

any justice of the peace or other magistrate of said county.

SEC. 9. All writs, indictments, summons and other proceedings (except those provided for in section 8 of this act) made returnable by any law of this State now in force, or by any court, to the terms of the circuit court of the said county of Winnebago, shall be returnable to the the terms of the circuit court of said county of Winnebago, as the same are hereinbefore fixed, and all adjournments, appearances, continuances, motions and notices of any proceedings in the circuit court of said county, made or taken to any term of a date subsequent to the term when this act shall take effect, shall be held to be made and taken for the time hereinbefore fixed for holding the terms of said court for said Winnebago county.

Writs, indictments, &c., when returnable.

SEC. 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 24, 1858.

Chapter 58.

Published April 27th, 1858.

An Act authorizing Garnishee Suits in Justice Courts in certain cases.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION 1. Whenever any suit shall be commenced by summons before a Justice of the Peace, in an action founded upon contract, express or implied, the plaintiff or other person in his behalf, may make an affidavit that the affiant has good reason to believe that any person (naming him) is indebted to the defendant, or has property, (describing the same,) money, effects, or credits in his possession belonging to the defendant, and shall demand of the officer having such summons, to summon such person as garnishee; the officer shall summon such person in writing to appear before the Justice on the return day of the summons, to answer touching his liability as garnishee.

When suits to be commenced founded on contract, it requires affidavit that plaintiff is indebted to defendant.

The return of officer to be upon summons and to be evidence.

SEC. 2. The return of the officer shall be upon the summons issued by the Justice of the Peace, which return shall be evidence of the facts therein stated in the garnishee suit, as well as the original suit, and like proceedings, jurisdiction and practice shall be had in the cases provided for in this act, as are now had in cases of garnishee commenced by attachment.

When suits are removed from one justice to another the garnishee summons, &c. to be also removed, likewise all papers

SEC. 3. Whenever any suit, in which any person has been summoned as garnishee, shall be removed from the justice before whom the same was commenced, to another justice, for any cause whatever, the garnishee summons, as well as the suit thereby commenced, and all the proceedings therein, shall be removed to the same Justice to whom the original suit is removed.— And whenever any suit, commenced before a Justice of the Peace by the service of garnishee summons, shall for any cause be removed to another Justice, the suit in which such garnishee summons was issued, shall also be removed to the same Justice. In all such cases as are mentioned in this section, the Justice from before whom such suits are removed, shall immediately transmit all the papers, in both suits, to the proper Justice, as required by law, and the Justice to whom the same may be removed, shall proceed to hear, try and determine the same, in all respects, as though the same had been commenced before him.

SEC. 4. This act shall take effect from and after publication.

Approved April 24th, 1858.

Chapter 59.

Published April 27th, 1858.

AN ACT to amend chapter 120 of the Revised Statutes, entitled "Of the lien of mechanics and others."

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Amendment.

SECTION 1. Chapter one hundred and twenty of the Revised Statutes, entitled "Of the lien of mechanics and others," is hereby so amended that the lien therein created shall be available in favor of any person or