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By Mr. Coltun of Chelsea, petition of Edward J. Cronin relative to the service of process on certain non-residents doing business in this Commonwealth. The Judiciary.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT RELATIVE TO THE SERVICE OF PROCESS ON CERTAIN  
NON-RESIDENTS DOING BUSINESS IN THIS COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same,  
as follows:*

1 Section 5 of chapter 227 of the General Laws, as ap-  
2 pearing in the Tercentenary Edition, is hereby amended  
3 by striking out the last sentence thereof and inserting  
4 the following so as to read as follows: — *Section 5.* Ev-  
5 ery individual not an inhabitant of the commonwealth  
6 and every partnership composed of persons not such in-  
7 habitants, having a usual place of business in the com-  
8 monwealth, temporarily or permanently, or engaged  
9 here, temporarily or permanently, and with or without  
10 a usual place of business here, in the construction, erec-  
11 tion, alteration or repair of a building, bridge, railroad,  
12 railway, or structure of any kind, shall, before doing  
13 business in the commonwealth, appoint in writing a per-  
14 son who is a citizen and resident thereof to be his or its  
15 true and lawful attorney upon whom all lawful processes  
16 against such individual or partnership may be served  
17 with like effect as if served on such person or partner-  
18 ship; and said writing or power of attorney shall con-  
19 tain an agreement on the part of the maker that the  
20 service of any lawful process on said attorney shall be of

21 the same force and validity as service on such individual  
22 or partnership. The power of attorney shall be filed in  
23 the office of the state secretary, and copies certified by  
24 him shall be taken as sufficient evidence thereof. Such  
25 agency shall be continued so long as such individual or  
26 partnership does business as aforesaid in the common-  
27 wealth, and the power of attorney shall not be revoked  
28 until a similar power is given to another citizen and  
29 resident of the commonwealth and filed as aforesaid.  
30 If such individual or partnership fails to appoint an agent  
31 and does business in this commonwealth, service of  
32 process may be made upon the state secretary.