

PUBLIC HEALTH REPORTS

VOL. 31

MARCH 10, 1916

No. 10

REMOVAL OF SMALLPOX PATIENT.

COURT DECIDES THAT HEALTH OFFICER CAN NOT BE COMPELLED TO ACT WHEN NO FUNDS ARE AVAILABLE.

A resident of Sioux Falls, S. Dak., had in his home an employee who was suffering from smallpox. He requested the city health officer to remove the employee, but instead of complying the health officer quarantined the house. The resident ascertained that a city ordinance made it the duty of the health officer to remove to a hospital or some other safe and proper place all persons "sick with any infectious or pestilential disease," and he asked the court to compel the health officer to act in accordance with the requirements of the ordinance.

The evidence showed that no hospital had been erected and that no funds were available for the care of the patient. The court decided that the health officer could not be compelled to remove the patient.

The opinion of the Supreme Court of South Dakota in affirming the judgment appears in this issue of the Public Health Reports, page 649.

SALE AND USE OF COCAINE AND NARCOTICS.

By MARTIN I. WILBERT, Technical Assistant, Division of Pharmacology, Hygienic Laboratory, United States Public Health Service.

The enactment and accompanying enforcement of the Federal antinarcotic law bids fair to inaugurate a new era in antinarcotic-drug regulation in this country. The Federal law is primarily a revenue measure, designed to provide a record of the sale and distribution of the drugs included in its provisions, and was not, originally at least, designed to be, nor can it in its present form effectively serve as, a regulatory measure.

The far-reaching possibilities of this law have been thoroughly well recognized, however, and it has frequently been referred to as the

most comprehensive and most effective law yet devised for minimizing the narcotic-drug evil. The law is destined to mark an epoch in the history of antinarcotic legislation because of the fact that it provides a new and original method for controlling the manufacture, sale, and use of the proscribed drugs from the time they are imported till they reach the consumer and this record should make it possible to enforce the provisions of the regulatory measures now on the statute books of the several States. Being itself not a regulatory nor a police measure, the Federal law can not be expected to take the place of or to supplant the State regulatory laws designed to restrict the sale and use of the enumerated drugs. Legislators, recognizing the limitations of the Federal law, have during the past year endeavored to elaborate on the provisions of the Harrison law by the enactment of State laws which would serve to control some of the many features of drug abuse not touched on by the Federal law.

The appended tables, showing the quantities of the several drugs that were entered for consumption during the years 1911-1915, inclusive, will serve to suggest that additional legislation is necessary and also to indicate that Treasury Decision No. 33456, May 23, 1913, was highly efficient as a deterring factor in the importation of coca leaves and of cocaine and that the abrogation of this Treasury decision, following the enactment of the Federal antinarcotic law, appears to have been followed by a distinct rise in the amounts of these drugs imported.

Narcotic drugs—The quantities of the several drugs entered for consumption in the United States during the years 1912-1915.

	1912	1913	1914	1915
Coca leaves.....pounds..	1,179,540.00	1,175,780.00	711,564.00	1,038,212.00
Cocaine and salts of.....ounces..	2,004.00	3,715.00	3,290.50	179.00
Opium:				
Crude.....pounds..	384,911.61	441,276.64	441,621.00	353,006.00
Powdered.....pounds..	77,551.10	49,070.56	32,105.45	38,977.00
Morphine or morphine sulphate.....ounces..	13,825.00	24,797.00	12,891.00	1,383.00
All other alkaloids of opium.....ounces..	634.00	9,672.00	4,507.00	9,626.00

The second table, showing the approximate number of average doses of habit-forming drugs reported during the same period, is interesting in that it serves to emphasize the general uniformity in the amounts of these drugs imported at the present time.

It may be found necessary in the future to further enlarge on the requirements embodied in the Federal antinarcotic law. To the disinterested observer it would appear that the exemptions included in the law are altogether too liberal and that considerable difficulty will be experienced in definitely locating the evidently existing leak of these drugs from the supposedly legitimate trade to the

illegitimate peddlers who are largely responsible for the distribution of the several drugs to habitual users.

Narcotic drugs—Approximate number of average doses of habit-forming drugs imported into the United States during the fiscal years 1912, 1913, 1914, and 1915.

	1912	1913	1914	1915
Coca leaves.....	294,000,000	293,000,000	177,900,000	260,000,000
Cocaine.....	17,000,000	31,000,000	17,000,000	900,000
Total.....	311,000,000	324,000,000	194,900,000	260,900,000
Opium.....	1,740,000,000	2,205,000,000	2,210,000,000	1,770,000,000
Opium, powdered.....	540,000,000	245,000,000	165,000,000	195,000,000
Morphine.....	27,500,000	49,500,000	25,785,000	2,700,000
Other alkaloids.....	1,200,000	19,300,000	9,015,000	19,260,000
Total.....	2,308,700,000	2,518,800,000	2,409,800,000	1,986,960,000

It has long been recognized that the abuse of coca and opium is largely due to their distribution in an illegitimate way and the difficulties involved in restricting the distribution and sale of these drugs to legitimate channels have been fully recognized.

Among the many features which it has been found desirable to legislate for in connection with State laws none is perhaps more deserving of immediate attention than the recognition of the need for efficient and practical treatment of inebriates. No feature of drug abuse offers more difficulties than are involved in the efforts to provide for efficient and satisfactory treatment of drug addicts.

During the year 1915 the antinarcotic laws were amended in Colorado, Connecticut, Idaho, Illinois, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Dakota, South Dakota, Utah, Vermont, and Wyoming. In many, if not all of these States, the Federal antinarcotic law is recognized either directly or by implication. In Colorado, Connecticut, South Dakota, and New York the Federal order forms are specifically recognized. Colorado also recognizes the rules and regulations issued under the provisions of the Federal antinarcotic law. In Illinois, Michigan, South Dakota, and Idaho prescriptions are not to be refilled. In practically all of the other States either specifically or by inference the exemption clause of the law is made to apply to prescriptions as well as preparations and remedies. This provision of the State laws is in conflict with the interpretation of the Federal law as outlined in Treasury decision 2213, which if accepted by the courts as valid requires that all prescriptions for narcotic drugs must comply with the requirements outlined in section 2 of the Federal law and can not be renewed.

The laws of Colorado and New York restrict the amount of any of the prescribed drugs that may be dispensed on a prescription without verification. The law in Wyoming requires that when any of the drugs is administered or prescribed in excess of the specified

quantities a report must be made within five days to the secretary of the State board of health. The law of North Dakota restricts the sale of cocaine to distribution or prescription by physicians, dentists, and veterinarians. Prescriptions for heroin, on the other hand, may be written only by a physician duly licensed in North Dakota.

The laws of California, Colorado, Connecticut, Massachusetts, Michigan, New York, Pennsylvania, Vermont, Hawaii, and the Philippine Islands provide for the treatment of inebriates in public institutions or their commitment to State or city hospitals.

In Utah, physicians are required to report the treatment of drug users to the State board of pharmacy within 24 hours after the first treatment. In Nebraska the law forbids the prescribing for addicts unless determined to be necessary by two reputable and duly licensed physicians. A record of the treatment is to be made and a copy sent within five days to be filed with the county attorney. The laws of Colorado, Connecticut, Idaho, Illinois, South Dakota, and Utah provide for the revocation of licenses to practice any of the enumerated professions held by drug addicts or by repeated violators of the antinarcotic law.

The law in New York restricts the sale of hypodermic needles and of hypodermic syringes. An ordinance to the same effect has been adopted by the city of Norfolk, Va. The latter ordinance also requires that duplicate copies of each prescription be filed with the department of health within 24 hours after its issuance.

A recently enacted law of Kansas makes it unlawful for a person under the influence of liquor or any exhilarating drug to drive or have charge of any vehicle propelled by other than muscular power.

California requires that instruction be given in all grades of schools and in all classes on the nature of alcohol and narcotics and the effects on the human system. Teachers are to be specially examined on this subject.

DEMONSTRATIONS OF MALARIA CONTROL

By R. H. VON EZDORF, Surgeon, United States Public Health Service.

In the course of systematic malarial investigations carried on by the United States Public Health Service during the past three years, a number of towns and cities have been visited by the officers engaged in the work, who made malarial surveys of the localities visited, including Anopheline surveys and the taking of malarial indexes. At most of the places visited the local authorities cooperated and were interested and desirous to profit by the surveys. Among the first places

where such studies were conducted and where antimalarial measures were undertaken along the lines suggested were Roanoke Rapids, N. C., and Electric Mills, Miss.—two places differing widely in their geographical, climatic, and industrial conditions. The following is a description of the places and of the measures applied in the practical control of malarial fevers.

ROANOKE RAPIDS, N. C.

Roanoke Rapids is a small town on the Roanoke River, in Halifax County, in the northern part of the State. Rosemary mill village and Patterson mill village, together with the town of Roanoke Rapids, cover about 4 square miles. This territory is bounded by the Seaboard Air Line Railroad tracks to the south, the Roanoke River to the north, and woods to the east and west.

Character of land.—The country is somewhat rolling and in ridges, having a sandy soil, with a clay and gravel subsoil that is not very porous. There is a canal which parallels the river about one-fourth of a mile distant and three-fourths of a mile north of the town of Roanoke Rapids. The land between the canal and the river is rather low, and in places marshy in character.

Natural water courses.—The main water courses between ridges drain in a northerly direction and empty into the river or canal. The Rosemary branch begins at Rosemary and courses northward, then westward, and empties into the canal. The Bunker Hill branch begins at an arm of the Rosemary branch and courses eastward through the north part of Roanoke Rapids, where it is joined by another branch known as the "Drug Store Branch," which passes directly through the town of Roanoke Rapids, through open land and partly under a street and some buildings, and empties into the canal. On the east side are two branches, one beginning in Roanoke Rapids, another rising from springs and seepage water at the Patterson mill village, and these course in general north to empty into the canal. The greater part of all of these branches course through the bordering woods. To the south of the railroad track and about one-fourth of a mile from Rosemary mill is Chockoyotte Creek, which runs from west to east. A ditch for waste water and drain from cesspools from Rosemary mill crosses the railroad tracks and empties into the creek.

Climatic conditions.—The climate is temperate with fairly severe winters, and snow as late as March. The mosquito-breeding season extends from six to seven months of the year, beginning about May and terminating in October or November.

Population, industries, and water supplies.—The population in 1913 was estimated to be 1,800 for Roanoke Rapids, 300 for Patterson mill

village, and 2,000 for Rosemary, giving a total of 4,100. There has been an increase during the past year. It is said that on account of sickness prevailing, mainly malaria, the population was a fluctuating one. The people are all white, with the exception of about 25 negroes. The general population is composed of a high class of business men and a good class of workmen. The people are employed mainly in the various cotton and paper mills located there.

The houses, with the exception of a few business places, are frame structures, and are well built. Surface closets were in general use and a form of sanitary privy of the dry-bucket system type was installed during the fall of 1913. During the year 1913 46 cases of typhoid fever were reported; for 1914 no cases were reported; and for the year 1915 two imported cases occurred, none originating in the town and villages. About 70 per cent of the population in Roanoke Rapids were vaccinated against typhoid fever during the years 1914 and 1915. The water supply is from driven wells ranging from 75 to 412 feet in depth.

Malaria Prevalence.

The health officer has been employed by the mills since August 1, 1910, to render medical services to the employees and their families. He states that 75 per cent of the people in the town of Roanoke Rapids had malaria during the summer of 1910, and that its prevalence during 1911, 1912, and 1913 was as great. As a result of the excessive prevalence of this disease, people were coming and going, so that it was estimated that 50 per cent of the population were in a sense transients. Mills were operating short handed much of the time during these years.

The medical services in attending the sick suffering from malarial fevers became quite arduous, so that during the four months of June, July, August, and September, 1913, visits on account of malaria alone averaged about 50 per day. At times there were three, four, and even as many as seven members of a family suffering with malaria at the same time. An endeavor was made to introduce the prophylactic use of quinine, but only a few people followed the advice given.

Asst. Surg. Gen. H. R. Carter made a visit to the place and conducted a survey to ascertain the conditions contributing to the endemicity of malaria. In his report on malaria in North Carolina, published in the Public Health Reports of December 19, 1913,¹ the following statement appears:

Anopheles larvæ in some stage were found in almost every part of every rivulet and pool examined—many small ones only, in places in which one would not have expected to find them. The same was true of a small morass and stream in Patterson village and close enough to infect both ridges on which it is built. This marsh had

¹ Reprint No. 156.



FIG. 1.—SEEPAGE WATER COLLECTED IN POOLS AT BASE OF HILL. EVERY POOL A PROLIFIC BREEDING PLACE OF ANOPHELES QUADRIMACULATUS.



FIG. 2.—BEFORE CLEARING AND DITCHING.



FIG. 3.—SHOWING CLEARING AND DITCHING DONE.



FIG. 4.—DITCHING OF LOW AREA OF POOL FORMED BY SEEPAGE WATER. MALARIA PREVAILED AMONG TENANTS IN ALL HOUSES.

been burnt over some weeks previously by the use of coal oil, and no full-grown larvæ were found in it. None were found in wells, although search was made for them. *Culex* was found in wells.

The problem of ridding this town of malaria is a difficult one on account of its cost, due to the large area and small number of people. Each ridge of houses has a breeding place close enough to infect—sometimes one on each side. Fortunately the personality of the principal people here promises much. They are energetic and in earnest and are good business men. I believe that they will rid the place of malaria or reduce it to a minimum. It is proposed (1) to drain and clean the marsh and its effluent next to Patterson village and then to turn the dye from that mill into its head. This will eliminate this long and dangerous drain. (2) An effort will be made to use the waste from the paper mill to destroy breeding places in its vicinity. The dye from the Roanoke Rapids Cotton Mill may also be thus utilized. (3) Such drains as can not be so treated it is proposed to put underground in terra cotta or galvanized iron pipes. This will be costly, but the mayor, a young man and an engineer, believes it will be feasible and will pay in increased good health and efficiency of the people. (4) If it be impracticable to cover all of the drains, an effort will be made to stock the lower reaches, where the water lies in still pools, with top minnows, where I think they will thrive, and cover the remainder. The health officer is going to take this matter up this fall with the United States Fish Commission.

I remained over four and one-half days in all at this place to talk over the plans for its sanitation with the mayor, health officer, and the different mill owners and help them formulate plans for cooperation in this work. They all agreed, and it is unquestionably true, that the lessened loss from sickness and the increased efficiency which will result from eliminating or nearly eliminating malaria here will justify a considerable expense. That the mayor is an engineer, and that the mill owners are business men, used to investing money for the sake of getting returns, makes the prospects good for results here.

During October 10 to 14, 1913, a visit to Roanoke Rapids was made by the writer. At this time a second Anopheline mosquito survey was made, yielding the same findings as those noted by Asst. Surg. Gen. H. R. Carter. In many places on both banks of the water courses flat areas of a marshy character caused by seepage water were of frequent occurrence and were found to be prolific sources of *Anopheles quadrimaculatus* mosquitoes. Two of these areas were at the bases of steep hills, on top of which malaria was prevalent. During this visit a malarial index was taken. It is to be noted that malaria prevailed principally among the residents of Patterson mill village and Roanoke Rapids and that comparatively little malaria occurred at Rosemary. The reason for this is that the mill tenements at the first two mentioned places are built on ridges not far from the small water courses, and therefore within easy distance of flight of the Anopheline mosquitoes breeding there, whereas at Rosemary the natural breeding places for the Anophelines are more distant.

TABLE 1.—*Blood examinations, October, 1913.*

Age.	Previous history.				Total exam- ined.	Number fected, white.		Types of in- fection.		Total in- fected.
	Positive white.		Negative white.			M.	F.	T.	E. A.	
	M.	F.	M.	F.						
1 to 3 years.....	2		1		3					
4 to 5 years.....	2	2		2	6	1	2	3		3
6 to 9 years.....	37	42	15	17	111	11	4	11	4	15
10 to 14 years.....	48	59	21	14	142	8	9	12	5	17
15 to 19 years.....	21	17	3	2	43	5	2	5	2	7
20 to 29 years.....	27	14	5	2	149	5		4	1	5
30 to 39 years.....	16	5		2	23	2	1	3		3
40 years and over.....	12	7	3	1	23	2	3	2	3	5
	165	146	48	40	400	34	21	40	15	55

¹ 1 positive history, female, colored, age 25.

Total examined, 400; total infected, 55, or 13.75 per cent.

From this it will be seen that about one person out of every seven examined showed parasites of malaria in the blood; the tertian type prevailed. A report of the positive findings, by name, was made to the health officer in order that he might advise those affected and institute treatment of the carriers.

A census was made October 15, 1913, of all persons living on four blocks in Roanoke Rapids with special reference to the history of chills and fever of each individual. This census was taken by a trained nurse under the direction of Dr. Long and showed that 233 persons, or 46.6 per cent, of the 500 persons residing in these four squares reported having had chills and fever during the period June 1 to October 15, 1913.

Prevalence of infections shown by blood examinations.—Blood smears were secured, one thick and one thin film, from each person submitting himself for the examination. These were taken at random from any and all persons who were apparently in good health, the majority from children who were in attendance at school. A tabulated list of those examined, according to age, sex, color, previous history of malaria, together with the results of the microscopic findings, is given above.

Malaria Control.

The directors of the mills indicated their desire to undertake what was necessary to control the malaria, to give their financial support, and to secure the cooperation of the other mills interested. The health officer at once took steps to secure a fund for conducting an antimalarial campaign, making plans for the work to begin early in the year. The directors of the various mills gladly contributed to making up the necessary fund for undertaking the project.

Lectures were given at the opera house and in the graded schools on the subject of malaria, its cause, and prevention. The rôle of mosquitoes in the spread of the disease was especially emphasized. Destruction of mosquitoes and their breeding places, screening of houses, use of mosquito bars, and the prophylactic use of quinine were all discussed as means of prevention. A poster, emphasizing especially the use of quinine, was posted in the hotels and other public places by the health officer, Dr. Long.

An inspection of the work in progress was made by the writer in February, 1914, to advise further in the work. Again June 22 to 24, 1914, Sanitary Engineer J. A. A. Le Prince made a survey. During this inspection he instructed the special inspector of mosquito-breeding areas in the details of checking up the results and effects of measures in use.

Another general survey was made October 1 to 5, 1914, when Surg. R. H. von Ezdorf and Asst. Surg. R. C. Derivaux secured blood smears from 780 persons for examination, to determine the prevalence of infection after antimalarial measures had been in progress for a year. The following is a table giving the result of these examinations, according to age:

TABLE 2.—*Blood examinations, October, 1914.*

Age.	Number examined.					Number infected white.		Types of infection.				Total infected.
	White.		Colored.		Total examined.							
	M.	F.	M.	F.		M.	F.	T.	Q.	E.A.	Mixed.	
1 to 3 years.....		1	1		2							
4 to 5 years.....		1	1		3							
6 to 9 years.....	85	85		6	176	2	6	5		2	1	8
10 to 14 years.....	97	121	1	1	220	2	4	5		1		7
15 to 19 years.....	58	70		1	129	2	5	5		2		8
20 to 23 years.....	72	54			127	4	4	7	1			4
30 to 39 years.....	54	11		1	66	1	3	4				2
40 and over.....	53	3			56	2		2				
Not stated.....		1			1							
	419	347	3	11	780	13	22	28	1	5	1	35

Total examined 780, total infected 35, or 4.48 per cent.

At the same time, October, 1914, Sanitary Engineer J. A. A. Le Prince made a mosquito survey, examining 6.9 miles of ditching, and all other places which might serve for breeding of Anopheline mosquitoes. He found no *Anopheles* larvæ in any place where work had been done except in some hoof prints of cattle near one of the ditches. He found *Anophelines* breeding in Chockoyotte Creek, one-fourth of a mile to the south of Rosemary. There are some woods intervening between the creek and Rosemary.

Measures employed.—The work of training of streams, straightening of banks and clearing them of underbrush, leveling of ditches

and cutting of new ditches, was begun in January, 1914, and continued, when weather conditions permitted, through the months of February, March, April, and part of May. Oiling by use of oil drips supplemented the ditching work. A sanitary inspector, whose duty was to follow up the work and look after the filling of oil cans, maintenance and clearing of ditches, was on duty throughout the season until November 1, 1914.

A summary of the work, labor, materials used, and the cost of the antimalarial work done during the first year, beginning January 17, 1914, and ended December 1, 1914, is here given:

Ditching.....	miles..	6.9
Land cleared of underbrush.....	acres..	40
Tin cans, etc., removed.....	wagon loads..	59
Quantity of oil used.....	gallons..	3,000
Time when oiling started, May 20, 1914.		
Time when oiling stopped, Nov. 1, 1914.		
Cost:		
Labor for ditching and clearing.....		\$2,422.22
Services of inspector.....		213.30
Oil, 3,000 gallons.....		212.70
Tools and supplies.....		231.46
Pipe.....		265.50
Blasting work.....		56.25
Hauling.....		41.95
Team hire.....		47.35
Repair work.....		6.05
Freight charges on oil, etc.....		111.32
Incidentals.....		75.31
Total.....		3,683.61

At the Patterson Mill village, the waste water from the bleaching plant was diverted by new ditching into a branch having its origin at that place with the object of having this waste serve as a larvicide. Some oil drip cans were installed over some lateral ditches entering this branch; these lateral ditches were installed chiefly to carry off seepage outcrops.

It must be added that a number of persons took quinine as a prophylactic measure during the season. The drug store reports at Roanoke Rapids showed that between June 1, 1913, and October 1, 1913 (before antimalarial work), 1,742 prescriptions were filled, 380 of these, or 22 per cent, being for quinine, and for the period June 1, 1914, to October 1, 1914 (after antimalarial work), 1,535 prescriptions were filled, of which 226, or 14½ per cent, were for quinine. Much of this last was prescribed for prophylactic use.

Results obtained.—The results at the end of the first year were marked. With reference to the prevalence of malaria among the people during the malarial season, June to October, 1914, Dr. Long reports that the average number of cases did not exceed one a day

and that 95 per cent of these were cases that had given the history of having had malaria during the previous year, and were undoubtedly recurrent attacks. Very few cases of new infections had occurred. The cases of malaria were more numerous during the early months of May and June, decreasing each month thereafter, and at the time of the writer's visit in October, 1914, the health officer stated that he had not seen a new case in three days.

It was evident that instead of the number of cases increasing during the months of August and September as had occurred during previous years, and is true generally in this country, the prevalence of malaria in this region had decreased.

A census of the people living on four blocks in Roanoke Rapids, one year after antimalarial measures were instituted, showed that 33 per cent gave a history of having had chills and fever as against 49.8 per cent during the previous year.

The health officer in his official report makes the following statement with reference to this:

During the summer of 1913, prior to any antimalarial work, the mills were constantly short of help on account of a large number sick from malaria. During the past summer there never has been a day when the mills did not have sufficient help, and it was a frequent occurrence, notably at the Roanoke Mills, that help had to be turned away. It is true that a number of people had malarial chills during the summer of 1914, but as 95 per cent of them were recurrences from an infection of the previous year they were easily controlled, and the operatives in rare instances had to quit work. It is a fact that 95 per cent of all cases of malaria occurring during the past malarial season bore the history of having had the disease in the year prior, very few newcomers being infected.

