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**BOMBAY FERRIES.**

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ACT No. XXXV. OF 1850.

*[Passed on the 6th September, 1850.]*

1, 2, 3. *Governor of Bombay in Council may declare which ferries shall be public ferries, may establish new ferries; and (2) fix tolls for such ferries; but (3) none leviable on Soldiers on their march.*

4, 5, 6, 7, 8. *G. in C. to provide boats, &c. for ferries; and (5) at every ferry a toll collector shall be established; and (6) at every station table of tolls*

shall be hung up; and (7) toll keeper liable to penalty for neglecting to hang-up table, &c. or (8) who shall ask, &c. higher toll than legal.

9. Any person crossing ferry and refusing to pay toll, liable to penalty.
10. Public ferry-boats to be numbered, &c.
11. Magistrate, &c. may make rules for the regulating of ferries; and ferry-men liable for damage, &c. incurred by reason of breach of rules.
12. G. of B. in C. may lease public ferry.
13. Ferry-boat between Bombay and main-land to cross at least once daily.
14. 15. Unlicenced persons ferrying for hire between Bombay and the main-land, &c. to be liable to penalty, &c. and (15) ferrying for hire to any place within three miles of public ferry without licence, to be liable to penalty.
16. Offences against this Act to be heard summarily by Magistrate, &c. and penalties to be recovered in same manner as fines.
17. Ferry tolls to be applied first to keep up ferries and surplus to roads, &c.
18. G. of B. in C. to appoint necessary Officers to carry Act into execution.

#### An Act for regulating the Bombay Ferries.

Whereas it is expedient to regulate the Public Ferries within the territories subject to the Presidency of Bombay. It is enacted as follows:

I. The Governor of Bombay in Council may declare by Proclamation what Ferries within any part of the territories subject to the Presidency of Bombay, shall be deemed Public Ferries, and at any time hereafter, by a like Proclamation, may establish new Ferries where they are needed, and, from time to time, change the course of any Public Ferry, or discontinue any Public Ferry that is deemed unnecessary.

II. Tolls according to such rates as shall, from time to time, be settled or approved by the Governor of Bombay in Council, shall be levied upon all passengers, carts, carriages, cattle and other animals, and on all goods and merchandise carried over any Public Ferry.

III. No tolls shall be leviable from any body of Soldiery on their march.

IV. Boats shall be provided under the authority of the Governor of Bombay in Council for each Public Ferry, and Tindals, Boatmen and other persons shall be appointed for their due navigation.

V. At every Public Ferry-station a Toll-keeper shall be appointed with a sufficient Establishment, whose duty it shall be to take the lawful tolls.

VI. A Table of Tolls, written or printed in the English and



Native Languages, shall be hung up in some conspicuous place at every Ferry-station, so as to be easily read by all persons crossing the Ferry.

VII. Every Toll-keeper, who shall neglect to hang up and keep in good order and repair such Table of Tolls, or who shall wilfully remove, alter, or deface the same, or allow it to become illegible, shall be liable to a penalty not exceeding Ten Rupees.

VIII. Every Toll-keeper, who shall ask or take any toll other than is allowed by the Table of Tolls, or who shall wilfully delay any passenger, cart, carriage, animal or goods, shall be liable to a penalty not exceeding Fifty Rupees.

IX. Every person crossing at any such Public Ferry, who shall refuse to pay the toll, or who, with intent of avoiding payment thereof, shall fraudulently or forcibly pass by or through any Toll-station without paying the toll, or who shall obstruct any Toll-keeper or any of his Assistants, in any way in the execution of their duty under this Act, and also every person who shall maliciously damage any Toll-bar, Boat, or any other thing employed in or about any Public Ferry, or who shall maliciously remove, alter, destroy or damage any Table of Tolls hung up as hereinbefore directed, shall be liable to a penalty not exceeding Fifty Rupees over and above the value of the damage which he has done.

