

## **Chapter 255**

### **FERRIES**

#### **Revised Statutes of 1846**

#### **R.S. of 1846**

#### **Chapter 29**

#### **Chapter 29. Of The Regulation Of Ferries.**

##### **255.1 Board of supervisors; ferries; grant of license, term.**

###### **Sec. 1.**

The board of supervisors of each of the counties of this state may grant licenses for keeping ferries in their respective counties, to as many suitable persons as they may think proper, which licenses shall continue in force for a time to be specified therein by said board, not exceeding 10 years.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1116 ;-- Am. 1859, Act 166, Imd. Eff. Feb. 14, 1859 ;-- CL 1871, 1325 ;-- How. 1463 ;-- CL 1897, 4298 ;-- CL 1915, 4783 ;-- CL 1929, 4588 ;-- CL 1948, 255.1

##### **255.2 Board of supervisors; ferries; rates, hours of service, regulations.**

###### **Sec. 2.**

The said board when they shall grant any license to keep a ferry, shall order and direct the rates of ferriage which the person licensed may receive, and may from time to time thereafter, during the continuance of such license, alter such rates; and they may also direct what and how many hours each day such person shall attend his ferry.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1117 ;-- CL 1871, 1326 ;-- How. 1464 ;-- CL 1897, 4299 ;-- CL 1915, 4784 ;-- CL 1929, 4589 ;-- CL 1948, 255.2

##### **255.5 Bond to state; filing.**

###### **Sec. 5.**

Every person applying for such license shall, before the same be granted, give bond to the people of this state in such penal sum as the said board shall direct, not less than 200 dollars, with so many, and such sufficient sureties as the said board shall direct and approve, upon condition that he will faithfully keep and attend such ferry, with such and so many safe and convenient boats, and so many men to work the same, together with sufficient implements therefor, during the several hours in each day, and at such several rates, as the said board shall from time to time order and direct, which bond shall be filed with the county clerk.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1120 ;-- CL 1871, 1327 ;-- How. 1465 ;-- CL 1897, 4300 ;-- CL 1915, 4785 ;-- CL 1929, 4590 ;-- CL 1948, 255.5

#### **255.6 Record of license by county clerk, copy to licensee.**

##### **Sec. 6.**

Every such license shall be entered by the county clerk in a suitable book in his office; and a copy of such license, attested by such clerk, shall be delivered to the person licensed.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1121 ;-- CL 1871, 1328 ;-- How. 1466 ;-- CL 1897, 4301 ;-- CL 1915, 4786 ;-- CL 1929, 4591 ;-- CL 1948, 255.6

#### **255.7 County line waters; license.**

##### **Sec. 7.**

Whenever the waters over which any ferry may be used, shall divide 2 counties, a license obtained in either of the counties, shall be sufficient to authorize the person obtaining the same, to transport persons, goods, wares, merchandise and effects, to and from either side of said waters.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1122 ;-- CL 1871, 1329 ;-- How. 1467 ;-- CL 1897, 4302 ;-- CL 1915, 4787 ;-- CL 1929, 4592 ;-- CL 1948, 255.7

#### **255.8 Violation of bond; penalty, prosecution.**

##### **Sec. 8.**

Every person who shall violate such bond shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be subject to such fine as the court may adjudge, not exceeding 25 dollars for each offense, and unless such fine, and the costs of prosecution shall be paid within 10 days after such fine shall have been imposed, the prosecuting attorney for the county shall prosecute such bond for the use of the state.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1123 ;-- CL 1871, 1330 ;-- How. 1468 ;-- CL 1897, 4303 ;-- CL 1915, 4788 ;-- CL 1929, 4593 ;-- CL 1948, 255.8

#### **255.9 Ferrying without license; penalty.**

##### **Sec. 9.**

If any person shall use any ferry for transporting across any river, stream or lake, persons, goods, chattels or effects, for profit or hire, unless authorized in the manner directed in this chapter, such person shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be subject to such fine as the court may adjudge not exceeding 20 dollars for each offense.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1124 ;-- CL 1871, 1331 ;-- How. 1469 ;-- CL 1897, 4304 ;-- CL 1915, 4789 ;-- CL 1929, 4594 ;-- CL 1948, 255.9

#### **255.10 County line waters; prosecution by either county.**

Sec. 10.

