

the said C. Omeg is forever barred from any alimony in and to said property, both real and personal, and the said Minnie Omeg shall have full power to sell any real estate now owned by her, and make and execute deeds therefor, which shall be binding both in law and equity.

Of the children. SECT. 3. And be it further enacted, that the said Minnie Omeg shall have exclusive control of the children begotten in wedlock until they arrive at the age of majority.

Take effect, when. SECT. 4. This act to take effect and be in force from and after its passage.

Approved April 10, 1862.

W. JAYNE, *Governor.*

FERRIES.

CHAPTER 6.

AN ACT REGULATING FERRIES ON JAMES RIVER.

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

Who may establish ferries, and where.

SECTION 1. That from and after the passage of this act, a ferry charter be, and the same is hereby, granted to each actual freeholder, residing upon lands bordering upon either bank of James river, to keep and run a ferry within the boundaries of his own premises, with the right to land his ferry upon the opposite shore, on the premises of another person, for the space of fifteen years.

Rights apply to whom.

SECT. 2. The right herein conferred shall be construed to pertain only to such as shall keep good and reliable boats at all times of the season, for the safe crossing of the public travel, [in] which case, and not otherwise, each ferryman shall have the right to cross the public, and to demand and receive therefor toll at the following rates, to wit:

Two horses and wagon, or carriage,	30 cts.	Rates of ferryage established.
Two oxen or two mules and wagon,	30 "	
Two additional horses, mules, or oxen,	20 "	
One horse and buggy,	20 "	
One horse and man,	15 "	
Footman,	05 "	
Loose cattle and horses, per head,	10 "	
Loose hogs and sheep,	05 "	

SECT. 3. Every person keeping or running a ferry under the provisions of this act, shall keep a list of the tolls in section two, posted up in a conspicuous place near each ferry landing; and any ferryman who shall violate any of the provisions of this act, upon conviction thereof before any justice of the peace of the proper county, shall forfeit to the county the sum of one hundred dollars, and damages to the injured party.

Approved April 10, 1862.

W. JAYNE, Governor.

CHAPTER 7.

AN ACT GRANTING A FERRY CHARTER ACROSS THE VERMILION RIVER.

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

SECTION 1. That E. M. Bond, his heirs, executors, administrators, or assigns, shall have the exclusive privilege, for the period of twenty years from and after the passage and approval of this act, of keeping and maintaining a ferry or bridge across the Vermilion river, within the boundary lines of land now claimed by him.

E. M. Bond granted what rights.

SECT. 2. That the said party shall, at all times, keep a safe and good boat or bridge in good repair, for the accommodation of all persons wishing to cross said river at said ferry or bridge, and shall give prompt and ready attention to all passengers, teams, stock, or freight on all occasions, from sunrise to sunset, excepting in fogs and tempestuous weather.

His duties.

To give bond.

SECT. 3. That the said party, his heirs, executors, administrators, or assigns shall, within two years after the passage of this act, file or cause to be filed, in the office of register of deeds of Clay county, a bond to said register for the use of the public, in the penal sum of one thousand dollars, with one or more approved sureties, conditioned that they will fulfil all the duties that are imposed upon them in this act.

Rates of ferryage.

SECT. 4. The rates charged for crossing at said ferry or bridge, shall not exceed those allowed Arthur C. Van Meter on the same river, under the provisions of the charter granted him by this legislative assembly.

To be posted up.

SECT. 5. Said ferryman shall keep a bill of legal rates posted up in a conspicuous place, at or near said ferry or bridge, in view of the passing public.

Persons injured or overcharged.

SECT. 6. Any person or persons who shall sustain any injury to person or property from the negligence or default of said parties, or of the ferryman in their employ; or if a higher rate shall be charged than is allowed by this act, such person or persons so injured or aggrieved, may have a remedy by a civil action upon the bond required in this act.

No benefits until bond filed.

SECT. 7. The said party or parties shall not be entitled to receive any benefit from the provisions of this act, until he or they shall have complied with the provisions of the third section of this act.

Legislature reserve right to repeal.

SECT. 8. The legislative assembly of Dakota Territory do hereby reserve the right to repeal said charter whenever the said E. M. Bond, his heirs, executors, administrators, or assigns, shall fail to comply with the provisions of this act.

