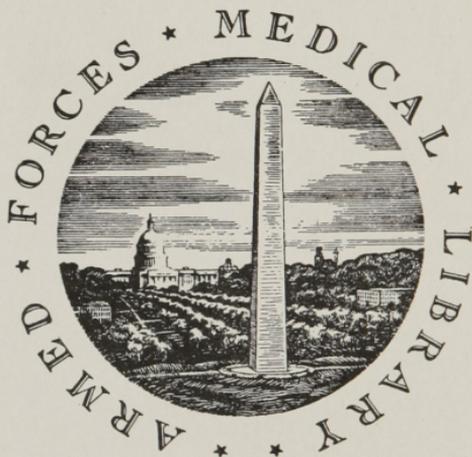




UNITED STATES OF AMERICA



FOUNDED 1836

WASHINGTON, D.C.

B19574



Public Health
La Paroisse

AN ACT

TO PROVIDE AGAINST

INFECTIOUS AND PESTILENTIAL

DISEASES.

Passed April 14th, 1820.

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374029

Board of Health
The resident Physician
of the
Board of Health

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All vessels from the West Indies, Bermuda, America south of Georgia and north of the equator, and Africa, between the 31st of May and the 1st of October, are subject to quarantine, *four* days at least, together with their passengers and crews, and when permitted to depart, must not come within three hundred yards of the city—Their cargoes being discharged, and the vessels having been reported clean by the Inspector, the Commissioners may permit them to come to the

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All vessels from the Mediterranean, Asia, America south of the equator, or from Madeira, Canary, Cape De Verd, Western, or Bahama Islands, between the 31st of May and the 1st of October, are subject to *two* days quarantine at least; after which, the Health Officer shall direct to what wharf they may come, and they cannot change their births without an order from the Commissioners.

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Every physician in the city of New-York, must report to the Commissioners of Health, every patient labouring under malignant fever between the 31st of May and the 1st of November.

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All persons keeping boarding-houses, between 31st of May and 1st of November, are to report within twelve hours, to the Commissioners of Health, or the Board of Health, all transient persons who may be taken sick at their houses; and all masters of vessels are prohibited landing any sick person, without first obtaining a written permit from one of the Commissioners of Health.

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Health Officer, and Health Commissioners, shall communicate to the Board of Health, all reports they may receive, and give all other information they may judge necessary for preserving the health of the city.

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AN ACT, &c.

SECTION 1. *Be it enacted by the People of the State of New-York, represented in Senate and Assembly.* That

there shall be a Board of Health in the city of New-York, which Board shall consist of such persons as the Mayor, Aldermen, and Commonalty of the city of New-York, in Common Council convened, shall from time to time nominate and appoint to be members of the said Board, and of the Commissioners of Health hereinafter mentioned, which said Commissioners, and those who from time to time hold that office, shall always be *ex officio* members of the said Board.

Board of Health, how constituted.

That the said Commissioners shall be, a HEALTH OFFICER, who shall perform all the duties required of him by this act: a RESIDENT PHYSICIAN, whose duty it shall be to visit all sick persons reported to the Board of Health, or Health Commissioners, conformable to the twenty-sixth and twenty-seventh sections of this act: and a HEALTH COMMISSIONER, whose duty it shall be to take charge of the receipts and disbursements of all moneys appropriated to the use of the Marine Hospital establishment, for the due performance of which, he shall execute a bond to the people of this state, with one or more sureties, in the sum of five thousand dollars, which bond shall be taken and approved by the Mayor or Recorder of said city. *And further,* it shall be the duty of the said Resident Physician and Health Commissioner, to meet daily at their office, from the thirty-first day of May, to the first day of October, in each year, to transact such business, and discharge such duties, as

Commissioners of Health, *ex officio* members.

Duty of Health Officer, Resident Physician,

and Health Commissioner,

The latter shall give a bond.

Resident Physician and Health Commissioner shall meet at their Office daily.

shall, in virtue of this act, particularly belong, and be assigned to the said Commissioners, distinct from their duties as members of the Board of Health; and they shall further perform all other duties required of them by this act; that the said commissioners shall be appointed by the person administering the government of this state, by and with the advice and consent of the Council of Appointment. *Provided however*, that the persons heretofore appointed as Commissioners aforesaid, may continue in their respective offices, until others shall be appointed in their stead: *And provided further*, that it shall be lawful for the Mayor, or in his absence, the Recorder of the city of New-York, in case of the death or resignation of any of the said Commissioners, to appoint a suitable person to supply such vacancy, until the sense of the Council of Appointment shall be declared thereon: *And further*, that the said Commissioners shall, as soon as conveniently may be, after the said thirty-first day of May in each year, and as often as any change in the situation of their office may render it necessary, designate by advertisement to be published in the newspapers of the city of New-York employed by the corporation of the said city, the local situation of their said office.

2. *And be it further enacted*, That every vessel arriving in the port of New-York at any time of the year, from any port, island, or other place, in Asia, Africa, the Mediterranean, America lying south of Georgia, or from any West India, Bahama, Bermuda or Western Island, and all vessels from foreign ports, having on board forty or more passengers, and all vessels on board of which any person shall have been sick or died while at a foreign port, or on the homeward passage, shall proceed to, and be anchored at the place assigned for quarantine, and subject to the Health Officer's examination, and to the regulations herein prescribed; and that any master or commander of a vessel, offending in the premises, shall be considered as guilty of a misdemeanor, and on conviction thereof, shall, for each offence, be fined by any court having cognizance of the

Commissioners of Health, how appointed.

Proviso.

Mayor may fill vacancies.

Commissioners shall give notice of the situation of their office, 31st May.

What vessels may be quarantined at any time of the year.

Penalty.

same, in a sum not exceeding two thousand dollars, or imprisoned for a term not exceeding twelve months.

