

CHAPTER CLXXIII.

An ACT for establishing an Health Office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases.

Section 1. **B**E 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 a board of health shall be established in the manner herein after directed, which shall be and hereby is erected into a body corporate, in deed and in law, by the name, style and title, of "The Board of Health," who shall have perpetual succession, and enjoy all and every the rights, liberties and privileges, powers, authorities and immunities incident or belonging to a corporation or body politic, and shall moreover have and exercise the powers and authorities herein after mentioned; that is to say, the Governor of this commonwealth shall on or before the first day of May next, commission and appoint five persons, three of whom shall be resident in the city of Philadelphia, one in the Northern Liberties, and one in the district of Southwark and township of Moyamensing, who shall compose the said board of health, and shall continue in office one year, next ensuing the date of their appointment, but not more than two of the said board shall be physicians; they shall receive four hundred dollars each, per annum, as a compensation for their services, and in case of the death, sickness, resignation, refusal to serve, or removal from office of all or any of

A board of health established and incorporated;

its style,

to enjoy all the privileges incident to a corporation;

the Governor to appoint five persons who are to constitute the board of health and continue in office one year,

not more than two of whom to be physicians; their compensations; of supplying vacancies;

them,

the board to
choose a pre-
sident, secre-
tary and trea-
surer ;

their duties ;

ordinary meet-
ings of the
board ;

special meet-
ings,

number neces-
sary to form a
board, &c.

general pow-
ers of the
board of
health.

them, their places shall be supplied by other appointments ; out of their own body, the board shall choose a president, who shall preside at the meetings of the board, and whose place shall be supplied in his absence by the appointment of a chairman, for the time ; a secretary whose duty it shall be to keep fair minutes of all the proceedings, rules and regulations of the board, and a treasurer who shall give bond with sureties, as is required of the county treasurer, who shall receive all monies belonging to the corporation, and pay and disburse the same upon the order of the board, signed by the president and attested by the secretary, who shall keep fair and just accounts of his receipts and expenditures, shall make extracts thereof whenever the board shall require the same, and shall once in every year, his accounts having been allowed by the board, publish the same in one or more of the public newspapers of the city of Philadelphia ; and the said board shall sit upon their own adjournment, as they shall find necessary, but shall meet at least once in every day, between the first day of May and the first day of November in every year ; and also when the board shall be specially convened by order of the president, or any two of the members, and at all meetings, three members shall form a board, to transact business, but a less number may adjourn ; and the said board shall have and hereby is vested with full power and authority, to make general rules, orders and regulations for the government and management of the lazaretto, and the vessels, cargoes and persons there detained under quarantine, and of the health office and public hospitals, and for the mode of visiting and examining vessels, persons, goods and houses, and

and shall also have power to appoint such other officers and servants, as from time to time shall be found necessary, to perform the several duties required by this act, and their future regulations: *Provided*, That such officer shall not hold any office of profit or trust under the United States, and to remove any of the officers or servants by them appointed, and appoint others in their places, and to allow and pay the said officers and servants so appointed, such compensation for their respective services as the said board shall deem just and proper; and the Governor is hereby authorized and required to appoint one physician, who shall reside at the lazaretto, and shall be denominated the lazaretto physician, and one physician who shall reside in the city of Philadelphia, and shall be denominated the hospital physician, one health officer, and one quarantine master, all of whom shall be under the direction and control of the board of health, and may be removed from office by the Governor at the request of the majority of the members of the board of health; and the said lazaretto physician shall be entitled to occupy the house hitherto occupied by the resident physician, and to have furnished him pasturage, provender and stabling for one horse and one cow, and also to such vegetables as may be necessary to supply his table whilst residing at the lazaretto, from the garden there, and the quarantine master shall be entitled to occupy the house hitherto occupied by the quarantine master, and to have furnished him pasturage, provender and stabling for one horse and one cow, and also to such vegetables as may be necessary to supply his table whilst residing at the lazaretto, from the garden there.

The Governor to appoint a lazaretto physician; hospital physician, health officer and quarantine master,

to be under the direction of the board of health and removable by the Governor at the request of a majority of its members; privileges allowed the lazaretto physician and quarantine master.

Compensation of the lazaretto and hospital physicians, the quarantine master and health officer.

Sec. 2. *And be it further enacted by the authority aforesaid,* That the health officer on receiving from the captain or master of any ship or vessel, arriving from a foreign port or place, the certificate as herein after directed to be furnished by the lazaretto physician and quarantine master or hospital physician, shall be entitled to receive from such captain or master the sum of six dollars and no more, of which the lazaretto physician shall have three dollars, and the hospital physician, the quarantine master and health officer one dollar each, in full compensation for all services enjoined on them by this act,

The lazaretto and the ground therewith reserved, &c. vested in the board of health established by this act, with power to erect buildings necessary for the accommodation of seamen, &c.