A comparative statement of the results may be briefly summarized:

Prevalence of infection shown by blood examinations:	Per cent.
October, 1913.....	13.75
October, 1914.....	4.48
Reduction in the incidence of malaria carriers (in 1 year).....	67.7
Prevalence of infection shown by house-to-house inquiry:	
October 15, 1913.....	49.8
October 15, 1914 (95 per cent of these were relapses).....	33.0
Reduction in incidence, clinically reported.....	33.0

The manager of the Roanoke Rapids Mills stated that at no time has labor been more efficient and sufficient, attendance more steady, and sickness less, and that the returns for the contribution of \$1,000 of this one mill were more than gained in one month's (September) operation of the mill.

CONTINUATION OF WORK.

Records and surveys for 1915.—Dr. Long, the health officer, secured a fund of \$1,500 to continue the work during 1915. Ditches were cleared of obstructions, and of grass and other vegetation, the banks were straightened, and some additional ditching was done. Oil-drip

cans were placed, making the total number of oil cans 186, of which number 140 were in daily use. The drip cans had a capacity of 5 gallons each and were regulated to deliver 18 to 25 drops of oil per minute. It was found that these required refilling about every three weeks. Oil drips were operated from April 7 to October 1, 1915, and 83 barrels of oil were used during this period.

Inspection of ditches, oil cans, and the effects of oiling was made three times a week, requiring one-half day at each inspection. The inspector would also, in the course of his inspections, do some work toward maintenance by clearing ditches of such obstructions as are generally to be found after heavy rains and storms. He also carried an air-pressure oil tank for spraying pools of water with oil, especially on the days following a rain.

An inspection of the work done was made by Assistant Epidemiologist T. H. D. Griffiths and Sanitary Engineer J. A. A. le Prince on August 19 and 20, 1915, when most excellent conditions were found to be prevailing. A survey was again made September 24 to 28, 1915, by Surg. R. H. von Ezdorf and Technical Assistant H. A. Taylor. Seven miles of main ditching, having 81 lateral ditches, were examined. *Anopheles* larvæ were found in only a few places in small pools of water standing along the banks of these ditches. These were of no sanitary importance. In a number of culverts a few imagos of the *Anopheles punctipennis* were caught. Considerable propagation of Anophelines was found in one ditch running southward from Rosemary Mill and emptying into Chockoyotte Creek.

During this visit 998 blood smears were secured from school children and other persons living in Roanoke Rapids and vicinity to determine the prevalence of malarial infection. The results of the examinations are grouped according to age in the table which follows:

TABLE 3.—Blood examinations, October, 1915.
PERSONS LIVING IN AREA OF ANTIMALARIAL OPERATIONS.

Age.	Number examined—white.			Number infected—white.		Types of infection.		Total infected.
	M.	F.	Total examined.	M.	F.	T.	E. A.	
1 to 3 years.....	1		1					
4 to 5 years.....	1	4	5					
6 to 9 years.....	82	82	164	1	2	3		3
10 to 14 years.....	103	129	232	3	4	5	2	7
15 to 19 years.....	77	97	174	2	7	9		9
20 to 29 years.....	131	69	200	8	1	8	1	9
30 to 39 years.....	91	17	108	4		4		4
40 years and over.....	66	13	79	1	1	2		2
Not stated.....	2	1	3					
No record.....			2					
Total.....	554	412	968	19	15	31	3	34

Total examined 1,980; total infected 34, or 3.51 per cent.

TABLE 3.—*Blood examinations, October, 1915—Continued.*

PERSONS LIVING OUTSIDE OF AREA OF ANTIMALARIAL OPERATIONS.

Age.	Number examined— colored.			Number infected— colored.		Types of infection.		Total infected.
	M.	F.	Total examined.	M.	F.	T.	E. A.	
4 to 5 years.....	1		1					
6 to 9 years.....	5	15	20	1	3	3	1	4
10 to 14 years.....	2	6	8	1	1	1	1	2
15 to 19 years.....								
20 to 29 years.....	1		1					
Total.....	9	21	30	2	4	4	2	6

Total examined, 30; total infected, 6, or 20 per cent.

The one group of 968, with 3.51 per cent of malaria carriers, represents the persons living within the area where drainage and oiling work was done; and the second group of 30, with 20 per cent of malaria carriers, is made up from colored persons living outside this area.

No records were kept as to the exact number of cases of malaria that had occurred during the year 1915. Dr. Long reports that the number of cases treated by him averaged approximately one every three days for the whole period of the malarial season, of which number practically all were recurrent cases; three cases occurred during the year that might possibly be considered by him as new infections.

Dr. Garman stated that there had been six cases in his practice during the year, all of which were either contracted outside or were recurrent cases.

Dr. Beckwith treated 15 cases, all of which were relapses with the possible exception of one.

During the time of this visit, on September 24 to 28, 1915, there was not a person sick in bed with malaria as reported by the four physicians practicing here, and this among a total population of 4,600 (Roanoke Rapids, population 2,000; Patterson mill, population 600; Rosemary, population 2,000). Dr. Long had under his professional care during the month of September, 1915, only three cases of malaria, all of which were relapses.

A census taken October 15, 1915, of 530 people living in the area of four blocks in Roanoke Rapids, showed that 101, or 19 per cent, gave a history of having had chills and fever some time during the year, and 429, or 81 per cent, did not. The nurse stated that all those who gave a history of having chills this year, 1915, also gave a history of having had it prior to this year.

A statement, prepared by Dr. Long, of the work done, materials used, and the cost during 1915, is here given:

Maintenance of ditches, etc.....	\$667. 18
Services of inspector.....	231. 75
Oil, 5,295 gallons.....	334. 27

Total cost (1915).....	1, 233. 20
------------------------	------------

Began oiling April 10 and continued to November 1, 1915.

Roanoke mills, the employees of which were most affected by malaria in previous years, had during the year 1915 the greatest output in the history of the mill for the same period of time under the same management and with the same number of operatives.

The Patterson mill changed management during the year, but efficiency is known to have increased on account of better health of the employees. The population in the villages at Roanoke Rapids and Patterson mill village has increased. There were no families leaving on account of sickness, as was the case during the previous year.

The following letter received recently from the manager and treasurer of the Roanoke Mills Co. is here given in full. It presents the business man's viewpoint and gives an estimate of the economic returns from an investment for antimalaria work.

ROANOKE MILLS COMPANY,
MANUFACTURERS OF COLORED COTTON GOODS,
Roanoke Rapids, N. C., December 27, 1915.

Surg. R. H. VON EZDORF,
U. S. Marine Hospital, New Orleans, La.

DEAR DOCTOR: In answer to your recent favor I wish to say that during September, 1912, we averaged 66 looms standing per day for the want of weavers; during September, 1913, we averaged 25 looms standing per day for the want of weavers; during September, 1914, after the antimalarial work had been completed, we had no difficulty in running our looms, and during September, 1915, we have had the greatest abundance of help.

I told you once before that in September, 1913, we worked 26 days and produced 238,046 pounds of cloth; during September, 1914, we worked 26 days and produced 301,151 pounds of cloth; during September, 1915, we worked 26 days and produced 316,804 pounds of cloth.

Dr. Long has written you fully, I believe, as to the improved health conditions due to the antimalarial work and the sanitary measures taken, but I want to add that I consider that Roanoke Rapids under the new order of things is as healthy as any mill town in the State; in fact, I do not know of one that can duplicate our record for the past two years in regard to the absence of typhoid fever.

I will frankly admit that I could not realize what a great change could be brought about by systematic work and with comparatively little expense. The money spent in antimalarial work here has paid the quickest and most enormous dividends I have ever seen from any investment, and after having had our experience I would, if necessary, do the work over again if I knew it would cost ten times the amount.

I want to take occasion to thank you and, through you, the United States Public Health Service for the very prompt and wonderfully efficient manner in which you answered Dr. T. W. M. Long's request for assistance and advice.

I am more than anxious to see the towns in eastern Carolina and other places where they are troubled with mosquitoes adopt the same methods we have here. and if I can be in any way instrumental in bringing about this result I will be glad to have you call on me at any time.

I will close by adding that our experience has taught us that the eradication of mosquitoes is not only the proper thing to do from a strictly health standpoint but it is an exceedingly profitable thing to do.

Thanking you for your many past favors and with kindest regards, I beg to remain;
Very truly, yours,

By (signed) ROANOKE MILLS COMPANY,
S. F. PATTERSON, *Treasurer.*

Summary.

Summarizing for the years 1913, 1914, and 1915, it is shown:

1. During October 1 to 5, 1913, Dr. T. W. M. Long estimated that 200 persons were sick in bed with malaria; on October 1, 1914, only one person; and on September 24 to 28, 1915, none.

2. Malarial prevalence shown by blood examination:

1913, in 400 persons examined, 13.75 per cent found infected; 1914, in 780 persons examined, 4.48 per cent found infected; 1915, in 968 persons examined (persons living in area where antimalarial work was done), 3.51 per cent found infected; 1915, in 30 persons examined (persons living outside of area where antimalarial work was done), 20 per cent found infected.

3. A house-to-house census taken of persons residing on four blocks in Roanoke Rapids showed that 48.9 per cent gave a history of having had chills and fever during the period June 1, 1913, to October 15, 1913; 33 per cent for the same period 1914; and 19 per cent for the same period 1915; or a reduction in the incidence of sickness of 61.1 per cent for the two years, as shown by personal histories. (These histories are not, however, considered entirely accurate.)

4. In 1913, *Anopheles quadrimaculatus* mosquitoes were found breeding extensively, and *A. quadrimaculatus* mosquitoes were readily found in houses; in 1914, practically no breeding, only few found; and in 1915, only few *Anopheles punctipennis* found, and no propagation of sanitary importance.

5. The population of Roanoke Rapids and Patterson mill village was most seriously affected by malaria; Rosemary mill village the least.

6. Malaria was increasing in prevalence as the season advanced, June to November, 1913; decreasing for the same months for the years 1914 and 1915. These results were obtained although malaria was unusually prevalent during 1915 in this State.

7. During the year 1913 the estimated number of cases treated in the practice of Dr. Long averaged 50 a day; in 1914, one a day, of which number 95 per cent were relapses; and for the year 1915 the estimated average was one case in three days, of which practically all were relapses.

8. The efficiency of employees as rated by the Roanoke Rapids mills has increased each year since antimalarial work was instituted, more than compensating for the expenditures incurred for this work.

9. Cost of antimalarial work for 1914 was \$3,600; for 1915, \$1,500.

10. In 1913 and the year previous population fluctuated to the extent of 50 per cent on account of sickness caused by malaria; since 1914 population has increased by 500 and is more permanent.

11. Special mention must be made of the enthusiastic activity of the health officer, Dr. T. W. M. Long, in carrying out all details in the work. His success in this must also be attributed to the material help given him by the directors of the mills, and to the cooperation of the town authorities, mill managers, business interests, and the people.

ELECTRIC MILLS, MISS.

Electric Mills, Kemper County, is located north of Meridian, in the eastern part of the State of Mississippi, on the Mobile & Ohio Railroad.

The region is part of the eastern border of the prairie belt, not a prairie soil in a true sense, but clay and sand, so called "crawfish" clay, highly impervious to water, and becomes heavy and tenacious in wet weather.

The country is a flat woods district, rolling in character. The highest point in the town is 23 feet above a creek bed one-half mile away.

Drainage is in two general directions—toward Bodka Creek on the south, and toward a small unnamed branch on the north which empties into Bodka Creek southeast of the town.

The town is surrounded on the north, south, and east by slow-moving watercourses, which run only a part of the year, being partly dry during the summer and fall. There is no stream of any consequence on the west for 3 miles.

On the west side of the town is a large artificial pond, covering an area of 35 acres, which is used for logging purposes. This pond is well stocked with native fish. The pond has no outlet except seepage through a dam which heads the creek to the north of the town.

It is essentially a lumber-mill town, having a mill to the west side of the railroad, and the offices, commissary, and tenant houses, all good frame structures, built to the east side of the tracks. There are also some tenant houses for colored people on the west side of the tracks and south of the mill.

The town is divided into blocks, with 60-foot streets; sidewalks are of cement; a wide alley runs through the center of each block.

Between the residential section for whites on the north side and that for negroes on the south side are some intervening woods. The land north and west of the resident section is cleared for agricultural purposes, and it is also cleared to the east and south. In time there

will be a clear area of at least 500 feet in all directions from the town limits to the bordering woods.

The water supply is from artesian wells, 1,300 feet deep. Sanitary privies of the bucket-system type are provided for all residences.

Dr. Cecil Champenois, the mill physician, in a report to the directors of the lumber company for the month of September, 1912, stated that 95 per cent of the sickness for the month was due to malaria, and that, with two exceptions, one or more members of every white family in the town were attacked. Sickness among the negroes was of an unusual amount. Most of the malaria was contracted in Electric Mills. Upon the urgent request of Dr. Champenois a survey was made of the place during May, 1914, by and under the direction of Asst. Surg. Gen. H. R. Carter.

Breeding places of *Anopheles* were found—

1. In a number of low, wet areas under lumber piles where the ground was below the road level.
2. In the branch to the north of the town.
3. In some low areas in the town.
4. In borrow pits along the railroad tracks.
5. Along the banks of Bodka Creek.
6. In some drains from leaking hydrants in yards.

It was recommended that training of the branch by clearing and straightening of the banks to and from the artificial pond be done; that some low areas be filled with sawdust, and some drainage ditches cut.

An index of the prevalence of malaria was secured by taking thick blood smears for microscopic examination from 527 apparently healthy persons, May, 1914. The following table gives the results of the examination of these specimens arranged according to ages of the persons from whom the blood was taken.

TABLE 4.—*Blood examinations, May, 1914.*

Age.	Number examined.					Number infected.				Types of infection.			Total infected.
	White.		Colored.		Total examined.	White.		Colored.		T.	E. A.	Mix.	
	M.	F.	M.	F.		M.	F.	M.	F.				
Under 1 year. . . .	2	1	4	3	10	.....		1	.....	1	.....		1
1 to 3 years. . . .	10	7	16	12	45	.....	1	1	2	4	.....		4
4 to 5 years. . . .	4	4	9	10	27	.....	1		1	2	.....		2
6 to 9 years. . . .	6	9	12	17	44	.....	2	1	3	5	1		6
10 to 14 years. . . .	8	4	10	9	31	.....	2	1	3	2	6	1	8
15 to 19 years. . . .	3	8	21	31	63	.....		5	6	9	2		11
20 to 29 years. . . .	41	23	55	59	178	.....	5	1	6	1	13		13
30 to 39 years. . . .	26	9	21	15	71	.....	6		7	1	11	3	14
40 years and over	11	7	15	16	49	.....	1	1	1	.....	2	1	3
Not stated.	3	5	1	.....	9	.....				.....
Total.	114	77	164	172	527	15	6	25	16	53	8	1	62

Total examined, 527; total infected, 62, or 11.76 per cent.

Resurveys were made in the fall of 1914 by Sanitary Engineer Le Prince, and again in April, 1915, by Sanitary Engineer Le Prince and the writer. In April, 1915, it was pointed out that places requiring immediate attention were the few small depressions along the log road and the creek to the south, small depressions on the flat land which could be filled with sawdust and shavings. Some straightening of banks of ditches and natural watercourses that might advantageously have the sides boarded, and a trial given to subsoil wooden drains, especially in the lumber yards, were also recommended.

Blood specimens were again examined in April, 1915, with the following result:

TABLE 5.—*Blood examinations, April, 1915.*

Age.	Number examined.					Number infected.				Types of infection.		Total infected.
	White.		Colored.		Total examined.	White.		Colored.				
	M.	F.	M.	F.		M.	F.	M.	F.	T.	E. A.	
1 to 3 years.....	1	2	.....	.....	3	.....	1	.....	.....	1	.....	1
4 to 5 years.....	2	1	.....	5	8	.....	.....	.....	.....	.....	.....	.....
6 to 9 years.....	7	12	6	12	37	.....	.....	.....	.....	.....	.....	.....
10 to 14 years.....	7	5	10	9	31	.....	.....	1	.....	1	.....	1
15 to 19 years.....	2	8	14	3	27	.....	.....	1	.....	1	.....	1
20 to 29 years.....	21	4	16	3	44	1	.....	.....	.....	1	.....	1
30 to 39 years.....	14	3	11	.....	28	.....	.....	1	.....	.....	1	1
40 years and over.....	5	.....	7	.....	12	1	.....	.....	.....	1	.....	1
Not stated.....	1	19	1	.....	21	.....	2	.....	.....	2	.....	2
	60	54	65	32	211	2	3	3	.....	7	1	8

Total examined, 211; total infected, 8, or 3.79 per cent.

The following table gives the total number of cases of malarial fever reported by Dr. Cecil Champenois each month:

	1912	1913	1914	1915		1912	1913	1914	1915
January.....	.....	8	3	2	August.....	.....	25	8	10
February.....	.....	3	3	4	September.....	68	18	6	12
March.....	.....	15	7	7	October.....	61	15	6	12
April.....	10	13	2	.....	November.....	10	10	7	8
May.....	8	9	4	.....	December.....	5	1	2	2
June.....	18	12	3	.....				
July.....	13	9	4	.....		144	144	85	70

Some antimalarial work was done by Dr. Champenois shortly after his locating here in 1912. The cost of the work and materials used for each year is given by him as follows:

1912.		1913.	
Labor.....	\$40. 00	Labor.....	\$139. 50
Kerosene.....	20. 00	Kerosene.....	75. 00
Total.....	60. 00	Total.....	214. 50

Following the survey in 1914, additional work was done, the cost of which was as follows:

During 1914:

Labor.....	\$139. 50
Oil.....	50. 00
Ditching.....	450. 00
Miscellaneous.....	86. 00
Total.....	725. 50

For the year 1915 the cost was:

Labor for draining and filling.....	\$126. 80
Oil.....	10. 00
Miscellaneous.....	7. 00
Total.....	143. 80

Results of antimalarial measures.—The number of cases for the last four months of 1913 were 44, as compared with 144 for the same period of the previous year, 1912. For 1914 the number was 40 per cent less than for the year 1913; and for the year 1915, 17.6 per cent less than for the year 1914.

Blood examinations gave for May, 1914, May being the beginning of the malarial season, 11.76 per cent carriers of the parasite, and for April, 1915, 3.79 per cent, a reduction in the incidence of carriers of 67.7 per cent in the one year.

Mr. Hughes, the manager of the lumber mills, stated recently that no family had moved from Electric Mills during the year 1915; that the superintendent of schools reported the average attendance as unusually good; that the people were happy and healthy; that the labor efficiency was most satisfactory; and that these conditions were only to be attributed to the sanitation directed against typhoid and malarial fevers.

Credit is due to Dr. Cecil Champenois in carrying out the measures known to be effective in the control of these diseases.

PLAGUE-PREVENTION WORK.

CALIFORNIA.

The following report of plague-prevention work in California for the week ended February 19, 1916, was received from Surg. Boggess, of the United States Public Health Service, in charge of the work.

SAN FRANCISCO, CAL.

RAT PROOFING.

New buildings:	
Inspections of work under construction.	184
Basements concreted (square feet, 48,760).....	51
Floors concreted (square feet, 199,430)...	34
Yards, passageways, etc. (square feet, 26,993).....	97
Total area of concrete laid (square feet).	275,183
Class A, B, and C (fireproof) buildings:	
Inspections made.....	103
Roof and basement ventilators, etc., screened.....	299
Wire screening used (square feet).....	1,478
Openings around pipes, etc., closed with cement.....	329
Sidewalk lens lights replaced.....	600
Old buildings:	
Inspections made.....	402
Wooden floors removed.....	31
Cubic feet new foundation walks installed.....	4,280
Concrete floors installed (square feet, 15,894).....	20
Basements concreted (square feet, 6,403).....	11
Yards and passageways, etc., concreted (square feet, 5,349).....	27
Total area concrete laid (square feet)...	27,636
Floors rat proofed with wire cloth (square feet, 7,220).....	7
Buildings razed.....	17
New garbage cans stamped approved.....	375
Nuisances abated.....	243

SAN FRANCISCO, CAL.—Continued.

OPERATIONS ON THE WATER FRONT.

Vessels inspected for rat guards.....	21
Reinspections made on vessels.....	19
New rat guards procured.....	5
Defective rat guards repaired.....	4
Rats trapped on wharves and water front.	26
Rats trapped on vessels.....	40
Traps set on wharves and water front.....	183
Traps set on vessels.....	41
Vessels trapped on.....	14
Poisons placed on water front (pieces).....	3,600
Poisons placed with Panama-Pacific International Exposition grounds.....	33,000
Bait used on water front and vessels (bacon, pounds).....	6
Bread used in poisoning water front (loaves)	9
Poison used on water front (pounds).....	3

RATS COLLECTED AND EXAMINED FOR PLAGUE.

San Francisco:

Collected.....	386
Examined.....	312
Found infected.....	None.

Hollister:

Collected.....	2
Examined.....	2
Found infected.....	None.

RATS IDENTIFIED.

Mus norvegicus.....	209
Mus rattus.....	86
Mus alexandrinus.....	56
Mus musculus.....	35

Operations are being carried on on lands owned by the People's Water Co. as follows:

Contra Costa County tract.	Acres treated.		Material used.		
	Kilmol.	Grain.	Kilmol.	Grain.	Waste balls.
M. Hopkins.....	110		Gallons. 29	Pounds.	1,581
Fortier.....		350		300	

RECORD OF PLAGUE INFECTION.

Places in California.	Date of last case of human plague.	Date of last case of rat plague.	Date of last case of squirrel plague.	Total number rodents found infected since May, 1907.
Cities:				
San Francisco.....	Jan. 30, 1908	Oct. 23, 1908	(1)	398 rats.
Oakland.....	Aug. 9, 1911	Dec. 1, 1908	(1)	126 rats.
Berkeley.....	Aug. 28, 1907	(1)	(1)	None.
Los Angeles.....	Aug. 11, 1908	(1)	Aug. 21, 1908	1 squirrel.
Counties:				
Alameda (exclusive of Oakland and Berkeley).....	Sept. 24, 1909	Oct. 17, 1909 ²	July 12, 1915	287 squirrels, 1 wood rat.
Contra Costa.....	July 13, 1915	(1)	Nov. 12, 1915	1,597 squirrels.
Fresno.....	(1)	(1)	Oct. 27, 1911	1 squirrel.
Merced.....	(1)	(1)	July 12, 1911	5 squirrels.
Monterey.....	(1)	(1)	Apr. 10, 1914	6 squirrels.
San Benito.....	June 4, 1913	(1)	Aug. 14, 1915	50 squirrels.
San Joaquin.....	Sept. 18, 1911	(1)	Aug. 26, 1911	18 squirrels.
San Luis Obispo.....	(1)	(1)	Jan. 29, 1910	1 squirrel.
Santa Clara.....	Aug. 31, 1910	(1)	July 23, 1913	25 squirrels.
Santa Cruz.....	(1)	(1)	May 17, 1910	3 squirrels.
Stanislaus.....	(1)	(1)	June 2, 1911	13 squirrels.

¹ None.² Wood rat.

The work is being carried on in the following-named counties: Alameda, Contra Costa, San Francisco, Stanislaus, San Benito, Monterey, Lassen, and Modoc.

