

Chap. 100.

Published July 25, 1857.

AN ACT to provide for the release of Dower of Insane persons.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Whenever any married man shall represent to the Judge of the Circuit Court of the County in which such married man resides, that his wife is insane and that he is the owner of real estate in which his wife has a dower interest, and that it would be for his interest to mortgage, convey, or otherwise dispose of any or all of said real estate, said judge may in his discretion, after due notice and a full examination, if he shall adjudge said woman to be insane, and that it is necessary and for the pecuniary advantage of said insane person, appoint a special guardian of such insane woman for the purposes hereinafter mentioned, and no other.

Form of procedure.

Guardian appointed.

§ 2. Said guardian under the order and direction of said judge may execute or join with the husband of said insane woman in executing such deed or deeds or other instrument or instruments, in writing, as may be necessary to release and bar the dower interest of said insane wife in and to the whole, or such parts of the said real estate of said husband as the said Judge may direct.

§ 3. The release of dower of such insane wife when executed as provided in this act shall be as complete and effectual to bar and cut off all the right of dower of such person wife, in and to the real estate so conveyed, as if the deed or instrument of release had been executed by the wife being sane.

§ 4. Said Judge shall, before the appointment of said guardian, for the purposes aforesaid, require of the said husband to execute a bond with sufficient sureties in such sum as the said Judge may deem reasonable, conditioned for the support and maintenance of such insane person; and that if said insane wife shall survive said husband as his widow, then there shall annually be paid to such surviving widow during the survivorship, for her sole use and benefit, a sum equal to seven per cent. interest on the value of said dower interest so conveyed as aforesaid.

Bond required.

Approved, March 9, 1857.