

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1880.

[No. 181, A.]

[Published March 19, 1880.]

CHAPTER 207.

AN ACT to amend section three thousand seven hundred and twenty-five of chapter one hundred and fifty-eight of the revised statutes of 1878, relating to proceedings in garnishment.

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

If the plaintiff recover against defendant.

SECTION 1. Section three thousand seven hundred and twenty-five of the revised statutes is hereby amended so as to read as follows: Section 3725. If the plaintiff recover against the defendant in the original action, and the answer of the garnishee, when no issue is made thereon, or the finding of the court or jury on an issue, show that the garnishee at the time of the service of the summons had property in his possession belonging to the defendant, or that he was indebted to him, the justice shall enter an order in his docket, requiring the garnishee, within ten days, to pay or deliver to the justice such property, or the amount of such indebtedness, or so much thereof as may be necessary to satisfy such judgment, with costs thereof, and the costs of the garnishee proceedings; or if it appears from such answer or finding that the garnishee is to pay or deliver to the defendant any money or property in any other manner or at any other time than immediately, and at the time of the service of the summons, the same belonging to the defendant, then the order of the justice shall be, that such payment or delivery be so made to the justice for the benefit of the plaintiff. If such garnishee shall pay such indebtedness and deliver such property as directed by such order, the costs of the garnishee shall be paid out of the money or property received by the justice, unless the garnishee upon an issue joined with him by the plaintiff shall have been held liable in a greater amount of property or indebtedness than was disclosed in his answer, in which case he shall not have costs; and all property and effects, except money, delivered to the justice, shall be by him ordered to be sold on the execution against the defendant.

Garnishee to pay within ten days.

Costs of garnishee to be paid.

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

Approved March 12, 1880.