Sec. 3. *And be it further enacted by the authority aforesaid,* That the buildings now called the lazaretto, and the ground therewith reserved and occupied, and all the property and estate of every kind whatsoever, now vested in the present board of health, shall become and be fully vested in the board of health constituted by this act, immediately and as soon as the same shall be organised, for the uses and purposes for which the said board is instituted and established, and the same shall be fully and entirely under the direction and management of the said board; and the said board shall have power to erect such buildings on the lot or tract adjoining the lazaretto, as to them may seem necessary and proper, for the accommodation of the seamen and passengers who may arrive at the lazaretto station in health, during the performance of such quarantine, or during such detention as may be enjoined by this act: *Provided,* That the cost of such buildings shall not exceed in the whole, ten thousand dollars.

The expence of such buildings not to exceed \$10,000.

Sec. 4.

Sec. 4. *And be it further enacted by the authority aforesaid,* That every ship or vessel coming from any foreign port or place, bound to the port of Philadelphia, between the first day of May and the first day of November in every year, shall come to anchor in the river Delaware, as near to the lazaretto as the draft of water and the weather will allow, before any part of the cargo or baggage be landed, or any person who came in such ship or vessel shall leave her, or any person be permitted to go on board, and shall submit to the examinations herein after directed; and if any master, commander or pilot, shall leave his station before the said lazaretto, 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 the Delaware bay or river, or suffer any person except the pilot to come on board, before such examination be duly had and a certificate obtained, as is herein after specified, the person or persons so permitting, and the person or persons so landing or going on board, unless imminent danger of the loss of the vessel or lives of the crew, shall render assistance necessary, being thereof convicted, upon indictment or prosecution under this act, by verdict, confession or standing mute, in any court having jurisdiction of the offence, shall pay a fine not exceeding five hundred dollars, to be recovered and appropriated as is herein after directed:

Duties of commanders on the arrival of vessels coming from foreign ports bound to the port of Philadelphia:

and penalty for neglecting the same:

And it shall be the duty of the lazaretto physician and the quarantine master, so soon as any ship or vessel shall be anchored near the lazaretto, between sun rise and sun set, immediately, wind and weather permitting, to

Lazaretto physician and quarantine master to visit vessels on their arrival at the lazaretto

go

and examine the same touching the health of the crew, &c.

for which purpose they may propose questions on oath to any person on board;

they shall make known to the person the penalty on giving false answers to such question;

in what cases they shall give certificates and permit vessels to proceed to the

go on board the same, and there thoroughly examine in such form and manner as shall be prescribed by the board of health the said ship or vessel, the crew, passengers, cargo and baggage on board the same, and to demand answers under oath or affirmation, to be administered by either the said physician or quarantine master, who are severally hereby empowered to administer the same, to all such questions as shall be put to any person on board such ship or vessel, touching the health of the crew and passengers during the voyage, and the nature and state of the cargo as the board of health by their rules shall from time to time direct to be asked; but it shall be the duty of the person so examining upon oath or affirmation, before he shall proceed therein, to make known to the person interrogated, the penalty imposed by this act upon the person who shall give false answers, under oath or affirmation to the questions proposed in such examination; and if upon such examination it shall appear to the said physician and quarantine master, that the said ship or vessel came from a port or place, at which no malignant or contagious disease prevailed at the time of her departure, that the persons on board the same are free from every pestilential or contagious disease, the small pox and measles excepted, and that the said vessel has had no malignant disease on board, either during the homeward or outward bound voyage, or during her continuance in a foreign port, and they shall see no cause to suspect that the cargo or any part thereof is infected, they shall forthwith deliver to the master or captain of such ship or vessel, a certificate of the facts, in such form as shall be directed by the board of health; and

and the said captain or master may thereupon proceed according to his destination, and shall present such certificate at the health office in Philadelphia, within twenty-four hours after his arrival and safely mooring there: But if it shall appear to the said physician and quarantine master upon such examination, that the ship or vessel came from a port or place at which a malignant or contagious disease prevailed, the said ship or vessel shall be detained at the lazaretto for the space of twenty days, and the letter bag of the vessel when purified, and such letters as the master, commander or passengers shall think proper to write to their owners, consignees or friends, shall be transmitted to the health officer in Philadelphia, who shall safely deposit the same in the post-office, and the vessel and cargo shall be thoroughly cleansed, and all cloathing and baggage shall be aired and purified, at the expence of the master, owners or consignees of the vessel, and the goods respectively: *Provided always*, That wine, rum, salt, sugar, spirits, molasses, mahogany, manufactured tobacco, dye-wood, preserved fruits, and such other articles as the board of health shall by their general regulations specify and permit, may be conveyed immediately to the city in lighters; and at the expiration of such quarantine, if it shall appear to the said physician and quarantine master, that no person has been sick with a malignant or contagious disease, the small pox and measles excepted, on board said ship or vessel, either during the voyage outward or homeward, or during her continuance in a foreign port, nor any of the crew or passengers, or other person from on board such vessel, during the performance of quarantine, and

captains to present such certificates at the health office within 24 hours after their arrival; in what cases vessels shall be detained by the lazaretto physician and quarantine master; period of detention &c:

the vessel and cargo to be cleansed and baggage &c. aired and purified:

