

sought to be attached may be found, or wherein any part was situated when the action was commenced, or where the defendant is personally served in this state, and except as hereinafter provided an action against a resident of this state must be brought in the county of his residence, or that in which the contract was to be performed, except that if an action be duly brought against such defendant in any other county by virtue of any of the provisions of this chapter, then such action may, if legal cause for an attachment exist, be aided by attachment.

Should such action be brought against a resident of this state in any other county than that of his residence, he may have the place of trial changed to the district court of the county wherein he resides, in the same manner and upon the same terms as provided in section 2589 of the code, and the property attached shall not be released because said action was brought in the wrong county, but shall be held and subject in the same manner as if said action had been brought in the county of defendant's residence.

Approved March 19th, 1896

CHAPTER 90.

AN ACT to amend section three thousand and sixty-one (3061) of S. F. 317. the Code relating to the rate of interest on judgments where a stay of execution is taken.

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

SECTION 1. That the last sentence of section three thousand and sixty-one (3061) of the Code of 1873 which reads as follows to-wit: "*And provided, further, that all judgments shall bear interest at the rate of ten per cent per annum on which stay is taken,*" is hereby repealed, and the following is enacted in lieu thereof: "*Judgments on which a stay is taken shall draw the same rate of interest as if no stay had been taken.*"

Approved April 30, 1896.

CHAPTER 91.

AN ACT to amend chapter 151 of the acts of the Eighteenth General Assembly of the state of Iowa. [State Board of Health.]

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

SECTION 1. That section 1 of chapter 151 of the acts of the Eighteenth General Assembly be and the same is hereby amended as follows: By adding immediately after the word "health" in the fifth line of said section 1 the following words, to-wit:

But no one of the seven physicians hereafter appointed shall be an officer or a member of the faculty of any

medical school in this state, and the Governor shall have the power to remove any member of the said board for good cause shown.

Approved April 4, 1896.

CHAPTER 92.

S. F. 236. AN ACT to prohibit the sale and use of impure oil in coal-mines and providing penalties for violations thereof.

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

Sale of adulterated oils. SECTION 1. That only pure animal or vegetable oil shall be used for illuminating purposes in any coal mine in this state. If any person, firm, or corporation, either by themselves or agents or employe, shall sell or offer for sale for illuminating in any coal mine in this state any adulterated oil, or any mixture or compound oil, he shall be deemed guilty of a misdemeanor, and upon conviction thereof he shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

Penalty.

Use of adulterated oils by mine owners. SEC. 2. If any mine owner or operator or employe of such owner or operator shall knowingly use, or if any mine owner shall knowingly permit to be used, for illuminating purposes in any coal mine in this state any adulterated, or mixed, or compound oil he shall upon conviction therefor be fined not less than five dollars nor more than

Penalty.

Duty of mine inspector. SEC. 3. It shall be the duty of the state mine inspector, whenever he has reason to believe that oil is being used, or sold, or offered for sale in violation of the provisions of this act, to take samples of the same and have them tested or analyzed and if they are found to be impure he shall make complaint to the county attorney, who shall forthwith commence proceedings against the offender in any court of competent jurisdiction. For the purposes of this act the state board of health shall fix a standard of purity of oils and regulations for testing said oil, and said standard and regulations when so fixed shall be recognized in all the courts in this state.

State board of health to fix standard of purity.

Expenses; how paid.

SEC. 4. All reasonable expenses incurred in testing or analyzing oil under the provisions of sec. 3 of this act shall be paid by the owner of the oil whenever it shall be found that he is selling or offering to sell impure oil in violation of the provisions of this act. Such costs may be recovered in a civil action, and in criminal prosecutions under this act such expense shall be taxed as part of the costs.

SEC. 5. Nothing in this act shall be held to prevent the use of electric lights in any coal mine in this state.

Publication clause.

SEC. 6. This act being deemed of immediate importance shall take effect and be in force from and after its