

Case No. 1,354.

IN RE BERRY.

[2 Cranch, C. C. 13.]<sup>1</sup>

Circuit Court, District of Columbia.

Nov. Term, 1810.

UNITED STATES COURTS—DISTRICT OF COLUMBIA.—JURISDICTION—FERRIES.

This court sitting in Alexandria, has only the powers of a county court of Virginia in relation to ferries.

[Petition by Thomas Berry for a ferry from Alexandria, Hunting Creek Warehouse, to Addison's, in Maryland.]

The petitioner had a right to keep a ferry from Addison's, in Maryland, to Alexandria. See the act of Virginia of 26th December, 1792, p. 227, § 11, and [Act March 3, 1801, 12 Stat. 115, [§ 1.]

THE COURT, (THRUSTON, Circuit Judge, absent,) refused.

1. Because they had no right to appropriate a public landing to the purposes of a ferry.
2. Because the old ferry from Hunting-Creek to Addison's having been disused for more than two years and six months, had been discontinued under the act of Virginia, and the court had no right to grant a new ferry; having only the powers of a county court of Virginia in this respect.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]