Specification of articles which may be forthwith conveyed to the city in lighters;

what vessels after performing quarantine may proceed to the city;

and the said physician and quarantine master shall certify the said facts to the board of health, and that in their opinion the vessel, crew, cargo and passengers may be safely suffered to proceed to the city, the said captain or master may proceed with the same according to his destination, unless the board of health shall deem it necessary to cause a further detention of the said vessel or cargo, or of the crew or passengers, or of any baggage on board said vessel, in which case the same shall be detained, until the board of health shall authorise the same to proceed and enter the city, and upon the arrival of the said captain or master at Philadelphia, he shall present the said certificate of the physician and quarantine master at the health office, within twenty-four hours after his arrival; but if upon examination of any vessel by the said physician and quarantine master as aforesaid, or during the performance of quarantine by any vessel, it shall appear to the said physician and quarantine master, that there has been any person sick on board said vessel, with any malignant or contagious disease, either during the voyage outward or homeward, or during the continuance of the vessel in a foreign port, or during the performance of quarantine at the lazaretto, or that any person from on board such vessel has been affected with such disease, then in such case the vessel shall not be suffered to proceed to the city until after the first day of November then next ensuing, and the cargo and baggage, except such part thereof as in the opinion of the board of health may be supposed incapable of retaining infection, which said part may be transported* to the city in lighters, shall be unladen and thoroughly cleansed

where vessels shall not be permitted to proceed to the city before the 1st of November &c.

* Transported in the original.

and

and purified, and the crew and passengers which were on board said vessel, and the cargo and baggage on board the same, or any part thereof, except as before excepted, shall not be suffered to enter the city before the first day of November, then next ensuing, without the licence and permission of the board of health to that effect first had and obtained: *Provided nevertheless*, That such vessel or ship after she shall have been thoroughly cleansed and purified, if no malignant disease appear on board, may be allowed to take in freight at the lazaretto by means of lighters and proceed to sea; and if any master or captain, or other person on board of any vessel, which shall be examined agreeably to this law, shall not true answers make, to all such questions as the said lazaretto physician and quarantine master, or the said health officer or hospital physician shall ask agreeably to this act, or the rules which shall from time to time be established by the board of health; or shall knowingly deceive or attempt to deceive the proper officers as aforesaid, in his answers to their official enquiries, he having been duly informed and apprised of the penalties imposed by this act, upon the person so offending previous to his said examination, by the person making such examination, such person for each and every such offence, on being thereof legally convicted, shall forfeit and pay a sum not exceeding five hundred dollars, to be recovered and appropriated as is herein after provided and directed, and shall moreover be sentenced to imprisonment at hard labor, for any term not less than one year, and not exceeding five years: And if any captain or master of any ship or vessel, shall neglect to present his certificate at the health office,

Proviso that such vessels, after being cleansed and no malignant disease appearing on board, may take in freight and proceed to sea.

Penalty on captains or other persons giving false answers to questions proposed by the lazaretto physician, quarantine master &c.

or attempting to deceive said officers in such answers:

Penalty on captains neglecting to present his certificate at the health office;

in any case in which he is herein before directed so to do, within the time directed by this act, he shall forfeit and pay the sum of three hundred dollars, to be recovered and appropriated as herein after directed; and if any captain or master of any ship or vessel, or any other person on board the same, shall refuse or neglect to comply with the directions of the lazaretto physician and quarantine master, which shall be made agreeably to this act, or the regulations of the board of health, with respect to the detention of any ship or vessel, or the landing from on board the same, of any person or persons, or of any goods, merchandize, bedding, baggage or cloathing, or shall refuse to carry the same into effect, such person for each and every such offence, shall forfeit and pay a sum not exceeding five hundred dollars, nor less than two hundred dollars, to be recovered and appropriated as is herein after provided and directed.

on refusing or neglecting to comply with the directions of the lazaretto physician, &c.