3. *And be it further enacted,* That every vessel arriving in the port of New-York, from any port or other place in the West Indies, in Bermuda, in America south of St. Mary's in Georgia and north of the equator, or from any port or place on the continent of Africa, or islands near to the same, between the thirty-first day of May and the first day of October in any year, shall remain at quarantine, together with their crews and passengers, not less than four days after their arrival, and as much longer as in the opinion of the Health Officer, may be expedient; during which time, the said vessel shall be ventilated and cleansed, the clothing and bedding of the crew and passengers washed and aired; when such vessels shall be permitted to proceed by him, they shall not approach within three hundred yards of that part of the Island of New-York, which lies southward of Bank-street, on the North river, and southward of Stuyvesant's dock, on the East river; but if their cargoes be in good condition, such cargoes may be brought into the city, subject to the orders and regulations of the Commissioners of Health; which vessels having been unloaded, and application made to the said Health Commissioners, they shall send a trusty person to see said vessel, and her ballast, properly cleansed, for which duty the said person shall be paid by the master or owner of the said vessel, the sum of five dollars; and when he shall report to the Commissioners of Health a vessel to be duly cleansed and purified, they may then direct such vessel to such wharf as they may deem proper, and no vessel, being at any wharf in pursuance of such direction, shall depart thence, or change her birth, between the thirty-first day of May and the first day of October, without permission of the Health Commissioners, or one of them, in writing, or by order of the Mayor, or Board of Health; and that every master, commander, consignee, or passenger, of any vessel, or any person belonging to, or connected with the same, offend-

Vessels subject to four days quarantine from 31st May to 1st of October.

Shall not come within 300 yards of the city.

A trusty person shall inspect them. Fee for examination, five dollars.

Commissioners may permit such vessels to come to the wharves.

ing against the provisions of this section, shall be considered guilty of a misdemeanor, and shall, for every such offence, be fined in a sum not exceeding two thousand dollars, or be imprisoned for a time not exceeding twelve months.

Penalty.

Vessels subject to *two* days quarantine.

Health Officer shall direct such vessels to the wharves of the city.

Health Commissioners may permit such vessels to remove to other wharves.

Proviso.

Penalty.

Vessels arriving from any place south of Cape Hen-

4. *And be it further enacted*, That every vessel arriving in the port of New-York, from any port, island, or other place, in the Mediterranean, in Asia, in America south of the equator, or from Madeira, Canary, Cape de Verd, Western, or Bahama Islands, between the thirty-first day of May and the first day of October, in any year, shall proceed to and remain not less than *two* days at quarantine, and shall be there ventilated and cleansed, and the clothing and bedding shall be washed and aired; and such vessel shall remain at quarantine for a longer time, if the Health Officer shall judge proper, and the Health Officer shall determine and direct, in writing, to what wharf in the said city, the said vessel may proceed, and such vessel shall remain at such wharf, and no other, and shall not depart therefrom, or change her birth, between the thirty-first day of May and the first day of October, without permission of the Health Commissioners, or one of them, in writing, or by order of the Mayor or Board of Health. *Provided*, that such vessels shall not have been at any of the ports or places mentioned in the third section of this act, after the fifteenth day of May next preceding, and in such case, such vessel shall be subject to the regulations and penalties contained in the said third section; and that every master, commander, owner, or consignee, of any vessel, offending in the premises, shall be considered guilty of a misdemeanor, and shall, for every offence, be fined in a sum not exceeding two thousand dollars, or imprisoned for a time not exceeding twelve months.

5. *And be it further enacted*, That every vessel arriving in the port of New-York, from any port, island, or other place, or from any bay, river, or inlet, in the ordinary passage from which she must pass to the south of Cape Henlo-

pen, between the thirty-first day of May and the sixteenth day of October, in any year, shall proceed to, and anchor at the place assigned for quarantine, and shall be subject to the examination of the Health Officer, and to such regulations as may be deemed by him expedient; and the master or commander of a vessel, offending in the premises, shall be considered as guilty of a misdemeanor, and on conviction thereof, shall, for each offence, be fined by any court having cognizance of the same, in a sum not exceeding two thousand dollars, or be imprisoned for a term not exceeding twelve months.

lopen, between the 31st of May and 16th of Oct. are subject to quarantine.

Penalty.

6. *And be it further enacted,* That every vessel coming from any port or place where yellow, bilious malignant, or other pestilential or infectious fever existed, at the time of her sailing thence, or if during her voyage, any person has died, or been sick, on board of such vessel, with such fever, she shall proceed to, and be brought to an anchor at the quarantine anchorage, and the master, owner, or consignee shall forthwith, upon the requisition and under the direction of the Health Officer, cause such vessel to be unloaded, cleansed, and purified, and until then, no permit shall be granted for her to proceed to the city of New-York, and every vessel, under the above circumstances, arriving between the thirty-first day of May and the first day of October, shall be detained at least thirty days at quarantine after her arrival, and twenty days after her whole cargo has been discharged, and every part of the inside of such vessel thoroughly white-washed, except such parts as may be painted or varnished, which parts shall be cleansed as the Health Officer may direct, during which time, the said vessel shall be as often white-washed as the Health Officer shall judge requisite, but not less than three times, and four days intervening between each time, and wind sails shall be constantly kept in each hatchway, the weather permitting; and it shall be the duty of the Health Officer, whenever he shall judge such vessel to be clean, safe, and free from infection, to report her and her ballast to the Board

Vessels arriving from places where the yellow fever, &c. existed, or on board of which any person has died or been sick, shall be subject to quarantine,

At least 30 days,

And then reported to the Board of Health.

of Health, who shall be authorized to give further directions concerning her, and no part of the cargo of such vessel shall be conveyed to the city of New-York, without a permit, in writing, from the Health Officer; nor shall any of the crew or passengers of such vessel be permitted to go to the city of New-York, until twenty days after the last death, or sickness, of the yellow, bilious malignant, or other pestilential or infectious fever, which has occurred on board, or until twenty days after such vessel shall have sailed from any port where such fever existed at the time of her departure; and every master, owner, or consignee, or other person, neglecting or refusing to comply with such requisitions of the Health Officer, shall be considered guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not exceeding two thousand dollars, or be imprisoned for a time not exceeding twelve months, by any court having cognizance thereof: *Provided*, that all vessels which may remain at quarantine on the first day of October, shall be subject to the same restrictions which are directed for those vessels which arrive on and after that day.

