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HEALTH

L A W S

OF

NEW-YORK.

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Washington

NEW-YORK:

PRINTED BY JAMES CHEETHAM,

NO. 81, PEARL-STREET,

.....

1805.

HEALTH

J. A. W. S.

OF

NEW-YORK.

NEW-YORK

PRINTED BY JAMES CHRISTIAN

NO. 37, NASSAU STREET,

1835

HEALTH LAWS, &c.

An ACT to provide against infectious and pestilential Diseases.

Passed 30th March, 1801.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly,

Commissioners of the Health-Office in N. York, and their residence.

That there shall continue to be a health-office in the city of New-York, under the superintendance of three commissioners, who shall consist of a health-officer, and of a physician to be styled the resident physician, and one other person; that the health-officer shall reside at Staten-Island, the resident physician in the city of New-York, and the other commissioner at or near the marine hospital on Staten-Island or in the city of New-York, as a majority of the said commissioners may deem most proper; that the said commissioners shall be appointed by the person administering the government of this state by and with the advice and consent of the council of appointment; *Provided* however, That the persons now holding and exercising the office of commissioners aforesaid, may continue therein until others shall be appointed in their stead; *And provided further*, That it shall be lawful for the mayor, or in his absence the recorder of the city of New-York, in case of the death or resignation of any of the said commissioners, to appoint a suitable person to supply such

Proviso.

Further proviso.
50.

vacancy, until the sense of the council of appointment shall be declared thereon.

Vessels subject to quarantine of course.

II. *And be it further enacted*, That all vessels arriving in the port of New-York, from any port, island or other place in the East-Indies, or from any port, island or other place on the coast of Africa, or from any port, island or other place in the Mediterranean, or from any port, island or other place in the South Seas, or from any port, island or other place in the West-Indies, or from any port, Island or other place whatever in America lying on the south of Georgia, or from any port or other place in the Bermuda Islands, at any time in any year, or from any foreign port, place or island whatever, between the last day of May and the last day of October in any year, shall be subject to quarantine of course, and to the examination of the health-officer, under the regulations herein prescribed; and that all vessels arriving in the port of New-York, from any port, island or other place in the United States south of Sandy-Hook, between the first day of June and the first day of October in any year, shall anchor at the place assigned for quarantine, and shall be subject to such regulations as vessels which are to perform quarantine of course, if on the examination of the health-officer it shall by him be deemed expedient; and that any master or commander of a vessel offending in the premises shall be considered as guilty of a misdemeanor, and on conviction thereof shall for each offence be fined by the court having cognizance of the same, in a sum not exceeding two thousand dollars, or be imprisoned for a time not exceeding twelve months.

Vessels subject to quarantine if expedient.

Penalty for breach of quarantine.

III. *And be it further enacted,* That whenever a vessel shall arrive at the anchoring place for vessels at quarantine from a place where a malignant or pestilential fever prevailed, or if during her voyage any person has died or been sick on board with such fever, the master, owner or consignee shall forthwith upon the requisition and under the direction of the health-officer, whose duty it shall be to make such requisition, cause such vessel to be unloaded, cleansed and purified, and that until then no permit shall be granted for her to proceed to the city of New-York; and every master, owner or consignee neglecting or refusing to comply with such requisition of the health-officer, shall be considered guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding five hundred dollars, or be imprisoned for a time not exceeding six calendar months, by any court having cognizance thereof.

Vessels when to be unloaded and cleansed.

Penalty for disobedience.

IV. *And be it further enacted,* That whenever any vessel shall arrive at the quarantine ground between the first day of June and the first day of October in any one year, from a place to the southward of the latitude of Sandy-Hook, the master or person having the charge of such vessel, shall forthwith upon the requisition of the health-officer cause all the wearing apparel, bedding and every other thing on board likely in the opinion of the health-officer to communicate infection to be landed, for the purpose of being cleansed with water or otherwise purified, under the direction of the commissioners of the health-office, by persons to be employed by them; during which cleansing,

When bedding and goods to be landed and cleansed.

they shall, if necessary, furnish any indigent person with change of apparel at the expence of the health-office, the same to be afterwards returned to the said commissioners; *Provided*, That it shall not be the duty of the commissioners to employ persons to cleanse and purify any part of the cargo of any vessel; and that until such requisition shall be complied with, no such vessel shall have a permit to proceed to the city of New-York, and that every master or person having charge of a vessel so circumstanced, neglecting or refusing to comply with such requisition, shall be considered guilty of a misdemeanor, and upon conviction thereof be fined in a sum not exceeding two hundred dollars, or be imprisoned for a time not exceeding three calendar months by any court having cognizance thereof.

Proviso.

Penalty for disobedience.

When Governor or Mayor to designate vessels subject to quarantine.

And stop intercourse.

Penalty for offending therein.

V. *And be it further enacted*, That it shall be lawful for the governor of this state, or in his absence the mayor of the city of New-York, or in the absence of both of them, the recorder of the said city, from time to time whenever it shall appear adviseable, to issue publicly his order, declaring whatever description of vessels, to be therein designated together with the ports, islands or countries whence they come, shall also be subject to quarantine; that in like manner it shall be lawful for him to issue his proclamation, prohibiting or regulating the intercourse by land and ferries between the city and county of New-York, and any other place where he shall learn that a pestilential or infectious disease doth prevail; and that all persons offending in the premises, shall be liable to punishment as for a misdemeanor by fine and im-

prisonment, at the discretion of the court having cognizance thereof; *And moreover*, It shall be lawful for the said commissioners of the health-office, to cause any vessel subject to quarantine, which, before she shall have been so visited, examined and reported as aforesaid, shall be brought to anchor elsewhere in the port of New-York, and all vessels, though not described in this act, or in such order as above mentioned, as vessels subject to quarantine, or having on board a person sick with a disease, which in the judgment of the health-officer there is reason to believe is infectious, or having on board articles suspected of containing infectious matter, whether brought from foreign countries, or generated or accumulated on board, to be removed to and brought to anchor at the anchoring place for vessels at quarantine; and to cause all persons, articles or things which may have been landed, to be seized and arrested, and to be returned forthwith on board such vessel, or removed to the said hospital. And it shall be further lawful for them to cause all persons, who shall come into this state contrary to the prohibitions and regulations in such order or proclamation as aforesaid to be apprehended, and if well to be conveyed out of this state whence they last came, and if sick to be removed to the said hospital.

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

Commissioners to cause any vessel suspected, to perform quarantine.

And persons and things on board to be landed,

And to apprehend persons coming into this state contrary to orders.

Vessels not to approach the city without permit, if liable to examination.

master or commander of every such vessel arriving at the city of New-York, shall within twenty-four hours after such arrival, deliver such permit to one of the commissioners of the health-office, resident in the said city; and every master or commander neglecting or refusing to comply with either of these directions, shall for every such offence be considered guilty of a misdemeanor, and on conviction thereof shall be fined by any court having cognizance thereof in a sum not exceeding two hundred dollars, or be imprisoned for a time not exceeding twelve months.

Penalty for disobedience.

How long quarantine to continue.

