

CHAPTER CX.

An Act to grant the right to certain persons to establish and maintain Ferries in this Territory.

- SECTION 1. Names of persons granted Ferries.
 2. Mathew Taisey granted right to maintain a ferry.
 3. Rates of Ferriage.
 4. Names of persons granted the right to maintain ferries.
 5. Rates of ferriage.
 6. E. A. Goodell granted a ferry right.
 7. Ferry across the Mississippi in Winona county.
 8. Rates of ferriage.
 9. Section 4 amended.
 10. Section 6 amended.
 11. Rates of ferriage.
 12. Names of persons granted a ferry charter.
 13. Names of persons granted a ferry charter.
 14. Names of persons granted a ferry charter.
 15. Rates of ferriage.
 16. Rates of ferriage.
 17. Rates of ferriage.
 18. No ferry to be established near.
 19. File bond.
 20. Keep good boat, and penalty for negligence.
 21. Right valid when in two counties.
 22. Legislature may amend.
 23. When to take effect.
 24. This act not to interfere with former acts.

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

Names

SECTION 1. Each of the following named persons, their heirs, executors, administrators and assigns, shall have the exclusive right to establish and maintain a ferry across the Minnesota river at the points designated, for the period of fifteen years from the passage of this act, viz :

1. Luman Leech, near his dwelling in the county of Le Sueur.
2. Axel Jorgenson half a mile above the town of Carver in Carver county.
3. Harvey Rathbone and Joseph Malthoner, at Mankato in the county of Blue Earth.
4. Martin McLeod, at the "Old Sioux crossing" at Traverse des Sioux in Nicollet county.
5. Wm. W. Smith at Belle Plaine, Scott county.
6. Henry M. Spencer at Louisville, Scott county.
7. Sophia M. Brown, at north end of Holmes street in Shakopee, Scott county.
8. Thomas A. Holmes at foot of Cass street in Shakopee, Scott county.
9. Levi H. Griffin, at or near the town of Carver in Carver county.
10. Angus M. A. Brown at Henderson in the county of Sibley.
11. J. W. Babcock at Kasota in Le Sueur county.
12. Wm. H. McNutt in Nicolett county, at a point dividing section thirty-four in town 109 north, Range 28 west.

Names.

Sec. 2. Matthew Taisey, his heirs, executors, administrators or assigns, may establish and maintain a ferry across the Crow river at the town of

Greenwood, with all the privileges and rights granted for ferries across the Minnesota river.

SEC. 3. The rates charged for crossing at each of the above ferries, shall not exceed the following, except to those crossing between eight o'clock, P. M., and six o'clock, A. M., when double the following rates may be charged, viz :

	Rates
For each foot passenger	10 cents.
For each horse, mare, or mule, with or without rider	15 "
For each cow or ox	20 "
For each two horse, two ox or two mule team, loaded or unloaded, with driver	25 "
For each single horse carriage,	25 "
For each additional horse, mule, ox or cow	15 "
For each swine or sheep,	5 "

All freight, lumber, merchandize, or other articles not in teams, at the rate of ten (10) cents per barrel ; fifty (50) cents per foot for lumber, and (5) cents per hundred pounds of all other articles.

SEC. 4. Each of the following named persons, their heirs, executors, administrators and assigns, shall have the exclusive right to maintain and establish a ferry across the Mississippi river at the points designated for the period of fifteen years from the passage hereof, viz :

1. John K. Ayd at the mouth of Crow River.
2. Joseph Brown and William Chalfeau, at a point opposite Lot No. 1, in section thirty-four, Town thirty-five north, Range twenty-seven west.
3. Taylor Dudley and Phillip Beaupre, at or near the mouth of Sauk river in Stearns county.
4. P. B. Stone at or near the mouth of Platte river in Benton county.
5. Martin Fox at a point near the town of Monticello in Wright county.
6. Alexis Bailly, Henry G. Bailly, Henry H. Libby, Wm. G. Leduc, and Levi Hartzell at Hastings in Dakota county.
7. Simon Stevens, at or near the mouth of Clear Water river in Wright county.
8. J. H. Fairbanks, at or near his house in Benton county.

SEC. 5. The rates charged for crossing at each of said ferries shall not exceed the following, except to those crossing between eight o'clock, P. M., and four o'clock, A. M., when double said rates may be charged.

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

For freight or lumber, 50 cents per 1000 feet.
And for other articles, 3 cents per 100 lbs.

