

A.
Compilation
of the
Health-Laws
of
Pennsylvania.



COMPILED

BY

HEALTH-LAWS

OF THE

STATE

OF

PENNSYLVANIA



Philadelphia

PRINTED BY WACHSMAN & SON, JUNIOR

1798

1798

A

COMPI LATION

OF THE

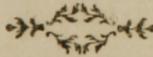
✓
HEALTH-LAWS

OF THE

S T A T E

OF

PENNSYLVANIA.



Philadelphia:

PRINTED BY ZACHARIAH POULSON, JUNIOR,

No. 106, Chestnut-street, nearly opposite to the Bank of North America.

1798.

COMPLIATION

COMPLIATION

OF THE

THE ALTHALWES

in order to prevent the introduction of contagious diseases from the port and city of Philadelphia, and to regulate the importation of German and other passengers.

[Act of June 1st 1837]

WHEREAS, the laws for preventing pestilential and infectious diseases being brought into the commonwealth have proved defective, and the increasing intercourse between the United States and foreign countries renders it necessary to provide as well for the establishment of an efficient health-office, as for otherwise more effectually preventing the port and city of Philadelphia from the introduction of pestilential and contagious diseases, and regulating the importation of German and other passengers;

Section 1. Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the messuage, tenements and lot of ground, situated and being on the north side of the river Delaware, commonly called Stone-Island, which have heretofore been reserved, occupied and employed for the purpose of a public hospital

A
C O M P I L A T I O N
O F T H E
H E A L T H - L A W S.

An act for establishing an Health-office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers.

[3d. vol. State Laws p. 553.]

WHEREAS the laws for preventing pestilential and infectious diseases being brought into this commonwealth have proved defective, and the increasing intercourse between the United States and foreign countries renders it necessary to provide, as well for the establishment of an efficient Health-office, as for otherwise more effectually securing the port and city of Philadelphia from the introduction of pestilential and contagious diseases, and regulating the importation of German and other passengers:

Section I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the messuage, tenements, and lot of ground, situated and being on the island in the river Delaware, commonly called State-Island, which have heretofore been reserved, occupied and employed for the purpose of a public hospital

Establishment of a Health-office on State-Island

hospital or pest-house, shall be, and the same are hereby, erected and established into an Health-office for the port of Philadelphia; and the Inspectors of the said Health-office, hereinafter mentioned, shall cause the said messuage, tenements and lot of ground, and such other buildings as they shall at any time deem it expedient, for the uses herein prescribed, to erect and build on the said lot, to be in such form and manner constructed, contrived, arranged, kept and disposed of, as shall most effectually provide for the comfort, relief and security of the sick persons, who may be lawfully sent, removed to, or placed in the said Health-office, for smoaking, cleansing and purifying such goods, wares, merchandize and cloathing, infected, or suspected to be infected, as may for that purpose be there landed and delivered, and for accommodating the several officers of the said Health-office, according to their respective stations therein; and that the business of the said Health-office may be well and certainly conducted, there shall be appointed by the Governor a Resident Physician, a Consulting Physician, and an Health-officer; and the Inspectors herein after mentioned shall appoint, in the manner herein after directed, a Steward, a Matron and so many Assistants or Nurses, as they shall from time to time find requisite and proper to be employed in attending upon the sick persons aforesaid, or in fumigating, cleansing and purifying the goods, wares, merchandize and cloathing, which may be landed and delivered at the said Health-office, for the purpose and in the condition aforesaid.

Section II. *And be it further enacted by the au-*

thority aforesaid, That it shall be the duty of the Resident Physician permanently to reside at the said Health-office on State Island, diligently and impartially with his best skill to attend upon and to administer medical assistance to each and every sick person that shall be therein lodged and carefully

A Resident Physician, Consulting Physician, and Health officer, to be appointed by the Governor;

Steward, Matron, Assistants and Nurses, by the Inspectors.

Duty of the Resident Physician. Supplied by the fourth section of the act passed April 4, 1798.

fully

fully to visit and examine and report all ships and vessels entering the port of Philadelphia from places beyond sea; and if upon examining any ship or vessel it shall appear to the said Resident Physician that the persons on board the same are free from every pestilential or contagious disease (exclusively of the small-pox and measles) and he shall see no cause to suspect that the cargoe, or any part thereof, is infected, he shall forthwith deliver to the captain or master of such ship or vessel a certificate reporting the wholesome state of the persons and cargoe on board thereof to the Health-officer residing in the city of Philadelphia; and the said captain or master may thereupon proceed according to his destination, and shall deliver such certificate to the said Health-officer, within the space of twenty-four hours from and after the arrival of his ship or vessel opposite to the city of Philadelphia; but if it shall appear to the said Resident Physician that any person or persons on board of any ship or vessel is or are afflicted with any pestilential or contagious disease (the small-pox and measles excepted) or if there shall be any cause to suspect that the cargoe or any part thereof, is infected with any such disease, he shall detain such ship or vessel at anchor in the stream of the river Delaware, opposite to the said Health-office, until the person or persons so afflicted, or the cargoe, or the part thereof, so infected, shall be landed at the said Health-office, and also until such further effectual measures shall have been used for cleansing and purifying the ship or vessel itself, as the said resident Physician shall devise and direct; and when it shall appear to the said resident Physician, that such last mentioned ship or vessel has been effectually cleansed and purified, he shall deliver to the captain or master thereof a certificate, reporting to the said Health-officer residing in the city of Philadelphia the number of sick persons, and the quantity of goods, wares and merchandize, landed therefrom at the

To attend the Hospital, and visit all vessels.

Proceeding where the vessels are wholesome.

Proceeding where the vessels are sickly.

said

Compen-
sation of the
Resident
Physician.

Altered by
the fourth
section of
the act
passed the
fourth of
April 1796.

The duty
of the Con-
sulting
Physician;
to assist the
Resident
Physician:

to visit ves-
sels previ-
ously de-
tained at
the Health-
office;

or reported
to be sickly;

said Health-office, and the measures which have been used for cleansing and purifying the said ship or vessel, and the said captain or master may thereupon proceed, according to his destination, and shall deliver such last mentioned certificate to the said Health-officer, within the space of twenty-four hours from and after the arrival of his ship or vessel opposite to the city of Philadelphia; and in lieu of all fees, perquisites and emoluments whatsoever, the said Resident Physician shall have and receive for his services under this act, for every such vessel, two dollars and sixty-seven cents.

Section III. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Consulting Physician, from time to time, upon the request of the Resident Physician, Health-officer, or Inspectors, to visit the Health-office, and to assist the Resident Physician, as well in examining any ship or vessel there detained on account of any pestilential or contagious disease, as in administering medical aid to the sick persons therein accommodated: And upon the arrival opposite to the city of Philadelphia of any ship or vessel, which shall have been previously detained at the Health-office by the Resident Physician, for the causes and in the same manner herein before mentioned (of which arrival the Health-officer shall give due notice) or upon receiving information from the Health-officer, Inspectors or other persons whomsoever, that any ship or vessel has arrived opposite to the city of Philadelphia, on board of which any person or persons is or are afflicted with any pestilential or contagious disease, or that there is just cause to suspect that the cargo, or any part thereof, contained in any ship or vessel so arriving is infected with any such disease, it shall be the duty of the said consulting Physician, in either of the foregoing cases to visit and carefully examine such ship or vessel; and he shall thereupon have and exercise the authority to direct any sick person or persons,

sons, or any infected goods, wares and merchandize, on board the said ship or vessel, to be removed to the said Health-office, or, if the case so require, he shall direct the ship or vessel itself to be moved to a convenient station opposite to the said Health-office there to remain until such effectual measures shall have been used for cleansing and purifying the same as the Resident Physician, with the advice of the said Consulting Physician, shall devise and direct; and whenever the Consulting Physician shall so as aforesaid direct the removal of any sick person or persons, or of any goods, wares and merchandize or of any ship or vessel, at the proper cost and charge of his employers, within such reasonable time as the Consulting Physician, under a due consideration of circumstances, shall allow and prescribe; and the said Consulting Physician shall have and receive for each and every visit which he shall pay to the Health-office as aforesaid, the sum of eight dollars, and for each and every visit and examination of any ship or vessel as aforesaid the sum of eight dollars, and no more, which sums respectively shall be paid by the master, captain, owner or consignee of the ships or vessels respectively so visited and examined, or from which were landed the sick persons, on whose account such visits to the Health-office were respectively made.

proceedings
and power
of the Con-
sulting
Physician in
such cases;

and his
compensa-
tion.

Section. IV. *Be it further enacted by the authority aforesaid,* That it shall be the duty of the Health-officer, at seasonable and proper hours, on each and every day (Sunday excepted) to open and keep a public office, at some convenient place in the city of Philadelphia, whereat all masters or captains of ships or vessels shall deliver the certificates or bills of health to them granted by the Residing Physician as aforesaid; and the Inspectors of the Health-office shall there assemble and meet as often as they deem needful, or shall thereto be summoned by the Health-officer, for the purpose of executing the duties and trusts of their appointment:

The duty of
the Health-
officer.

to keep an
office in the
city.

And

to file bills
of health,
and regis-
ter arrivals;
purport of
theregister;

to visit ves-
sels previ-
ously de-
tained at
the Health-
office;

or reported
to be sickly;

his proceed-
ings and
powers in
such cases;

to attend
the meet-
ings of the
Inspectors;

And the said Health-officer shall file and preserve in good order all the certificates or bills of health so delivered, and shall keep a register of the ships or vessels for which the same were respectively granted; and the said register shall describe the names of the masters or captains, the names and places of abode of the owners and consignees of the ships or vessels respectively, the port or ports from which the ships or vessels respectively sailed, or at which they touched during their respective voyages, and the number of persons on board thereof respectively at the time of their leaving their respective ports of departure, and also at the time of their arrival respectively at the port of Philadelphia; and the said Health-officer, with the Consulting Physician, shall as speedily as conveniently may be, visit and examine all such ships or vessels arriving opposite to the city of Philadelphia, as have been previously detained by the Resident Physician opposite the Health-office, on account of having any pestilential or contagious disease on board thereof, and also all such other ships or vessels so arriving, as, upon due information as aforesaid, shall be suspected to have on board any person or persons afflicted, or any goods, wares or merchandize, infected with any pestilential or contagious disease; and if in either of the foregoing cases the said Consulting Physician shall direct the removal of any person or persons, or of any goods, wares or merchandize, or of any ship or vessel, agreeably to the authority for that purpose to him therein before given, the Health-officer shall superintend, and by all lawful means enforce a compliance with such direction; and he shall also attend at the Health-office, when the meetings of the Inspectors hereinafter directed shall there be holden, and at such other times as shall be requisite for discharging the duties of his appointment; and he shall superintend the reception and discharge of each and every patient, and take accounts of the receipt and re-delivery of all
and

and singular the goods, wares and merchandize, landed at the said Health-office; and he shall direct, examine and controul the conduct of the steward, matron, nurses and assistants, in all things touching the duties of the said Health-office, the care of the patients therein accommodated, and the smoaking, cleansing and purifying the goods, wares and merchandize, for that purpose there landed and received; and, generally, he shall enforce and execute the regulations and instructions of the Inspectors, and do and perform, or cause to be done and performed, all matters and things for the well ordering and securing of the said Health-office, and for attaining the salutary objects of its institution; and the said Health-officer, in full compensation of his services, shall have and receive from the master or captain of each and every ship or vessel, permitted by the Resident Physician to pass the Health-office without detention as aforesaid, the sum of twenty-five cents, to be paid at the time of delivering at his office in the city of Philadelphia the certificate or bill of health of such ship or vessel, and for each and every other ship or vessel which he shall visit, together with the Consulting Physician, in the cases before mentioned, the sum of two dollars and sixty-seven cents, to be paid to him on demand by the master, captain, owner or consignee of such ship or vessel.

to superintend the Health-office;

and to execute the regulations of the Inspectors.

