

No. 19.

AN ACT to authorize the legal representatives of Robert Irwin, deceased, to convey real estate.

WHEREAS, Robert Irwin, jr., late of Green Bay, Wisconsin territory, died intestate, in the year 1833, possessed of several tracts of land and other real estate, situate in the county of Brown in said territory, having four children, minors, under the age of twenty-one years, to-wit: Mary C., Adeline, Rebecca Jane, and Lewis Cass Irwin; and whereas, the said real estate belonging to the estate of the said Robert Irwin jr., is held in common with Alexander J. Irwin, and also, whereas, the said real estate has now much increased in value, and will, if divided and sold, or judiciously managed, materially add to the advantage and promote the pecuniary interest of the said minors, heirs of the said Robert Irwin jr., deceased: now therefore,

Infant heirs of Robert Irwin to choose guardians.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That the said Mary C. Irwin, Adeline Irwin, Rebecca Jane Irwin and Lewis Cass Irwin, minor children and heirs of the said Robert Irwin, jr., be and they are hereby authorized and empowered to choose one or more guardian or guardians, which said choice shall be sanctioned and approved of by the mother of the said minors, and by the judge of probate for said county of Brown, in the same manner, and as near as may be, as is provided for the appointment of guardians to minors, &c.

Powers of said guardians.

To sell real estate of infant heirs.

SECTION 2. That the guardian or guardians of the said minors, be and they are hereby authorized and empowered, to make partition of, or to bargain, sell, convey and confirm in fee simple, all or any part of the real estate of said minor children and heirs of the said Robert Irwin jr., for such price and on such conditions and terms as the said guardian or guardians may think proper, and for the benefit of the said heirs: *provided,* that previous to the said guardian or guardians selling or conveying said real estate of said minors, or entering upon the discharge of his or their duties, he or they shall enter into bond with sufficient sureties to the satisfaction of the said judge of probate, and in such sum as the said judge shall order and direct, conditioned faithfully to execute and perform

Bond and security.

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 ensealing 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