

missioner of this State; and such power of attorney can not be revoked or modified (except that a new one may be substituted), so long as any policy or liability remains outstanding against such company in this State. The term process, used above, shall be held and deemed to include any writ, summons or order, whereby any action, suit or proceeding shall be commenced, or which shall be issued in or upon any action, suit or proceedings, by any court, officer or magistrate; third, a statement of the condition of the company on the thirty-first day of December next preceding, under oath of the president or vice-president of the company, with that of the secretary or actuary, as hereinafter provided for; fourth, a certificate of the appointment of a general agent of the company for this State, and a list of its agents authorized to transact business for said company within this State; and no certificate of authority, as hereinafter described, shall be issued to any person or persons not so designated by the company as agent, except in the case of solicitors of life insurance, who may be designated by the general agent of the company for this State.

This section held not to give Maryland courts jurisdiction over the internal affairs of a foreign corporation, nor any visitorial power over it so that its charter might be forfeited or its officers removed; nor can Maryland courts exercise authority over the by-laws or the relations between such corporation and its members growing out of the law of its creation. Object of this section. Controversy held to relate solely to the internal management of a corporation. *Condon v. Mutual Reserve Assn.*, 89 Md. 116.

Where a foreign insurance company has executed the power of attorney prescribed by this section, service of process of the United States circuit court on the agent named in such power is valid although the suit is upon a cause of action of which the state courts could not take jurisdiction under section 411 of the code of 1904—see section 92. Object of this section. *Carstairs v. Mechanics' Ins. Co.*, 13 Fed. 824.

When a New York insurance commissioner in whom the law of that state vested a discretion to refuse a foreign insurance company a license, unjustifiably refuses such license to a Maryland company, the Maryland insurance commissioner is justified as a measure of retaliation under section 205, in refusing a similar New York company a license, although it has complied with this section. *Talbot v. Fidelity, etc., Co.*, 74 Md. 541.

The whole matter of the service of process on foreign insurance companies is regulated by the act of 1878, ch. 106, section 30, and section 411 of the code of 1904 (see section 92), has no application thereto. *Oland v. Agricultural Ins. Co.*, 69 Md. 250 (decided in 1888).

Under the act of 1872, ch. 388, section 33, and previous acts, a non-resident has the right to sue on a policy of insurance issued in this state, although the insurance company's agency had been withdrawn from the state prior to the loss. Service of process upon the insurance commissioner, held sufficient. *Ben Franklin Ins. Co. v. Gillett*, 54 Md. 216.

This section referred to in deciding that a book found among the books and papers in the office of the insurance commissioner and containing a document purporting to be a copy of the defendant's charter, was admissible in evidence. *Metropolitan Ins. Co. v. Dempsey*, 72 Md. 293.

See notes to sections 159 and 201.

As to foreign insurance companies, see also, section 159, *et seq.* As to foreign corporations in general, see section 90, *et seq.*

As to process against insurance companies, see also, art. 75, sec. 23.

1904, art. 23, sec. 166. 1888, art. 23, sec. 125. 1880, ch. 387.

183. Every life insurance company, in addition to the above, shall file, and annually renew, a certificate from the insurance commissioner