His compensation.

Section V. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Steward to receive and accommodate all persons duly sent to the Health-office, and to receive and store all goods, wares and merchandize, there duly landed; to procure and issue all necessary supplies for the use of the Health-office; to keep regular accounts, as well of such supplies, as of the reception and discharge of all persons, or the receipt and re-delivery of all goods, wares and merchandize, landed at the Health-office; and, generally, to obey and enforce all such orders and regulations,

The duty of the steward;

as the Inspectors, the Resident Physician, or Health-officer, according to their respective stations, shall establish and declare: And it shall be the duty of the matron to attend the sick persons, who shall from time to time be accommodated in the Health-office, and to inform, regulate, and direct the conduct of the nurses, whom the Inspectors shall authorize to be employed in assisting her: And the said steward, matron, nurses, and other assistants, shall have and be allowed such compensation or wages respectively, as the Inspectors shall deem reasonable and just, to be paid out of the fund arising from forfeitures and penalties, and from the fees and charges for medicine and attendance, in the case of the sick, and for labor and materials in the case of smoaking, cleansing and purifying goods, wares and merchandize, to be paid as is herein after directed from the master captain, owner or consignee of the ships or vessels respectively, from which the same were landed as aforesaid.

and of the
matron.

Their com-
pensation.

Inspectors
of the
Health-of-
fice, how to
be appoint-
ed.

*Altered by
the first sec-
tion of the act
passed the
fourth of
April, 1798.*

Section VI. *And be it further enacted by the authority aforesaid,* That the Mayor or Recorder and Aldermen of the city of Philadelphia, together with three Justices of the Peace of the Northern Liberties and district of Southwark respectively, on the first Monday of May next, and on the same day of the same month in each and every year thereafter, shall appoint twenty-four persons, of whom fourteen shall be inhabitants of the city of Philadelphia, five shall be inhabitants of the Northern Liberties, and five shall be inhabitants of the district of Southwark, to be Inspectors of the Health-office of the port of Philadelphia by this act established; and the Inspectors so appointed shall, within three days from and after their annual appointments respectively, assemble at the office of the Health-officer in the city of Philadelphia, and then and there divide themselves, by ballot, into four classes, each class consisting of six Inspectors;

tors; and each class, according to a rotation to be in like manner and at the same time settled and fixed, shall be deemed to be on actual duty for the term of one month, and shall be competent to exercise all the powers by this act given to the [Inspector*] of the Health-office; and at least three of the Inspectors of the class from time to time actually on duty shall attend once in every week, or oftener, if necessary, or if any two Inspectors shall require it, at the Health-office on State-Island and shall inspect and regulate the management thereof, and the conduct of the officers therein appointed; and, generally, shall do and perform all and singular the other matters and things by this act directed to be by them done and performed; And the Inspectors of each class, taking to their assistance the Resident Physician and Health-officer, shall, on the day succeeding the expiration of their respective monthly tours of duty, make a report in writing to the Governor of the condition of the Health-office, and of the number and diseases of the patients therein from time to time accommodated; and the Inspectors of each class, with the approbation of the Mayor or Recorder, two Aldermen, and two of the Justices of the districts aforesaid, may and shall make and establish a table of rates, therein specifying the charges for boarding, lodging, nursing, medicinal attendance, and funeral expenses, to be paid on account of sick persons sent to the said Health-office, and also for storing, cleansing and purifying goods, wares and merchandize, for that purpose there landed and delivered; and with the like approbation they shall make and ordain all rules and regulations deemed necessary and proper for carrying this act into effect, so far as the same relates to the order and management of the Health-office, and in every room thereof, a printed copy of such rates, rules and regulations, shall be hung up and conspicuously exhibited; and if any per-

and how to be divided into classes.

Duty of the Inspectors;

to regulate the Health-office;

to report to the Governor at the end of each tour of duty;

to establish rates of charges;

to make rules and regulations, which shall be hung up in each room.

* In the original the word is so written.

Penalty on obstructing the Inspectors.

They may appoint and dismiss the steward and matron, and employ nurses and assistants.

Penalty if Inspectors neglect or refuse to serve.

Of vacancies in the office of Inspector.

son whomsoever shall obstruct or resist the said Inspectors, or any of them, in the exercise of the powers to them given, or in performance of the duties from them required by this act, such person shall forfeit and pay the sum of one hundred dollars, to be recovered and appropriated as is herein after provided and directed; and the Inspectors, with the approbation of the Mayor, Recorder, two Aldermen, and two of the Justices of the Peace of the district aforesaid, may and shall appoint, and in like manner dismiss upon reasonable cause, the steward and matron of the Health-office; and each class of Inspectors shall have authority to employ so many nurses and assistants, as they shall from time to time deem necessary and proper; and if any person appointed an Inspector, not having a reasonable excuse, to be approved by the Mayor or Recorder, two Aldermen, and six Justices aforesaid, shall refuse or neglect to serve in the office of Inspector, such person shall forfeit and pay the sum of twenty dollars, to be recovered and appropriated as is herein after provided and directed; and if by death, refusal to act, or by removal of any inspector from the place for which he was appointed, a vacancy shall happen in the said office, the rest of the Inspectors, belonging to the class in which such vacancy may happen, shall notify the same to the Mayor or Recorder, two Aldermen, and six Justices, and who shall thereupon proceed with all convenient dispatch to supply the vacancy, unless it shall appear to them unnecessary so to do, because of the near approach of the next ensuing annual period of appointment, or because the Inspectors of the class in which such vacancy may happen shall have completed the tours of of duty to which they were liable.

Section VII. *And be it further enacted by the authority aforesaid,* That every master or captain of any ship or vessel coming from beyond sea (vessels actually employed in the coasting trade of the United

United States excepted) and bound to any port or place within the jurisdiction of Pennsylvania, shall cause his ship or vessel to be brought to anchor, or otherwise stayed in the stream of the river Delaware, opposite to the Health-office on State-island aforesaid, and there to remain until he shall have duly obtained a certificate or bill of health from the Resident Physician, in the manner and upon the terms herein before directed; and if, previously to obtaining such certificate or bill of health any master or captain shall suffer his ship or vessel to approach nearer than the said Health-office to the city of Philadelphia, or shall land or cause or suffer to be landed or brought on shore at any port or place within this commonwealth, or at any other port or place, with the intent to be conveyed into this commonwealth, any person or persons, or any goods, wares or merchandize, or if after receiving such certificate or bill of health, he shall neglect or refuse to deliver the same to the Health-officer, agreeably to the directions of this act, such master or captain shall forfeit and pay for each and every such offence, the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed; and the captain or master of each and every ship or vessel, as soon as the same is brought to anchor or otherwise stayed, as aforesaid, shall send a safe and commodious boat to bring the resident Physician on board of the ship or vessel, and shall in like manner convey him back to the Health-office, after he has concluded his official examination; and while he is making such examination, or in case of any subsequent examination by the Health-officer and Consulting Physician, agreeably to the directions of this act, the captain or master shall expose or cause to be exposed to the search of the Resident Physician, or of the Health-officer and Consulting Physician, as the case may be, each and every part of the ship or vessel, and shall present

All vessels from beyond sea to be brought to and remain at the Health-office, till examined and certified.

Penalty, if any captain comes nearer Philadelphia, lands persons or goods, or does not deliver his certificate to the Health officer.

See sections second and third of the act passed the fourth of April, 1798.

Boat to be sent for the Resident Physician.

The vessel and crew to be exposed to search and examination.

to

Answers to
be made
by the cap-
tain to offi-
cial enqui-
ries.

Penalty on
not comply-
ing in
the above
cases.

to his view each and every person on board thereof and shall also true and satisfactory answers make to all such questions as the Resident Physician, at the time of examination, or the Health-officer, at the time of delivering the certificate or bill of health in the city of Philadelphia, or at the time of any examination to be had by the Health-officer together with the Consulting Physician, shall ask relative to the health of any port or place from which the ship or vessel sailed, or has since touched at, the number of persons on board when the ship or vessel entered on her voyage, the number of persons that have since been landed or taken on board, and when, and where respectively, what persons on board, if any, have been during the voyage, or shall at the time of examination be, infected with any pestilential or contagious disease, what persons belonging to the ship or vessel, if any, died during the voyage, and of what disease, and what is the present state and condition of the persons on board, with respect to their health and diseases; and if any captain or master of any ship or vessel shall refuse to expose the same as aforesaid to the search and examination of the Resident Physician, or of the Health-officer and Consulting Physician, as the case may be, or if, having on board his ship or vessel any such person or persons, he shall conceal the same, or if in any manner whatsoever he shall knowingly deceive or attempt to deceive the proper officers aforesaid, in his answers to their official enquiries, such captain or master, for each and every such offence, shall forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed; and wherever the Resident Physician or Consulting Physician, as the case may be, shall direct any person or persons, or any goods, wares or merchandize, to be landed at the Health-office, or any ship or vessel to be detained opposite thereto, and there to be smoked, cleansed and purified,

the

the captain of the ship or vessel shall in all respects conform to such directions, and shall at the proper cost and charge of his employers carry the same into effect, within such reasonable time as the Resident Physician or Consulting Physician, as the case may be, shall allow and prescribe; and if any master or captain shall refuse or neglect to conform to the said directions, and to carry the same into effect as aforesaid, according to the respective objects thereof, he shall forfeit and pay the sum of five hundred dollars for each and every offence, to be recovered and appropriated as is hereinafter provided and directed.

persons or goods, infected, to be landed at the Health-office by the captain.

Penalty on neglect or refusal so to do.

Section VIII. *And be it further enacted by the authority aforesaid,* That whenever the Governor shall receive satisfactory information that any pestilential or contagious disease prevails in any foreign port or place, or in any port or place within the United States, he shall forthwith, by proclamation, give public notice thereof, and direct that any and every ship or vessel (whether there be or be not on board thereof any sick person or persons, or any infected goods, wares and merchandize, and whether the same be or be not actually employed in the coasting trade of the United States) coming from or having touched at any such port or places respectively, to be stopped and detained in the stream of the river Delaware, opposite to the said Health-office; and the master or captain, and all persons on board of such ship or vessel, shall there do, execute and perform reasonable quarantine, and such other cautionary measures for preventing the introduction of any pestilential or contagious disease into this commonwealth, as the Resident Physician, with the advice of the Consulting Physician, shall in such case devise and prescribe; and upon the publication of any proclamation as aforesaid, the Health-officer shall with all possible dispatch, communicate the contents thereof to the pilots belonging to the port

The Governor shall issue a Proclamation, directing vessels coming from infected places to perform quarantine.

Captains of vessels to comply therewith.

of

The pro-
clamation
to be noti-
fied to pi-
lots.

Penalty on
disobeying
the same,
by master
or pilot.

Penalty for
going on
board of
any vessel,
or permit-
ting the
same, be-
fore she has
received a
bill of
health.

of Philadelphia; and if the master or captain of any ship or vessel, coming from or having touched at any port or place, in which any pestilential or contagious disease prevails as aforesaid, shall suffer his ship or vessel to be brought, or if any pilot shall knowingly bring the same, nearer than the said Health-office to the city of Philadelphia, it shall be the duty of the Health-officer forthwith to remand such ship or vessel to a station opposite to the said Health-office, and the master or captain and pilot so offending shall severally forfeit and pay each the sum of fifty dollars, to be recovered and appropriated as is herein after provided and directed; and the pilot shall moreover forfeit his branch as a pilot of this port; and if any person or persons whomsoever (the Resident Physician, Consulting Physician, Health-officer, Inspectors, and official assistants and officers, employed and authorized to visit ships and vessels by the laws of the United States excepted) shall go on board of any ship or vessel, before the master or captain thereof has duly received a certificate or bill of health, in the manner directed by this act, authorizing and permitting him to proceed with his ship or vessel according to his destination or before any ship or vessel shall have performed the quarantine, and such other cautionary measures as may lawfully be devised and directed by virtue of this act in the cases herein specified, every person so offending, and every master or captain suffering such offence to be committed, shall severally forfeit and pay each the sum of one hundred dollars, to be recovered and appropriated as is herein after provided and directed.

