

**Revised Statutes of 1846 (EXCERPT)**  
**CHAPTER 65. OF ALIENATION BY DEED, AND THE PROOF AND RECORDING OF**  
**CONVEYANCES, AND THE CANCELING OF MORTGAGES.**

**565.40 Prior legal conveyances; effect as evidence, recording; conveyance under unacknowledged contract, record as evidence.**

Sec. 40.

All conveyances of real estate heretofore made and acknowledged or proved, in accordance with the laws of this state, in force at the time of such making and acknowledgment or proof, shall have the same force as evidence, and be recorded in the same manner, and with the like effect, as conveyances executed and acknowledged in pursuance of the provisions of this chapter. And where any conveyance, with an unacknowledged contract in writing attached, annexed or appended thereto, and referred to in the body of such conveyance as being thereto attached, appended or annexed, has been heretofore recorded, or that may be hereafter recorded; the record, or a transcript of the record of such conveyance and contract, certified by the register in whose office the same may have been recorded, may be read in evidence in any court within this state without further proof thereof; but the effect of such evidence may be rebutted by other competent testimony.

**History:** R.S. 1846, Ch. 65 ;-- CL 1857, 2759 ;-- CL 1871, 4242 ;-- How. 5700 ;-- Am. 1889, Act 101, Eff. Oct. 2, 1889 ;-- CL 1897, 9006 ;-- CL 1915, 11741 ;-- CL 1929, 13314 ;-- CL 1948, 565.40