CHAPTER 243

GENERAL PROVISIONS RELATING TO FRAUDULENT CONVEYANCES AND CONTRACTS

243.001 Definitions.
243.01 Grants, etc., of trust to be in writing.
243.02 Conveyances void as to creditors void as to their heirs, etc.
243.05 Instruments signed by agents.
243.06 Death of principal, effect on agency.

243.001 Definitions. In this chapter:

(1) "Conveyance" includes every instrument in writing except a last will and testament, whatever its form, and by whatever name it is known in law, by which any estate or interest in lands is created, aliened, assigned, or surrendered.

(2) "Estate and interest in lands" includes every estate and interest, freehold and chattel, legal and equitable, present and future, vested and contingent, in lands.

(3) "Lands" means lands, tenements, and hereditaments.

History: 2015 a. 196 ss. 104 to 106.

243.01 Grants, etc., of trust to be in writing. Every grant or assignment of any existing trust in lands, goods or things in action, unless the same shall be in writing subscribed by the party making the same or by the party's agent lawfully authorized, shall be void.

History: 1991 a. 316.

That a contract is unenforceable under this section does not prevent the imposition of a constructive trust in a proper case. Gorski v. Gorski, 82 Wis. 2d 248, 262 N.W.2d 120 (1978).

243.02 Conveyances void as to creditors void as to their heirs, etc. Every conveyance, charge, instrument or proceeding declared to be void by chs. 240 to 243 as against creditors or purchasers shall be equally void against the heirs, successors, personal representatives or assignees of such creditors or purchasers.

History: 1979 c. 89.

243.05 Instruments signed by agents. Every instrument required under chs. 240 to 243 to be subscribed by any party may be subscribed by the agent of such party lawfully authorized thereto.

History: 1979 c. 89.

243.06 Death of principal, effect on agency. The death of the principal shall not operate as a revocation of an agency as to the attorney or agent until the attorney or agent shall have notice of the death, or as to one who, without notice of such death, in good faith deals with the attorney or agent; and this shall apply whether the agency was created by writing or not. This section does not apply to powers of attorney created on or after May 1, 1982.

History: 1981 c. 313; 1991 a. 316.