Section IX. *And be it further enacted by the authority aforesaid,* That every diseased person, duly landed or sent to the Health-office as aforesaid, shall be there kept and maintained, until the Resident Physician and at least two of the Inspectors shall grant him or her a discharge in writing; and

if

if, before obtaining a discharge as aforesaid, any such person shall elope or otherwise absent himself from the Health-office, it shall be lawful for the Health-officer, or 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 escaping or absenting himself or herself from the said Health-office, there again deliver him or her, to be detained until he or she be duly discharged as aforesaid; and moreover the person so eloping and absenting himself or herself shall, for each and every offence, forfeit and pay the sum of one hundred dollars, or suffer such other punishment, by solitary confinement and spare diet, as the Inspectors and Physician shall in that behalf ordain and award; and if any master or captain shall knowingly receive and employ on board of his ship or vessel, or if any house-keeper or other inhabitant of this commonwealth shall knowingly receive, harbour or in any wise entertain any person so eloping or absenting himself or herself from the said Health-office, without having previously obtained a discharge as aforesaid, each and every master or captain, and each and every householder or inhabitant, so respectively offending, shall forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed; and the expense and charge of boarding, lodging, nursing, physic, maintenance, and other necessaries, which shall be provided for the diseased persons landed and sent to the Health-office aforesaid, and also of burying them, in case of their death, shall be paid and discharged by the importer, master or captain, owner or consignee of the ships or vessels respectively, in which such diseased persons were respectively imported, agreeably to the rates in that behalf by the Inspectors to be ordained and established in the manner herein before directed; and it shall be lawful for the Mayor or any Alderman

Patients to be kept and maintained at the Health-office, till discharged. Proceedings and penalty on their eloping sooner.

Penalty on receiving, &c. such run-aways.

How the expense of patients shall be defrayed.

Bonds may be demanded for that purpose.

Proceed-
ings on re-
fusal to give
bond.

In what
cases the
expenses
shall be re-
paid to the
captain, &c.
of the vessel.

Of goods,
&c. landed
to be cleansed;

of the city of Philadelphia, or for any Justice of the Peace, and they are respectively hereby enjoined and required, on application to any of them made by the Health-officer, to summon the importer, master or captain, owner or consignee of any ship or vessel, from which any diseased person or persons have been landed or sent to the Health-office as aforesaid, and to oblige such importer, master or captain, owner or consignee, some or one of them, to give bond to the said Health-officer, with one good and sufficient surety, in a competent sum of money, to pay and satisfy the full amount of the expenses and charges aforesaid; and in case the said importer, master or captain, owner or consignee, shall refuse or neglect to appear, or shall refuse to become bound in the manner aforesaid, the Mayor, Alderman or Justice, before whom he is summoned to appear, shall commit him to the common gaol of the city and county of Philadelphia, there to remain, without bail or mainprize, until he shall conform to the directions of this act: *Provided always nevertheless*, That where the diseased persons are passengers, and not servants, the said expense and charges shall be repaid by them, their executors or administrators, to the captain or master, owner or consignee, who shall pay and satisfy, or be bound to pay and satisfy, the same as aforesaid.

Section X. *And be it further enacted by the authority aforesaid*, That all goods, wares and merchandize, landed and delivered at the said Health-office, in pursuance of the provisions in this act contained, shall be taken into the custody of the steward of the Health-office, and be by him safely kept, with as little waste and damage thereof as is possible; and the steward and the assistants for that purpose appointed shall, under the directions and controul of the Health-officer, use all such effectual means for smoaking, cleansing and purifying the said goods, wares and merchandize,

as

as the Resident Physician, with the advice of the Consulting Physician, shall from time to time de-
 vise and prescribe; and when the said goods, wares
 and merchandize, shall be so effectually smoaked,
 cleaned and purified, the said steward shall make
 re-delivery thereof to the captain, master, owner
 or consignee of the ship or vessel, in which the
 same were imported, upon an order or permit in
 writing for that purpose to be granted by the Re-
 sident Physician, and at least two of the Inspectors,
 and not otherwise, but the master, captain, owner
 or consignee of such goods, wares and merchand-
 ize respectively, before the re-delivery thereof as
 aforesaid, shall pay and satisfy unto the Health-offi-
 cer the full amount of the expense and charges for
 storing, keeping, smoaking, cleansing and puri-
 fying the same, agreeably to the rates in that be-
 half by the Inspectors to be ordained and esta-
 blished, in the manner herein before directed; and
 in case of refusal to pay and satisfy the amount of
 such expense and charges, or in case any goods,
 wares and merchandize, shall be effectually smoak-
 ed, cleaned and purified, the master, captain,
 owner or consignee, of the ship or vessel, in which
 the same were imported, shall neglect or refuse to
 receive, and at their proper cost and charge to re-
 move the same, within the term of ten days from
 and after notice for that purpose to them, or any
 or either of them, given, it shall and may be law-
 ful for the said Health-officer, and he is hereby
 required to advertise, on three several days, that
 there will be exposed to public sale, and on the
 day and at the place prefixed by such advertisement
 he shall sell, to the highest bidder, the said goods,
 wares and merchandize, or so much thereof as
 shall remain unremoved after notice as aforesaid,
 and, having deducted and retained from the pro-
 ceeds of such sale the amount of the expenses and
 charges aforesaid, and also the reasonable expense
 and charge of making the sale, the Health-officer
 shall

of re-delivering thereof, after the same shall be cleaned;

of paying the expenses thereof;

or selling the same for charges.

shall pay over the balance, if any, to the master or captain, owner or consignee of the proper ship or vessel, or any one of them.

Section XI. *And be it further enacted by the authority aforesaid,* That no master or captain of any ship or vessel, bound to any port or place within this commonwealth, shall bring within the capes of the bay and river Delaware, or into any port or place within this commonwealth, any greater number of passengers, servants, or other persons whatsoever, than can and shall be well supplied with sufficient good and wholesome drink and meat, and other necessaries, particularly vinegar, as well to wash and cleanse the vessel, as for the use of the persons on board during the voyage; and the room or birth that shall be allowed to each single person on board such ship or vessel, of the age of fourteen years and upwards, or to two persons being under that age, shall be at least six feet in length, and one foot six inches in breadth, and if the same shall be situated in the forepart of the ship or vessel, between decks, it shall be the height at least of three feet nine inches, and if it be situated in the cabin or steerage, it shall be the height at least of two feet nine inches; and no more than two whole freight persons shall be put together in one birth, bedstead or division, except in the case of parents and children, when they shall approve and desire the same to be done and allowed; and every master or captain of any ship or vessel importing passengers, servants or other persons whatsoever, by or for whom the number of fifty whole freights, or upwards, shall be payable, shall at the charge of the owner or owners of his ship or vessel, provide and employ a skilful Physician of good character, and a chest, with a competent assortment of medicines, for the use and accommodation of all persons whatsoever on board his ship or vessel; and the Physician so provided shall administer medicine and medicines to all sick persons on board

the

Of the importation of passengers, their number not to exceed what can be well provided and accommodated.

Dimensions of their births.

Where there are fifty whole freights, a doctor to be employed.

His duty.

the ship or vessel, according to his best skill and judgment, as often as occasion shall require, without asking, demanding or receiving any pay or satisfaction therefor from such sick persons respectively, and every master or captain of any ship or vessel containing the number of whole freights aforesaid, shall, twice in every week, during the voyage, cause the ship or vessel to be thoroughly smoaked, by burning tar between decks, if the same can be done without injury to any sick person or persons that may be on board; and shall also twice in every week, if the weather will permit, during the voyage, cause the ship or vessel to be well washed with vinegar; and while the means aforesaid shall be using to cleanse the ship or vessel, the master or captain thereof may require and compel all persons, not incapacitated by sickness or other reasonable cause, to come and remain on deck, until such cleansing shall be performed and compleated; and if any master, captain, or other person whomsoever, on board of any ship or vessel, shall, at a greater price than fifty per cent. profit upon the first cost, retail or sell unto any passenger or passengers any wine, brandy, rum, geneva, cordials, beer, cyder, or other spirituous liquors, or any grocery, spices, or other necessaries for sick persons, the master, captain, or other person, so offending, shall, for each and every offence, forfeit and pay the sum of fifty dollars, to be recovered and appropriated as is hereinafter provided and directed; and if any master, captain, or other person, whether severally or altogether, shall during the voyage, trust or credit any one passenger with more liquor, or other articles whatsoever, than shall amount in the whole to the value of four dollars, or if more than one-third part of that sum shall be for spirituous liquors, the master, captain, or other person, so trusting or crediting, shall be disabled from recovering any debts for all and any such articles from any passenger so trusted or credited; and

Of smoaking and cleansing ships at sea.

Penalty for selling liquors, &c. at more than fifty per cent. advance.

Trusting passengers with liquors exceeding four dollars, the debts not recoverable

the

The visit-
ing officers
to enquire
whether
these direc-
tions are
complied
with.

Of the Ger-
man inter-
preter.

by whom
to be ap-
pointed,
and how
to be qual-
ified.

The
Health-of-
ficer to visit
vessels with
passengers
weekly.

Compen-
sation of the
interpreter.

Penalty for
transgress-
ing the di-
rections of
this section.

the Resident Physician, Consulting Physician and Health-officer, respectively, on visiting any ship or vessel bound to any port or place within this commonwealth, as aforesaid, shall diligently enquire whether the directions herein given have been fully complied with; and on the arrival of any vessel importing German passengers opposite to the city of Philadelphia, the Health-officer shall moreover visit the same, and take with him a respectable German inhabitant of the city of Philadelphia, well versed in the English and German languages, to be his interpreter; and the said interpreter shall be appointed and commissioned by the Governor, and shall take an oath or affirmation, before the Mayor, of the city of Philadelphia for the time being, that he will well and faithfully interpret between the Health-officer and such German passengers, and in all other respects diligently and uprightly execute the duties of his appointment; and the Health-officer shall, at least once in every week, taking with him the said Interpreter, in case of a ship or vessel importing German passengers, go on board every ship or vessel having passengers, to examine whether they are accommodated agreeably to the directions of this act; and the said interpreter, for the first visit, shall have and receive the sum of two dollars, and for every subsequent visit the sum of one dollar, to be paid by the master, captain, owner or consignee of the ship or vessel so visited; and if any master or captain of any ship or vessel shall not have provided a sufficient quantity of good and wholesome provisions, vinegar, and other necessaries, as aforesaid, or if he shall not have allowed a room or birth to the persons on board his ship or vessel agreeably to the directions of this act, or if having the number of fifty whole freights, as aforesaid, he shall not have provided a Physician and chest of medicines, for the use and accommodation of all persons on board his ship or vessel,

vessel, or shall have neglected during the voyage to cleanse the ship or vessel, in the manner herein before in such case directed, such master or captain shall, for each and every of the foregoing offences, forfeit and pay not less than five hundred dollars, nor more than fifteen hundred dollars, to be recovered and appropriated as is hereinafter provided and directed.

Section XII. *And be it further enacted by the authority aforesaid,* That every master or captain of any ship or vessel importing passengers into this commonwealth shall give, or cause to be given, unto each of such passengers, a bill of lading, in the common form, for all such goods, wares and merchandize, belonging to such passengers respectively, as they require no access to during the voyage, and shall be put into the hold of the same ships or vessels respectively, in which they are respectively passengers, or in any other ship or vessel, by the master, captain or merchant, hired to carry the goods, wares and merchandize, of such passengers; but for all such goods, wares and merchandize, as the passengers respectively shall have between decks, in their own charge, the master or captain shall not be obliged to give bills of lading, or be answerable for any loss, damage or embezzlement thereof; and if any master or captain shall refuse or neglect to give a bill of lading in the cases herein directed, he shall, for each and every offence, forfeit and pay the sum of one hundred dollars, to be recovered and appropriated as is hereinafter provided and directed.

