

against loss by fire, a fee of five dollars, and for coverage other than fire, a fee of two dollars. All such licenses shall expire at midnight on the 31st day of December following the date of issue.

1922, ch. 492, sec. 142.

**145. Penalties.** Any attorney who shall exchange any contracts of indemnity of the kind and character specified under this sub-title, or any attorney, agent or any person representing him, who shall solicit or negotiate any application for same without the attorney first complying with the foregoing provisions, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be subject to a fine of not less than one hundred dollars, or more than one thousand dollars. For the purpose of organization and upon issuance of permit by the insurance commissioner, power of attorney and applications may be solicited without license, but no attorney, agent or other person shall make any contracts of indemnity until he shall comply with all the provisions of this sub-title. In addition to the foregoing penalties, and where not otherwise provided, the penalty for failure or refusal to comply with any of the terms and provisions of this sub-title upon the part of the attorney, shall be the refusal, suspension or revocation of the certificate of authority or license by the insurance commissioner and publication of his act, after due notice and opportunity for hearing have been given such attorney, so that he may appear and show cause why such action should not be taken.

### **Fraternal Beneficial Associations.**

1922, ch 492, sec 143.

**146. Fraternal Beneficiary Association Defined.**<sup>1</sup> Any corporation,

<sup>1</sup> The act of 1922, ch. 492, which enacted this article, repealed all of the insurance sections of art. 23 of the An. Code of 1912, and also the sections of that Code under the sub-title "Fraternal Societies, Orders or Associations"—see foot-note at the beginning of art. 48A. There are a number of cases which construed or dealt with the sections of art. 23 of the An. Code of 1912 under the last mentioned sub-title, but as the act of 1922 enacted entirely new sections on this subject, it is difficult, and in some cases impossible, to allocate those decisions to particular sections of this article. In order, however, that these decisions may not be lost sight of, they are collected in this foot-note under the number of the section of art. 23 of the An. Code, of 1912, to which they refer.

**229.** The record held not to disclose the character of business done by a society so that it might be determined whether it came within the purview of this and the following sections or was a mutual insurance company; case remanded for the taking of testimony. If this and the following sections were applicable to the society, a woman who was not the member's wife, nor related to or dependent upon him, held not to be entitled to benefits. If, however, the society is a mutual or co-operative insurance company, the woman aforesaid was entitled to recover, she being named as beneficiary in the certificate of insurance. Where the designation of the beneficiary proves ineffectual, the fund does not revert to the society, but goes to such persons as are eligible under the statute or by the laws of the society or the certificate. *Meinhardt v. Meinhardt*, 117 Md. 428 (decided prior to the act of 1912, ch. 824).

Since a member of a beneficial order had no property in the fund in controversy which could pass under his will, and as he left no widow surviving him, the money was payable under this and the following section and under the by-laws of the order, to his children. While benefits are not assignable except to the beneficiaries named in this section and with the consent of the order duly attested, the member may surrender his certificate and have a new one issued to one or more of the specified beneficiaries. *Mineola Tribe v. Lizer*, 117 Md. 140 (decided prior to the act of 1912, ch. 824).