

CHAPTER 53.

An Act granting to D. T. Sloan the right to establish and maintain a Ferry across the Mississippi River, at or near Aitkin's Crossing, Benton County, Minnesota Territory.

March 5, 1852.

SECTION.

1. Grant to Sloan of exclusive right to ferry for ten years, within certain bounds.
2. Boat or boats to be kept in good order, and persons passed at all hours.
3. Rates of toll charged not to exceed a specified amount.
4. Bond to be filed, when and how.

SECTION.

5. Failure to comply with conditions of, Penalty for, how recovered
6. Suits on the bond may be instituted for injury to any person by neglect of said Sloan, etc.
7. Legislature may amend, alter, modify or repeal.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That D. T. Sloan, his heirs, executors, administrators, or assigns, shall have the right and privilege for the period of ten years, of keeping and maintaining a ferry across the Mississippi river in the county of Benton, and Territory of Minnesota, at or near what is commonly called Aitkin's Crossing above the mouth of Swan river; the same being where the Long Prairie road crosses the Mississippi river; and no other ferry shall be established within one mile of said ferry, either below or above the same.

Grants ferry right ten years.

SEC. 2 Said D. T. Sloan, shall at all times keep good 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 crossing at said ferry after nine o'clock at night, may be charged double the fare as hereinafter prescribed.

Conditions of the grant.

SEC. 3. For each foot passenger, - - - - -	10 cents.	Ferry rates.
Each horse, mare, or mule, with or without rider, -	25 "	
" cow or ox, - - - - -	25 "	
" two horse, two ox or two mule team, loaded or unloaded, with driver, - - - - -	50 "	
" single horse carriage, - - - - -	35 "	
" additional horse, mule, ox or cow, - - - - -	15 "	
" swine or sheep, - - - - -	3 "	

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 5 cents per cwt. of all other articles.

SEC. 4. The said D. T. Sloan, shall within six months after the passage of this act, file, or cause to be filed with the clerk of the county commissioners of Benton county, a bond to the said commissioners, for the benefit of the county of Benton, with two or more sufficient sureties, (to be approved by said clerk of commissioners,) in the penal sum of one thousand dollars, conditioned that he will fulfil all the duties that are imposed upon him in the foregoing sections, and in case of his failure so to do, he shall forfeit all the benefits that might have accrued to him from the passage of this act.

Bond to be given and filed.

SEC. 5. For every neglect in keeping good and sufficient boats, or failure to give prompt and due attendance, the said D. T.

Liabie for neg-
lect.

Sloan, his heirs, exocutors, administrators, or assigns, shall forfeit a sum not exceeding twenty dollars, to be recovered by a civil action before any court having competent jurisdiction, and shall be further liable in an action, on the case, for all damages any person may sustain by reason of the neglect of said D. T. Sloan, to fulfill any of the duties imposed upon him by this act.

Remedy.

SEC. 6. Any person who shall sustain any injury by the negligence or default of the said D. T. Sloan or of the ferryman in his employ, may have a remedy by an action on the bond required in said act.

Repeal.

SEC. 7. The legislature may alter, amend, or repeal this act at any time.

Approved March, 5, 1852.

CHAPTER 54.

March 1, 1852.

An Act to provide for laying out a Territorial Road from the foot of Lake Pepin, or Reed's Landing, to some point on the Minnesota river between Flint Prairie and the mouth of Blue Earth river.

SECTION.

1. Commissioners appointed; road to be located, where.

SECTION.

2. Duties of commissioners; where and when to meet.

Commissioners appointed.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Chas. R. Reed, of Reed's Landing, Louis Rock, of Wabasha, and James Wells, of Wells' landing, on Lake Pepin, are hereby appointed commissioners to locate and mark a territorial road, commencing at Reed's landing, or the foot of Lake Pepin, from thence on the most feasible route on the high lands between the tributaries of the Waziojie river and those of the Mississippi and Cannon rivers, by Okaman Lake, to such point on the Minnesota river as may, in the opinion of said commissioners, be considered the most practicable for the termination of said road.

Duties of commissioners.

SEC. 2. That the said commissioners meet at the house of C. R. Reed, at Reed's Landing, on the first Tuesday of June next, at ten o'clock, A. M., or as soon thereafter as practicable: *Provided, however,* That in the absence of any one of the commissioners appointed by this act, the others may have power to supply said vacancy by appointing another commissioner, or may, in case a majority of them meet, proceed in discharging their duties, and that it shall be left discretionary with a majority of said commissioners, to adjourn from time to time, as they may deem proper; and the commissioners, when assembled, shall proceed to lay out and mark said road in accordance with the provisions of law, in such cases made and provided: *Provided* That this act shall not take effect unless the late Sioux treaty be ratified by Congress at its present session.

Approved March 1, 1852.