Bills of lading to be given to passengers, for goods put into the hold.

but for goods in their own charge, themselves only responsible.

Penalty on refusing to give bills of lading.

Section XIII. *And be it further enacted by the authority aforesaid,* That every passenger brought in any ship or vessel into this commonwealth, as aforesaid, on paying or tendering to the master, captain, owner or consignee of such ship or vessel, his or her freight, if a single person, and also, if married or having children, the freight of his or

Passengers to be discharged, on paying or tendering their freight, and their goods land-without charge.

her

her family, the full sum for which he or she agreed in Europe, either in the coin or specie in his or her contract mentioned, or in Pennsylvania currency, equivalent thereto, shall be immediately discharged from such ship or vessel, and all his or her goods, wares and merchandize, on board thereof, to him or her in good order delivered on shore, without any further cost or charge of landing them; and any master, captain, owner or consignee, refusing to accept such tender, and to put on shore the person by whom or on whose behalf the tender was made, with all his or her goods, wares and merchandize, as aforesaid, shall, for each and every offence, forfeit and pay the sum of fifty dollars, to be recovered and appropriated as is hereinafter provided and directed; and, moreover, shall be liable to be sued by the party injured, in action of trover and conversion, or of false imprisonment, as the case may require; but it shall and may be lawful for the master, captain, owner or consignee of any ship or vessel, importing passengers into this commonwealth as aforesaid, to keep and detain any such passengers who are unable to pay their freight on board the same ship or vessel, wherein they were respectively imported, for the space of thirty days next after their arrival opposite to the city of Philadelphia, in order that they may have time to find out relations or friends who may discharge their freight, or to agree with some person or persons who shall be willing to pay the same, in consideration of their servitude for a term of years, agreeably to custom; and every indenture, whereby any such passenger shall be bound to serve his or her master or mistress, shall be acknowledged before the Mayor of the city of Philadelphia, or in case of German passengers, before the Register of German passengers, according to law; but no master, captain, owner or consignee of any ship or vessel, shall separate any husband and wife, who came passengers in any such ship or vessel, by disposing

Penalty on
refusing fo
to do:

But they
may be
detained
thirty days
for their
freight.

Indenture
how to be
acknow-
ledged.

Husband
and wife not
to be sepa-
rated.

posing of them to different masters or mistresses, unless by mutual consent of such husband and wife; nor shall any passenger, without his or her consent, be disposed of to any person residing out of this commonwealth, under the penalty of one hundred dollars for each and every offence, to be recovered and appropriated as is hereinafter provided and directed; and, moreover, every indenture in such case made, without the mutual consent of the husband and wife as aforesaid, shall be void; and the master or captain of such ship or vessel shall, during the said term of thirty days, well and sufficiently provide for each and every passenger so retained and kept on board, good and wholesome meat, drink, and other necessaries and accommodations, at the proper cost and charge of the owner of such ship or vessel; but if any passengers shall continue on board any such ship or vessel after the expiration of the aforesaid term, the master or captain thereof shall provide for such passengers, at their cost and charge respectively, all necessaries and accommodations as aforesaid, to be added to the accounts of such passengers respectively, and recovered with their freights; and shall remove on shore all sick persons, whose diseases are not pestilential or contagious, and women near the time of labor, to some convenient house, and there provide them with necessary accommodations and nursing, the expense whereof shall be charged to such passengers respectively, to be added to and recovered with their freights; if, however, there shall be any sick persons on board of any such ship or vessel, who cannot be removed without danger, the master or captain may and shall make as convenient accommodation on board of the ship or vessel for such sick persons, as circumstances will admit of, or as the Health-officer and Consulting Physician, upon application or complaint to them made, shall order and direct.

Penalty on disposing of passengers to serve out of the state;

and indentures, in certain cases, void.

Passengers detained on board for their freight to be well provided, for thirty days, at the owners expense; afterwards, at the expense of the passengers.

Sick persons, &c. to be removed and provided for on shore;

but if they cannot be removed without danger, they shall be accommodated on board.

Section

D

Goods of
passengers
shall be a
pledge for
their
freight.

How exe-
cution may
be issued
against such
goods.

Passengers
going on
shore, leav-
ing their
goods as a
pledge,
shall have a
certificate
of such
goods.

Section XIV. *And be it further enacted by the authority aforesaid,* That from the time any ship or vessel shall have put to sea, all the goods, wares and merchandize of the passengers aforesaid, on board thereof, who have not paid for their passages at the place from whence they sailed, shall stand a lawful pledge for the freight money of such passengers, until the same shall be fully paid and satisfied; and it shall be lawful for the master, captain, owner or consignee of such ship or vessel, at any time within thirty days after the arrival of such passengers within this commonwealth, to apply to any two Aldermen or Justices of the Peace for the city or county, where such passengers shall be landed, for an execution against the goods, wares and merchandize of such passengers; and the said Aldermen or Justices are hereby empowered and required to issue a summons, directed to a constable of the place where the defendant liveth, to summon such defendant to appear before them on some certain day, therein to be expressed, not less than five nor exceeding eight days, from the date of such process, to shew cause why such execution should not be granted; and at the time appointed the said Aldermen or Justices, having heard the allegations and proofs of the parties, shall give judgment thereon, or, at the request of either of the parties, shall appoint auditors, or, if the defendant cannot be found or doth not appear, give judgment for the freight money that shall appear to be due, and award execution against the goods, wares and merchandize of such defendant, with such costs of suit as are by law allowed on the recovery of debts of equal amount; and the master, captain, owner or consignee of any ship or vessel importing passengers, as aforesaid, permitting any such passengers to go on shore from such ship or vessel, and retaining either on board, or in some store or other place on shore, all or any of the goods, wares and merchandize, belonging to such passengers for security of

of the payment of their freights respectively as
 aforefaid, fhall be obliged, under the penalty of
 five pounds (to be recovered and appropriated as
 is hereinafter provided and directed) to give to fuch
 paffengers refpectively a certificate fpecifying the
 goods, wares and merchandize, and the fum for
 which they are detained, with the time and terms
 on which they may be redeemed, by the payment
 of freight money and interest; but no paffenger
 fhall be obliged to pay any ftorage for goods, wares
 and merchandize, fo retained as aforefaid; and no
 mafter, captain, owner or confignee of any fuch
 fhip or vefTel, or any other perfon for them, or
 any of them, under any pretence whatever, fhall
 take any bill, bond, note, or other fpecialty or in-
 ftrument in writing whatfoever, from any fuch
 paffenger, nor make any contract with any fuch
 paffenger while on fhip board, or after his arrival
 within this commonwealth, to compel him or her
 to pay for the freight of another paffenger, except
 in the cafes herein before mentioned; and all bills,
 bonds, notes, fpecialties, inftruments, and con-
 tracts, fo made and taken, fhall be utterly null and
 void: *Provided always*, That if any fuch paffen-
 ger, after having difcharged his or her own freight,
 fhall be willing to enter into a joint obligation with
 any other paffenger or paffengers, who fhall re-
 main in debt for his, her or their freight, to fe-
 cure the payment thereof, fuch obligation fhall be
 good and valid in law.

Not bound
 to pay ftorage
 for
 fuch goods.

One paffen-
 ger not to
 be bound to
 pay for ano-
 ther;

unless he
 has firft
 paid his
 own freight

Section XV. *And be it further enacted by the
 authority aforefaid*, That the mafter or captain of
 any fhip or vefTel taking on board any paffenger,
 as aforefaid, to be landed within this commonwealth
 who, in their paffage hither, or foon after may
 die, leaving goods, wares and merchandize, mo-
 ney, or other effects whatfoever, on board, or in
 the hands and custody of any fuch mafter or cap-
 tain, fhall within the term of twenty days next after
 his arrival oppofite to the city of Philadelphia, or
 after

Proceed-
 ings as to
 the goods of
 perfons dy-
 ing at fea

after the decease of every such passenger, exhibit to the Register of Wills of the county in which the property is, a true and perfect inventory thereof, to the end, that, after payment of all just demands which shall be due to the master, captain, owner or consignee of such ship or vessel, the remainder may be committed to the custody of some proper person or persons, for the benefit of the wife and children, next of kin, or creditors, of the deceased, as the case may require, and the law in such case shall direct; and if any master or captain shall refuse or neglect to exhibit such inventory as aforesaid, he shall, for every such offence, forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is herein after provided and directed; and no master, captain, owner or consignee of any ship or vessel, shall charge the freight of any passenger so dying, as aforesaid, to his or her surviving relations, nor shall any passenger be compelled, against his or her will, to pay or make good by service all or any part of the freight of his or her relations dying as aforesaid: *Provided always*, That if any minor child, at the time of his or her importation, be of such an advanced age, that his or her service, until he or she arrives at the age of twenty-one years, shall not be equal and sufficient to pay and discharge the money due for his or her own freight or passage, then, and in such case, he or she may and shall be bound to serve for the same until the age of twenty-four years, and no longer, unless the said money can be raised by his or her service for a shorter term, any law, custom or usage, to the contrary notwithstanding.

Penalty on refusal or neglect to comply therewith.

Freight of passengers dying, not chargeable on their relations.

In what cases minors may be bound for their freight till twenty-four.

All vessels, captains, owners and consignees, bound for the forfeitures and penalties under this act.

Section XVI. *And be it further enacted by the authority aforesaid*, That for payment and satisfaction of all forfeitures and penalties which are imposed, and all sums of money directed by this act to be paid by the masters, captains, owners or consignees, as well the ships or vessels respectively, as the captains, masters, owners or consignees thereof, shall be

be and are hereby declared liable; and it shall be the duty of the Health-officer to collect, recover and receive the same, and all other forfeitures and penalties imposed, and sums of money directed to be paid, by this act; and the same shall be recover-
How recover-
able;
 able before any Alderman, Justice of the Peace, or Court of justice, having lawful jurisdiction to the amount of such forfeitures, penalties and sums of money respectively, and, when recovered and received, the same (if not otherwise herein before specifically appropriated) shall be appropriated by the
and how
appropriat-
ed.
 inspectors of the Health-office, on the drafts of any three of them, towards paying the wages of the steward, matron, nurses and assistants, the expense of keeping a boat and boat's crew for the use of the Health-office, under the direction of the Health-officer, and for defraying the cost of all other necessaries to carry on the business of the Health office, agreeably to the true intent and meaning of this act; and the Health-officer, for his trouble in collecting and receiving such forfeitures, penalties and sums of money (other than the fees payable for his own services) shall have, receive
Commis-
sion to the
Health-
officer, on
recovering
the same.
 and retain a compensation, at and after the rate of two and an half per centum on the amount so recovered and received.

Section XVII. *And be it further enacted by the authority aforesaid,* That all actions or prosecutions to be commenced against any master, captain, owner or consignee of any ship or vessel or other person, by virtue of this act, shall be brought within two months next after the arrival of the ship or vessel opposite to the city of Philadelphia; and if any action or suit shall be commenced against any person or persons, for any matter or thing done in pursuance of this act, the defendant or defendants may plead the general issue, and give this act and the special matter, in evidence, at any trial to be had thereupon; and if the plaintiff shall be nonsuited, or discontinue his action, or if judgment shall
Limitation
of prosecu-
tions under
this act.
General
issue may
be pleaded,
and the act
given in
evidence.

shall be given against him, the defendant or defendants shall recover treble costs, to be adjudged by the court.

