

provided, however, that in case it shall appear that there is no fraud, gross incompetency or recklessness in the management of said company, he may allow said company ninety days from the time of the completion of said examination within which to reestablish its solvency, before instituting proceedings as herein provided.

An. Code, 1924, sec. 98. 1922, ch. 492, sec. 95.

**126.** (Mutual Industrial Life Insurance Companies.) Companies issuing certificates for the payment of money or other benefits in the event of sickness, accident or death, or other contingency, either to the members, policy or certificate holders, or to their families or representatives, but issuing no certificate or other form of contract of payment in the aggregate of a greater sum than one thousand dollars upon the termination of any one life or combination of lives, or a sum greater than seventy-five dollars annually, or the equivalent thereof, whether the payments be stipulated to be made annually, or at shorter or longer intervals, upon any contract of annuity in which the continuance of any one life, whether singly or in connection with other lives jointly or in succession, or combined in any way whatsoever, or during sickness or disability, is involved as an element of the contract, may be formed subject to the provisions of this article applicable to life insurance companies and not inconsistent herewith, on the mutual, co-operative, assessment or stock plan. Any such company formed on the mutual, co-operative or assessment plan, shall not be entitled to receive a certificate of authority to transact such business, or issue any benefit certificate, or pay or allow, or offer or promise to pay or allow to any person any death, endowment or disability benefit until actual *bona fide* applications for death benefit certificates shall have been secured upon at least five hundred lives for the aggregate amount of at least twenty thousand dollars. All such companies formed on the capital stock plan, except those authorized and referred to in section 133, shall, before being entitled to receive a certificate of authority to transact such business, have a paid-up capital of at least fifty thousand dollars, and all such companies, except those authorized and referred to in said section 133, whether formed on the mutual, co-operative, assessment or capital stock plan, shall be possessed of and constantly maintain a sum of money not less in amount than fifty thousand dollars, or interest or dividend-paying securities of equal market value, not in default, which shall be deposited with the commissioner as provided by section 20.

1933, ch. 580. 1935, ch. 24.

**127.** (Policyholders of Mutual Companies.) Every policyholder of a Mutual Insurance Company engaged in the business of Life, Accident and Health Insurance under the provisions of this Article shall be a member of said Company while the policy issued to such policyholder is in force. Every member of the Company shall be entitled to one vote or to such a number of votes based upon the insurance in force, the number of policies held or the amount of premium paid, as may be provided in the By-Laws. Any such member may vote either in person or by proxy, but no proxy which is dated more than three months before the meeting at which it is offered shall be accepted unless such proxy shall, on its face, name a longer period for which it is to remain in force, or shall state that it is to remain in force as long as said policyholder is a member of said Company. Any member may revoke any such proxy at any time.