment as aforesaid, shall be entitled to a certificate of authority for such body or individual in like manner as is provided for in the first section of this act.

Agent file
statement.

SEC. 7. It shall be the duty of the agent or agents, in either of the foregoing sections mentioned, before taking any risks or transacting any business of insurance in this State, to file in the office of the clerk of the district court of the county of which he or they may desire to establish an agency for any such company, a copy of the statement required to be filed with the auditor of State as aforesaid, together with a certificate of said auditor, which shall be

carefully preserved for public inspection, by said clerk; and also cause said statement and certificate to be published in some newspaper of general circulation in the cities or counties where such agencies are established. ^{Publish.}

SEC. 8. The statement and evidences of investment required by this act, shall be renewed annually in the month of January of each year—the first statement to be made in sixty days from the taking effect of this act; and the auditor of State, on being satisfied that the capital, securities and investments remain secure, shall furnish a renewal of certificate as aforesaid; and the company, agent or agents, obtaining such certificate, shall file the same, together with the statement upon which it was obtained or renewed, in the office of the clerk of the district court of the county in which such agent resides. <sup>Statement re-
newed.</sup>

SEC. 9. Any person or firm in this State, who shall receive or receipt for any money on account of or for any contract of insurance made by him as them, or for any such insurance company or individual aforesaid, or who shall receive or receipt for money from other persons, to be transmitted to any such company or individual aforesaid, for a policy or policies of insurances, or any renewals thereof, although such policy or policies of insurance may not be signed by him or them, as agent or agents of such company, or who shall in any wise, directly or indirectly, make or cause to be made any contract or contracts of insurance for, or on account of such insurance company aforesaid, shall be deemed to all intents and purposes an agent or agents of such company, and shall be subject and liable to all the provisions, regulations and penalties of this act. <sup>Persons receive-
money, &c.</sup>

SEC. 10. That copies of all papers required by this act to be deposited in the office of auditor of State, certified under the hand of such auditor to be true and correct copies of such papers, shall be received as evidence in all courts and places, in the same manner, and have the same force and effect as the originals would have if produced. <sup>Copies shall be
evidence.</sup>

SEC. 11. This act shall not be so construed as in any manner to apply to life insurance companies, but shall include within its provisions only the fire, and fire and marine departments, of any company that may have separate de- ^{Life insurance.}

partments for life insurance, and fire and fire and marine insurance.

Penalties.

SEC. 12. Any person or persons violating the provisions of this act, shall, upon conviction thereof, in any court of competent jurisdiction, be fined in any sum not exceeding one thousand dollars, or imprisoned in the county jail not more than thirty days, and fed on bread and water only, or both, at the discretion of the court. Violations of the provisions of this act may be prosecuted by information filed by the prosecuting attorney of the proper county, or by indictment of the grand jury.

Company complying.

SEC. 13. Any assurance company complying with the requirements of this act, and securing the certificate of the auditor for any of its agents, shall not be required to furnish the single statement and evidences required hereby, which being filed with the auditor of State, shall be deemed a sufficient compliance for its free transaction of business in the State.

Repeal.

SEC. 14. All acts and parts of acts, which conflict with this law, are hereby repealed.

SEC. 15. This act to take effect from and after its publication according to law.

Approved January 28, 1857.

CHAPTER 150.

ALBIA.

AN ACT to incorporate the city of Albia, Monroe county, Iowa.

Corporate name.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the northwest quarter of section twenty-two, in township number seventy-two, north of range number seventeen (17), west of the fifth principal meridian, together with all additions which heretofore have been or hereafter may be laid out and recorded according to law, be, and is hereby incorporated into a city by the name of Albia.

SEC. 2. The said city is hereby made a body corporate,