Penalty.

Proviso.

Vessels may
proceed
eastward.

Proviso.

Penalty.

Governor
&c. may

7. *And be it further enacted*, That any vessel arriving at the quarantine ground, and bound to any place eastward of the city of New-York, and beyond this state, may be permitted by the Health Officer, after she shall have been duly visited and examined by him, to proceed through the Sound: *Provided*, the said vessel shall not be brought to an anchor off the said city, nor any of her crew or passengers shall be permitted to land in, or hold any intercourse or communication with the said city, or with any person therefrom, and that every master, commander, owner, or consignee of any vessel, or any other person, offending in the premises, shall be considered guilty of a misdemeanor, and shall, for every offence, be fined in a sum not exceeding two thousand dollars, or imprisoned for a time not exceeding twelve months.

8. *And be it further enacted*, That it shall be lawful for the Governor of this state, or in his absence, the Mayor of

the city of New-York, or in the absence of both, the Recorder of the said city, whenever he shall have reason to believe, that yellow, bilious malignant, or other pestilential or infectious fever exists at any place, to issue his proclamation, directing that all vessels from such place shall proceed to the quarantine ground previous to their touching at any wharf, or holding any intercourse with the city of New-York, there to be examined by the Health Officer, and put under quarantine, as is herein prescribed, and to prohibit or regulate the intercourse by land, and by ferries, between the city and county of New-York and such infected place or places, and to order and direct, that all persons who shall come into the said city, contrary to the prohibitions and regulations in such order or proclamation as aforesaid, shall be apprehended and conveyed to the vessel or place whence they last came, or if sick, conveyed to the Marine Hospital; and that all persons offending in the premises, shall be liable to punishment, as for a misdemeanor, by fine and imprisonment, at the discretion of the court having cognizance thereof; and all magistrates, marshals, and constables, officers and ministers of justice of the said city and county of New-York, and of this state, and all other the inhabitants of this state, are hereby enjoined and required, to be aiding and assisting in the execution and enforcement of the orders and directions of the said proclamation.

order all vessels to the quarantine ground,

And interdict the intercourse between the city and infected places.

Penalty for persons offending.

9. *And be it further enacted,* That it shall be in the power of the Health Commissioners, the Mayor of the city of New-York, or the Board of Health, to order to the quarantine ground, or some other place of safety, all vessels that may be at the wharves, or in the vicinity of the said city, which in the judgment of the said Health Commissioners, Mayor, or Board of Health, may be prejudicial, or be dangerous to the public health, or have on board articles suspected to contain infectious matter, whether brought from foreign countries or otherwise, and to cause all persons, articles, or things, which may have been landed, to be arrested and seized, and to be returned forthwith on board

Health Commissioners, &c. may order the removal of vessels, &c. to a place of safety.

such vessel, or removed to the quarantine ground, and no vessel after having obeyed such order, shall return to any wharf, pier, or slip, in the said city, without permission so to do from the Board of Health, and in case any master, owner, or consignee of such vessel, shall refuse or neglect to obey such order, or shall cause such vessel to return as aforesaid, such person so offending shall be considered guilty of a misdemeanor, and shall be fined in a sum not exceeding one thousand dollars, or be imprisoned for a term not exceeding twelve months: And also, in case the master, owner, or consignee, cannot be found, or shall refuse or neglect to obey such orders, the Mayor of the city of New-York, or the Board of Health, shall have power to remove as aforesaid, such vessel or vessels, at the expence of the master, owner, or consignee.

Penalty.

Vessels may be removed at the expense of the owner, &c.

Health Commissioners shall determine the quarantine of vessels in cases not specified in this act.

Vessels having entered other ports in the U. S. are, notwithstanding, subject to quarantine.

Penalty.

No vessel shall leave the quarantine without a permit from the H. Officer.

10. *And be it further enacted,* That quarantine, in all cases where the duration of the same is not specifically described by this act, shall continue for such time as to the Health Commissioners shall seem proper, and no vessel otherwise subject to quarantine, shall be exempted therefrom by reason of her having, previously to her arrival at the port of New-York, entered into any of the ports of the United States, unless such vessel shall have discharged all her cargo, and been well cleansed, and remained at least twenty days after unlading the whole of her cargo, in some one of the aforesaid ports, and shall not have received on board the same cargo, or any other cargo, during the said twenty days: And that every master, commander, or consignee of any vessel, offending against the provisions of this section, shall be considered guilty of a misdemeanor, and shall for every such offence be fined in a sum not exceeding two thousand dollars, or be imprisoned for a time not exceeding twelve months.

11. *And be it further enacted,* That no vessel subject to the examination of the Health Officer, shall approach the city of New-York, beyond the place assigned for quarantine, without a written permit for that purpose from him,

and that the master or commander of every such vessel arriving at the city of New-York, shall, within twenty-four hours after such arrival, deliver such permit to the Commissioners of Health, or to such person as they shall direct; and every master or commander neglecting or refusing to comply with either of these directions, shall for every such offence be considered guilty of a misdemeanor, and on conviction thereof, shall be fined by any court having cognizance thereof, in a sum not exceeding two thousand dollars, or be imprisoned for a term not exceeding twelve months.

