

CHAPTER 23.

FERRIES.

CHAP. 183, 286.

*AN ACT for regulating Ferries. **

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| 1. License to keep ferry—tax—rates of ferriage, and bond of ferryman. | 4. Fine for ferrying without license—to whom paid—how recovered and when sued for—offenders liable to private actions. |
| 2. Good boats to be kept—attendance—penalty for neglect. | 5. Court may revoke license—when. |
| 3. Rates of ferriage* to be posted up—penalty | for neglect—fines to whom paid. |

Be it enacted by the Legislature of the Territory of Louisiana, [as follows.]

1. No person or persons shall keep a ferry in this territory, so as to demand or receive pay, without a special license first had and obtained from the court of general quarter sessions of the peace of the district wherein such ferry may be; and the said court are hereby empowered, on the payment of such sum as the said court shall deem reasonable, not less than five^s dollars, nor exceeding one hundred dollars, for the use of such district, to grant a license to each and every person applying, who shall be judged suitable for such service by the same court, for the term of one year from the time of giving such license, to keep a ferry at such place as the said court shall judge necessary. And the court shall state the fare or ferriage at each ferry for passengers, horses, and other creatures, carriages, wagons, carts, teams, and other things transported, always having regard to the breadth

* See chap. 183, sec. 3, & chap. 286, sec. 6.

and situation of the stream, and the publicity of the ferry: *And provided always*, That every person having applied for a license as aforesaid, shall before the same shall be granted, give bond with sufficient securities to the district treasurer of the district wherein such ferry may be, and to his successors in office, in such sum as the said court shall order, conditioned for the faithful performance of the duties and services of his place.

2. All ferrymen at the several ferries in this territory, shall keep a good boat or boats in good repair suitable to the water they are to ferry over, and give ready and due attendance on passengers on all occasions, and shall give the like attendance when wagons, carts horses, or other things are to be transported. And every ferryman neglecting or refusing to give such attendance shall for every such offence forfeit and pay the sum of two dollars; and for neglect in keeping such boat or boats in good repair as aforesaid, he shall forfeit the sum of thirty dollars, one moiety* of which fines shall go to him or her who shall prosecute the same to effect, and the other moiety to the use of the district wherein such ferry may be, and be further liable to pay in an action of trespass on the case, all such special damages as any person shall sustain by such neglect.

3. Each and every ferryman so licensed as aforesaid, shall keep a list of the rates of ferriage, at such ferry as is established by law, written in a fair and legible hand constantly posted up, at some public place either at the ferry, or at the ferry house, and if any such ferryman shall neglect or refuse so to do, he shall forfeit and pay the sum of four dollars for every such offence, the one moiety whereof shall go to the use of the district wherein such ferry may be, and the other half to him who shall prosecute for the same.

4. If any person or persons shall keep a ferry, or transport passengers, or any of the things mentioned in, or coming within the purview of the first section of this act, over or across any stated ferry so as to demand or receive pay, not having first obtained a license in the manner before pointed out, he or they shall, for every such offence, forfeit and pay the sum of ten dollars, one moiety thereof to the use of the district wherein such ferry may be, and the other moiety to him or her who shall prosecute the same to effect, and be further liable in a special action of trespass on the case to pay such damages as may or shall accrue to the person licensed and authorised to keep such ferry. All of which penalties shall be sued for before some justice of the peace of the district where the offence is committed, in an action of debt or *qui tam*: *Provided always*, That every offence against this law, shall be prosecuted within one year after the offence is committed.

5. Upon the non performance of his duties as ferryman, the said court may at any time revoke his license, and grant the same to any other suitable person, subject to the condition herein before recited.

The foregoing is hereby declared to be a law of the territory of Louisiana, to take effect accordingly.

July 9, 1806.

* See chap. 183, sec. 3, and chap. 286, sec. 6.