

Sec. 6. The said boom company may, at the request of the owner or owners of any logs or timber in said boom or booms, turn out such logs or timber loose without rafting, and for the boomsage of such logs or timber so turned out, the said boom company shall receive, and are hereby authorized to collect twenty-five cents per thousand feet for every thousand feet so turned out, exclusive of scaleage: *Provided*, That the owner or owners of such logs shall request in writing, that said logs or timber be so turned out, and the said boom company shall not be held accountable for the loss of any logs or other timber, resulting from the so turning out of said logs or other timber.

Sec. 7. The said boom company shall so construct the said boom or booms, as to give passage in the channel of the river to any raft running down the said Mississippi river, and to all boats or other water craft whatever, running either up or down the said river, without any let, hindrance or delay by reason or on account of said boom.

Passage of rafts and vessels.

Sec. 8. All logs or other timber passing through said boom, shall be scaled according to the pine scale, now used and known as the St. Croix pine scale, and the charges made according to said scale, and the said boom company shall have a lien on one fourth of said logs or other timber, until the boom charges hereby authorized and the charge for scaleage aforesaid are paid, or the payment thereof satisfactorily secured.

Scaleage.

Sec. 9. The legislature of this territory shall have the right to alter or amend this act at any time after the period of five years from and after the passage of this act.

Legislature may alter or amend.

Sec. 10. Sections two, eleven, twelve, thirteen, fifteen, sixteen and seventeen of the act, to which this is amendatory, are hereby repealed.

Sec. 11. This act shall take effect, and be in force, from and after its passage.

J. D. LUDDEN,

Speaker of the House of Representatives.

Wm. HENRY FORBES,

President of the Council.

APPROVED—Feb. twenty-seventh, one thousand eight hundred and fifty-two.

ALEX. RAMSEY.

SECRETARY'S OFFICE,

St. Paul, July 7, 1852. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

ALEX. WILKIN,

Secretary of the Territory of Minnesota.

CHAPTER XXIV.—AN ACT Granting to Henry G. Bailly, the right to establish and maintain a Ferry, across the Mississippi River, at or near Olive Grove, in the County of Wabashaw.

March 4, 1852.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Henry G. Bailly, his heirs, executors, administrators, or assigns, shall have the exclusive right and privilege, for the period of six years, of keeping and maintaining a Ferry across the Mississippi River, opposite to or near Olive Grove, in the County of Wabashaw, Territory of Minnesota, and no other ferry shall be established within one half mile of said ferry, either above or below.

Charter for six years.

Duties.

SEC. 2. That said Henry G. Bailly, shall at all times keep a safe and good boat, or 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 or teams, on all occasions, and at all hours of the night or day; but persons wishing to cross at said ferry, after ten o'clock at night, may be charged double the fare, as hereinafter prescribed.

Rates.

SEC. 3. The rate charged for crossing at said ferry, shall not exceed the following: For each foot passenger, ten cents; for each horse, mare, or mule, with or without rider, twenty-five cents; for each two horse, two ox, or two mule team, loaded or unloaded with driver, fifty cents; for each single horse carriage, thirty-five cents; for each additional cow, or ox, fifteen cents; for each swine or sheep, three cents. All freight of lumber, merchandize, or other articles not in teams, at the rate of ten cents per barrel; fifty cents per thousand feet of lumber, and three cents per hundred weight of all other articles.

Bond.

SEC. 4. The said Henry G. Bailly 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, of the County of Washington, a bond to the said Board with two or more good and sufficient sureties, to be approved by said Board, in the penal sum of one thousand dollars, conditioned that he will fulfil all the duties that are imposed upon him in the foregoing sections, and in case of his failure so to do, he shall forfeit all the benefits that might have accrued to him from its passage.

Liability.

SEC. 5. For every neglect in keeping a good and sufficient boat, or failure to give prompt and ready attendance, the said Henry G. Bailly, his heirs, Executors, Administrators, or Assigns, shall forfeit a sum not exceeding twenty dollars, to be recovered by a civil action, before any Court having competent jurisdiction, and shall be further liable in a like action, for all damages any person shall sustain, by reason of the neglect of said Henry G. Bailly, to fulfil any of the duties imposed upon him in this act.

SEC. 6. Any person who shall sustain any injury by the negligence, or default of said Bailly, or of the ferryman in his employ, may have a remedy, by an action upon the bond required in this act.

SEC. 7. The Legislature may alter, amend, or repeal this act at any time.

J. D. LUDDEN,
Speaker of the House of Representatives.
WM. HENRY FORBES,
President of the Council.

APPROVED—March sixth, one thousand eight hundred and fifty-two.

ALEX. RAMSEY,
SECRETARY'S OFFICE,
St. Paul, July 7, 1859. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

ALEX. WILKIN,

Secretary of the Territory of Minnesota.