Take effect, when.

SECT. 9. This act shall take effect from and after its passage, and approval by the governor.

Approved May 13, 1862.

W. JAYNE, *Governor.*

CHAPTER 8.AN ACT GRANTING A FERRY CHARTER ACROSS THE
MISSOURI RIVER.*Be it enacted by the Legislative Assembly of the Territory of
Dakota :*

SECTION 1. That Henry Brooks, George Detwiler, and Robert M. Hagaman, and their associates and assigns, shall have the exclusive privilege of keeping a ferry across the Missouri river in the Territory of Dakota, for the distance of fourteen miles on said river, commencing at a point on said river, opposite the mouth of the Niobrara river, and extending seven miles above and seven miles below said point, subject to such rates of toll as are or may be hereafter imposed by the legislative assembly of Dakota.

Certain persons have ferry privileges.

SECT. 2. This act shall take effect from and after its passage.

Take effect, when.

Approved May 14, 1862.

W. JAYNE, *Governor.*

CHAPTER 9.AN ACT GRANTING TO HENRY A. KENERLY AND JAMES M.
ALLEN, A CHARTER TO KEEP A FERRY ACROSS THE
MISSOURI RIVER, NEAR THE MOUTH OF CROW CREEK.*Be it enacted by the Legislative Assembly of the Territory of
Dakota :*

SECTION 1. Henry A. Kenerly and James M. Allen, their heirs, executors, administrators, and assigns, shall have the exclusive privilege, for the period of ten years from and after the passage and approval of this act, of keeping and maintaining a ferry across the Missouri river, at a point on said river at or near the mouth of Crow creek, where Noble's Pacific wagon road crosses said Missouri river, and extend-

H. A. Kenerly and James M. Allen have ferry privileges.

ing five miles down and five miles up said river to old Fort Lookout.

When rights to be secured, and how.

SECT. 2. In order that said parties may receive the benefits of this act, they shall within two years from the passage of this act, establish and keep a good and safe boat or boats in good repair, for the accommodation of all persons wishing to cross said river, at said ferry, and shall give prompt and ready attention to all passengers, teams, stock, or freight, on all occasions, from sunrise till sunset, except in fogs and tempestuous weather.

Rates of ferriage to be advertised.

SECT. 3. Whenever said ferry shall be established, said parties shall advertise their rates of ferriage in some newspaper published at the capital of the territory, and if in any case said rates are overcharged by said parties, they shall forfeit all the benefits of this act.

Legislature reserves right to repeal.

SECT. 4. The legislative assembly do hereby reserve the right to repeal said charter, whenever the said parties shall fail to comply with the provisions of this act.

Take effect, when.

SECT. 5. This act shall take effect from and after its passage.

Approved May 12, 1862.

W. JAYNE, *Governor.*

CHAPTER 10.

AN ACT GRANTING TO GEORGE C. GRANGER AND HIS HEIRS
A CHARTER TO KEEP A FERRY ACROSS THE MISSOURI
RIVER.

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

Geo. C. Granger has what ferry privileges.

SECTION 1. That George C. Granger, his heirs, executors, administrators, or assigns, shall have the exclusive privilege, for the period of ten years, of keeping and maintaining a ferry across the Missouri river in said territory, at a point on the Missouri river, commencing one mile west of the range line between ranges number fifty-eight and fifty-nine, and extending one mile up and one mile down said river.

SECT. 2. That said party shall, at all times, keep a safe and good boat or boats in good repair, for the accommodation of all persons wishing to cross at said ferry, and shall give prompt and ready attention to all passengers or teams on all occasions, from sunrise to sunset, except in fogs and tempestuous weather. His duties.

SECT. 3. The rate charged for crossing at said ferry, shall not exceed the following, to wit: Rates of ferriage.

