

SECTION 4. Said road when so located according to the above act shall be a territorial road, and the same shall be opened and kept in repair as other county roads are.

SECTION 5. Said commissioners shall receive for their services such compensation as the board of county commissioners may deem reasonable and just, to be paid by each county in proportion to the extent of road so located in said county.

Approved January 8, 1838.

No. 25.

AN ACT to locate and establish a territorial road, from Dubuque to A. Bankston's.

Location of the road.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That Jos. T. Fales, John Paul and Andrew Bankston, be, and they are hereby appointed commissioners to lay out and establish a territorial road, as follows, to wit: beginning at the town of Dubuque, in Dubuque county, thence the nearest and best way to Whiteside's mill, on little Maquoketa, thence the nearest and best way to Andrew Bankston, on the head waters of little Maquoketa, thence the nearest and best way to the settlement westward therefrom, in the county of Delaware.

When to be laid out.

SECTION 2. The said commissioners, or a majority of them, may meet at the house of John Paul, in the county of Dubuque, on the second Monday in April next, in pursuance of their duties under this act, and proceed so soon thereafter as may be, to lay out and establish said road.

Compensation of commissioners.

SECTION 3. Said commissioners shall be allowed the sum of two dollars and fifty cents per day for their services, while actually employed in the discharge of their duties.

SECTION 4. It shall be the duty of the board of county commissioners, of Dubuque county, to audit and allow the accounts of said commissioners; and no part of said expense shall be paid out of the territorial treasury.

SECTION 5. Said commissioners shall make out a report of their doings, under this act, as soon as practicable after the completion of said road, with the probable expense of working and clearing out the same, and shall furnish the clerk of the board of county commissioners of Dubuque county, with a copy of the same.

SECTION 6. After the road as aforesaid shall be established, agreeably to this act, it shall forever be and remain a territorial road.

SECTION 7. Said commissioners before entering upon their duties, shall severally take an oath faithfully to discharge their duties under this act.

Approved January 8, 1838.

No. 26.

AN ACT to authorize the several counties in this territory, to hold and convey real estate, to sue and be sued, and for other purposes.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That all deeds, grants and conveyances heretofore made, or which shall hereafter be made and duly acknowledged and recorded, as other deeds conveying any lands, tenements or hereditaments to any county, or the inhabitants of any county, and their successors, or to the county commissioners, or to the governor or to any other person or persons, by whatever form of conveyance, for the use and benefit of any county, shall be good and valid to all intents and purposes, to vest in such county in fee simple or otherwise all such right, title, interest and estate as the grantor or grantors in any such deed or conveyance, had at the time of the execution thereof, in the lands conveyed, and was intended thereby to be conveyed.

SECTION 2. The county commissioners may by their order to be entered on their records, appoint a commissioner to sell and dispose of any real estate of their county; and the deed of such commissioner under his proper hand and seal for and in behalf of such county, duly acknowledged and recorded, shall be

Counties may hold real estate.

And convey the same.