WASHINGTON—SEATTLE—PLAGUE ERADICATION.

The following report of plague-eradication work at Seattle for the week ended February 12, 1916, was received from Surg. Lloyd, of the United States Public Health Service, in charge of the work:

RAT PROOFING.		WATER FRONT.	
New buildings inspected.....	9	Vessels inspected and histories recorded.....	12
New buildings reinspected.....	22	Vessels fumigated.....	1
New buildings reinspected (concrete foundations).....	29	Sulphur used, pounds.....	1,100
New buildings elevated.....	2	New rat guards installed.....	16
Buildings razed.....	2	Defective rat guards repaired.....	9
		Fumigation certificate: issued.....	1
		Port sanitary statements issued.....	34
		The usual day and night patrol was maintained to enforce rat guarding and fending.	
LABORATORY AND RODENT OPERATIONS.		MISCELLANEOUS WORK.	
Dead rodents received.....	16	Rat-proofing notices sent to contractors, new buildings.....	6
Rodents trapped and killed.....	261	Letters sent in re rat complaints.....	2
Rodents recovered after fumigation.....	12	Lecture: on sanitary measures.....	2
Total.....	289	New restaurants inspected.....	10
Rodents examined for plague infection.....	185		
Bodies examined for plague infection.....	8		
CLASSIFICATION OF RODENTS.		RODENTS EXAMINED IN EVERETT.	
Mus rattus.....	7	Mus norvegicus trapped.....	32
Mus alexandrinus.....	51	Mus norvegicus found dead.....	1
Mus norvegicus.....	149	Mus musculus trapped.....	1
Mus musculus.....	70	Total.....	34
Unclassified.....	12	Rodents examined for plague infection.....	34
		Rodents proven plague infected.....	None.

HAWAII—PLAGUE PREVENTION.

The following reports of plague-prevention work in Hawaii were received from Surg. Trotter, of the United States Public Health Service:

Honolulu.**WEEK ENDED FEB. 12, 1916.**

Total rats and mongoose taken.....	373	Classification of rats killed by sulphur dioxide:	
Rats trapped.....	358	Mus rattus.....	9
Mongoose trapped.....	6	Average number of traps set daily.....	894
Rats killed by sulphur dioxide.....	9	Cost per rat destroyed, 21½ cents.	
Examined microscopically.....	316	Last case rat plague, Aiea, 9 miles from Honolulu, Apr. 12, 1910.	
Showing plague infection.....	None.	Last case human plague, Honolulu, July 12, 1910.	
Classification of rats trapped:		Last case rat plague, Paauhau, Hawaii, Jan. 18, 1916.	
Mus alexandrinus.....	163	Last case human plague, Paauhau plantation, Hawaii, Dec. 16, 1915.	
Mus musculus.....	67		
Mus norvegicus.....	109		
Mus rattus.....	19		

Hilo.**WEEK ENDED JAN. 29, 1916.**

Rats and mongoose taken.....	2,735	Classification of rats trapped and found dead—Continued.	
Rats trapped.....	2,692	Mus rattus.....	829
Mongoose taken.....	43	Mus musculus.....	1,015
Rats and mongoose examined microscopically.....	2,735	Last case of rat plague, Paauhau Sugar Co., Jan. 18, 1916.	
Rats and mongoose plague infected.....	None.	Last case of human plague, Paauhau Sugar Co., Dec. 16, 1915.	
Classification of rats trapped and found dead:			
Mus norvegicus.....	416		
Mus alexandrinus.....	432		

PREVALENCE OF DISEASE.

No health department, State or local, can effectively prevent or control disease without knowledge of when, where, and under what conditions cases are occurring.

UNITED STATES.

CEREBROSPINAL MENINGITIS.

Indiana Report for January, 1916.

During the month of January, 1916, cases of cerebrospinal meningitis were notified in the State of Indiana as follows: Knox County 1, Marion County 2, Owen County, 1.

City Reports for Week Ended Feb. 19, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Baltimore, Md.	2	1	Little Rock, Ark.	1	1
Birmingham, Ala.	1	2	Los Angeles, Cal.	1	1
Boston, Mass.	4	2	Nashville, Tenn.	1	1
Chicago, Ill.	3	2	New York, N. Y.	3	1
Cleveland, Ohio.	2	1	Philadelphia, Pa.	1	1
Coffeyville, Kans.	1	2	Providence, R. I.	1	1
Duluth, Minn.	2	2	Washington, D. C.	1	1
Lexington, Ky.	1	1			

DIPHTHERIA.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 638.

ERYSIPELAS.

City Reports for Week Ended Feb. 19, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio	2	1	Los Angeles, Cal.	3	10
Ann Arbor, Mich.	1	2	New York, N. Y.	1	1
Baltimore, Md.	1	3	Omaha, Nebr.	1	4
Binghamton, N. Y.	1	3	Passaic, N. J.	23	4
Boston, Mass.	1	1	Philadelphia, Pa.	12	1
Bridgeport, Conn.	6	3	Pittsburgh, Pa.	1	1
Buffalo, N. Y.	56	1	Portland, Oreg.	2	2
Chicago, Ill.	4	1	Reading, Pa.	2	1
Cincinnati, Ohio.	15	1	Rochester, N. Y.	11	6
Cleveland, Ohio.	8	1	St. Louis, Mo.	6	1
Detroit, Mich.	1	1	San Francisco, Cal.	2	1
Everett, Mass.	1	1	Schenectady, N. Y.	2	1
Harrisburg, Pa.	3	1	Seattle, Wash.	1	1
Hartford, Conn.	1	1	Syracuse, N. Y.	4	1
Lancaster, Pa.	1	1	Troy, N. Y.	1	1

LEPROSY.**City Reports for Week Ended Feb. 19, 1916.**

During the week ended February 19, 1916, leprosy was reported by cities as follows: New York, N. Y., 1 death; San Francisco, Cal., 1 case.

MEASLES.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 638.

PELLAGRA.**City Reports for Week Ended Feb. 19, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Atlanta, Ga.....		3	New Orleans, La.....	1	1
Birmingham, Ala.....		3	Washington, D. C.....		1
Charleston, S. C.....		2	Wilmington, N. C.....		1

PLAGUE.**California—Monterey County—Plague-Infected Squirrels Found.**

Surg. Boggess reported by telegraph March 4, 1916, that 7 plague-infected squirrels had been found on 2 ranches in Monterey County, Cal., and on March 7, 1916, Dr. Boggess further reported that a plague-infected squirrel was found on another ranch in the same county.

Louisiana—New Orleans—Plague-Infected Rat Found.

Surg. Creel reported that a rat trapped February 10, 1916, at 233 St. Maurice Avenue, New Orleans, La., was proven positive for plague infection February 28, 1916.

PNEUMONIA.**City Reports for Week Ended Feb. 19, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Auburn, N. Y.....	3	2	Morristown, N. J.....	1	
Binghamton, N. Y.....	6	3	New Castle, Pa.....	2	
Chicago, Ill.....	252	101	Newport, Ky.....	1	1
Cleveland, Ohio.....	26	27	Philadelphia, Pa.....	73	51
Danville, Ill.....	1	4	Pittsburgh, Pa.....	36	28
Detroit, Mich.....	13	14	Reading, Pa.....	2	5
Duluth, Minn.....	5	5	Sacramento, Cal.....	1	1
Grand Haven, Mich.....	3		San Francisco, Cal.....	3	1
Grand Rapids, Mich.....	9	1	Schenectady, N. Y.....	2	
Harrisburg, Pa.....	2	1	Steubenville, Ohio.....	1	
Kalamazoo, Mich.....	3	1	Stockton, Cal.....	1	1
Lancaster, Pa.....	2		Wichita, Kans.....	1	
Los Angeles, Cal.....	11	5	Wilmington, N. C.....	1	2
Manchester, N. H.....	5	5			

POLIOMYELITIS (INFANTILE PARALYSIS).**City Reports for Week Ended Feb. 19, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Cleveland, Ohio.....	1	.....	Omaha, Nebr.....	1	.....
Manchester, N. H.....	.....	1	Philadelphia, Pa.....	1	.....
New York, N. Y.....	3	.....		

RABIES.**Kentucky—Jefferson County—Rabies in Animals.**

Passed Asst. Surg. Herring reported in regard to an outbreak of rabies in animals in Jefferson County, including the city of Louisville, Ky., as follows: Since November 20, 1915, 19 cases of the disease in dogs and one case in a horse have been confirmed by laboratory examination. From January 1 to 24, 1916, 3 cases of rabies in animals were confirmed within the city of Louisville.

SCARLET FEVER.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 638.

SMALLPOX.**Minnesota.**

Collaborating Epidemiologist Bracken reported by telegraph that during the week ended March 4, 1916, five new foci of smallpox infection were reported in Minnesota, cases of the disease having been notified as follows: Filmore County, Filmore Township, 1; Isanti County, Waynette Township, 8; Morrison County, Little Falls, 1; Murray County, Shetek Township, 1; Stevens County, Moore Township, 1.

Miscellaneous State Reports.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Indiana (Jan. 1-31):			Oregon (May 1-31):		
Counties—			Clackamas County.....	12	.....
Bartholomew.....	2	.....	Clatsop County.....	2	.....
Delaware.....	1	.....	Columbia County.....	1	.....
Gibson.....	6	.....	Cook County.....	3	.....
Jackson.....	6	.....	Douglas County.....	7	.....
Jennings.....	8	.....	Linn County.....	3	.....
Knox.....	11	.....	Marion County.....	1	.....
Lake.....	4	.....	Multnomah County—		
Laporte.....	1	.....	Portland.....	18	.....
Miami.....	5	.....	Washington County.....	10	.....
Newton.....	2	.....		
Porter.....	3	.....	Total.....	57	.....
Vanderburgh.....	53	.....		
Wabash.....	2	.....	Oregon (Jan. 1-31):		
Total.....	104	.....	Clackamas County.....	3	.....
			Marion County.....	1	.....

SMALLPOX—Continued.**Miscellaneous State Reports—Continued.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Oregon (July 1-31)—Contd.			Oregon (Nov. 1-30):		
Multnomah County.....	3		Columbia County.....	1	
Portland.....	20		Linn County.....	1	
Washington County.....	1		Multnomah County—		
Total.....	28		Portland.....	3	
Oregon (Aug. 1-31):			Yamhill County.....	1	
Clackamas County.....	1		Total.....	6	
Clatsop County.....	2		Oregon (Dec. 1-31):		
Columbia County.....	1		Columbia County.....	6	
Marion County.....	1		Multnomah County—		
Multnomah County.....	1		Portland.....	6	
Portland.....	6		Total.....	12	
Umatilla County.....	3		Washington (Jan. 1-31):		
Washington County.....	1		Clarke County.....	2	
Total.....	16		Garfield County.....	1	
Oregon (Sept. 1-30):			Grant County.....	5	
Multnomah County—			King County.....	2	
Portland.....	6		Seattle.....	3	
Oregon (Oct. 1-31):			Skagit County.....	1	
Benton County.....	3		Spokane County.....	10	
Marion County.....	1		Spokane.....	21	
Multnomah County—			Whitman County.....	7	
Portland.....	5		Total.....	52	
Total.....	9				

City Reports for Week Ended Feb. 19, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Butte, Mont.....	1		New Orleans, La.....	4	
Charleston, S. C.....	1		Omaha, Nebr.....	1	
Chicago, Ill.....	3		St. Louis, Mo.....	5	
Davenport, Iowa.....	15		Seattle, Wash.....	1	
Detroit, Mich.....	2		Sioux City, Iowa.....	2	
Dubuque, Iowa.....	2		Springfield, Ill.....	7	
El Paso, Tex.....	1		Superior, Wis.....	1	
Evansville, Ind.....	6		Toledo, Ohio.....	7	
Lincoln, Nebr.....	1		Wheeling, W. Va.....	1	
Los Angeles, Cal.....	8		Wichita, Kans.....	9	

TETANUS.**City Reports for Week Ended Feb. 19, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Atlanta, Ga.....		1	St. Louis, Mo.....	1	
Los Angeles, Cal.....	1		Worcester, Mass.....	1	
New York, N. Y.....		1			

TUBERCULOSIS.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 638.

TYPHOID FEVER.**State Reports for January, 1916.**

Place.	New cases reported.	Place.	New cases reported.
Indiana:		Indiana—Continued.	
Cass County.....	4	Wabash County.....	2
Clark County.....	9	Warren County.....	3
Davies County.....	1	Wayne County.....	3
Delaware County.....	5	Total.....	104
Elkhart County.....	1		
Floyd County.....	6	Washington:	
Gibson County.....	3	Chekan County.....	1
Harrison County.....	1	Chillum County.....	1
Howard County.....	2	Douglas County.....	1
Jefferson County.....	1	King County.....	14
Johnson County.....	6	Seattle.....	1
Knox County.....	2	Lincoln County.....	3
Lake County.....	19	Pierce County—	
Laporte County.....	2	Tacoma.....	10
Marion County.....	14	Skasit County.....	2
Martin County.....	6	Snohomish County.....	2
Morgan County.....	2	Stevens County.....	1
Randolph County.....	2	Walla Walla County.....	3
Sullivan County.....	3	Yakima County.....	1
Tippecanoe County.....	2	Total.....	40
Vanderburg County.....	3		
Vermilion County.....	2		

City Reports for Week Ended Feb. 19, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Alameda, Cal.....	1		Lynn, Mass.....	1	
Atlantic City, N. J.....	1		Morristown, N. J.....	1	
Auburn, N. Y.....	2		Nashville, Tenn.....	2	
Baltimore, Md.....	10		New Castle, Pa.....	1	
Bayonne, N. J.....	1		New Orleans, La.....	2	
Binghamton, N. Y.....	2		Newton, Mass.....	1	
Birmingham, Ala.....	2	1	New York, N. Y.....	21	2
Boston, Mass.....	4		Oakland, Cal.....	1	
Buffalo, N. Y.....	5		Omaha, Nebr.....	1	
Canton, Ohio.....	1	1	Philadelphia, Pa.....	10	2
Charleston, S. C.....	1		Pittsburgh, Pa.....	2	1
Chicago, Ill.....	49	4	Portland, Me.....	2	
Cincinnati, Ohio.....	2		Portland, Oreg.....	5	1
Cleveland, Ohio.....	4		Reading, Pa.....	1	
Columbus, Ohio.....	1		Richmond, Va.....	2	1
Covington, Ky.....	1		Roanoke, Va.....	1	
Danville, Ill.....	2		Rockford, Ill.....	1	
Detroit, Mich.....	5	1	Saginaw, Mich.....	1	1
Fall River, Mass.....	1		St. Louis, Mo.....	4	
Galesburg, Ill.....		1	Salt Lake City, Utah.....	1	1
Galveston, Tex.....	1		San Francisco, Cal.....	3	
Grand Rapids, Mich.....	9		South Bend, Ind.....	1	
Hartford, Conn.....	1		Taunton, Mass.....		1
Jersey City, N. J.....	2		Toledo, Ohio.....	3	1
Kingston, N. Y.....	2		Washington, D. C.....	2	
Lawrence, Mass.....	2		Wheeling, W. Va.....	1	
Los Angeles, Cal.....	2	2	Wilkes-Barre, Pa.....	1	
Lowell, Mass.....	1		Zanesville, Ohio.....	4	1

TYPHUS FEVER.**Texas—El Paso.**

Senior Surg. Pierce reported by telegraph that 6 new cases of typhus fever were notified at El Paso, Tex., March 8, 1916.

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS

City Reports for Week Ended Feb. 19, 1916.

City.	Population as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuberculosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Over 500,000 inhabitants:										
Baltimore, Md.	584,605	197	15		211		35	3	33	25
Boston, Mass.	717,139	255	32	4	108	1	43	5	53	19
Chicago, Ill.	2,447,045	760	106	13	139	2	227	4	206	92
Cleveland, Ohio.	656,975	196	51		179	1	38	2	44	24
Detroit, Mich.	554,717	173	49	5	115	2	30	2	26	10
New York, N. Y.	5,498,190	1,028	391	41	559	13	175	2	428	179
Philadelphia, Pa.	1,683,664	612	78	15	396		50	1	159	56
Pittsburgh, Pa.	571,984	196	32	3	362	1	15		32	14
St. Louis, Mo.	745,988	196	59	4	31		32	1	43	10
From 300,000 to 500,000 inhabitants:										
Buffalo, N. Y.	461,335	158	14	2	362	7	14		45	17
Cincinnati, Ohio.	406,706	153	24	3	238	2	7		38	30
Jersey City, N. J.	300,133	122	10		13		10		21	14
Los Angeles, Cal.	465,367	148	19		8		4		45	21
New Orleans, La.	366,484	139	32	3			5		33	24
San Francisco, Cal.	1,416,912	146	29	2	4		33		39	23
Seattle, Wash.	339,834	47			21		4		16	6
Washington, D. C.	358,679	138	6	2	22		17		19	18
From 200,000 to 300,000 inhabitants:										
Columbus, Ohio.	209,722	76	5		1		3		8	5
Portland, Ore.	272,433	58	1		5		1		16	6
Providence, R. I.	230,425	71	18	2	30		14		6	6
Rochester, N. Y.	250,747	63	5		25		7		9	6
From 100,000 to 200,000 inhabitants:										
Atlanta, Ga.	184,873	54	3				3			9
Birmingham, Ala.	174,168	55			2				10	6
Bridport, Conn.	118,434	36	2	1			3		8	5
Cambridge, Mass.	111,669	35	7		6		3		6	4
Camden, N. J.	104,349		2						5	
Fall River, Mass.	126,904	50	7		3		5		9	5
Grand Rapids, Mich.	127,759	47	2		14		7		4	5
Hartford, Conn.	108,959	46	11	1	84	1	5		9	3
Lowell, Mass.	112,124	58	19	1	7		3		6	1
Lynn, Mass.	100,316	26	5		98		5		2	4
Nashville, Tenn.	113,978	40	1	1					12	4
New Bedford, Mass.	114,694	40			7		2		8	2
New Haven, Conn.	147,065						9			
Oakland, Cal.	190,893		9	1			9		12	5
Omaha, Nebr.	135,455		9	1	7		84	2	22	6
Reading, Pa.	105,094	49	2		128	3	14			
Richmond, Va.	154,674	68	1		12		2		11	3
Salt Lake City, Utah.	113,567	17	3				1			
Springfield, Mass.	103,216	44	2		12		7		2	2
Syracuse, N. Y.	152,534	51	4	1	2				2	4
Tacoma, Wash.	108,094				1					
Toledo, Ohio.	187,840	74	12	1	227	1	15			18
Trenton, N. J.	109,212	49	5	2	10	2	2		6	3
Worcester, Mass.	160,523	68	7		13		2		7	4
From 50,000 to 100,000 inhabitants:										
Akron, Ohio.	82,958	22	8		28		21		1	
Atlantic City, N. J.	55,806	7					1		2	
Bayonne, N. J.	67,682		8		3		4		5	
Berkeley, Cal.	54,879	11	1				3			1
Binghamton, N. Y.	53,082	24	3				1		5	3
Brookton, Mass.	65,746	19	10		10		1		1	1
Canton, Ohio.	59,139	20	2	1	4		4		1	1
Charleston, S. C.	60,427	22								2
Chattanooga, Tenn.	58,576	18	2				8			3
Covington, Ky.	56,520	16	2		15				1	1
Duluth, Minn.	91,913	33			27		10		1	4
El Paso, Tex.	51,936		2		8		5			10
Evansville, Ind.	72,125	18	4	1					2	2
Harrisburg, Pa.	70,754	20		2	36				4	1
Hoboken, N. J.	76,104	22	11		16		6		4	1
Johnstown, Pa.	66,585	22	1		72		2			

¹ Population Apr. 15, 1910; no estimate made.

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS—Contd.

City Reports for Week Ended Feb. 19, 1916—Continued.

City.	Popula- tion as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.		
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	
From 50,000 to 100,000 inhabit- ants—Continued.											
Lancaster, Pa.	50,269		1		2		2				
Lawrence, Mass.	98,197	26	8		12	1	2		3	1	
Little Rock, Ark.	55,158	24									
Malden, Mass.	50,067	17	7		1		3	1	6	1	
Manchester, N. H.	76,959	31	1		43		2		1	1	
Mobile, Ala.	56,536	24							1	2	
New Britain, Conn.	52,203		2		58				2		
Passaic, N. J.	69,010	28	6		55	1			5		
Pawtucket, R. I.	58,156	20	3	3			2			1	
Portland, Me.	63,014	14	4		1	1				1	
Rockford, Ill.	53,761	7	1		47		17				
Sacramento, Cal.	64,806	25			2					5	
Saginaw, Mich.	54,815	12			15		1		2		
San Diego, Cal.	51,115	22	4		13		2		4	4	
Schenectady, N. Y.	95,265	14	5		7		3		3	1	
Sioux City, Iowa.	55,588		3				1				
Somerville, Mass.	85,460	27	1	3	3		5		3	2	
South Bend, Ind.	67,030	13	9	1	2		3		1		
Springfield, Ill.	59,468		5		10		1		7	1	
Troy, N. Y.	77,738	48	1	1	1		6		2	6	
Wichita, Kans.	67,847	10			1		2		2	1	
Wilkes-Barre, Pa.	75,218	24	6		5	1	1		5	1	
Wilmington, Del.	93,161		2	1	8						
From 25,000 to 50,000 inhabit- ants:											
Alameda, Cal.	27,031	3					1		4		
Auburn, N. Y.	36,947	13	1	1	5				1	2	
Aurora, Ill.	33,613		2				5				
Brookline, Mass.	31,934	9					1				
Butler, Pa.	26,587	8									
Butte, Mont.	42,918	35			17				3	1	
Chelsea, Mass.	1 32,452	17			15		3		2	2	
Chicopee, Mass.	28,688	7	2		1		2		3	1	
Cumberland, Md.	25,564	4	2		10		1		5	1	
Danville, Ill.	31,554	11			78		2		2		
Davenport, Iowa.	47,127		1				6				
Decatur, Ill.	38,526										
Dubuque, Iowa.	39,640						2				
East Orange, N. J.	41,155	9			3		2		2		
Elgin, Ill.	27,844				1		1			1	
Everett, Mass.	38,307	10	2		7		2			1	
Everett, Wash.	33,767	6									
Fitchburgh, Mass.	41,144	7	5		5		2		3	1	
Galveston, Tex.	41,076	5	1				2				
Haverhill, Mass.	47,774	16	8	1	1		2	1	3	1	
Kalamazoo, Mich.	47,364	13							3	3	
Kenosha, Wis.	30,319	5	1								
Kinston, N. Y.	26,632	10					1		2		
La Crosse, Wis.	31,722	13	2		2						
Lexington, Ky.	39,703	13			4					2	
Lincoln, Nebr.	46,628	14	1		1		6		1		
Lorain, Ohio	35,662	24	1		13		5				
Lynchburg, Va.	32,385	10			1				2		
Madison, Wis.	30,084		2		11					1	
Medford, Mass.	27,737	5	1		3		2		1		
Montclair, N. J.	25,550	8	2		3						
Nashua, N. H.	27,114	12	1				2				
New Castle, Pa.	40,351		3		1						
Newport, Ky.	31,722	11	1	1			1	1	2	2	
Newport, R. I.	23,631	8	2								
Newton, Mass.	43,085	8	1		3		2				
Niagara Falls, N. Y.	36,210	10	1		13		1		1	1	
Norristown, Pa.	30,833	8	2		15					1	
Ogden, Utah.	39,466	7					2				
Orange, N. J.	32,724	9	4							1	
Pasadena, Cal.	43,859	17							1	3	
Perth Amboy, N. J.	39,725		3				1		3		
Pittsfield, Mass.	37,580	18					2		1	1	
Portsmouth, Va.	38,610	18								2	
Racine, Wis.	45,507	9	2		25		4		1		

1 Population Apr. 15, 1910; no estimate made.

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS—Contd.

