

[No. 297, A.]

[Published April 4, 1889.]

## CHAPTER 229.

AN ACT relating to garnishment, and amending section 2771, of the revised statutes.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Amending sec.  
2771, R. S.

Defendant may  
release garnish-  
ment, when.

SECTION 1. Section 2771, of the revised statutes, is hereby amended by striking out in the first and second lines thereof, the words, "after the complaint is filed," and substituting in place thereof the words, "after the commencement of the action;" and also by striking out in the seventh and eighth lines thereof, the words, "demanded by the complaint on file," and substituting the words, "of the indebtedness specified in the affidavit of garnishment." "Section 2771. The defendant may at any time after the commencement of the action and before judgment, file with the clerk of the court an undertaking, executed by at least two sureties, resident freeholders of the state, to the effect that they will on demand pay to the plaintiff the amount of the judgment, with all costs that may be recovered against such defendant in the action, not exceeding a sum specified, which sum shall not be less than double the amount of the indebtedness specified in the affidavit of garnishment, or in such less sum as the court shall upon application direct. The sureties shall justify their responsibility by affidavit annexed, stating a sum which each is worth in property within this state, over and above all his debts and liabilities, and property exempt from execution, the aggregate of which sums shall be double the amount specified in the undertaking. The defendant shall serve a copy of such undertaking, with a notice where and when the same was filed, on the plaintiff. Within three days after the receipt thereof the plaintiff shall give notice to the defendant that he accepts to the sufficiency of the sureties, or he shall be deemed to have waived all objections to them. When the plaintiff accepts the sureties shall justify in like manner as bail upon arrest, and the provisions of

sections 2704, 2705 and 2706 shall be applicable thereto. Thereafter all the garnishees shall be discharged and the garnishment proceedings shall be deemed discontinued, and any money or property paid or delivered to any officer shall be surrendered to the person entitled thereto, and the costs shall be taxable as disbursements of the plaintiff in the action, if he recovers.”

SECTION 2. This act shall take effect from and after its passage and publication.

Approved April 1, 1889.

[No 395, S.]

[Published April 4, 1889.]

## CHAPTER 230.

AN ACT to authorize the city of Oconto to issue bonds.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. The common council of the city of Oconto, in the state of Wisconsin, is hereby authorized and empowered to issue bonds to an amount not exceeding ten thousand dollars, for the purpose of building public wharves in said city of Oconto at a point to be determined by an ordinance passed by the common council of said city. The bonds to be issued in denominations of one thousand dollars each, and not to draw interest at a rate exceeding six per cent. per annum, interest to be paid annually, and the bonds and all interest to be payable within ten years from the date of their issue, as follows: One bond of one thousand dollars and interest thereon, and interest on the balance of the unpaid bonds each year until all are paid. The bonds, when issued, to be signed by the mayor and city clerk of said city, and shall be issued only when authorized by an ordinance passed by the common council of said city; which ordinance shall specify for what purpose issued, when the bonds and interest shall become due and payable and the amount to be

Authorizing city of Oconto to issue bonds, to build wharves, etc.