

CH. 210.]

CHAPTER CXI.

[S. F. 138.]

## VIOLATION OF CRIMINAL LAWS BY COMPANIES.

APRIL 28.

AN ACT Authorizing the Punishment of Railroad Companies, and other Incorporate [d] Bodies, for Violation of the Criminal Laws of this State.

R. R. co's, etc., etc., liable to prosecution.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all railroad companies, and all other incorporate [d] bodies, shall be liable to prosecution, by indictment or information as hereinafter provided, in the courts in this State.

Name;

SEC. 2. Such companies or corporations may be indicted or informed against in any name in which they transact business, or in which they are commonly known.

when in court.

SEC. 3. Said companies shall be deemed to be in court upon the return by the sheriff, or other officer, that a copy of the information or indictment has been delivered to any person upon [whom] service is authorized to be made in civil actions.

Fine.

SEC. 4. Upon conviction of any such company, or upon a plea of "guilty" filed in open court by their authorized attorney, such company may be punished by fine in any sum in the discretion of the court.

R. R. co's may be indicted for what.

SEC. 5. Railroad companies and other incorporated bodies shall be liable to indictment under the criminal laws of this State for obstructing highways, or private ways, or for such highways to remain obstructed after the taking effect of this act, or for the doing or suffering of any other act which by the statute of this State is a crime or misdemeanor.

Presumptive evidence of obstructions of highway.

SEC. 6. Proof that any highway or opening any railroad track, is in an unsafe condition, or that it is not convenient for the public travel at the place of its crossing such railroad, or within its right of way, shall be presumptive evidence that such corporation has obstructed such highway, and unless rebutted shall be sufficient evidence to warrant a conviction against said corporation for obstructing such highway.

Any operating R. R. co. liable.

SEC. 7. Any company operating any railroad in this State shall be liable under the provisions of this act.

Arraignment not necessary.

SEC. 8. In prosecutions under this act, the arraignment of the defendant shall not be required.

Approved, April 23d, 1872.