X. All Public Ferry-boats shall be numbered and registered as the Governor of Bombay in Council shall direct, and the names of all Tindals, or persons placed in charge thereof, and of all Toll-keepers, shall likewise be so registered.

XI. The Magistrate of every Zillah in which there shall be a Public Ferry, and any Magistrate of Police of Bombay, whom the Governor of Bombay in Council may appoint for such purpose within their respective jurisdictions, shall make Rules, subject to confirmation by the Governor in Council, fixing the number of passengers, carts, carriages and animals, and the quantity of goods that may be carried in any public Ferry-boat at one trip, and for the safe and convenient carriage of passengers and property, and for keeping the Ferry-boats in good order, and otherwise for the due discharge of their duty by all Tindals, Toll-keepers and other persons employed at any Public Ferry, and any Tindal, Toll-keeper or other person infringing or dis-



obeying any such Rule, shall be liable to make good any loss or damage which shall have been caused thereby, which may be summarily ascertained by any Magistrate within whose jurisdiction the offence was committed, and the amount thereof may be recovered as any penalty under this Act may be recovered.

XII. The Governor of Bombay in Council may lease any Public Ferry by public auction, or private contract, from year to year, or any longer period not exceeding seven years, on such conditions as he deems advisable, in which case a contract setting forth the conditions on which the Ferry is to be held, shall be executed by the Contractor or Farmer, and security shall by him be given for its due fulfilment.

XIII. The Ferry-boat at any Public Ferry which shall be established between the Island of Bombay and the Main-land, and adjacent Islands, shall cross each way at least once daily unless hindered by stress of weather or other unavoidable accident.

XIV. Every person who, without the special licence of the Governor of Bombay in Council, shall convey for hire any passenger, animal, cart, carriage or goods, from any part of the Islands of Bombay and Colaba across the Harbour of Bombay to the Main-land, or to any of the adjacent Islands, shall be liable to a penalty not exceeding Five Hundred Rupees; but this penalty shall not apply to the carriage for hire of passengers, animals, carts, carriages and goods from one part of the Islands of Bombay and Colaba to another part of either of the said Islands, nor to any person specially hiring any boat for the carriage of himself and family, or friends with their goods and servants across the Harbour of Bombay to the Main-land, or any of the adjoining Islands, nor to the person letting any boat to hire for such purpose.

XV. Every person who shall convey for hire any passenger, animal, cart, carriage or goods across any other arm of the sea, creek or river within the said Presidency, to any point or place on the opposite bank or coast within a distance of three miles on either side above or below any Public Ferry, without the special licence of a Magistrate of the Zillah or Town in which the Ferry is situated, shall be liable to a penalty not exceeding Five Hundred Rupees.

XVI. All offences against this Act shall be summarily heard and determined by the Magistrate of the Zillah within the limits of which the same shall have been committed, and if within the limits of the jurisdiction of the Supreme Court of Bombay by any Magistrate of Police of Bombay. All penalties shall be recovered in the manner directed for the recovery of the fines specified in Clauses 1, 2 and 3, Section XIV., Regulation XIX. 1827, of the Bombay Code.

XVII. All tolls payable on account of any Public Ferry, and all rent payable on account of them as are farmed, and all penalties for offences against this Act, shall form a general Fund which shall be applied, in the first instance, toward the expenses necessary for keeping up all the Ferries throughout the Presidency of Bombay, and the residue, if any, shall be applied under the directions of the Governor of Bombay in Council, in the improvement of the public roads, ways, thoroughfares, leading to and from any of the said Ferries.

XVIII. The Governor of Bombay in Council may appoint such Officers and other persons as shall be necessary for carrying this Act into execution, with such salaries as the Governor General of India in Council shall approve, to be paid out of the Fund produced by the Tolls and Fines as provided by this Act, and the Governor of Bombay in Council may, from time to time, delegate any of the powers conferred on him by this Act to any Magistrate or other person as he thinks fit.