When any offense mentioned in either of the 2 last preceding sections, shall be committed on waters dividing 2 counties, the persons so offending may be prosecuted in either of such counties.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1125 ;-- CL 1871, 1332 ;-- How. 1470 ;-- CL 1897, 4305 ;-- CL 1915, 4790 ;-- CL 1929, 4595 ;-- CL 1948, 255.10

#### **255.11 Scope of chapter.**

Sec. 11.

Nothing contained in this chapter shall affect or impair any right or privilege belonging to any individual or corporation, by virtue of any law of this state.

**History:** R.S. 1846, Ch. 29 ;-- CL 1857, 1126 ;-- CL 1871, 1333 ;-- How. 1471 ;-- CL 1897, 4306 ;-- CL 1915, 4791 ;-- CL 1929, 4596 ;-- CL 1948, 255.11

**Former Law:** See Act 96 of 1871, being CL 1915, Â§Â§ 8753 to 8766, which was repealed by Act 84 of 1921, being CL 1929, Â§ 10134.

#### **255.12 Ferry landings deemed public highways.**

Sec. 12.

Ferry landings shall be deemed public highways, and may be laid out, constructed, maintained, altered, or discontinued in the same manner, and shall in all respects be subject to the same regulations, so far as they may be applicable, as other public highways and bridges; and any public highways along the border of, or terminating upon, the waters of any stream, river, or other body of water across which a ferry is licensed, may be used as a landing for such ferry, subject to such rules and regulations as the authorities having control over highways may establish, and such use shall be deemed a proper use thereof as a highway.

**History:** Add. 1871, Act 189, Eff. July 18, 1871 ;-- CL 1871, 1334 ;-- How. 1472 ;-- CL 1897, 4307 ;-- CL 1915, 4792 ;-- CL 1929, 4597 ;-- CL 1948, 255.12

### **FERRY SERVICE ACROSS STRAITS OF MACKINAC**

#### **Act 106 of 1923**

255.21-255.25 Repealed. 1958, Act 77, Eff. Sept. 13, 1958.

### **FERRY SERVICES AND EQUIPMENT**

#### **Act 150 of 1943**

AN ACT to authorize the acquisition or purchase of ferry services and necessary equipment therefor by boards of supervisors of the several counties; the transfer to, and the operation and maintenance thereof by, boards of county

road commissioners and the acquisition, operation and maintenance thereof by the state highway commissioner in certain cases.

**History:** 1943, Act 150, Imd. Eff. Apr. 14, 1943

*The People of the State of Michigan enact:*

**255.51 Board of supervisors authorized to acquire ferry service.**

Sec. 1.

The boards of supervisors of the several counties of this state are hereby authorized, by a 2/3 vote of the members elect thereof, to acquire ferry services, and the necessary equipment therefor, as part of the highway system of said counties.

The board of supervisors of any county acquiring such ferry service may from time to time make appropriations for the purchase, operation and/or maintenance of said ferry and ferry services.

**History:** 1943, Act 150, Imd. Eff. Apr. 14, 1943 ;-- CL 1948, 255.51

**255.52 Board of supervisors; sale and disposal of ferry heretofore owned.**

Sec. 2.

The board of supervisors of any county having acquired ferry services as authorized in this act shall give, grant, assign and dispose of any ferry, equipment and services heretofore owned or acquired hereunder to the board of county road commissioners of said county.

**History:** 1943, Act 150, Imd. Eff. Apr. 14, 1943 ;-- CL 1948, 255.52

**255.53 Board of road commissioners; powers; state highway commissioner, powers.**

Sec. 3.

The board of county road commissioners of any such county is hereby authorized to accept any such ferry, equipment and services and to operate and maintain ferry services in such manner and subject to such rules, regulations and tolls as said board of county road commissioners may see fit, from time to time, to fix and adopt. Said services may be furnished free to the public, or charges and tolls may be exacted. If charges and tolls are exacted, they shall be on the basis of cost, including capital investment, maintenance, operation, interest on investment, and depreciation.

In the event the highway adjacent to said ferry is acquired by the state highway commissioner of the state of Michigan, then and in that event said state highway commissioner is authorized to acquire, own, operate and maintain said ferry and ferry services in the place and stead of said board of county road commissioners and with like rights and authority.

**History:** 1943, Act 150, Imd. Eff. Apr. 14, 1943 ;-- CL 1948, 255.53