

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

565.32 Unrecorded deed of defeasance; validity against person without notice.

Sec. 32.

When a deed purports to be an absolute conveyance in terms, but is made or intended to be made defeasible by force of a deed of defeasance or other instrument for that purpose, the original conveyance shall not be thereby defeated or affected, as against any person other than the maker of the defeasance, or his heirs or devisees, or persons having actual notice thereof, unless the instrument of defeasance shall have been recorded in the registry of deeds of the county where the lands lie.

History: R.S. 1846, Ch. 65 ;-- CL 1857, 2751 ;-- CL 1871, 4234 ;-- How. 5686 ;-- CL 1897, 8991 ;-- CL 1915, 11723 ;-- CL 1929, 13306 ;-- CL 1948, 565.32