

No. 341, S.]

[Published June 17, 1943.]

CHAPTER 320.

AN ACT to amend 184.14 of the statutes, relating to validation of securities of public service corporations.

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

184.14 of the statutes is amended to read:

184.14 Securities issued * * * by any such corporation, for the issuance of which a certificate should have been, but through excusable neglect or mistake was not, applied for, may be validated by the commission upon application of such corporation, signed and verified by the president and secretary, and setting forth the information required by * * * section 184.05 (1), and in addition thereto a concise statement of the reasons why such application was not made at the time such securities were issued. If the commission shall find and determine that such failure to make application was due to excusable neglect or mistake, and was not occasioned by any design to evade compliance with the law, and that such issue was otherwise in accordance with law, the commission shall issue to the corporation a validating certificate.

Approved June 16, 1943.

No. 367, S.]

[Published June 17, 1943.]

CHAPTER 321.

AN ACT to amend 235.65 of the statutes, relating to the correction of erroneous descriptions in conveyances.

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

235.65 of the statutes is amended to read:

235.65 The circuit court of any county in which a conveyance of real estate shall have been recorded may make an order correcting the description in such conveyances on proof being made to the satisfaction of the court that such conveyance contains an erroneous description, not intended by the parties thereto; or when the description is ambiguous and does not

clearly or fully describe the premises intended to be conveyed, if the grantor therein is dead or a non-resident of the state, *or is a corporation which has ceased to exist, or is an administrator, executor, guardian, trustee or other person authorized to convey and has been discharged from his trust* and the person to whom it was made, his heirs, legal representatives or assigns have been in the quiet, undisturbed and peaceable possession of the premises intended to be conveyed from the date of such conveyance; but this section shall not prevent an action for the reformation of any conveyance, and if in any doubt, the court shall direct such action to be brought.

Approved June 16, 1943.

No. 445, A.]

[Published June 17, 1943.

CHAPTER 322.

AN ACT to repeal and recreate 289.15 and to amend 289.01 (2) (b), 289.02 (1) and 289.06 of the statutes, relating to mechanic liens.

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

SECTION 1. 289.01 (2) (b) of the statutes is amended to read:

289.01 (2) (b) Such lien shall be prior to any lien which originates subsequent to the visible commencement in place of the work of improvement, except as otherwise provided by sections 215.15, * * * 216.04 (7) and 235.70. The lien shall also be prior to any unrecorded mortgage given prior to the commencement of the improvement, but of which the lienor has no notice.

SECTION 2. 289.02 (1) of the statutes is amended to read:

289.02 (1) Every person, other than the contractor who furnishes labor or materials in any of the cases enumerated in section 289.01, shall have the lien and remedy provided by this chapter, if *before or within* * * * 60 days after furnishing the first labor or materials he gives notice in writing to the owner either by personal service on the owner or his agent or by mailing a copy thereof addressed to such owner or his agent at his last known post-office address stating that he has *been* engaged to furnish labor or materials, describing the real estate upon which the same is to be furnished *by legal description, mail address, or otherwise*, so that the owner is not misled or