Sec. 5. *And be it further enacted by the au-*

thority aforesaid, That any ship or vessel coming from any port or place within the United States, at which said port or place the said ship or vessel had only called in, or touched upon her arrival from a foreign port or place, shall be liable and subject to all the rules, regulations and restrictions of the preceeding sections of this act, and shall be examined and treated as well the vessel itself, as the cargo, crew, passengers and baggage on board, in the same manner as if such ship or vessel had directly arrived at the lazaretto from a foreign port or place, without having first touched at a port or place within the United States; and all ships or vessels, as well vessels of war as merchant vessels, coming from any port or place

Vessels bound from a foreign port to Philadelphia having touched at any other port within the U. S. to be treated in the same manner as vessels arriving directly from a foreign port;

proceedings in case of vessels arriving from any port or place within

place within the United States, and bound to the port of Philadelphia, between the first day of May and the first day of November in every year, and having on board any goods or merchandize, the growth or produce of any foreign place or country; or any person or persons, bedding or cloathing, from any foreign port or place, shall come to anchor opposite the said lazaretto, and shall be examined by the lazaretto physician and quarantine master, and if the captain or master of any such ship or vessel, shall produce such satisfactory proof, as the board of health shall in that case direct to be required, that the said goods or merchandize have been landed in the United States more than thirty days, and are free from damage, and that the said vessel, bedding, cloathing and persons, are free from the infection of any dangerous contagious disease whatever, then and in that case the said physician and quarantine master, shall give to the captain or master of such ship or vessel a certificate of the facts, permitting such ship or vessel to proceed to the city, which certificate the said captain or master shall present at the health office in Philadelphia, within twenty-four hours after his arrival and safely mooring there, and if he should neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars, to be recovered and appropriated as is herein after directed and provided; and if the said captain or master shall fail to produce such satisfactory proof as aforesaid, of the wholesome state of the said vessel, goods, merchandize, bedding, cloathing and persons, the said vessel, goods, merchandize, bedding, cloathing and persons, shall be detained at the lazaretto, and shall be proceeded with in the same

the U. S. between the first of May and November having on board merchandize, &c. of foreign growth, &c.

same manner, and subject to the same orders and regulations as are herein before provided and directed in the case of vessels coming directly from a foreign port or place; and if the captain or master of any ship or vessel, coming from any port or place within the United States, and bound to the port of Philadelphia, having on board any goods or merchandize, bedding, cloathing or persons as aforesaid, shall refuse or neglect to come to anchor opposite the lazaretto, and shall pass the same with intent to proceed to the city, without examination by, and certificate obtained from the said physician and quarantine master as aforesaid, he shall on conviction, forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is herein after provided and directed; and the said vessel, goods, merchandize, bedding, cloathing and persons, shall be sent back to the lazaretto, there to be proceeded with in such manner as the board of health, agreeably to this act shall in that case devise and direct.

Proceedings
on the arrival
of vessels com-
ing from the
Mediterranean.

Sec. 6. *And be it further enacted by the authority aforesaid,* That every ship or vessel coming from the Mediterranean, shall be subject to a strict examination, under similar regulations and penaties as are provided in the fourth section of this act, and if it appears that the said ship or vessel came from any place, where the plague exists, or has spoken with any vessel on board of which any person was affected with the plague; or if any person is affected with the said disease on his arrival at the lazaretto, or has been affected during the voyage, the said vessel shall not be suffered to proceed to the city, the cargo and baggage shall be unladed, and thoroughly cleansed

cleansed and purified, and no part shall be suffered to enter the city, without the permission of the board of health first obtained, and the crew and passengers shall perform a quarantine of twenty days: *Provided nevertheless,* That such ship or vessel, after she shall have been thoroughly cleansed and purified, may be allowed to take in freight at the lazaretto, by means of lighters, and proceed to sea.

Sec. 7. *And be it further enacted by the authority aforesaid,* That any person or persons, and all goods, merchandize, bedding and cloathing, arriving at any port or place within the United States, from any foreign port or place, at which any malignant or contagious disease, the small pox and measles excepted, prevailed at the time of their departure, or in any vessel in which any such disease existed, whilst they were on board the same, are hereby prohibited from entering the city or county of Philadelphia, or the county of Delaware, except the township of Tinicum, at any time between the first day of May and the first day of November, in any year, either by land or water, without permission of the board of health first had and obtained, under the penalty of five hundred dollars, for each and every offence, and the forfeiture of all such goods, merchandize, bedding or cloathing, to be recovered and appropriated as is herein after directed.

Persons, &c. coming from any foreign port or place infected with malignant disease prohibited from entering the city or county of Philadelphia or county of Delaware, between the first of May and November without permission of the board of health, &c.