Section XVIII. *And be it further enacted by the authority aforesaid,* That the act, entituled "An Act to prevent sickly vessels coming into this government;" the act, entituled "An Act for vesting Province-Island, and the buildings thereon erected and to be erected, in Trustees, for providing hospitals for such passengers as shall be imported into this province, and to prevent the spreading of infectious distempers;" the act, entituled "An act for prohibiting the importation of German or other passengers in too great numbers in any one vessel;" the act, entituled "A supplement to the act, entituled An act for prohibiting the importation of German or other passengers in too great numbers in any one vessel;" and the act, entituled "An Act to prevent infectious diseases being brought into this province;" shall be, and each and every of them are hereby, forthwith repealed, except so far as the same respectively provide and establish regulations for the importation of German or other passengers, which regulations shall continue in force until the first day of January, in the year one thousand seven hundred and ninety-five, but no longer; and the regulations by this act provided and established for the importation of German or other passengers shall be suspended until the said first day of January, in the year one thousand seven hundred and ninety-five, and no longer.

Section XIX. And in order to guard against the extension of any pestilential or contagious disease (the small-pox and measles excepted) that may at any time hereafter break out in the city of Philadelphia, the Northern-Liberties, and the district of Southwark, *Be it further enacted by the authority aforesaid,* That the Mayor or Recorder, and two Aldermen of the city, and the Commissioners of the

Repeal of former laws.

Prov. laws.

p. 12.

Dallas's edition p. 22.

Prov. laws,

p. 194.

Dallas's edition, 298.

Prov. laws,

p. 223.

Dallas's edition 234.

Prov. laws,

p. 312.

Dallas's edition 449.

Prov. laws,

p. 504.

Dallas's edition 690.

the city and county of Philadelphia, shall have authority to bargain for and purchase some convenient lot of ground, in the neighbourhood of the city of Philadelphia, easily accessible by water as well as by land, and the same to take and hold in trust, for the purpose of erecting and establishing thereon a public hospital; and the Inspectors of the Health-office shall have authority on the said lot to erect suitable buildings for a public Hospital, and shall also inspect and regulate the internal management thereof, and, when necessary, appoint a steward, matron, nurses and assistants therefor, in the same manner, and under the same penalties, and with the like regulations, as are provided and authorized in the case of the Health-office herein before established; and the Consulting Physician aforesaid, and such Assistant Physicians as shall from time to time be appointed for the purpose by the said Inspectors, shall attend and give medical aid to all the patients, that shall from time to time be lodged in the said public Hospital; and the Health-officer, shall enforce and superintend all the regulations for carrying into effect the objects of this institution; and all persons whomsoever (other than persons on board of any ship or vessel, and liable to be sent as aforesaid to the Health-office) residing within the city and county of Philadelphia, who shall be afflicted with any pestilential or contagious disease (the small-pox and measles excepted) may and shall, upon the advice and order of the Consulting Physician and any two Inspectors, be removed by the Health-officer, and such assistants as he shall for that purpose employ, to the said public hospital, or to such other place as the said Physician or Inspectors shall approve, at the proper costs of the person so removed, there to be lodged, nursed, maintained and kept, until duly discharged by a permit in writing, signed by the Consulting Physician and at least two Inspectors; and the Consulting Physician, Assistant Physicians, Health-officer,

A public hospital to be established in the neighbourhood of Philadelphia.

By whom and how to be erected, regulated and superintended

What sick persons shall be there accommodated;

and by whose order sent thither.

Compen-
sation of the
Physicians,
and other
officers of
the Hospi-
tal.

The fund
for the pur-
poses of the
hospital,
how to be
assessed;

and how to
be levied.

The estates
of all pati-
ents liable
for their
expenses,
unless they
are speci-
ally exone-
rated.

cer, steward, matron, nurses and assistants, employed in the business of the said public hospital, shall, when in actual employment, be allowed for their respective services such reasonable compensations, as the Inspectors, with the approbation of the Mayor or Recorder, two Aldermen and three Justices, shall from time to time deem proper and just; and a fund for purchasing a lot of ground as aforesaid, for erecting the buildings suitable to a public hospital thereon, for supplying the same with medicines and necessaries, for compensating the officers therein employed, and for defraying all other incidental charges thereof, shall, from time to time, be raised by a reasonable and moderate tax upon the inhabitants and estates, real and personal, in the city, the Northern Liberties, and district of Southwark; and the amount thereof shall be regulated and limited by the said Mayor or Recorder, two Aldermen, and three Justices of the Northern Liberties, and district of Southwark; and the Commissioners for the City and county of Philadelphia shall thereupon have authority, and they are hereby required to levy and collect the same, as in ordinary cases for levying and collecting city and county rates and levies: *Provided always nevertheless*, That each and every patient, and his or her estate, real and personal, shall be liable to pay, satisfy and reimburse all the charges and expense on his or her account incurred in the said public hospital, unless the Mayor or Recorder, or two Aldermen and four Justices of the county of Philadelphia, award that he or she shall be exonerated and exempted therefrom.

Section XX. *And whereas*, it appears that there is a balance of three thousand two hundred and forty-five dollars and twelve cents due to a benevolent and meritorious committee of citizens, for monies by them expended in relieving the sick and poor during the calamity that afflicted the city and Liberties of Philadelphia in the months of September

ber, October and November last, and justice and gratitude equally require that provision should be made for discharging the said balance: Therefore, *Be it enacted by the authority aforesaid*, That it shall be lawful for the Governor, and he is hereby required to draw a warrant on the Treasurer of the commonwealth, for the sum of three thousand two hundred and forty-five dollars and twelve cents, and to apply the same in discharge and satisfaction of the balance due as aforesaid to the said benevolent and meritorious committee; and the Treasurer shall pay the said warrant out of the fund appropriated for the support of government.

A balance due to the committee who relieved the sick during the late epidemic, to be paid.

Section XXI. *And be it further enacted by the authority aforesaid*, That the Mayor, Aldermen and Citizens of Philadelphia, in Common Council assembled, shall have power, by their ordinance for that purpose, to prohibit any future interments within such parts of the city of Philadelphia, wherein they shall judge such prohibition necessary, and to impose such fines for any breach of such ordinance, as they may deem necessary.

The Corporation of Philadelphia empowered to prevent burials within the city.

Section XXII. *And whereas*, by a patent under the great seal of the commonwealth, bearing date the thirteenth day of December, one thousand seven hundred and ninety, three city lots therein described were granted to the Mayor, Aldermen and citizens of Philadelphia, and their successors, in trust for public use, as a burial ground for the interment of deceased strangers, and such other persons who may not have been in communion with any religious society at the time of their decease: *And whereas* no interments have yet taken place in either of the said lots, and it would be advantageous to the citizens of Philadelphia if the the said lots should be disposed of, and the money arising from the sale thereof should be applied to the purchase of other ground more extensive and suitable, as well for the purposes aforesaid, as for

Certain lots heretofore conveyed to the Corporation in trust, for public burying grounds, maybe sold.

and the proceeds applied to purchase more convenient lots for the same purpose.

the general interment of persons dying in the city of Philadelphia, and its immediate vicinity: *Be it therefore enacted by the authority aforesaid,* That it shall and may be lawful for the Mayor, Aldermen and Citizens of Philadelphia, or their successors, to sell and dispose of three certain lots of ground within the city of Philadelphia, or any or either of them, which lots are described in a patent, under the great seal of this commonwealth, dated the thirteenth day of December, one thousand seven hundred and ninety, granting the same to the said Mayor, Aldermen and Citizens, for the uses and trusts therein mentioned, and to apply the money arising from such sale to the purchase of such other lot or lots of ground, out of the bounds of the city, or the inhabited parts thereof, as they may judge suitable and necessary for a place of general interment of persons who may hereafter die in the city of Philadelphia, or the suburbs thereof.

GEORGE LATIMER, *Speaker of the House of Representatives.*

ANTHONY MORRIS, *Speaker of the Senate.*

Approved, April the twenty-second, 1794.

THOMAS MIFFLIN, *Governor of the commonwealth of Pennsylvania.*

A supplement to the act, entitled " An act for establishing an Health-office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers." Passed September 23d. 1794.

Dallas's edition, vol. 3d. p. 641.

[Repealed by the act passed April 4th. 1796—Section 9th.]

An Act supplementary to the several acts establishing an Health-office.

[3d. vol. of Dallas's edition of state laws, p. 730.]

WHEREAS, in pursuance of the powers in them vested by the nineteenth section of the act entitled " An Act for establishing an Health-office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers," passed April the twenty-second, one thousand seven hundred and ninety-four, the Mayor or Recorder and any two Aldermen of the city of Philadelphia, and the Commissioners of the city and county of Philadelphia, have purchased a lot or piece of ground on the west side of Schuylkill opposite the west end of Market-street, for the purpose of building a public Hospital, for the reception of persons who may be afflicted with pestilential or contagious diseases: *And whereas* many of the inhabitants of the said city apprehend that the lot so purchased is improper for the purpose aforesaid, and may, from its vicinity, endanger the health of the citizens: Therefore,

Section I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all further proceedings*

The building a public Hospital suspended.

ceedings in erecting a public Hospital on the lot purchased in pursuance of the nineteenth section of the act, to which this is supplementary, be, and the same are hereby, directed to be suspended until the first day of July next after the passing of this act.

A board to be formed for the purposes of this act.

Section II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Board of Inspectors of the Health-office of the city of Philadelphia, and they are hereby directed, on the request of the Mayor or Recorder and any two Aldermen of the city of Philadelphia, and the Commissioners of the city and county of Philadelphia, to select, by lot, sixteen of their number, eight of whom shall be inhabitants of the city, and eight inhabitants of the county of Philadelphia, who, or a majority of them, shall be a Board, for the purposes herein after mentioned.

to purchase a lot for erecting a public Hospital;

Section III. *And be it further enacted by the authority aforesaid,* That the said Mayor or Recorder, Aldermen and County Commissioners, are hereby authorised and directed, at any time before the first day of July next after the passing of this act, to purchase some convenient lot in the neighbourhood of the city of Philadelphia, easily accessible, for the purpose of erecting thereon a public Hospital, as mentioned in the nineteenth section of the act, to which this is supplementary, and the same to take and hold in trust for that purpose, and to sell and convey in fee simple, to any persons they may think proper, the lot already purchased by them on the west side of Schuylkill, near the end of Market-street; provided that no such purchase or sale shall be as aforesaid made, without the approbation and consent of a majority of the sixteen Inspectors, selected in the manner prescribed by the second section of this act.

and to sell the lot heretofore purchased for that purpose.

Section IV. *And be it further enacted by the authority aforesaid,* That the General Board of Inspectors

inspectors of the Health-office of the city of Philadelphia, or a majority of them, are hereby authorized to draw their warrant or warrants on the Treasurer of the city and county of Philadelphia, countersigned by the Commissioners of the said city and county, for all or any of the monies raised in pursuance of the said nineteenth section of the act, to which this is supplementary, whenever they shall judge the same necessary for the purposes mentioned in the said section.

How money for the purposes of this act may be drawn.

GEORGE LATIMER, *Speaker*
of the House of Representatives.

ROBERT HARE, *Speaker*
of the Senate.

Approved, April the seventeenth, 1795.

THOMAS MIFFLIN, *Governor of the*
commonwealth of Pennsylvania.

A further supplement to the act, entitled "An act for establishing an Health-office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers." Passed April 17th. 1795.

3d. vol. of Dallas's edition, p. 734.

[Repealed by the act passed April 4th. 1796—Section 9th.]

An act to amend and repeal certain provisions in the health laws of this commonwealth.

[4th. vol. of Dallas's edition of state laws, page 70.]

WHEREAS the several acts heretofore enacted, for securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers, have been found in many respects, defective: *And whereas* it would be advantageous at the same time to amend such defects, and to reduce the provisions of the said several acts, as far as the same can conveniently be done, into a smaller compass, and into one act:

Altered by the act passed the 4th. of April, 1798. Section I.

Section I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That on the first Monday of May and November, in every year, the Mayor and Recorder of the city of Philadelphia, together with one Justice of the Peace of the Northern-Liberties, and one from the district of Southwark, shall meet, and appoint twelve Inspectors of the Health-office, of whom eight shall be inhabitants of the city of Philadelphia, two of the Northern Liberties, and two of the district of Southwark, who shall continue in office one year, and exercise the same powers, and perform the same duties, as the present Inspectors of the Health-office of the port of Philadelphia.

