

TITLE XIX.

Public Records.

CHAPTER 228.

RECORDING AND COPYING OF PUBLIC RECORDS IN
POPULOUS COUNTIES.

228.01 Recording of documents and public records by mechanical process authorized.	228.04 Inspection of records and copies of records.
228.02 Certification of records.	228.05 Marginal references.
228.03 Copy to be deemed to be original record.	228.06 Correction and alterations.

228.01 Recording of documents and public records by mechanical process authorized. Whenever any officer of any county having a population of 500,000 or more is required or authorized by law to file, record, copy, recopy or replace any document, court order, plat, paper, written instrument, writings, record or book of record, on file or of record in his office, notwithstanding any other provisions in the statutes, he may do so by photostatic, photographic, microphotographic, microfilm, or other mechanical process which produces a clear, accurate and permanent copy or reproduction of the original document, court order, plat, paper, written instrument, writings, record or book of record in accordance with standards not less than those approved for permanent records by the national archives and records service of the general services administration. Any such officer may also reproduce by such processes any document, court order, plat, paper, written instrument, writings, record or book of record which has previously been filed, recorded, copied or recopied.

228.02 Certification of records. In counties having a population of 500,000 or more, in any case where an original document, court order, plat, paper, written instrument, writings, record or book of record previously filed or of record in the office of such officer is, whether because of the worn or injured condition thereof or for any other reason, copied and replaced by such process under s. 228.01, and where such officer is required by law to certify in or on the paper or book replacing the original so copied that the replacement is a true and correct copy of the original, a copy of such certification by such officer, similarly made and produced and included at the end of the replacement, shall be sufficient compliance with such law.

228.03 Copy to be deemed to be original record. (1) Photographic reproduction of original documents, court orders, plats, papers, written instruments, writings, records, books of record, original files or other material bearing upon or pertinent to the activities and functions of any county office, department, agency, board, commission, court or institution in counties having a population of 500,000 or more, shall be deemed to be an original for all purposes, if:

(a) Such reproduction is upon film which complies with the minimum standards of quality approved for permanent photographic records by the national archives and records service of the general services administration;

(b) The device used to reproduce the records on film is one which reproduces the content of the original;

(c) Each reel or part of a reel of microfilm carries at the beginning a title target giving the name of the county office, department, agency, board, commission, court or institution; a brief title of record series; and at the end the camera operator's certificate showing the microfilming project identification, reel number, and a brief description of the first and last document on the reel or part of the reel of film, together with a statement signed by the operator substantially as follows: I hereby certify that I have on this . . . day of . . . , 19 . . . , (photographed, microphotographed) the foregoing and above-described documents in accordance with standards established by section 228.03 (1) of the statutes and with established procedures; and

(d) A statement of compliance with the minimum standards for quality of film and for processing and developing permanent photographic records as provided by the national archives and records service of the general services administration shall be photographed at the end of each reel or part of a reel of microfilm. The certificate of the operator and the statement of compliance shall be presumptive evidence that all conditions and standards prescribed by this section have been complied with.

(2) Any photographic reproduction meeting the foregoing conditions prescribed shall be taken as and stand in lieu of and have all the effect of the original document or writings and shall be admissible in evidence in all courts and all other tribunals or agencies, administrative or otherwise, in all cases where the original document is admissible. A transcript, exemplification or certified copy thereof, for all purposes herein, is deemed to be a transcript, exemplification or certified copy of the original. Such reproduction shall be placed in conveniently accessible files and provision shall be made for preserving, examining and using the same. An enlarged copy of any photographic reproduction on film made as herein provided and certified by the custodian as provided in s. 327.18 (2) shall have the same effect as the photographic reproduction itself.

228.04 Inspection of records and copies of records. Every custodian of public records in counties having a population of 500,000 or more shall keep them in such arrangement and condition as to make them easily accessible for convenient use. Photographic, photostatic, microphotographic, microfilm or other mechanical process of records shall be considered as accessible for convenient use regardless of the size of such records, provided that a suitable means for public inspection of the records is provided by the agency maintaining the records. Except as otherwise expressly provided by law, he shall permit all public records in his custody to be inspected, examined, abstracted or copied at reasonable times and under his supervision and regulation by any person; and he shall, upon the demand of any person, furnish certified copies thereof on payment in advance of fees not to exceed the fees prescribed by law.

