

and receipt shall be filed in the office of said secretary, and shall be a sufficient voucher to him for such stationery.

To be in force when. SEC. 3. This act, being deemed of immediate importance, shall be in force from and after its publication in *The Daily State Register* and *Daily State Leader*, newspapers published at Des Moines, Iowa, anything contained in chapter three of the code to the contrary notwithstanding.

Approved February 5th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Register*, and *The Iowa Daily State Leader*, February 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 2.

### LIFE INSURANCE COMPANIES.

S. F. 88. AN ACT to Amend Chapter Five of Title Nine of the Code, ["Of Life Insurance Companies,"] and to Release certain Penalties.

Code: § 1166. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1166 of said code be and the same is hereby repealed, and in lieu thereof is enacted the following: "Section 1166. No agent shall act for any company referred to in the foregoing section, directly or indirectly, in taking risks, collecting premiums, or in any manner transacting the business of life insurance in this state, without procuring from said auditor a certificate of authority, stating that the foregoing requirements have been complied with, and setting forth the name of the attorney for each company, a certified copy of which certificate shall be filed in the county recorder's office of the county where the agency is to be established, and shall be the authority of such company and agent to commence business in this state, and such company, or its agent or attorney, shall, annually, by the first day of April, file with the auditor of state a statement of its affairs for the year terminating on the 31st day of December preceding, in the same manner and form provided for similar companies organized in this state."

Agent of life insurance company must obtain auditor's certificate before doing business.

Company's annual statement to be made by April 1st.

§ 1167. SEC. 2. That section 1167 of said code be amended by striking out of the third line of said section the words "or doing business in this state."

Annual statement.

§ 1170. SEC. 3. That section 1170 of said code be and the same is hereby repealed, and in lieu thereof is enacted the following: "Section 1170. On receipt of the deposit and statement from any company as provided in the preceding sections, and the statement and evidence of investment according to law of foreign companies, which shall be renewed annually, the auditor shall issue a certificate setting forth the corporate name of the company; its principal office or agency in the State; that it has fully complied with the laws of this State in relation to

Company's annual certificate.

“life insurance companies, and is authorized to transact the business of life insurance for twelve months from the date of such certificate, or until the expiration of the thirty days’ notice given by the auditor of the next annual valuation of its policies, said certificate to expire on the first day of April in the year following after it is issued.”

Expiration of same.

SEC. 4. That section 1171 of said code be and the same is hereby repealed and in lieu thereof is enacted the following: “Section 1171. Upon the failure of any company organized in this state to make the deposit, or file the statement in the time stated herein, the auditor shall notify the attorney-general of the default, who shall at once apply to the district or circuit court if in session, or, if in vacation, to any judge thereof, for an order requiring said company to show cause why its business shall not be closed; and, if upon hearing the company shall fail to show sufficient cause for neglecting to make the deposit, or file the statement required by this chapter, then the court shall decree its dissolution. Companies organized and chartered by the laws of any foreign state or country, failing to file the evidence of deposit and the statement within the time stated herein, shall be subject to the penalties prescribed in section 1177.”

§ 1171.

Penalty for failure to make deposit or statement; home companies;

Foreign companies.

SEC. 5. That section 1177 of said code be and the same is hereby repealed, and the provisions of subdivision one of section forty-five of the code shall in no way apply to this repeal, and in lieu of said section 1177 is enacted the following: “Section 1177. Any company doing business in this State without the certificate required by section (1170) eleven hundred and seventy of this chapter, shall forfeit one hundred dollars for every day’s neglect to procure said certificate. Any agent making insurance, or soliciting applications for any company having no certificate from the auditor, shall forfeit the sum of three hundred dollars, and any person acting for a company authorized to transact business in this state, without having the certificate prescribed in section 1166, issued by the auditor of state, in his possession, shall be liable to pay twenty-five dollars for each day’s neglect to procure such certificate.”

§ 1177 repealed.

Penalty for doing business without certificate; company; agent.

SEC. 6. Section 1178 of said code is hereby repealed, and the provisions of subdivision one of section 45 of the code shall not apply to this repeal, and in lieu of said section 1178 is enacted the following: “Section 1178. Suits brought to recover any of the penalties provided for in this chapter shall be instituted in the name of the State of Iowa by the district-attorney of the district, under the direction and by the authority of the auditor of state, and may be brought in the district or circuit court of any county in which the company proceeded against is engaged in the transaction of business, or in which the agent resides, in cases in which the proceeding is against the agent individually. Said penalties when recovered shall be paid into the state treasury for the use of the school-fund.”

§ 1178 repealed;

New section.

Recovery of penalties.

To be paid into state treasury.

SEC. 7. That in all cases in which any of the life insurance companies doing business in this state, or their agents, have heretofore failed to file the statements with the auditor of state, and to

1868; ch. 173.  
Title IX, ch. 5.

Penalties re-  
leased in cer-  
tain cases.

Publication  
clause.

procure the certificates, required by the provisions of chapter 173 of the acts of the 12th general assembly, and of chapter (5) five of title nine (9) of the code of Iowa, within the times therein limited, but have, in fact, subsequently filed such statements, and procured certificates from the auditor of state, such filing of said statements and procuring of certificates shall be taken and deemed to be a fulfillment of the requirements and provisions of said acts above named, on the part of said companies and their agents, and shall have the same force and effect as though such statements had been filed and the certificates had been issued within the times limited and fixed in said chapter 173 of the acts of the twelfth (12th) general assembly, and chapter five (5) of title nine (9) of the code of Iowa, and no fine, penalty, or forfeiture shall be held or deemed to have been incurred by any of said companies, or their agents, through the transaction of business by said companies or their agents previous to the issuing of the said certificates by the auditor of state; and all forfeitures, fines, and penalties heretofore incurred by any of said life insurance companies, or by the agents thereof, be and the same are hereby released, remitted, and discharged.

SEC. 8. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Daily State Register and Iowa Daily Leader, newspapers published at Des Moines, Iowa, without expense to the State.

Approved February 6th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily Iowa State Register* and *The Iowa Daily State Leader* February 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

### CHAPTER 3.

#### PAYMENT OF MEMBERS, OFFICERS, AND EMPLOYEES OF THE GENERAL ASSEMBLY.

H. F. 113.

AN ACT to amend Section 12, of Chapter 2, of the Code, and to Provide for the Payment of the Members, Officers, and Employees of the General Assembly.

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

Code § 12.

SECTION 1. That there be added to section twelve (12) of chapter two (2) of the code the words following, to-wit:

Mode of pay-  
ing mileage of  
members of  
general as-  
sembly.

“Within thirty days after the convening of the general assembly, the presiding officers of the two houses shall jointly certify, to the auditor of state, the names of the members, officers, and employees of their respective houses, and the amount of mileage due each member respectively, who shall thereupon draw a warrant upon the state treasurer for the amount due each member for mileage as above certified. He shall also issue to each member of