

Affidavit to
hold to bail.

them, is or are or shall be a member or members of this company or not, shall and lawfully may be commenced, instituted and prosecuted in the name of the Secretary of this company at the time when any such action or suit shall be commenced or instituted, as the nominal plaintiff or complainant; and in any case when it may be deemed advisable to hold such person or persons to bail, it will be sufficient for the affidavit to set forth and shew the cause of action as due, or accrued to this company, and an action or actions may thereupon be commenced or instituted in the name of such secretary, and the writ or process issued thereon shall and may be endorsed for bail in the amount in such affidavit specified.

Secretary
alone to be
sued where ac-
tions brought
against com-
pany.

III. All actions, suits, and other proceedings at law or in equity, which may be commenced, instituted or prosecuted on any policy or policies of insurance issued by this company, by any person or persons, or body or bodies politic or corporate, whether such person or persons, or body or bodies politic, or any member or members thereof, is or are or shall be members of this company, or his or their name or names are under written on any such policy or policies, shall be commenced, instituted and prosecuted against the secretary of this company at the time when any such suit or action or other proceeding shall be commenced or instituted, as the nominal defendant.

Death or re-
moval, &c., of
secretary, no
abatement of
suit.

IV. The death, resignation or removal, or any other act of such secretary, shall not abate or prejudice any action, suit, or other proceedings in law or equity commenced or prosecuted under this Act, but the same may be continued, prosecuted carried on or defended as if such death, resignation, removal or other act had not occurred or taken place; provided always, that if the office of secretary to this company shall or may at any time or times hereafter become vacant by death, resignation, removal, or otherwise, and shall be suffered and permitted to continue and remain vacant for the period of thirty days, that then and from thenceforth until a Secretary is again appointed, all actions, suits and other proceedings against the names underwritten on any policy or policies of insurance issued by this company shall and may be commenced, continued, instituted and prosecuted against such underwriters individually, this Act and any thing herein contained to the contrary notwithstanding.

Declaration,
&c., in suit,
what to contain

V. That in any action, suit, or other proceeding on policies of insurance commenced and prosecuted under this Act, the declaration or bill of complaint in the cause shall set forth the policy or policies of insurance on which such action is brought, and also the individual names subscribed or underwritten thereto, with the different amounts underwritten by each res-