

58-2236. Record of defective instruments made prior to 1901 as notice. All deeds, mortgages, releases, powers of attorney, leases, contracts, conveyances and other instruments of writing now recorded, copied or noted in the proper books of the office of register of deeds of the several counties in the state of Kansas shall, upon the passage of this act, be deemed to impart notice to subsequent purchasers, encumbrancers, lessees and all other persons whomsoever so far as and to the extent that such deeds, mortgages, releases, powers of attorney, leases, contracts, conveyances and other instruments of writing may be found recorded, copied or noted on said books of record, notwithstanding any defects existing in the execution, acknowledgment, certificate of acknowledgment, recording or certificate of recording of the same; and the record of any such instrument or a duly authenticated copy thereof shall be competent evidence whenever, by the party's own oath or otherwise, the original is shown to be lost or not belonging to the party wishing to use the same or not within his or her control: *Provided*, That nothing herein contained shall be construed to affect any rights acquired prior to the passage of this act.

History: L. 1901, ch. 124, § 1; May 1; R.S. 1923, 67-236.