

CHAPTER LVI.

An Act to Incorporate the Winona Ferry.

- SECTION 1. Incorporation and Powers.
 2. Right to maintain Ferry.
 3. Capital Stock.
 4. Officers.
 5. Time of Organization, &c.
 6. Keep safe boats—Attendance to passengers, &c.
 7. Rates of Toll.
 8. Fide Bond.
 9. Neglect—Penalty.
 10. Act may be altered.
 11. Injury—Remedy on the bond.
 12. Bridges not to obstruct navigation.
 13. Board of Commissioners may regulate toll after five years.

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

Incorporators

SECTION 1. That Henry D. Huff, C. F. Buck, Timothy Kirk, L. R. King, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, for the purposes hereinafter mentioned, by the name of the Winona Ferry Company, for the term of twenty-five years; and by that name, they and their successors, associates, administrators or assigns, shall be, and are hereby made capable in law to contract and be contracted with, sue and be sued, plead and be impleaded, prosecute and defend, answer and be answered in any court of record or elsewhere, and to purchase and hold any estate, real, personal or mixed, and the same to grant, sell, lease, mortgage or otherwise dispose of for the benefit of said Company; to devise and keep a common seal, to alter, renew or change the same at pleasure, to make and enforce any by-laws not contrary to the Constitution and laws of the United States or of this Territory.

Exclusive right

SEC. 2. That the said corporation is hereby vested with the exclusive right and privilege for the period aforesaid, of keeping and maintaining a ferry across the Mississippi river and its sloughs, with the necessary bridges across said sloughs in the county of Winona, and Territory of Minnesota, on section number twenty-three (23), twenty four (24) and twenty-five (25), township one hundred and seven (107), north range number seven (7), west of the fifth principal meridian, and no other ferry shall be established within one mile and a half from the west line of said section number twenty-three (23), in said township.

Capital Stock

SEC. 3. The capital stock of said Company shall be twenty thousand dollars, and shall be divided into shares of one hundred dollars each; which stock is to be owned by the incorporators above named, their heirs and assigns, in proportion

and manner agreed upon by them or as directed by the rules, regulations and by-laws of said corporation.

SEC. 4. The said corporation hereinbefore mentioned, shall have power to elect from their own number, such officers, trustees or directors, as they may deem necessary for the successful management and operations of said corporation in pursuance to their by-laws and regulations. Elect officers

SEC. 5. That if said corporation shall not organize within three months, and be in readiness with a good and sufficient boat or boats, to perform their duties as herein required, within eighteen months from the date of the passage of this act, or as soon thereafter as navigation may be resumed, then this act shall be void. Organization

SEC. 6. The said Company shall at all times thereafter, during the navigable seasons, keep a safe and good boat or boats in repair, sufficient for the accommodation of all persons wishing to cross said river at said ferry, and shall give prompt and ready attention to passengers or teams, on all occasions and at all hours between the hours of five o'clock, A. M., and seven o'clock P. M. But persons wishing to cross at said ferry in the night, may be so crossed, and charged double fare as hereinafter prescribed; *And Provided further*, That the said Company shall not be required or compelled to cross at said ferry, when in their judgement, such attempt would endanger life or property, or when the ice, wind, or darkness shall render it unsafe or impracticable to cross. Good and safe

SEC. 7. The rates to be charged for crossing the above ferry shall not exceed the following:

For each foot passenger.....15 cents.

For each horse, mare, gelding, mule or ass.....15 "

For each two horse or ox team, loaded or un-

loaded, with driver.....\$1.00 "

For each single horse carriage.....60 "

For each additional horse, cow or ox.....10 "

For each swine, sheep or animal not hereinafter mentioned.....5 "

Rates of Toll

All freight or merchandize or other articles, at the rate of ten cents per bbl. or hundred pounds, at the option of said Company.

SEC. 8. The said corporators shall, within six months from the passage of this act, file or cause to be filed, with the clerk of the board of county commissioners, of the county of Winona, a recognizance to the said board with good and sufficient securities, to be approved by said board of county commissioners, in the penal sum of one thousand dollars, conditioned that they will fulfil all the duties that are imposed upon them in the foregoing sections; and in case of their failure or neglect so to do, shall forfeit all the benefits that might have accrued them from and by the passage of this act. Recognizance

SEC. 9. For every neglect in keeping a good and sufficient boat or boats or failure to give prompt and ready attendance, Neglect

the said Company shall forfeit a sum not exceeding twenty dollars, to be recovered by an action of debt before any court having competent jurisdiction, and shall be further liable in an action on the case for all damages any person shall sustain by reason of the neglect of said Company to fulfill any of the duties imposed by this act.

Injury SEC. 10. Any person who shall sustain any injury by the negligence or default of said Company or the ferryman in its employ, may have a remedy by an action upon the bond required in this act.

May amend SEC. 11. This act may be altered or amended by any subsequent Legislature.

Bridges SEC. 12. That said bridges mentioned in section two shall not in any manner obstruct the free navigation of the Mississippi or its sloughs.

Commissioners to regulate toll SEC. 13. The Board of Commissioners of Winona county may regulate the rates of toll over the said bridge after the expiration of five years.

J. W. FURBER,

Speaker of the House of Representatives.

JOHN B. BRISBIN,

President of the Council.

APPROVED—March sixth, one thousand eight hundred and fifty-seven.

W. A. GORMAN.

SECRETARY'S OFFICE, Minnesota, }

SAINT PAUL, March 10th, 1857. }

I certify the above to be a true copy of the original on file in this office.

J. J. McCULLOUGH,

Acting Secretary.

CHAPTER LVII.

An Act to Organize the County of Waseca.

- SECTION 1. Boundaries of the county.
- 2. Organization—Elections.
- 3. Election Precincts—Judges—County Commissioners.
- 4. Sheriff—Register of Deeds—Justices of the Peace.
- 5. Vacancies in Steele County—How filled.
- 6. Attached to Steele County for Judicial purposes.
- 7. Take effect after its passage.

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

SECTION. 1. That so much of the County of Steele as is com-