VII. *And be it further enacted,* That quarantine shall continue for such time as to the health-commissioners shall seem proper, and no vessel otherwise subject to quarantine shall be exempted therefrom by reason of having previous thereto entered into any of the ports in the United States, unless such vessel shall have remained in such port for fourteen days; and the several branch-pilots and their deputies belonging to the port of New-York, shall use their utmost endeavours to hail every vessel coming into the said port from sea, and shall ask and demand of the master or commander of every such vessel, whether he has on board any person or persons labouring under any pestilential or infectious disease, or whether there is on board any cloathing or freight containing pestilential or infectious matter, and whether the sickness, if any, broke out on board or existed amongst the inhabitants of the port from whence the vessel last sailed, and on being answered in the affirmative to any of the said questions, shall

Duty of pilots touching the premises.

immediately give notice to the master or commander of such vessel, that he subject his vessel, crew, passengers and cargo to quarantine, and shall forbid them to proceed further than the anchorage assigned for quarantine, and shall direct him to anchor his vessel there, and to remain there until he shall receive further directions from the commissioners of the health office, or in their default from the governor of this state, or in his absence from the mayor or recorder of the aforesaid city; and all such commanders of vessels are strictly forbid from putting on shore any person who belonged to or performed the voyage in such vessel, and from unloading or putting on board of any other boat or vessel any person or persons, clothing, goods, merchandize or freight from or out of his vessel, until direction to that effect shall be given him pursuant to this act; and every master or commander of any vessel who shall give false information relative to the condition of his vessel, crew, passengers, freight or cargo, when hailed by any pilot, or shall notwithstanding being forbid by such pilot bring his vessel nearer the city than the ground assigned for quarantine, or land any passenger, or unlade any of his cargo, shall be considered as guilty of a misdemeanor, and on conviction thereof shall be fined by the court having cognizance of the same in the sum of two hundred dollars for each offence; and every passenger or any other person on board such vessel departing therefrom or unlading any of the cargo thereof, without leave first obtained from the commissioners aforesaid, shall be considered as guilty of a misdemeanor, and be punishable, if

Duty of masters of vessels.

Penalty on them for deceit or breach of orders of pilots.

convicted, in like manner as the master and commander last mentioned.

Penalty on pilots for breach of duty herein.

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

Health-officer authorised to search vessels.

IX. *And be it further enacted,* That it shall be lawful for the health-officer, and he is hereby authorised and required without delay, to enter on board of every vessel coming into the port of New-York under the circumstances aforesaid, and there to make strict search, examination and inquiry as to the health of the officers, seamen and passengers, and into the state and condition of the vessel, her cargo and contents respectively, and to report his discovery and opinion thereon with all speed to the health-office, for the consideration of the commissioners of the health-office, and if any person shall oppose or obstruct the health-officer from performing the duties required of him by this act, he shall be considered as guilty

Penalty for obstructing him.

of a misdemeanor, and shall be fined in a sum not exceeding five hundred dollars.

X. *And be it further enacted,* That if any person shall go on board or have any communication or dealing with any vessel lying at the quarantine, without permission first obtained in writing with the signature of the health-officer, he shall be considered and adjudged guilty of a misdemeanor, and upon complaint being made by either of the commissioners to one of the justices of the peace for the city and county of New-York, he shall issue a warrant commanding some proper officer to bring the person so complained of forthwith before him, or some other justice of the peace for the city and county of New-York, and the said justice before whom the said offender shall be brought, shall then and there demand of the said offender, that he or she shall enter into recognizance with sufficient surety in the sum of one hundred dollars, to appear at the next court of general sessions of the peace, to be holden in the city and county of New-York, to answer unto the said complaint, of which offences the said court is hereby authorised and impowered to take cognizance, and to impose such fines as by them shall be thought proper, not exceeding the sum of two hundred dollars; and if such offender upon being brought before the justice shall neglect or refuse to enter into recognizance as aforesaid, the said justice shall commit him to the common goal of the city and county aforesaid, commanding the keeper thereof to receive and keep the said offender in the said gaol, until he shall enter into recognizance as aforesaid, or be discharged by

Persons communicating with vessels at quarantine without permit, guilty of a misdemeanor.

Offender how apprehended and punished.

due course of law ; and in all cases mentioned in this act, when offenders are required to enter into recognizance, the justices aforesaid shall, if required, proceed in manner aforesaid.

Boats prohibited in certain cases from going to the quarantine ground.

XI. *And be it further enacted,* That no boat from any outward or inward bound vessel shall land at the quarantine ground after sunset, nor shall boats of any description at any time pass through the range of vessels lying at quarantine, and that any person offending against either of these directions, shall be considered as guilty of a misdemeanor and shall be fined in a sum not exceeding fifty dollars.

Health-officer to report when vessels are safe;

XII. *And be it further enacted,* That after the said health-officer shall have visited and examined each vessel performing quarantine, it shall be his duty whenever he shall judge the same to be clean, safe and free from infection, to report her to the health-office, that further directions may be given concerning her procedure, and the disposal of whatever freight, cargo or materials she may contain ; and for the better performance of this trust, the health-commissioners shall furnish him at all times when he shall require it, with a convenient boat, with men sufficient to row the same, and for that end it shall be lawful for them to contract with any person for that purpose ; and in order that the said health-officer may be more effectually enabled to make examination whether vessels ought to be subject to quarantine, it shall be lawful for him to put all such questions to the persons on board such vessels as shall be needful and proper to that end, and the persons to whom such

To be furnished with a boat.

And to put questions to persons on board vessels on oath.

questions shall be put may be required to answer the same on oath, which oath he is hereby authorised to administer accordingly, and every person swearing falsely in the premises shall be liable to the pains and penalties of wilful and corrupt perjury.

XIII. *And be it further enacted,* That if in the judgment of the health-officer or resident physician, any vessel arriving in the port of New-York shall require purification, it shall be his duty to direct the time and manner in which such purification shall take place, and the expences thereof shall be defrayed by the master, commander, owner or consignee of such vessel; and the master, commander, owner or consignee of every such vessel for every neglect or refusal to comply with and to aid in the execution of such direction shall be considered as guilty of a misdemeanor, and on conviction thereof shall be fined by any court having cognizance of the same, in a sum not exceeding one thousand dollars.

XIV. *And be it further enacted,* That if the master, commander, owner or consignee of any vessel arriving in the port of New-York, shall neglect or refuse to remove such vessel to the place and in the time required by the commissioners of the health-office, it shall be the duty of the said commissioners and they are hereby empowered to cause the same to be done at the expence and risque of such master, commander, owner or consignee, and the monies so expended, shall be recoverable by the said commissioners with costs, by an action on the case in their own names against such master, commander, owner

Vessels when to be purified.

Persons disobeying directions therein to be fined.

Commissioners of the health-office on refusal of the master or owner may remove vessels at their expence.

or consignee, in any court having cognizance thereof.

Persons sick at boarding houses to be reported.

XV. *And be it further enacted,* That every person keeping a boarding or lodging house in the city of New-York, between the first day of June and the first day of November in any year, shall within twelve hours after any seafaring man or sojourner shall become sick in such boarding or lodging house, report in writing the name of such diseased person to the health-officer; and that no master of a vessel or any other person whatever, shall remove any sick person from any vessel lying at any wharf, or in the harbour of the city of New-York, before the name of such sick person has been reported to the health-office and a written permit granted for the purpose of such removal; and that any person neglecting or refusing to comply with either of these directions, shall be considered guilty of a misdemeanor, and be fined in a sum not exceeding one hundred dollars, or be imprisoned for a time not exceeding six months, by any court having cognizance thereof.