City Reports for Week Ended Feb. 19, 1916—Continued.

City.	Popula- tion as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
From 25,000 to 50,000 inhabit- ants—Continued.										
Roanoke, Va.	41,929	14	4	1	1					
Steubenville, Ohio	26,631	12	1							
Stockton, Cal.	34,008	9					1			
Superior, Wis.	45,285	8	2							
Taunton, Mass.	35,957	20			1	1	2	1		2
Waltham, Mass.	30,129	5	1				2		2	1
West Hoboken, N. J.	41,883	6	3				5		2	1
Wheeling, W. Va.	43,097	14			97				1	
Williamsport, Pa.	33,495	6								
Wilmington, N. C.	28,264	13					1			1
From 10,000 to 25,000 inhabit- ants:										
Ann Arbor, Mich.	14,979	11					3			2
Beaver Falls, Pa.	13,316				4				1	
Cairo, Ill.	15,593	5								1
Clinton, Mass.	13,075						2			1
Coffeyville, Kans.	16,765								1	
Concord, N. H.	22,480	12			12					
Galesburg, Ill.	23,623	7								
Kearny, N. J.	22,753				8		5		3	1
Kokomo, Ind.	20,312	8	3				1			2
Long Branch, N. J.	15,057	3								
Marquette, Wis.	14,610		1	1						1
Melrose, Mass.	17,166	4							1	
Morristown, N. J.	13,158	5					1			1
Muscatine, Iowa.	17,287	2								
Nanticoke, Pa.	22,441	11	1				1			
Newburyport, Mass.	15,195	7	1		1					
New London, Conn.	20,771	9	5	1					1	
North Adams, Mass.	22,019	8								1
Northampton, Mass.	19,846	6							1	
Plainfield, N. J.	23,280	17	1		38	2	1		1	
Rutland, Vt.	14,624	6								
Saratoga Springs, N. Y.	12,842	7			2		3		2	1
Steelton, Pa.	15,337	2			6					
Wilkinsburg, Pa.	22,261	15	1		55		3			4
Woburn, Mass.	15,862	5								

¹ Population Apr. 15, 1910; no estimate made.

FOREIGN.

CUBA.

Communicable Diseases—Habana.

Communicable diseases were notified in Habana during the 10-day period ended February 10, 1916, as follows:

Disease.	New cases.	Deaths.	Remain- ing under treatment Feb. 10, 1916.	Disease.	New cases.	Deaths.	Remain- ing under treatment Feb. 10, 1916.
Cerebrospinal men- ingitis.....	.....	.....	1	Paratyphoid fever.....	2	1	3
Diphtheria.....	13	.....	15	Scarlet fever.....	1	.....	2
Leprosy.....	.....	.....	248	Typhoid fever.....	6	3	22
Malaria.....	2	.....	15	Typhus fever.....	2	1	1
Measles.....	2	.....	3	Varicella.....	1	.....	1

¹ From interior of Republic.

² Imported from Mexico.

CHOLERA, PLAGUE, SMALLPOX, TYPHUS FEVER, AND YELLOW FEVER.

Reports Received During Week Ended Mar. 10, 1916.¹

CHOLERA.

Place.	Date.	Cases.	Deaths.	Remarks.
India:				
Bassein.....	Jan. 2-8.....	.....	1	
Bombay.....	Jan. 16-22.....	1	.....
Calcutta.....	Jan. 9-15.....	.....	6	
Mergul.....	Dec. 19-Jan. 1.....	.....	2	
Rangoon.....	Jan. 2-8.....	6	5	
Tavoy.....	Dec. 19-Jan. 1.....	.....	6	
Java				
Batavia.....	Dec. 14-20.....	2	.....
Brebes.....	Dec. 3-9.....	1	1	
Philippine Islands:				
Manila.....	Jan. 9-22.....	5	3	

PLAGUE.

Brazil:				
Bahia.....	Jan. 16-22.....	4	2	
Ceylon:				
Colombo.....	Jan. 9-15.....	2	2	
Egypt				Jan. 1-Feb. 3, 1916: Cases, 35; deaths, 20.
Assiout, Province.....	Jan. 30-Feb. 3.....	2	2	
Fayoum, Province.....	Jan. 23-29.....	6	3	
Minieh, Province.....	Jan. 25-Feb. 3.....	4	3	
India				Jan. 9-15, 1916: Cases, 8,772; deaths, 6,610.
Bassein.....	Jan. 2-8.....	.....	7	
Bombay.....	Jan. 16-22.....	16	12	

¹ From medical officers of the Public Health Service, American consuls, and other sources.

CHOLERA, PLAGUE, SMALLPOX, TYPHUS FEVER, AND YELLOW FEVER— Continued.

Reports Received During Week Ended Mar. 10, 1916—Continued.

PLAGUE—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
India—Continued.				
Calcutta.....	Jan. 9-15.....	.....	1	
Penzada.....	Jan. 2-8.....	.....	5	
Madras presidency.....	Jan. 16-22.....	679	502	
Mandalay.....	Jan. 2-8.....	.....	151	
Rangoon.....	do.....	13	13	
Java.....	.....	.....	.....	Nov. 19-Dec. 16, 1915: Cases, 718; deaths, 707.
Kediri residency.....	Nov. 19-Dec. 16...	194	191	
Paseroean residency.....	do.....	24	24	
Surabaya residency.....	do.....	13	13	Including Surabaya city, Dec. 3-16, 1915, cases, 6; deaths, 6.
Surakarta residency.....	do.....	487	479	

SMALLPOX.

Australia:				
New South Wales.....	.....	.....	.....	Jan. 7-13, 1916: Cases, 11.
Cundletown, district.....	Jan 7-13.....	2	.....
Kempsey.....	do.....	1	.....	On s. s. Yulgilbar from Sydney. Case returned to Sydney.
Newcastle, district.....	do.....	6	.....
Taree, district.....	do.....	2	.....
Brazil:				
Rio de Janeiro.....	Jan. 9-22.....	18	6	
Canada:				
Montreal.....	Feb. 20-26.....	1	.....
China:				
Harbin.....	Dec. 6-26.....	7	.....
Do.....	Jan. 3-9.....	1	.....
Great Britain:				
Cardiff.....	Feb. 6-12.....	2	.....
India:				
Bombay.....	Jan. 16-22.....	46	14	
Calcutta.....	Jan. 9-15.....	.....	1	
Rangoon.....	Jan. 2-8.....	5	4	
Java.....	.....	.....	.....	Nov. 26-Dec. 20, 1915: Cases, 115; deaths, 25.
Batavia.....	Dec. 7-20.....	8	5	
Mexico:				
Aguascalientes.....	Feb. 14-20.....	.....	19	
Hermosillo.....	Feb. 13-19.....	6	3	Among soldiers and soldiers' families.
Mazatlan.....	Feb. 9-15.....	53	8	Brought from Sonora and placed in hospital.
Netherlands:				
Amsterdam.....	Jan. 15-29.....	8	1	
Russia:				
Riga.....	Dec. 26-Jan. 1.....	3	.....
Straits Settlements:				
Penang.....	Dec. 26-Jan. 1.....	9	2	
Singapore.....	Jan. 2-15.....	7	4	

TYPHUS FEVER.

Cuba:				
Habana.....	Feb. 1-10.....	2	1	Imported from Mexico.
Egypt:				
Alexandria.....	Jan. 22-28.....	2	1	
Cairo.....	Dec. 17-23.....	7	5	
Great Britain:				
Glasgow.....	Feb. 11.....	2	.....
Greece:				
Saloniki.....	Dec. 27-Jan. 2.....	.....	1	
Java.....	.....	.....	.....	Nov. 26-Dec. 20, 1915: Cases, 17; deaths, 6.
Batavia.....	Dec. 7-13.....	.....	1	
Samarang.....	Nov. 26-Dec. 7.....	.....	1	
Mexico:				
Salina Cruz.....	Feb. 1-15.....	1	.....	In person from Mexico City.
Russia:				
Riga.....	Dec. 26-Jan. 1.....	6	.....

CHOLERA, PLAGUE, SMALLPOX, TYPHUS FEVER, AND YELLOW FEVER— Continued.

Reports Received from Jan. 1 to Mar. 3, 1916.

CHOLERA.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary.....				Total, Oct. 25, 1915-Jan. 2, 1916: Cases, 412; deaths, 165.
Austria.....	Nov. 7-Dec. 18....	209	66	
Croatia-Slavonia.....	Oct. 18-Dec. 20....	247	105	
Hungary.....	Oct. 18-Jan. 2....	339	197	Nov. 18-Dec. 10, 1915: Cases, 675; deaths, 276. In a prison camp.
Borneo:				
Putatan.....	Oct. 17-23.....	2		
India:				
Bassein.....	Nov. 28-Jan. 1....		29	
Calcutta.....	Oct. 31-Jan. 1....		139	
Do.....	Jan. 2-8.....		11	
Henzada.....	Oct. 7-Nov. 27....		3	
Madras.....	Nov. 7-Dec. 4....	5		
Do.....	Jan. 2-15.....	9	8	
Madras Presidency.....	Nov. 26.....		12	
Mandalay.....	Oct. 24-Dec. 18....		46	
Mergui.....	Oct. 23-Dec. 18....		10	
Myingyan.....	Oct. 19-Dec. 25....		15	
Pakkoku.....	Oct. 10-Nov. 6....		45	
Prome.....	Nov. 14-Jan. 1....		106	
Rangoon.....	Oct. 31-Jan. 1....	83	69	
Tavoy.....	Dec. 5-18.....		12	
Tounzoo.....	Oct. 7-Dec. 11....		47	
Yenangyaung.....	Nov. 2.....	1	1	American. Sept. 1-30, 1915: Cases, 813; deaths, 549.
Indo-China.....				
Anam, Province.....	1915. Sept. 1-30.....	127	92	
Cambodia, Province.....	do.....	1	1	
Cochin China, Province.....	do.....	15	8	
Saigon.....	Oct. 25-Nov. 28....	4	3	
Do.....	Jan. 3-9.....	1		
Tonkin, Province.....	Sept. 1-30.....	670	448	
Java.....				Oct. 15-Nov. 15; Cases, 69; deaths, 48. Nov. 12-Dec. 6, 1915: Cases, 17; deaths, 10.
Batavia.....	Oct. 26-Nov. 29....	51	34	
Bredas.....	Oct. 15-Nov. 25....	9	9	
Persia:				
Enzeli.....	Nov. 6-12.....		10	Nov. 22, 1915: Still present.
Essaleme.....	Nov. 23.....		7	
Gazian.....	Nov. 6-12.....		4	
Karkhan-Roud.....	Nov. 23.....		38	And in vicinity.
Kazvin.....	Nov. 27.....		10	
Resht.....	Nov. 24.....			And vicinity: Present.
Philippine Islands:				
Manila.....	Dec. 26-Jan. 8....	4	3	
Russia:				
Moscow.....	Nov. 14-27.....	4	1	
Turkey in Asia:				
Trebizond.....	Dec. 2-4, 1915....	15	10	

PLAGUE.

Place.	Date.	Cases.	Deaths.	Remarks.
Brazil:				
Bahia.....	Nov. 21-Jan. 1....	12	8	
Ceylon:				
Colombo.....	Oct. 24-Dec. 25....	37	31	
Do.....	Jan. 2-8.....	8	7	
China:				
Hongkong.....	Nov. 7-Jan. 1....	4	4	
Do.....	Jan. 2-8.....	1	1	
Ecuador:				
Guayaquil.....	Nov. 1-30.....	1	1	
Egypt.....				Jan. 1-Dec. 31, 1915: Cases, 235; deaths, 120.
Alexandria.....	Dec. 23-31.....	2		
Assiout, Province.....	Dec. 17-31.....		2	
Do.....	Jan. 2-19.....	8	3	
Garbleh, Province.....	Dec. 6-24.....	6	4	
Do.....	Jan. 10-13.....	2	1	
Gizeh, Province.....	Dec. 27.....	1	1	

CHOLERA, PLAGUE, SMALLPOX, TYPHUS FEVER, AND YELLOW FEVER—
Continued.**Reports Received from Jan. 1 to Mar. 3, 1916—Continued.****PLAGUE—Continued.**

Place.	Date.	Cases.	Deaths.	Remarks.
Egypt—Continued.				
Minieh, Province.....	Nov. 27-Dec. 31....	13	9	
Do.....	Jan. 1-19.....	10	4	
Pert Said.....	Aug. 13-Nov. 1....	3	2	
Suez.....	Jan. 10.....	1	1	On s. s. Syria from Bombay.
Greece:				
Athens.....	Dec. 8-20.....	1	1	
Syria Island.....	Jan. 16.....	16	10	
India				
Bassein.....	Dec. 26-Jan. 1....	3	3	
Bombay.....	Nov. 9-Jan. 1....	53	51	
Do.....	Jan. 2-15.....	17	12	
Calcutta.....	Nov. 21-27.....	1	1	
Do.....	Jan. 2-8.....	1	1	Present.
Henzada.....	Dec. 26-Jan. 1....	2	2	
Karachi.....	Nov. 7-29.....	2	2	
Madras.....	Jan. 2-8.....	1	1	
Madras Presidency.....	Oct. 16-Nov. 5....	118	118	Madras Presidency, Aug. 1, 1898, to June 30, 1915: Cases, 141,356; deaths, 109,095.
Do.....	Nov. 12-Jan. 1....	1,839	1,288	
Do.....	Jan. 9-15.....	1,181	813	
Mandalay.....	Oct. 24-Jan. 1....	2	266	
Rangoon.....	Oct. 1-Dec. 18....	68	66	
Indo-China.				
	1915.			Sept. 1-30, 1915: Cases, 72; deaths, 65.
Anam, Province.....	Sept. 1-30.....	9	5	
Cambodia, Province.....	do.....	20	19	
Cochin China, Province.....	do.....	2	2	
Salgon.....	Oct. 25-Dec. 5....	8	5	
Do.....	Jan. 3-9.....	6	4	
Tonkin, Province.....	Sept. 1-30.....	41	41	
Java				
Kediri residency.....	Oct. 22-Nov. 18....	270	257	
Madjoen residency.....	Oct. 22-Nov. 11....	1	1	
Paseroean residency.....	Oct. 22-18.....	14	16	
Surabaya residency.....	do.....	6	6	
Surabaya.....	Nov. 5-11.....	2	2	
Surakarta residency.....	Oct. 22-Nov. 18....	344	323	
Mauritius.....	Oct. 1-Nov. 4....	8	8	
Russia:				
Siberia—				
Transbaikal Province..	October, 1914.....	16	13	
Straits Settlements:				
Penang.....	Nov. 28-Dec. 4....	1	1	
Singapore.....	Oct. 31-Dec. 18....	5	2	
Siam:				
Bangkok.....	Nov. 14-20.....	1	1	
Union of South Africa:				
Orange Free State.....	Jan. 28.....	11	11	
At sea.....	Dec. 29, 1915-Jan. 10, 1916.....	4	4	Three left at Aden; 1 arrived Jan. 10, at Suez.

SMALLPOX.

Algeria:				
Algiers.....	Dec. 1-31.....	1	1	
Australia:				
New South Wales.				
Beza district.....	Dec. 10-16.....	1	1	Nov. 19-Dec. 30, 1915: Cases, 62.
Bulahdelah district.....	Jan. 3-6.....	1	1	
Cummettown.....	Dec. 24-30.....	3	3	
Gloucester district.....	Dec. 10-16.....	1	1	
Newcastle district.....	do.....	1	1	Nov. 19-Dec. 30, 1915: Cases, 53.
Wallsend.....	Jan. 3-6.....	1	1	
Rooty Hill district.....	Dec. 10-16.....	1	1	
Sydney.....	Dec. 3-30.....	10	1	
Do.....	Jan. 3-6.....	1	1	
Wyong district.....	do.....	1	1	

CHOLERA, PLAGUE, SMALLPOX, TYPHUS FEVER, AND YELLOW FEVER— Continued.

Reports Received from Jan. 1 to Mar. 3, 1916—Continued.

SMALLPOX—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary:				
Austria.....				Nov. 7-Dec. 4, 1915: Cases, 3,603.
Prague.....	Jan. 9-15.....	1		
Vienna.....	Dec. 10-Jan. 1.....	21	3	
Do.....	Jan. 2-22.....	21	2	
Hungary—				
Budapest.....	Nov. 21-Dec. 31.....	373		In addition, Jan. 1-8, 3 among troops.
Do.....	Jan. 1-22.....	26	2	
Brazil:				
Rio de Janeiro.....	Nov. 14-Jan. 1.....	147	31	
Do.....	Jan. 2-8.....	18	4	
Canada:				
Ontario—				
Fort William and Port Arthur.....	Dec. 19-25.....	1		
Do.....	Jan. 16-22.....	2		
Quebec—				
Montreal.....	Dec. 19-25.....	1		
Do.....	Jan. 16-22.....	2		
Canary Islands:				
Gran Canaria.....	Nov. 21.....			Epidemic.
Arucas.....	Dec. 5-18.....			Present.
Las Palmas.....	Jan. 3-9.....		1	
Ceylon:				
Colombo.....	Oct. 21-Nov. 13.....	6	2	
China:				
Antung.....	Jan. 3-9.....	1		
Foochow.....	Nov. 21-27.....			Do.
Do.....	Jan. 2-8.....			Do.
Tientsin.....	Nov. 21-27.....		2	
Nanking.....	Nov. 7-Dec. 18.....			Do.
Do.....	Jan. 16-29.....			Do.
Colombia:				
Since.....	Jan. 23.....	9		50 miles from Cartagena.
Cuba:				
Guantanamo.....	Jan. 16.....	1		U. S. Naval station. Case mild varioloid from U. S. Louisiana.
Do.....	Jan. 28-Feb. 8.....	1		U. S. Naval station. Case, confluent form.
Egypt:				
Alexandria.....	Dec. 21-27.....	3		
Cairo.....	Sept. 3-Dec. 16.....	8	1	
Port Said.....	Dec. 10-16.....	1		
France:				
Paris.....	Dec. 5-11.....	1		
Germany:				Jan. 2-8, 1916: Cases, 2.
Bavaria—				
Munich.....	Dec. 19-25.....	1		
Breilau.....	Dec. 12-18.....	1	1	
Bromberg, Govt. district.....	Jan. 2-8.....	1		
Düsseldorf.....	Dec. 5-11.....	1		
Gumbinnen, Govt. district.....	Jan. 2-8.....	1		
Hamburg.....	Dec. 26-Jan. 1.....	1		
Oppeln, Govt. district.....	Nov. 21-Dec. 25.....	14		Of these, 8 in one institution.
Do.....	Jan. 2-8.....	1		
Saxony.....	Nov. 21-Dec. 25.....	1		
Great Britain:				
Cardiff.....	Jan. 30-Feb. 5.....	2		
Guatemala:				
Guatemala City.....	Jan. 9-15.....			Present.
India:				
Bombay.....	Nov. 7-Jan. 1.....	83	48	
Do.....	Jan. 2-15.....	57	23	
Calcutta.....	Nov. 7-Jan. 1.....		3	
Madras.....	Do.....	46	20	
Do.....	Jan. 2-15.....	92	18	
Rangoon.....	Oct. 31-Dec. 11.....	14	7	
Toungoo.....	Dec. 5-11.....		1	
Italy:				
Turin.....	Nov. 22-Dec. 5.....	6		
Japan:				
Yokohama.....	Jan. 17-23.....	1		
Java:				Oct. 15-Dec. 6: Cases, 422; deaths, 87.
Batavia.....	Nov. 1-Dec. 6.....	25	10	
Samarang.....	Nov. 12-23.....	2		

CHOLERA, PLAGUE, SMALLPOX, TYPHUS FEVER, AND YELLOW FEVER— Continued.

Reports Received from Jan. 1 to Mar. 3, 1916—Continued.

SMALLPOX—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Manchuria:				
Harbin.....	Nov. 15-28.....	5		
Mexico:				
Aguascalientes.....	Dec. 13-Feb. 13.....		61	
Protonera.....	Nov. 21-Dec. 25.....	86	24	
Do.....	Dec. 26-Jan. 8.....		7	Present. Estimated number cases, 60.
Guadalajara.....	Dec. 5-23.....	21	5	
Do.....	Jan. 2-29.....	24	5	
Hermosillo.....	Dec. 12-Feb. 13.....	68	18	From 50 to 100 (estimated) cases present within radius of 50 miles of city.
Juarez.....	Feb. 11.....	8		
Mazatlan.....	Jan. 26-Feb. 8.....	12	4	
Monterey.....	Dec. 13-Feb. 5.....	14	17	
Naco.....	Feb. 13.....	2		
Nogales.....	Feb. 7-19.....	21	1	
Piedras Negras.....	Jan. 10-Feb. 19.....	5	2	Feb. 5: Present.
Progreso.....	Dec. 5-18.....	2		
Salina Cruz.....	Jan. 1-15.....	1	1	
Tampico.....	Dec. 7-Jan. 20.....		62	Jan. 14, epidemic; estimated number cases, 100.
Vera Cruz.....	Dec. 13-Feb. 6.....	99	91	
Persia:				
Teheran.....	Nov. 25-Dec. 10.....		140	
Portugal:				
Lisbon.....	Dec. 5-26.....	4		
Russia:				
Petrograd.....	Oct. 24-Dec. 25.....	125	37	
Do.....	Jan. 2-8.....	17	14	
Riga.....	Nov. 14-Dec. 23.....	3		Aug. 1-31, 1915: Cases, 10; deaths, 1.
Siberia—				
Vladivostok.....	Dec. 29-Jan. 4.....	10	3	
Siam:				
Bangkok.....	Nov. 28-Dec. 4.....		1	
Spain:				
Cadiz.....	Dec. 1-31.....		1	
Madrid.....	Nov. 1-Dec. 31.....		41	
Seville.....	Dec. 1-31.....		7	
Valencia.....	Nov. 21-Jan. 8.....	149	10	
Straits Settlements:				
Singapore.....	Nov. 28-Jan. 1.....	3		
Switzerland:				
Basel.....	Nov. 29-Dec. 25.....	43		
Turkey in Asia:				
Beirut.....	Oct. 10-Dec. 25.....	75	31	
Union of South Africa:				
Johannesburg.....	Oct. 17-23.....	2		
Uruguay:				
Montevideo.....	Oct. 1-31.....	1		

TYPHUS FEVER.

