

October 20, 1849.

CHAP. XXXIX.—An Act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi River.

Ferry across the Mississippi, to have the exclusive right for five years—no other ferry to be within one half mile, etc.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Franklin Steele, his heirs, executors, administrators, or assigns, shall have the exclusive right and privilege for the period of five years, of keeping and maintaining a Ferry across the Mississippi River, in the County of St. Croix and Territory of Minnesota, at or near the Falls of St. Anthony; and no other Ferry shall be established within one half mile from and above the head of the upper rapids of the Falls of St. Anthony.

Boat—to keep a safe boat, and pass person and teams over at all hours, and may charge double fare at night.

SEC. 2. The said Franklin Steele, shall at all times keep a safe and good 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, both at night or day, but persons wishing to cross at said Ferry in the night, may be charged double the fare as hereinafter prescribed.

Rates of toll charged.

SEC. 3. The rates charged for crossing at the above Ferry, shall not exceed the following:

For each foot passenger, - - - - -	10 cents.
“ each horse, mare, gelding, mule, or ass, with or without rider, - - - - -	15 “
“ each two horse or two ox 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, merchandize, or other articles not in teams, at the rate of 10 cents per bbl., 50 cents per M feet of lumber, and 3 cents per cwt. of all other articles.

Island, to land on—and keep a good road across same, unless bridged, etc.

SEC. 4. The said Franklin Steele shall have the privilege of landing passengers upon the island with which the dam above said Falls is connected: *Provided*, That said Steele shall at all times keep a good road open from said island to the main shore on the east side of the river, unless a bridge should at some future time be built from said island to the east shore, and in that case, said road need not be kept open, but persons paying ferriage at said Ferry, shall not be charged toll for crossing on said bridge.

Recognizance to be filed in 6 months with the clerk of Commissioners in \$1,000, conditioned, etc.

SEC. 5. The said Franklin Steele, 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 in which said Ferry is situated, a recognizance to the said Board, with two or more good and sufficient securities, (to be approved by said Board of County Commissioners,) in the penal sum of one thousand dollars, conditioned that he will fulfill all the duties that are imposed upon him in the foregoing sections, and in case of his failure or neglect so to do, shall forfeit all the benefits that might have accrued to him from its passage.

Forfeiture on failure to keep boats and give due attendance, by action of debt, to be recovered and liable to action on the case.

SEC. 6. For every neglect in keeping good and sufficient boats, or failure to give prompt and due attendance, the said Franklin Steele, 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 Steele to fulfill any of the duties imposed upon him in this act.

SEC. 7. Any person who shall sustain any injury by the negligence or default of said Steele or of the ferryman in his employ, may have a remedy by an action upon the bond required in this act.

Suits on the bond may be instituted for injury to any person by neglect of said Steele, etc.

APPROVED, the twentieth day of October, one thousand eight hundred and forty-nine.

CHAP. XL.—An Act to incorporate the Town of St. Paul, in the County of Ramsey.

November 1, 1849.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That so much of the Town of St. Paul as is contained in the original plat of said town made by Ira Brunson, together with Irvine and Rice's addition, be and the same is hereby created a town corporate, by the name of the town of St. Paul.

Town, limits defined, etc.

SEC. 2. That for the good order and government of said town, it shall be lawful for the male inhabitants thereof, having the qualifications of electors of members of Legislative Assembly of the Territory of Minnesota, to meet at the place of holding elections in said town on the sixth day of May next, and at the same time, annually thereafter, at such place in said town as the Town Council may direct, and then and there proceed by ballot, to elect one President, one Recorder and five Trustees, being householders of said town, and having the qualifications of electors as aforesaid, who shall hold their offices one year and until their successors shall be elected and qualified, and such President, Recorder and Trustees being so elected and qualified, shall constitute the Town Council of said town, any three of whom, shall constitute a quorum for the transaction of business pertaining to their duties.

Inhabitants—meeting of electors and qualifications, annual meeting and first meeting, election of officers—Town Council—quorum.

SEC. 3. At the first election to be holden under this act, there shall be chosen *viva voce*, by the electors present, two judges and a clerk of said election, who shall take an oath or affirmation faithfully to discharge the duties required of them by this act, and at all subsequent elections, the Trustees or any two of them, shall be judges, and the Recorder, or in his absence, some person to be appointed by the judges, shall be clerk. The polls shall be opened between the hours of ten and eleven o'clock in the forenoon, and close at four in the afternoon of said day, and at the close of the polls the votes shall be counted, and a true statement thereof proclaimed to the voters present by one of the judges, and the clerk shall make a true record thereof, and within five days thereafter, he shall give notice to the persons so elected, of their elections; and it shall be the duty of the said Town Council, at least ten days before each and every election, to give notice of the same by setting up advertisements at three of the most public places in said town.

Election—first and subsequent ones, how conducted—clerk in five days after election to give notice, ten days notice given of every election.

SEC. 4. Each member of said Town Council before entering upon the duties of his office, shall take an oath or affirmation, to support the Constitution of the United States, and also an oath of office.

Oath of officers.

SEC. 5. The President, Recorder and Trustees of said town, shall be, and are hereby created a body corporate and politic, with perpetual succession, to be known and distinguished by the name and style of "The Town of St. Paul," and shall be capable in law.

Body corporate created "Town of Saint Paul."