Persons sick on board vessels not to be removed without permit.

Punishment for disobedience.

Cotton, hides, &c. prohibited from being brought into New-York at certain times.

XVI. *And be it further enacted,* That no cotton or hides, damaged coffee or damaged peltry, shall be brought into the city of New-York, between the first day of June and the first day of November in any year, and no coffee or peltry whatever within the period aforesaid, unless authorised by the commissioners of the health-office after having been examined; and that if any of the articles aforesaid be brought into the said city in violation of this act, it shall be the duty of the said commissioners, to seize and sell the same and

to apply the neat proceeds thereof, to the use of the health-office.

XVII. *And be it further enacted,* That every person practising physic in the said city, who shall have a patient labouring under a pestilential or infectious disease, shall forthwith make a report in writing to some one of the said commissioners of the health-office, and for neglecting so to do he shall be considered guilty of a misdemeanor and be fined in a sum not exceeding fifty dollars.

Practitioners of physic to report certain patients.

Penalty.

XVIII. *And be it further enacted,* That all persons and things within the city of New-York infected by or tainted with pestilential matter, which in the opinion of the commissioners of the health-office ought to be removed from the said city, shall by order of the said commissioners be sent to the marine hospital; *Provided always,* That the expences in the said marine hospital of all persons who shall at any time be removed thereto from the city of New-York, having gained a legal settlement in the said city, and who shall not have sufficient means to pay for their board, medicine and attendance, shall be deemed to be and shall be borne and paid as part of the contingent expences of the said city.

Persons and things when to be sent to the marine hospital.

Proviso.

XIX. *And be it further enacted,* That all persons removed to the said marine hospital, other than those who have paid hospital money, shall be liable to pay a reasonable sum for their board, medicine and attendance therein; and if any of them deemed to have sufficient means, shall refuse or neglect to pay such sum as they may be reasonably charged with, the same shall be sued

Expences of persons at the marine hospital how paid.

for and recovered from them by the said commissioners by an action on the case in their own names.

Marine hospital where and how held.

XX. *And be it further enacted,* That the hospital erected on the easterly part of Staten-Island, shall continue to be denominated the marine hospital, and shall, together with the other buildings and improvements made or to be made thereon, at the discretion of the said commissioners, and the land adjoining the same and belonging to the people of this state, be holden by the commissioners of the said health-office, in trust for the use of the people of this state and the purposes specified in this act; and all vessels subject to quarantine shall come to anchor as near as may be to the said hospital, which is hereby declared to be the anchoring place for vessels at quarantine; that the said health-officer shall be physician of the said hospital, and the said commissioners of the health-office, shall in other respects have the superintendance thereof, and employ mates, nurses and attendants, and provide bedding, cloathing, fuel, provisions, medicine and such other matters as shall be requisite therein; and it shall be lawful for them to make reasonable rules and orders for the government and management of the said hospital.

Anchoring place for vessels at quarantine.

Commissioners to make rules for the said hospital and to superintend it.

Penalty for going within the line round the said hospital.

XIX. *And be it further enacted,* That no person unless authorised by the health-officer, shall go within a line to be designated upon the land belonging to the people of this state round the marine hospital aforesaid by the commissioners of the health-office, and that every person so trans-

gressing shall be considered guilty of a misdemeanor and be fined in a sum not exceeding one hundred dollars, or be imprisoned for a time not exceeding thirty days, by any court having cognizance thereof; and that the public highway which passes through the said land shall be within four months from the time of passing this act stopped up by the commissioners of highways of the town in which such land is situate, and another public highway opened as near as may be convenient, with the approbation of the health-officer.

A new highway to be opened near the same.

XXII. *And be it further enacted,* That every diseased person duly landed or sent to the marine hospital, shall be there kept and maintained until the health-officer shall grant him or her a discharge in writing; and if before obtaining a discharge as aforesaid any such person shall elope or be absent beyond the line limited and designated as above mentioned, 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 eloped or absent, and there again deliver him or her, to be detained until discharged as aforesaid; and any person so eloping or absenting from the marine hospital, or any diseased person in the marine hospital refusing or neglecting to obey the directions of the health officer and the orders and regulations of the commissioners of the health-office, shall be considered as guilty of a misdemeanor, and as such shall be punishable by any court having cognizance thereof.

Persons diseased and eloping from the hospital, how apprehended and punished.

Expences of
sick seamen
at the hospital,
by whom
borne.

XXIII. *And be it further enacted,* That the master, commander or owner of every vessel, leaving any seaman or sailor belonging to such vessel sick in the said hospital, other than those seamen who pay hospital money, shall pay unto the commissioners such sum or sums of money as have been expended on him or them for their board, attendance and medicine during the time they were in the said hospital, to be sued for and recovered from such master, commander or owner by the said commissioners by an action on the case in their own names.

Vessels at qua-
rantine to
have a signal
in the shrouds.

XXIV. *And be it further enacted,* That colours designating a vessel subject to quarantine, shall be fixed in the main shrouds, halfway between the main deck and the topmast of such vessel, and there remain untill the expiration of her quarantine, and that if the master or commander of any such vessel shall not comply with this direction, or if the master or commander of any vessel not subject to quarantine shall exhibit such signal or continue such signal after being ordered by the health-officer to remove it, he shall forfeit for every such offence the sum of fifty dollars, and the further sum of three dollars for every hour he shall so offend, to be recovered by the commissioners of the health-office with costs in an action of debt in their own names in any court having cognizance thereof.

Penalty for
disobedience
herein.

Pilots when to
be removed or
bound over to
court.

XXV. *And be it further enacted,* That upon complaint being made in writing by one or more of the commissioners of the health-office to the wardens of the port of New-York, charging any

pilot with neglect or violation of any of the duties herein prescribed or enjoined upon him, it shall be the duty of the said wardens of the port forthwith to suspend such pilot from piloting any vessel until he shall have entered into recognizance before one of the justices of the peace for the city and county of New-York, in the sum of two hundred dollars with sufficient sureties, to answer to the offence wherewith he is charged, at the next general sessions of the peace to be held in the city and county of New-York; which offence the said court is hereby authorised to try and determine, and to impose such fine as they may deem proper, not exceeding the sum of one hundred and twenty-five dollars; and it shall be the duty of every pilot who shall conduct any vessel subject to quarantine into the port of New-York, to land immediately at the health-office stairs and to leave at the said health-office in writing subscribed by him the name of such vessel and also the name of her commander, and the name of the place from which she last came or sailed; and every pilot neglecting or refusing to perform any of the duties required of him by this act, or permitting any vessel or boat to come along side of such vessel which such pilot shall have the direction of, or permitting any thing to be thrown into such vessel or boat, shall in addition to the above penalties, forfeit for every such offence the sum of twenty-five dollars, to be recovered by the commissioners of the health-office with costs in an action of debt in their own names in any court having cognizance thereof.

XXVI. *And be it further enacted, That it shall be lawful for the said health-officer whenever*

Duties of pilots conducting vessels subject to quarantine:

Penalty for disobedience therein.