Austria-Hungary:				
Austria.....				Nov. 14-Dec. 1, 1915: Cases, 490.
Hungary—				
Budapest.....	Dec. 12-31.....	3	1	
Do.....	Jan. 1-22.....	7		
China:				
Antung.....	Nov. 22-Dec. 5.....	2		
Egypt:				
Alexandria.....	Nov. 12-Dec. 31.....	5	2	
Do.....	Jan. 1-21.....	8	4	
Cairo.....	Aug. 13-Dec. 16.....	57	32	
Port Said.....	Nov. 19-25.....	1	1	
Germany:				
Aix la Chapelle.....	Jan. 9-15.....		1	
Berlin.....	Nov. 21-Jan. 1.....		7	
Bremen.....	Nov. 28-Dec. 4.....	1	1	
Dortmund.....	Dec. 12-18.....	1	1	
Erfurt.....	Dec. 19-25.....		1	
Hanover.....	Nov. 21-Dec. 25.....	2	2	
Do.....	Jan. 9-22.....	2	2	
Königsberg.....	Nov. 28-Jan. 22.....	19	7	
Lübeck.....	Nov. 7-Dec. 31.....	3	2	
Do.....	Jan. 1-8.....	1		
Merseburg, Gov't district.....	Dec. 26-Jan. 1.....	1		

CHOLERA, PLAGUE, SMALLPOX, TYPHUS FEVER, AND YELLOW FEVER— Continued.

Reports Received from Jan. 1 to Mar. 3, 1916—Continued.

TYPHUS FEVER—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Germany—Continued.				
Saxe-Coburg-Gotha.....	Dec. 5-18.....	3	.....
Do.....	Jan. 9-15.....	1	.....
Stettin.....	Dec. 5-25.....	.....	6	
Do.....	Jan. 9-15.....	1	.....
Great Britain:				
Dundee.....	Dec. 12-18.....	3	.....
Liverpool.....	Dec. 5-18.....	3	2	
Manchester.....	Jan. 23-29.....	5	1	
Greece:				
Saloniki.....	Oct. 24-Dec. 26.....	.....	185	Dec. 10: Present among troops.
Yeni-Je-Vardar.....	Dec. 10.....	.....	.....	Present among troops.
Italy:				
Palermo.....	Dec. 13-19.....	3	.....
Do.....	Jan. 3-9.....	3	.....
Japan:				
Tokyo.....	Jan. 11-20.....	2	.....
Java:				
Batavia.....	Oct. 26-Dec. 6.....	16	3	Oct. 15-Dec. 8, 1915: Cases, 68; deaths, 19.
Samarang.....	Oct. 22-Nov. 25.....	6	1	
Mexico:				
Aguascalientes.....	Dec. 13-Feb. 13.....	.....	26	
Guadalajara.....	Dec. 25-31.....	6	2	
Hermosillo.....	Feb. 4-22.....	3	3	
Mexico City.....	Dec. 23.....	.....	.....	Prevalent.
Do.....	Jan. 12.....	.....	1	
Monterey.....	Jan. 3-9.....	1	.....
Oaxaca.....	Dec. 9.....	.....	1	American.
Queretaro.....	Dec. 16.....	.....	.....	Prevalent. Estimated number
Salina Cruz.....	Dec. 16-21.....	1	.....	cases, 500.
Tampico.....	Dec. 1-31.....	.....	1	
Do.....	Jan. 11-20.....	.....	1	
Russia:				
Moscow.....	Dec. 7-27.....	28	5	
Do.....	Jan. 2-8.....	21	6	
Petrograd.....	Oct. 21-Dec. 25.....	34	6	
Do.....	Jan. 2-8.....	5	.....
Riga.....	Nov. 14-20.....	12	.....
Vladivostok.....	Oct. 8-Nov. 13.....	21	6	
Spain:				
Madrid.....	Nov. 1-30.....	.....	1	
Sweden:				
Stockholm.....	Dec. 23-Jan. 1.....	1	.....
Switzerland:				
Zurich.....	.....do.....	1	.....
Do.....	Jan. 16-22.....	1	.....
Turkey in Asia:				
Aleppo.....	Oct. 23-Nov. 1.....	.....	.....	Estimated deaths, 200 daily.
Beirut.....	Nov. 21-27.....	7	3	
Mersina.....	.....do.....	3	.....

YELLOW FEVER.

Ecuador:				
Guayaquil.....	Nov. 1-30.....	1	1	

SANITARY LEGISLATION.

COURT DECISIONS.

SOUTH DAKOTA SUPREME COURT.

Quarantine—Hospitalization—Health Officer can not be Compelled to Remove a Smallpox Patient when no Funds are Available.

GOULD v. KELLER, 154 N. W., 649. (Nov. 4, 1915.)

- A health officer can not be compelled to perform any duty involving the expenditure of funds if no funds are available for the purpose.
- A city ordinance made it the duty of the health officer to remove persons suffering from "any infectious or pestilential disease" to the pesthouse or city hospital, but no hospital had been erected and no funds were provided for the removal or care of patients. Plaintiff asked a writ of mandamus to compel the health officer to remove a smallpox patient from his home, which had been quarantined. The court held that the health officer could not be compelled to remove the patient.

WHITING, J.: Plaintiff, a resident of Sioux Falls, sought a writ of mandamus to compel respondent, the health officer of said city, to remove a smallpox patient from relator's home "to the pesthouse or city hospital, or some other safe and proper place." The circuit court refused the writ, and relator appealed.

An ordinance of said city provided, among other things, as follows:

SEC. 45. *Visitation of sick—Infectious disease.*—It shall be the further duty of the health officer to visit and examine all sick persons who shall be reported to him as being sick or supposed to be sick with any infectious or pestilential disease, and cause all such infected persons to be removed to the pesthouse or city hospital, or some other safe and proper place. * * *

SEC. 50. *Grounds and buildings.*—The board of health, by and with the approval of the city council, may select, purchase, lease and establish such site, place or places for a pesthouse, or hospital, and may erect from time to time such buildings upon such sites or places, and keep the same in repair, as in the judgment of the said board shall be necessary.

The smallpox patient was an employee in the home of relator. The respondent received proper notice from relator, and visited the patient, but, instead of removing her from the relator's house, he quarantined such house. It appears that the city of Sioux Falls had no city hospital or pesthouse, and that it had not provided any other "safe and proper place" for the care of persons suffering from "infectious or pestilential disease." Respondent alleged that he was powerless to do more than he had done in this case.

The trial court was clearly right in refusing the writ prayed for. It is not shown that there was any ordinance under which the respondent was provided with or given the power to obtain the means or funds necessary to provide a suitable place and the necessary equipment for the care of the patient in question. It is not shown that respondent as such officer had been provided with such means from any source. Sioux Falls is a city under commission. No officer of such city can expend any of its funds unless the "appropriation ordinance" for the current year provides a fund for the purpose for which the expense is sought to be made. (Sec. 116, chap. 119, Laws 1913.) There is no showing that the said city had, by an "appropriation ordinance,"

provided any fund upon which warrants could have been drawn to provide any place for the care of this smallpox patient. Certainly no officer should be compelled to perform any duty involving the expenditure of funds where no funds have been provided with which to meet such expenditure. How could respondent comply with the writ prayed for? He could not compel the commissioners of said city to provide a place, and he could not be compelled to provide a place at his own expense. We agree fully with the following:

It does not necessarily follow, because a person has a clear legal right which can only be affected by the act of another, that it is the clear duty of the latter to perform such act at the particular time and in the particular manner such person may demand it. It is fundamental that both conditions must exist, the right and the duty to act, before the extraordinary remedy can be successfully invoked. * * * Where the doing of the official act in question requires the expenditure of money, performance can not be coerced by mandamus in absence of a showing that money is presently available, applicable to do the particular matter. (*State v. Waggenson*, 140 Wis., 465, 122 N. W., 726, 133 Am. St. Rep., 1075; *Miller et al., County Commissioners, v. State ex rel. Welch*, 42 Kan., 327, 22 Pac., 326, 26 Cyc., 435.)

The order appealed from is affirmed.

POISONS AND HABIT-FORMING DRUGS.¹

A Digest of Laws and Regulations Relating to the Possession, Use, Sale, and Manufacture of Poisons and Habit-Forming Drugs Enacted during 1914 and 1915, Now in Force in the United States.

By MARTIN I. WILBERT, Technical Assistant, Division of Pharmacology, Hygienic Laboratory, United States Public Health Service.

New Mexico.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 28.)

An act to further amend subsection 18 of section 2402 of the Compiled Laws of 1897; as amended by chapter 53 of the laws of 1907, relating to the granting of liquor licenses by municipal corporations, etc.

SECTION 1. That subsection 18 of section 2402 of the Compiled Laws of 1897, as amended by chapter 59 of the laws of 1907, be and the same is hereby further amended so as to read as follows:

"Eighteenth. To have the right to license, regulate, or prohibit the selling or giving away of any intoxicating malt, vinous, mixed, or fermented liquor, within the limits of the city or town, the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license: *Provided*, That the city council in cities, or board of trustees in towns, may grant permits to druggists for the sale of liquor for medicinal, mechanical, sacramental, and chemical purposes only; subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance: *Provided further*, That in granting licenses, such corporate authorities shall comply with whatever general law of the territory may be in force relative to the granting of license: *Provided further*, That no city council, or board of trustees in towns, in exercising its rights to grant licenses, regulate or prohibit the selling or giving away of any of the liquors mentioned in this section, shall have the power to discriminate between persons of like or similar character engaged in the same class of business in favor of one as against another, nor to discriminate between places, locations, or buildings in favor of one as against another, which are situated in the same business district in such city or town: *And provided further*, That no city council or board of trustees in towns shall grant any license for the sale of liquors on any lot where there is not a saloon in operation at the time of application for such license, except upon petition and written consent of the owners of more than one-half of the lots of the half block in which such lot is situated, or if the place described in such application is not part of regularly numbered block, then upon petition or written consent of the owners of more than half the property in the square or other subdivision in which the same is situated; but no license shall be granted for the sale of liquors within one block or or square of any church, public library, or public school, nor in any purely residence district: *And provided further*, That the provisions of this act shall not apply to buildings owned, controlled, or leased by the association known as Young Men's Christian Association."

¹ Continued from last week's Public Health Reports. This digest is the third supplement to Public Health Bulletin No. 56. The two preceding supplements were published as reprints numbered 146 and 240 from the Public Health Reports.

New York.

SALE AND USE OF POISONS.

(Laws 1915, chap. 502.)

An act to amend an act in relation to practice of pharmacy, constituting chapter 45 of the consolidated laws, as amended by chapter 422 of the laws of 1910.

SEC. 238 (as amended). *Poison schedules; register.*—It is unlawful for any person to sell at retail or to furnish any of the poisons of schedules A and B without affixing or causing to be affixed to the bottle, box, vessel, or package, a label with the name of the article and the word "poison" distinctly shown and with the name and place of business of the seller, all printed in red ink, together with the name of such poisons printed or written thereupon in plain, legible characters.

Wholesale dealers in drugs, medicines, pharmaceutical preparations, chemicals, or poisons shall affix or cause to be affixed to every bottle, box, parcel, and outer inclosure of any original package containing any of the articles of schedule A a suitable label or brand in red ink with the word "poison" upon it.

Register.—Every person who disposes of or sells at retail or furnishes any poisons included in schedule A shall before delivering the same enter in a book kept for that purpose the date of the sale, the name and address of the purchaser, the name and the quantity of the poison, the purpose for which it is purchased, and the name of the dispenser. The poison register must be always open for inspection by the proper authorities and must be preserved for at least five years after the last entry. He shall not deliver any of the poisons of schedule A or B until he has satisfied himself that the purchaser is aware of its poisonous character and that the poison is to be used for a legitimate purpose. The provisions of this paragraph do not apply to the dispensing of medicines or poisons on physician's prescriptions.

The board shall add to any of the schedules from time to time as such action becomes necessary for the protection of the public. Schedules A, B, and C shall remain in force until amended by the rules.

SEC. 241 (as amended). *Schedules A, B, and C.*—These schedules remain in force until revised by the board and approved by the regents.

Schedule A. Arsenic, atropine, corrosive sublimate, potassium cyanide, chloral hydrate, hydrocyanic acid, morphine, strychnine, and all other poisonous vegetable alkaloids and their salts, oil of bitter almond containing hydrocyanic acid, opium and its preparations, except paregoric and such others as contain less than 2 grains of opium to the ounce.

Schedule B. Aconite, belladonna, cantharides, colchicum, conium, cotton root, digitalis, ergot, hellebore, henbane, phytolacca, strophanthus, oil of savin, oil of tansy, veratrum viride and their pharmaceutical preparations, arsenical solutions, carbolic acid, chloroform, creosote, croton oil, white precipitate, methyl or wood alcohol, mineral acids, oxalic acid, paris green, salts of lead, salts of zinc, or any drug, chemical, or preparation which is destructive to human life in quantities of 60 grains or less.

Schedule C. Ammonia water, bicarbonate of soda, borax, camphor, castor oil, cream of tartar, dyestuffs, essence of peppermint, essence of wintergreen, nonpoisonous flavoring essences or extracts, glycerine, licorice, olive oil, sal ammoniac, saltpeter, sal soda, epsom salts, rochelle salts, sulphur, cod-liver oil, vaseline, petroleum jellies, oil of origanum, oil of spike, flaxseed, rock candy, butter color, malt extract, extract of beef, beef, iron, and wine; extract of witch hazel, quinine pills, cathartic pills, seidlitz powders, bay rum, perfumes, toilet water, tumeric, talcum powder, composition powder, porous plasters, coppers, alum, gum arabic, lithia water.

(New York City, Reg. Bd. of Health, Dec. 21, 1915.)

SEC. 128. *Hair dyes and other toilet preparations; sale and distribution regulated.*—No person shall sell, offer for sale, give away, deal in, or supply, or have in his or her possession with intent to sell, offer for sale, give away, deal in, or supply any hair dye or other toilet preparation intended for human use, which by reason of the presence of any ingredient or ingredients therein contained, shall be detrimental or injurious to health.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 327.)

An act to amend the public health law, in relation to the sale of habit-forming drugs.

SEC. 245 (as amended). *Sale prohibited; exception.*—No pharmacist, druggist, or other person shall sell, have, or offer for sale, or give away any chloral, opium, or any of its salts, alkaloids, or derivatives, or any compound or preparation of any of them except upon the written prescription of a duly licensed physician, veterinarian, or dentist: *Provided*, That the provisions of this article shall not apply to the sale of domestic and proprietary remedies, nor to physician's prescriptions, compounded solely for the person named in the original prescription, actually sold in good faith as medicines and not for the purpose of evading the provisions of this article: *And provided further*, That such remedies and preparations do not contain more than 2 grains of opium, or one-fourth grain of morphine, or one-eighth grain of heroin, or 1 grain of codeine, or 10 grains of chloral or their salts in 1 fluid ounce, or if a solid preparation, in 1 avoirdupois ounce, nor to plasters, liniments, and ointments for external use only.

SEC. 246 (as amended). *Prescriptions; certificates.*—It shall be unlawful for any person to sell at retail or give away any of the drugs, their salts, derivatives, or preparations mentioned in section 245 of this chapter except as herein provided without first receiving a written prescription signed by a duly licensed physician, veterinarian, or dentist. The prescription must contain substantially the following: The name in full of the physician, veterinarian, or dentist issuing such prescription, his office address, and the name, age, and address of the person to whom and date on which such prescription is issued. It shall be unlawful for any duly licensed physician, veterinarian, or dentist to issue any such prescription containing any of the drugs, their salts, derivatives, or preparations mentioned in section 245 of this chapter, for any duly licensed physician to dispense, give, or deliver any of the said drugs, their salts, derivatives, or preparations, except after a physical examination of any person for the treatment of disease, injury, or deformity. It shall be unlawful for any person to sell at retail any of the drugs or preparations of any of those mentioned in section 245 of this article without first verifying the authority of any prescription containing more than 4 grains of morphine, 30 grains of opium, 2 grains of heroin, 6 grains of codeine, or 4 drams of chloral. Such verification can be made by telephone or otherwise. Such prescriptions so received shall be filled out at the time of receiving the same for the full quantity prescribed, and no prescription so received shall be filled out more than 10 days after the date which such prescription be dated. Such prescription, from which no copy shall be taken, shall be retained by the person who dispenses the same and shall be filled but once. A separate file of all such prescriptions shall be kept by the pharmacist or druggist filling the same, but such prescriptions may be numbered consecutively with other prescriptions received. Unless so separately filed a record must be kept showing:

1. The file number given to each prescription filled.
2. The name of the physician or surgeon signing the same.
3. The name of the person for whom such prescription is filled.

Any person who sells at retail, furnishes, or dispenses any of the drugs mentioned in section 245 of this chapter upon a written prescription of a duly registered physician or veterinarian or dentist shall, at the time of dispensing the same, place upon the package a label or deliver therewith a certificate stating the name and address of the person selling or furnishing the same, the name and address of the physician, veterinarian, or dentist upon whose prescription such sale is made, the date of the sale, and the name of the person to whom such sale is made. Any person, other than a manufacturer of any of the drugs mentioned in section 245 or a wholesale dealer in drugs or a licensed pharmacist, licensed druggist, duly registered practicing physician, licensed veterinarian, or a licensed dentist who shall possess any of the drugs mentioned in section 245, or their salts, derivatives, or preparations shall be guilty of a misdemeanor, unless said possession is authorized by the certificate described in this section. Nothing herein contained shall be construed to prohibit the sale of any of such drugs by any manufacturing pharmacists or chemists or wholesale or retail pharmacists or druggists to other manufacturing pharmacists or chemists or wholesale or retail pharmacists or druggists, or to hospitals, colleges, scientific or public institutions, except that such sale shall be made in the manner provided in the next succeeding section.

SEC. 247 (as amended). *Order blanks; filing.*—The State commissioner of health shall prepare and furnish to all boards of health or officers official order blanks, serially numbered in duplicate, bound in book form, with carbon or transfer paper between the duplicate pages. The said official order shall be furnished by the local health board or officer to any local duly licensed physician, dentist, pharmacist, druggist, or veterinarian, upon which must be written all orders for the purchase of any of the drugs enumerated in section 245 of this chapter for the use of such physician, dentist, pharmacist, druggist, or veterinarian. It shall be unlawful for any person to sell, furnish, or dispose to any physician, pharmacist, druggist, veterinarian, or dentist any of the drugs enumerated in section 245 of this chapter without first receiving from such physician, pharmacist, druggist, veterinarian, or dentist an official order blank as provided in this section, which official order shall be retained by the corporation who sells, furnishes, or dispenses any of the drugs enumerated in section 245 of this chapter, and such official order shall be kept in a separate file or book and an entry made or caused to be made on the order at the time of making such sale, stating the date of the sale, the name and address of the purchaser, and the name of the person making such sale.

In lieu of preparing and furnishing order blanks under this section, however, the State commissioner of health may approve order blanks provided for in any act of Congress regulating the purchase by and sale of such drugs to physicians, pharmacists, druggists, veterinarians, and dentists, and may provide by rule and regulation that the use of such approved order blanks in the manner and for the purpose set forth in this section shall be sufficient compliance with the provisions hereof. Such approval, rule, or regulation may be suspended or revoked by the commissioners at any time, thereby restoring all the requirements of this section.

SEC. 248. *Physicians, etc., to keep records.*—All persons authorized by law to sell, administer, prescribe, dispense, or dispose of any of the drugs enumerated in section 245 of this chapter shall forthwith keep on record the name and address of each person to whom such drug is dispensed, given, or in any manner delivered and the quantity so dispensed, given, or delivered, and shall likewise keep a record of any disposition made of any quantity made of any such drug referred to, whether such disposition be in the preparation of compounds or otherwise, and if used in the preparation of compounds the quantity so used in each compound and where placed. Such record shall be preserved for two years and shall always be open for inspection by the proper authorities. Any violation of this section is hereby declared to be a misdemeanor.

SEC. 249 (as amended). *Hypodermic syringe, sale of; record; penalty.*—It is unlawful for any person to sell at retail or to furnish to any person other than a duly licensed physician, dentist, or veterinarian an instrument commonly known as a hypodermic syringe or an instrument commonly known as a hypodermic needle without the written order of a duly licensed physician, dentist, or veterinarian. Every person who disposes of or sells at retail, or furnishes or gives away to any person, either of the above instruments, upon the written order of a duly licensed physician, dentist, or veterinarian, shall, before delivering the same, enter in a book kept for that purpose the date of the sale, the name and address of the purchaser, and a description of the instrument sold, disposed of, furnished, or given away. Any person or persons who sell, dispose of, or give away an instrument commonly known as a hypodermic syringe, or an instrument commonly known as a hypodermic needle, except in the manner prescribed in this section, shall be guilty of a misdemeanor.

SEC. 249a. *Commitment of habitual drug users; procedure; discharge.*—The constant use by any person of any habit-forming drug, except under the direction and consent of a duly licensed physician, is hereby declared to be dangerous to the public health. Whenever a complaint shall be made to any magistrate that any person is addicted to the use of any habit-forming drug, without the consent or direction of a duly licensed physician, such magistrate, after due notice and hearing, is [sic] satisfied that the complaint is founded and that the person is addicted to the use of a habit-forming drug, shall commit such person to a state, county, or city hospital or institution licensed under the State lunacy commission, or any correctional or charitable institution maintained by the State or any municipality thereof, for the treatment of disease or inebriety. Any court having jurisdiction of a defendant in a criminal proceeding, if it appears that a defendant is an habitual drug user, may commit such user for treatment as herein provided at any stage of such proceeding against such defendant, and may stay proceedings, withhold conviction, or suspend sentence, pending the period of such commitment. Whenever the chief medical officer of such institution shall certify to any magistrate that any person so committed has been sufficiently treated or give any other reason which is deemed adequate and sufficient, he may discharge the person so committed. Every person committed under the provisions of this section shall observe all the rules and regulations of the institution or hospital. Any such person who wilfully violates the rules and regulations of the institution or repeatedly conducts himself in a disorderly manner may be taken before a magistrate by the order of the chief medical officer of the institution. The chief medical officer may enter a complaint against such person for disorderly conduct, and the magistrate, after a hearing and upon due evidence of such disorderly conduct, may commit such person for a period of not to exceed six months to any institution to which persons convicted of disorderly conduct or vagrancy may be committed, and such institution shall keep such person separate and apart from the other inmates, provided that nothing in this section shall be construed to prohibit any person committed to any institution under its provisions from appealing to any court having jurisdiction for a review of the evidence in which this commitment was made.

SEC. 249d. *Penalties.*—Any violation of any of the provisions of this article shall be deemed to be a misdemeanor, except that the sale, the offering for sale or the giving away or dispensing of the drugs mentioned in section 245 of this act, otherwise than as permitted by this act, to any child under the age of 16 years shall be deemed a felony. Nothing contained in this article shall be construed to amend or repeal section 1746 of the penal law.

(New York City, Reg. Bd. of H., Nov. 24, 1914.)

Resolved, That section 182 of the Sanitary Code be, and the same is hereby, amended so as to read as follows:

"SEC. 182. No opium, morphine, chloral, or cannabis indica, or any other substance giving a physiological reaction similar to that of opium; or any salts, alkaloids,

or derivatives, of any of the said drugs or substances; or any preparation, compound, or mixture, containing any of the said drugs or substances or their salts, alkaloids, or derivatives; shall be sold at retail or given away in the city of New York except upon the written prescription of a duly licensed physician, veterinarian, or dentist."