Sec. 8. *And be it further enacted by the authority aforesaid,* That no lazaretto physician, quarantine master, or other officer or servant of the said lazaretto, shall absent himself from the place of his duty, between the first day of May and the first day of November,

Lazaretto physician, quarantine master, &c. not to absent themselves from the place of their duty on.

between the first of May and November without leave, &c.

on any pretence, for any time whatsoever, without leave first obtained in writing from the board of health, under the hand of the president or chairman for the time, attested by the secretary, and entered on the minutes, under the the penalty of forfeiting his office, and a fine of any sum not exceeding five hundred dollars.

Duty of the lazaretto physician, on the arrival of any vessel liable to quarantine, to cause the sick, if any, to be removed to the house prepared for their reception, to attend on and administer to them medical aid, &c.

Sec. 9. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the lazaretto physician, immediately on the arrival of any ship or vessel, liable to be detained at the lazaretto, in order to be cleansed and purified as aforesaid, to cause the sick, if any on board, to be removed to the building which shall be appointed by the board of health for their reception, and diligently and impartially with his best skill, attend upon and administer medical assistance, to each and every sick person that shall be therein lodged, and generally superintend, and cause to be executed, such orders and regulations as the said board shall from time to time ordain, for the government and management of the lazaretto, and of the vessels, cargoes and persons under quarantine.

Of the quarantine master, to cause vessels performing quarantine to be moored near the lazaretto at a proper distance from other vessels, the bedding, &c. therein to be landed, aired, &c.

Sec. 10. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the quarantine master, immediately after the arrival of and examination as aforesaid, of any ship or vessel, liable to be detained at the lazaretto for purification aforesaid, to direct and cause such ship or vessel to be properly moored near the lazaretto, at such distance from any other vessel or vessels under quarantine, as may prevent the communication of any infectious disease to or from the

the same, and the cargo, bedding and cloathing, or any part thereof contained in such ship or vessel, to be landed, cleansed and purified, under the direction of the lazaretto-physician; and it shall be the particular duty of the said quarantine master, to prevent any personal intercourse between the persons on board different vessels under quarantine, and for that purpose to take possession of, and secure the boats of such vessels, until their respective terms of quarantine shall be completed, to preserve and enforce order and obedience to this act, and all such orders and regulations as the board of health, shall from time to time ordain, for the government and management of the lazaretto, and the persons, vessels and cargoes under quarantine.

to prevent intercourse between persons on board different vessels under quarantine, &c.

Sec. 11. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the hospital physician, upon receiving information from the health officer, or other person whomsoever, that any person or persons on board of any ship or vessel, in the port of Philadelphia, is or are afflicted or suspected to be afflicted, with any pestilential or contagious disease, or that there is just cause to suspect the cargo, or any part thereof, contained in any such ship or vessel, is infected with any such disease, the said physician in either of the foregoing cases, shall visit and carefully examine such ship or vessel; and if he shall discover any sick person or persons on board any such ship or vessel, he shall thereupon have and exercise the authority, to direct such sick person or persons to be removed to the said lazaretto, or to some other safe place which may be specified by the

Of the hospital physician, to visit and examine vessels suspected to be infected by contagious disease, &c.

proceedings and powers of the hospital physician in such cases.

the board of health, and the said physician shall without delay, report the state of said vessel, cargo and crew to the board of health, who shall direct and determine how the crew, passengers, vessel and cargo shall be disposed of and managed, for the restoration of their health and purification, and on the arrival of any ship or vessel in the port of Philadelphia, from any foreign port or place, from the first day of November in any year, to the first day of May in the next succeeding year, it shall be the duty of the said physician, provided such ship or vessel shall not have been previously visited and examined, by the lazaretto physician and quarantine master, and before any of the passengers, crew, cargo or baggage are landed, to visit and carefully examine such ship or vessel, in manner and form as the said lazaretto physician and quarantine master are bound to do; and to demand answers under oath or affirmation, to be administered by the said hospital physician, who is hereby empowered to administer the same, and if the crew, passengers, vessel and cargo be in a healthy state, and if there shall be no ground to suspect that any of the crew or passengers have died in the voyage, of any dangerous contagious disease whatever, or that the cargo, bedding or clothing is infected, then and in such case the said physician, shall give to the master or commander a certificate of the facts, which the said master or commander shall present at the health office within twenty-four hours after such examination, and if he shall neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars, to be recovered and appropriated as herein after provided and directed;

directed; and if on examination any suspicion shall arise in the mind of the said physician, touching the health of the crew or passengers, or the infectious state of the vessel, cargo, bedding or cloathing on board, no part thereof shall be landed, but the said physician shall immediately report the same to the board of health, who shall direct and determine what measures shall be pursued relative thereto, and the said physician upon request of the health officer or the board of health, shall from time to time, visit and examine such houses and persons, as the said board or the health officer shall have reason to suspect are infected with any dangerous contagious disease, and make report thereof to the said health officer.

