

meetings in April next, and the term of such successor shall commence on the first day of January next.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 10, 1869.

CHAPTER 157.

[Published March 28, 1869.]

AN ACT relating to evidence in certain cases.

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

SECTION 1. It shall be the duty of the secretary of state, upon demand of any person or corporation, to make a true and correct transcript of all books, files, records, certificates or other written documentary evidence of title on file or of record in his office of, concerning or appertaining to any and all such tracts or parcels of land as shall be designated or described by the person or corporation making such demand: *provided*, that the said secretary of state shall not insert in said transcript any other lands than those designated by the person or corporation demanding such transcript.

Secretary of state shall make transcript of records in his office.

SECTION 2. The said secretary of state shall make and annex to said transcript a certificate substantially in the following form:

Form of certificate to transcript.

OFFICE OF THE SECRETARY OF STATE.

_____, Wisconsin _____, A. D. _____

I hereby certify that the annexed and foregoing is a true and correct transcript of all books, files, records, certificates and other written or documentary evidence of title on file or of record in this office relating or appertaining to the title to the lands described in the foregoing transcript, and of the whole thereof. In witness whereof I have hereunto set my hand and affixed the great seal of the state, this _____ day of _____, A. D. _____.

Secretary of State.

Shall be received in evidence.

SECTION 3. Such transcript with such certificate annexed, shall be received in evidence in all courts of this state as *prima facie* of all facts therein contained; and in all cases and upon the trial of any cause, if any party shall make or show, or offer to make or show title to any lands, by or through, or offer in evidence for such purpose, the certificate of the secretary of state prescribed in section one (1) of chapter twenty-nine (29) of the general laws of 1867, it shall be competent for any other party to such cause to rebut or disprove such certificate, and the evidence of title made or proven thereby, by offering in evidence the transcript and certificate annexed mentioned in this act, containing a description of the same lands set forth in such certificate of the secretary of state, and such transcript with such certificate annexed, when so offered to rebut or disprove such certificate and the evidence of title made thereby, shall be taken and deemed better evidence of title to such lands than such certificate, anything contained in said chapter 29, general laws of 1867, to the contrary notwithstanding; and when such transcript with such certificate annexed shall have been offered in evidence as herein provided, unless it shall appear therefrom that the party offering in evidence such certificate mentioned in section one (1) of the general laws of 1867, has or had title to the said lands described in said certificate, and in said transcript and certificate annexed (herein mentioned), at the time mentioned in said certificate, then such certificate shall have no force or effect whatever as evidence of title to any such lands: *provided*, that nothing herein contained shall prevent either party from showing title to such lands by any other competent evidence.

Approved March 10, 1869.