

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily News, April 2, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 89.

LIABILITY OF COMMON CARRIERS.

H. F. 23.

AN ACT to repeal chapter seventy-four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section two thousand and seventy-four (2074) of the code and to provide a substitute therefor.

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

Repealed. That chapter seventy-four (74) of the laws of the Thirtieth General Assembly be, and the same is hereby, repealed and there is hereby enacted as a substitute therefor the following:

"SECTION 1. **Action against joint carriers.** That in all cases where a railway company bills property to a point beyond the terminus of its own railway and provides by contract that it shall not be liable for the destruction of, or damage to, such property beyond the terminus of its own railway and the said property is damaged or destroyed between the place of shipment and place of destination to which it was billed, the initial carrier and the connecting carrier or carriers if more than one, over whose line, or lines, of railway the property shall have been carried between the place of shipment and said place of destination, may be joined as defendants in one action, brought in any county from or into which shipment shall be made, or suit may be brought in any county through which shipment shall be made provided that the owner of the property shall reside in such county; and service of original notice may be made on any of said carriers in any county of the state, where the carrier to be served has a station agent, by serving such notice on such station agent.

"SEC. 2. **Liability of joint carriers.** On proof being made by the owner of the property shipped, that the same has been destroyed or damaged in transit between the said place of shipment and the said place of destination, the liability of a common carrier shall attach to all the defendants and judgment shall be entered accordingly against them all unless one or more of the defendants shall prove that it was not, or they were not, liable, in which case judgment shall go only against the remaining defendant or defendants."

Approved March 30, A. D. 1906.