

CHAPTER 130.

AN ACT TO AMEND SECTION ONE (1) OF CAPTER SEVENY-SIXTH (76) OF THE SPECIAL LAWS FOR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN, (1877) AN ACT AUTHORIZING CERTAIN COUNTIES TO VOTE BONDS FOR RAILROAD PURPOSES.

Be it enacted by the Legislature of the State of Minnseota :

SECTION 1: That the word Stevens found in the third line of said section be stricken out, and the word Stearns be inserted in its stead.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 28, 1878.

CHAPTER 131.

AN ACT TO ATTHORIZE WILLIAM MATHENY, OF THE VILLAGE OF OTTAWA, TO ESTABLISH A FERRY ACROSS THE MINNESOTA RIVER, AT OR NEAR THE VILLAGE OF OTTAWA, LE SUEUR COUNTY, MINNESOTA.

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

SECTION 1. That William Matheny, of Ottawa, LeSueur county, Minnesota, his heirs, executors, administrators and his assigns, shall have the exclusive right and privilege for the full period of fourteen years, to establish, keep and maintain a ferry on the Minnesota river, at a point where the section line between sections twenty-seven (27) and thirty-three (33). town one hundred and eleven (111), range twenty.six (26), in Ottawa, crosses the Minnesota river. Said right of ferry to extend one and a half (1½) miles on each side of said described location of said ferry.

SEC. 2. That said William Matheny, his heirs, executors, administrators or assigns, shall within four months of the passage of this act, place and maintain in good condition such boat or boats in said river 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, baggage and 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 (7) o'clock A. M., to the hour of seven (7) 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 public safety.

SEC. 3. The said William Matheny, his heirs, executors, administrators or assigns, shall have the right to land their boats on the land of any person or persons in the county of LeSueur, or in the county of Nicollet within the three mile range hereby granted in this act, provided the permission of the owner be first obtained.

SEC. 4. The said William Matheny, his heirs, executors, administrators or assigns shall, within three months after the passage of this act, file or cause to be filed with the auditor of said Le Sueur county a bond satisfactory to such auditor with two or more sureties, in the penal sum of five hundred dollars (500.00) conditioned for the faithful performance of all the conditions of this act, and which said bond shall be for the benefit of any and all persons sustaining any damage by the neglect of the said William Matheny, his heirs, executors, administrators or assigns to perform duties enjoined by this act, and in case of failure so to do, the rights, benefits, and privileges granted by this act shall at once determine.

SEC. 5. That for each and every neglect to keep good and sufficient boats, or failure to give due and prompt attendance to all persons wishing to cross said ferry, the aforesaid parties shall be liable to a penalty not exceeding ten dollars (\$10) to be recovered by and for the use of the county of LeSueur, in a civil action before any justice of the peace, or court having competent jurisdiction, and shall further be 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 (5) cents; each horse or mule and rider fifteen (15) cents; each team of two (2) horses, whether loaded or not, twenty (20) cents; each single carriage, drawn by one (1) horse or other animal, fifteen (15) cents; each head of cattle, horses or mules five (5) cents; each swine or sheep two (2) cents. *Provided,* That the parties desiring to cross said ferry at unusual hours shall pay double prices.

SEC. 7. If any person or persons, other than the said William Matheny, attempt to cross for passengers, teams, stock or freight within the three mile limit granted by this act, he or they shall forfeit and pay to him, the said William Matheny, his heirs, executors, administrators or assigns the sum of twenty dollars (\$20), to be recovered in any action before a justice of the peace or court of competent jurisdiction.

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

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

Approved March 11, 1878.