

an office and perform all the duties pertaining to their said office of the justice of the peace in any part of said city, as fully as they may now do in the wards in which they were respectively elected to such office.

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

Approved March 4, 1879.

[No. 90, A.]

[Published March 18, 1879.]

CHAPTER 215.

AN ACT to appropriate to the county of Green Lake a certain sum of money therein named.

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

SECTION 1. There is hereby appropriated to the county of Green Lake, out of any money in the general fund not otherwise appropriated, the sum of two hundred and three and ten one hundredths dollars, to reimburse the said county for moneys paid for the support and funeral expenses of John Switzer, an insane pauper, now deceased. Appropriation,
\$203.19.

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

Approved March 4, 1879.

[No. 100, A.]

[Published March 23, 1879.]

CHAPTER 216.

AN ACT to remedy the evils consequent upon the destruction of public records of Dodge county by fire.

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

SECTION 1. It shall be lawful for any person or persons claiming title to any lands in the county of Dodge, by virtue of any original deed, conveyance, contract, mortgage, deed of trust or other instrument in writing, affecting real estate, which has heretofore been recorded, or certified copies of the same, to have the said deeds, conveyance, contract, mortgage, deeds of trust or other instrument in writing, or certified copies thereof, recorded again within two years' time from Re-recording of
records.

Deed to be
prima facie ev-
idence as to
record.

the first day of May, 1879, and deposited for record in the office of the register of deeds of the county of Dodge, in a book or books to be provided for that purpose by the county of Dodge. And said record and re-recording of said deed or deeds of conveyance, contract, mortgage, deeds of trust, or any other instrument in writing, affecting real estate, shall be deemed and taken in all courts and places as a public record and *prima facie* evidence as a true and correct reproduction of the original records, so far as they extend, from the government down to the grantee named in such deeds lost and destroyed by the burning of the office of the register of deeds of the county of Dodge, without any proof being required of the title of the grantor to such instrument to the lands thereby affected. All other deeds, mortgages, contracts, deeds of trust, or any other instrument in writing affecting real estate actually made, executed and delivered prior to the destruction of said records of said county and which has not been heretofore recorded, shall be recorded in the office of register of deeds of said county, which shall be deemed and taken in all courts and places as a public record and *prima facie* evidence as a true and correct reproduction of the original records, so far as they extend, from the government down to the grantee named in such deeds, without any proof being required of the title of the grantor to such instrument to the lands thereby affected: *provided*, that no such instrument not heretofore recorded shall be recorded until it shall have been proved and established before the county or circuit court, that the same was so made, executed and delivered, prior to the destruction of such records. If such instrument is not properly proved or acknowledged the same may be acknowledged before any officer of the county authorized to take such acknowledgment; or the execution thereof may be proven in the manner provided by law.

Duty of regis-
ter of deeds.

SECTION 2. The register of deeds of Dodge county is hereby required to re-record said deeds of conveyance, contract, mortgages, deeds of trust, or any other instruments in writing affecting real estate, as mentioned in the preceding section; and shall receive for said re-recording the following fees, to-wit: for a deed thirty cents; for a mortgage thirty cents; for a contract thirty cents; for a deed of trust thirty cents; for any other instrument in writing affecting real estate thirty cents.

Penalty for re-
fusal to re-re-
cord.

SECTION 3. In case the register of deeds of Dodge county shall refuse to re-record such instruments as

mentioned in the preceding sections, he shall be deemed guilty of a misdemeanor, and on conviction thereof, punished according to law.

SECTION 4. In all cases where any party claiming title to any real estate in the said county of Dodge shall have lost his original deed or deeds of conveyance, mortgages, contracts, deeds of trust or any other instruments in writing affecting real estate, or certified copies thereof, so that the party is unable to produce the same for re-recording upon proof to the satisfaction of the county or circuit court of the said county of Dodge of the facts of such loss or destruction of such deed, mortgage, contract, deeds of trust, or copies thereof, and upon further proof that the lands in question belong to such party, the said courts, or either of them, may require the grantor or grantors of such person, at the expense of such person, to make, execute and deliver to the party entitled thereto, a new deed of conveyance, which shall be of as full force and value as the original lost or destroyed ones and such party may have the same re-recorded in the same manner and with like effect as the original thereof may be re-recorded, pursuant to the provisions of this act. And in case the said grantor or grantors shall have died or removed beyond the jurisdiction of the said county or circuit court, or the grantor or grantors refuses to issue a new deed or other instrument of conveyance, the said courts, or either of them, may order that public notice to be given at least three months in one or more newspapers published in said county of Dodge, by describing in said notice the land in question, and that personal service of such notice be made on the heirs of such deceased person residing within the said county, not less than thirty days before the time of hearing, and requiring any person or persons claiming any title or an interest in the land described in said notice to show cause why a judgment should not be granted in favor of the applicant. The said county or circuit court, or either of them, shall, on said published notice, appoint a day for such hearing, and upon proofs, may enter judgment granting the title to the lands in question and declaring the same to belong to the party rightfully entitled thereto, and such judgment may be recorded in the same manner and with like effect as the original deeds of conveyance; and upon said hearing, the court or judge thereof shall hear evidence which tends to show title offered by either party, or any party claiming title on said hearing, and he shall receive parol as well as written evidence to establish said title.

Proof of title;
making of new
instruments.

Publication of
this act.

SECTION 5. It is further provided that the county clerk of Dodge county is hereby authorized to have this act published in all the newspapers published in Dodge county and in the official state paper at least three months prior to the first day of October, 1879, and to be paid by the county the same as other printing provided by law.

Constructing this
act.

SECTION 6. The words "party or person," when used in this act, shall include persons and all bodies politic and corporate.

SECTION 7. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 4, 1879.

[No. 121, A.]

[Published March 11, 1879.]

CHAPTER 217.

AN ACT to appropriate to the county of Outagamie a certain sum of money therein named.

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

Appropriation,
\$461.87.

SECTION 1. There is hereby appropriated to the county of Outagamie the sum of four hundred and sixty-one, and thirty-seven one hundredths of a dollar, being the amount said county has paid the state for the support of an insane person not properly chargeable to said county.

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

Approved March 4, 1879.

[No. 390, A.]

[Published March 11, 1879.]

CHAPTER 218.

AN ACT to amend section four, chapter two hundred and twenty-eight, laws of 1876, relating to the disbursements of the Sturgeon Bay and Lake Michigan ship canal and harbor company.

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

Amendment.

SECTION 1. By inserting after the words "except in accordance with the provisions of this act" the words