Permit to be delivered to the Health Commissioners.

Penalty

12. *And be it further enacted,* That every vessel subject to quarantine, shall be designated by colours fixed in a conspicuous part of the main shrouds of such vessel, and shall there remain until the expiration of her quarantine, and if the master or commander of any such vessel shall not comply with such direction, he shall forfeit for every such offence, the sum of fifty dollars, and the further sum of three dollars for every hour he shall so offend, to be recovered by the Health Commissioners, with costs, in any action of debt in their own names, in any court having cognizance thereof.

Colours shall be fixed in the main shrouds.

Penalty.

13. *And be it further enacted,* That it shall be lawful for the Health Officer, and he is hereby authorized and required without delay to enter on board of every vessel coming into the port of New-York, subject to his examination or visitation by this act, and to make strict search, examination, and inquiry, as to the health of the officers, seamen, and passengers, and into the state and condition of the vessel, her cargo and contents, respectively, and in order that he may be more effectually enabled to make examination, and determine how long such vessel shall be detained at quarantine, conformable to this act, it shall be lawful for him to put all such questions to the persons on board as he may judge needful and proper to that end; and the persons to whom such questions shall be put, may be required to answer the same on oath, which oath he is hereby au-

Health Officer shall examine vessels

And determine the time of quarantine,

And question persons on board under oath.

thorized to administer accordingly; and every person swearing falsely in the premises, shall be liable to the pains and penalties of wilful and corrupt perjury; or if any person shall oppose or obstruct the Health Officer in performing the duties required of him by this act, he shall be considered as guilty of a misdemeanor, and shall be fined in a sum not exceeding five hundred dollars, or imprisoned for a time not exceeding three months.

Penalty.

No person shall have intercourse with vessels at quarantine without a permit from the Health Officer.

14. *And be it further enacted,* That if any person shall go on board, or have any intercourse, communication, or dealing, with any vessel at quarantine, without permission from the Health Officer, he shall be considered and adjudged guilty of a misdemeanor, and he shall be detained at quarantine as long as the Board of Health shall direct, but not to exceed twenty days, unless such person should be taken sick with malignant fever; and it shall be the duty of the Health Officer, to give immediate information of every such transgression to the Board of Health, with the circumstances attending the same, and the condition of such vessel, that the said Board may be enabled to determine how long the offender shall remain at quarantine, and if any such person, or any other person put under quarantine by virtue of this act, should elope from, or quit, or go beyond the bounds assigned to him by the Health Officer for his quarantine, it shall be lawful for any justice of the peace, or other magistrate of this state, upon examination of the case, to order and direct, by his warrant or otherwise, such offender to be conveyed to the quarantine ground, to be there confined by the Health Officer, or by such persons as he shall direct, for the remainder of his quarantine; and every person transgressing as aforesaid, shall forfeit the sum of five hundred dollars, to be recovered by the Health Commissioners, or any one of them, by action of debt, in his or their own names, in any court having cognizance thereof.

Penalty.

Health Officer may take a bond

15. *And be it further enacted,* That it shall be lawful for the Health Officer to take a bond in his own name; from

any person put under quarantine, with one or more sureties, and in a sum not less than five hundred dollars, nor more than two thousand dollars, conditioned, that such person shall not, during his period of quarantine, approach nearer the City Hall in said city of New-York, than the distance of three miles, except in passing said city on the North or East River, and that such person shall not go into any city or town of the United States, before he would be admitted into such city or town by the quarantine laws of the said city, town, or state, respectively; and in case such bond be forfeited, the same may be put in suit, and recovered by the said Health Commissioners, or any one of them, for the benefit of the said Marine Hospital, and in case the condition of the said bond should be violated by such persons visiting any other city or town of the United States, other than the city of New-York, contrary to the condition of the said bond, it shall and may be lawful for the Board of Health, on application therefor from competent authority of such other city or town, to direct and cause the Health Officer to make such assignment of the said bond, as may enable the person or persons to whom the same may be assigned, to prosecute the said bond, and to recover the penalty thereof to the use of the assignees.

of any person under quarantine, in 500 dollars and not more than 2,000 dolls.

Condition

Bond being violated

May be assigned.

16. *And be it further enacted,* That it shall be lawful for the Health Officer, whenever he shall judge it necessary to prevent infection, to cause any bedding or clothing arriving in a vessel subject to quarantine to be destroyed, and it also shall be lawful for the board of Health in said city, whenever they or a majority of them shall judge it necessary, to cause any cargo or part of a cargo, or any other matter or thing in the said city, that may be putrid or in their opinion dangerous to the health of the said city, to be removed or destroyed.

Health Officer, or Board of Health, may destroy clothing, &c.

17. *And be it further enacted,* That no boat from any outward or inward bound vessel, shall land at the quarantine ground after sunset, nor shall boats of any description at any time pass through the range of vessels lying at qua-

Intercourse with the quarantine ground and vessels lying there, prohibited.

Penalty. quarantine, without the permission of the Health Officer; and that any person offending against any of these directions, shall be considered as guilty of a misdemeanor, and shall be fined in a sum not exceeding fifty dollars.

Cotton shall not be brought into the city from 31st May to 1st October.

