

**706.10 History:** 1969 c. 285; Stats. 1969 s. 706.10.

**Committee Note, 1969:** Sub. (1) permits deletion of some 5 pages of "form and effect" material from the conveyancing statute, without apparent change of law or practice.

No change by sub. (4), except that non-warranty is specified. Eliminates archaic reference to "deed of bargain and sale".

Sub. (5) specifies common exceptions to warranty, as practice and case law have developed them.

Sub. (6) equates implied warranties and covenants, rejecting implication in both cases.

Sub. (7) applies implied warranty of fitness to described conveyancing transactions in which covenant is not disclaimed expressly. *Earl Milliken, Inc. v. Allen*, 21 Wis. 2d 497, 124 NW 2d 651 (1963); *Fisher v. Simon*, 15 Wis. 2d 207, 112 NW 2d 705 (1961); *Oremus v. Wynhoff*, 20 Wis. 2d 635, 123 NW 2d 441 (1963). [Bill 655-A]

**706.11 History:** 1969 c. 285; Stats. 1969 s. 706.11.

**706.12 History:** 1969 c. 285; Stats. 1969 s. 706.12.

**706.13 History:** 1969 c. 285; Stats. 1969 s. 706.13.

**706.14 History:** 1969 c. 285; Stats. 1969 s. 706.14.

#### CHAPTER 708.

##### Mortgages and Land Contracis.

**708.01 History:** 1969 c. 285 s. 24; Stats. 1969 s. 708.01.

**Committee Note, 1969:** New; restates present case law; *M&I Bank v. Greene*, 227 W 155, 278 NW 425 (1938). [Bill 655-A]

**708.02 History:** 1969 c. 285 s. 24; Stats. 1969 s. 708.02.

**Committee Note, 1969:** Present case law; see *Grether v. Nick*, 193 W 503, 213 NW 304 (1927). [Bill 655-A]

**708.03 History:** 1961 c. 224; Stats. 1961 s. 235.088; 1969 c. 285 s. 3; Stats. 1969 s. 708.03.

**708.04 History:** 1917 c. 419; Stats. 1917 s. 2210a; Stats. 1925 s. 235.10; 1969 c. 285 s. 5; Stats. 1969 s. 708.04.

**708.05 History:** R. S. 1849 c. 58 s. 60; R. S. 1858 c. 85 s. 60; R. S. 1878 s. 2156; Stats. 1898 s. 2156; 1925 c. 4; Stats. 1925 s. 232.56; 1965 c. 52; Stats. 1965 s. 235.525; 1969 c. 285 s. 13; Stats. 1969 s. 708.05.

**708.07 History:** 1905 c. 331 s. 1; Supl. 1906 s. 2252a; 1925 c. 4; Stats. 1925 s. 235.61; 1969 c. 285 s. 17; Stats. 1969 s. 708.07.

**708.09 History:** 1969 c. 285 s. 24; Stats. 1969 s. 708.09.

#### CHAPTER 710.

##### Miscellaneous Property Provisions.

**710.01 History:** R. S. 1849 c. 62 s. 35; R. S. 1858 c. 89 s. 35; R. S. 1878 s. 2200; Stats. 1898

s. 2200; 1925 c. 4; Stats. 1925 s. 234.22; 1969 c. 284 s. 5; Stats. 1969 s. 710.01.

**710.02 History:** 1887 c. 479; Ann. Stats. 1889 s. 2200a; Stats. 1898 s. 2200a; 1925 c. 4; Stats. 1925 s. 234.23; 1951 c. 576; 1953 c. 55; 1955 c. 214; 1969 c. 284 s. 5; Stats. 1969 s. 710.02.

**710.03 History:** R. S. 1849 c. 62 s. 36; R. S. 1858 c. 89 s. 36; R. S. 1878 s. 2201; Stats. 1898 s. 2201; 1925 c. 4; Stats. 1925 s. 234.24; 1969 c. 284 s. 5; Stats. 1969 s. 710.03.

**710.05 History:** 1959 c. 259; Stats. 1959 s. 231.45; 1965 c. 156; 1969 c. 276 s. 598 (1); 1969 c. 283 s. 3; 1969 c. 483; Stats. 1969 s. 710.05.

**710.07 History:** R. S. 1858 c. 86 s. 4; R. S. 1878 s. 2202; Stats. 1898 s. 2202; 1925 c. 4; Stats. 1925 s. 234.25; 1969 c. 284 s. 6; Stats. 1969 s. 710.07.

**710.10 History:** 1969 c. 284 s. 26; Stats. 1969 s. 710.10.

**Committee Note, 1969:** From ss. 291.01 and 291.02. [Bill 654-A]

#### CHAPTERS 816 and 818.

**Revisor's Note, 1969:** During the 1969 session of the Legislature the State Bar sponsored various bills relating to real property. All passed except Assembly Bill 656, which would have created chapters 810 to 815, 816 and 818 of the statutes. These new chapters would have constituted a revision of the real estate procedural law.

In anticipation of the passage of Assembly Bill 656, some of the other bills renumbered some existing statutes to fit into the new procedural chapters. These section histories are printed here.

**816.25 History:** R. S. 1849 c. 59 s. 36; R. S. 1858 c. 86 s. 41; 1863 c. 76 s. 1; 1868 c. 172 s. 1; R. S. 1878 s. 2251; Stats. 1898 s. 2251; 1921 c. 381; 1925 c. 4; Stats. 1925 s. 235.59; 1947 c. 143; 1969 c. 285 s. 15; Stats. 1969 s. 816.25.

**818.05 History:** R. S. 1849 c. 62 s. 38; R. S. 1858 c. 89 s. 38; R. S. 1878 s. 2199; Stats. 1898 s. 2199; 1925 c. 4; Stats. 1925 s. 234.21; 1969 c. 284 s. 4; Stats. 1969 s. 818.05.

**818.07 History:** 1876 c. 199; R. S. 1878 s. 2257; Stats. 1898 s. 2257; 1925 c. 4; Stats. 1925 s. 235.65; 1941 c. 297; 1943 c. 321; 1965 c. 24; 1969 c. 285 s. 19; Stats. 1969 s. 818.07.

**818.09 History:** 1852 c. 233 s. 1; R. S. 1858 c. 86 ss. 44, 45; R. S. 1878 s. 2252; Stats. 1898 s. 2252; 1903 c. 267 s. 1; Supl. 1906 s. 2252; 1925 c. 4; Stats. 1925 s. 235.60; Sup. Ct. Order, 229 W v; 1957 c. 583; 1969 c. 285 s. 16; Stats. 1969 s. 818.09.

#### THE PROBATE CODE

**Editor's Note:** The following conversion tables relate to the new probate code enacted by ch. 339, Laws 1969, and effective April 1, 1971. Table I is designed to assist in tracing the antecedent provisions of the statutes relating to probate into the sections of the new probate code. Table II is designed to assist