

CHAPTER XLII.

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An Act Granting to Ard. Godfrey the right to build and maintain a Bridge across the Elk River, at the village of Orino, in the county of Sherburne, and Territory of Minnesota.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

SECTION 1. That Ard. Godfrey, his heirs, executors, administrators and assigns, shall have the exclusive right or privilege for the period of _____ years, of building, keeping and maintaining a bridge across the Elk river, at the place or point in the village of Orino, in the county of Sherburne, and Territory of Minnesota, where the present bridge across said river is now located and constructed, and no other bridge shall be erected built and maintained on said river within two miles of its mouth, or where it empties into the Mississippi river.

SEC. 2. Said Ard. Godfrey, or his legal representatives, shall at all times keep and maintain a good and safe bridge across said river, sufficient for the convenience and safe passage of all persons, teams, horses, oxen, mules, cows, sheep and swine, and shall give ready and prompt attention at the gates, hereby authorized to be constructed at the head of said bridge, to give passage to all such persons, teams and horses, oxen, cows, mules, sheep and swine, as may wish to cross upon said bridge, on all occasions and at all hours both night and day; *Provided*, that it shall and may be lawful for the said Ard. Godfrey after the hour of eleven o'clock at night, to open the gate of said bridge, and allow passengers and teams and animals to cross said bridge at their own risk, free of any charge; *Provided, also*, That nothing herein contained shall be so construed as to attend in the night time, the free passages of persons teams or animals, wherein the said Ard. Godfrey, or his agents, shall be in attendance at said bridge to attend the passage of such persons, teams and animals, and persons wishing to cross said bridge with their teams or animals after nine o'clock at night may be charged double the rates hereinafter presented.

Exclusive right

To build bridge

Good and safe

Passage at all hours

Proviso

SEC. 3. The rates charged for crossing said bridge shall not exceed the following:

For each foot passenger,.....	3 cents.	
“ horse, man, mule, or two-ox team loaded or unloaded, with driver,.....	5	“
“ single horse, carriage or buggy,.....	15	“
“ double “ “ “.....	20	“
“ cow or ox,.....	3	“
“ ox not yoked.....	3	“
“ swine, goat, sheep or others,.....	1	“

Rates of Toll

SEC. 4. The said Ard. Godfrey shall within six months after the passage of this act, file or cause to be filed with the Board of County Commissioners of the county of Sherburne, a bond to said Board with two or more sufficient sureties to be approved by the Clerk of said Board, or by the Board, in the penal sum of five hundred dollars, conditioned that he will fulfill all the duties that are imposed upon him in the foregoing sections, and in case of a failure so to do he shall forfeit all the benefits that might have accrued to him from the passage of this act.

File bond

SEC. 5. For every neglect in keeping and maintaining said bridge in good repair, or failure to give prompt and ready passage across said bridge, the said Ard. Godfrey shall forfeit a sum not exceeding ten dollars to be recovered by a civil action before any court having competent jurisdiction and shall be further held liable for all damages any person or persons shall sustain by reason of the neglect of said Ard. Godfrey imposed upon him by this act.

Forfeiture

SEC. 6. That it shall and may be lawful for the said Ard. Godfrey or his legal representatives, at any time during the continuance of this grant to dedicate the free use of said bridge to the public, and in case the said Ard. Godfrey shall by an instrument of writing to that effect, and to be filed with the Board of County Commissioners, so dedicate said bridge and the free use thereof to the public the rights, privileges and disabilities under and in pursuance of this act, shall cause and be of no effect, and from thenceforth the said bridge and right of the free use thereof by the public shall be and remain so long as the same shall be kept and maintained by the proper authorities.

Free use

SEC. 7. This act shall take effect from an after its passage, and may be repealed, modified or amended by the Legislative Assembly.

Take effect

J. W. FURBER,
 Speaker of the House of Representatives.
 JOHN B. BRISBIN,
 President of the Council.

APPROVED—March seven, one thousand eight hundred and fifty-seven. W. A. GORMAN.

SECRETARY'S OFFICE, Minnesota, }
 SAINT PAUL, March 10, 1857. }

I certify the above to be a true copy of the original on file in this office. J. J. McCULLOUGH, Acting Secretary.