

*Laws of Her Majesty's Province of Newfoundland, passed in the year 1845.*

8 Victoria – Chapter 8

**An Act for the Regulation of Ferries. (Passed 23rd April, 1845.)**

Whereas it is expedient that provision should be made for the regulation of Ferries throughout this Colony.

I. Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that it shall and may be lawful for the Governor or Administrator of the Government for the time being, to establish such Ferries over Straits, Rivers and Creeks within this Colony as may be by him thought necessary, and grant licenses to competent persons to serve as Ferry-men, under such rules and for such fees to be paid by the parties using such Ferries, as may be prescribed and settled in the manner hereinafter provided; and any person or persons who shall accept of the office or place of Ferry-man, and shall refuse or neglect to comply with and observe the several articles, rules and clauses contained in the rules and regulations prescribed for his or their guidance in that behalf, shall forfeit a sum not exceeding forty shillings.

II. And be it further enacted, that it shall be lawful for the Court of Sessions nearest to the place where any Ferry shall be established, to frame rules for the management thereof, and to fix a rate of fees to be paid for the transit of passengers, animals, vehicles, and articles of any description, thereat. Provided that such rules and rates respectively shall be subject to the approval of the Governor or person administering the Government for the time being, before the same shall be put into operation.

III. And be it further enacted, that on any complaint being made to the Justices in Sessions aforesaid of any improper conduct or neglect of duty on the part of any Ferryman over whom they shall have jurisdiction, such as in the opinion of such Justices to require the suspension or dismissal of such Ferryman, it shall be lawful for such Justices to take the depositions of the party complaining, or of any other person, with respect to the subject-matter of such complaint, and to transmit the same to the Governor with their report thereon, and in the mean time to suspend such Ferryman and appoint some other person to perform the duties of his office, until the decision of the Governor upon the matters aforesaid shall have been received.

IV. And be it further enacted, that on complaint on oath being made to any Justice of the Peace near where any Ferry shall have been established, of any person or persons having wilfully and maliciously taken away, damaged or destroyed the Boat of the Ferryman at such place, it shall be lawful for such Justice to issue his Warrant for the apprehension of the offender or offenders, and upon hearing of the parties to make such order for the restoration of such boat, or for the reparation of any damage done to the same, as may in that behalf be just; and in the event of a refusal to comply with such order, to imprison the party or parties refusing obedience thereto, for any space of time not exceeding thirty days.

V. And be it further enacted, that all penalties imposed by this Act may be sued for and recovered in a summary manner before any two of Her Majesty's Justices of the Peace, and shall be levied, together with costs, by warrant of distress on the goods and chattels of the party or parties convicted.