

PRIVATE LAWS.

BRIDGES

CHAPTER LII.

AN ACT AUTHORIZING FELIX LEBLANC AND GONZAQUE BOURET TO BUILD AND KEEP A TOLL BRIDGE.

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

Section 1. That Felix LeBlanc and Gonzaque Bouret, their heirs, executors, administrators and assigns, be and are hereby authorized, and shall have the exclusive right and privilege, for the period of ten years from and after the approval of this act, to build a toll bridge over the Dakota river, within the limits hereinafter mentioned, and to keep the same to pass, for pay, persons and property across said river.

Felix LeBlanc
and Gonzaque
Bouret to have
privilege of
keeping toll
bridge.

Sec. 2. Said bridge shall be built at or near a point on said river, eighty rods below the place where the south line of section six, in township ninety-three, range fifty-four, strikes said river, in the county of Yankton; and the exclusive franchise granted by this act, shall extend from the said point, one and one half miles up, and three miles down said river. And it shall be unlawful for any person or persons, corporation or corporations, to build a bridge over said river for the purpose of crossing persons and property thereon, for pay, within the

Proviso.	limits specified by this section, and for the period of time named in section one: <i>Provided</i> , That nothing in this act shall be so construed as to prevent any person or persons, corporation or corporations, from building a free bridge at any place over said river, nor to prevent any person or persons, corporation or corporations from establishing and running a ferry free or for pay, within said limits, at any point where his or their land fronts on said river.
When to be completed.	Sec. 3. Said bridge shall be completed on or before the first day of August, A. D. 1864.
How constructed.	Sec. 4. Said bridge shall, when completed, be substantial, safe and secure, with easy and convenient approaches, and a substantial railing, at least three feet high, on each side, extending along the entire length of the bridge and approaches; and the whole structure shall be kept in good repair for the safe crossing of teams, persons and animals, during the time that it is used as a toll bridge.
When owner fails to keep bridge in repair	Sec. 5. Whenever the owner or owners of said bridge shall fail to keep the same in repair and condition required by the preceding section, the franchise, rights and privileges granted by this act, shall cease: <i>Provided</i> , That if said bridge be, at any time, destroyed or damaged by high water, floating ice, or fire, the owner or owners thereof shall have reasonable time to rebuild or repair the same.
Proviso.	
File bond.	Sec. 6. Before said bridge shall be used as a toll bridge, the owner or owners thereof shall execute and file in the office of the register of deeds of Yankton county, a bond to the Territory of Dakota, for the use of the public, or any person complaining, in the penal sum of one thousand dollars, with good and sufficient surety or sureties, to be approved by said officer, conditioned that the owner or owners of said bridge shall observe and fulfil all the requirements of this act. The county commissioners of Yankton county may, at any time, when deemed necessary, require additional security, and may require a new bond, conditioned as above, in any sum not exceeding five thousand dollars.
Liable to pay damages, in what cases	Sec. 7. Any person or persons, corporation or corporations, who shall suffer injury or loss to person or in property, from any violation, on the part of the owner or owners of said

bridge, or either of the stipulations or requirements of this act, or from any negligence or improper conduct of the person or persons in charge of said bridge; or from the unsafe condition of the bridge; or who shall feel aggrieved by being charged, for crossing said bridge, a higher rate than is allowed by the following section, may have a remedy by a civil action for damage on the bond required by this act, in any court within this Territory, having jurisdiction of the same; and the judgment obtained in such court, upon such action, together with all attending costs, shall be collected as is now or may at any time be provided by law, in actions for debt: *Provided*, however, that any exemption laws then in force, shall not apply to executions issued on judgments rendered for damage and costs under the provisions of this act.

Sec. 8. Said bridge owners are hereby authorized, after the completion of the bridge, to place a toll gate at either end thereof, where they may charge and receive the following rates of toll for crossing said bridge, to wit:

For each vehicle drawn by two horses, mules or oxen, twenty-five cents.

