

versed, \* \* \* *the trial in the circuit court shall be by the court unless a jury was demanded in the civil court.*

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 26, 1913.

No. 1059, A.]

[Published May 29, 1913.

## CHAPTER 321.

AN ACT to amend section 2261 of the statutes, relating to plats. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 2261 of the statutes is amended to read: Section 2261. The following requirements shall be fully complied with to entitle a map made under the provisions of \* \* \* section 2260 of the statutes to be recorded:

\* \* \* (1) On the face of the map shall appear:

\* \* \* (a) The shape and all the exterior boundaries of the lands which it is intended to represent.

\* \* \* (b) The shape and boundaries of each subdivision thereof and the contents of each lot containing an area of more than one acre.

\* \* \* (c) The length and courses of all exterior boundary lines and of the boundary lines of all lots or other subdivisions designated on the map, and the center line of all streets, when such center line is not used as a boundary line, shall be noted in their proper places.

\* \* \* (d) All monuments erected in the field must be represented in their proper places thereon, and the kind of material of which such monument is composed noted at the representation thereof.

\* \* \* (e) When an arc of a circle is used as a boundary or for a center line of a road or street the main chord shall be drawn in red, in its proper place, and on it shall be noted its course and length, the radius of the circle of which such arc is a part, the angle between the main chord and the tangent, the deflection angle and the length of the deflection chord used in staking out such arc.

\* \* \* (f) The name given to the tract of land so divided and mapped, and of the streets thereon.

\* \* \* (2) On the face or back of every such map offered for record shall appear and be written the certificate of the surveyor who surveyed and mapped the land, which certificate shall be sworn to before a notary public or other officer authorized to administer oaths, and shall contain:

\* \* \* (a) A clear and concise description of the land so surveyed by legal government subdivisions when practicable; or, if the land so surveyed is a lot, block, or other subdivision of a town, city, or village plat or addition thereto, then by the number or other description of such lot, block, or other subdivision; otherwise by metes and bounds, starting such description from some corner established in the government survey or from some corner of a subdivision of a section used and recognized by the United States in the sale of the public lands, giving the town, range, section, and county wherein such corner is situated.

\* \* \* (b) By whose order and direction he made the survey and map.

\* \* \* (c) That the map is a correct representation of all the exterior boundaries of the land surveyed and of the divisions thereon made.

\* \* \* (d) That he has fully complied with the provisions of this chapter in surveying, subdividing, and mapping the same.

\* \* \* (3) *Immediately after the certificate of the surveyor shall appear* the certificate of the owner of the land in substantially the following form: I hereby certify that I caused the land described in the foregoing certificate of ..... surveyor, to be surveyed and mapped as represented on the within map. Such certificate shall be signed by the owner or by his lawful attorney in the presence of two witnesses and he shall acknowledge the same. Such executed certificate and the certificate of the acknowledgment thereof shall be indorsed upon such map or attached thereto. Provided, however, that if the owner of the land so platted and certified by the surveyor shall have died without having legally certified and acknowledged said plat so as to entitle it to be recorded, but shall have sold and conveyed lots therein describing them as lots within said plat, and the streets upon said plat if any there be thereon, shall have been opened pursuant to said plat for public use, and worked by public authority with the consent of said owner, such facts may be proven by the affidavit of the owner of any lot within said plat indorsed upon the back of said plat and thereupon the said plat and the indorsements thereon shall be entitled to record in the same manner and with like effect as if properly certified and acknowledged by said owner.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 26, 1913.