18. *And be it further enacted,* That no cotton which is the produce of the United States or the territories thereunto belonging, shall be brought into the city of New-York, south of a line commencing at Spring-street, on the North River, running from the same to the Bowery, and thence down the Bowery to Grand-street, through Grand-street to Walnut-street, through Walnut-street to the East River, between the thirty-first day of May, and the first day of October in any year. *And further,* That all cotton on board of a vessel, where any person is or has been sick of yellow, bilious malignant, or any other pestilential or infectious fever, during the period last aforesaid of any year, all damaged cotton, all cotton from foreign ports, or which in the opinion of the Board of Health, Health Commissioners, or Health Officer, may be dangerous to the public health, shall be carried to the quarantine ground, and shall be there detained during the period aforesaid, nevertheless, such cotton may be shipped from the quarantine ground on board any outward bound vessel or vessels which may proceed to the quarantine ground to receive the same, but after such cotton shall have been shipped on board such outward bound vessel or vessels, no such vessel shall, during the period last aforesaid, and while she has such cotton or any part thereof on board, approach the city of New-York nearer than the said quarantine ground, under the penalty of the said cotton being seized and sold by the Health Commissioners for the benefit of the Marine Hospital; and that all hides and skins arriving in the port of New-York, between the thirty-first day of May and the first day of October, in any year, shall be discharged at the quarantine ground, and if in a sound state, may be taken to any place in said city north of said line beginning at Spring-street, on the North River, and along said street to the Bowery,

Penalty.

and from thence down the Bowery to Grand-street, and through Grand-street to Walnut-street, and through Walnut-street to the East River; but it shall be lawful to bring sound hides and sound cotton, the produce of the United States or territories thereof, from the quarantine ground or other places of deposit, by water only, to be immediately taken on board of vessels, while lying at any of the wharves of the said city, for exportation or transportation out of the said city, provided they are not relanded therefrom in said city contrary to this act; and should either of the above articles be brought into said city contrary to the true intent and meaning of this act, they shall be seized and sold by the Health Commissioners, for the benefit of the Marine Hospital.

19. *And be it further enacted*, That no lighters shall be employed to unload and load vessels at quarantine, but those permitted by the Health Officer.

20. *And be it further enacted*, That it shall be the duty of the several branch Pilots and their deputies belonging to the port of New-York, to use their utmost endeavours to hail every vessel coming into the said port, and shall ask and demand of the master or commander of any such vessel, whether any person has died on board, or any person has been sick on the passage, or if any pestilential fever existed amongst the inhabitants of the port whence she sailed; and on being answered in the affirmative to any of the said questions, shall immediately give notice to the master or commander of such vessel, that he and his vessel, crew, passengers, and cargo, are subject to the examination of the Health Officer, and shall direct him to proceed and anchor his vessel at the quarantine anchorage, there to remain until he shall receive further directions from the Health Officer, and all such commanders of vessels are forbid to unload or put on shore, or on board of any boat or vessel, any goods, merchandize, or freight, or any clothing or bedding, or any person or persons from his vessel, until permitted pursuant to this act; and every master or com-

Duty of Pilots.

mander of any vessel, who shall give false information relative to the condition of his vessel, crew, passengers, freight or cargo, or the health of the place or places whence she came, when hailed by any pilot, or shall, notwithstanding being forbid by such pilot, bring his vessel nearer the city than the ground assigned for quarantine, or land any passenger, or unlade any of his cargo, shall be considered guilty of a misdemeanor, and on conviction thereof, shall be fined by the court having cognizance of the same, in a sum not exceeding two hundred dollars for each offence; and every passenger or any other person on board such vessel, departing therefrom, or unlading any of the cargo thereof, without leave first obtained from the Officer aforesaid, shall be considered guilty of a misdemeanor, and be punished, if convicted, in like manner as the master or commander last mentioned.

21. *And be it further enacted*, That it shall be the duty of every pilot, who conducts a vessel into the port of New-York, to take care that no violations of this act are committed by any person on board; and if any such are committed and not reported by such pilot to the Health Officer, as soon as may be, such pilot shall be considered as guilty of a misdemeanor, and shall be fined in a sum not exceeding two hundred dollars: *And further*, that it shall be the duty of every such pilot, to deliver such printed extracts from this act, as shall be entrusted to him by the Health Officer for that purpose, to every master of a vessel piloted by him into the port of New-York; and that every pilot, for neglecting or refusing so to do, shall be deemed guilty of a misdemeanor, and punishable as last aforesaid.

22. *And be it further enacted*, That upon complaint being made in writing, by one or more of the Health Commissioners, to the wardens of the port of New-York, charging any pilot with neglect or violation of any of the duties herein prescribed or enjoined upon him, it shall be the duty of the said wardens of the port forthwith to suspend such pilot from piloting any vessel until he shall have entered

Penalty.

Wardens of
the ports
may sus-
pend pilots.

into recognizance, before one of the justices of the peace for the city and county of New-York, in the sum of two hundred dollars, with sufficient sureties, to answer to the offence wherewith he is charged at the next general sessions of the peace, to be held in the city and county of New-York, which offence the said court is hereby authorized to try and determine, and to impose such fine as they may deem proper not exceeding the sum of two hundred dollars, and it shall be the duty of every pilot, who shall conduct any vessel subject to quarantine into the port of New-York, to bring said vessel to anchor within the buoys marking the quarantine anchorage, and every pilot neglecting or refusing to perform any duties required of him by this act, or permitting any vessel or boat to come along side of such vessel, which such pilot shall have the direction of, or permitting any thing to be thrown into such vessel or boat, shall in addition to the above penalties forfeit for every such offence the sum of twenty-five dollars, to be recovered by the Health Commissioners with costs, in an action of debt in their own names in any court having cognizance thereof.

23. *And be it further enacted,* That the hospital erected on the easterly part of Staten Island, shall continue to be denominated the Marine Hospital, and shall, together with the other buildings and improvements made or to be made thereon by the said Commissioners, with the approbation of the person administering the government of this state, or in his absence, the Mayor of the said city, and the land adjoining the same, and belonging to the people of this state be holden by the Health Commissioners, in trust for the use of the people of this state and the purposes specified in this act. And all vessels subject to quarantine shall come to anchor within the buoys as near as may be to the said hospital, which is hereby declared to be the anchoring place for vessels at quarantine between the fifteenth day of April and the first day of November, and the remainder of the year off the battery, in the East or North River; that the said Health

Marine
Hospital on
Staten Isl-
and

Holden by
the Health
Commis-
sioners.

