

## CHAPTER V.

*An Act to incorporate the Winona Ferry Company.*

- SECTION 1.** Persons composing the Winona Ferry Company.
2. The exclusive privileges of the Company and the locality of the ferry.
  3. The amount of capital legalized.
  4. Power to elect officers, trustees or directors.
  5. The time in which the Company is to be organized and the boat constructed.
  6. Regulations for running the ferry.
  7. Rates of toll allowed,
  8. Bond required from the Company.
  9. Liabilities for failing to keep a good and safe ferry.
  10. Rights and remedy of injured parties.
  11. When this act shall take effect.
  12. Subject to the action of any subsequent Legislature.

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

Winona Ferry  
Company.

**SECTION 1.** That Lorenzo D. Smith, William Ashley Jones, Henry D. Huff, and John C. Laird, 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.

Privileges of the  
company.

**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) 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 south east corner of said Section number twenty-three (23) in said township.

Amount of capital  
legalized

**SEC. 3.** The capital stock of said company shall be three thousand dollars, with the right and privilege of increasing the same to the sum of ten thousand dollars; and shall be divided into shares of one hundred dollars each, which stock is to be owned by the corporators above named,

their heirs and assigns, in proportions and manner agreed upon by them, or as directed by the rules, regulations and by-laws of said corporation.

SEC. 4. The said corporators 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.

Power to elect officers, etc.

SEC. 5. That if the 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 twelve 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.

Time for company to be organized.

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 prescribed. And *provided further*, That the said company shall not be required or compelled to cross at said ferry when in their judgment such attempt would endanger life or property, or when the ice, wind or darkness shall render it unsafe or impracticable to cross.

Regulations for running the ferry.

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

Rates of toll.

For each foot passenger, .....	15 cents.
Each horse, mare, gelding, mule, or ass, .....	15 "
Each two-horse, or two-ox team, loaded or unloaded, with a driver, .....	\$1 00
Each single horse carriage, .....	60 "
Each additional horse, cow or ox, .....	11 "
Each swine, sheep, or animal not herein mentioned, .....	5 "

All freight of 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 fulfill 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 to them from and by the passage of this act.

Bond required.

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

Liabilities.

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

Remedy of injured parties.

SEC. 11. This act shall take effect and be in force from and after the day of its passage.

Act take effect.

Subject to the resolution of any subsequent Legislature.

SEC. 12. This act may be altered or amended by any subsequent Legislature.

J. S. NORRIS,  
*Speaker of the House of Representatives.*  
WM. P. MURRAY,  
*President of the Council.*

APPROVED—February twenty-seven, one thousand eight hundred and fifty-five.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

J. TRAVIS ROSSER,  
*Secretary of Minnesota Territory.*

## CHAPTER VI.

*An act to define the boundaries of certain counties.*

- SECTION 1. County of Olmsted, boundaries of.  
 2. County of Dodge, boundaries of.  
 3. County of Mower, boundaries of.  
 4. County of Freeborn, boundaries of.  
 5. County of Blue Earth, boundaries of.  
 6. County of Farribault, boundaries of.  
 7. County of Steele, boundaries of.  
 8. County of Rice, boundaries of.  
 9. County of Dakota, boundaries of.  
 10. County of Scott, boundaries of.  
 11. County of La Sueur, boundaries of.  
 12. County of Nicollet, boundaries of.  
 13. County of Sibley, boundaries of.  
 14. County of Carver, boundaries of.  
 15. County of Renville, boundaries of.  
 16. County of Davis, boundaries of.  
 17. County of Wright, boundaries of.  
 18. County of Stearns, boundaries of.  
 19. County of Brown, boundaries of.  
 20. County of Goodhue, boundaries of.  
 21. County of Doty, boundaries of.  
 22. County of Benton, boundaries of.  
 23. Counties of Wabashaw, Fillmore, Hennepin, and Pierce, boundaries of.  
 24. County of Superior, boundaries of.  
 25. County of Todd, boundaries of.

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

SECTION 1. That so much of the Territory as is embraced in the following boundaries be, and the same is hereby established as the county of Olmsted:

County of Olmsted.