

CHAPTER 101.

S. F. 109.

AN ACT to repeal section thirty-nine hundred and twelve (3912) of the code, and to enact a substitute therefor, relating to the sale of perishable property when seized under a writ of attachment.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. When to be sold. That section three thousand, nine hundred and twelve (3912) of the code be repealed and the following enacted in lieu thereof:

“When the sheriff thinks the property attached in danger of serious and immediate waste and decay, or when the keeping of the same will necessarily be attended with such expense as greatly to depreciate the amount of proceeds to be realized therefrom, or when the plaintiff makes affidavit to that effect, the sheriff may summon three persons having the qualifications of jurors to examine the same. The sheriff shall give the defendant, if within the county, three days’ notice of such hearing, and he may appear before such jury and have a personal hearing. If they are of the opinion that the property requires soon to be disposed of, they shall specify in writing a day beyond which they do not deem it prudent that it should be kept in the hands of the sheriff. If such day occurs before the trial day, he shall thereupon give the same notice as for sale of goods on execution, and for the same length of time, unless the condition of the property renders a more immediate sale necessary. The sale shall be made accordingly. If the defendant gives his written consent, such sale may be made without such finding.”

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved March 9, 1898.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader, March 10, 1898.

G. L. DOBSON,
Secretary of State.

CHAPTER 102.

H. F. 219.

AN ACT to amend section thirty-nine hundred and forty-seven (3947) of the code, relating to notice to defendant in case of garnishment.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Notices substituted for motions. That section three thousand nine hundred and forty-seven of the code be and the same is hereby amended, by striking out the word “motions” in the fourth line of said section and substituting in lieu thereof the word “notices.”

Approved March 19, 1898.

CHAPTER 103.

S. F. 5.

AN ACT to amend section three thousand nine hundred and forty-eight [3948] of the code, relating to garnishment.

Be it enacted by the General Assembly of the State of Iowa.

SECTION 1. Discharge of garnishee. That section three thousand nine hundred and forty-eight of the code be amended by striking out the period at the end of said section, and by adding to said section the following, “As to that part which is exempt or not liable.”