

CHAPTER 35.

An Act granting to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi River at the upper landing of the town of St. Paul.

Feb. 27, 1852.

SECTION.

- 1. Grant to Brawley of exclusive right to ferry for ten years within certain bounds.
- 2. Boat or boats to be kept in good order, and persons passed at all hours.
- 3. Rates of toll charged not to exceed a specified amount.
- 4. Bond to be filed, condition of; penalty for violation of.

SECTION.

- 5. Liability for neglect; suits for damages how brought.
- 6. Remedy for injuries sustained by negligence of owner or ferryman to be recovered by action on bond.
- 7. Legislature may alter, amend or repeal charter.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Daniel F. Brawley, his executors, administrators or assigns, shall have the exclusive right and privilege for the period of ten years, of keeping and maintaining a ferry across the Mississippi river, opposite to lot fourteen, block forty-six, in Rice and Irvine's addition to the town of St. Paul, in the county of Ramsey, and Territory of Minnesota, and no other ferry shall be established within one half mile of said ferry, either above, or nearer than the line of Rico and Irvine's addition to St. Paul below, said ferry.

Charter for ten years.

SEC. 2. That said Daniel F. Brawley shall at all times keep a good and safe boat or boats in good repair, sufficient for the accommodation of all persons wishing to cross at said ferry, and shall give prompt and ready attendance on passengers or teams, on all occasions, and at all hours of the night or day, but persons wishing to cross at said ferry after ten o'clock at night may be charged double the fare as hereinafter prescribed.

To keep boats.

SEC. 3. The rate charged for crossing the above ferry shall not exceed the following:

Rates.

For each foot passenger, - - - - -	10 cents.
“ each horse, mare or mule, with or without rider, -	15 “
“ each two horse, two ox or two mule team, loaded or unloaded, with driver, - - - - -	25 “
“ each single horse carriage, - - - - -	25 “
“ each additional cow or ox, - - - - -	10 “
“ each swine or sheep, - - - - -	2 “

All freight of lumber, merchandise or other articles not in teams, at the rate of ten cents per barrel; fifty cents per M feet of lumber, and three cents per hundred weight of all other articles.

SEC. 4. The said Daniel F. Brawley, shall, within six months after the passage of this act, pay, or cause to be paid, into the treasury of the county of Ramsey, and annually thereafter, such sum, and upon such conditions, as is now required by the second section of an act of the legislative assembly of Minnesota, entitled "An act to authorize the establishment and regulation of ferries," and file or cause to be filed with the clerk of the board of county commissioners of the county of Ramsey, a bond to said board with

Bond.

two or more good and sufficient sureties, to be approved by said board, in the sum of one thousand dollars, conditioned that he will fulfil all the duties that are imposed upon him, in the foregoing sections, and in case of his failure so to do, he shall forfeit all the benefit that might have accrued to him from its passage.

Forfeiture.

SEC. 5. For every neglect in keeping a good and sufficient boat, or failure to give prompt and ready attendance, the said Daniel F. Brawley shall forfeit a sum, not exceeding twenty dollars, to be recovered by a civil action before any court having competent jurisdiction, and shall be further liable in a like action, for all damages any person shall sustain by reason of the neglect of said Daniel F. Brawley to fulfil any of the duties imposed upon him by this act.

Remedy.

SEC. 6. Any person who shall sustain any injury by the negligence or default of said Brawley, or of the ferryman in his employ, may have remedy by an action upon the bond required by this act.

Legislature may alter or repeal act.

SEC. 7. The legislature may alter, amend or repeal this act at any time.

Approved Feb. 27, 1852.

CHAPTER 36.

An Act to organize Pembina County.

March 4, 1852.

SECTION.

1. County of Pembina detached from Benton and organized.
2. Commissioners appointed, powers and duties of.
3. Commissioners, when and where to meet, and what duties to perform.

SECTION.

4. Election of officers, their powers, duties salaries, etc.
5. Judge of probate, his powers and duties.
6. Judge of probate to be appointed; term of office.
7. Repealing clause.

Detached from Benton.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That the county of Pembina is hereby detached from the county of Benton, for judicial purposes, and shall be organized with all the powers of separate county government, conferred upon any other of the organized counties of Minnesota Territory.

Commissioners appointed.

SEC. 2. That his excellency, the governor, shall appoint and commission three suitable persons, being qualified voters of the county of Pembina, to be a board of county commissioners for said county of Pembina, with full power and authority to do and perform all the acts and duties devolving upon the board of county commissioners of any organized county of this Territory, until their successors shall be duly elected and qualified, and that the said board of commissioners shall have power to appoint as their clerk any suitable person whom they may designate, to execute, fulfil and perform the duties devolving by law upon the register of deeds and clerk of the board of commissioners of any organized county, who shall hold said office until his successor is duly elected and qualified by law.