

43 4. "Restricted registered mail" defined. The term "restricted  
44 registered mail" means mail which carries on the face thereof, in a  
45 conspicuous place where it will not be obliterated, the indorsement,  
46 "Deliver to addressee only", and which also requires a return receipt.

47 5. Optional notification. In lieu of mailing said notification to the  
48 defendant in a foreign state, plaintiff may cause said notification to be  
49 personally served in the foreign state on the defendant by any adult  
50 person not a party to the suit, by delivering said notification to the  
51 defendant or by offering to make such delivery in case defendant  
52 refuses to accept delivery.

53 6. Proof of service. Proof of the filing of a copy of said original  
54 notice of suit with the secretary of state, and proof of the mailing or  
55 personal delivery of said notification to said nonresident shall be made  
56 by affidavit of the party doing said acts. All affidavits of service shall  
57 be indorsed upon or attached to the originals of the papers to which  
58 they relate. All proofs of service, including the return registry receipt,  
59 shall be forthwith filed with the clerk of the district court.

60 7. Actual service within this state. The foregoing provisions rela-  
61 tive to service of original notice of suit on nonresidents shall not be  
62 deemed to prevent actual personal service in this state upon the non-  
63 resident in the time, manner, form and under the conditions provided  
64 for service on residents.

65 8. Venue of actions. Actions against nonresidents as contem-  
66 plated by this law may be brought in Polk county, or in the county in  
67 which such services were performed.

68 9. Continuances. The court in which such action is pending shall  
69 grant such continuances to a nonresident defendant as may be neces-  
70 sary to afford him reasonable opportunity to defend said action.

71 10. Duty of secretary of state. The secretary of state shall keep  
72 a record of all notices of suit filed with him, shall not permit said filed  
73 notices to be taken from his office except on an order of court, and  
74 shall, on request, and without fee, furnish any defendant with a certi-  
75 fied copy of the notice in which he is defendant.

Approved April 5, 1943.

## CHAPTER 77

### AGRICULTURAL LABOR DEFINED AS USED IN UNEMPLOYMENT COMPENSATION

S. F. 292

AN ACT to amend section one thousand five hundred and fifty-one and twenty-five one hundredths, (1551.25-G(7)(d). of the 1939 code of Iowa, defining the meaning of the words "agricultural labor".

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section one thousand five hundred and fifty-one and  
2 twenty-five one hundredths (1551.25) is hereby amended by adding  
3 thereto immediately following the words "Agricultural Labor" under  
4 subsections G(7) (d) of said section the following:

5 The term "Agricultural labor", as used in this chapter includes all  
6 services performed:

7 (a) On a farm, in the employ of any person, in connection with  
8 cultivating the soil, or in connection with raising or harvesting any  
9 agricultural or horticultural commodity, including the raising, shear-  
10 ing, feeding, caring for, training, and management of livestock, bees,  
11 poultry, and fur-bearing animals and wildlife.

12 (b) In the employ of the owner or tenant or other operator of a  
13 farm, in connection with the operation, management, conservation,  
14 improvement, or maintenance of such farm, its tools and equipment,  
15 or in salvaging timber or clearing land of brush and other debris left  
16 by a hurricane, if the major part of such service is performed on a  
17 farm.

18 (c) In connection with the production or harvesting of maple sirup  
19 or maple sugar or any commodity defined as an agricultural com-  
20 modity in section 15 (g) of the Federal Agricultural Marketing Act,  
21 as amended, or in connection with the the raising or harvesting of  
22 mushrooms, or in connection with the hatching of poultry, or in  
23 connection with the ginning of cotton, or in connection with the  
24 operation or maintenance of ditches, canals, reservoirs or waterways  
25 used exclusively for supplying and storing water for farming pur-  
26 poses.

27 (d) In handling, planting, drying, packing, packaging, processing,  
28 freezing, grading, storing, or delivering to storage or to market or  
29 to a carrier for transportation to market any agricultural or horti-  
30 cultural commodity; but only if such service is performed as an  
31 incident to ordinary farming operations or, in the case of fruits and  
32 vegetables, as an incident to the preparation of such fruits or vege-  
33 tables for market. The provisions of this paragraph shall not be  
34 deemed to be applicable with respect to service performed in con-  
35 nection with commercial canning or commercial freezing or in con-  
36 nection with any agricultural or horticultural commodity after its  
37 delivery to a terminal market for distribution for consumption.

38 (e) As used in this Act, the term "farm" includes stock, dairy,  
39 poultry, fruit, fur-bearing animal, and truck farms, plantations,  
40 ranches, nurseries, ranges, greenhouses or other similiar structures  
41 used primarily for the raising of agricultural or horticultural com-  
42 modities and orchards.

43 (f) The phrase "agricultural labor" as used herein, shall be  
44 construed to apply only to this Act and shall not be construed to  
45 apply or define "agricultural labor" as used in the Workmen's Com-  
46 pensation Act.

1 SEC. 2. All Acts or parts of Acts in conflict herewith are hereby re-  
2 pealed insofar as they are inconsistent with any of the provisions of  
3 this Act.

1 SEC. 3. Constitutionality. If any part or parts of this Act shall  
2 be held unconstitutional such unconstitutionality shall not affect the  
3 validity of the remaining part of this Act. The legislature hereby  
4 declares that it would have passed the remaining parts of this Act  
5 if it had known that such part or parts thereof would be declared  
6 unconstitutional.

Approved April 20, 1943.