

§ 275. No canal commissioner or other member of the canal board, or superintendent, engineer, or person holding any appointment under the canal commissioners or any one of them, or under any superintendent of repairs, or other officer on the canals, shall hereafter become interested in any hydraulic work dependent on the canals for a supply of water, or become interested in any line of boats regularly navigating the canals, or shall either directly or indirectly become interested in any contract on the canals as a contractor, surety or otherwise, either in his own name, or the name of any other person, or shall either directly or indirectly derive any benefit from the ordinary or extraordinary expenditures on the canals beyond his established compensation; and if any canal commissioner, member of the canal board, superintendent, engineer or person holding any appointment under the canal commissioners or any one of them, or under any superintendent of repairs or other officer on the canals, shall at any time hereafter become interested or derive any benefit as aforesaid, he shall forfeit his office or appointment. [*Substitute for sec. 186 R. S. by sec. 1 of chap. 181 of 1843.*]

Certain officers not to be interested in boats or works, contracts, &c.

§ 276. Whenever charges shall be preferred under the above section, against any engineer or other officer or person holding their appointment from the canal commissioners or any one of them, or from a superintendent of repairs or other officer on the canals, it shall be the duty of the board of canal commissioners to investigate the same; and whenever charges are preferred against any officer holding his appointment from the canal board, it shall be the duty of the canal board to investigate said charges; and it shall be the duty of said boards respectively, to dismiss said officers or persons if the charges are sustained; and all contracts made in violation of this act, are hereby declared to be void. [*Sec. 2. of same chap.*]

Charges to be investigated by canal commissioners.

§ 277. [Sec. 187.] Every collector of tolls, the clerks of each collector, not exceeding two, having the collector's certificate that they are actually employed by him, and all superintendents of repairs, lock-tenders, inspectors of boats and weigh-masters, shall be exempted from the performance of military duty, and jury service, while actually engaged in their respective employment on the canals, while the same are navigable.(1)

Collectors, &c exempt from certain duties.

§ 278. [Sec. 188.] All suits for penalties and forfeitures imposed in any Article of this Title, or for damages, in behalf of the state, shall be prosecuted in the name of the people of this state, by such persons and in such manner as the commissioners of the canal fund in their regula-

Penalties how recovered.

(1) Laws of 1827, p. 227, § 27.

Clearance to
be shown to
lock-tender.

Should have
signature of
collector or
of his clerk.

50. The clearance, receipt or permit of every float, shall be exhibited to the first lock-tender after such float shall have left a collector's office. And in default of a compliance with this regulation, and of the clearance, receipt or permit not having on it the signature of the neighboring collector or of his clerk, the lock-tender to whom the clearance or permit is required to be exhibited, shall not permit the boat to pass.

Opening lock
or paddle
gates.

51. No person or persons, except the lock-tender, shall be permitted to open either of the large gates of a lock, or the paddle gates, without the permission of the lock-tender. And every person violating this regulation shall be liable to a fine of five dollars.

Snub posts.

52. Every boat navigating the canals, shall, in passing a lock, fasten the bow and stern line to the snub post on the bank of the lock, until the lock is either filled or emptied, as the case may be. And the master or owner of every boat which shall violate this regulation, shall be liable to a fine of five dollars.

Tow path
bridge, &c.

53. The horse or horses of any float navigating the canals, shall not pass over a towing-path bridge faster than on a walk, nor pass into or out of any boat or float over or upon the walls or sides of any lock on either of the canals of this State. And the master or owner of every float which shall violate this regulation shall be liable to a fine of three dollars.

Float overtaken to turn out.

54. Whenever any float passing on either of the canals shall approach within the distance of fifty feet, any other float which shall at the time be moving in the same direction, and at a less speed than at the rate of four miles per hour, it shall be the duty of the forward float to turn from the towing-path and give to the rear float every practicable facility for passing; and to stop whenever it shall become necessary, until the rear float shall have passed. And every violation of this regulation shall subject the owner, master, or navigator, to a penalty of five dollars.

In all cases where two floats going in opposite directions, shall approach each other, in the vicinity of a raft, in such manner that they would, if both should continue their headway, meet by the side of such raft, the float which shall be going in the same direction as the raft, shall stop until the float going in the opposite direction shall pass such raft. And every master of a boat who shall violate this regulation shall forfeit the sum of ten dollars.

2. Employ any teams, carriages, boats, materials or other thing belonging to the public, for any private use or purpose.

No officer to be interested in contracts, &c.

And no officer on the canals, or holding any appointment under the canal commissioners or any of them, or under any superintendent, shall either directly or indirectly be interested in any contract for labor, materials or other thing connected with the canals, and shall not either directly or indirectly derive any benefit from the annual expenditures on the canals beyond his established compensation.

Superintendent not to board hands.

24. No superintendent of repairs shall, in any way, be interested in boarding laborers on the canals.

Nor sell to laborers.

25. No superintendent of repairs shall sell to any lock-tender, foreman, or laborer on the canals, any articles or property of any kind whatsoever.

Lock tender not to sell, &c.

26. No lock-tender on the canals shall keep, or in any way be interested in any inn, tavern or grocery, nor sell or be interested in the sale of any articles or property whatsoever, to any person navigating or travelling on the canals.

Clerk, &c., not to board hands.

27. No clerk of a superintendent, foreman, or overseer of laborers on the canals, shall board or be in any way interested in boarding laborers on any of the canals.

Superintendent to assist boats, &c.

28. It is the duty of every superintendent of repairs, and of all persons in his employ, to assist floats whose progress is obstructed by bars or low water in a canal, and to assist in the unloading of any sunken boat which obstructs or which threatens to obstruct the navigation of a canal, without any charge therefor; any expense incurred by masters of boats in employing lighters, or any other assistance, will not be paid by the state.

Bank not to advance to superintendent.

29. No superintendent of repairs will be allowed to keep his official account at a bank which shall advance to him moneys beyond the amount for which the bank shall have advice from the Canal Department, that the superintendent's drafts on the commissioners of the canal fund will be paid.

Appointment and Removal of Superintendents.

Sup'ts by whom.

§ 6. Superintendents of canal repairs shall be appointed by the Canal Board. Either of the acting canal commissioners may remove any of the said superintendents, and fill the vacancy occasioned by such removal, by an ap-

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