

FERRIES

CHAPTER 2.

An Act Granting to Barny McGraw a Ferry Charter Across the Missouri River.

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

To have privilege of keeping ferry five years, at what point.

Section 1. That Barny McGraw, his heirs, executors, administrators and assigns shall have the exclusive privilege for a period of five years, of keeping and maintaining a ferry across the Missouri river in said Territory at a point on the Missouri river, where the east line of section twenty-three (23) township ninety (90) north of range fifty (50) west, intersects said river, and for the distance of three miles above and below said point.

To keep good boat.

Sec. 2. That said McGraw 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 and teams on all occasions from sunrise to sunset, except in tempestuous weather or when the navigation of said river is dangerous on account of ice running in said river; *Provided*, Said Barny McGraw, his heirs, executors, administrators or assigns, shall before running said ferry boat or boats, file or cause to be filed in the office of the register of deeds of Union county, Dakota Territory, a bond to said county for the use of the public with one or more sufficient sureties to be approved by said register of deeds in the penal sum of five hundred dollars, conditional that he will fulfill all the duties imposed upon him in this act.

To file bond. With whom

In what sum.

Shall keep ferry within six months.

Sec. 3. That said Barny McGraw, his heirs, executors, administrators or assigns, shall within six months after the passage of this act, have and maintain a good and sufficient boat or boats for the accommodation of persons wishing to cross the Missouri at said ferry, and in case of failure or neglect to do

so, he shall forfeit all benefits that may have accrued to him Penalty for not doing so. from the passage of this act; but any other person or persons residents of this Territory who shall comply with the conditions of this act within three months thereafter, shall be entitled to all the benefits of this act.

Sec. 4. Any person who shall sustain any injury from the negligence, or default of the said Barny McGraw, or any person or persons in his employ, or in the employ of any persons who may establish a ferry under the provisions of this act, may have a remedy by an action upon the bond required in this act. Injury from negligence and default.

Sec. 5. The rates for crossing said ferry shall not exceed Rates of ferrriage the following, to wit:

For two horses, mules or oxen and wagon, with or without load, one dollar:

For each additional pair of horses, mules or oxen, twenty-five cents.

For each two horses or mules and buggy, seventy-five cents.

For each one horse or mule with buggy and driver, fifty cents.

For each led horse or mule, twenty-five cents.

For loose cattle per head, fifteen cents.

For sheep and swine per head, ten cents.

For each one hundred pounds of freight or merchandise, unloaded, ten cents.

For each thousand feet of lumber, unloaded, one dollar.

And it shall be the duty of said ferryman running said ferry to post on his boat or near the landing, in some conspicuous place, the said rates of toll allowed.

Sec. 6. All acts or parts of acts so far as they conflict with Acts repealed. the provisions of this act are hereby repealed.

Sec. 7. This act shall take effect and be in force from and When to take effect after its passage and approval by the Governor.

Approved, December 27th, 1865.