

A BILL

FOR AN ACT IN REGARD TO FOREIGN RAILWAY COMPANIES OR INCORPORATIONS.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. No railway company or incorporation organized by any other authority than
2 the State of Iowa shall directly or indirectly transact any business in this State, until it
3 shall first appoint the Secretary of the Railroad Commission to be the true and lawful
4 attorney of such company or incorporation in and for this State, upon whom all lawful
5 process in any action or proceeding against the company may be served with the same effect
6 as if the company or incorporation existed in this State. Said power of attorney shall ex-
7 pressly waive all right of said company to petition or move to have any action commenced
8 against said company or incorporation in any of the courts of this State removed to the
9 Federal Courts, and shall stipulate and agree upon the part of the company, that the said
10 secretary may, whenever notice of any action against any such company or incorporation
11 shall be presented to him for that purpose, accept service of notice for such company or in-
12 corporation, and in such acceptance of service, agree for such company or incorporation
13 that it will not petition or move to have such action removed to the United States District
14 or Circuit Court, and shall further stipulate and agree that any lawful process against the
15 company which shall be served on said attorney, or which shall be accepted by him shall be
16 of the same legal force and validity as if served on the company. A certificate of such ap-
17 pointment, stipulations and arrangements duly certified and authenticated shall be filed in
18 the office of the Secretary of State, and copies certified by him shall be deemed sufficient
19 evidence.

SEC. 2. The provisions of section one herein is not intended to take the place of the pro-
2 visions now provided for service of notice on such railroad companies and incorporations,
3 but shall be considered as additional thereto.

SEC. 3. When the certificate provided for in section one hereof shall have been filed with
2 the Secretary of State as therein provided, the Secretary of State shall issue to such com-
3 pany or incorporation a permit in such form as he may prescribe for the general transaction
4 of the business of such corporation or company within the State.

SEC. 4. Any such company or incorporation sued or impleaded in any of the courts of
2 this State upon any contract made or executed in this State, or to be performed in this
3 State, or for any act or omission, public or private, arising, originating or happening in the

4 State who shall remove any such cause from such court into any of the Federal Courts
5 held or sitting in this State for the cause that such corporation is a non-resident of this
6 State, or a resident of another State than that of the adverse party, or of local prejudice
7 against such corporation, shall thereupon forfeit and render null and void any permit
8 issued or authority granted to such corporation to transact business in this State, such for-
9 feiture to be determined from the record of removal and to date from the date of filing of
10 the application on which such removal is affected and whenever any corporation shall thus
11 forfeit its said permit no new permit shall be issued to it for the space of three months
12 unless the Executive Council shall for satisfactory reasons cause it to be sooner issued.

SEC. 5. Any such company or incorporation that shall carry on its business and transact
2 the same on and after September 1, 1886, in the State of Iowa, by its officers, agents, or
3 otherwise without having complied with this statute and taken out and having a valid
4 permit, shall forfeit and pay to the State for each and every day in which such business is
5 transacted and carried on, the sum of \$100.00, to be recovered by suit in any court having
6 jurisdiction. And any agent, officer or employe who shall knowingly act or transact such
7 business for such corporation when it has no valid permit as provided herein, shall be
8 guilty of a misdemeanor and for each offense shall be fined not to exceed \$100.00 or
9 imprisoned in the county jail not to exceed thirty days and pay all costs of prosecution.

SEC. 6. All acts and parts of acts inconsistent with the provisions hereof are hereby re-
2 pealed ; *provided*, that nothing contained in this act shall relieve any company, corporation,
3 association or partnership from the performance of any duty or obligation now enjoined
4 upon them or required by them, or either of them by the laws now in force.