

CHAPTER 23.

Portage. (See vol. 2.)

[No. 4 S.]

[Published March 7, 1883.]

CHAPTER 24.

AN ACT to amend section 3726 of the revised statutes, relating to garnishments in justices' courts.

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

Law relating to
garnishments.

Amended.

SECTION 1. Section 3726 of the revised statutes is hereby amended so as to read as follows: Section 3726. If the garnishee do not deliver over the property, or pay the money so found in his hands and belonging to the defendant as provided in the preceeding section as amended by chapter 207 of the year 1880, then judgment shall be given against him as follows; 1. If the value of the property in the possession of the garnishee, as found by the justice or jury, shall be less or equal to the judgment against the principal defendant for damages and costs, then for the value as so found. 2. If the value of the property in the possession of the garnishee, as found by the justice or jury, shall exceed the amount of the judgment for damages and costs against the principal defendant (then for the amount of the judgment for damages and costs against the principal defendant) with the costs of suit in the action in which he is garnishee, not exceeding the value as found by the justice or jury. The plaintiff at his election instead of taking judgment as aforesaid for the value as so found against the garnishee, may enforce the delivery of the property found in his hands by proceedings as for a contempt in case of the garnishee's refusal to deliver the property found in his possession, pursuant to the order of the justice requiring such delivery. An appeal may be taken from any order of the justice directing the delivery of the property in the garnishee's possession the same as if from a judgment.

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

Approved March 3, 1883.