For two horses, mules, or oxen, and wagon and driver,	\$1 00
For each additional pair of horses, mules, or oxen,	25
For each horse, mule, and rider,	50
For each two horses and mules and buggy, with driver,	1 00
For each one horse or mule and buggy, with driver,	75
For each led horse or mule,	25
For loose cattle, per head,	10
For sheep and hogs, per head,	10
For each hundred weight of merchandise,	10
For each thousand feet of lumber,	1 00

SECT. 4. That said incorporator shall, within one year after the passage of this act, file, or cause to be filed, in the office of the register of deeds of the county in which said ferry is situated, a bond to said register, in the penal sum of five hundred dollars, with one or more sureties, conditioned that he will fulfil all the duties that are imposed upon him in this act; and in case of his failure or neglect to do so, he shall forfeit all the benefits that might have accrued to him from this act. File bond.

SECT. 5. Any person who shall sustain any injury from the negligence or default of said party, or of the ferryman in his employ, may have a remedy by a civil action upon the bond required in this act. If persons sustain injury.

SECT. 6. The legislative assembly do hereby reserve the right to repeal said charter whenever the said incorporator shall fail to comply with the provisions of this charter. Legislature reserves right to repeal.

SECT. 7. This act shall be in force from and after its passage, and approval by the governor. Take effect, when.

Approved April 21, 1862.

W. JAYNE, Governor.

CHAPTER 11.

AN ACT GRANTING FERRY CHARTERS ACROSS THE MISSOURI RIVER.

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

Certain persons
granted ferry
privileges.

SECTION 1. That Josiah Whitcomb and Preston M. Hotchkiss, their heirs, executors, administrators, and assigns, shall have the exclusive privilege, for the period of ten years, of keeping and maintaining a ferry across the Missouri river in said territory, at a point on the Missouri river nearly opposite Ponka in Nebraska Territory, and for the distance of three miles above and below said point.

Their duties.

SECT. 2. That said parties shall at all times keep a safe and good boat or boats in good repair, for the accommodation of all persons wishing to cross said ferry, and shall give prompt and ready attention to all passengers or teams on all occasions, from sunrise to sunset, except in tempestuous weather.

Rates of fer-
riage.

SECT. 3. The rates charged for crossing said ferry shall not exceed the following, to wit :

For two horses, mules, or oxen, and wagon with driver,	\$1 00
To each additional pair of horses, mules, or oxen,	30
For each two horses or mules, and buggy with driver,	75
For each one horse or mule, with buggy and driver,	50
For each led horse or mule,	25
For loose cattle, per head,	15
For sheep and hogs, per head,	10
For each hundred weight of freight and merchandise,	10
For each thousand feet of lumber,	1 00

File bond.

SECT. 4. That said incorporation shall, within six months after the passage of this act, file, or cause to be filed, in the office of the clerk of the county commissioners within which said ferry is situated, a bond to said board, with one or more sureties, to be approved by said board, in the penal sum of five hundred dollars, conditioned that they will fulfil all the duties that are imposed upon them in this act; and in case

of failure or neglect to do so, they shall forfeit all the benefits that might have accrued to them from the passage of this act.

SECT. 5. Any person who shall sustain any injury from the negligence or default of said ferry or ferryman in his employ, may have a remedy by an action upon the bond required in this act. If person sustain injury.

SECT. 6. This act shall take effect from and after its passage. Take effect, when.

Approved April 21, 1862.

W. JAYNE, *Governor.*

CHAPTER 12.

AN ACT GRANTING TO C. M. COOPER AND R. M. JOHNSON, AND THEIR HEIRS, A CHARTER TO A FERRY ACROSS THE MISSOURI.

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

SECTION 1. That C. M. Cooper, and R. M. Johnson, their heirs, executors, administrators, or assigns, shall have the exclusive privilege, for the period of ten years, of keeping and maintaining a ferry across the Missouri river, in said territory, at a point on the Missouri river, commencing on range line between ranges number 59 and 60, and extending two miles up and one mile down said river. Persons entitled to ferry privileges.

SECT. 2. That said parties shall, at all times, keep a safe and good boat or boats in good repair, for the accommodation of all persons wishing to cross at said ferry, and shall give prompt and ready attention to all passengers or teams on all occasions, from sunrise to sunset, except in fogs and tempestuous weather. Their duties.

SECT. 3. The rate charged for crossing at said ferry shall not exceed the following, to wit: Rates of ferrriage.