Of the appointment of Inspectors;

and their continuance in office.

Of the power of Inspectors to suspend visiting vessels.

Section II. *And be it further enacted by the authority aforesaid,* That the Board of Inspectors of the Health-office of the port of Philadelphia, or a majority of them, shall have power, and they are hereby authorised, whenever in their opinion it shall be consistent with the safety of the citizens of Philadelphia and its suburbs, to suspend the visits of the Resident Physician, and detention of vessels opposite the Health-office on State-Island, at any time

time between the first day of December in any year, and the first day of April in the next succeeding year: *Provided always*, That no captain or other person shall be entitled to the benefit of such suspension, so as to be exempted from the penalties which he or they would otherwise have incurred, unless, within twenty-four hours after his or their arrival opposite to the city of Philadelphia, or its suburbs, and before he or they shall have landed any part of his or their passengers, crew or cargo, he or they report the arrival of his or their vessel, and truly describe, to the best of his or their knowledge, the state of the crew and cargo.

But in such case reports shall be made of arrivals.

Section III. *And be it further enacted by the authority aforesaid*, That the Governor, or, in his absence, a majority of the Board of Inspectors, shall have full power and authority to prohibit all intercourse with infected places within the United States, under any penalty not exceeding three hundred dollars, on each person transgressing the said prohibition, to be recovered by action of debt, or by indictment, one half to be paid to the Inspectors, for the benefit of the Hospital on State-Island, and the other half to the benefit of the informer; and to direct the removal of any person or persons infected, or who, from their exposure to the operation of contagion, are likely to become so, and to order the quarantine to be performed by any vessel, and to direct the removal and purification of any vessel, goods, wares and merchandize, and to take such suitable and efficient measures, as may be found necessary to prevent all such intercourse, and carry into compleat effect the aforesaid provisions, and to cause such persons as transgress or disobey the same to be conveyed to the Hospital on State Island, and there kept for one month, or such shorter time, as the case may require.

Of prohibiting all intercourse with infected places within the United States.

Section IV. *And be it further enacted by the authority aforesaid*, That the Resident Physician, in full compensation for his services under any law

Of the compensation of the Resident Physician.

of this state, and in lieu of all fees, perquisites and emoluments whatsoever, shall receive the sum of three dollars for each vessel he shall visit and examine, agreeable to law, and shall be entitled to pasturage for one horse and one cow, and also to such vegetables raised in the garden of the Hospital as may be necessary for the supply of his table whilst residing at the said Hospital; and it shall be the duty of the Health-officer, for the time being, to collect, to the best of his ability, the fees of the Resident and Consulting Physicians; and he shall deduct from the amount thereof two and an half per centum for his trouble in collecting the same.

Fees to be collected by the Health-officer.

Section V. *And be it further enacted by the authority aforesaid,* That the said inspectors, at any stated or other meeting of their Board, whereof due notice shall be given to all the inspectors, shall have power to make, with the approbation of the Chief justice of the state, of the President of the Court of Common Pleas of the first district, or of the Recorder, all such rules, orders or regulations, as shall be necessary or convenient for regulating their own body, for governing the Health-office, and the officers thereof; and the Governor shall have power to suspend or remove from office, for such reasonable cause as to him shall seem sufficient, the Visiting or Resident Physician, and another or others to appoint in his or their place.

Of making rules for the Health-office.

See section first of the act passed the 4th. of April 1798.

Section VI. *And be it further enacted by the authority aforesaid,* That any captain or master of a vessel, who shall neglect to deliver the certificate of the wholesome state of his vessel, as received at the Health-office, to the Health-officer of Philadelphia, within twenty-four hours next after his arrival opposite the city or suburbs, shall forfeit and pay the sum of fifty dollars, and no more, for every such neglect, to be recovered and appropriated as heretofore by law directed; and that the Health-officer, on receiving any such certificate or bill of health, shall be entitled to receive from the captain

Penalty for not delivering health certificates.

Fee of the Health-officer.

or master of such ship or other vessel one dollar, in full compensation for all services heretofore enjoined on him by law; and the master or owner of any vessel, compelled to perform a quarantine, shall pay to the Pilot detained on board the same two dollars, for every such day's detention.

Pay of Pilots, in cases of quarantine.

Section VII. *And be it further enacted by the authority aforesaid,* That the Mayor, Recorder, Aldermen, and Commissioners of the city and county of Philadelphia, are hereby authorized and directed, upon the request of a majority of the Inspectors of the Health-office, to sell and convey, in fee-simple, the lot on the west side of Schuylkill, near the end of High-street, purchased in pursuance of the nineteenth section of an act, passed on the twenty-second day of April, one thousand seven hundred and ninety-four, entitled "An Act for establishing an Health-office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers;" and the said Commissioners shall forthwith pay over to the Treasurer to be appointed by the Inspectors, all the monies raised by virtue of the provisions contained in the said section, and which are now in their hands; and the said Inspectors shall apply the said monies, and such sums as may arise from the sale herein before mentioned, to the purchase of such other lot, as they may deem most suitable for an Hospital, and to such other purposes, as in and by the said recited act are directed.

A lot, heretofore purchased for an Hospital to be sold.

Antea p. 30.

The proceeds how to be applied.

Section VIII. *And be it further enacted by the authority aforesaid,* That the Board of Inspectors of the Health-office of the port of Philadelphia shall have power, by and with the consent and approbation of the Mayor or Recorder, two Aldermen of the city of Philadelphia, and three Justices of the Northern-Liberties and the district of Southwark, from time to time, to levy and collect, by

See section 7 of the act passed April 4, 1798.

Of assessing and levying taxes for the use of the Health-office.

Limitation
of the
amount.

Of raising
loans for
the use of
the Health-
office.

a tax on the estates and inhabitants of the city of Philadelphia, the district of Southwark, and the Northern-Liberties, in the same manner, and under the same restrictions, as county rates and levies are or may be by law levied and collected, such sum as may be found necessary for the support of the said Health-office, *Provided* that the sums so to be raised shall not exceed four thousand dollars within any one year; and shall have power at any time, when the safety of the city shall require them so to do, to negotiate, on the faith of the said taxes, loans to any amount, not exceeding the sum herein before last mentioned; *And provided also*, that the monies collected by virtue of this section shall be paid by the County Treasurer, free from any deduction or commission for receiving and paying the same, into the hands of the Treasurer of the Board of Inspectors, who shall deposit and keep all monies which may come into his hands in the Bank of Pennsylvania, until it shall be necessary to expend the same.

Repeal of
parts of for-
mer laws.

Section IX. *And be it further enacted by the authority aforesaid*, That the Supplement to the act, entitled "An Act for establishing an Health-office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers," passed on the twenty-third day of September, one thousand seven hundred and ninety-four; and the further Supplement to the same act, passed on the seventeenth day of April, one thousand seven hundred and ninety-five; and also so much of the said above recited act, passed on the twenty-second day of April, one thousand seven hundred and ninety-four; as is supplied or altered by this act, be, and the same are hereby, repealed.

Section X. *And be it further enacted by the authority aforesaid*, That the Board of Inspectors shall

shall cause fair and full accounts to be kept of all the monies received and expended by them, and shall in the month of January, in every year, submit the same, with the necessary vouchers, to the inspection of the Mayor and Recorder, one Magistrate of the Northern-Liberties, and one of the district of Southwark, who shall forthwith cause the said accounts to be published in at least two of the public newspapers in the city of Philadelphia.

Of the accounts relating to the Health-office.

GEORGE LATIMER, *Speaker of the House of Representatives.*

ROBERT HARE, *Speaker of the Senate.*

Approved, April the fourth, 1796.

THOMAS MIFFLIN, *Governor of the Commonwealth of Pennsylvania.*

An act to alter and amend the Health-laws of this commonwealth, and to incorporate a Board of Managers of the Marine and City Hospitals of the port of Philadelphia, and for other purposes therein mentioned.

WHEREAS the laws of this commonwealth for preventing the importation of infectious or contagious diseases into the port of Philadelphia, and the Health-Office system thereby established, have been found by experience to be defective.

Section I. *Be it therefore enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the buildings now erected, and those hereafter to be erected, on State-Island, and the ground therewith reserved and therewith occupied, with the appurtenances, be

Marine and City hospitals established.

and they are hereby appropriated for the use of an Hospital and Stores, to be called the Marine Hospital of the Port of Philadelphia; which Hospital and Stores are appointed to receive sick and infected persons and goods arriving in the port of Philadelphia, from any other port or place, until the same shall be restored to health and purified; and that the messuages and lots commonly called the City Hospital, situate on the North side of Sassafras-street, and East side of the river Schuylkill, shall continue to be held and used as an hospital for the city, the townships of the Northern Liberties and Moyamensing, and the district of Southwark, and the same messuages, buildings and lots are hereby vested in and shall be under the management of a Board to be appointed as hereinafter directed, who are hereby erected into a body corporate, in deed and in law, by the name, stile and title of the Managers of the Marine and City Hospitals of the Port and City of Philadelphia, who shall have perpetual succession, and enjoy all and every the rights, liberties, privileges, powers, authorities, and immunities, incident or belonging to a corporation or body politic, and shall moreover have and exercise the powers and authorities hereinafter mentioned, *that is to say*, The Mayor, Recorder, and Aldermen of the city of Philadelphia, or any four of them, the Mayor or Recorder being one, and the Justices of the Peace of the county of Philadelphia, residing within the Northern Liberties, district of Southwark, and township of Moyamensing, or any three of them, shall meet on the first Monday in May in every year, at the City-Hall in Philadelphia, of which meeting public notice shall be given by the said Mayor or Recorder, for two weeks before the time, in at least two public newspapers, published in the city, and shall then and there appoint twelve persons, two of whom shall reside within the Northern Liberties, and two within the district of Southwark, to be Managers of the Marine and City

Managers
how to be
appointed.

City Hospitals of the port of Philadelphia for the year ensuing, and until others be appointed to succeed them, and shall cause notice to be given to each person so appointed, to meet his colleagues on some day in the ensuing week, at the Health-Office in the city of Philadelphia, for the purpose of organizing their board, chusing their officers, and proceeding to perform the duties by this act enjoined on them; at which first meeting the Managers shall chuse one of themselves to be their President, and at that or any other adjourned meeting, one other person to be their Treasurer, who shall give bond with sureties, as the county Treasurer is bound to do, and shall receive all monies belonging to the said corporation, and pay and disburse the same upon the orders of the board, signed by the President or Chairman, and attested by the Clerk; and shall keep fair and just accounts of his receipts and expenditures, and shall report abstracts thereof, whenever the board shall require the same, and once a year shall adjust all his accounts, and the same being allowed by the board, shall be published in one of the public newspapers of the city. One Steward and one Matron to reside at the said Hospital, and such Assistant Clerks, Nurses and Servants, as from time to time shall be found necessary to perform the several duties required by this act, and their future regulations; that the said Board shall sit upon their own adjournments, as they shall find necessary, but at least once in every week, between the first day of June and the last day of October in every year, and whenever they shall be summoned by order of the President, or of two Managers, at which meetings five members shall be a Board to transact business, but a lesser number may adjourn; and if the President be absent, they shall chuse a Chairman for the time; and the said Board shall have full power to make general rules, orders and regulations for the government and management of the Health-Office and Marine Hospital, and for prescribing

Treasurer
how to be
appointed;

his duty.

Steward,
Matron,
&c. to re-
side at the
hospital.

Sittings of
the Board
regulated.