SEC. 6. That E. A. Goodell, his heirs, executors, administrators, and assigns, shall have the exclusive right and privilege of keeping and maintaining a Ferry across the Mississippi river in Houston county, at a point to be selected by him in the village of Brownsville, in said county, for the period of fifteen years, and no other ferry shall be established within one and a half miles above or below the said point, and may charge the following rates, which may be doubled when crossing between the hours of eight, P. M., and four A. M., viz :

Rates	For each foot passenger, - - - - -	10 cents.
	For each horse, mare, mule or ass with or without rider, - - - - -	25 "
	For each two horse, two ox or two mule team, loaded or unloaded, with driver, - - - - -	75 "
	For each single horse carriage, - - - - -	50 "
	For each additional horse, mule, ox or cow, - - - - -	25 "
	For each swine or sheep, - - - - -	5 "
	For lumber, per thousand feet, \$1 : for articles of merchandize in barrels, five cents per barrel ; for all other articles, per hundred pounds, six cents.	

Names SEC. 7. That John F. Martin, Charles G. Hanscombe, George Gale, John Fortune, Nathan Brown, Hiliadore J. Hilbert, Rolla Banks, O. B. Dodge, Robert Ford and H. W. Lane, their heirs, executors, administrators or assigns, shall have the exclusive right and privilege for the period of twenty years, of keeping and maintaining a Ferry across the Mississippi river, in the county of Winona, in the Territory of Minnesota, at or within two miles up or down said river, of a point where the section line between sections number twenty-one (21) and twenty-two (22) in Township 106, north, of Range number 5 west, intersects said river, and no other ferry shall be established within two miles of said Ferry.

Rates SEC. 8. The rates charged for crossing at said ferry shall not exceed the following ; except between the hours of eight, p. m., and four a. m., when double said rates may be charged, viz :

For each foot passenger, - - - - -	20 cents.
For each horse, mare, mule, or ass with or without rider, - - - - -	50 "
For each single horse carriage, - - - - -	75 "
For each two horse, two mule or two ox team, loaded or unloaded, with driver, - - - - -	\$1 00 "
For each additional horse, mule, or ox, - - - - -	30 "
For each swine or sheep, - - - - -	10 "
For lumber, per 1000 feet, - - - - -	\$1 00 "
For all articles of merchandize in barrels, ten cents per barrel ; for all other articles per hundred pounds, six cents.	

Bill amended SEC. 9. That the fourth section of the act entitled "a bill granting to Wm. W. Sweeney, William Lauvu, Richard Freeborn and Norris Hobart the right to establish and maintain a ferry across the main channel of the Mississippi river," be and the same is hereby amended, by striking out the words ' within six months after the passage of this act,' and inserting in lieu thereof the words 'on or before the first day of September, A. D., 1856.'

Bill amended SEC. 10. That section six of said act be and is hereby amended so as to read as follows, to wit :

Rates SEC. 11. The rates charged for crossing at said ferry shall not exceed the following :

For each foot passenger, - - - - -	18 cents.
For each horse, mare, mule or ass with or without rider, - - - - -	50 "
For each two horse, two mule two ass, or two ox team, loaded or unloaded, with driver, - - - - -	\$1 00 "
For each single horse carriage, with or without driver or passengers, - - - - -	50 "
For each additional horse, mule, ass, ox, or cow. - - - - -	18 "
For each swine or sheep, - - - - -	12 "

All freight or merchandize or other articles not in teams at the rate of fifteen cents per hundred weight ; one dollar per thousand feet of lumber.

SEC. 12. That Alexis Bailly, Henry G. Bailly, Henry H. Sibley, William G. Le Duc and Levi Hertzell, their heirs, executors, or assigns, shall have the exclusive right and privilege for the period of fifteen years of keeping and maintaining a ferry across the Mississippi river, from Hastings, in the County of Dakota, to Point Douglass, in the County of Washington, and a ferry from Point Douglas across the St. Croix lake or river, to Point Prescott, in Wisconsin.

Names

SEC. 13. That John W. Cathcart, and Lemuel Bolles, their heirs, executors, administrators or assigns, shall have the exclusive right and privilege for the period of fifteen years, of keeping and maintaining a Ferry across Lake St. Croix in the county of Washington, in the Territory of Minnesota, up the lake from the outlet of Bolles' Creek, at or near where the dividing line between section number twenty-three (23) and fourteen (14), in township twenty-eight (28) north, of range number twenty (20) west intersects said Lake, distance of two miles.

Names

SEC. 14. That C. S. Getchell and J. M. Stone, their heirs, executors, and administrators or assigns, shall have the exclusive right and privilege for the period of fifteen years, of keeping and maintaining a Ferry across Lake St. Croix in the county of Washington, in the Territory of Minnesota, from Afton at or near the foot of seventh or eighth avenue in said town situated upon section number twenty-three (23), in township number twenty-eight (28) north, of range number twenty (20) west.