Sec. 12. *And 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 day, (Sunday excepted) to open and keep a public office, at such convenient place in the city of Philadelphia as shall be directed by the board of health, whereat all masters or captains of ships or vessels, shall deliver the certificates or bills of health to them granted by the lazaretto physician and quarantine master, or hospital physician as aforesaid, and the board of health shall there assemble, and meet as often as they deem needful, for the purpose of executing the duties and trust of their appointment; 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, and the names of the captains or masters, owners or consignees, for which the same were respectively

Duty of the health officer;

to keep an office in the city,

business to be transacted thereat;

to file bills of health and register arrivals,

purport of the register;

tively granted, the port or ports from which the ship or vessel 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 shall attend the health office, at the meetings of the board of health, and at such other times as shall be requisite for discharging the duties of his appointment, and generally enforce and execute the regulations and instructions of the board of health; and it shall be the duty of the said health officer to collect, recover and receive all forfeitures and penalties imposed, and sums of money directed to be paid by this act.

to attend the meetings of the board of health,

to execute the regulations of the board;

and to recover and collect penalties and forfeitures.

Patients to be kept and maintained at the lazaretto till discharged;

proceedings and penalty on their eloping

Sec. 13. *And be it further enacted by the authority aforesaid,* That every diseased person duly landed or sent to the lazaretto, by either of the aforesaid physicians, quarantine master or the health officer, shall be there kept and maintained, until the lazaretto physician shall grant him or her a discharge in writing; and if before obtaining a discharge as aforesaid, any such person shall elope or otherwise absent himself or herself from the lazaretto, 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 lend such assistance to pursue and apprehend the person so escaping, or absenting himself or herself from the lazaretto, and 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

or herself, shall for each and every offence forfeit and pay the sum of one hundred dollars, or suffer such other punishment by confinement, not exceeding three months, as the board of health shall ordain and award; and if any master or captain shall knowingly receive, or 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 way entertain, any person so eloping or absenting from the lazaretto, each and every master and captain, and each and every house-keeper or inhabitant so respectively offending, shall on being thereof legally convicted, forfeit and pay a sum of two hundred dollars: And if any person arriving in or belonging to any ship or vessel, detained at the lazaretto as aforesaid, shall elope or absent himself, without having obtained a discharge, signed by the lazaretto physician and quarantine master, or if any person other than those detained at the lazaretto as aforesaid, shall go on board or along side of any ship or vessel whilst under quarantine as aforesaid, or if any person not authorised by the proper officer, shall go within the limits of the lazaretto, such person or persons shall perform such quarantine as the board of health may direct; the person so offending upon legal conviction of such offence, shall forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as herein after directed: And if any diseased or other person landed and sent to the lazaretto, by any officer having authority to do the same, or any person arriving in or belonging to any ship or vessel detained at the lazaretto as aforesaid, shall refuse or neglect to obey the directions of the lazaretto physician or quarantine master respectively, agreeably to this

penalty on masters of vessels or house-keepers harbouring such runaways:

Penalty on persons detained at the lazaretto eloping before obtaining a discharge;

on persons not authorised going within the limits of the lazaretto:

On patients, &c. at the lazaretto not obeying the directions of the lazaretto physician, &c.

this act, and the orders and regulations by the board of health, which shall from time to time be ordained and established, for the government and management of the lazaretto, and the persons, vessels and cargoes under quarantine, the person so refusing or neglecting shall for each and every offence, on being thereof legally convicted, forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as is herein after directed.

Vessels coming to Philadelphia with a certificate of health may be remanded on suspicion ;

Sec. 14. *And be it further enacted by the authority aforesaid,* That when any vessel shall come up to the city of Philadelphia, or the shore of Southwark, or of the Northern Liberties in the river Delaware, although the said vessel may have obtained a certificate of health, from the lazaretto physician and quarantine master, or the hospital physician, if the said vessel shall appear to the board of health to be infected with any contagious disorder, dangerous to the community, the said board are hereby authorised to order the said vessel to the lazaretto, there to undergo the necessary purification, before she shall be permitted to return to the city or shores aforesaid ; and the said board are hereby authorised 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.

and vessels may be removed from an infected part of the shores.