Bedding when to be destroyed.

And medical assistance procured.

he shall judge it necessary to prevent infection, to cause any bedding and cloathing arriving in a vessel subject to quarantine to be destroyed; and that it shall be lawful for the commissioners of the health-office, when in their opinion it shall be necessary for the public safety, to procure and employ occasionally medical advice and assistance, the expence of which shall be considered and settled as part of the contingent expences of the city and county of New-York.

Fines and penalties under this act how applied.

XXVII. *And be it further enacted*, That all fines and penalties imposed and received under this act shall be paid to the said commissioners, to be by them applied towards defraying the expence of the health-office.

Charges payable to the commissioners of the health-office, by every captain, passenger and sailor of vessels entering New-York from a foreign port:

XXVIII. *And be it further enacted*, That the said commissioners or either of them are hereby authorised and required to demand and receive, and in case of neglect or refusal to sue for and recover in their own names or in the name of either of them, with costs of suit, from the captain or commander of every vessel which shall hereafter enter the port of New-York from any foreign port, the following sums of money, to wit: For each captain or commander or cabin passenger, one dollar and fifty cents; for each steerage passenger seventy-five cents, and for each mate, sailor or mariner seventy-five cents; which several sums shall be demandable of the captain or commander of every such vessel, and on payment thereof every such captain or commander shall and may lawfully demand and receive from every such person on whose account respectively the same shall have

been paid the monies so paid; and the said monies so to be received by the said commissioners or either of them shall be appropriated by them to the use of the health-office, deducting therefrom the sum of two and an half per cent which they are hereby authorised to retain as a compensation for collecting the same. How applied.

XXIX. *And be it further enacted,* That the compensation of the resident physician, and of the other commissioner, other than the health-officer, shall be to each of them one thousand dollars per annum, to be paid out of the monies by this act appropriated for compensating the commissioners of the health-office; and that the health-officer shall be entitled to receive as physician to the said hospital, the sum of five hundred dollars per annum to be paid as aforesaid, and also for his services in searching and examining vessels from foreign ports in pursuance of this act, the sum of seven dollars and fifty cents for each vessel so by him examined, to be paid by the master or commander of the same; and for visiting coasting vessels in pursuance of this act, when subject to quarantine, the sum of four dollars for each vessel so visited by him in person, to be paid by the master or commander thereof; and the health-officer shall also be entitled to receive from the master or commander of every vessel arriving in the port of New-York from any port, island or other place in the United States south of Sandy-Hook, between the first day of June and the first day of October in any year, the sum of four dollars for each vessel above one hundred tons, and the sum Compensation to the commissioners of the health-office.

of two dollars for each vessel of or below one hundred tons so visited by him, excepting all boats arriving in the harbour of New-York, from any port or harbour on the shores of New-Jersey, between Sandy-Hook and Cape-May, or any part of Long-Island.

Commissioners to account annually to the comptroller.

XXX. *And be it further enacted,* That it shall be the duty of the said commissioners to account annually to the comptroller for all monies received by them for the use of the health-office, and if the same shall in any one year be more than sufficient to defray the expence of executing the trust committed to them, exclusive of such expences as are to be borne and paid as part of the contingent charges of the city of New-York, and including the annual compensations herein before granted to the said commissioners, then and in such case the said commissioners shall pay the residue thereof into the treasury of this state; and if at any time the money received by the said commissioners should not be sufficient for the purposes aforesaid, it shall be lawful for the person administering the government of this state, upon the application of the said commissioners, to direct the comptroller to issue a warrant to the treasurer to pay to the order of the said commissioners such sum as he may think necessary for the purposes aforesaid, not exceeding in the whole two thousand five hundred dollars in any one year.

Deficiencies in the funds appropriated to their use, how supplied.

Commissioners to make and execute rules relative to cleansing the streets, &c. in New-York.

XXXI. *And be it further enacted,* That it shall be lawful for the said commissioners of the health-office or a majority of them as they shall

judge advisable, to make and execute rules and orders for cleansing and scouring the streets, alleys, passages, curtilages, sewers, yards, cellars, vaults, sinks and other places where filth and corruption collect within the said city, and for removing all offensive, noxious or putrid articles or substances which may be stored or otherwise collected within the said city; and all necessary expences for carrying the said rules and orders into effect, where the same relate to the cleansing of such places as are not the property of private individuals, shall be deemed as part of the contingent expences of the said city, and the monies for defraying the same shall be raised in like manner as the other contingent expences of the said city; and where the same shall relate to the cleansing such places as are the property of individuals, such expences shall be paid by the owners or occupiers thereof; *Provided*, All such rules and orders shall be reported to and may be suspended or repealed at any time by the person administering the government of this state.

Expences show borne.

Proviso.

XXXII. *And be it further enacted*, That whenever the city of New-York or any part thereof shall be annoyed or rendered foul by any manufactory, trade, work or business producing noxious vapors or highly offensive smells, or by any place where noxious or putrid substances shall be stored or collected within the said city, it shall be the duty of the said commissioners or a majority of them, if in their opinion the public health or that of individuals shall be endangered thereby, to proceed forthwith to such place or places and to make due

Trades and offensive substances injurious to health, and becoming nuisances to be removed.

inquiry and strict examination respecting the same; and that it shall be lawful for them or either of them whenever it may be necessary, to require the aid or assistance of a justice of the peace and constable in making of such inquiry and examination, who are hereby authorised and required to break open, whenever admittance cannot otherwise be obtained, the door or doors of such place where such manufactory, trade, work or business is carried on, producing or affording such noxious vapour or highly offensive smell, or where such offensive substances are deposited; and if the said commissioners or a majority of them shall judge, any such manufactory, trade, work, business or repository to be carried on or kept in such manner as to be a nuisance, they shall declare it so in writing to the owner thereof or in his absence to such workman, clerk, keeper, or one of the family as they may then find on the premises, and at the same time shall require the removal, abatement or discontinuance of the said nuisance, as the case may require, within the time to be limited in the said writing; and if on the expiration of the said time, the same order shall not have been complied with, it shall be the duty of the Mayor or recorder of the said city, upon representation thereof to either of them made by the said commissioners, or a majority of them, immediately to issue a warrant under the hand and seal of the said mayor or recorder, directed to the sheriff of the said city, commanding him forthwith without delay to cause to be removed, abated

By the party.

By the sheriff.

or discontinued such nuisance; and the person to whom such declaration and requisition in writing as aforesaid shall be made, shall besides for not complying therewith, be considered as guilty of a misdemeanor, and on complaint being made thereof in writing by any one or more of the said commissioners to any one of the justices of the peace of the said city, it shall be the duty of such justice to bind the person so complained of in a recognizance with sufficient surety in the sum of two hundred dollars, for his appearance at the next general sessions of the peace in the said city, to answer to the said charge, and on due proof thereof it shall be lawful for the said court to impose a fine on the person or persons so offending, in a sum not exceeding one hundred dollars, out of which fine the expences of removing, abating or causing to be discontinued such nuisance shall be paid.

Party refusing liable to a fine.

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

This act not to affect remedy at common law.

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

Quarantine how regulated in the other ports and harbours of this state.

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

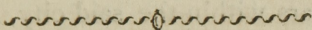
Breaches thereof how punished.