The foregoing provisions shall not, however, apply to preparations, compounds, or mixtures, containing any of the aforesaid drugs or substances or their salts, alkaloids, or derivatives, prepared for external use only, in the form of liniments, ointments, oleates, or plasters.

DRUGS TO BE ANNOUNCED ON LABEL.

(New York City, Reg. Bd. of H., Aug. 24, 1915.)

SEC. 117. *Regulating the sale of proprietary and patent medicines.*—No proprietary or patent medicine manufactured, prepared, or intended for internal human use, shall be held, offered for sale, sold, or given away in the city of New York until the following requirements shall, in each instance, have been met.

The names of the ingredients of every such medicine to which the therapeutic effects claimed are attributed and the names of all other ingredients except such as are physiologically inactive shall be registered in the department of health in such manner as the regulations of the board of health may prescribe.

The expression "proprietary or patent medicine" for the purpose of this section shall be taken to mean and include every medicine or medicinal compound manufactured, prepared, or intended for internal human use, the name, composition or definition of which is not to be found in the United States Pharmacopœia or National Formulary, or which does not bear the names of all of the ingredients to which the therapeutic effects claimed are attributed and the names of all other ingredients except such as are physiologically inactive, conspicuously, clearly and legibly set forth in English on the outside of each bottle, box or package in which the said medicine or medicinal compound is held, offered for sale, sold, or given away.

The provisions of this section shall not, however, apply to any medicine or medicinal compound prepared or compounded upon the written prescription of a duly licensed physician: *Provided*, That such prescription be written or issued for a specific person and not for general use, and that such medicine or medicinal compound be sold or given away to or for the use of the person for whom it shall have been prescribed and prepared or compounded: *And provided, also*, That the said prescription shall have been filed at the establishment or place where such medicine or medicinal compound is sold or given away, in chronological order according to the date of the receipt of such prescription at such establishment or place.

Every such prescription shall remain so filed for a period of five years.

The names of the ingredients of proprietary and patent medicines registered in accordance with the terms of this section and all information relating thereto or connected therewith, shall be regarded as confidential, and shall not be open to inspection by the public or any person other than the official custodian of such records in the Department of Health, such persons as may be authorized by law to inspect such records, and those duly authorized to prosecute or enforce the Federal statutes, the laws of the State of New York, both criminal and civil, and the ordinances of the city of New York, but only for the purpose of such prosecution or enforcement.

This section shall take effect December 31, 1915.

REGULATION 1. *Information to be filed by applicant.*—All applications for a certificate of registration shall be made upon official application blanks supplied by the department of health, and shall be signed by the applicant. The applicant shall, in each instance, furnish the following information:

1. Name of preparation.

2. Name of applicant (specifying whether manufacturer, proprietor, importer, or distributor).

3. Location of manufacturer.

4. Form in which preparation is marketed.

5. Therapeutic effects claimed for preparation.

6. Names in English (not quantities) of ingredients to which the therapeutic effects claimed are attributed, and the names in English (not quantities) of all other ingredients such as are physiologically inactive.

7. Exact text of all advertising matter and every statement set forth upon or contained in the package, box, bottle, or container as sold, and of all advertising matter relating to the said preparation contained in any circular, leaflet, or book sold or distributed with or in connection with such preparation.

REG. 2. *Sample of preparation to be furnished.*—A sample of the preparation in the form in which it is to be sold or offered for sale in the city of New York, including the package, wrapper, label, box, bottle, container, and all advertising matter and statements shall be submitted with the application. Subsequent changes in form or text of labels, advertising matter, or statements shall be filed with the department of health and shall be approved before use.

REG. 3. *Certificate of registration.*—When such application properly filled out and signed, together with the required sample of the preparation, shall have been filed with the department of health and the approval thereof given by the Director of the bureau of food and drugs and the Sanitary superintendent, a certificate of registration shall be issued, specifying the name of the preparation, the name of the person registering such preparation, and the date. Every such registration certificate shall be numbered, which said number shall identify the particular preparation so registered and shall thereafter be affixed to the package containing such preparation in the manner hereinafter prescribed by regulation 5.

REG. 4. *Certificate of registration does not pass upon merits of or assume, indorse, or accept the claims to therapeutic action of proprietary or patent medicines.*—No manufacturer, proprietor, distributor, importer, or vendor shall, in any advertisement or in any other manner, assert, imply, or indicate that the certificate or registration issued by the department of health passes upon the merits, or assumes, indorses, or accepts the claims to therapeutic action of the proprietary or patent medicine, and no reference of any kind to the department of health shall be made in any advertisement, upon label, package, box, or container in which such medicine is contained, or in any other manner whatsoever.

REG. 5. *Registration number.*—The following letters and figures shall be conspicuously and legibly set forth in English characters upon the outer label, wrapper, or cover of the packages, box, bottle, or container in which the medicine registered with the department of health is contained: "N. Y. C. R. No. — (the number appearing upon the registration certificate)." No other reference of any kind, to the registration of said proprietary or patent medicine shall be made in any advertisement, upon any label, package, box, bottle, or container, or in any other manner whatsoever.

REG. 6. *Nonresident applicants to have agent in city.*—Where the place of business of any person, firm, or corporation filing an application under section 117 of the Sanitary Code is elsewhere than in the city of New York, such applicant shall furnish, at the time of filing such application with the department of health, the name of a person, firm, or corporation, resident in, or having a place of business in the city of New York as the agent or representative of such applicant. Any notice to or dealings with such agent or representative by the department of health or its duly authorized agents shall be as effective as if sent to or made with such applicant.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 227.)

An act to amend the liquor tax law, in relation to persons who have power to forbid the sale or giving away of liquor to certain persons by a notice in writing.

(Laws 1915, chap. 654.)

An act to amend the liquor tax law, in relation to places in which traffic in liquor shall not be permitted and to penalties.

PRACTICE OF PHARMACY.

An act to amend the public health law in relation to the practice of pharmacy. Amends sections 231, 233, 235, 238, 240, 240a, and 241 of chapter 502.

North Carolina.

SALE AND USE OF POISONS.

(New Hanover County, N. C., Reg. Bd. of H., Sept. 8, 1914.)

SEC. 57. *Samples of medicines, distribution of, regulated.*—No person, firm, or corporation shall be permitted to give away, deposit, or otherwise distribute any sample package, parcel, box, or other quantity of any nostrum, proprietary medicine, or other material of alleged medicinal character or claiming to be a curative agent, by means of depositing or leaving the same in any hallway, private area or yard, or on any alley, street, public place, or with any child under 12 years of age, within the county of New Hanover. Any person violating any provision of this section and every person, firm, or corporation causing or inducing the same shall be subject to a penalty of \$10 for each and every such offense.

POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, chap. 154.)

SECTION 1. That subdivision 3, relating to foods section 7 of chapter 368, Public Laws of 1907, shall be and the same is hereby amended to read as follows:

“Third. If in package form the quantity of the contents be not plainly and conspicuously marked on the outside of the package to comply with the regulations or labeling prescribed by the board of agriculture, provided for by section 10, chapter 368, of the Public Laws of 1907. The board of agriculture is hereby authorized to establish rules and regulations permitting reasonable variations when in their judgment exactness is impractical: *Provided*, That the provisions of this paragraph shall not apply to articles in packages or containers when the retail price of such articles is 6 cents or less: *And provided further*, That it shall not apply to products on hand at the time of the passage of this act until after January 1, 1916.”

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 91.)

An act to prohibit the manufacture and sale of malt such as is used in the manufacture of spirituous liquors.

SECTION 1. That it shall be unlawful for any person, firm, or corporation, or any agent, officer, or employee thereof to manufacture or sell malt, such as is used in the manufacture of spirituous liquors, in the State of North Carolina.

SEC. 2. That all express companies, railroad companies, or other transportation companies doing business in this State are required to keep a separate record of all shipments of such malt in which shall be entered immediately upon receipt thereof the name of the person to whom shipped, the amount of each shipment, the date when received, and the date when delivered, and by whom delivered, and to whom delivered, which record shall be open for the inspection of any officer of the State, county, or municipality during business hours of the company.

SEC. 3. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor.

SEC. 4. That this act shall be in force from and after its ratification.

(Laws 1915, chap. 97.)

An act to restrict the receipt and use of intoxicating liquors.

SEC. 8. That all laws authorizing or allowing the sale of spirituous, vinous, or malt liquors or intoxicating bitters by any medical depository, druggist, or pharmacist be, and the same are hereby, repealed, and it shall be unlawful for any medical depository, druggist, or pharmacist to sell or otherwise dispose of for gain any spirituous, vinous, fermented, or malt liquors or intoxicating bitters: *Provided*, That any medical depository now authorized by law shall be allowed to dispose of any liquors on hand at the time this act goes into effect by selling and shipping same to any person, firm, or corporation in any State other than North Carolina where such sale would not be illegal.

SEC. 9. That the provisions of this act shall not apply to grain alcohol received by duly licensed physicians, druggists, dental surgeons, college, university, and State laboratories and manufacturers of medicine when intended to be used in compounding, mixing, or preserving medicines or medicinal preparations or for surgical purposes when obtained as hereinafter provided.

SEC. 10. That manufacturers of medicine, duly licensed physicians, hospitals, dental surgeons, college, university, and State laboratories and druggists may make written application to the clerk of the superior court for a permit to receive by transportation by a common carrier, grain alcohol intended to be used for surgical purposes, and in compounding, mixing, or preserving medicines and medical preparations. Such permit shall then be granted by the clerk or his duly appointed deputy, who shall affix the seal of his office thereto, and said permit shall contain the name of the applicant to whom the shipment is to be delivered and the place from which the shipment is to be made, the amount to be shipped, and the date of the granting of the permit. The said permit shall be executed in duplicate, the original shall be delivered to the applicant to be sent by him to the shipper to be pasted on the outside of the package containing alcohol.

SEC. 11. That a permit issued as above when attached to and plainly affixed in a conspicuous place to any package or parcel containing grain alcohol transported within this State shall authorize any common carrier within the State to transport the package or parcel to which such permit is attached or affixed containing only alcohol mentioned in said permit and to deliver the same to the person, firm, or corporation to which such permit was issued.

SEC. 12. That the duplicate copy of said permit, together with the application therefor as hereinbefore provided, shall be filed in the office of the clerk of the superior court chronologically and alphabetically with regard to the name of the applicant, and the application shall at all times be subject to the inspection of any citizen or officer of the State, county, or municipality, and for his services the clerk of the superior court shall be entitled to a fee of 50 cents to be paid by the applicant.

SEC. 13. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor.

(Laws 1915, chap. 194.)

An act to relieve drug stores and medical depositories from unused license tax to sell liquors.

Whereas by an act of this general assembly entitled "An act to restrict the delivery and use of intoxicating liquors the sale of intoxicating liquors is prohibited on and after the 1st day of April, 1915; and

Whereas certain drug stores and medical depositories have paid for license from the State, which said license authorized such sale until May 31, 1915: Now, therefore, the General Assembly of North Carolina do enact:

SECTION 1. That the State treasurer be and is hereby authorized to refund out of moneys in the State treasury to any drug store or medical depository one-sixth of the amount paid by such drug store or medical department to the State for license to sell intoxicating liquors expiring May 31, 1915.

SEC. 2. That this act shall be in force from and after the 1st day of April, 1915.

PRACTICE OF PHARMACY.

(Laws 1915, chap. 165.)

SECTION 1. That section 4480 of the revisal of 1905 be stricken out and the following inserted in lieu thereof:

"SEC. 14. That in order to become licensed as a pharmacist within the meaning of this act an applicant shall be not less than 21 years of age; he shall present to the board of pharmacy satisfactory evidence that he has had four years of experience in pharmacy under the instruction of a licensed pharmacist, and that he has attended a reputable school or college of pharmacy for not less than nine months, and he shall also pass a satisfactory examination by the board of pharmacy: *Provided, however,* That the actual time of attendance at a reputable school or college of pharmacy not to exceed two years may be deducted from the time of experience required."

SEC. 2. That the provisions of this act shall not affect anyone now licensed as a pharmacist or who may become licensed before January, 1918.

North Dakota.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 154.)

Prohibiting the sale of cocaine and heroin.

SEC. 2943 (as amended). *Cocaine and heroin; how sold.*—No product or preparation shall be sold, offered for sale, or given away which contains cocaine or any of its salts or derivatives, and no delivery of cocaine or of its salts shall be made in this State except upon the written prescription of a duly licensed North Dakota physician, dentist, or veterinarian, and the said prescription shall not be refilled. That no product or preparation shall be manufactured, sold, or offered for sale, or given away containing any heroin, and that no person shall be permitted to have in his or her possession any preparation which contains heroin or any of its salts or derivatives, and no delivery of heroin or any of its salts or derivatives shall be made in this State except upon the written prescription or order of a physician duly licensed to practice in North Dakota, and said prescription or order shall not be refilled. It shall be unlawful for any duly registered physician or licensed dentist to write, issue, deliver, or dictate either directly or indirectly any prescription containing heroin for any habitual user, and it shall be unlawful for any licensed veterinarian or dentist to write, issue, deliver, or dictate either directly or indirectly any prescription for a human being of any preparation containing heroin. Any person violating any of the provisions of this section shall, upon conviction, be punished by a fine not to exceed \$1,000 nor less than \$100, or by imprisonment in the State penitentiary not more than one year or

in the county jail not more than six months, or by both such fine and imprisonment, and if such person be a licensed physician, dentist, veterinarian, or druggist his license may be declared forfeited.

DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, chap. 154.)

An act to amend sections 2942 and 2943, Compiled Laws of North Dakota for the year 1915, the same being an act to prevent the misbranding and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, and providing a penalty for the violation thereof.

SEC. 2942 (as amended). *Drugs and medicines to be labeled.*—Every proprietary product, drug, medicine, or beverage containing alcohol, morphine, opium, alpha or beta eucaine, chloroform, cannabis, indica, chloral hydrate, acetanilid, croton oil, cotton root, ergot, oil of tansy or oil of savin or any derivative salt or preparation of any such substance contained therein shall be labeled in plain open gothic letters printed on a white background by themselves and immediately following the name of the product, showing the name, the proportion or percentage of each of the foregoing constituents, and the said facts shall be set on the face of the principal label, also on the carton or container.

SEC. 2943 (as amended). See under Sale and use of cocaine and narcotics.

POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, chap. 200.)

An act to prohibit the adulteration and misbranding of foods and beverages and the selling of adulterated and unwholesome foods and beverages and prescribing penalty for failure to comply with the provisions of this act.

SEC. 3. Any article of food or beverage shall be considered as misbranded, unwholesome, adulterated, or insufficiently labeled as the case may be, within the meaning of this act:

First. If it contains any form of added mineral color, aniline dye, or other coal-tar dye, or if colored (and not in violation of clause six of this section) with a harmless vegetable dye or color and the name thereof is not given on the label, provided the food commissioner may exempt from the provisions of this clause such dyes or colors as he deems proper for use in food products or beverages.

Second. If it contains any added formaldehyde, benzoic acid, sulphurous acid, boric acid, nitrous acid, salicylic acid, hydrofluoric acid, pyroligneous acid, copper, saccharin, dulcin, glucin, beta naphthol, abrasol, oxides of nitrogen, or any salt or antiseptic compound derived from these products, or any other ingredient of a deleterious or harmful nature in any quantity whatsoever: *Provided*, Nothing in this act shall be deemed to prohibit the use of household spices and condiments or of the smoking of meats and fish with wood smoke applied directly as generated.

Third. If any substance or substances have been mixed with it so as to reduce or lower or injuriously affect its quality or strength of food value so that such articles of food or beverage when offered for sale shall deceive or tend to deceive the purchaser, or if any substance or substances other than dyes, flavoring, or preservatives permitted by this act have been added to it which deceive or tend to deceive the user or purchaser as to the true quality of the article or beverage, or which cause the article or beverage to appear to be superior to or different from its real qualities.

Fourth. If any inferior or cheaper substance or substances have been substituted wholly or in part for any of the natural or proper ingredients of such product, article, or beverage so that the product when sold shall deceive or tend to deceive the purchaser.

Fifth. If any necessary or valuable constituents of the article has been in whole or in part abstracted.

Sixth. If it be an imitation of or offered for sale under the specific name of another article.

Seventh. If it be labeled, branded, colored, coated, treated, or stained whereby damage or inferiority is concealed so as to deceive or mislead the purchaser, or if it be falsely labeled in any respect, or if it purport to be a foreign article when not so. It shall be unlawful to color or to treat any food product or beverage so as to make it an imitation of another article, or to make it appear of superior quality or of a higher grade than it really is so that it may deceive or mislead the purchaser. * * *

Eighth. If it consists wholly or in part of diseased, decomposed, filthy, or putrid animal or vegetable substance, or if such substance or substances be used in the preparation thereof, or if it is the product of a diseased animal or one that has died otherwise than by slaughter, or if it be produced, stored, transported, or kept in a condition that would render the article diseased, contaminated, or unwholesome, or if it is the milk of an animal fed upon a substance unfit for the food of dairy animals.

Ninth. If every package, bottle, or container does not bear the true net weight, measure, or numerical count as hereinafter provided for * * *.

Provided, That an article of food or beverage shall not be deemed to be adulterated in the following cases:

First. If it be a compound or mixture of recognized food products not included in definitions sixth, eighth, and ninth of this section, and if it be properly labeled or tagged to comply with the other provisions of section 3.

Second. In the case of candies, confections, and chocolates, if they contain no terra alba, barytes, talc, chrome yellow, or other mineral substances or aniline dye or other coal-tar dyes or other poisonous colors, shellac, resinous bodies, paraffin, flavors, alcoholic liquors, or products detrimental to health, and are correctly labeled to comply with the other provisions of this act. * * *

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 196.)

SECTION 1. Any person who shall receive or receipt for any intoxicating liquor not consigned to himself or a member of his family of the age of majority, or who shall use any fictitious name or appellation and receive or receipt for intoxicating liquor thereunder, shall be guilty of a misdemeanor.

Ohio.

SALE AND USE OF POISONS.

(Laws 1915, amended senate bill No. 250.)

SEC. 1446. No person shall take, catch, or kill fish in any waters over which the State of Ohio has jurisdiction by means of quicklime, electricity, or any kind of explosive or poisonous substance, or place or use quicklime, electricity, explosive, or poisonous substances in any such waters except for engineering purposes and upon the written permission of the board of agriculture.

SEC. 485. All lakes, reservoirs, and State lands dedicated to the use of the public for park and pleasure resort purposes, with respect to the enforcement of all laws relating to the protection of birds, fish, and game, shall be under the supervision and control of the board of agriculture. All laws for the protection of fish in inland rivers and streams of the State, and all laws for the protection of birds, fish, and game shall apply to all such State reservoirs and lakes.

(Laws 1915, house bill No. 470.)

SECTION 1. Any inflammation, swelling, or redness in either one or both eyes of any infant, either apart from or together with any unnatural discharge from the eye

or eyes of such infant, independent of the nature of the infection, if any, occurring any time within two weeks after the birth of such infant, shall be known as inflammation of the eyes of the new born child.

SEC. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature; parent, relative, and any persons attendant on or assisting in any way whatsoever, any infant or the mother of any infant at childbirth or any time within two weeks after childbirth, knowing the condition hereinabove defined to exist, within six hours thereafter, to report such fact, as the State board of health shall direct.

SEC. 5. It shall be the duty of the physicians, midwives, or other persons in attendance upon a case of childbirth in a maternity home, hospital, public, or charitable institution, in every infant immediately after birth, to use some prophylactic against inflammation of the eyes of the new born and to make record of the prophylactic used. It shall also be the duty of such institution to maintain such records of cases of inflammation of the eyes of the new born as the State board of health shall direct.

DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, amended senate bill No. 250.)

SEC. 1141. Whoever sells or offers for sale within this State any feedstuffs or condimental stock or poultry feeds, animal or poultry regulators, conditioners, tonics, or similar articles, for any of which any food value is claimed in any manner by the manufacturer or seller thereof, in carload lots or in bulk packages thereof, shall furnish with each carload or quantity in bulk or package thereof or affix to each bag, barrel, or other package thereof, in a conspicuous place on the outside thereof, a plainly printed certificate, which shall state the number of net pounds in each car or quantity in bulk or in each package, the name, brand, or trade-mark under which it is sold or offered for sale, the name, and post-office address of the manufacturer, shipper, or vendor, and the names of each and all ingredients of which the article is composed. Such certificate shall contain also a chemical analysis of the product to be sold which shall state the minimum percentage of crude protein, allowing 1 per cent of nitrogen to equal 6½ per cent of protein of crude fat and crude fiber, also the maximum percentage of crude fiber of the product to be sold.

SEC. 1142. Before selling or offering for sale any of the feedstuffs, condimental stock and poultry feeds, animal or poultry regulators, conditioners, tonics, or similar articles defined in section 1141 within this State, each person, firm, or corporation shall file for each and every brand of such feedstuffs, condimental stock and poultry feeds, animal or poultry regulators, conditioners, tonics, or similar articles, a distinguishing name with the board of agriculture and a certified copy of the certificate required by the preceding section and forward, prepaid, on request of said board a sealed glass jar or bottle containing not less than 1 pound of such feedstuffs, condimental stock and poultry feeds, animal or poultry regulators, conditioners, tonics, or similar articles, with an affidavit that the quantity so forwarded is a fair sample of the product to be sold.

SEC. 1143. Before selling or offering for sale within this State any of such feedstuffs, condimental stock and poultry feeds, animal or poultry regulators, conditioners, tonics, or similar articles, defined in section 1141, a person, firm, or corporation manufacturing or compounding said articles, and selling or offering them for sale, either directly or indirectly in this State, shall pay each year a license fee to the board of agriculture for the sale of each brand of feedstuffs, condimental stock and poultry feeds, animal or poultry regulators, conditioners, tonics, or similar articles, \$20. The board of agriculture may reject any application for license if the certificate provided for in the preceding sections is misleading or not distinguishing. Upon the granting of such application and the payment of such fee said board shall issue a license for the current year. All licenses shall expire on the 31st day of December of each year.

The payment of a license fee by such person, firm, or corporation shall exempt an agent thereof, or dealer therein, from the requirements of this section; but until such license fee, which shall be the full license fee collected by the State for the privilege of selling or offering for sale any of the said brands in any one year, any person, firm, or corporation selling or offering the same for sale shall be liable to the board of agriculture for said license fee of \$20.

SEC. 1144. "Feedstuffs" in general shall be held to include all feeds for live stock and poultry, and the following and similar articles of commerce: Linseed meal, linseed-oil cake, cottonseed meal, cottonseed cake, pea meal, coconut meal, rice meal, rice bran, rice polish, peanut meal, bean meal, gluten meal, gluten feeds, dried brewer's grains, dried distiller's grains, dried-beet refuse, malt sprouts, hominy feeds, cerealine feeds, oat feeds, mixed feeds, alfalfa meal, molasses feeds, sugar feeds, mixed buckwheat bran, buckwheat hulls and buckwheat middlings, corn and corncob meal, crushed ear corn, corn bran, and corn siftings when added to other ground grains, wheat bran and screenings, ground or unground mixed feeds made from seeds or grains or grain offal, clover meals, dried blood, blood meal, tankage, ground beef or fish scraps or other animal or vegetable by-products; but such term shall not include hay, straw, whole seeds, unmixed meals made directly from the entire grains of wheat, rye, barley, Indian corn, buckwheat, broom corn, pure wheat bran or middlings, not mixed with other substances, when sold separately as distinct articles of commerce, nor entire grains of corn, oats, wheat, barley, buckwheat, ground together, nor wheat bran and middlings not mixed with other substances.