For two horses, mules, or oxen, wagon and driver,	\$1 00
For each additional pair of horses, mules, or oxen,	25
For each two horses and mules, and buggy with driver,	75

For each one horse, mule, and buggy with driver,	50
For each led horse or mule,	15
For loose cattle, per head,	10
For sheep and hogs, per head,	05
For each hundred weight of merchandise,	10
For each thousand feet of lumber,	75

File bond.

SECT. 4. That said incorporators shall, within one year after the passage of this act, file, or cause to be filed, in the office of the register of deeds of the county in which said ferry is situated, a bond to said registrar in the penal sum of five hundred dollars, with one or more sureties, conditioned that he will fulfil all the duties that are imposed upon him in this act, and in case of a failure or neglect to do so, he shall forfeit all the benefits that might have accrued to him from this act.

If person sustain injury.

SECT. 5. Any person who shall sustain any injury from the negligence or default of said parties, or of the ferryman in their employ [may] have a remedy by a civil action upon the bond required in this act.

Legislature reserve right to repeal.

SECT. 6. The legislative assembly do hereby reserve the right to repeal said charter whenever the said incorporators shall fail to comply with the provisions of this charter.

Take effect, when.

SECT. 7. This act shall be in force from and after its passage, and approval [by] the governor.

Approved April 30, 1862.

W. JAYNE, Governor.

CHAPTER 13.

AN ACT TO ESTABLISH A FERRY ACROSS THE MISSOURI RIVER OPPOSITE IONIA IN NEBRASKA.

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

Persons granted ferry privileges.

SECTION 1. That Loren T. Hill, his heirs and assigns, be, and they are hereby, granted the exclusive privilege to establish and keep a ferry across the Missouri river opposite Ionia in Dixon county, Nebraska Territory, or at any point within two miles and a half by way of the river above and below,

commencing at a point opposite the foot of Green street in said town of Ionia. Said privileges granted herein shall continue for the term of ten years from the passage of this act.

SECT. 2. Said Loren T. Hill, his heirs and assigns, shall ^{Rates of ferriage.} be allowed the following rate of ferriage :

For two horses, mules, or oxen, and wagon, . . .	\$1 00
Each additional pair of horses, mules, or oxen, . . .	25
Each horse, mule, and rider,	30
Each horse or mule, led,	25
Loose cattle, per head,	10
Footman,	10
Sheep and hogs, per head,	05
Each hundred weight of freight,	10
One thousand feet of lumber,	1 00
Each horse or mule, and buggy,	75

SECT. 3. This legislative assembly hereby reserves the ^{Legislature reserves right to repeal.} right to repeal said charter, if said L. T. Hill does not keep a good and sufficient boat, and run the same at all times when said river is passable.

SECT. 4. That said incorporation shall, within one year ^{File bond.} after the passage of this act, file, or cause to be filed in the office of the register of deeds of the county in which said ferry is situated, a bond to said register in the penal sum of five hundred dollars, with one or more sureties, conditioned that he will fulfil all the duties that are imposed upon him in this act, and in case of his failure or neglect to do so, he shall forfeit all the benefits that might have accrued to him from this act.

SECT. 5. Any person who shall sustain any injury from ^{If person injured.} the negligence or default of said party, or of the ferryman in his employ, may have a remedy by a civil action upon the bond required in this act.

SECT. 6. This act shall take effect and be in force from ^{Take effect, when.} and after its passage.

Approved April 10, 1862.

W. JAYNE, Governor.

CHAPTER 14.

AN ACT TO AUTHORIZE MICHAEL McCUE AND FRANK VERZANI TO ESTABLISH AND KEEP A FERRY ON THE MISSOURI RIVER.

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

Persons granted
ferry privileges.

SECTION 1. That Michael McCue and Frank Verzani, their heirs, executors, and assigns, shall have for the period of ten years from the passage of this act, the exclusive privilege of keeping a ferry on the Missouri river, for the purpose of crossing the same at the place hereinafter designated.

Rights extend,
how far.

SECT. 2. That such exclusive right to keep such ferry shall extend a distance of three miles above the point where the line between lots Nos. 3 and 4, in section eight, in township No. ninety-one, north of range No. fifty-one west of the fifth principal meridian, intersects said river, and a like distance of three miles below said point; and it shall be unlawful for any other person or persons to keep a ferry within said limits.