Measures to be taken against the introduction of infectious diseases in this state.

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

XXXVI. *And be it further enacted,* That it shall be lawful for the person administering the government of this state, by and with the advice and consent of the council of appointment, to appoint a physician in each of the cities of Albany and Hudson, to assist in carrying into effect the provisions contained in the two preceding sections of this act, and such physician who shall examine any vessel coming from a foreign port shall be entitled to receive from the commander thereof, the sum of seven dollars and fifty cents.

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EXTRACTS FROM

An ACT to invest the Mayor, Aldermen, and Commonalty of the city of New-York, with adequate Powers in Relation to certain Objects of Importance to the Police and Health of the said City.

Passed April 2d, 1803.

WHEREAS the general welfare of the state is connected with the safety and health of the city of New-York, which has been visited by destructive and epidemic disease, the causes of which, as far as human wisdom can discover, ought to be removed, and such measures adopted as, by divine favour, may prevent the return of that fatal malady. *And whereas,* it is represented to the legislature, that noxious exhalations from sunken and damp lots of ground, deep damp cellars, narrow and confined streets, foul and ill-constructed sinks, and privies unfinished, water-lots, foul slips, putrid or unsound provisions, and other evils of a similar nature, together with the practice of interring the dead in the heat of summer in improper places,

and without due precautions, are among the causes, to which the existence or malignity of that disease may be in a great measure attributed: Therefore, to remove the said evils.

I. *Be it enacted by the People of the State of New-York, represented in Senate and Assembly,* That the mayor, aldermen and commonalty of the said city, in common council convened, shall have full power and authority to make and pass such bye-laws and ordinances as they shall from time to time deem necessary and proper for the filling up, draining and regulating of any grounds, yards or cellars within the said city, that may be sunken, damp, or unwholesome, or which they may deem proper to fill up, drain, raise, lower or regulate; and also, for causing all such lots of ground in the said city, adjoining to Hudson's river or to the East river or Sound, as they may from time to time think proper, to be filled up with wholesome earth, or other solid materials, so far into the said rivers respectively as they shall from time to time deem expedient for promoting the health of the said city; and for compelling the proprietors of such lots to make suitable bulk-heads on, adjoining or opposite to such lots, and to raise and fill up the same with such materials and in such manner and within such times as the said mayor, aldermen and commonalty shall from time to time direct; and also for filling up, altering and amending of all public slips in the said city, at such times and in such manner as they may deem proper; and for filling up or altering and amending all sinks and privies within the said city, and for directing the mode of con-

structing them in future, and for causing subterraneous drains to be made from the same, where they may think it necessary; and for regulating or if they find it necessary preventing the interment of the dead within the said city; and for the better regulating of boarding-houses and taverns in the said city, and the preventing the resort of crowds of disorderly persons to them; and for preventing the digging or turning up of made ground or grounds formerly covered with water, during the summer months without their permission.

II. *And be it further enacted*, That such penalties may be contained in such bye-laws or ordinances as the said mayor, aldermen and commonalty, shall or may from time to time think proper, in order to enforce a prompt and punctual compliance with the same, and for the punishment of all offenders in the premises, not exceeding one hundred dollars for each offence.

III. *And be it further enacted*, That it shall and may be lawful for the said mayor, aldermen and commonalty, in common council convened, to appoint one or more persons as inspectors of lots in the said city, who shall have power at all times between sun rise and sun set, to enter into any cellar, lot of ground or building of any kind, and to examine the state thereof, and to report the same to the common council, whenever he or they shall judge that the health of the city may require any alterations or regulations therein.

V. *And be it further enacted*, That it shall and may be lawful for the said mayor, aldermen and commonalty, in all cases where they may deem

it necessary, for the more speedy execution of the said bye-laws and ordinances, or any of them, to cause all such works as may be necessary for any of the purposes aforesaid, or any part thereof, to be executed and done at their own expense, on account of the persons respectively upon whom the same may be assessed, and shall have full power and are hereby authorized to levy the same, with lawful interest, and all reasonable costs and expenses attending such proceedings by distress and sale of the goods and chattels of the proprietors or occupants of the property upon or by reason of which any such sum shall have been assessed, or to recover the amount of every such expense, by action of debt, in any court of record, from the persons respectively on whose account the same shall have been incurred, their respective heirs, executors or administrators, in all which actions they shall also recover lawful interest upon the said amount, with full costs of suit.

VI. *And be it further enacted*, That the amount of every such expense which the said mayor, aldermen and commonalty shall pay as aforesaid on account of others, shall be a real incumbrance upon the houses and lots in respect to which such assessments as aforesaid shall have been made, and shall bear lawful interest until paid, and that the same may be recovered, or the payment thereof, with costs, enforced in like manner as if the said houses and lots were mortgaged to the said mayor, aldermen and commonalty, for the payment thereof.

VII. *And be it further enacted*, That whenever any person shall die in the city of New-York,

the physician or surgeon who shall have attended such person, as a physician or surgeon, during his or her last sickness, shall leave a note in writing, signed with his name, with some one of the family in the house where such person shall have died, specifying the name and apparent age of the deceased, and the disease of which he or she shall have died; and every physician or surgeon refusing or neglecting to make and deliver such note, shall forfeit the sum of five dollars; and that no sexton of any church, or other person having charge of any cemetery, vault or burying ground in the said city, shall permit any dead body to be interred therein until he has received such note, in writing, so signed as aforesaid; or in case no physician or surgeon shall have attended such deceased person, or the physician or surgeon who did attend shall have neglected or refused to leave such note, then a like note signed by some of the family in which such person shall have died, the contents of which note in writing, shall be entered by such sexton on a blank schedule, to be furnished by the clerk of the city and county aforesaid, and delivered together with the said schedule, on the Saturday in every week, to the said clerk for publication in such form as may be designated by any present or future ordinance of the mayor, aldermen and commonalty of the city of New-York: and that every sexton, or other person having charge of any place of interment, neglecting or refusing to perform any of the duties required by this act, shall forfeit the sum of twenty-five dollars.

VIII. *And be it further enacted,* That every practitioner of physic in the said city, shall whenever called on for that purpose, by the mayor, or in his absence by the recorder, give his opinion in writing as to the existence of any infectious or contagious disease in the said city; and that the said mayor may, when thereunto required, if such opinion will in his opinion warrant it, deliver certificates under his seal of office, to masters of vessels sailing from the said city, stating the general health of the said city.

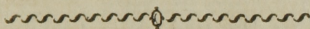
XII. *And be it further enacted,* That whenever any putrid or unsound beef, pork, fish, hides or skins of any kind shall be found within the said city, it shall be lawful for the said mayor, aldermen and commonalty, or any one of the inspectors of those articles or any of them, or any person or persons acting under them, or any of them, to cause the same to be destroyed, by starting it or casting them into the stream of either of the said rivers, below low water mark, and at a suitable distance from the shore, or in such other manner as the said mayor, aldermen and commonalty, shall from time to time direct.

XIII. *And be it further enacted,* That cotton in bales, which is the produce of North-Carolina, South-Carolina and Georgia, shall and may be brought into the city of New-York at all times. *Provided nevertheless,* That the commissioners of the Health-office shall be and they are hereby authorised to order and direct all such cotton as may be brought to said city between the first day of June and the first day of November, to be landed.

and stored in such part of the city as will in their judgment be least injurious to health, any law to the contrary notwithstanding.