SEC. 1145. Each year at least one analysis shall be made of each brand of feedstuffs, condimental stock and poultry feeds, animal or poultry regulators, conditioners, tonics, or similar articles sold within this State.

All such analyses shall be made under the direction of the board of agriculture, and the expenses thereof paid by said board from a fund arising from payment of fees provided for in section 1143.

SEC. 1148. That for the purpose of this act feeding material should be deemed adulterated if it contains any sawdust, dirt, damaged feed, rice hulls, chaff, peanut shells, crushed corncob, oat hulls, or any foreign material whatever with little or no feeding value admixed: *Provided*, That no wholesome mixture of feedstuffs not containing any of the above-named adulterants shall be deemed to be adulterated if the ingredients composing same be plainly and clearly stated on the package and is made known to the purchaser, as hereinafter designated as commercial feedstuffs.

POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, amended senate bill No. 250.)

SEC. 1177-12. The board of agriculture shall enforce the laws against fraud, adulteration, or impurities in foods, drinks, or drugs, and unlawful labeling within the State. The board of agriculture shall establish standards of quality, purity, and strength for foods when such standards are not otherwise established by any law of this State. Such standards shall conform to the standards for foods adopted by the United States Department of Agriculture. The board of agriculture shall make such uniform rules and regulations as may be necessary for the enforcement of the food, drug, dairy, and sanitary laws of this State. Such rules and regulations shall, where applicable, conform to and be the same as the rules and regulations adopted from time to time for the enforcement of the act of Congress approved June 30, 1906, and amended March 3, 1913, and known as the food and drugs act. The board shall inspect drugs, butter, cheese, lard, sirup, and other articles of food or drink, made or offered for sale in the State and prosecute or cause to be prosecuted each person, firm, or corporation engaged in the manufacture or sale of an adulterated drug or article of food or drink in violation of law.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, amended senate bill No. 307.)

To provide for license to traffic in intoxicating liquors and to further regulate the traffic therein * * *.

SECTION 1. For the purpose of appointing license supervisors for granting licenses to traffic in intoxicating liquors in this State, the State is hereby divided into 34 liquor licensing districts, numbered from first to thirty-fourth, inclusive * * *.

SEC. 11. The district liquor traffic supervisors shall have power to suspend or revoke the license of any licensed liquor dealer who has twice violated the law regulating or prohibiting the liquor traffic after a hearing of which such licensed dealer has been given at least 10 days' notice.

The licensee whose license is revoked by the district supervisors or the State liquor inspector who files the charge against such licensee, or his deputy, upon failure of such district supervisors to sustain the charge to suspend or revoke the license, may appeal from the decision of the district liquor traffic supervisors to the State board of appeals by the same method as provided in sections 1261-53, 1261-54, and 1261-55 of the general code, and the decisions of such board of appeals shall be final.

The said board of appeals shall consist of two qualified electors of the State other than the State liquor traffic inspector or district liquor traffic supervisors, to be appointed by the governor.

The said board of appeals shall receive the sum of \$10 per day and their necessary traveling expenses for actual time consumed in hearing said appeal, which said expense shall be paid in the same manner as other expenses herein provided for are paid.

After said board of appeals reports to the State liquor traffic inspector the results of their decision said board shall adjourn sine die.

PRACTICE OF PHARMACY.

(Laws 1915, house bill No. 376.)

SECTION 1. That sections 1302 and 1303 of the general code be amended to read as follows:

"SEC. 1302 (as amended). An applicant for certificate as pharmacist shall be not less than 21 years of age; shall be a graduate from a school of pharmacy in good standing as defined in section 1303-2 of the general code; shall have completed at least a two years' course in such school as defined in section 1303-2 of the general code; and shall have had at least two years of practical experience in a drug store where physicians' prescriptions are compounded: *Provided, however,* That if the applicant has taken a longer course in a school of pharmacy in good standing, each additional year successfully passed shall be counted as one year of practical experience.

"SEC. 1303 (as amended). An applicant for a certificate as assistant pharmacist shall not be less than 18 years of age, shall be a graduate from a two years' course in pharmacy from a school in good standing as defined in section 1303-2 of the general code, or shall have had at least one year of practical experience in a drug store in charge of a registered pharmacist, in which physicians' prescriptions are compounded and one year successfully passed in a school of pharmacy in good standing as defined in section 1303-2 of the general code."

(Laws 1915, house bill No. 9.)

SECTION 1. Whoever willfully, with intent to steal or destroy and without the permission of the owner, enters any garden or inclosure owned by another which is devoted to the culture of ginseng or golden seal and breaks down, digs, destroys, takes, or carries away any ginseng, ginseng seed, golden seal, or golden seal seed therein growing, drying, or stored, shall be guilty of a felony and shall be punished by a fine in the sum of not less than \$50 nor more than \$500, or imprisonment in the penitentiary for a term of not less than one year nor more than three years, or both.

Pennsylvania.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, No. 54.)

An act relating to persons habitually addicted to the use of alcohol or drugs, and providing for the care and treatment of such persons at the expense of the county and State if indigent.

SECTION 1. *Be it enacted*, That the word "inebriate" used in this act means a person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint and treatment.

SEC. 2. Upon petition of two citizens who shall be either the wife, husband, parent, child, committee of the estate of an inebriate or next friends of such person, the court of quarter sessions shall issue its warrant requiring the inebriate on a day fixed to be brought into court for a hearing. The petition shall not be considered unless it sets forth that the person named therein is an inebriate within the scope of this act and unless it be accompanied by the affidavit or affidavits of at least two reputable physicians, stating that they have examined the alleged inebriate and that he is a proper subject for restraint, care, and treatment.

SEC. 3. If after such hearing the court is satisfied that the alleged inebriate is a proper subject for restraint, care, and treatment, the court shall commit the inebriate to the State Institution for Inebriates for such period as it may deem advisable under the circumstances which appear before it; but in no case shall the same be for less than 30 days. When so committed, the inebriate shall remain in such institution until on further hearing the said court shall be of opinion that such restraint, care, and treatment are no longer beneficial to the inebriate; or until the board of trustees or superintendent of the institution shall certify to the said court that restraint, care, and treatment are no longer beneficial or necessary to the inebriate or that he is cured. Whereupon the court shall order the inebriate to be discharged, under such supervision and restriction as the court may impose.

SEC. 4. When, after hearing, an inebriate is committed to the State institution for inebriates, the court shall determine who shall bear the cost and expense of the restraint while in the institution. * * *

SEC. 5. If at such hearing the court finds that the inebriate is indigent and that the wife, husband, or parent is unable to pay the cost and expense of the restraint, care, and treatment in the institution it shall so certify in the order committing the inebriate.

The cost and expense of restraint, care, and treatment of indigent inebriates in the institution shall be borne and paid by the county from which the inebriate is committed, overhead charges by the State.

SEC. 6. Any inebriate or any person addicted to the use of alcohol or drugs who wishes to submit himself for care or treatment in the institution may be received therein as a patient. He shall be detained therein and given adequate care and treatment. Such detention shall not extend more than 10 days after he has signified in writing his intention or desire of leaving the institution. Admission of such patients shall be under such conditions not inconsistent herewith as may be imposed by the board of trustees.

DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, No. 297.)

An act to prevent deception in the sale of paint, putty, turpentine, or any substitutes therefor, and providing penalties for the violation thereof.

SECTION 1. *Be it enacted, etc.*, That no person, firm, or corporation shall knowingly sell or expose for sale, within this Commonwealth, any paint, putty, turpentine, or

any substitutes therefor marked in any manner so as to tend to deceive the purchaser as to its nature or composition or which is not labeled as hereinafter provided. * * *

SEC. 3. The label required by this act shall clearly and distinctly state the name and residence of the manufacturer of the paint or of the distributor thereof, or of the party for whom the same is manufactured. Such label shall be printed in plain, legible type, and, so far as possible, common English words shall be used instead of technical terms.

OCCUPATIONAL INTOXICATIONS.

(Laws 1915, No. 177.)

An act to provide for the health, safety, and welfare of minors by forbidding their employment or work in certain establishments and occupations. * * *

SEC. 2. No minor under 14 years of age shall be employed or permitted to work in, about, or in connection with any establishment or in any occupation. * * *

SEC. 5. No minor under 16 years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines, which for the purposes of this act are considered dangerous. * * *

No minor shall be employed or permitted to work in, or in connection with, any saloon or barroom where alcoholic liquors are sold.

In addition to the foregoing it shall be unlawful for any minor under 18 years of age to be employed or permitted to work in any other occupation dangerous to the life or limb or injurious to the health or morals of the said minor, as such occupations shall from time to time, after public hearing thereon, be determined and declared by the industrial board of the department of labor and industry.

PRACTICE OF PHARMACY.

(Laws 1915, No. 253.)

An act to amend an act approved the 24th day of May, 1887, entitled "An act to regulate the practice of pharmacy and sale of poisons, and to prevent adulterations in drugs and medicinal preparations, in the State of Pennsylvania."

SEC. 5. * * * All persons applying for examination for certificates to entitle them to conduct and carry on the retail drug and apothecary business must produce satisfactory evidence of having had not less than four years' practical experience in the business of retailing, compounding, or dispensing of drugs, chemicals, and poisons and of compounding of physicians' prescriptions and of being a graduate of some reputable and properly chartered college of pharmacy of this or of some other State or foreign country whose pharmacy licensing board or other authority recognizes the graduates of the reputable, properly chartered colleges of pharmacy of this State, and admits the graduates of all such colleges to its pharmacy licensure examinations. All those applying for examination for certificates as qualified assistants therein must produce evidence of having not less than two years' experience in said business.

Philippine Islands.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, act No. 2188.)

SECTION 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the insular treasury not otherwise appropriated, for the payment of the cost of transportation to Manila, treatment in the hospital, subsistence, clothing, bedding, tobacco, mess kits, soap, barber supplies, laundry, shoes, allowance, and transportation to their homes of prisoners not charges of the insular government convicted and sentenced to imprisonment and medical treatment in Bilibid Prison for violation of the laws prohibiting the use of opium.

SEC. 2. This act shall take effect as of January 1, 1915, and the funds hereby appropriated shall be available for reimbursement to the bureau of prisons of the expenses enumerated or described in section 1 hereof, beginning with said date.

POISONS IN ARTICLES OF COMMERCE.

Amendment to regulation 8, relating to guaranties by wholesalers, jobbers, manufacturers, and other parties residing in the Philippine Islands to protect dealers from prosecution.

Regulation 8 of the rules and regulations for the enforcement of the food and drugs act (No. 1655) is hereby amended, effective January 1, 1915, so as to read as follows:

"(a) It having been determined that the legends 'Guaranteed under the food and drugs act' and 'Guaranteed by (name of guarantor) under the food and drugs act,' borne on the labels or packages of food and drugs, accompanied by serial numbers given by the director of health, are each misleading and deceptive, in that the public is induced by such legends and serial numbers to believe that the articles to which they relate have been examined and approved by the government and that the government guarantees that they comply with the law, the use of either legend, or any similar legend, on labels or packages should be discontinued. Inasmuch as the acceptance by the director of health for filing of the guaranties of manufacturers and dealers and the giving by him of serial numbers thereto contribute to the deceptive character of legends on labels and packages, no guaranty in any form shall hereafter be filed with and no serial number shall hereafter be given to any guaranty by the director of health. All guaranties now on file with the director of health shall be stricken from the files and the serial numbers assigned to such guaranties shall be canceled.

"(b) The use on the label or package of any food or drug of any serial number required to be canceled by paragraph (a) of this regulation is prohibited.

"(c) Any wholesaler, manufacturer, jobber, or other party residing in the Philippine Islands may furnish to any dealer to whom he sells any article of food or drug a guaranty that such article is not adulterated or misbranded within the meaning of the food and drugs act as amended.

"(d) Each guaranty to afford protection shall be signed by, and shall contain the name and address of, the wholesaler, manufacturer, jobber, dealer, or other party residing in the Philippine Islands making the same of the article or articles covered by it to the dealer, and shall be to the effect that such article or articles are not adulterated or misbranded within the meaning of the Food and Drugs Act of the Philippine Islands.

"(e) Each guaranty in respect to any article or articles should be incorporated in or attached to the bill of sale, invoice, bill of lading, or other schedule, giving the names and quantities of the article or articles sold, and should not appear on the labels or packages.

"(f) No dealer in food or drug products will be liable to prosecution if he can establish that the articles were sold under a guaranty given in compliance with this regulation."

Rhode Island.

POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, chap. 1241.)

SEC. 2. Section 5 of said chapter 183 of the General Laws is hereby amended so as to read as follows:

"Sec. 5 (as amended). Confectionery shall also be deemed to be adulterated if it contains terra alba, barytes, talc, chrome yellow or other mineral substances or poisonous colors or flavors or other ingredients deleterious or detrimental to health or any vinous, malt, or spiritous liquor or compound or narcotic drug."

SEC. 3. Section 9 of said chapter 183 of the General Laws is hereby amended so as to read as follows:

"SEC. 9 (as amended). Any article of food or any drug that is adulterated or misbranded within the meaning of this chapter or which is decayed, diseased, unwholesome or unfit for food may be seized and destroyed by any commissioner or other officer or agent appointed hereunder in the performance of his duty. * * *"

OCCUPATIONAL INTOXICATIONS.

(Laws 1915, chap. 1223.)

SECTION 1. Every physician in this State attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds, or from anthrax, or from compressed-air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within 48 hours of such attendance send to the State board of health a report stating:

- (a) Name, address, and occupation of patient.
- (b) Name, address, and business of employer.
- (c) Nature of disease.
- (d) Such other information as may be reasonably required by the State board of health.

The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for. The posting of the report, within the time required, in a stamped envelope addressed to the office of the State board of health, shall be a compliance with this section.

SEC. 2. The State board of health shall prepare and furnish free of cost to the physicians included in section 1, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the State board of health.

SEC. 3. Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported.

SEC. 4. It shall furthermore be the duty of the State board of health to transmit a copy of all such reports of occupational disease to the chief factory inspector.

SEC. 5. This act shall take effect on the 1st day of July, 1915.

STANDARDS FOR DRUGS.

(Laws 1915, chap. 1241.)

SECTION 1. Section 3 of chapter 183 of the General Laws, entitled "Of the maintenance of purity in foods and drugs, by prohibiting the manufacture or sale of adulterated, misbranded, or deleterious foods or drugs," is hereby amended so as to read as follows:

"SEC. 3 (as amended). A drug shall be deemed to be adulterated:

"First. If, when sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality, or purity prescribed therein.

"Second. If its strength, quality, or purity falls below the professed standard under which it is sold: *Provided*, That in no case shall a drug be deemed to be adulterated, as differing from such professed standard, when the variation is caused by the evaporation of any volatile ingredient or by other changes beyond control, happening after the manufacture of the same: *Provided*, That due care be taken to preserve its integrity."

South Carolina.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 76.)

An act to submit to the qualified electors of the State of South Carolina the question of the prohibition of the manufacture and sale of alcoholic liquors and beverages in the State and to provide for the carrying of these provisions into effect.

SECTION 1. Election.—*Be it enacted by the General Assembly of the State of South Carolina*, That on Tuesday, the 14th day of September, 1915, an election shall be held pursuant to law submitting to the qualified electors of the State of South Carolina the question as to whether the manufacture and sale of alcoholic liquors and beverages shall be prohibited or continued in this State as now provided by law, and such election shall be held and conducted under the laws in the manner now prescribed for regular elections.

SEC. 3. If result of election be for sale.—If the majority of the ballots so cast be "For the manufacture and sale of alcoholic liquors and beverages in South Carolina," any laws now existing and of force at the time of such election shall be and remain in full force and effect.

SEC. 4. If result be against sale—Winding up dispensaries.—Should the majority of the ballots so cast be "Against the manufacture and sale of alcoholic liquors and beverages in South Carolina then the manufacture and sale of alcoholic liquors and beverages in this State shall be unlawful except as hereinafter provided, and the authorities in every county in this State, now or hereinafter vested with the control of dispensaries, where dispensaries for the sale of alcoholic liquors are now operating under existing laws shall proceed to wind up the affairs of such dispensaries and shall close the same on or before the 31st day of December, 1915; and no liquor shall be bought or contracted for or received by any county dispensary board after the result of said election is declared by the State board of canvassers.

SEC. 5. Manufacture and sale of alcohol permitted.—The manufacture and sale of alcohol shall be allowed and permitted as now permitted by law.

SEC. 6. Alcoholic liquors defined.—The words alcoholic liquors and beverages, as used herein, shall be considered to be any liquor, beer, beverage, or compound, whether distilled or fermented or otherwise, by whatsoever name known or called which will produce intoxication, or which contains in excess of 1 per cent of alcohol, and is used as a beverage.

SEC. 7. Inconsistent acts repealed.—All acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed. * * *

(Laws 1915, No. 102.)

An act to regulate the shipment of spirituous, vinous, fermented, or malt liquors or beverages into this State, and to provide penalties for the violation of this act.

SECTION 1. Unlawful for intoxicating liquors to be shipped into State—Unlawful to receive same, except as provided.—*Be it enacted by the General Assembly of the State of South Carolina*, That it shall be unlawful for any person, firm, corporation, or company to ship, transport, or convey any intoxicating liquors from a point without the State into this State, or from one point to another in this State, for the purpose of delivery, or to deliver the same to any person, firm, corporation, or company within this State, or for any person, firm, corporation, or company to receive, or be in possession of, any spirituous, vinous, fermented, or malt liquors or beverages containing more than 1 per cent of alcohol, for his, her, its, or their own use, or for the use of any other person, firm, or corporation, except as hereinafter provided.

SEC. 2. *One gallon a month allowed.*—Any person may order and receive from any point without the State not exceeding 1 gallon within any calendar month, for his or her personal use, of spirituous, vinous, fermented, or malted liquors, or beverages.

SEC. 3. *Unlawful to deliver intoxicating liquors except to consignee*—Companies, corporations, etc., not liable for damages for nondelivery.—It shall be unlawful for any railroad company, express company, corporation, or other common carrier to deliver any package containing intoxicating liquors or beverages containing more than 1 per cent of alcohol to any person other than the consignee and in no case shall any railroad, express company, corporation, or common carrier or person or agent of such railroad, express company, corporation, or other common carrier or person be liable for damages for nondelivery of such liquor or package until the consignee appears in person at the place of business of the common carrier and signs in person for the package.

SEC. 4. *Punishment for receiving liquors under false pretexts.*—Any person obtaining any such package under any false or fraudulent pretext of any kind, or any agent of any common carrier delivering a package contrary to the provisions of this act, shall, upon conviction thereof, be fined not less than \$100 nor more than \$500 or be imprisoned in the county jail for not less than 30 days nor more than 6 months, or both, in the discretion of the court.

SEC. 5. *The storage of intoxicating liquors.*—It shall be unlawful for any intoxicating liquors or beverages to be stored or kept in any place or club room or house in this State, whether for personal use or otherwise, and the liquors or beverages herein allowed to be imported, if stored, must be stored in the home or private room of the person or persons so ordering.

SEC. 6. *Shipment to authorized dispensaries allowed.*—Nothing in this act shall prevent the shipment or transportation of alcoholic liquors and beverages to or from any dispensary authorized by the laws of this State to sell same, in the county of such dispensary.

SEC. 7. *Punishment for violation of this act.*—Any person violating the provisions of this act shall be subject to a fine of not less than \$100 or imprisonment for not less than three months, or both, in the discretion of the court.

SEC. 8. *Shipment under statutes of State not interfered with.*—Nothing herein contained shall prevent the sale or transportation of alcohol under, and in accordance with, the statutes of this State, as contained in Criminal Code of 1912, sections 799, 800, 802-812, inclusive.

South Dakota.

SALE AND USE OF POISONS.

(Laws 1915, chap. 190.)

SECTION 1. In any town in this State where there is no registered pharmacist, and there is a merchant handling, exclusively, goods other than goods used for food, or a merchant who handles goods used for food and who also handles goods other than those used for food in a separate department from that in which goods are handled and sold for food purposes, it shall be competent for any such merchant to sell poisonous drugs known as Paris green, peroxide of hydrogen, formaldehyde, wood alcohol, rat poison, gopher poison, and insect powder: *Provided, however,* That this section shall not apply to the sale of strychnine, arsenic, corrosive sublimate, carbolic acid.

SEC. 2. Such drugs, above enumerated, if sold by any such merchant as above provided, shall be sold only in original packages excepting peroxide of hydrogen, and shall be kept separate and apart from any place in which food products are kept for sale within such store, and each package shall be labeled and marked in plain and distinct letters "Poison" and with the figures of the "skull and cross bones" stamped thereon.

SEC. 3. Any such merchant selling any such poisonous drugs shall keep a register, and when he sells any of the same he shall record in his register the name of the purchaser, date of sale, kind of drug sold, amount of same, and for what purpose bought, which register shall be open at all times for inspection.

SEC. 4. No merchant shall have the authority to sell any such poisonous drugs as in the preceding sections provided until he or they shall have first procured a certificate of authority so to do from the State board of pharmacy. Any such merchant may make written application to such board and upon receipt of such application, accompanied by a fee of \$1, it shall be the duty of such State board of pharmacy to issue a certificate of authority, which certificate shall be valid for a period of one year from the date of its issuance and may be renewed upon the application of any such merchant and the payment of the fee prescribed herein.

SEC. 5. Any person who knowingly violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$10 nor more than \$50.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 161.)

SECTION 1. That on and after the taking effect of this act it shall be unlawful for any person in the State of South Dakota to sell, barter, distribute, or give away any opium, coca leaves, alpha eucaine, beta eucaine, novocaine, or any compound, manufacture, salt, derivative, or preparation thereof: *Provided*, That this act shall not apply—

First. To the dispensing or distribution of any of said drugs to any patient by a duly licensed practicing physician in the State of South Dakota either in person or by a duly authorized nurse or attendant in charge of such patient; but provided such distribution or dispensing shall be in the course of his professional practice only, and that such physician shall personally attend such patient.

Second. To the sale, dispensing, or distribution of any of said drugs by pharmacists registered under the laws of this State covering the practice of the profession of pharmacy to a consumer under and in pursuance to a written prescription issued by a duly licensed and practicing physician in this State: *Provided, however*, That such prescription shall be dated as of the date on which signed, and shall be signed by the physician who shall have issued the same. Such prescription shall not be filled later than five days after the date of writing and shall not be refilled. The person filling such prescription shall indorse them on the date of filling the same and the name and address of the person to whom he delivers the drugs as prescribed.

Third. To the sale or dispensing of any of the aforesaid drugs by any wholesale druggist, dealer, or jobber within this State to registered pharmacists within this State owning and conducting a retail drug store, or to a duly licensed and practicing physician, dentist, or veterinary physician and surgeon within this State.

Fourth. To the sale or distribution of any of the aforesaid drugs by any registered pharmacist owning and conducting a retail drug store within this State to a regularly licensed and practicing physician, dentist, or veterinarian physician and surgeon within this State.