Their duties.

SECT. 3. The owners of said ferry shall, on or before the first day of July, A. D. 1862, place at said ferry for the use of the same, a good and sufficient ferry-boat, and shall, from sunrise in the morning until sunset in the evening, when the navigation of said river is not dangerous, be prepared to cross all persons and their property, with the least possible delay.

Rates of fer-
riage.

SECT. 4. The owners of said ferry shall be allowed the following rates of ferriage at such ferry :

For each pair of horses, mules, or oxen, and wagon, . . .	\$1 00
For each additional pair of horses, mules, or oxen, . . .	25
For horse or mule, and buggy,	75
For led horse, or mule,	20
For loose cattle, per head,	10
For sheep and hogs, per head,	05
For footman,	10
For cwt. of freight,	10
For M. feet of lumber,	1 00

SECT. 5. A list of the above rates shall be placed by said owners upon the ferry-boat, or on some conspicuous place near the landing; and, if the owner or owners tax and receive from any person a greater sum than is herein allowed for ferrying, he or they shall, upon conviction thereof, forfeit and pay to the party aggrieved the sum of ten dollars for each offence, and suit for the recovery of the same may be commenced by action of debt before a justice of the peace, in the name of the party so aggrieved.

Rates to be posted.

Of overcharges

SECT. 6. Any person or persons crossing or ferrying any person or property across said Missouri river, within the above-named limits for compensation, shall be deemed guilty of an infringement of the privilege, and shall forfeit and pay to owners of said ferry ten dollars for each person, or article of property so carried over said river, to be recovered in an action of debt in the name of the owners of said ferry.

Any other person ferrying.

SECT. 7. This legislative assembly reserves the right to repeal said charter, provided said parties do not fulfil all the provisions of this charter.

Legislature reserves right to repeal.

SECT. 8. This act to be in full force from and after its passage.

Take effect, when.

Approved April 5, 1852.

W. JAYNE, *Governor.*

CHAPTER 15.

AN ACT GRANTING M. M. RICH A FERRY CHARTER ACROSS BIG SIOUX RIVER.

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

SECTION 1. That M. M. Rich, his heirs, executors, and assigns, shall have the exclusive privilege for the period of ten years of keeping and maintaining a ferry across the Big Sioux river, at a point to be selected by him on his, said M. M. Rich's claim, in the county of Cole; and no other ferry shall be established within one mile above and below the same.

M. M. Rich granted ferry privileges.

His duties.

SECT. 2. The said M. M. Rich shall, at all times, keep boats in good repair, sufficient for the accommodation of all persons wishing to cross at said ferry, and shall give prompt and ready attendance on passengers and teams on all occasions, when wind and ice permit.

Rates of ferriage.

SECT. 3. The rates charged for crossing at said ferry, shall not exceed the following :

For each foot-passenger,	10 cts.
For each horse or mule, with or without rider,	15 "
For each cow or ox,	10 "
For each two horse, two mule, or two ox team, loaded or unloaded, with or without driver,	25 "
For each single horse and carriage,	25 "
For each additional span of horses or oxen,	10 "
For each swine or sheep,	05 "
All freight of lumber, merchandise, or other articles not in teams, at the rate of 5 cents per hundred pounds, and 50 cents per thousand feet of lumber.	

File bond.

SECT. 4. The said M. M. Rich, within six months after the passage of this act, shall file, or cause to be filed with the county commissioners of the county of Cole, a bond for the benefit of said county, with two or more sureties, to be approved by said commissioners, in the penal sum of five hundred dollars, conditioned that he fulfil all the duties imposed on him in this act.

Penalty for neglect.

SECT. 5. For every neglect in keeping good and sufficient boats, or failure to give prompt and due attendance, the said M. M. Rich shall forfeit and pay a sum of not exceeding ten dollars, to be recovered by a civil action before any court having competent jurisdiction, and shall forfeit the above charter.

Take effect, when.

SECT. 6. This act shall take effect on and after its passage.

Approved April 21, 1862.