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

XIX. *And be it further enacted*, That this act shall be considered as a public act, and be liberally expounded and construed to advance the ends thereof, and enable the said mayor, aldermen and commonalty to promote the health and improve the police of the said city.



An ACT Supplementary to an Act, entitled " An act to provide against infectious and pestilential Diseases."

Passed February 28th, 1804.

I. **BE** *it enacted by the People of the State of New-York, represented in Senate and Assembly*, That every vessel arriving at the quarantine ground between the first day of June and the first day of October, in any one year, from a place where a malignant or pestilential fever prevailed at the time of her departure from such place, or if during her voyage any person has died or been sick on board with such fever, shall not be permitted within the period aforesaid to approach nearer to the city of New-York than the said quarantine ground, except such vessel be bound to

a place eastward of the said city and beyond the state, when in such case she may be permitted to proceed onward through the sound without coming to anchor near the said city, or holding any intercourse with it; and that no person arriving in such or any other vessel at the quarantine ground shall proceed to the city of New-York, nor shall any part of the cargoes of such vessels be conveyed to the city of New-York, without a permit in writing from the health-officer; and that any master or commander of a vessel, passenger or seaman; or any other person offending in the premises, shall be considered guilty of a misdemeanor, and on conviction thereof, shall for each offence be fined in a sum not exceeding two thousand dollars, to be applied to the use of the marine hospital, or be imprisoned for a time not exceeding three years, by any court having cognizance thereof.

II. *And be it further enacted,* That no ships or vessels which shall arrive in the port of New-York, from any place in the West-Indies, in South-America, in the United States southward of Savannah in Georgia, in the river Mississippi, in the Mediterranean, in Africa, or the islands thereof, or in Asia, (except in Canton and Calcutta) or the islands thereof, between the first day of June and the first day of October, in any one year, shall within that period, and after having been examined and permitted to proceed by the health-officer, approach within three hundred yards of that part of the island of New-York which lies southward of a line drawn from the house owned and occupied by William Bayard on the North

river, and Stuyvesant's dock upon the East river : But nevertheless, if such ships or vessels coming at anchor within three hundred yards of the said city of New-York, the owner or consignees of such vessel choosing to discharge the whole or any part of said cargo, if such part of her cargo be proper and sound, the same may be unloaded or discharged by boats or lighters subject to the regulations of the commissioners of the health-office, and the said vessel or vessels being unloaded of her or their cargoes, shall then be under the order and regulations of the office aforesaid, as it respects appointing proper places for cleansing and repairing ; and that every master, commander, owner or consignee of a vessel concerned in violating this direction, shall be considered guilty of a misdemeanor, and shall upon conviction be subject to the same pains, penalties and fines, to be imposed and applied as aforesaid.

III. *And be it further enacted,* That no salted provisions shall be packed or repacked at any season of the year, in that part of the city of New-York lying to the southward of a line drawn from the outlet of Lispenard's meadow, and thence following the course of the canal until it intersects Grand-street, and thence through Grand-street to where it intersects Ferry-street, then down Ferry-street to the East-river ; and that from the first day of May to the first day of October, in any one year, no salted or pickled beef, or fish in barrels or half barrels, except smoaked beef and fish, shall be deposited within the above limits, except such as shall be exposed for sale by butchers in the

public markets, or shall be kept by the heads of families for the use of their respective families; and that every person offending in the premises shall be considered guilty of a misdemeanor, and upon conviction thereof, shall be fined for each offence in a sum not exceeding five hundred dollars, or be imprisoned for a time not exceeding six months, by any court having cognizance thereof.

IV. *And be it further enacted,* That it shall be lawful for the comptroller to issue his warrant on the treasurer in favor of the commissioners of the health-office for two thousand five hundred dollars, for which sum the said commissioners of the health-office shall be accountable, and render to the comptroller accounts and sufficient vouchers for the expenditure thereof, to be applied by them to satisfy all demands which have occurred against them for the last year, and to cause to be made such repairs and improvements as may be necessary in the wharves, fences and buildings, at the quarantine ground.

V. *And be it further enacted,* That all cotton in bales which is the produce of any part of the United States, or the territories thereunto belonging, shall and may be brought into that part of the city of New-York north of a line commencing at the outlet of Lispenard's meadow, and thence in a line to Ferry-street, at or near Corlear's hook, on the East river, between the first day of June and the first day of November, in any one year, any law to the contrary notwithstanding.

An ACT relative to the Public Health, in the city of New-York.

Passed 9th March, 1805.

I. **B**E it enacted by the people of the State of New-York, represented in Senate and Assembly, That the powers granted in and by the thirty-first and thirty-second sections of the act, entitled "An act to provide against infectious and pestilential diseases," to the commissioners of the Health-office, be and hereby are transferred to the mayor, aldermen and commonalty of the city of New-York, and that the said mayor, aldermen and commonalty shall have power in their discretion, to remove or order the removal of all persons and things within the said city, infected by or tainted with pestilential matter, to such place or places as may in their opinion, most conduce to the preservation of the health of the said city, and that such penalties may be contained in such bye-laws or ordinances, relative to the powers hereby granted, as the said mayor, aldermen and commonalty, shall from time to time judge proper, in order to enforce a prompt and punctual compliance with the same, and for the punishment of all offenders in the premises, not exceeding one hundred dollars for each offence.

II. *And be it further enacted,* That it shall and may be lawful for the said mayor, aldermen and commonalty, to institute from time to time a board of health for the said city, consisting of the commissioners of the health-office and such other

persons as they may think proper, and to invest the said board with such of the powers of the said mayor, aldermen and commonalty, in relation to the public health, as they may judge proper, and to enforce a compliance with the orders of said board, by the infliction of penalties, not exceeding one thousand dollars, for each offence.

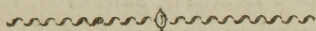
III. *And whereas* doubts may exist whether vessels described in the second section of the act, supplementary to an act, entitled "An act to provide against infectious and pestilential diseases," may not be permitted after being discharged of their cargoes, to approach within three hundred yards of the island of New-York : therefore,

Be it further enacted, That such permission shall not, in any case, be granted.

IV. *And be it further enacted*, That it shall be in the power of the mayor of the said city, or of the board of health, to order to the quarantine ground or some other place of safety, any vessel or vessels at the wharves, or in the vicinity of the said city, which he or they may deem prejudicial to the public health ; and in case any master, owner or consignee of such vessel, shall refuse or neglect to obey such orders, the person so offending shall be considered guilty of a misdemeanor, and shall be fined in a sum not exceeding one thousand dollars, or imprisoned for a term not exceeding twelve months, in such case ; and also, in case the master, owner or consignee cannot be found, the mayor of the city of New-York, or the board of health, shall have power to remove as aforesaid,

such vessel or vessels, at the expence of the master, owner or consignee.

V. *And be it further enacted*, That if any surplus money shall, in future, remain in the hands of the commissioners of the Health-office after each annual accounting with the Comptroller of the state, the same shall be paid to the board of health of the said city, to be by them applied to promote the objects of that institution.



A LAW for the establishment of a Board of Health.

