

No. 353, S.]

[Published August 9, 1951.

**CHAPTER 703.**

AN ACT to repeal 235.19 (1), (3) (first sentence) and (4) and the title to chapter 329; to renumber 235.19 (3) (2d and 3d sentences) and 329.01 to 329.12 and 329.14 to 329.16; to renumber and amend 235.19 (2); 235.22 and 329.13; to amend 180.11 (3), 188.08 (3), 188.09 (3), 188.11 (3), 188.15 (3), 188.16 (3), 188.17 (3), 188.19 (3), 235.01 (1), 235.19 (2) (e), (f) (as renumbered), 235.19 (13) (as renumbered), 235.23, 235.25 (5), 236.05 (2) and (3), 318.06 (9) and 319.40; and to create 235.19 (2) (g) to (k) of the statutes, relating to execution and acknowledgment of instruments.

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

SECTION 1. 180.11 (3), 235.25 (5) and 318.06 (9) of the statutes are amended by substituting "235.01" for "235.19".

SECTION 2. 188.08 (3), 188.09 (3) and 188.11 (3) and 188.15 (3) of the statutes are amended by substituting "section 235.01 (5)" for "subsection (2) of section 235.19"; and 188.16 (3), 188.17 (3) and 188.19 (3) of the statutes are amended by substituting "235.01 (5)." for "235.19 (2)."

SECTION 3. 235.01 (1) of the statutes is amended to read:

235.01 (1) Conveyances of land or any estate or interest therein may be made by deed signed and sealed by the person from whom the estate or interest is intended to pass, being of lawful age, or by his lawful agent or attorney \* \* \*. *Conveyances shall be acknowledged \* \* \* and shall be executed in the presence of 2 witnesses who shall subscribe their names as such.*

SECTION 4. 235.19 (2) of the statutes is renumbered 235.01 (5) and amended to read:

235.01 (5) When such conveyances are of lands or any interest therein, owned by a corporation organized under any law of this state, they shall be signed by the president or other authorized officers of the corporation, sealed with the corporate seal, if any, otherwise as provided in section 235.17, and countersigned by the secretary, assistant secretary, cashier or assistant cashier, or clerk thereof; and all corporate conveyances so executed prior to \* \* \* *September 1, 1898* shall be valid.

SECTION 5. 235.19 (1), the first sentence of (3) and (4) of the statutes are repealed.

SECTION 6. The second and third sentences of 235.19 (3) of the statutes are renumbered 235.20 (3).

SECTION 7. The title to chapter 329 of the statutes is repealed and 329.01 to 329.12 and 329.14 to 329.16 of the statutes are renumbered 235.19 (1) to (15). The subsections thereof are made paragraphs; the word "section" is substituted for "chapter"; and the statute references are changed to harmonize with this renumbering.

SECTION 8. 235.19 (2) (e) and (f) of the statutes (as renumbered) are amended to read:

- 235.19 (2) (e) A justice of the peace; \* \* \*
- (f) A master in chancery or register in chancery \* \* \* ; or

SECTION 9. 235.19 (2) (g) to (k) of the statutes are created to read:

- 235.19 (2) (g) A clerk of a court of record;
- (h) A court commissioner;
- (i) A county clerk;
- (j) A police justice; or
- (k) A United States commissioner residing within this state who files with the clerk of the circuit court of the county in which he resides his certificate of appointment as commissioner, or a copy thereof certified by the clerk of the court which appointed him.

SECTION 10. 235.22 of the statutes is renumbered 235.19 (7) (e) and amended to read:

235.19 (7) (e) \* \* \* *General:*

State of \* \* \* ..... , \* \* \*  
..... County.

Personally came before me this ..... day of ....., 19...., the above (or within) named A. B. and C. B., his wife (or if an officer adding the name of his office), to me known to be the persons who executed the foregoing (or within) instrument and acknowledged the same.

.....  
(Insert designation of officer.)

(SEAL)

SECTION 11. 235.19 (13) of the statutes (as renumbered) is amended to read:

235.19 (13) The absence of a seal or of witnesses to an instrument which is acknowledged in the manner and form provided by \* \* \* subsections (7) (a) to (d) and (8) to (11) shall not render the instrument unrecordable.

SECTION 12. 235.23 and 319.40 of the statutes are amended by substituting "235.01" for "235.19" and by substituting "235.19 (7) (e)" for "235.22."

SECTION 13. 236.05 (2) and (3) of the statutes are amended to read:

236.05 (2) Immediately after the affidavit of the surveyor shall appear the certificate of dedication of the owner of the land in substantially the following form: As owner I hereby certify that I caused the land described in the foregoing affidavit of ..... , surveyor, to be surveyed, divided, mapped and dedicated as represented on this plat. Such certificate shall be signed, witnessed and acknowledged \* \* \* to entitle \* \* \* it to registration.

(3) The owner's certificate shall be signed or consented to in writing on the plat by all persons holding an interest in the fee of record or by being in possession and if the land is mortgaged by the mortgagee. These signatures shall be \* \* \* witnessed and acknowledged \* \* \* to entitle them to registration.

SECTION 14. 329.13 of the statutes is renumbered 326.01 (3) and amended to read:

326.01 (3) In every instance \* \* \* where an officer *in the armed forces* is authorized by section \* \* \* 235.19 (11) to take an acknowledgment, he may administer oath.

Approved July 20, 1951.