W. JAYNE, Governor.

CHAPTER 16.

AN ACT TO GRANT THE RIGHT TO ESTABLISH FERRIES,
AND MAINTAIN THE SAME, TO CERTAIN PERSONS IN
THIS TERRITORY.

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

SECTION 1. That each and every one of the following Rights, of what
duration. named persons, their heirs, executors, administrators, assigns, and legal representatives, shall have the exclusive right to establish and maintain ferries across the Big Sioux river within this territory. The said exclusive right to remain to them for the space of fifteen years, subject to all the provisions herein and hereafter provided.

SECT. 2. 1. To Austin Cole, and F. M. West, at a point Persons granted
what privileges,
and where. commencing at the centre of section No. 2, in township No. 89, north of range forty-eight west, extending one mile up, and half the distance down, said river to Paul Paquette's house. 2. To Paul Paquette, commencing at a point opposite his house and running up said river to the line of said Cole and West's charter, and down said river to a point half the distance to John McBride's house or place of ferrying. 3. To John McBride, commencing at a point opposite his residence, and running up said river to Paul Paquette's charter line, and down said river one mile.

SECT. 3. The rates charged for crossing at the above- Rates of fer-
riage. named ferries shall not exceed the following :

Foot-passengers, each,	10 cts.
For each horse, mare, mule, with or without rider,	15 "
For each cow or ox,	15 "
For two horse, two ox, or two mule team, loaded or unloaded, with driver,	50 "
For each single horse carriage,	25 "
For each additional horse, mule, ox, or cow,	15 "
For each swine, or sheep, or goat,	05 "
All freight, lumber, merchandise, or other articles not in teams, at the rate of 5 cents per hundred, 50 cents per thousand feet of lumber.	

Legislature reserves right to repeal.

SECT. 4. If the said parties to whom these grants are given, fail in any of the provisions of this charter, then this legislative assembly reserves the right to repeal said charters.

Take effect, when.

SECT. 5. This act to take effect from and after its passage, and approval by the governor.

Approved April 5, 1862.

W. JAYNE, *Governor.*

CHAPTER 17.

AN ACT GRANTING TO ARTHUR C. VAN METER AND HIS HEIRS, A CHARTER TO KEEP A FERRY ACROSS THE VERMILION RIVER.

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

A. C. Van Meter granted ferry privilege.

SECTION 1. That Arthur C. Van Meter, his heirs, executors, administrators, or assigns, shall have the exclusive privilege, for the period of ten years, of keeping and maintaining a ferry across the Vermilion river, in the Territory of Dakota, at a point on said river, commencing where his ferry now is situated, opposite his dwelling-house, and extending up and down said river, as far as the land now claimed by him extends along the Vermilion river.

File bond.

SECT. 2. That said Arthur C. Van Meter, his heirs, executors, administrators, or assigns, shall, within six months after the passage of this act, file, or cause to be filed, in the office of the register of deeds of the county in which said ferry is situated, a bond to said county, for the use of the public, in the penal sum of five hundred dollars, with one or more sureties, to be approved by said register, conditioned that he, the said Arthur C. Van Meter, his heirs, executors, administrators, or assigns, will fulfil all the duties that are imposed upon him, or them, in this act; and in case of his or their failure or neglect to do so, he or they shall forfeit all the benefits that might have accrued to him or them from this act.

His duties.

SECT. 3. That said Arthur C. Van Meter, his heirs, exec-

utors, administrators, or assigns, shall, at all times, keep a safe and good boat or boats in good repair, for the accommodation of all persons wishing to cross said river at said ferry; and shall give prompt and ready attention to all passengers, teams, or freight, on all occasions, from sunrise to sunset, excepting in fogs and tempestuous weather.

SECT. 4. Any person or persons who shall sustain any ^{If person injured.} injury to person or property from the negligence or default of the person or persons in charge of said ferry, may have a remedy by a civil action upon the bond required in this act, in any court of competent jurisdiction.

SECT. 5. The rates charged for crossing at said ferry, shall ^{Rates charged.} not exceed the rates allowed by an act to regulate ferries on the Dakota river.