WHEREAS by an act of the legislature of this state, entitled "An act relative to the public health of the city of New-York" passed the ninth day of March, 1805, the mayor, aldermen and commonalty of said city, are empowered to institute from time to time, a board of health for the said city, consisting of the commissioners of the health-office, and such other persons as they may think proper, and to invest the said board with such of the said powers of the said mayor, aldermen and commonalty, in relation to the public health, as they may judge proper, and to enforce compliance with the orders of the said board, by the infliction of penalties, not exceeding one thousand dollars, for each offence : therefore,

I. *Be it ordained by the Mayor, Aldermen and Commonalty of the city of New-York, in Common Council convened*, That a board of health shall be and is hereby instituted to consist of the commissioners of the health-office, and of the mayor, recorder and aldermen of the city, who shall assemble at

such time and place and as often as they may judge proper, to superintend and carry into effect all laws and ordinances of this state and of the common council, which at present exist or may hereafter be passed, providing against infectious and pestilential diseases, or which relate to the public health of this city. And the said board are hereby invested with all the powers of the said mayor, aldermen and commonalty of the city, which regard the public health of said city, to be by them exercised in such manner as, in their judgment and discretion, may best promote the important objects for which the said board is instituted, and that any five of the said board shall be a quorum to transact business.

II. *And be it further ordained,* That the said board of health shall make diligent enquiry with respect to all nuisances that may exist, and which they may deem obnoxious to the health and lives of the inhabitants of this city, and shall have full power to order the removal of the same at their discretion, under the several penalties in such cases made and provided.

III. *And be it further ordained,* That the said board of health may provide or erect a suitable office for their accommodation, on the public ground or else where, and during the existence of any epidemical disease, or upon its probable approach, shall have power at the public expence, to open the hospital at Bellevue, for the accommodation of the sick, and to make such rules and re-

gulations for their reception, and also to determine what persons shall be entitled to admission, as they may think proper; and moreover, that the said board of health, during the existence of any epidemic, shall have power to furnish and employ physicians, nurses, medicines, and other necessaries, not only for the use of the sick who shall have been removed into the said hospital, but also for the use of the sick and indigent of the city.

4. *And be it further ordained,* That the said board of health shall have power in their discretion to remove or order the removal of all persons and things within the said city, infected by or tainted with pestilential matter, to such place or places as may in their opinion most conduce to the preservation of the health of this city, and in order to enforce a prompt and punctual compliance with the said order, all offenders in the premises shall be subject to a penalty not exceeding one hundred dollars for each offence.

5. *And be it further ordained,* That it shall be the duty of the city inspector and his assistant, to attend the meetings of the board of health, and to be subject to such instructions as may be given to them in relation to nuisances, and to execute the several resolutions and orders of the said board.

6. *And be it further ordained,* That the first, second and third sections of the law "For the establishment of a board of health, and for the appointment of a city inspector," be and are hereby repealed.

regulations for their reception, and also to determine what persons shall be entitled to admission, as they may think proper; and moreover, that the said board of health, during the existence of any epidemic, shall have power to furnish and employ physicians, nurses, medicines, and other necessaries, not only for the use of the sick who shall have been removed into the said hospital, but also for the use of the sick and indigent of the city.

4. And be it further ordained, That the said board of health shall have power in their discretion to remove or order the removal of all persons and things within the said city, infected by or tainted with pestilential matter, to such place or places as may in their opinion most conduce to the preservation of the health of this city, and in order to enforce a prompt and punctual compliance with the said order, all offenders in the premises shall be subject to a penalty not exceeding one hundred dollars for each offence.

5. And be it further ordained, That it shall be the duty of the city inspector and his assistant, to attend the meetings of the board of health, and to be subject to such instructions as may be given to them in relation to nuisances, and to execute the several resolutions and orders of the said board.

6. And be it further ordained, That the first, second and third sections of the law "For the establishment of a board of health, and for the appointment of a city inspector," be and are hereby repealed.

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COFFEE shall not be brought in this city, between 1st June and 1st November, unless permitted by the Commissioners of Health, 14.

COMMISSIONERS OF THE HEALTH OFFICE and their residence, 3.

— in case of the death or resignation of any of the, the Mayor, or, in his absence, the Recorder, may make an appointment pro. tem. ib.

— may cause any vessel suspected by them to perform quarantine, 7.

— may cause persons and things, which may have been landed without permission, to be returned on board, ib.

— may apprehend such persons, as shall come into the State contrary to the proclamation of the governor or mayor, ib.

— may, on the refusal of masters and owners, to remove their vessels to such

place as they may direct, cause them to be removed, at the expence of such masters or owners, 13.

— shall superintend the Marine Hospital, 16.

— may occasionally employ medical assistance, 20.

— their compensation, 21.

— shall account annually with the comptroller of the State, 22.

— shall pay to the Board of Health such surplus money as may remain in their hands, after their annual accounting with the Comptroller, 39.

— shall constitute a part of the Board of Health, ib.

COTTON shall not be brought into New-York, between 1st June and 1st November, 14.

— unless the produce of North Carolina, South Carolina, and Georgia, which may be stored in such parts of the city as the Health Commissioners shall direct, ib.

— the produce of any part of the United States in bales may likewise be brought into that part of the city, which lies North of Lispenard's Ditch and Ferry-street, near Corlaer's Hook, 36.

D

DEAD, the Common Council may regulate or prevent the interment of the, within the city, 29.

E

EAST-INDIES, vessels arriving from, between 31st May and 31st October, subject to quarantine of course, 4.

— unless from Canton or Calcutta, vessels arriving from, shall not, between 1st June and 1st October, approach within 300 yards of the city, 34.

F

FINES AND PENALTIES, how applied, 20.

FISH, when found putrid or unsound, shall be destroyed, 32.

— salted or pickled, except smoked, shall not be kept to the southward of Lispenard's Outlet and Grandstreet, between 1st May and 1st October, under 500 dols. 35.

G

GOVERNOR of the State may, by proclamation, designate what vessels shall be subject to quarantine, 6.

— may prohibit or regulate the intercourse by land and ferries, between New-York and suspected places, ib.

GROUNDS, new made, shall not be turned up, during the

summer months, without permission, 29.

H

HEALTH OFFICER, shall examine vessels entering into the port of New-York, and any person obstructing him in the discharge of his duty, forfeits 500 dollars, 10.

— how he shall act with persons communicating with vessels at quarantine, without permission, 11.

— fees and compensation allowed for his services, 21.

— authorised to put questions to persons on board vessels on oath, 12.

HIDES, brought into New-York, between 1st June and 1st November, without a permit, shall be sold for the use of the Health Office, 14.

— when found putrid or unsound, shall be destroyed, 32.

I

INFECTED, persons or things tainted with, may be removed to such place as the Common Council or Board of Health may direct, 37 and 41.

INFECTIOUS DISEASES, what measures shall be taken to prevent the introduction of, into this State, 26.

INSPECTORS OF LOTS may

be appointed by the Common Council, 29.

L

LOTS may be raised, lowered or regulated, by order of the Common Council or Board of Health, 28.

M

MARINE HOSPITAL at Staten Island; expences of persons at the, how paid, 15.

— **Commissioners of Health** shall make rules for its government; and provide necessaries, &c. 16.

