

HOUSE No. 881.

Bill accompanying the petition of William F. Murray and another for legislation to require certain persons and partnerships to appoint agents upon whom service of legal process may be made. Mercantile Affairs. January 22.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

AN ACT

To require Certain Persons and Partnerships to appoint Agents upon whom Service of Legal Process may be made.

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 1. Every person not an inhabitant of this
2 Commonwealth and every partnership composed of per-
3 sons not inhabitants of this Commonwealth, doing busi-
4 ness regularly within this Commonwealth, or having any
5 place of business, or any local agent regularly acting as
6 such within this Commonwealth, shall in writing appoint
7 a person who is a citizen and resident of this Common-
8 wealth to be a general agent upon whom all lawful pro-
9 cesses against such person or partnership may be served

10 with like effect as if served on such person or partner-
11 ship; and said writing or power of attorney shall contain
12 an agreement on the part of the person or persons making
13 the same that the service of any lawful process against
14 such person or partnership on said general agent shall be
15 of the same legal force and validity as such service on
16 said person or partnership. The power of attorney shall
17 be filed in the office of the secretary of the Common-
18 wealth, and copies certified by him shall be taken as suf-
19 ficient evidence and proof thereof. Such agency shall be
20 continued so long as such person or partnership does
21 business as aforesaid in this Commonwealth, and the
22 power of attorney shall not be revoked until a similar
23 power is given to another citizen and resident of this
24 Commonwealth and filed as aforesaid.

1 SECTION 2. Every such person or partnership who
2 neglects or refuses to appoint such general agent shall be
3 notified by the secretary of the Commonwealth, upon
4 information and request by any citizen of the Common-
5 wealth, of the provisions of this act; and every person
6 who acts as agent within this Commonwealth of any such
7 person or partnership continuing to neglect or refuse,
8 after receipt of such notice from the secretary of the
9 Commonwealth, to appoint such general agent, shall for-
10 feit to the treasurer and receiver-general of the Common-
11 wealth the sum of ten dollars for each day that such
12 person has acted as such agent within this Common-
13 wealth, after such neglect or refusal to appoint such gen-
14 eral agent upon notice by the secretary of the Common-
15 wealth.

1 SECTION 3. This act shall take effect the first day of
2 January, A. D. nineteen hundred and nine.