

SEC. 9. If the said T. B. Sheldon and William Howe, their heirs or assigns, fail to fulfil the conditions of this act, then the Legislature may at any time alter, amend, or repeal the same.

SEC. 10. This act shall take effect and be in force on the 24th day of February, A. D. one thousand eight hundred and seventy-three, or from and after its passage, if not passed at said date.

Approved March 6, 1873.

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## CHAPTER LXVIII.

AN ACT TO AUTHORIZE WARREN ALLEN TO ESTABLISH A FERRY ACROSS THE MINNESOTA RIVER AT OR NEAR THE VILLAGE OF OTTAWA, IN LE SUEUR AND NICOLLET COUNTIES, MINNESOTA.

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

SECTION 1. That Warren Allen, of the village of Ottawa, Le Sueur county, Minnesota, his executors, administrators or assigns, shall have the exclusive right and privilege for the full period of seven years to establish, keep and maintain a ferry on the Minnesota river at a point where the section line between sections twenty-seven and thirty-three, town one hundred and eleven, range twenty-six, in Ottawa, crosses the said Minnesota river. Said right of ferry to extend one and a half miles up and [one and a half miles] down the river from said described location for said ferry.

SEC. 2. The said Warren Allen his executor, administrator or assigns, shall, within four months from the passage of this act, place and maintain in good condition such boat or boats as the requirements of public travel may demand for the safe and expeditious crossing and transport of teams, horses, carriages, cattle and other animals, and for the safe and speedy crossing of all foot passengers, goods, luggage, lumber and all other freight that may offer or be offered at said ferry, and shall, on all occasions, give prompt and ready attendance at all hours of the day during the season of ferrying from the hour of seven o'clock A. M. to the hour of seven P. M., from the removal of the ice in the spring until such time as autumn or winter ice renders crossing dangerous. *Provided, always, That such ferrying shall not be demanded of the public as a right when, by reason*

of high winds, floating ice or other impediments of nature, crossing would be dangerous to the ferry or to public safety.

SEC. 3. The said Warren Allen, his executors, administrators or assigns shall have the right to land their boats on the land of any person or persons in the county of Le Sueur or in the county of Nicollet within the three mile range hereby granted in this act; *Provided*, The permission of the owners be first obtained by said Warren Allen, his executors, administrators or assigns.

SEC. 4. The said Warren Allen, his executors, administrators or assigns shall, within three months of the passage of this act, file or cause to be filed with the clerk of the board of county commissioners of the county of LeSueur a bond satisfactory to such clerk with two sureties in the penal sum of five hundred dollars, conditional that they will fulfill or cause to be fulfilled all the conditions enjoined by this act, and in case of failure so to do, the rights, benefits and privileges granted by this act shall at once terminate.

SEC. 5. That for each and every neglect to keep good and sufficient boats, or failure to give prompt and due attendance to all persons wishing to cross said ferry, the aforesaid parties shall be liable to a penalty not exceeding ten dollars, to be recovered by and for the use of the county of Le Sueur, in a civil action before any justice or court having competent jurisdiction, and shall be further liable for all damages that may be sustained by any person by reason of the neglect of any of the parties acting under the privileges of this act.

SEC. 6. The rates to be collected at said ferry shall not exceed the following:

Each foot passenger, five cents.

Each horse or mule, and rider, fifteen cents.

Each team of two horses, whether loaded or not, twenty cents.

Each single carriage drawn by one horse, or other animal, fifteen cents.

Each head of cattle, horses, or mules, five cents.

Each swine or sheep, two cents. *Provided*, That the parties desiring to cross said ferry at unusual hours pay double prices.

SEC. 7. If any person or persons other than the said Warren Allen, attempt to cross passengers, teams, stock or freight, within the three miles limits granted by this act, he or they shall forfeit and pay to him, the said Warren Allen, his executors, administrators or assigns, the sum of twenty dollars, to be recovered in a civil action before any justice or court of competent jurisdiction.

SEC. 8. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 9. This act to take effect and to be in force from and after its passage.

Approved March 10, 1873.