— **persons** going within the line round the, may be fined 100 dollars, or imprisoned 30 days, 16, 17.

— **diseased persons** eloping from the, how apprehended, and punished, 17.

— **persons** removed to the, who have not paid hospital money, shall, if able, pay a reasonable sum for their board and medicine, 15.

— **expences of sick seamen**, at the, how borne, 18.

MAYOR may, in case of the death, or resignation of any of the Commissioners of the Health Office, appoint one pro. tem. 3.

— **may**, in the absence of the governor, designate by proclamation what vessels shall be subject to quarantine, and prohibit or regulate

the intercourse by land and water between New-York and infected places, 6.

— **may** order to the quarantine ground or other place of safety, any vessel at the wharves, or in the vicinity of the city, which he may deem prejudicial to the public health, 38.

MEDITERRANEAN, vessels arriving from the, between 31st May, and 31st October, subject to quarantine of course, 4.

— **no vessel** from the, between 31st May and 31st October, after being permitted to leave the quarantine, shall approach within 300 yards of the city, 34.

MISSISSIPPI, vessels arriving from the, between 1st June and 1st October, shall not approach within 300 yards of the city, 34.

N

NUISANCES, how to be removed, 23, 28, and 37.

— **may** be removed at the public expence, and the amount afterwards levied upon the proprietors or occupants of the property, on which they existed, 30.

P

PASSENGERS on board vessels at quarantine coming on shore or landing any part of

the cargo without leave, forfeit 200 dollars, 9.

PELTREY, brought into New-York, between 1st June, and 1st November, without a permit from the Health Commissioners, shall be sold for the use of the Health Office, 14.

PILOTS, the duty of, with respect to vessels coming in from sea, 8.

— shall inform the Health Officer of all violations of the Health Laws, committed by persons on board, under 200 dollars, 10.

— shall deliver to masters of vessels such printed extracts from the health laws, as the health officer shall entrust to them, under 200 dollars, 10.

— shall, upon complaint of one or more of the Health Commissioners, be bound over and tried, 18.

— conducting vessels, subject to quarantine, shall leave at the Health Office, in writing, the name of such vessel, commander, &c. under 25 dollars, 19.

PORK, when found putrid or unsound shall be started into the river, 32.

PRIVIES, the common council, or board of health, may fill up, alter or amend, and also direct the mode of constructing them in future, 26.

PROVISIONS, salted, shall not be packed or repacked to the southward of Lisenard's

Ditch and Grand-street, under 500 dollars, or six months imprisonment, 35.

Q

QUARANTINE, what vessels shall be subject to, 4, 6, 7.

— vessels shall continue so long at the, as the health commissioners shall see fit, 8.

— persons communicating with vessels at, without permission, subject to a fine of 200 dollars, 11.

— how regulated in the other ports and harbours of this state, 25.

— persons coming to the city, from any vessel at, or bringing up goods from such vessel, without a permit, subject to 2000 dollars, or three years imprisonment, 34. See BOATS and VESSELS.

R

RECORDER, in the absence of the mayor, may, in case of the death or resignation of one of the health commissioners, make a temporary appointment, 3.

— may, in the absence of the Governor and Mayor, designate by proclamation, what vessels shall be subject to quarantine, and prohibit or regulate the intercourse by land and ferries between New-York and suspected places, 6.

S

SEXTONS, shall inter no corpse, without a certificate of the disease, 31.

— shall make weekly return of their interments, *ib.*

SICK, lodgers in Boarding Houses, between 1st June and 1st November, must be reported by the keepers of such houses to the Health Office, within 12 hours after their becoming so, under 100 dollars, or six months imprisonment, 14.

— persons shall not be removed from any vessel, without permit, under 100 dollars, *ib.*

SINKS. See **PRIVIES**.

SKINS, when found putrid or unsound shall be destroyed, 32.

T

TAVERN-KEEPERS. See **BOARDING HOUSES**

TRADES becoming nuisances, or injurious to health, how removed, 23 and 37.

V

VESSELS arriving from the East or West Indies, the Mediterranean, Africa, South Seas, or any place in America, south of Georgia, subject to quarantine of course, 4.

— arriving from any of the above places, or from ports in Asia, except Canton and Calcutta, shall not, after being permitted to proceed from the quarantine, approach within 300 yards of the city between 31st May and 31st October, 34.

— arriving from any port in the United States, south of Sandy Hook, between 1st of June and 1st of October, shall anchor at the quarantine ground and be subject to the directions of the Health Officer, under 2000 dollars, or 12 month's imprisonment, 4.

— arriving from an infected place, or having sick with fever on board, during the voyage, shall be unladed and purified at the quarantine ground, under 500 dollars, or 6 months imprisonment, 5.

— of the above description, shall not, between 1st June and 1st October, approach nearer to the city than 300 yards, except she be bound through the sound beyond the limits of this State, 34.

— commanders of, shall, upon the requisition of the health officer, cause all bedding and wearing apparel to be cleansed and purified, under a sum not exceeding 200 dollars, or three months imprisonment, 5, 6.

— if liable to examination, shall not approach the

city, beyond the place assigned for quarantine, without a permit, under 200 dollars, or 12 months imprisonment, 8.

— if otherwise subject to quarantine, shall not be exempt from it, for having previously entered any port in the United States, unless they have remained in such port fourteen days, 8.

— commanders of, giving false information to pilots, respecting the state of their vessels, crew, passengers, &c. coming up further than the quarantine, or landing goods and passengers, without permission, forfeit 200 dollars, 9.

— owners and commanders of, not purifying them, when directed by the health officer or resident physician, severally liable to a fine of 1000 dollars, 13.

— at quarantine, shall have a signal in the shrouds, under 50 dollars, 18.

— fees to be paid by the owners or commanders of, to the health officer, 21.

— shall, upon the orders of the Mayor, or the Board of Health, be removed from any wharf, or the vicinity of the city, to the quarantine

ground, or other place of safety, 38.

— when the owners, commanders, or consignees of, cannot be found, are liable to a fine of 1000 dollars, or 12 months imprisonment, and the vessels shall be removed at their expence, 38.

W

WEARING APPAREL, when to be be cleansed and purified at the quarantine ground, 5.

— indigent people shall be supplied with, while their own is cleansing, 6.

WEST-INDIES, vessels arriving from the, between the 31st of May and 31st of October, subject to quarantine of course, 4.

— shall not, between 1st June and 1st October, after being permitted to leave the quarantine ground, approach within 200 yards of the city 34.

Y

YAKDS, may be raised, lowered, or regulated by the common council or board of health, 28.

MEMBERS OF THE BOARD OF HEALTH.

1805.

The Hon. De Witt Clinton, Mayor,
Maturine Livingston, Reeorder,
Wynant Van Zandt, jun. }

Philip Brasher,
James Fairlie,
James Drake,
Jacob Delamontagnie, } Esquires.
George Janeway,
Mangle Minthorne,
William W. Gilbert,
Abraham King, }

Doctors John R. B. Rogers,
Edward Miller,
Gardner Jones,

John Pintard, City-Inspector, attends, ex-officio.
James, Hardie, Secretary.

Office of the Board of Health, Chamber-street, S. E.
corner of Broadway.

Med. Hist.

WZ

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