Of the city hospital,

Sec. 15. *And be it further enacted by the authority aforesaid,* That the messuages and lots, commonly called the city hospital, situate on the north side of Sassafra-street, and east side of the river Schuylkill, shall continue to be held

held as a public hospital, for the township of the Northern Liberties and Moyamensing, as well as for the city and district of Southwark, until the board of health shall procure and provide a more convenient public hospital for the purpose aforesaid; and all persons other than persons on board of any ship or vessel, and liable to be sent as aforesaid to the lazaretto, residing within the city of Philadelphia, the district of Southwark, the townships of the Northern Liberties and Moyamensing, who shall be afflicted with any pestilential or contagious disease, (the small pox and measles excepted) may upon the advice and order of the hospital physician, or any other physician, or person authorised by the board of health, to grant such order, to be removed by the health officer, and such assistance as he shall for that purpose employ, to the said public hospital, or to such other place as the physician or board of health shall approve, if the person afflicted with any contagious or pestilential disease, cannot be properly and sufficiently attended at home, there to be lodged, nursed and maintained, and kept until duly discharged, by a permit in writing signed by a physician of the said public hospital: *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 expence, on his or her account incurred in the said public hospital, unless the board of health award that he or she shall be exonerated or exempted therefrom.

persons infected with a contagious disease in the city and suburbs to be removed and maintained there:

The expences incurred how to be discharged.

Sec. 16. *And be it further enacted by the authority aforesaid,* That whenever the said board of health shall receive information, that any contagious disease rages in any port or place within

Proceedings in case a contagious disease rages in

any part of
the United
States;

•ommunica-
tion with in-
fected parts of
the city, &c.
how to be
stopped.

within the United States, or on the continent of America, they shall make diligent enquiry concerning the same, and it shall and may be lawful for the said board, to prohibit and prevent all communication by land and water, with such infected ports or places, by stopping all vessels coming into the port of Philadelphia, and at and before the lazaretto, in the same manner, and under the same penalties and forfeitures, as are hereby provided in case of vessels coming from foreign ports; and by stopping all persons coming from such infected places, in such manner as the circumstances and exigencies of the case shall require; and the said board of health are hereby authorised and required, whenever a fever of a contagious nature shall appear, in any part of the city of Philadelphia, the district of Southwark, or the townships of the Northern Liberties or Moyamensing, to adopt without delay, such prompt measures as will effectually prevent all communication, between the part or parts so infected, and any other part of the city, district or townships aforesaid; and all judges, justices, sheriffs, constables and other civil officers and citizens of this state, are hereby authorised 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 such rules, orders and regulations touching the stoppage of such intercourse, or removal of the infected, as the board shall ordain and publish.

Provision as
to individuals
infected with
a contagious

Sec. 17. *And be it further enacted by the authority aforesaid,* That whenever by means aforesaid, or by the report of the hospital physician, or any other physician appointed by

by the board of health, (whom the said board are hereby authorised to send to places or houses suspected to be infected) it shall come to the knowledge of the said board, that any person within the city of Philadelphia, the district of Southwark, the townships of the Northern Liberties or Moyamensing, 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, 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, and shall exercise all such other powers, as the circumstances of the case shall require, and as shall in their judgment be most conducive to the public good, with the least private injury.

Sec. 18. *And be it further enacted by the authority aforesaid,* That if any person shall obstruct, or resist the board of health, or any of the members thereof, or any person by them appointed in the execution of the powers to them given, or in performance of duties enjoined on them by this act, and the rules and regulations of the said board, such person shall on being thereof legally convicted, forfeit and pay a sum not exceeding five hundred dollars, to be recovered and appropriated as is herein after directed, and if after the expiration of the quarantine, any mariner or other person, who shall have complied with the regulations hereby established, shall commit any violence on the person of a member of the board of health, or any of the officers attached to the same, for any thing done

disease within
the city or
suburbs.

Penalty on
obstructing or
resisting the
board of
health or its
officers, &c.

done in the execution of his duty, such person shall be subject on conviction thereof, to a fine of two hundred dollars, and shall also be sentenced to imprisonment at hard labor, for any term not exceeding three years.

Penalties, forfeitures, &c. accruing by virtue of this act, how to be recovered,

Sec. 19. *And be it further enacted by the authority aforesaid,* That for payment and satisfaction of all forfeitures and penalties, which are imposed by this act, and all sums of money directed by this act to be paid, it shall be the duty of the health officer to sue or prosecute, and the same to collect, recover and receive, and the same shall be recoverable 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, or in the case or upon the offence upon which the proceeding shall be had, and the same when recovered and received, shall be appropriated and shall inure to the use of the institution, under the management and direction of the board of health; and no citizen or inhabitant of the city of Philadelphia, the district of Southwark, or the townships of the Northern Liberties or 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, her or their common interest, in the appropriation of the sum or penalties imposed for such offence, nor shall any member of the board of health, or any officer intrusted with the execution of this act, or any part thereof, be disqualified from giving testimony respecting any of the said offences.

to inure to the use of the institution;

but no inhabitant of the city, &c. to be disqualified from sitting as a juror, &c. by reason of his common interest therein.

Sec. 20.

Sec. 20. *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 twelve months next after the commission of the offence where-with he is charged, and if any action or suit shall be commenced, against any person or persons for any matter or thing committed in violation 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.

Limitation for bringing actions, and proceedings therein.

