# CONFIRMATION OF CERTAIN DEEDS AND INSTRUMENTS

## Act 21 of 1861

AN ACT to confirm deeds and instruments intended for the conveyance of real estate in certain cases.

**History:** 1861, Act 21, Imd. Eff. Feb. 2, 1861

The People of the State of Michigan enact:

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### 565.601 Deed executed according to law of place of execution; validity.

Sec. 1.

That all deeds of lands situated within this state, heretofore or hereafter made without this state, and executed according to the laws of the place where made, and acknowledged to be the free act of the grantor or grantors therein named, before any person authorized to take the acknowledgment of deeds by the laws of the place where executed, or of the laws of the territory or state of Michigan, in force at the date of such acknowledgment, shall be deemed between the parties thereto, and all persons claiming under or through them, as valid and effectual to convey the legal estate of the premises therein described, as if the said deed had been in all respects legally executed.

**History:** 1861, Act 21, Imd. Eff. Feb. 2, 1861 ;-- CL 1871, 4250 ;-- How. 5724 ;-- CL 1897, 9048 ;-- CL 1915, 11781 ;-- CL 1929, 13383 ;-- CL 1948, 565.601

### 565.602 Married woman's joint deed with husband; validity.

Sec. 2.

All deeds of lands situated in this state, heretofore or hereafter made by any married woman jointly with her husband by their attorney in fact, under a joint power of attorney, executed and acknowledged as required in the joint deed of a husband and wife, and recorded in the office of the register of deeds of the proper county, shall be taken and deemed as between the parties thereto, and all persons claiming under or through them as valid and effectual to convey the legal title of the premises therein described, as if the same had been executed and acknowledged by the husband and wife in person.

**History:** 1861, Act 21, Imd. Eff. Feb. 2, 1861 ;-- CL 1871, 4251 ;-- How. 5725 ;-- CL 1897, 9049 ;-- CL 1915, 11782 ;-- CL 1929, 13384 ;-- CL 1948, 565.602

### 565.603 Certificate of acknowledgment; effect of imperfection.

Sec. 3.

No deed of lands situate in this state heretofore or hereafter executed, shall be deemed defective by reason of any informality or imperfection in the certificate of acknowledgment, if it shall sufficiently appear by such certificate that the person making the same was legally authorized to take such acknowledgment, and that the grantor or grantors named in such deed were personally known to him, and that he or they personally appeared before him and

acknowledged such deed to be his or their free act, and if such deed was executed out of this state, it shall be sufficient if the certificate under the seal of office of the clerk or other proper certifying officer of the court of record of the county or district within which such acknowledgment was taken, in cases where any such certificate was required, sufficiently shows that the person before whom such acknowledgment was taken, was at the date thereof such officer as he is therein represented to be. And whenever such deed has been recorded in the office of the register of deeds of the proper county, such record shall be effectual for all purposes of a legal record, and the record of such deed or a transcript thereof may be given in evidence as in other cases: Provided, That nothing in this section, or in the preceding 2 sections contained, shall impair the rights of any person under a purchase heretofore made in good faith, and on valuable consideration.

**History:** 1861, Act 21, Imd. Eff. Feb. 2, 1861 ;-- CL 1871, 4252 ;-- How. 5726 ;-- CL 1897, 9050 ;-- CL 1915, 11783 ;-- CL 1929, 13385 ;-- CL 1948, 565.603

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**565.604 Land conveyances; statutory requirements defect; effect.**

Sec. 4.

No conveyance of land or instrument intended to operate as such conveyance, made in good faith and upon a valuable consideration, whether heretofore made or hereafter to be made, shall be wholly void by reason of any defect in any statutory requisite in the sealing, signing, attestation, acknowledgment, or certificate of acknowledgment thereof; nor shall any deed or conveyance, heretofore or hereafter to be made, designed and intended to operate as a conveyance to any religious, fraternal, scientific or benevolent society, or corporation, be wholly void by reason of any mistake in the name or description of the grantee, nor because of any failure of such society or corporation to comply with any statutory provisions concerning the organization of such society or corporation: Provided, Such society or corporation shall hereafter comply with the provisions of the statute touching the organization or incorporation of such societies; but the same, when not otherwise effectual to the purposes intended, may be allowed to operate as an agreement for a proper and lawful conveyance of the premises in question, and may be enforced specifically by suit in equity in any court of competent jurisdiction, subject to the rights of subsequent purchasers in good faith and for a valuable consideration; and when any such defective instrument has been or shall hereafter be recorded in the office of the register of deeds of the county in which such lands are situate, such record shall hereafter operate as legal notice of all the rights secured by such instrument.

**History:** 1861, Act 21, Imd. Eff. Feb. 2, 1861 ;-- CL 1871, 4253 ;-- Am. 1873, Act 174, Imd. Eff. Apr. 29, 1873 ;-- How. 5727 ;-- CL 1897, 9051 ;-- CL 1915, 11784 ;-- CL 1929, 13386 ;-- Am. 1933, Act 56, Imd. Eff. Apr. 14, 1933 ;-- CL 1948, 565.604