CONFIRMATION OF RECORD OF LETTERS OF ATTORNEY OR OTHER INSTRUMENT

Act 191 of 1871

AN ACT to confirm the record of letters of attorney in certain cases.

History: 1871, Act 191, Eff. July 18, 1871

The People of the State of Michigan enact:

565.631 Power of attorney; record as evidence of execution and acknowledgment.

Sec. 1.

That any letter of attorney or other instrument containing a power to convey lands, as agent or attorney for the owners of such lands, executed and acknowledged in the manner provided by the statutes of this state for the execution and acknowledgment of deeds or other conveyances of land, and which shall have been actually recorded in the office of the register of deeds in any county in the state prior to the first day of March in the year 1847, may be proved in any court by the production of such record or a duly certified copy thereof and such record or a duly certified copy, shall be prima facie evidence of the due execution and acknowledgment of such letter of attorney or other instrument.

History: 1871, Act 191, Eff. July 18, 1871 ;-- CL 1871, 4256 ;-- Am. 1873, Act 183, Eff. July 31, 1873 ;-- How. 5691 ;-- Am. 1897, Act 103, Imd. Eff. Apr. 28, 1897 ;-- CL 1897, 8996 ;-- CL 1915, 11728 ;-- CL 1929, 13387 ;-- CL 1948, 565.631

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565.632 Destruction or loss of recorded instrument entitled to record in another county; transcript, recording, evidence.

Sec. 2.

When deeds and instruments conveying title to real estate or any letter of attorney or other instrument containing a power to convey lands as agent or attorney for the owners of such lands, executed and acknowledged in the manner provided by the statutes of this state for the execution and acknowledgment of deeds or other conveyances of land, shall have been actually and regularly recorded in the office of the register of deeds of any of the counties of the state; and when such deeds, mortgages, instruments or other papers duly executed and designed for and entitled to record in more than 1 county of the state; and when such original papers have been consumed by fire or otherwise destroyed or lost before such other records have been completed; on satisfactory proof of such loss or destruction being made to the circuit judge of the district wherein such papers have been recorded, he may make an order authorizing the register of deeds to furnish certified transcript copies of such deeds, mortgages, papers, with the circuit judge's order attached thereto, shall be presented to the register of deeds for any county of this state, it shall be the duty of such register to record the same; and when so recorded, such copy, and the record thereof, shall be as valid and entitled to the same credit in all matters of notice and proof of title as where the originals have been so entered on record; and a certified copy thereof, and such record or a duly certified copy shall be prima facie evidence of the due execution and acknowledgment of such letter of attorney or other instrument.

History: Add. 1873, Act 183, Eff. July 31, 1873 ;-- How. 5716 ;-- Am. 1897, Act 103, Imd. Eff. Apr. 28, 1897 ;-- CL 1897, 8997 ;-- CL 1915, 11729 ;-- CL 1929, 13388 ;-- CL 1948, 565.632