

No. 565, S.]

[Published July 16, 1927.]

CHAPTER 367.

AN ACT to amend subsection (1) of section 267.08 and subsection (1) of section 267.11, and to create section 267.22 of the statutes, relating to garnishment fees in courts of record.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection (1) of section 267.08 and subsection (1) of section 267.11 of the statutes are amended to read: (267.08) (1) Within twenty days from the service of such garnishee summons the garnishee shall, if the truth warrant * * * file with the clerk of the court in which the action is pending and serve a copy thereof upon the plaintiff, his affidavit in the following form, substantially:

.....Court,County.

A. B., plaintiff,

vs.

C. D., defendant,

and E. F., garnishee.

.....County, ss.

E. F., being first duly sworn, says that on the day of, A. D. 19...., he was served with a garnishee summons in the above entitled action; that he was then and is now in no manner and upon no account whatever indebted or under liability to the defendant (naming him), and that he then had and now has in his possession or under his control no real estate and no personal property, effects or credits, of any description whatever, belonging to said defendant or in which he has any interest; and is in no manner liable as garnishee in this action.

Subscribed and sworn to before me this

..... day of, A. D. 19.....

(267.11) (1) 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, * * * 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.

SECTION 2. A new section is added to the statutes to read: 267.22 In an action against a garnishee in any court of record, the person summoned to appear shall be entitled to receive the sum of three dollars as garnishee fee and he shall not be required to appear or answer unless such amount be first paid to him. When a corporation is garnisheed such fee shall be paid to the person upon whom the garnishee summons is served. Such fee shall be taxed as costs in the action the same as witness fees are taxed.

SECTION 3. This act shall take effect upon passage and publication.

Approved July 14, 1927.

No. 106, S.]

[Published July 16, 1927.

CHAPTER 368.

AN ACT to repeal sections 63.01, 63.02, and subsections (1), (2), (3), and (4) of section 63.13; to renumber subsection (5) of section 63.13; and to create a new section and a new subsection (1) of section 63.13 of the statutes, relating to the adoption and abandonment of the commission plan of city government.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 63.01, 63.02, and subsections (1), (2), (3), and (4) of section 63.13 of the statutes are repealed.

SECTION 2. Subsection (5) of section 63.13 is renumbered to be subsection (2) of section 63.13.

SECTION 3. One new section is added to the statutes, and a new subsection is added to section 63.13 of the statutes, to read: 63.01 Any city of the second, third, or fourth class may reorganize under the provisions of this chapter either by enactment of a charter ordinance or by a petition and referendum election as provided by section 66.001 of the statutes. Such petition and election shall be governed by subsections (2) to (5) of section 10.43.

(63.13) (1) Any city which shall have adopted the provisions of this chapter may abandon the same and reorganize under