SECT. 6. Said ferryman is hereby required to keep a bill ^{Rates to be posted.} of his legal rates posted up in some conspicuous place near or at said ferry.

SECT. 7. The legislative assembly do hereby reserve the ^{Legislature reserves right to repeal.} right to repeal said charter, whenever the said Arthur C. Van Meter, his heirs, executors, administrators, or assigns, shall fail to comply with the provisions and requirements of this act.

SECT. 8. This act shall take effect from and after its ^{Take effect, when.} passage, and approval by the governor.

Approved April 21, 1862.

W. JAYNE, *Governor.*

CHAPTER 18.

AN ACT GRANTING TO JOSEPH LEMAY THE RIGHT TO ESTABLISH AND MAINTAIN A FERRY ACROSS THE PEMBINA RIVER.

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

SECTION 1. That Joseph Lemay, his heirs, executors, administrators, or assigns, shall have the exclusive right and ^{Joseph Lemay granted ferry privileges.} privilege of keeping and maintaining a ferry across the Pem-

bina river in the county of Kittson, at a point to be selected by him, within a mile from its mouth, for the period of fifteen years, and no other ferry shall be established within one mile either above or below said point on the said river.

His duties.

SECT. 2. That the said Joseph Lemay shall, at all times, keep a safe boat or boats, in good repair, sufficient for the accommodation of all persons wishing to cross said ferry, and shall give prompt and ready attendance on passengers and teams on all occasions, and at all times, both at night or day; but persons wishing to cross said ferry (at night) after nine o'clock, may be charged double the fare hereinafter prescribed.

Rates of ferriage.

SECT. 3. The rates charged for crossing the above ferry shall not exceed the following:

For each foot-passenger,	6 cts.
“ “ horse, mare, mule, or ass, with or without rider,	12 “
“ “ single horse carriage, with or without rider,	25 “
“ “ two horse, two ox, or two mule team, loaded, with or without driver,	35 “
“ “ additional horse, mule, ox, or cow,	12 “
“ “ swine or sheep,	6 “
“ lumber, per thousand feet,	50 “
“ all articles of merchandise, in barrels,	6 “
“ all other articles, per hundred pounds,	2 “

File bond.

SECT. 4. The said Joseph Lemay shall, within six months after the passage of this act, file, or cause to be filed, with the clerk of the board of county commissioners, if the county wherein said ferry shall be located is organized, or as soon as the county wherein said ferry may be located is organized, with the clerk of the board of commissioners of said county, with two or more good, sufficient sureties, to be approved by the said commissioners, a bond, in the penal sum of five hundred dollars, conditioned that they will fulfil all the duties that are required of and imposed upon them by this act. And in case of failure to file such bond as aforesaid, they shall forfeit all the benefits that might have accrued to them from the passage of this act.

Penalty for neglect, &c.

SECT. 5. For every neglect in keeping good and sufficient boats, or failure to give prompt and due attendance, the said

Joseph Lemay shall forfeit a sum not exceeding ten dollars, to be recovered by a civil action before any court having competent jurisdiction.

SECT. 6. Any person who shall sustain any injury, by the negligence of the said Joseph Lemay, or any ferryman in his employ, may have remedy on the bond required by this act. If person injured.

SECT. 7. The legislature may at any time alter, amend, modify, or repeal this act. Reserved rights of legislature.

SECT. 8. This act shall take effect and be in force from and after its passage. Take effect, when.

Approved April 30, 1862.

W. JAYNE, *Governor.*

RAILROADS.

CHAPTER 19.

AN ACT TO INCORPORATE THE MISSOURI AND NIOBRARA VALLEY RAILROAD COMPANY.

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

SECTION 1. That the persons hereinafter named in section thirteen (13) of this act be, and the same are hereby, made and constituted a body corporate and politic by the name and style of the Missouri and Niobrara Valley Railroad Company, with perpetual succession, and by that name and style shall be capable in law of taking, purchasing, holding, leasing, selling, and conveying real and personal estate and property, so far as the same may be necessary for the purposes hereinafter mentioned; and in their said corporate name to sue and be sued, to have a common seal, which they may alter or renew at pleasure; to have a capital stock of two millions of dollars, to be divided into shares of — dollars each, which Powers of company.