Powers
and duty
of the
Board.

prescribing the mode of visiting and examining vessels, persons and houses by the Health Officers; the President and attending Physician to remove any of the officers or servants by them appointed, and appoint others in their places, and to take care that all and every the regulations for the governing and managing the said Hospital and Health Office contained in this act, and in their own rules and orders, be carried into full and perfect execution; and shall keep fair minutes of all their regulations and transactions while sitting as a Board.

to keep fair minutes of their transactions.

Section II. *And be it further enacted by the authority aforesaid,* That every ship or vessel coming from beyond sea, between the last of April and the first of December shall be brought to and remain at the marine hospital till examined and certified.

Penalty on non compliance in the above case.

from any foreign port or place, bound to the port of Philadelphia, between the last day of April and the first day of December, in every year, shall come to anchor in the river Delaware, as near to the Marine Hospital as her draft of water and the state of the tide and weather will reasonably admit, before any part of the cargo or baggage be landed, or any person who came in such ship or vessel shall leave her, and shall submit to the examinations and obtain the certificate hereafter specified: and if any master, commander or pilot, shall leave his station before the said Hospital, or if any master or commander shall permit or suffer any part of the cargo or baggage, or any person or persons arriving in such ship or vessel from any port beyond the limits of the United States, to be landed on either shore of Delaware bay or river, before such examination be duly had, and certificate obtained, the person or persons so permitting, and the person or persons so landing, except in case of imminent distress or absolute necessity, being thereof convicted upon indictment under this act, by verdict, confession, or standing mute, in any court having criminal jurisdiction within this commonwealth, shall be sentenced to and suffer confinement in the jail of the county of Philadelphia,

Philadelphia, for any space not less than one, nor more than three years.

Section III. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the resident Physician and Health-Officer of the Hospital, so soon as ship or vessel shall be anchored near the Hospital, in the day time, immediately (wind and weather permitting) to go on board the same, and there demand from the master or commander the names of the vessel, commander and pilot, the place from whence she last came, and of all other places at which she may have touched during the voyage, the number of the crew and passengers with which she sailed, whether any have died since she sailed, a view of her shipping articles, log book and bill of health, if she came from a port whence a bill of health is required or accustomed to be brought, and a sight of all persons on board, and to demand answers under oath or affirmation, to be administered by the Resident Physician or Health-Officer, who are hereby severally empowered to administer the same, to all such questions touching the health of the crew and passengers, during the voyage, and the nature of the cargo, as the said Board, by their rules shall from time to time direct to be asked; and if the answers shall be satisfactory, if the number of the crew and passengers shall agree with the articles, bill of health, and other documents produced, and the verbal account of the master or commander, and if there shall appear no ground to suspect that any of the crew or passengers have died in the voyage, or are then labouring under any dangerous contagious disease whatever, or that the cargo on board is infected; then and in such case the said physician and Health-officer shall give to the master or commander a certificate of the facts, in such form as shall for that purpose be devised by the said board, permitting such ship or vessel to proceed to the city, or to land the passengers, which certificate the said master

Resident Physician and Health-officer to go on board and make examination.

If the answer be satisfactory and if no ground of suspicion a certificate to be given to the master or commander which certificate shall be presented at the Health-office in Philadelphia within 24 hours after mooring.

Penalty on neglect.

Proceedings, where upon examination suspicions shall arise;

or in case of dissatisfaction with the report and opinion of the hospital Physician or Health-officer.

or Commander shall present at the health-office in Philadelphia, within twenty-four hours after his arrival and safely mooring there; and if he shall neglect so to do, being thereof convicted upon indictment under this act, by verdict, confession, or standing mute, in any court of criminal jurisdiction in this Commonwealth, he shall be sentenced to pay a fine of fifty dollars, for the use of the said hospital; and if upon such examination, any difference shall appear between the written documents produced by the master, or his verbal account, and the number and state of the crew and passengers or any suspicion shall arise in the mind of the health-officer or physician, touching the health of the crew or passengers, or any of them, or the infectious state of the vessel or cargo on board, they shall order the vessel to remain at anchor near the hospital, and shall make out a report of the state of the vessel, crew, passengers and cargo, as to their health or otherwise, and shall transmit the same, together with the letter bag of the vessel, and such letters as the master, commander or passengers shall think proper to write to his or their owners, consigners or friends, to the health-office in Philadelphia, under the necessary precautions to guard against the communication of infection from the same, to the end that the parties interested be informed thereof; and if they or any of them be dissatisfied with the report and opinion of the hospital physician or health-officer, in such case the physician of the health-office in Philadelphia shall visit the vessel, crew and passengers, and make report of his opinion thereon; and thereupon the said board of managers shall direct and determine and transmit orders to the resident physician and health-officer, what time the said vessel shall remain before the hospital, and how the crew, passengers, vessel and cargo shall be disposed of and managed for the restoration of their health and purification, which directions shall be carried into execution under

der the inspection of the physician, by the health, and other officers and servants of the hospital, who shall cause the persons to be removed, and the cargo or any part of it to be landed, and the vessel to be cleaned, ventilated and purified, at the expense of the master, owners or consignors, in such manner as by the said orders shall be directed; and the same being perfected, the said physician and health-officer shall, with the special consent in writing of the board of managers, grant a certificate thereof, with permission for the said vessel, cargo, crew and passengers, to proceed to the city, in manner herein above mentioned.

Section IV. *And be it further enacted by the authority aforesaid,* That no Health-officer, Physician or other officer or servant of the said Hospital, shall absent himself from the place of his duty, during the months of May, June, July, August, September, October, and November, on any pretence, for any time whatsoever, without leave first obtained in writing from the board of Managers, with the hand of the President or Chairman for the time, attested by the Clerk, and entered in the minutes, under penalty of forfeiting his office.

No Health-officer, &c. to be absent from duty within specified times without leave.

how licence to be obtained.

Section V. *And be it further enacted by the authority aforesaid,* That all ships and vessels, as well vessels of war as merchant vessels, arriving at the port of Philadelphia, from any port or place in the Mediterranean, or the seas or waters connected with the same, to the eastward of the Straits of Gibraltar or from the coast of Africa, without the Straits of Gibraltar, and the territory of the same, and the ports of Africa other than the Cape of Good Hope in the Indian Ocean, and from the main land of North or South America, or the West-India Islands between the latitude of the river St. Mary in Georgia, and the beginning of the latitude of thirty degrees south of the equator, shall be subject to be detained at anchor in manner aforesaid, before the hospital, for a space not exceeding twenty days, in order to ascertain the healthy

Vessels from the Mediterranean, &c. without a bill of health to be detained for a space not exceeding 20 days before the Hospital.

state

state of the crew, passengers, vessel and cargo, unless such vessel shall be furnished with a certificate from such port commonly called a bill of health, in the form a bill of health is accustomed to be brought from such port; and all vessels arriving from such port as aforesaid, during the months of May, June, July, August, September, October, and November, with or without such bill of Health, shall be detained at anchor in manner aforesaid, before the hospital, for a term not less than ten nor more than twenty days before any certificate, such as is herein above required, shall be granted, to permit them to come to the city; during and after which respective times they shall be examined and treated in the manner, and subject to the like pains and penalties, as are herein above mentioned, as to ships and vessels not in the predicaments last above recited.

And all vessels arriving therefrom during the months of May, June, July, August, September, October and November though having a bill of health shall be detained between 10 and 20 days.

Appropriation for payment of debts incurred by the hospital.

Section VI. *And be it further enacted by the authority aforesaid,* That there shall be granted to the Managers of the Marine and City Hospitals, of the port and city of Philadelphia, for the purpose of paying the debts already incurred, out of the funds arising from the duties and the sales at auction in the city and county of Philadelphia, a sum not exceeding six thousand five hundred and sixteen dollars and twenty-six cents, to be drawn out of the Treasury by warrants under the hand of the Governor, and lesser seal of the state, which shall be granted, paid and allowed to the Treasurer in account, in the same manner and form that other monies appropriated by law are, or of right ought to be granted, paid and allowed.

Section VII. *And whereas* the sum which by the eighth section of the act, entitled " An act to amend and repeal certain provisions in the Health-laws of this commonwealth, the Inspectors of the Health-office are authorized to levy and collect by tax, is found insufficient for supporting the ordinary establishment of the Health-Office and Hospitals aforesaid: *Be it further enacted by the authority aforesaid*

aforefaid, That the Board of Managers by this act incorporated, fhall be and they are hereby authorized and empowered, by and with the confent and approbation of the Mayor or Recorder, Aldermen and Juftices aforefaid, convened as in the fecond fection of this act required, to levy and collect by tax, on the eftates and inhabitants of the faid city, diftrict of Southwark and townfhips of the Northern Liberties and Moyamensing, in the fame manner, at the fame rates, and under the fame regulations as the county rates and levies are or may be by law levied and collected, fuch fum annually as upon an eftimate to be made by the faid Board, and laid before the faid Mayor or Recorder, Aldermen and Juftices, fhall be deemed fufficient for the ordinary expenditures of the faid Health-Office and Hospitals for the current year; *Provided* the fame do not exceed the fum of ten thoufand dollars. And in cafe the faid city, diftrict and townfhips fhall in any year be vifited with any peftilential or contagious difeafe, which fhall require extraordinary expenditures, the faid Board of Managers, by and with the confent and approbation aforefaid, are authorized and empowered to borrow, on the credit of the faid city, diftrict and townfhips, any extraordinary fum or fums beyond the above limited fum, which in their judgment fhall be neceffary and fufficient for the fupport and maintenance of all the poor fick who fhall be fent to the faid Hospital, and the incidental charges arifing from the neceffity of the cafe, *Provided* the faid fum does not exceed twenty thoufand dollars; and fhall have full power and authority to levy and collect, by an additional tax in manner aforefaid, a fum fufficient to pay off and difcharge the monies fo borrowed, and fhall pay and difcharge the fame as fpeedily as the faid additional tax can be collected. And whenever the amount of the faid ordinary and extraordinary taxes fhall be afcertained in manner aforefaid, the faid Board of Managers fhall tranfmit the fame, under the hands of the faid

Managers empowered to levy and collect a tax with confent of the Mayor, &c.

In cafe of extraordinary expenditures empowered to borrow.

How fums fo borrowed to be repaid.

said Mayor or Recorder, Aldermen and Justices, and of their President and six other members, to the Commissioners of the County of Philadelphia, who shall forthwith cause the said amount laid and assessed on the estates and taxable inhabitants of the city of Philadelphia, district of Southwark and townships of the Northern Liberties and Moyamensing, in the same ratio as the county rates and levies are or shall be laid and assessed in that year; and shall cause lists and duplicates of the said taxes to be made out and delivered to the collectors, who shall collect the county rates and levies, who shall under the same securities, penalties and regulations as are or shall be provided for the collection of the county rates and levies, collect and pay over the same ordinary and extraordinary taxes, in the same manner and at the same times to the Treasurer of the said Board, and take his receipts for the same, as in case where they pay other collections to the County Treasurer.

Section VIII. *And be it further enacted by the authority aforesaid,* That every house-keeper within the city of Philadelphia, the townships of the Northern Liberties and Moyamensing, and district of Southwark, within a mile of the limits of the city, taking in boarders arriving by sea or by land, from any foreign port or place, and having any boarder in his or her family, who shall be taken sick of any disease whatsoever, between the first day of May and first day of November in any year, within twenty days next after such boarder shall come to lodge in his or her house, shall within twenty-four hours next after the knowledge of such sickness, make report to the Health-Office, of the name of such sick person, the time of his or her arrival at the house, and of his or her being taken sick and of the name and place of abode of such house-keeper; whereupon the Physician of the Health-Office shall forthwith visit the patient, and report to the office his opinion of the nature of such disease, that measures may be taken to prevent the spreading of infection; and if any house-keeper shall

House-keepers taking in boarders from any foreign port or place and having any boarder sick of any disease between the first of May and first of November to give notice at the Health-office.

