

ages awarded by said commissioners shall be paid by the county in which the land is located to which the damages pertain, as certified to by the said commissioners.

SEC. 4. The said commissioners shall cause a substantial stake, properly marked, to be set at each angle of said road, and in such other places as they may determine, and the said commissioners shall cause accurate plats of said road to be filed in the office of register of deeds in each of the counties through which the said road may pass, together with an accurate statement of all damages awarded by them, the said commissioners, which said plat and statement of damages shall be signed and certified to by the said commissioners.

SEC. 5. The making and filing of said plat of said road in the manner prescribed by section four of this act, shall be sufficient to establish the said road without any further orders or instruments whatever.

SEC. 6. It shall be the duty of the said commissioners to appraise the damages sustained by each owner of lands through which the said road may pass, and if any person feels aggrieved by such appraisal, he may within thirty days after notice of such appraisal, by himself or agent, appeal to the district court of the county in which such land is located, in the manner provided for appeals from justice court; *Provided*, That the posting in three conspicuous places for the period of thirty days in each of the counties through which the said road may run, a statement of the damages awarded by the said commissioners, or the publication for three weeks of the said statement of damages in any newspaper published in either of the said counties through which said road may run, shall be sufficient notice as required by this act.

SEC. 7. A majority of the commissioners named in this act shall have full authority to act as required herein, and in case a majority of said commissioners cannot be found to act, then upon the notification of such fact by either of said commissioners, the governor of the state may appoint to fill vacancies.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 9, 1875.

CHAPTER CLXIX.

AN ACT GRANTING FERRY PRIVILEGE TO M. C. MALONE, ACROSS THE MISSISSIPPI RIVER, IN THE TOWN OF GREENFIELD, WABASHA COUNTY, AT A POINT OPPOSITE THE VILLAGE OF ALMA, BUFFALO COUNTY, STATE OF WISCONSIN.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That M. C. Malone, his heirs, executors, administrators or assigns, shall have exclusive right and privilege, for the period of fifteen years, of keeping and maintaining a ferry across the Mississippi river, at a point opposite the village of Alma, Buffalo county, state of Wisconsin, and no ferry shall be established within one mile of said ferry, above or below.

SEC. 2. That the said M. C. Malone, or his legal representatives, shall at all times keep a safe boat or boats, in good repair, sufficient for the accommodation of all persons wishing to cross said ferry, and shall give prompt and ready attendance for the crossing said ferry. After nine o'clock at night, may be charged double fare, as hereinafter prescribed.

SEC. 3. The rates charged for crossing at the above ferry shall not exceed the following: For each foot passenger, fifteen cents; for each horse, mare, mule or ass, with or without rider, twenty-five cents; for each two-horse vehicle, thirty-five cents; for each single horse carriage, thirty cents; for each additional cow, horse or ox, ten cents; for each swine or sheep, five cents. All freight, merchandise or other articles, not in teams, at the rate of five cents per hundred pounds, and fifty cents per thousand feet of lumber.

SEC. 4. That the said M. C. Malone shall, within six months after the passage of this act, file or cause to be filed with the clerk of the board of county commissioners of the county of Wabasha, a bond to the said board, with two or more sufficient sureties, to be approved by the said board, in the penal sum of five hundred dollars, conditioned that he will fulfill the duties imposed upon him by virtue of this act, and in case of failure so to do, he shall forfeit all the benefits accruing to him under this act.

SEC. 5. For any neglect in keeping a good and sufficient ferry boat and giving prompt and due attendance, the said M. C. Malone shall forfeit a sum not exceeding twenty dollars, to be recovered by civil action before any court of competent jurisdiction, and shall be further liable in a like action for any damage any person or persons shall sustain by reason of the neglect of the said M. C. Malone to fulfil any of the duties imposed upon him by this act; and any person who shall sustain any injury by the negligence or default of the said Malone, or any ferryman in his employ, may have a remedy by an action upon the bond required in this act.

SEC. 6. The said M. C. Malone shall have the term of one year in which to establish a competent ferry for the accommodation of persons, and two years in which to establish a competent ferry to cross horses, cattle, freight and merchandise.

SEC. 7. That this act shall not be deemed to authorize any interference with or obstruction to the navigation of the Mississippi river.

SEC. 8. That the legislature may alter or amend this act at any time.

SEC. 9. That this act shall be in force and take effect from and after its passage.

Approved March 9, 1875.