Sec. 21. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said board of health, to cause all offensive or putrid substances, and all nuisances which may have a tendency, in their opinion, to endanger the health of the citizens, to be removed from the streets, lanes, alleys, highways, wharves,* docks or any other part or parts of the city of Philadelphia, the district of Southwark, and the townships of the Northern Liberties and Moyamensing, and to cause such of the privies within the limits aforesaid, to be emptied or corrected with lime or otherwise, at the expence of the individuals, who are owners of the houses to which the said privies are appurtenant, as the said board shall from time to time, deem necessary, for the health of the inhabitants thereof; and if the owners or occupiers of the premises, on which any nuisance may be found, shall on due notice thereof being given, refuse or neglect to have the same immediately removed or corrected as aforesaid, he, she or they so refusing or neglecting, shall

Provision for cleansing the city and suburbs;

penalty for refusing or neglecting the same.

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forfeit

* *Wharves* in the original.

forfeit and pay for such offence, any sum not less than twenty nor more than two hundred dollars, to be recovered and appropriated as by this act is directed.

Fund to be raised for the purposes of this act.

Sec. 22. *And be it further enacted by the authority foresaid,* That for defraying the expences to be incurred, in erecting and supporting the said lazaretto, and for carrying into complete effect the other provisions contained in this act, the said board of health are hereby authorised and empowered, by and with the consent of the mayor or recorder, two aldermen and two justices as aforesaid, to levy and collect by tax, on the estates and inhabitants of the city of Philadelphia, the district of Southwark, and townships of the Northern Liberties and Moyamensing, in the same manner, at the same rates, and under the same regulations, as the county rates and levies are or may be by law levied and collected, such sums annually as the said board by and with the consent of the mayor or recorder, two aldermen and two justices as aforesaid, shall deem necessary for the use of the said institution; provided the same does not exceed the sum of forty thousand dollars, and the said board of health are hereby authorised and empowered, to borrow upon the credit of the taxes aforesaid, such sum or sums of money as may be thought necessary for the benefit of the said institution.

Accounts of the institution to be reported to the Governor and published.

Sec. 23. *And be it further enacted by the authority aforesaid,* That at any time between the fifteenth and twenty-fifth days of December yearly, and every year hereafter, the board of health shall report to the Governor the amount

amount of taxes which may be levied, the monies received, and the monies expended in pursuance of this act, and generally an exact and circumstantial account of the institution, and shall publish the same in one or more newspapers printed in the city of Philadelphia.

Sec. 24. *And be it further enacted by the authority aforesaid,* That no pilot bringing a ship or vessel to the lazaretto, in an apparent state of good health, shall be obliged to perform quarantine, but the lazaretto physician shall grant such pilot a certificate, permitting him to proceed to the capes of Delaware, in order that he may prosecute his profession, but such pilot shall not on any pretence come into the city of Philadelphia, the Northern Liberties, the district of Southwark or township of Moyamensing, for thirty days from the date of such certificate, under the penalty of one hundred dollars, and also of one year's imprisonment, which penalty shall be recovered and applied in the manner herein before directed; and any pilot bringing to the said lazaretto a ship or vessel infected, or suspected to be infected with any pestilential or contagious disease, may be permitted to go and remain on shore within the bounds of the lazaretto, during the time the ship or vessel brought thither by him shall be detained under quarantine: *Provided always,* That if the said vessel shall be infected with any such disease as aforesaid, he shall be detained and treated in like manner, as seamen or passengers so infected are herein directed to be detained and treated: *And provided further,* That if he shall go without the bounds of the lazaretto, he shall be liable to the same penalties, as are by this act imposed:

Pilots bringing up vessels apparently healthy not liable to quarantine;

if they bring suspected vessels they may land at the lazaretto, &c.

if they are infected how to be treated.

imposed on seamen or passengers escaping therefrom.

Limitation of
the act.

Sec. 25. *And be it further enacted by the authority aforesaid, That this act shall continue in force for three years, and from thence to the end of the next session of the general assembly, and no longer.*

SIMON SNYDER, *Speaker*
of the House of Representatives.

ROBERT WHITEHILL, *Speaker*
of the Senate.

APPROVED—April the first, 1803:

THOMAS M'KEAN, *Governor*
of the Commonwealth of Pennsylvania.

CHAPTER CLXXIV,

An ACT to vest in the devisees of James Parrock, deceased, such parts of the forfeited estate of John Parrock, which have not been sold by this Commonwealth.

WHEREAS it hath been represented to the legislature, that a small portion of the estate of John Parrock, deceased, forfeited by his attainder hath never been sold on behalf of the commonwealth, and Richard Smallwood and others, heirs of the said John Parrock, have prayed that the same may be vested in them: Therefore,

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