

639.15 Remedy for falsely suing out counterclaim.

The fact stated as a cause of attachment shall not be contested in the action by a mere defense. The defendant's remedy shall be on the bond, but the defendant may in the defendant's discretion sue thereon by way of counterclaim, and in such case shall recover damages as in an original action on such bond.

[R60, § 3238; C73, § 3017; C97, § 3888; C24, 27, 31, 35, 39, § **12091**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 639.15]