

BILL

No. 8 of 1938.

An Act to incorporate The Mutual Hail Insurance Company of Alberta.

(Assented to _____, 1938.)

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. Laurie H. Smith, of Olds, Alberta, Insurance Agent; Joseph Stauffer, of Olds, Alberta, Farmer; William R. Cope, of Calgary, Alberta, Insurance Manager; Joseph J. Greenan, of Carbon, Alberta, Insurance Agent; Stanley J. Carney, of Ghost Pine, Alberta, Farmer; together with such persons as become policy holders in the Company, are incorporated under the name of "The Mutual Hail Insurance Company of Alberta" (hereinafter called "The Company").

2. The head office of the Company shall be at the City of Calgary, in the Province of Alberta, but its location may be changed to any other place in the Province of Alberta at any meeting of the Company, called for that purpose.

3. The persons named in section 1 of this Act shall be the Provisional Directors of the Company, a majority of whom shall be a quorum. They shall hold office until their successors are elected as hereinafter provided and shall forthwith take all necessary steps to organize the Company.

4. The Company shall, subject to the exceptions hereinafter contained, have all such powers and in the exercise of such powers shall *mutatis mutandis* be governed by all such provisions of *The Alberta Insurance Act, 1926*, in so far as they are not inconsistent or conflict with the provisions of this Act, as are by said Insurance Act given to and made applicable to a Mutual Hail Insurance Company formed thereunder,—

- (a) That the premium in any contract of insurance shall be payable in cash or in the alternative, cash to the extent of at least fifty per cent of the premium named in the application and a note to cover the balance payable on the first day of October of the year in which the application is taken;

- (b) That the Company shall not have power to make by-laws for the levying of assessments;
- (c) That the Company may in any contract of insurance provide that any loss occurring thereunder shall not become payable until the fifteenth day of October of the year in which such policy is written;
- (d) That the directors of the Company may, with the consent of the Superintendent of Insurance, out of earnings or any reserve fund, distribute equitably to the then members of the Company such sums as are in the opinion of the directors proper and justifiable;
- (e) That in the event of there being insufficient funds available on the fifteenth day of October in any year to pay the losses in full for that year, such funds as are available after the payment of all proper operating and administration expenses, as hereinafter provided, shall be distributed among the members of the Company sustaining losses in proportion to the amount of the insurance held by them respectively, in full settlement of such loss claims.

5.—(1) Prior to the Company being licensed under *The Alberta Insurance Act, 1926*, the provisional directors may elect from among themselves three persons to take applications from persons claiming to have an insurable interest in planted or growing crops and to record their names and the sum for which they shall respectively bind themselves to effect insurance with the Company.

(2) In such applications shall appear the name in full of each applicant and his address, the description and location of the crop to be insured, and a statement that the applicant shall not be individually liable for the debts of the proposed Company beyond the amount due for the premium to be paid by him to the Company.

6. The Company shall not commence business until *bona fide* applications pursuant to section 5 of this Act have been received in an amount not less than \$75,000.00.

7.—(1) When subscriptions have been completed as provided in sections 5 and 6 of this Act, the provisional directors, or a majority thereof, may call the first meeting of the proposed Company at such time and place as they may determine, by sending a printed or typewritten notice by mail, addressed to every provisional director and said subscriber, at his post office address, at least ten days before the day of meeting.

(2) The notice shall state the object of the meeting and the time and place at which it is to be held.

8.—(1) The presence of at least four of the provisional directors and six of the subscribers for insurance shall be necessary to constitute a valid meeting.

(2) At such meeting or any adjournment of it a secretary *ad interim* shall be appointed and a board of five directors (of whom a majority shall be a quorum) shall be elected.

(3) As soon as convenient after the meeting, the secretary *ad interim* shall call a meeting of the board of directors for the election from among themselves of a president and a vice-president, for the appointment of a secretary and a treasurer or a secretary-treasurer, and a manager and the transaction of such other business may be brought before the meeting.

9.—(1) No salary or commission shall be payable to any officer of the Company which has not been approved at a general meeting of the Company.

(2) The aggregate of all salaries, commissions and expenses of administration (exclusive of adjustment expenses) in any year shall not exceed twenty-five per cent of the aggregate of the premiums received in that year.

10. This Act shall come into force on the day upon which it is assented to.

STATUTORY DECLARATION.

In the matter of the rules relating to Private Bills of the Legislative Assembly, Province of Alberta,

And in the matter of the petition of Laurie H. Smith, William R. Cope, Joseph J. Greenan and Joseph Stauffer for incorporation of "The Mutual Hail Insurance Company of Alberta",

I, William R. Cope, of the City of Calgary, in the Province of Alberta, Insurance Manager, do solemnly declare:

1. That I am one of the above named petitioners and I am personally familiar with the facts hereinafter set out.

2. That now shown to me in marked exhibit "A" hereto is a true copy of an advertisement which appeared in the Calgary Albertan on the twenty-seventh day of January, A.D. 1938, and which will appear in the said paper on the third, tenth and seventeenth days of February, A.D. 1938.

3. That a true copy of the said advertisement was forwarded to the King's Printer on the twenty-fourth day of

January, A.D. 1938, for insertion in the next two issues of *The Alberta Gazette* to be published following that date.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at the City of Calgary, in the Province of Alberta, this 29th day of January, A.D. 1938—	}	WILLIAM R. COPE.
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M. M. PARSONS (formerly Lamont),
A Commissioner for Oaths in and for the
Province of Alberta.

SIXTH SESSION
EIGHTH LEGISLATURE
1 GEORGE VI
1938

BILL

An Act to incorporate The Mutual
Hail Insurance Company
of Alberta.

Received and read the

First time.....

Second time.....

Third time.....

MR. FOSTER.

EDMONTON:
A. Shnitka, King's Printer
1938