An Act Respecting Ferries.

Title

WHEREAS it is expedient to authorise the Governor in Council to establish Ferries, and make regulations and the rate of Ferriage respecting the same, Preamble

BE IT THEREFORE ENACTED by the Governor, by and with the advice and consent of the Legislative Council and Assembly of the Colony of Vancouver Island and its Dependencies, as follows : Enacting clause

1. That the Governor in Council is hereby authorised, empowered and required to establish, from time to time as occasion may require, Ferries and the limits thereof over any strait, bay, harbor, inlet, river, creek, lake, or other water within the Colony aforesaid; and, also, to agree with and grant leases or licenses to Ferrymen on one or both sides of a Ferry; and, also, to make and establish the rates of Ferriage that may be taken by such Ferrymen; and, also, to make regulations respecting such Ferries for the protection and accommodation of the public. Governor to establish Ferries — License Ferrymen — Rates of Ferriage — Ferry Regulations

2. No lease or license of a Ferry shall be granted or renewed, except by public competition, and after notice of the time and place at which tenders will be received for the lease or license of such Ferry, inserted at least four times in the course of four weeks in the "Royal Gazette," and in one or more of the newspapers published in the Colony; nor shall any such Ferry be leased or the license thereof granted to any person without such security as the Governor in Council may require; nor for a longer period than three years. Public notice to be given before granting licenses of Ferries — Security required — No license longer than 3 years

3. Ferrymen shall keep safe and good boats or vessels in good repair, or suitable for the Ferry, and give ready attendance on passengers according to the regulations. Duty of ferrymen

4. Ferrymen not complying with the regulations, or receiving more than the established rate of Ferriage, or neglecting to keep boats, or vessels, or other crafts, or to give attendance as hereinbefore directed, shall forfeit for every offence not less than five dollars nor more than fifty dollars, and shall be further liable to an action on the case for damage by any person sustained from the neglect. Fine for neglect of duty — Further liability

5. If any person shall unlawfully interfere with the rights of a licensed Ferryman, by taking, carrying, and conveying, at any such Ferry, across the strait, bay, harbor, inlet, river, creek, lake, or other water on which the same is situate, any person, cattle, carriage, or wares, in any boat, vessel, or other craft, for hire, gain, reward, profit, or hope thereof, or unlawfully do any other act or thing to lessen the tolls of any licensed Ferryman, unless by consent of such licensed Ferryman or on the latter not giving due attendance, such offender shall, on conviction before any Justice of the Peace, forfeit not less than five dollars nor more than fifty dollars to the party suing; but if a licensed Ferryman shall not give attendance pursuant to the regulations, then any person may supply his place, and receive pay as if licensed, until another is appointed. Penalty for interfering with a licensed Ferryman

6. Any person may keep at any such Ferry a boat, vessel, or other craft, for his own private use, or may use for the accommodation of himself or his employer, his own or his employer's boat, vessel, or craft, to cross the strait, bay, harbor, inlet, river, creek, lake, or other water on which such Ferry is situate; but such privilege shall in no wise be used to take, carry, or convey any other person or property for hire, gain, reward, or profit, or hope thereof, or directly or indirectly to enable any of such other persons to evade the payment of tolls at such Ferry. A person may keep boats for his own use

7. A return containing the number of Ferries established, where established, the name of Ferrymen, the rates of Ferriage, and the time for which such licenses have respectively been issued, with the regulations, and any other information deemed desirable, shall be laid by the Colonial Secretary before the Legislature in every year within a reasonable period after the opening of each Session. Returns to be laid before the Legislature

8. This Act may be cited for all purposes as "The Ferry Act, 1866." Short Title