

No. 58, A.]

[Published May 12, 1955.

#### CHAPTER 72

AN ACT to amend 128.21 (1) and (6) of the statutes, relating to voluntary proceedings by wage-earners for the amortization of debts.

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

SECTION 1. 128.21 (1) of the statutes is amended to read:

128.21 (1) Any person whose principal source of income consists of wages or salary aggregating not over \* \* \* \$3,600 a year, may file a verified petition with the circuit court in the county of his residence stating that he is unable to meet his current debts as they mature, but is able to make regular future payments on account sufficient to amortize said debts over a period of not more than 2 years, and that he desires the aid of the court to effectuate the amortization. The petition shall also set forth the names and addresses of any creditors who have levied any executions, attachments or garnishments, and of any garnishees, and the court shall forthwith, by order, require that proceedings for the enforcement of such executions, attachments or garnishments be stayed during the pendency of proceedings under this section. The petition shall be accompanied by a filing fee of \$10; *which fee shall be applied as sub. (6) directs. No state suit tax to be collected on these proceedings.*

SECTION 2. 128.21 (6) of the statutes is amended to read:

128.21 (6) Whenever the proceedings are dismissed under any of the provisions of subs. (3) or (5), the trustee shall report to the court an itemized and verified list of his out-of-pocket expenses, and of his receipts and expenditures, if any, and the court shall thereupon direct the clerk to pay to the trustee \* \* \* *\$6 of the filing fee and also direct that the remaining \$4 be applied as clerk's fees*, unless the court on its own motion or on the complaint of any creditor or the debtor finds that the trustee did not satisfactorily discharge his duties, in which case the court may direct the return to the debtor of all or any part of the fee and may require the trustee to return to the debtor all or any part of the commissions, if any, received by the trustee under sub. (4).

Approved May 6, 1955.

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