228.05 Marginal references. The register of deeds of any county having a population of 500,000 or more who has copied a document by microphotography or microfilm accepted by him for recording or filing shall also, as a substitute for marginal references required, prepare an index for documents of ancillary nature for which marginal references are required. Such index for ancillary documents shall be prepared and maintained to show the document number or volume and page of the original recording or filing plus a record of any and all recordings or filings affecting or pertinent to such original recording or filing requiring marginal references subsequent to the date on which the county begins such recording or recopying by microphotography or microfilm.

228.06 Correction and alterations. In counties having a population of 500,000 or more, in any case where any record or replacement thereof in the office of any county officer is produced by a mechanical process, any correction, alteration, indorsement or entry required or authorized to be made of or on any instrument or paper or on the record thereof, may be made by copying or reproducing the affidavit, certificate, court order or corrected copy by the same means used to produce the original copy, and by noting and making reference to the correction, alteration, indorsement or entry in the indexes showing the location of the original filing or recording.

TITLE XX.

Real Property, and the Nature and Qualities of Estates Therein.

CHAPTER 230.

NATURE AND QUALITIES OF ESTATES IN REAL PROPERTY, AND RESTRICTIONS ON ALIENATION.

230.01	Enumeration of estates.	230.28	Rule in Shelley's Case abolished.
230.02	Estate in fee simple.	230.29	Remainders abridging first estate.
230.03	Estate in fee tail.	230.30	Rights of posthumous children.
230.04	Effect of conveyances by tenant in tail.	230.31	Effect of birth of, on future estates.
230.05	Estates, how denominated.	230.32	Expectant estates not defeated.
230.06	Estates for life of third person.	230.33	When, may be defeated.
230.07	Division of estates as to time.	230.34	Premature determination of precedent estate.
230.08	Estates in possession and in expectancy.	230.35	Qualities of expectant estates.
230.09	Estates in expectancy.	230.36	Rents and profits.
230.10	Future estate.	230.37	Accumulations.
230.11	Remainders.	230.40	Rents, right of owner of next estate.
230.12	Reversions.	230.41	Expectant estate, when created.
230.13	Vested and contingent estates.	230.42	Expectant estates abolished.
230.14	Suspension of power of alienation.	230.43	Severalty, joint tenancy, in common.
230.15	Limit of suspension.	230.44	Estates in common.
230.22	Meaning of "without heirs" or "without issue."	230.45	Joint tenancies.
230.23	Limitations on chattels real.	230.455	Liens not to defeat right of survivorship.
230.24	Commencing in futuro.	230.46	Nominal conditions disregarded.
230.25	Alternative estates.	230.47	Certificate of the termination of life estate and survivorship.
230.26	Improbable contingency.	230.48	Certificate of termination of joint tenancy in personality.
230.27	Abridging precedent estate.		

230.01 Enumeration of estates. Estates in lands are divided into estates of inheritance, estates for life, estates for years, and estates at will and by sufferance.

230.02 Estate in fee simple. Every estate of inheritance shall continue to be termed a fee simple or fee, and every such estate when not defeasible or conditional shall be a fee simple absolute or an absolute fee.

230.03 Estate in fee tail. In all cases where any person or persons would if this act had not been passed, at any time hereafter become seized in fee tail of any lands, tenements or hereditaments by virtue of any devise, gift, grant or other conveyance heretofore made or hereafter to be made or by any other means whatsoever, such person or persons, instead of becoming seized thereof in fee tail, shall be deemed and adjudged to be seized thereof as an allodium.

230.04 Effect of conveyances by tenant in tail. Where lands, tenements or hereditaments heretofore have been devised, granted or otherwise conveyed by a tenant in tail and the person or persons to whom such devise, grant or other conveyance hath been made, his, her or their heirs or assigns hath or have, from the time such devise took effect or from the time such grant or other conveyance was made to the day of passing this act, been in the uninterrupted possession of such lands, tenements or hereditaments and claiming and holding the same under or by virtue of such devise, grant or other conveyance, they shall be deemed as good, legal and effectual, to all intents and purposes, as if such tenant in tail had, at the time of making such devise, grant or other conveyance, been seized of such lands, tenements or hereditaments allodially, any law to the contrary hereof notwithstanding.

230.05 Estates, how denominated. Estates of inheritance and for life shall be denominated estates of freehold; estates for years shall be denominated chattels real; and estates at will or by sufferance shall be chattel interests but shall not be liable as such to sale on execution.

230.06 Estates for life of third person. An estate for the life of a third person, whether limited to heirs or otherwise, is deemed a freehold only during the life of the owner thereof, but after his death it is deemed a chattel real which is an asset in the hands of his personal representative.