

INSURANCE POLICIES LOST - COPIES TO BE MADE OF
Act of Mar. 4, 1850, P.L. 126, No. 110
AN ACT

Cl. 40

To supply lost policies of insurance.

Section 1. Copy of lost policy to be furnished

Whenever any policy of insurance upon any property, real or personal, granted by any body corporate or politic, shall have been lost or destroyed, such body corporate or politic shall, on proof of the loss or destruction of the same, in the manner hereinafter provided, furnish to the person or persons, whose policy has been so lost or destroyed, a copy of the same, together with the transfers which have been approved and recorded on the books of such body corporate, if any, which may have been made by the original or any subsequent grantee of such policy to the person or persons having the same, at the time of the loss or destruction thereof; the copy so made to be as effectual for the security and indemnification of the person or persons holding the same, as the original, and subject like it to transfer to any person purchasing the property insured. 1850, March 4, P.L. 126, Sec. 1.

Section 2. Proceedings in case of lost policy

On the application of any person or persons to the court of common pleas of the county in which the property has been insured, setting forth the loss or destruction of the policy of insurance, on oath or affirmation, together with a description of the property, the amount for which it was insured, the person or persons to whom granted, if practicable, together with a mesne transfers thereof, the court shall grant a rule on the body corporate or politic which granted such policy of insurance, commanding such body corporate or politic to appear before said court, on a day certain, not less than twenty days from the service of said rule, to show cause why a copy of such policy of insurance should not be supplied, in pursuance of the provisions of the first section of this act (section 467 of this and on the default of such body corporate or politic to appear and show cause why such copy as aforesaid should not be supplied, the court shall issue a mandate to such body corporate or politic, to furnish such copy in ten days after service of the same; and on the neglect or refusal of such body corporate or politic, to furnish a copy as aforesaid, the court, on due proof of the service of such mandate, and the neglect or refusal of such body corporate or politic to furnish such copy, shall direct a judgment to be entered by the prothonotary in favor of the person or persons making the application, against the said body corporate or politic, for the sum for which the said policy of insurance was granted, which said judgment shall stand for the security of the plaintiff or plaintiffs, for such time as the policy of insurance itself would have done, and for the like purposes; and the costs of the proceedings shall be paid by the defendant; and the officers rendering services shall receive the like fees as are now allowed by law for similar services. 1850,

March 4, P.L. 126, Sec. 2.

Section 3. Service of process; proof of demand and tender

The rule and mandate to be issued under the provisions of the preceding section shall be directed to the sheriff of the city or county in which the body politic or corporate has its office, or any branch or agency thereof, and the service shall be sufficient, if made upon the president, secretary, treasurer, or authorized agent thereof: Provided, That no rule shall be entertained by the court, such as is authorized by the second section of this act, unless the person or persons entitled to the benefit of the policy, his agent or attorney, shall make oath or affirmation that the policy of insurance has been lost or destroyed, and that a demand for a copy of such policy was previously made of the president, secretary, treasurer or authorized agent of the body corporate or politic which granted it, and a tender of not less than one dollar for the expenses of making such copy. 1850, March 4, P.L. 126, Sec. 3.