And shall be
the place of
quarantine.

Health Officer shall be physician to the Marine Hospital.

Commissioners shall furnish it with all things necessary.

All sick persons at the Marine Hospital, shall be there kept and maintained,

And if they elope therefrom may be apprehended.

Sick persons, non-residents of the city, shall be sent to the Marine Hospital,

And shall pay for their board, &c.

Officer shall be physician of the said Hospital, and the said Commissioners shall in other respects have the superintendance thereof, and employ mates, nurses, and attendants therefor, and provide bedding, clothing, fuel, provisions, medicine, and such other matters as shall be requisite therein; and it shall be lawful for them to make reasonable rules and orders for the government and management of the said hospital. And the said Commissioners shall also at all times furnish a convenient boat for the use of the Health Officer, with men sufficient to row the same.

24. *And be it further enacted,* That every diseased person duly landed or sent to the Marine Hospital, shall be there kept and maintained until the Health Officer shall grant him or her a discharge in writing: and if any such person shall elope, it shall be lawful for the Health Officer, to direct any constable or other person, whom he shall call to his assistance, and they are hereby enjoined and required to pursue and apprehend the person so eloped, and there again deliver him or her, to be detained until discharged as aforesaid: and any person so eloping from the Marine Hospital, or any diseased person in the Marine Hospital, refusing or neglecting to obey the directions of the Health Officer, and the orders and regulations of the Health Commissioners, shall be considered as guilty of a misdemeanor, and as such shall be punishable by any court having cognizance thereof.

25. *And be it further enacted,* That all persons in the city of New-York, not being residents thereof, sick of a yellow, bilious malignant, or other infectious or pestilential fever, and all things within the said city, which, in the opinion of the Health Commissioners, shall be infected by or tainted with pestilential matter, and ought to be removed from the said city, shall, by order of any of the said Commissioners, or by the Board of Health, be sent to the Marine Hospital.

26. *And be it further enacted,* That all persons removed to the said Marine Hospital, other than those who have

paid hospital money, shall be liable to pay a reasonable sum for their board, medicine, and attendance therein; and if any of them, deemed to have sufficient means, shall refuse or neglect to pay such sum as they may be reasonably charged with, the same shall be sued for and recovered from them by the said Commissioners, by an action on the case in their own names.

27. *And be it further enacted,* That no person, unless authorized by the Health Officer, or Board of Health, shall go within the inclosure of the quarantine ground: and that every person so transgressing shall be considered guilty of a misdemeanor, and fined in a sum not exceeding one hundred dollars, or be imprisoned for a time not exceeding thirty days, by any court having cognizance thereof.

No person shall go within the quarantine ground without a permit from the Health Officer.

Penalty.

28. *And be it further enacted,* That every person practising physic in the said city who shall have, between the thirty-first day of May and the first day of November, in any year, a patient labouring under yellow, bilious malignant, or any pestilential or infectious fever, shall forthwith make a report in writing to some one of the said Health Commissioners, and for neglecting so to do, he shall be considered guilty of a misdemeanor, and be fined in a sum not exceeding two hundred and fifty dollars, to be recovered by action of debt by the said Commissioners, in their own names, or by either of them in his own name, in any court having cognizance of the said action.

Physicians must report their patients to the Commissioners, between 31st May and 1st Nov.

Penalty.

29. *And be it further enacted,* That every person keeping a boarding or lodging house in the city of New-York, between the thirty-first day of May and the first day of November, in any year, shall within twelve hours after any seafaring man or sojourner shall be sick in such boarding or lodging house, report in writing the name of such diseased person to one of the Health Commissioners or to the Board of Health: and that no master of a vessel, or any other person whatever, shall, between the days aforesaid, remove any sick person from any vessel lying at any wharf, or in harbour of the city of New-York, before the name of

Boarding-house keepers must report to the Commissioners of Health, or B. of Health, persons sick of malignant fever, between 31st May and 1st November.

Masters of vessels shall not land sick persons in the city,

from 21st
May to 1st
November.

such sick person has been reported to one of the Health Commissioners, or to the Board of Health, and a written permit granted for the purpose of such removal, by the said Commissioners, or one of them, or by the Board of Health: and that any person neglecting or refusing to comply with either of these directions shall be considered guilty of a misdemeanor, and be fined in a sum not exceeding two hundred and fifty dollars, or be imprisoned for a time not exceeding six months, by any court having cognizance thereof.

Penalty.

No salted provisions shall be packed at any season of the year, in certain parts of the city,

And if stored southward of said limits, shall be reported to the Health Commissioners, or Board of Health.

They may order the removal of such provisions,

At expense of the owner, &c.

30. *And be it further enacted,* That no salted provisions shall be packed or repacked at any season of the year in that part of the city of New-York lying to the southward of a line drawn from the Hudson River through the centre of Canal-street to Sullivan-street, through Sullivan-street to Grand-street, through Grand-street to Walnut-street, and through Walnut-street to the East River; and that from the first day of May to the first day of October, in any year, no salted or pickled beef or fish, except smoked beef and smoked fish, shall be deposited within or to the southward of the above limits; and all such salted and pickled beef, or pickled fish, and all hides and cotton, that may have been deposited in said city, south of said line, prior to the thirty-first day of May, and shall there remain on the first day of June, shall be reported by the owner, or person having charge of the same, to the Health Commissioners, or one of them or to the Board of Health, that the same may be examined from time to time, and removed, if in the opinion of the Board of Health, it be necessary to prevent any evil which may arise therefrom; and if the Board of Health shall order the removal of any such article, and the same shall not be forthwith removed by the owner or the person having charge of the same, it shall be lawful for the Board of Health to cause the same to be removed to some place that the said Board shall deem safe, where it shall be at the risk of the owner, and the expense of such removal, and the storage of the said articles, shall be borne by the

owner, or by the person who had charge of the said articles, at the time of the removal thereof; and if the Board of Health shall, in the first instance, pay the said expense of removal and storage, the same may be recovered by the Mayor, Aldermen, and Commonalty of the city of New-York, by action of debt against the owner, or the person who had charge of said articles, at the time they were so removed, in any court having cognizance of such action.

