

this chapter; but the claim of such sub-contractor or employe shall not constitute such lien, except so far as such owners shall, at the time of giving such notice, be or shall hereafter become indebted to such principal contractor for work done or materials furnished under the principal contract. In no case shall the owner be compelled to pay a greater sum for, or on account of such house, building or other improvement than the price or sum stipulated in the original contract or agreement; provided, if it shall appear to the court that the owner and contractor fraudulently, and for the purpose of defrauding sub-contractors or employes fixed an unreasonably low price in their original contract for the erection or repairing of such building, then the court shall ascertain how much of a difference exists between a fair price for labor or material used in said building or other improvement and the sum named in said original contract. Said difference shall be considered a part of the contract and be subject to a lien; but in no case shall the original contractor's time or profits be secured by this lien, only so far as the sum named in the original contract or agreement.

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

Approved April 4, 1885.

[No. 25, S.]

[Published April 13, 1885.]

## CHAPTER 313.

AN ACT to appropriate a sum of money therein named to the Pierce County Central Fair and Stock Exchange.

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

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of three hundred dollars to the Pierce County Central Fair and Stock Exchange; provided, that no warrant shall be drawn by the secretary of state for the payment of the sum of money hereby appropriated except upon

Appropriation  
to Pierce County  
Fair and  
Stock Ex-  
change.

the presentation of a sworn statement, signed by the president and secretary of said Pierce County Central Fair and Stock Exchange, certifying that the sale of intoxicating liquors has been prohibited and prevented upon the grounds of said society during the year for which the appropriation is made.

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

Approved April 4, 1885.

[No. 42, S.]

[Published April 16, 1885.]

## CHAPTER 314.

AN ACT to amend chapter 125, of the revised statutes, entitled, "of garnishment."

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

Relating to  
garnishment.

SECTION 1. Section 2762, of the revised statutes, is hereby amended so as to read as follows: Section 2762. In case the answer of the garnishee shall show a present indebtedness to the defendant, he shall pay the same or so much thereof, as may be sufficient to cover the claim of the plaintiff, as stated in the affidavit, with interest and costs to the clerk of the court, at the time of serving his answer, less three dollars for the garnishee's costs and the clerk shall give him a receipt, specifying the facts, and it shall be a complete discharge of all liability to any party for the amount so paid. In case the indebtedness disclosed in the garnishee answer, is to become due at a future time, the garnishee shall pay the amount as aforesaid to the clerk, when due, with like effect and in default of such payment, in either case the plaintiff shall be entitled to judgment against the garnishee for the amount disclosed, when due, either before or after judgment has been rendered in the original action, and may proceed to collect the same by execution; but in case no judgment has been rendered in the principal action, the execution by an endorsement endorsed thereon, shall require the sheriff to pay the