

SEC. 5. If the said Daniel F. Brawley, his heirs or assigns, or any ferryman or other person employed by them, shall take, exact or receive any greater or higher rates of ferriage for transporting [persons], teams, goods and chattels, or other things whatsoever, than are allowed by this act, any person so offending shall forfeit and pay for every such offense, the sum of ten dollars, to be recovered with the cost of suit before any justice of the peace within the said county, and for the use of any person who shall sue for the same.

SEC. 6. If any other person or persons, shall, after the establishment of the said ferry as aforesaid set up, keep or maintain any ferry, or shall carry any person, goods or chattels, for hire or pay across the Red River, from any place on east side or shore of said river, within the points above specified, every such person shall for every such offense, forfeit and pay the sum of ten dollars, to be recovered with costs of suit, in any court of this state, having cognizance thereof, by any person who shall or may prosecute for the same. *Provided*, That nothing in this act contained shall be deemed or construed to prevent any person who resides within the limits aforesaid, and on the east bank of said river, from the right of making use of their own boats, in transporting themselves and their own property across the same at pleasure.

SEC. 7. If the said Daniel F. Brawley, his heirs or assigns fail to fulfil any of the conditions of this act, then the legislature may at any time alter, amend or repeal the same.

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

Approved March 6, 1876.

CHAPTER CXXXIII.

AN ACT TO AUTHORIZE THE CONSTRUCTION OF A PONTOON BRIDGE OR A RAILWAY FERRY FROM SOME FEASIBLE POINT IN BUFFALO COUNTY, IN THE STATE OF WISCONSIN, TO SOME FEASIBLE POINT IN THE STATE OF MINNESOTA.

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

SECTION 1. The Green Bay and Minnesota Railroad Company, its successors and assigns, are hereby authorized and empowered to build and construct across the Mississippi River, at and from some feasible point on the Minnesota shore of said river, to some feasible point in Buffalo county, Wisconsin, which is now or shall be hereafter authorized by the legislature of the state of Wisconsin, and to use and operate as part and parcel of their railroad, a pile and pontoon railroad bridge of the character described in the act of congress, approved

June 6th, 1874, relating to pontoon bridges at Prairie du Chien and Clinton; *Provided*, That in the bridge hereby authorized but one draw shall be required, which draw shall not be less than four hundred feet in width, and shall be located in or over the main channel of said river; *Provided, further*, That said bridge shall conform to all restrictions and requirements of any and all acts of congress heretofore passed or hereafter to be passed so far as applicable thereto, and if built at Winona the same shall be located at least one and one-half of a mile below the railroad bridge now in use.

SEC. 2. The said railroad company, its successors and assigns, for the purpose of building or constructing or aiding in the building or construction of said bridge, and the railroad over the same, are hereby authorized and empowered to make, execute and issue their corporate bonds bearing interest not exceeding ten per cent. per annum, and to secure payment thereof by a mortgage or trust deed, either on said bridge alone, or on their entire corporate property and franchises, such bridge included.

SEC. 3. In lieu of said bridge, said company, its successors and assigns, are hereby authorized and empowered at their election to establish, keep, maintain and operate, in connection with and for the purposes of said railroad and the business thereof, between such points as aforesaid, a railway ferry with suitable approaches and landings, and one or more ferry boats, for the transportation to and fro across said river, of their passengers, baggage, freight, officers, agents, servants, engines, cars and other of their property transported upon said railroad, and no other persons or property whatever.

SEC. 4. Said railroad company, its successors and assigns, may acquire by purchase, or by the exercise of the right of eminent domain, in accordance with the provisions of any general law or laws of this state applicable to railroads, all such lands as may be required for the purpose of carrying into effect any and all the provisions of this act, and of procuring a suitable and sufficient ferry landing, or suitable and sufficient depot grounds, at or near the western terminus of said bridge or ferry, with suitable and sufficient right of way to such depot grounds. *Provided*, That said bridge shall cross at some point within the limits of the city of Winona or Wabasha.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 3, 1876.