Provided, that nothing herein contained shall be taken to interfere with the powers herein before given to the said Board of Health, to cause provisions, or other putrid or pestilential matter, to be destroyed. *And provided further*, that nothing contained in this section shall be taken or construed to extend to such provisions as shall be exposed for sale by butchers in the public markets, or shall be kept by the heads of families for the use of their respective families; and that every person offending in the premises, shall be considered guilty of a misdemeanor, and upon conviction thereof, shall be fined for each offence in a sum not exceeding five hundred dollars, or be imprisoned for a time not exceeding six months, by any court having cognizance thereof.

Proviso.

Penalty.

31. *And be it further enacted*, That the Health Commissioner is hereby authorized and required to demand and receive, and in case of neglect or refusal, to sue for and recover, in his own name, with costs of suit, from the captain or commander of every vessel, which shall hereafter arrive in the port of New-York from any foreign port or place, the following sums of money, to wit; for each captain or commander, or cabin passenger, one dollar and fifty cents; for each steerage passenger, mate, sailor or mariner, one dollar; and from each master, mate, sailor or mariner of every coasting vessel, which shall hereafter arrive in the said port, twenty-five cents; which several sums shall be demandable of the captain or commander of every such vessel, and on payment thereof, every such captain or commander shall and may lawfully demand and receive from every such person on whose account respectively the same

Hospital money.

shall have been paid, the moneys so paid; and the said moneys so to be received by the said Commissioner, shall be appropriated to the use of the said Marine Hospital, deducting therefrom the sum of two and an half per cent, which he is hereby authorised to retain as a compensation for collecting the same; *Provided*, that the coasting vessels coming from the states of New-Jersey, Connecticut and Rhode-Island, shall not pay oftener than once in each month.

Proviso.

Masters of coasting vessels to pay hospital money within 24 hours after their arrival.

Penalty.

Compensation of Resident Physician and Health Commissioner,

And Health Officer.

32. *And be it further enacted*, That the master or commander of every coasting vessel, shall within twenty-four hours after her arrival in the port of New-York, cause to be paid at the office of the Health Commissioner, or at such place as he shall designate in said city, such hospital money as is demandable by this act, to the said Commissioner, or such person as he shall appoint; and if any master or commander of such vessel, shall omit so to do, he shall pay a penalty of one hundred dollars, to be recovered by action of debt, by the Health Commissioner in his own name, in any court having cognizance of the said action.

33. *And be it further enacted*, That the compensation of the Resident Physician, and of the Health Commissioner, shall be to each of them one thousand dollars per annum, to be paid out of the moneys by this act appropriated for the use of the said Marine Hospital; and that the Health Officer shall be entitled to receive, as physician to the said hospital, the sum of four hundred and fifty dollars per annum, to be paid as aforesaid; and also for his services in searching and examining vessels from foreign ports in pursuance of this act, the sum of six dollars and fifty cents for each vessel so by him examined, to be paid by the master or commander of the same; and the Health Officer shall also be entitled to receive from the master or commander of every vessel arriving in the port of New-York from any port, island, or other place in the United States, south of Cape Henlopen, and which he shall visit pursuant to this

act, the sum of three dollars for each vessel above one hundred and sixty tons, the sum of two dollars for each vessel not exceeding one hundred and sixty tons nor less than one hundred tons, and the sum of one dollar for each vessel below one hundred tons so visited by him. *And further*, it shall be lawful for the Health Officer to appoint an assistant, who may perform all the duties required of said Health Officer, but for whose conduct he shall be responsible; and such assistant shall take an oath well and faithfully to execute the duties of his said office.

He may appoint an assistant.

34. *And be it further enacted*, That it shall be the duty of the said Commissioners to account annually to the Comptroller of the state for all moneys received by them for the use of the Marine Hospital; and if the same shall in any one year be more than sufficient to defray the expense of executing the trust committed to them, exclusive of such expenses as are to be borne and paid as a part of the contingent charges of the city of New-York, and including the annual compensations herein before granted to the said Commissioners, then, and in such case, the Health Commissioners shall invest it in such stock of the United States or other securities as the Governor of this state may direct, the interest of which the said Commissioners may receive for the use of the Marine Hospital; but the said stock or securities shall not be disposed of, unless the receipts should at any time be insufficient for the purposes of the said Marine Hospital, when it shall be lawful for the person administering the government of this state, upon the application of the said Commissioners, to direct them to dispose of as much thereof as will pay such deficit. *And further*, that whenever a competent sum shall have been accumulated from the surplusses of several years, sufficient to commence the building of other stone or brick hospitals in the place of the present wooden ones, then, on application by the Health Commissioners to the Governor of this state, he may direct said Commissioners to dispose of said stock or securities for such purpose.

Health Commissioners shall account annually to the Comptroller,

And invest the surplus money, if any, in stock,

And dispose of the same.

Common
Council
may ap-
point
Health
Wardens.

35. *And be it further enacted,* That the Mayor, Aldermen, and Commonalty of the city of New-York, in Common Council convened, shall have power, from time to time, as often as they deem it necessary, to appoint Health Wardens, and such suitable officers as they may think proper; and to authorize such officers, at such reasonable times as the said Mayor, Aldermen, and Commonalty, in Common Council convened, shall think fit, in the day time, to enter into and examine all dwelling houses, stores, buildings, apartments, lots, yards, and enclosures, of every description, within the said city, whether the condition thereof, or any thing therein contained, may be prejudicial to the public health, that such measures may be taken as may be required, to preserve the health of the inhabitants of the said city.

