

Infant defend-
ants how pro-
ceeded against.

SEC. 6. Actions relating to real property shall not be delayed, nor shall the remedy of any plaintiff be suspended, by reason of the infancy of any defendant therein, but guardians to defend the rights of infant defendants, shall be appointed, as in personal actions. And in all such actions against an infant, if he do not procure the appointment of a guardian, within the time required for his appearance therein, the plaintiff may proceed to have such guardian appointed, as in personal actions.

Notice to tenant,
agent, or attor-
ney of defendant,
when sufficient.

SEC. 7. In all actions of ejectment, if the defendant shall not be a resident of the county wherein the premises are situated, the declaration shall be served, by leaving a copy thereof, with the notice prescribed by law, with his tenant, agent, or attorney, and if there shall be no such tenant, agent, or attorney, within such county, known to the officer, the officer shall leave a copy of the declaration on the premises, and certify the facts in his return, and the court shall, thereupon, cause such further service of the declaration to be made, and such notice to the defendant to be given as they shall deem proper.

When no agent,
&c. what.

Approved, January 13th, 1840.

No. 32.

AN ACT requiring Samuel B. Knapp to pay certain monies, and for other purposes.

S. B. Knapp, as
fiscal agent, to
pay Collier and
Pettus, and make
report, &c.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin, That Samuel B. Knapp, Esq., Fiscal Agent of the Legislature, be required to settle and pay to Messrs. Collier and Pettus of St. Louis, the unsettled balance due them on account of a loan made by this Legislative Assembly through Moses M. Strong, late fiscal agent; and that William B. Slaughter, Secretary of this Territory, be required to pay over to Samuel B. Knapp any monies which he may receive from Moses M. Strong, on account of his liabilities as fiscal agent, and that the said fiscal agent be directed to report his doings thereon at the extra session in August next; and further, that so much of the act passed at the present session, as requires William B. Slaughter, Secretary, to pay over the monies, above specified, to Collier and Pettus, be and the same is hereby re-
nealed.*

SEC. 2. That the said fiscal agent pay to the Bank of Mis- Also the Bank of Missouri.
souri the interest remaining due on a loan of twenty thousand dollars made to the Legislative Assembly through William B. Slaughter, Secretary of the Territory at the last session; and so much of every act as requires or authorizes the payment thereof by said Secretary, is hereby repealed.

SEC. 3. That if Moses M. Strong, late fiscal agent, shall neglect or refuse to pay to the Secretary of the Territory the amount of money due from him to the Territory, for the space of two months from and after the passage of this act, the said Secretary shall report the delinquency to the Attorney General of Wisconsin, who shall thereupon commence a suit in the name of the Territory, for the recovery of the sum due and unpaid. Suit ordered against former agent, unless, &c.

Approved, January 13th, 1840.

No. 33.

AN ACT in relation to Collectors, Assessors, and Supervisors of roads.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin.

SECTION 1. That whenever there shall fail to be elected in any county, the requisite number of collectors, assessors, and supervisors of roads, or whenever, from any cause whatever, the office of collector, assessor, or supervisor of roads shall be or become vacant, it shall be the duty of the county commissioners to appoint the number which shall be required, who shall hold their office until the next annual election, and until their successors shall be duly elected and qualified. When to be appointed by county commissioners.

SEC. 2. The said collectors, assessors, or supervisors of roads, so appointed, shall have the same power and authority as those who are elected according to law have, or may by law have. Their powers in such case.

SEC. 3. The several collectors and assessors of the different counties in this Territory now in office, shall hold the same until the first Monday in January next, and the term of office of said officers hereafter elected shall commence on the first Monday in January in each year. Present incumbent to remain in office until, &c.

Approved, January 13th, 1840.