

suit of the State, or of any county or incorporated city or town of this State, or of any citizen or citizens of this State, or of any corporation organized under the laws of this State, which certificate shall state fully the names of the agents to reside in this State and shall be certified by such foreign corporation, under the seal of such foreign corporation and the signature of its president or other proper officer, and shall when received by the secretary of state be recorded by him in a book to be kept for that purpose, from which record the said secretary of state shall be able to certify the appointment of such agents at any time; at the time of receiving such certificate the secretary of state shall give to such company a receipt for such certificate, which receipt shall enable such foreign corporation to commence business in this State.

See sec. 157.

See art. 23, sections 4 and 93.

1904, art. 81, sec. 174. 1890, ch. 608, sec. 2.

**178.** Any person or any officer of any such corporation who shall presume to act as agent or employe of any such foreign corporation, or to open an office for the transaction of the business of any such foreign corporation by employing or using the patent rights, plant or property of such foreign corporation in this State in any manner as renter or bailee, or in any other manner as renter or bailee, or in any other manner under any contract with such foreign corporation before the provisions contained in the first section of this article have been complied with, shall forfeit and pay to the State the sum of one hundred dollars for each and every day he may act as such agent or employe, or may occupy such office for the transaction of such business, before such provisions of the first section of this article shall have been complied with by such foreign corporation, and it shall be the duty of the state's attorney of the city or county in which such business is transacted, or is proposed to be transacted, to prosecute and recover such penalty, and it shall be the duty of the state tax commissioner to inform the state's attorney of any violation of this article of which he may be advised, and to require him to proceed to recover the penalty for such violation as prescribed in this article.

Ibid. sec. 175. 1890, ch. 608, sec. 3.

**179.** Each and every such foreign corporation or company shall on or before the fifteenth day of April next, and on or before the fifteenth day of April in each year thereafter, make a report under the oath of its president, treasurer or other proper officer to the state tax commissioner, setting forth and showing the total gross receipts in this State of such corporation or company for the year ending on the preceding thirty-first day of December, either from business done in this State on its own account or through its individual agent or agents, or from royalty on its patent rights, plant or property employed or hired or rented by any person or persons in this State, or by any cor-