For each additional horse, mule or ox, attached to said vehicle, ten cents.

For each vehicle drawn by one horse, mule or ox, fifteen cents.

For each hog or sheep, two cents.

For each head of horses, mules or cattle, other than enumerated as aforesaid, ten cents.

And for each man and horse, ten cents.

And said bridge owner or owners shall give prompt and ready attention at the said toll gate, at all hours of each day from sunrise to sunset.

Sec. 9. Said bridge owner or owners, shall keep posted up at or near said toll gate, in a conspicuous place, in view of the passing public, a bill of the rates allowed by the preceding section.

Rates to be posted.

Sec. 10. The said bridge authorized to be built and kept by this act, shall not be a floating bridge, or a temporary bridge formed by attaching together two or more boats, rafts, or other floating structures; but it shall be a substantial frame bridge,

How constructed.

well put together, resting upon secure bents, and of sufficient height to elevate the stringers, or the timbers supporting the floor, above high water mark.

Not interfere
with rights of
other parties.

Sec. 11. That nothing in this act shall prevent any person or corporation, when they shall have obtained a charter for the same, from building a bridge on the Dakota river, where any county or territorial road shall strike said river on their land.

Take effect when

Sec. 12. This act shall take effect from and after its passage and approval.

Approved, January 6, 1864.

CHAPTER LIII.

AN ACT INCORPORATING A BRIDGE COMPANY AT VERMILION, AND FOR OTHER PURPOSES.

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

Certain persons
incorporated as
bridge company

Section 1. That William Shriner, G. W. Pratt, Samuel Lyon, John Russell, B. W. Collar, Ahira Partridge, P. H. Jewell, A. Carpenter, S. B. Mulholland, John Burgman, A. W. Puett, Hugh Compton, Ole Bottolfson, C. Week, B. Bothun, and E. M. Bond, be and the same are hereby declared to be a body corporate, to be known as the Vermilion Bridge Company.

Their powers.

Sec. 2. Said company is hereby vested with all the powers usually conferred upon like corporations, which are necessary and essential for the well being of said company.

same.

Sec. 3. Said company is, by this act, empowered and authorized to construct and maintain a bridge on the Vermilion river, at a point near the northeast corner of the claim of L. E. Phelps, and are to enjoy the right of maintaining a bridge at said point until such time as the same shall be unfit for use for six months at any one time.

Bridge to be
free.

Sec. 4. Said bridge is to be kept open for the free use of

the traveling public, save and except the citizens of Clay county, who are to enjoy the same privileges of residents of other localities: *Provided*, That they pay an equal share of the expenses incurred in the construction of the same, with the members of said company.

Sec. 5. Said bridge company shall enjoy the exclusive right and privilege of keeping and maintaining a bridge on said river until such time as the right hereby conferred is forfeited by the provisions of the third section of this act. Have exclusive right.

Sec. 6. That the said Vermilion river is, and the same is hereby declared to be navigable five miles from its confluence with the Missouri river. Vermilion river declared to be navigable—how far.

Sec. 7. This act shall take effect and be in force from and after its passage. Take effect when

Approved, January 12, 1864.

CITIZENSHIP

CHAPTER LIV.

AN ACT CONFERRING THE RIGHTS OF CITIZENSHIP UPON ZEFFIER RENCONTER, A RENCONTER, CHARLES J. BRAZEAU, PETER GRANT AND BATIS DUFONT.

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

Section 1. That Zeffier Renconter, A. Renconter, Charles J. Brazeau, Peter Grant and Batis Dufont, of the Territory of Dakota, be and are hereby declared to be citizens of the Territory of Dakota and entitled to all the rights and privileges of other citizens of said Territory. Certain persons declared citizens.

Sec. 2. That this act shall take effect and be in force from and after its passage and approval by the Governor. When take

Approved, December 22, 1863.