

MINNESOTA STATUTES 1953 ANNOTATIONS

65.05 FIRE INSURANCE COMPANIES

164

ment, and where at the same time plaintiff asked defendant "Is this equipment covered by insurance" and received the reply the defendant thought there was five or six thousand dollars on it, and where the partnership equipment was totally destroyed by fire and the defendant received the full amount of the policy, the policy under all the facts in the case was not an asset of the partnership and plaintiff is not entitled to receive one-half the proceeds of the policy. *Closuit v Mithy*, M, 56 NW(2d) 428.

65.05 WHOLE AMOUNT COLLECTIBLE

Total coverage by separate insurers; contribution. 32 MLR 510.

County insurance; extent of the liability of the insurer. 32 MLR 514.

Extent of the liability of the insurer; estoppel. 32 MLR 514.

Inconsistent apportionment clauses in concurrent fire insurance policies. 34 MLR 350.

65.10 SALVAGE CORPS AND FIRE PATROLS

HISTORY. 1895 c 178; 1919 c 515 s 1.

65.21 Duplicate of 219.76.

CHAPTER 66

MUTUAL COMPANIES

66.02 PREMIUMS; CONTINGENT LIABILITY

HISTORY. 1895 c 175 s 40; 1907 c 321.

66.04 POLICIES OF INSURANCE WITHOUT CONTINGENT LIABILITY

If a policy of insurance to be purchased by the county is issued by the insurer as a policy without contingent liability and is issued in accordance with sections 66.04 and 66.09, it may be purchased by the county. If a contract of insurance subject to the contingent liability of the county as a member of the company is such that the maximum liability incurred is within the limitation permitted by section 275.27 the county may lawfully insure with the company. See also sections 375.31 and 375.32 referring to mutual companies. OAG April 28, 1949 (487-C-2).

66.13 DIVIDENDS

Classification of policies with and without disability benefits for purposes of anti-discrimination statutes; apportionment of dividends. 32 MLR 186.

66.19 MUTUAL AUTOMOBILE INSURANCE COMPANIES

If a policy of insurance to be purchased by the county is issued by the insurer as a policy without contingent liability and is issued in accordance with sections 66.04 and 66.09, it may be purchased by the county. If a contract of insurance subject to the contingent liability of the county as a member of the company is such that the maximum liability incurred is within the limitation permitted by section 275.27 the county may lawfully insure with the company. See also sections 375.31 and 375.32 referring to mutual companies. OAG April 28, 1949 (487-C-2).

MINNESOTA STATUTES 1953 ANNOTATIONS

165

TOWNSHIP MUTUAL COMPANIES 67.23

66.42 MUTUAL HAIL, TORNADO, AND CYCLONE COMPANIES

HISTORY. Amended, 1947 c 468 s 1.

66.54 GOVERNMENT; LIABILITY OF OFFICERS

HISTORY. 1895 c 175 s 48, 49.

CHAPTER 67

TOWNSHIP MUTUAL COMPANIES

67.01 TOWN COMPANIES; PROPERTY INSURABLE

NOTE: Laws 1875, Chapter 83, authorized formation of town insurance companies in 12 designated counties. Later amendments made the law general. Farmers' Mutuals were authorized by Laws 1891, Chapter 13, and Livestock Mutuals by Laws 1891, Chapter 15. The entire law was revised and classified by Laws 1897, Chapter 164.

67.03 EFFECT OF APPLICATION; WHO MAY ACCEPT

HISTORY. 1903 c 110 s 1; 1951 c 101 s 1.

67.10 NON-RESIDENT MEMBERS; WITHDRAWAL; NOTICE

HISTORY. 1875 c 83 s 13, 14; 1881 c 29 s 1; 1907 c 209.

In an action for reformation of a fire policy issued by a township mutual insurance company and canceled pursuant to written instructions given by the insured under a mistaken concept as to coverage of the policy, of which the insurer had no knowledge, the evidence was insufficient to support a finding for reformation of the policy on the grounds that the insurer had taken undue advantage of a situation knowing or suspecting that a mistake had been made by the insurer. *Farmers Store v Delaware Mutual Insurance Co.*, M, 59 NW(2d) 889.

The purpose of statutory and policy provisions for termination of membership in a township mutual insurance company is to enable an insured to cancel a policy at will so that he may be enabled to obtain another coverage without delay. *Farmers Store v Delaware Mutual Insurance Co.*, M, 59 NW(2d) 889.

67.11 FARMERS' MUTUAL FIRE COMPANIES

HISTORY. 1891 c 13 s 1; 1893 c 127 s 1; 1895 c 112; 1901 c 171.

67.16 AGREEMENTS FOR FIRE PROTECTION

In consideration for an agreement by the fire department to respond to calls in case of fire in territory where the company does business or on the premises of the members of the company, a township mutual fire insurance company may make donations to the village fire department. OAG Aug. 27, 1946 (688-K).

67.23 PRINCIPAL PLACE OF BUSINESS, LOCATION CHANGED

In meeting of township mutual insurance companies personal representatives may vote the membership of the estate. Only women members may vote by proxy. The principal place of business may be changed by a majority vote irrespective of the provisions of the articles or bylaws. OAG April 3, 1950 (249-B-13).