

until such fine and costs are paid or may be imprisoned in the county jail not more than six months. Penalty.

SEC. 19. Every applicant for membership in any association organized in this state shall first be examined by a physician holding a certificate from the state board of medical examiners. Applicant for membership must pass medical examination.

SEC. 20. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SEC. 21. This act, being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa. Publication.

Approved April 3, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 8, and Des Moines Leader, April 9, 1896.

W. M. McFARLAND,
Secretary of State.

CHAPTER 22.

AN ACT to prevent combinations between fire insurance companies and providing penalties therefor.

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

SECTION 1. Any combination or agreement made or entered into by or between two or more fire or other insurance companies insuring property against casualties from the elements, transacting business within this state, or between the officers, agents, or employes of any such companies, relating to the rates to be charged for insurance, the amount of commissions to be allowed agents for procuring insurance, or the manner of transacting the business of fire insurance within this state, is hereby declared to be unlawful, and any such company, officer, or agent violating this provision shall be guilty of a misdemeanor and on conviction thereof, in any court having jurisdiction, shall pay a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense, to be recovered for the use of the permanent school fund in the name of the state. Combinations between insurance companies or agents as to rates. Declared unlawful. Penalty for violation of this act.

SEC. 2. The auditor of state is hereby authorized to summons, and bring before him for examination under oath, any officer or employe of any fire insurance company transacting business within this state suspected of violating any of the provisions of this act; and on complaint in writing made to him by two or more residents of this state charging any such company under oath upon their knowledge or belief with violating the provisions of this act said auditor shall summons and cause to be brought before him for examination under oath any officer or employe of said company; and if upon such examination, and the Auditor may summons officers and employes. Complaint to be made in writing.

- examination of any other witness or witnesses that may be produced and examined, the auditor shall determine that such company is guilty of a violation of any of the provisions of this act or if any officer shall fail to appear, or submit to an examination, after being duly summoned, he shall forthwith issue an order revoking the authority of such company to transact business within this state, and such company shall not thereafter be permitted to transact the business of fire insurance in this state at any time within one year from the time of such revocation.
- Auditor to determine as to violation.**
- Auditor may revoke company's certificate.**
- Appeal from the auditor to district court.**
- Appeal bond.**
- Appeal to be tried by district court.**
- Evidence not to be used against witness in criminal prosecution.**
- SEC. 3.** Either party may appeal from any decision of the auditor made in pursuance to this act to the district court of the county wherein such decision was made, within twenty days from the time of the rendition of such decision, by serving a written notice of such appeal on the opposite party and on the auditor of state, and filing with the clerk of said court a good and sufficient bond for the payment of all costs made on appeal in case the decision shall be affirmed. On such appeal the district court shall try the case de novo as equitable causes are tried on such evidence as may be produced by either party and may reverse, modify, or affirm the decision or order of the auditor.
- SEC. 4.** The statements and declarations made or testimony given by any such officer or agent in the investigation before the auditor or upon the hearing and trial before the district court, as provided for in sections 2 and 3 of this act, shall not be used against any person making the same in any criminal prosecution against him.
- Approved April 3, 1896.

CHAPTER 23.

- S. F. 276.** AN ACT to prevent the issuing of policies of fire insurance upon risks situated in this state, by insurance companies, associations, partnerships, individual, or individuals, without their having complied with the insurance laws of this state.
- Be it enacted by the General Assembly of the State of Iowa:*
- SECTION 1.** Any policy or contract of fire, inland or marine insurance issued upon property situated in the state of Iowa, by any company, association, partnership, individual, or individuals that has not complied with the insurance laws of the state of Iowa governing the transaction of such business and the issuing of such contracts of insurance, shall be null, void, and of no effect, and is hereby declared to be an illegal contract; *provided*, however, that nothing herein contained shall relieve any company, association, partnership, individual, or individuals from liability under contracts of insurance heretofore issued upon property situated in this state. *Provided*, further, that nothing in this act shall affect contracts made
- Contracts to insurance companies who have not complied with the state laws illegal.**
- Company not relieved from former contracts.**
- Not applicable to certain purely mutual companies.**