

[No. 483, A.]

[Published April 11, 1885.]

CHAPTER 286.

AN ACT to amend section 2753, 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
garnishments.

SECTION 1. Section 2753, of the revised statutes of 1878, is hereby amended by inserting after the words, "express or implied," in line three of said section, the words, "or in any cause of action mentioned in section 2731, of these statutes; so that said section, when amended, shall read as follows: Section 2753. Either at the time of the issuing of the summons, or at any time thereafter before final judgment, in any action to recover damages founded upon contracts, express or implied, or in any cause of action mentioned in section 2731, of these statutes, or upon judgment or decree, or at any time after the issuing, in any case, of an execution against property, and before the time when it is returnable, the plaintiff, or some person in his behalf, may make an affidavit stating the amount of the plaintiff's claim against the defendant or defendants over and above all offsets, and stating that he verily believes that some person, naming him, is indebted to or has property, real or personal, in his possession or under his control, belonging to the defendant, or either, or any of the defendants in the action or execution, naming him, and that such defendant has not property liable to execution sufficient to satisfy the plaintiff's demand, and that the indebtedness or property mentioned in such affidavit is, to the best of the knowledge and belief of the person making such affidavit, not by law exempt from seizure, or sale upon execution. Any number of garnishees may be embraced in the same affidavit and summons hereinafter provided for; but if a joint liability be claimed against any, it shall be so stated in such affidavit, and the garnishees named as jointly liable shall be deemed jointly proceeded against, otherwise the several garnishees shall be deemed severally proceeded against.

Approved April 4, 1885.