

such trust, and also take an oath or affirmation, impartially to perform the same, and that the said guardian or guardians shall be accountable to said heirs, for all moneys arising from sales of said real estate, and shall be liable to account for the same when called upon by said heirs or judge of probate.

SECTION 3. That all deeds and conveyances made, Guardians to convey. or to be made by said guardian or guardians for the conveyance of said real estate in pursuance of this act, shall be and the same is hereby declared to be, to all intents and purposes, as valid, effectual and binding in law or equity, as if the same were made and executed Conveyances valid. by the said minors when at full age, at the time of the ensembling and delivering thereof, and that no plea shall hereafter be set up in any court in this territory, to dispute or in any wise affect said deeds or conveyances, and that said deeds are to be construed strictly, as against said grantors, their heirs, executors, administrators and assigns.

P. H. ENGLE,

*Speaker of the house of representatives.*

HENRY S. BAIRD,

*President of the council.*

H. DODGE.

Approved, Dec. 6, 1836.

## No. 20.

AN ACT to locate and establish a territorial road west of the Mississippi.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That Abel Galland, Solomon Perkins, Benjamin Clarke, Adam Sherrill, William Jones and Henry F. Lander, be and the same are hereby appointed commissioners to make and lay out a territorial road west of the Mississippi, commencing at Farmington on the Des Moines river, thence to Moffit's mill, thence on the nearest and best route to Burlington, in Des Moines county, thence to Wapello, thence by the nearest and best route to Dubuque, and thence by the nearest and best route to the ferry opposite Prairie du Chien. Territorial road west of Mississippi. Commissioners

Commissioners  
to meet.

SECTION 2. *And be it further enacted,* That the commissioners aforesaid, or any three of them, shall meet at the town of Dubuque, on the first Monday of May next, for the purpose of proceeding to the discharge of their duties as commissioners as aforesaid; and that they be and they are hereby authorized to adjourn from time to time, and from place to place, as a majority of them may agree and determine; and that in case the said commissioners, from any cause, shall fail to meet at the time and place aforesaid, or any other time and place to which the said commissioners may have adjourned, that then the sheriff of the county of Dubuque be authorized, and he is hereby required, on application of any one of the said commissioners, either verbal or written, to notify in writing the said commissioners of some other day to be by him appointed, and request their attendance on such day at the place aforesaid.

Powers, duties  
&c. of com-  
missioners.

Surveyor's duty.

SECTION 3. *And be it further enacted,* That the said commissioners, or a majority of them, be and they are hereby required to employ one or more competent surveyors, and such numbers of chain carriers and other hands as to them may seem necessary in the location of said road; that the said commissioners mark, or cause the said road by them located to be marked, by stakes in the prairie at a reasonable distance apart, and by blazing trees in the timber; that at the end of each mile the said commissioners cause a large and prominent stake to be set, marking thereon the number of miles from the point herein before named, from which they shall have last departed.

Plats and notes  
of survey,  
where deposit-  
ed.

SECTION 4. *And be it further enacted,* That the surveyor or surveyors employed as aforesaid, be authorized, and he or they are hereby required to make out, a true and correct plat and field notes by him or them kept in locating said road, within one month from the completion of the survey thereof; and that he or they make out and file one copy thereof in the office of the clerk of each county through which the contemplated road shall pass, and the clerks of said counties in whose office said plats and field notes shall be filed, shall record and preserve the same; and that said road, when so laid out and established, be forever the highway.

SECTION 5. *And be it further enacted,* That the said

commissioners be allowed the sum of three dollars per day each, and the surveyors and other hands such sums as the said commissioners shall contract for, not exceeding the sum of five dollars per day each to the surveyor or surveyors, and not exceeding the sum of one dollar and fifty cents each per day to the laborers; that the said commissioners do, after the completion of the survey of said road, make out, under oath, a true and correct account of their own, as well as of the services of the surveyor or surveyors and hands, charging each county through which the said road may be located their proportion, agreeably to the number of days actually engaged therein; and that the board of supervisors of the several counties against whom the said accounts shall be made, shall audit and settle the same.

Compensation  
to commission-  
ers and other  
persons.

How paid.

SECTION 6. *And be it further enacted*, That said roads shall be opened and kept in repair as county roads are, and that no part of the expenses incurred or damages sustained by any person or persons in laying out said road, shall be paid out of the territorial treasury.

Repair of road.

SECTION 7. *And be it further enacted*, That the said commissioners aforesaid, before they enter upon their duties as commissioners under this act, shall take an oath before some judge or justice of the peace, well and truly, and to the best of their abilities, to perform the duties required of them by this act.

Oath of com-  
missioners.

SECTION 8. *And be it further enacted*, That the said commissioners, within three months from the completion of the survey of said road, shall make out a report of the manner in which they have discharged their duties, including in said report an estimate of the probable cost of constructing the necessary bridges, with any other remarks by them deemed pertinent; and that the said commissioners file one copy of said report in the office of the clerk of the district court for the counties through which the said road may pass, to be by said clerk recorded and preserved.

Reports of com-  
missioners.

P. H. ENGLE,

*Speaker of the house of representatives.*

HENRY S. BAIRD,

*President of the council.*

H. DODGE.

Approved Dec. 7, 1836.