Their duty.

Term of
quarantine
may be ex-
tended.

36. *And be it further enacted,* That whenever it shall appear to the Board of Health, that the provisions of this act, the operations of which are limited to certain periods of the year, or any of the said provisions should be extended to any greater or other period of the year, it shall and may be lawful for the Mayor of the said city, by and with the advice of the Board of Health of the said city, to publish his proclamation declaring that the said provisions of this act, or such of them as may be designated in the said proclamation, shall be extended to such time as may be mentioned in the said proclamation; and thereupon the said provisions of this act shall be extended to such times and periods as may be mentioned in the said proclamation, and this act, or such provisions thereof as aforesaid shall be taken, and construed, as if the said times and periods mentioned in the said proclamation were mentioned and set down, in the respective sections, to which the said proclamation may refer. And if, at any time after such proclamation shall have been published, the said Board of Health may think the necessity of extending the periods mentioned in this act as aforesaid has ceased, the Mayor by and with the advice of the Board of Health, may publish his proclamation

accordingly, and thereupon the effect of the said first mentioned proclamation shall cease.

37. *And be it further enacted*, That it shall be the duty of the said Health Commissioners, from time to time, to communicate to the Board of Health such reports as may be made to them, or either of them, pursuant to this act; and it shall further be the duty of the said Commissioners, and of the Health Officer, to communicate to the Board of Health, all information in their power, which may the better enable the said Board of Health to take measures for preserving the health of the said city, and for preventing the introduction of contagious and infectious diseases; and more particularly, it shall be the duty of the Health Officer, as often as may be, to furnish the Board of Health with a report respecting every vessel he shall visit, which report shall give all such information respecting such vessel as may the better enable the said Board of Health to judge whether it may be necessary for them to take any measures in respect to the same.

Health Commissioners and Health Officer shall communicate to the Board of Health, reports respecting the health of the city,

And the H. Officer shall report the state of every vessel he visits to the Board of Health.

38. *And be it further enacted*, That in case of the absence of the Mayor from the said city, or in case of his sickness, which may render him incapable to discharge the powers and duties herein enjoined upon him, it shall be the duty of the Recorder of the said city, to discharge all and every, and to exercise all and every, the powers, enjoined upon him and given to the said Mayor by this act.

In the absence or sickness of the Mayor, the Recorder shall perform his duties.

39. *And be it further enacted*, That nothing in this act shall be construed to interfere with the remedies against nuisances prescribed by the common law.

40. *And be it further enacted*, That all vessels having on board any person infected with any malignant or pestilential fever, or coming from any place whatsoever infected therewith, shall not come into any other of the ports or harbours of this state until they shall have performed quarantine, for such time and in such manner as the persons hereinafter mentioned shall think proper to direct, to wit: for the cities of Albany and Hudson, and upon Hudson

Quarantine regulations for the cities of Albany and Hudson and other places on the Hudson River.

River opposite to the said cities, and within one mile above or below the same, the person administering the government of this state, and in his absence from the said cities respectively, the Mayor, and in his absence, the Recorder of the said cities respectively, and for any town in this state bordering or lying upon any port or harbour of this state and upon the waters opposite to the same towns, any two or more justices of the peace residing therein; and if any person subject to quarantine as aforesaid shall violate any of the regulations to be prescribed respecting the same as aforesaid, he shall be considered guilty of a misdemeanor, and shall be fined by any court having cognizance thereof, in a sum not exceeding five hundred dollars.

Justices of
the peace
may exe-
cute this
law in
towns,

41. *And be it further enacted,* That it shall be lawful for the said persons hereby authorised to execute this act, in the cities of Albany and Hudson, and for any two or more justices of the peace in any town of this state, to take effectual measures to prevent the introduction and spreading of any infectious distemper into any part of this state; and for that purpose to stop, detain, and examine any person coming from any place infected with any such malignant or pestilential fever, and if there shall be good cause to suspect any person to be infected therewith, it shall be lawful for the several persons aforesaid, to cause every such person, not being an inhabitant thereof, to be sent out of this state, or kept in such place as will not expose the inhabitants of the same to take such distemper. And further to appoint and authorise such and so many persons to aid in the execution of their powers aforesaid, as they shall respectively deem proper.

Health
Physician
to be ap-
pointed in
Albany and
Hudson.

42. *And be it further enacted,* That it shall be lawful for the person administering the government of this state, by and with the consent of the Council of Appointment, to appoint a physician in each of the cities of Albany and Hudson, to assist in carrying into effect the provisions contained in the two preceding sections of this act; and such physician, who shall examine any vessel coming from a foreign

port, shall be entitled to receive from the commander thereof, the sum of seven dollars and fifty cents.

43. *And be it further enacted*, That all fines and penalties imposed by this act, and as to which their provision shall not have been hereby made, shall and may be sued for and recovered by the Health Commissioners, in their names, or the name of any one of them, and shall be received and applied by them towards defraying the expenses of the Marine Hospital.

Commissioners may sue for fines, &c.

44. *And be it further enacted*, That if any person shall be sued for any thing done in pursuance of this act, it shall be lawful for such person to plead the general issue, and to give this act and the special matter in evidence.

And plead the general issue.

45. *And be it further enacted*, That all acts and parts of acts, of the legislature of this state, inconsistent with the provisions contained in this act, or which come within the purview thereof, be, and the same are hereby repealed.

I CERTIFY the preceding to be a true copy of an original Act of the Legislature deposited in this office. Albany, April 14th, 1820.

J. V. N. YATES,
Secretary of State.

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