

No. 439, S.]

[Published June 13, 1951.

CHAPTER 321.

AN ACT to create 330.18 (7) of the statutes, relating to the time within which certain actions must be commenced.

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

SECTION 1. 330.18 (7) of the statutes is created to read:

330.18 (7) (a) No action or proceeding affecting the title to or possession of any real estate which is founded on a defect in jurisdiction over a person named as a party defendant in a judgment entered in a court of record of this state shall be commenced after 10 years from the filing of such judgment with the clerk of the said court, provided that during such time a lis pendens or such judgment or a certified copy thereof, naming such person as a party defendant, has been of record in the office of the register of deeds of the county in which such real estate is located, unless within 10 years after the date of the filing of such judgment with the said clerk there is filed in the office of such register of deeds some instrument or notice giving the name of the person claiming to have been affected thereby describing such defect, and the real estate affected. Any such instrument or notice filed after the expiration of such 10 years, shall be likewise effective, except as to the rights of

a purchaser, without notice and for value, of such real estate or interest therein which may have arisen prior to such filing. Such instrument or notice may be discharged in the same manner as a lis pendens.

(b) Paragraph (a) shall have no application to judgments in estates of decedents.

SECTION 2. This act shall take effect July 1, 1952.

Approved June 6, 1951.