Proceedings thereon.

shall neglect to give information, in the manner and within the time aforesaid, and shall be thereof convicted, in any court of criminal jurisdiction within this commonwealth, upon indictment by verdict or confession, he or she shall forfeit and pay a fine to the use of the said hospital, not less than twenty dollars, nor more than one hundred dollars to be imposed at the discretion of the court, according to the circumstances of greater or lesser aggravation attending each particular case.

Penalty on neglecting to give such information.

Section IX. *And be it further enacted by the authority aforesaid,* That whenever, by the means aforesaid, or by the report of the Physician appointed by the Board to reside in the city, whom the Board are hereby authorized to send to places or houses supposed to be infected, whose visits for such purpose the citizens are respectively hereby enjoined to submit to or by any other means it shall come to the knowledge of the said Board, that any person within the city of Philadelphia, the townships of the Northern Liberties and Moyamensing, within a mile of the limits of the city or the district of Southwark, is afflicted with any contagious disease, dangerous to the community, it shall and may be lawful for the said Board to take order for preventing the spreading of the contagion, either, by causing the patient to be removed to some retired place, at the costs of the patient, or his or her friends, or at the public charge, or by forbidding and preventing all communication with the infected house or family, except by means of Physicians, nurses or messengers, to convey the necessary advice, medicines and provisions to the afflicted, accordingly as the circumstances of the case shall render the one or the other mode, in their judgment, most conducive to the public good, with the least private injury.

Persons afflicted with any dangerous infectious disorder to be removed or communication with the house to be prevented except by means of Physicians, &c.

Section X. *And be it further enacted by the authority aforesaid,* That when any vessel shall come up to the city of Philadelphia, or the shores of Southwark, or of the Northern Liberties, in the ri-

Vessels notwithstanding their having a bill of health from the Marine Hospital may, on their appearing to the Board of managers to be infected, be ordered to undergo a purification and may be removed though not infected.

ver Delaware (although the said vessel may have obtained a certificate of health from the Marine Hospital) if the said vessel shall appear to the Board of Managers to be infected with any contagious disorder, dangerous to the community, the said Board are hereby authorized to order the said vessel to the Marine Hospital, there to undergo the necessary purification, before she shall be permitted to return to the city or shores aforesaid; and the said Board are also hereby authorized and empowered to remove any vessel or vessels from such part of the city or shores aforesaid, as shall be infected with such disorders as aforesaid; to such convenient distance as they may deem proper, although such vessels may not be infected.

Section X. And be it further enacted by the authority aforesaid, That whenever the said Board shall receive information that any contagious disease rages in any port or place within the United States, or on the continent of America, they shall make diligent enquiry concerning the same, and report the result of their enquiries and information thereon to the Mayor or Recorder of the city of Philadelphia, who shall thereupon summon the Aldermen of the said city, and Justices of the county of Philadelphia, resident within the district of Southwark, and the townships of the Northern-Liberties and Moyamensing; and it shall and may be lawful for the said Board, by and with the consent and approbation of the said Mayor, Recorder and Aldermen, or any four of them, the Mayor or Recorder, being one, and of the said Justices, or any two of them, to prohibit and prevent all communication by land and by water, with such infected ports or places, by stopping all vessels coming into the port of Philadelphia, at and before the Marine Hospital, in the same manner, and under the same penalties and forfeitures, as are hereby provided in case of vessels coming from the foreign ports mentioned in the preceding sections of this act, and by stopping all passengers in stages or other carriages,

or on horse or foot, coming by land from such infected places, in such manner as the circumstances and exigencies of the case shall require. All Judges, Justices, Sheriffs, Constables and civil Officers, and citizens of this State, are hereby authorized and empowered, enjoined and required to aid and assist the said Board and their Officers to the utmost of their power, in carrying into effect all such rules, orders and regulations touching the stoppage of such intercourse, as the said Board, by and with the consent and approbation of the said Mayor or Recorder, Aldermen and Justices, shall ordain and publish.

Section XII. *And be it further enacted by the authority aforesaid,* That all and every the penalties and forfeitures imposed by the act to which this act is supplementary, shall be recoverable in the manner therein mentioned, and shall enure to the use of the said Hospital for its support; and all and every the powers and authorities, liberties and privileges, perquisites and emoluments, duties and services, by the said acts required of, or granted and allowed to, the Inspectors of the Health-Office, their Physicians and other Officers and servants, which are not inconsistent with the alterations hereby made, shall be and they are hereby declared to be required of and granted and allowed to the Board of Managers by this act incorporated, and to their Physicians and other officers and servants, to be appointed in pursuance hereof; and that so much of the act, entitled "An act for establishing an Health-Office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers," passed the twenty-second of April, one thousand seven hundred and ninety-four, and of the act entitled "An Act to amend and repeal certain provisions in the health laws of this commonwealth," passed the fourth day of April, one thousand seven hundred and ninety-six, as are herein and hereby

Penalties by this act payable how to enure.

Powers duties, &c. of the former Inspectors, granted to, and required of, the present Managers so far as is consistent with the alteration herein made.

Repeal of parts of former laws.

altered

altered, amended or supplied, and no more, shall be and the same is hereby repealed, and made null and void.

Provisions for the removal of any Physician or Health-officer.

Section XIII. *And be it further enacted by the authority aforesaid,* That whenever any seven of the said Board of Managers shall represent to the Governor, that they deem the removal from office of any of the Physicians or Health-officers hereinbefore mentioned, necessary for the security of the public health or the good government of the said Marine Hospital, and shall specify in such representation the causes of their complaint, and grounds of their representation, the Governor shall thereupon, unless such causes and grounds are manifestly frivolous and insufficient, forthwith remove such officer, and appoint another in his place.

No citizen to be disqualified on account of common interest in the appropriation of the Penalty.

Section XIV. *And be it further enacted by the authority aforesaid,* That no citizen or inhabitant of the city of Philadelphia, the district of Southwark or the townships of the Northern Liberties and Moyamensing, shall be disqualified from sitting as Judges or Jurors, or from giving testimony respecting any of the offences mentioned in this act, by reason of his or their common interest in the appropriation of the sum or penalty imposed for such offence.

Limitation of this act.

Section XV. *And be it further enacted by the authority aforesaid,* That this act shall continue in force for two years, and from thence to the end of the next session of the General Assembly, and no longer.

GEORGE LATIMER, *Speaker of the House of Representatives.*

ROBERT HARE, *Speaker of the Senate.*

Approved, April 4th, 1798.

THOMAS MIFFLIN,
Governor of the Commonwealth of Pennsylvania.

altered, amended or supplied, and no more shall be
and the same is hereby repealed, and made null
and void.

Section XIII. And be it further enacted by the au-
thority aforesaid, That whenever any level of the
said Board of Managers shall represent to the Go-
vernor, that they deem the removal from office of
any of the Physicians or Health-officers herein before
mentioned, necessary for the security of the public
health or the good government of the said Marine
Hospital, and shall specify in such representation
the causes of their complaint, and grounds of their
representation, the Governor shall thereupon, un-
less such causes and grounds are manifestly frivolous
and insufficient, forthwith remove such officer, and
appoint another in his place.

Provision
for the re-
moval of
any Physi-
cian
or Health-
officer
of the
Hospital

Section XIV. And be it further enacted by the au-
thority aforesaid, That no citizen or inhabitant of
the city of Philadelphia, the district of Southwark
or the townships of the Northern-Liberties and
Moyamensing, shall be disqualified from sitting as
Judge or Juror, or from giving testimony respect-
ing any of the offences mentioned in this act, by rea-
son of his or their common interest in the appropria-
tion of the sum or penalty imposed for such of-
fence.

No citizen
to be dis-
qualified
on account
of common
Moyamensing,
interest in
the appropria-
tion of the
sum or pen-
alty

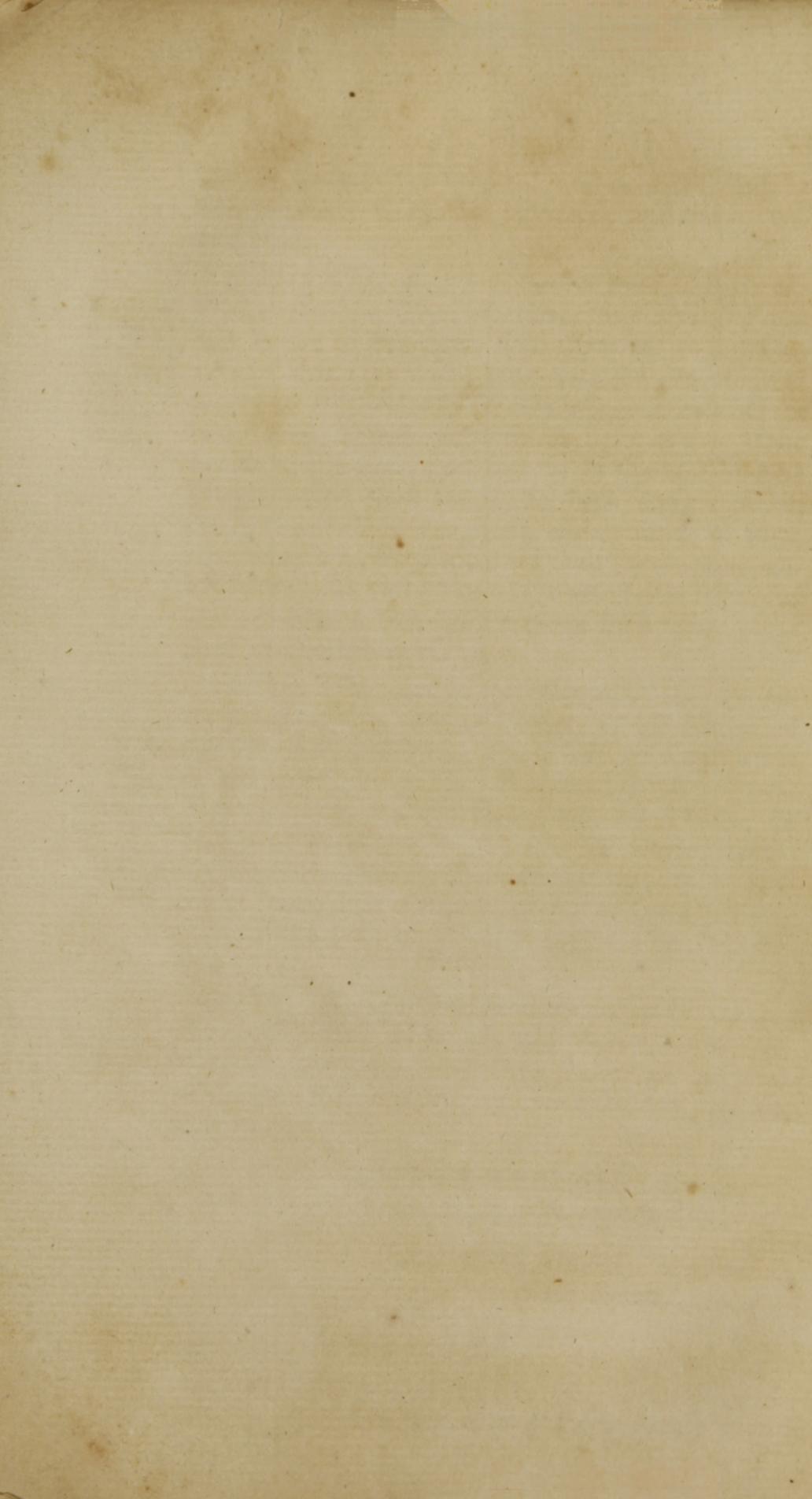
Section XV. And be it further enacted by the au-
thority aforesaid, That this act shall continue in
force for two years, and from thence to the end
of the next session of the General Assembly, and no
longer.

Limitation
of the act

GEORGE LATIMER, Speaker
of the House of Representatives.
ROBERT HARR, Speaker
of the Senate.

Approved, April 14, 1798.

THOMAS MITCHELL,
Governor of the Commonwealth of Pennsylvania.



Med. Hist.

WZ

270

P415c

1798