Names

SEC. 15. That Wm. Lowell and Albert Lowell, their heirs, executors, administrators or assigns shall have the privilege of keeping and maintaining a ferry across the St. Croix River in Chisago county, at a point where the line between sections 27 and 34 in township 35 north, of Range 19 west of the fourth principal meridian intersects said river, for the period of fifteen years, and no other ferry shall be established across said river, within two miles either above or below said point.

Names

SEC. 16. The rates charged for crossing each of said ferries, shall not exceed the following ; except between the hours of eight p. m., and four a. m., when double said rates may be charged, viz :

Rates

For each foot passenger,	10 cents.
For each horse, mare or mule, with or without rider,	15 "
For each two horse, two mule or two ox team, loaded	
or unloaded,	50 "
For single horse carriage,	35 "
For each cow or ox	10 "
For each swine or sheep,	5 "

All freights, merchandize, or other articles, not in teams, at the rate of five cents per hundred pounds, and fifty cents per thousand feet of lumber.

SEC. 17. That each of the following named persons, their heirs executors, administrators and assigns, shall have the exclusive right for the period of fifteen years, of keeping and maintaining a ferry across the Missouri river at the points designated, and no other ferry shall be established during said period within five miles above or below said ferries, viz :

Names

1. William Creek, at or near the mouth of Jacques or James river.
2. Charles Blair, at or near a point opposite old Fort aux Cedres.
3. Samuel J. Brown, at or near the mouth of Vermillion river.
4. John A. Clark, at or near a point opposite Old Fort Look-out.
5. Thomas Russell, at or near the mouth of the Big Sioux river.

SEC. 18. The rates charged for crossing the said ferries shall not exceed the following, except between the hours of eight p. m., and four a. m., when double said rates may be charged, viz ;

Rates

For each foot passenger,	- - - - -	25 cents.
For each horse, mare, mule or ass with or without rider,	- - - - -	50 "
For each two horse, two ox or two mule team loaded	- - - - -	
or unloaded, with driver,	- - - - -	\$1 00 "
For each single horse carriage,	- - - - -	75 "
For each additional cow or ox,	- - - - -	25 "
For each swine or sheep,	- - - - -	10 "

All freight of lumber, merchandize, or other articles not in teams, at the rate of twenty cents per barrel, fifty cents per thousand feet of lumber, and ten cents per hundred weight of all other articles.

No ferry

SEC. 19. That no ferry shall be established within one mile above and below any ferry herein authorized.

File Bond

SEC. 20. That within six months after the passage of this act, the persons authorized to keep each ferry under the provisions hereof, shall file with the Register of Deeds of the senior county, when the ferry shall be on a stream dividing two counties at the point where said ferry is located, or in the county in which the ferry may be located, a bond to the board of County Commissioners, and to be approved by said board, in the penal sum of five hundred dollars, conditioned that all the duties that are imposed in this act shall be faithfully complied with, and in case of a failure so to do, all the benefits which might have accrued to the person or persons failing to file said bond, under the provisions of this act, shall be forfeited: Provided, that if said ferry shall not be located in, or connected with an organized county, then the bond herein required shall be filed within six months after the Register of Deeds for a county with which said ferry connects shall have qualified.

Remedy for injury

SEC. 21. That each person or persons hereby authorized to establish and maintain a ferry, or their legal representatives, shall, within six months from the passage hereof, keep a safe and good boat or boats in good repair, sufficient for all persons wishing to cross their said ferry, and shall give prompt and ready attendance to passengers, teams, and live stock, on all occasions and at all hours, both day or night, and any person or persons who shall sustain any injury by the negligence of any person or persons authorized by this act to establish and maintain a ferry, may have a remedy by an action on the bond filed by such person or persons authorized to keep the ferry where such damage shall have been sustained, to be recovered by a civil action before any court having competent jurisdiction.

Right valid

SEC. 22. In all cases where any person or persons are authorized by this act to establish and maintain a ferry across any stream which divides the counties within this Territory, at the point where such ferry is established, the right shall be valid in both counties, although but one county may be named in this act.

Amend

SEC. 23. The Legislature may alter or amend the provisions of this act at any time.

Take effect

SEC. 24. This act shall take effect from and after its passage.

SEC. 25. That none of the grants contained in this act shall interfere with any former acts, granting ferry charters to other and different individuals

CHARLES GARDNER,

Speaker of the House of Representatives.

JOHN B. BRISBIN, *President of the Council.*

APPROVED—March first, one thousand eight hundred and fifty-six.

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 the Territory of Minnesota.*