Fifth. To the administering of any of said drugs to any patient by a duly licensed and practicing physician within this State: *Provided, however*, That said administering shall be in the course of his professional practice only.

Sixth. To the administering of any of the aforesaid drugs by any duly licensed veterinary physician or surgeon in this State to any animal which said veterinarian may be treating in the course of his professional practice.

SEC. 2. That every wholesale or retail dealer in any of the drugs mentioned in section 1 of this act, and every physician, dentist or veterinarian dispensing, admin-

istering or keeping on hand any of such drugs, shall keep in his place of business or office a complete record or registry which shall be kept on the official order form and duplicate copies thereof issued by the Commissioner of Internal Revenue of the United States Treasury Department under the act of Congress approved December 17, 1914, entitled, "An act to provide for the registration of, with collectors of internal revenue, and to enforce a special tax for all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute or give away opium or coca leaves, their salts, derivatives, or preparations and for other purposes." All retail dealers and pharmacists doing business pursuant to the terms of this act shall likewise keep on file for a period of two years all prescriptions containing such drugs which have been filled by them. Said records of every character shall be open to inspection by all State, county or municipal officers who are charged with the enforcement of any law or municipal ordinance regulating the sale, prescribing, administering, dealing in, or distribution of the aforesaid drugs. Physicians who shall dispense or distribute any of the aforesaid drugs provided by this act shall keep a duplicate of all prescriptions issued by them for a term of two years, and such duplicate shall be subject to inspection by any of the officers named in this section.

SEC. 3. That the possession or control of any of the aforesaid drugs, by any person other than those excepted in sections 1 and 2 of this act, shall be presumptive evidence of a violation of this act: *Provided*, That this section shall not apply to any employee of any person exempted as above who has such possession or control by virtue of his employment and not on his own account, or to any United States, State, or municipal officer, board, or other authorities who or which has possession of any of such drugs for purposes of investigation, enforcement of law, or otherwise, or to a warehouseman holding possession of same for a person exempted under the provisions of this act, or to common carriers engaged in transporting such drugs: *Provided further*, That it shall not be necessary to negative any of the aforesaid exemptions in any complaint, information, indictment, or other writ proceeding laid or brought under this act, and the burden of proof of any such exemption shall be upon the defendant.

SEC. 4. That the word "person" as used in this act shall be construed to import the plural or singular, as the case demands, and shall include firms, corporations, companies, societies, and associations.

SEC. 5. That it is hereby made the special duty of the food and drug commissioner of the State of South Dakota and his duly appointed assistants and inspectors to enforce the provisions of this act, and rules and regulations for its enforcement and for the keeping of the registry provided for in section 2 hereof shall be made by the said food and drug commissioner of this State.

SEC. 6. That any person who shall disclose any of the information contained in the registries, prescriptions, or other records mentioned in this act, except for the purpose of the enforcement of the provisions of this act or of enforcing any other law of the State or the ordinances of any municipality shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined and imprisoned as hereinafter provided.

SEC. 7. That the provisions of this act shall not be construed to apply to the sale, distribution, giving away, or dispensing of preparations and remedies which do not contain more than 2 grains of opium or more than one-fourth of a grain of morphine or more than one-eighth of a grain of heroin or more than 1 grain of codeine, or any salt or derivative of any of them, in 1 fluid ounce; or if a solid or semisolid preparations, in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts, or any synthetic substitute for them: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act. The provisions

of this act shall not apply to decocainized coca leaves, or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine.

SEC. 8. That no retail druggist or dealer shall have on hand at any one time in flake, powder, or crystal form a stock greater than 5 ounces of cocaine or of tropacocaine, hollo-cocaine, nova-cocaine, alpha-cocaine, beta-cocaine, or of all of said drugs combined, and if the stock on hand of any one of said substances shall be as much as 5 ounces none of the other substances shall be kept on hand at the same time. No physician, dentist, or veterinarian shall have on hand at any one time a stock greater than 1 ounce of any of the drugs mentioned in this section or of all of said drugs combined, and if the stock of such physician, dentist, or veterinarian on hand at any one time shall be as much as 1 ounce none of the other of said drugs shall be kept on hand at the same time. Said drugs shall not be sold or given away in the flake or crystal form, but in solution only, which said solution shall not be stronger than 5 per cent.

SEC. 9. That it shall be unlawful for any physician to write, furnish, sell, or give to any person any prescription for any of the drugs mentioned in this act except when in the opinion of said physician the taking of such drugs by the person for whom prescribed will be beneficial to said person; and it shall also be unlawful for any physician to furnish, sell, administer, or give away to any person any of the aforesaid drugs except when in the opinion of said physician the taking of such drugs by the person to whom sold, given, or administered will be beneficial to such person; but this act shall not forbid the giving of any of said drugs by any physician in his professional practice to any assistant or to any nurse or attendant or the patient of such physician to be administered by said assistant, attendant, or nurse to such patient under the immediate direction of said physician.

SEC. 10. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and on the conviction thereof for the first offense shall be punished by a fine of not less than \$50 or more than \$100 or by imprisonment in the county jail for not exceeding 30 days, and for the second or any subsequent offense by a fine of not less than \$500 or by imprisonment in the county jail for not less than 3 months, or by both such fine and imprisonment, and upon conviction for such second or subsequent offense the court shall transmit a certified copy of the judgment of conviction to the examining board from which the license or certificate of registration of such pharmacist, physician, dentist, or veterinarian issued, and it shall be the duty of such examining board to forthwith cancel the license or certificate of registration of such pharmacist, physician, dentist, or veterinarian, and no further certificate or registration or license, as the case may be, shall be granted to such person for a period of one year from the date of such forfeiture.

SEC. 11. All acts and parts of acts in conflict with this act are hereby repealed.

DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, chap. 191.)

Be it enacted by the Legislature of the State of South Dakota, That sections 11 and 12 of chapter 238, Session Laws of 1911, as amended by chapter 332, Session Laws of 1913, be amended to read as follows:

SEC. 11 (as amended). Whenever a manufacturer, jobber, firm, association, corporation, or person manufacturing or selling a brand of concentrated commercial feeding stuffs or medicinal stock food shall have filed the statements required in sections 4 and 8 and paid the inspection fee as provided in sections 5 and 9 of this act, he or they shall be entitled to a certificate from the State food and drug commissioner setting forth said facts, and no agent of such manufacturer, importer, jobber, firm, association, corporation, or person shall be required to file such statement or pay such inspection fee upon such brand: *Provided, That neither the statement required*

in section 8 nor the label required in section 7 shall bear the name of any substance or material which is not present in the medicinal stock food in an amount sufficient to produce the therapeutic effects and physiological action ascribed to such substance or material by standard textbooks on materia medica and therapeutics, when such medicinal stock foods shall be administered in the doses recommended by the manufacturer, jobber, firm, or agent therefor: *Provided further*, That the label as required in section 7 shall bear a true statement in terms of percentage by weight showing the proportion of any substance or substances present in said medicinal stock food which are not claimed to possess or recognized as possessing value as a remedy, medicine, or condiment; and the State food and drug commissioner shall cause to be taken samples of commercial feeding stuffs and medicinal stock foods manufactured, sold, or offered or exposed for sale in this State, and shall have such samples analyzed in the laboratories of the State food and drug department. He shall prepare and cause to be published and distributed to all newspapers of the State and to such persons as may be interested or may apply therefor bulletins giving the results of the analysis of samples of medicinal stock foods, commercial feeding stuffs, foods, drugs, paints, oils and all other products or commodities which he is authorized by law to inspect or examine. Such bulletins shall contain reports of inspections, results of analysis made as above provided, together with popular explanation of the same, and such other information as may come to the commissioner in his official capacity relating to the adulteration, misbranding, or illegal sale of the aforesaid products or commodities.

SEC. 12. All moneys received by the State food and drug commissioner in the enforcement of this act shall be reported in detail monthly and deposited monthly with the State treasurer to the credit of the general fund of this State.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 225.)

SECTION 1. It shall be unlawful for any person to knowingly sell, give, barter, or to offer to sell, give, or barter, to any person who has taken a drink cure any spirituous liquors, wine, beer, or alcoholic drink or beverage, or to invite or solicit any such person to enter any place where such liquors are sold.

SEC. 2. Any person violating the provisions of section 1 of this act shall be guilty of a misdemeanor and upon conviction thereof be punished for the first offense by a fine of not less than \$10 nor more than \$50 and costs of prosecution and be committed to the county jail until such fine and costs of prosecution are paid. For the second and each subsequent offense he shall be punished by a fine of not less than \$50 nor more than \$100 and all costs of prosecution, or be imprisoned in the county jail not to exceed 60 days.

SEC. 3. It shall be the duty of the State's attorney to investigate and prosecute all complaints laid before him under this act.

(Laws 1915, chap. 227.)

An act entitled "An act to amend section 2856 of the Revised Political Code of 1903, as amended by chapter 166 of the Session Laws of 1913," relating to the issuance of permits for the sale of intoxicating liquors, providing for the calling and holding of an election on the question of the sale of such liquor, and for the signing and filing of a petition for such election and providing the qualifications for the signers of such petition.

SECTION 1. That section 2856 of the Revised Political Code of 1903, as amended by chapter 166 of the Session Laws of 1903, as amended by chapter 254 of the Session Laws of 1913, be amended to read as follows:

"SEC. 2856 (as amended). *Question to be submitted to the voters, when.*—At the annual municipal election held in any township, town, or city in this State for general municipal purposes the question of granting permits to sell intoxicating liquors at retail within the corporate limits of such township, town, or city shall be submitted to the legal voters thereof upon petition signed by 25 legal freeholder voters of such township, town, or city, to be filed with the clerk or auditor of such township, town, or city 30 days before election, which petition shall state that a vote is desired upon such question:

"*Provided*, That 'freeholder' as used in this act shall be defined to be one who owns the legal title to or owns an undivided share or interest in at least one entire lot or parcel of ground within the township, town, or city where such vote is to be taken, which lot or parcel of ground shall be the size commonly recognized as a full lot in the town or city in which such vote is to be taken as shown by the official plat of said town or city or its additions; and in townships in which said vote is to be taken said parcel of ground must be at least 1 acre in such township, town, or city, together with the improvements thereon; such interest in such lot or parcel of ground shall be at least the assessed valuation of \$25, as shown by the returns of the last assessment previous to the signing of said petition, and that each of such freeholders shall have been a freeholder for at least one year and a qualified voter of such township, town, or city for one year prior to the date of such election. The question shall be submitted upon a separate ballot conforming to the general election laws of the State, upon which ballot there shall be printed the words, 'Shall intoxicating liquors be sold at retail?' Before which words shall be printed the words 'Yes' and 'No,' and at the left of each word 'Yes' and 'No' shall be placed a square or circle, and any voter in favor of the sale of such liquors as aforesaid shall mark in the square or circle at the left of the word 'Yes' with a cross (X), and any voter opposed to such sale shall mark in the square or circle at the left of the word 'No' with a cross (X); and if a majority of the voters of such township, town, or city shall vote in favor of such sale of intoxicating liquors at retail, the corporate authorities thereof shall grant permission for such sale for the ensuing year in accordance with the provisions of this act."

SEC. 2. That all acts and parts of acts in conflict with this act are hereby repealed.

METHYL ALCOHOL.

(Laws 1915, chap. 337.)

SECTION 1. That it shall be unlawful for any person, firm, or corporation, by himself, herself, itself, or themselves, or by his, her, its, or their agents, servants, or employees, to sell, offer for sale, expose for sale, deal in, or supply, or have in possession with intent to sell, offer for sale, deal in, or supply, or give away, any article of food or drink or any medicinal or toilet preparation intended for human use internally or externally which contains any wood alcohol or methyl alcohol, either crude or refined, under or by whatever name or trade-mark the same may be called or known.

SEC. 2. It shall be unlawful for any person, firm, or corporation, by himself, herself, itself, or themselves, or by his, her, its, or their agents, servants, or employees, to sell, offer for sale, expose for sale, deal in, or supply, or have in possession with intent to sell, offer for sale, give away, deal in, or supply, any wood alcohol or methyl alcohol, either crude or refined, under or by whatever name or trade-mark it may be called or known unless the container in which it is sold, offered for sale, exposed for sale, given away, dealt in, or supplied shall bear a notice containing the following device and words conspicuously printed or stenciled thereon:

(Skull and crossbones.)

POISON.

WOOD ALCOHOL.

WARNING: It is unlawful to use this fluid in any article of food, beverage, or medicinal or toilet preparation for human use internally or externally.

SEC. 3. The State food and drug commissioner shall be charged with the enforcement of this act.

SEC. 4. The State's attorney of each county of this State is hereby authorized, upon complaint on oath of the food and drug commissioner, to prosecute before any court of competent jurisdiction, in the name of the State of South Dakota, a proper action or proceeding against any person or persons violating the provisions of this act.

SEC. 5. Any person, firm, or corporation who, by himself, themselves, or by his or their agents, servants, or employees, violates any of the provisions of sections 1, 2, and 3 of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment in the county jail not more than three months.

SEC. 6. All acts or parts of acts in conflict with this act are hereby repealed.

Tennessee.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 27.)

An act to regulate soft-drink stands and the sale of soft drinks and to provide ways and means for the enforcement of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be, and is hereby, made the duty of the pure food and drug inspector of the State and his duly authorized deputies and assistants to enforce the provisions of this act; that the words "soft drinks" as used in this act shall cover and include all liquids sold by retail or wholesale for use as drink, food, refreshment beverage, or stimulant; that the words "soft-drink stands," as used in this act, shall cover and include all drug stores, storerooms, shops, houses, buildings, stands, or places of whatever character or kind where soft drinks are kept for sale by retail or wholesale.

SEC. 2. *Be it further enacted,* That it shall be unlawful for any person, firm, or corporation to sell any soft drink which contains more than one-half of 1 per cent of alcohol, and the conducting, maintaining, conveying, or engaging in the sale of soft drink containing more than one-half of 1 per cent of alcohol in any soft-drink stand as herein defined, and all means, appliances, fixtures, appurtenances, materials, supplies, and instrumentalities used for the purpose of carrying on, maintaining, or conducting such unlawful business, is hereby declared to be a public nuisance, and may be abated under the provisions of this act.

(Sections 3-11 provide for the enforcement of the act.)

(Laws 1915, chap. 54.)

An act to prohibit persons, clubs, associations, or lodges from storing, keeping, distributing, or in any way disposing of liquor containing more than one-half of 1 per cent of alcohol on the premises of any association, lodge, or club, and providing penalty for the violation thereof.

(Laws 1915, chap. 66.)

SECTION 1. Defines druggists, physicians, dentists, and veterinary surgeons.

SEC. 2. *Be it further enacted,* That it shall be unlawful for any druggist in the State of Tennessee to sell, barter, distribute or give away any alcoholic or intoxicating

liquors except in pursuance of a prescription of a physician, dentist or veterinary surgeon, or for pharmaceutical, scientific, or sacramental purposes: *Provided, however,* That such prescription shall be given in the course of his professional practice only to a patient whom he shall personally attend at the patient's domicile, shall be dated on the day when written, shall not be filled when presented at a date later than three days subsequent to the date thereon, and shall be signed by the person from whom dispensed with his true and correct full name and address: *Provided further,* That such prescription shall be filled once only, and that no copy thereof shall be issued by the druggist or pharmacist filling it: *Provided further,* That no druggist shall have in his possession an amount of alcoholic or intoxicating liquors which is greater than 1 per cent of the amount or the capital of such drug store returned for taxation.

SEC. 3. *Be it further enacted,* That no alcoholic or intoxicating liquor sold for pharmaceutical, scientific, or sacramental purposes shall be sold except in pursuance of a written order from the purchaser, attached to and accompanied by his affidavit setting forth the exact purpose for which same is desired, the amount desired, and the true full name and address of the purchaser, which affidavit must be signed and verified before some officer authorized to administer an oath.

SEC. 4. *Be it further enacted,* That every druggist engaged in the sale of liquor for the purposes named in this act shall keep in his place of business a register, to be made in accordance with the rules and regulations hereinafter provided for. Said register shall plainly show all purchases made by him of intoxicating and alcoholic liquors, the amount purchased, the date purchased, and from whom purchased; he shall likewise keep a register which shall show all sales by him of said products, including the date on which sale is made, the amount sold, and to whom sold. All druggists doing business pursuant to the terms of this act shall likewise keep on file for a term of two years all prescriptions filled by them which call for alcoholic or intoxicating liquors and all orders for alcoholic or intoxicating liquors, as set forth in section 3 of this act.

Said records of every character shall be open to inspection by all Federal, State, and municipal officials who are charged with the enforcement of any law or municipal ordinance regulating the sale, prescribing, dealing in, or distribution of alcoholic or intoxicating liquors. Physicians, dentists, and veterinary surgeons who shall prescribe any alcoholic or intoxicating liquor shall keep for a term of two years duplicates of all prescriptions signed by them, and said duplicates shall be open to the inspection by any of the officers named in this section.

SEC. 5. *Be it further enacted,* That it is hereby made the special duty of the pure food and drug inspector and his duly appointed assistant inspectors and chemists to specially enforce the provisions of this act, and rules and regulations for its enforcement shall be made by the said pure food and drug inspector and the attorney general of the State.

SEC. 6. Violation of act a misdemeanor punishable by fine or imprisonment.

SEC. 7. *Be it further enacted,* That this act take effect 30 days after its passage, the public welfare requiring it.

Texas.

SALE AND USE OF COCAINE AND NARCOTICS.

(El Paso, Tex., Ord., June 3, 1915.)

SECTION 1. It shall be unlawful for any person, firm, or corporation, or association of persons to sell, barter, exchange, give away, or have in his or their possession, within the city limits of El Paso, Tex., any marihuana or Indian hemp.

SEC. 2. Any person who shall violate any of the provisions of section 1 of this ordinance shall be punished by a fine of not more than \$200.

Utah.

SALE AND USE OF POISONS.

(Laws 1915, chap. 66.)

An act to regulate the sale and use of poisons in the State of Utah, providing a penalty for the violation thereof, and repealing sections 1727x and 1727x1, Compiled Laws of Utah, 1907, and sections 1727x2 and 1727x3, Compiled Laws of Utah, 1907, entitled "Patent medicines," as amended by chapter 117, Laws of Utah, 1911, as amended by chapter 48, Laws of Utah, 1913.

SECTION 1. *Unlawful to sell certain poisons without label; false representations; registry of sales.*—It shall be unlawful for any person to vend, sell, give away, or furnish, either directly or indirectly, any poisons enumerated in schedules "A" and "B" in section 7 of this act, as hereinafter set forth, without labeling the package, box, bottle, or paper in which said poison is contained, with the name of the article, the word "poison," and the name and place of business of the person furnishing the same. Said label shall be substantially in the form hereinafter provided. It shall be unlawful to sell or deliver any of the poisons named in schedule "A" or any other dangerously poisonous drug, chemical, or medicinal substance which may from time to time be designated by the State board of pharmacy, unless on inquiry it is found that the person desiring the same is aware of its poisonous character and it satisfactorily appears that it is to be used for a legitimate purpose.

It shall be unlawful for any person to give a fictitious name or make any false representations to the seller or dealer when buying any of the poisons thus enumerated: *Provided*, That this prohibition shall not apply to an officer or inspector of the State board of pharmacy in the performance of the duties enjoined by law upon said board or to any person acting under authority of said board in the performance of said duties. Printed notice of all such additions to the schedule of poisons named and provided for in this section and the antidote adopted by the board of pharmacy for such poisons shall be given to all registered pharmacists with the next following renewal of their certificates. It shall be unlawful to sell or deliver any poisons included in schedule "A" or the additions thereto without making or causing to be made an entry in a book, kept solely for that purpose, stating the date and hour of sale, and name, address, and signature of the purchaser, the name and quantity of the poison sold, the statement by the purchaser of the purpose for which it is required, and the name of the dispenser, who must be a duly licensed pharmacist: *Provided, however*, That said entry shall be made out in full, in ink, before said signature of the purchaser is made thereto, and that said entry shall be made by said dispenser himself and not by any person who is not a duly registered pharmacist or duly registered assistant pharmacist. Said book shall be in form substantially as follows:

Date and hour.	Name of purchaser.	Residence.	Kind and quality.	Purpose of use.	Signature of druggist.	Signature of purchaser.
.....
.....

This book shall always be open for inspection by the proper authorities, and shall be preserved for at least five years after the date of the last entry therein.

SEC. 2. *Form of label; sale to minors; unlawful.*—The label required by this act to be placed on all packages of poison shall be printed upon red paper in distinct white letters, or in distinct red letters upon white paper, and shall contain the word "poison," the "vignette" representing the skull and crossbones and the name and address of the

person or firm selling the same. The name of an antidote, if any there be, for the poison sold shall also be upon the package. No poison shall be sold or delivered to any person who is less than 18 years of age.

SEC. 3. *Antidotes; to appear on poison labels; duty of pharmacy board.*—It shall be the duty of the State board of pharmacy to adopt a schedule of what in their judgment are the most suitable common antidotes for the various poisons usually sold. After the board has adopted the schedule of antidotes as herein provided for, they shall have the same printed and shall forward by mail one copy to each person registered upon their books and to any other person applying for the same. The particular antidote adopted (and no other) shall appear on the poison label provided for in section 2 of this act, or be attached to the package containing said poison. The board shall have power to revise and amend the list of antidotes from time to time as to them may seem advisable. The entries in the poison book and the printed or written matter provided for in sections 2 and 3 of this act shall be in the English language: *Provided*, That the vendor of said poison may enter the same in any foreign language he may desire, in addition to said entry and label in English.

SEC. 4. *Restriction of sale; when; how.*—When in the opinion of the State board of pharmacy it is in the interest of the public health, they are hereby empowered to further restrict or prohibit the retail sale of any poison, by rules not inconsistent with the provisions of this act, by them to be adopted, and which rules must be applicable to all persons alike. It shall be the duty of the board, upon request, to furnish any dealer with a copy of the laws relating to articles, preparations, and compounds the sale of which is prohibited or regulated by this act.

SEC. 5. *Sale in original packages; proviso.*—Wholesale dealers and pharmacists shall affix or cause to be affixed to every bottle, box, parcel, or other inclosure of any original package containing any of the articles named in schedule "A," the additions thereto, or in sections 8 and 9 of this act a suitable label or brand with the word "Poison," but they are hereby exempted from the registration of the sale of such articles when sold at wholesale to a registered pharmacist, physician, dentist, or veterinary surgeon duly licensed to practice in the State: *Provided*, That the provisions of this act shall not apply to the sale of such upon the prescriptions of practicing physicians, dentists, or veterinary surgeons who are duly licensed to practice in this State: *And provided further*, That wholesale dealers are hereby exempted from the registration of the sale of the articles enumerated in schedule "A" of section 7 of this act where such sales are made for assaying, metallurgical, scientific, or industrial uses and purposes.

SEC. 6. Provides for the enforcement of provisions of act, and the employment of special counsel.

SEC. 7. *Penalty for violations; schedules defined.*— * * * Schedule "A": Arsenic, its compounds and preparations; corrosive sublimate and other poisonous derivatives, or mercury, corrosive sublimate tablets, antiseptic tablets containing corrosive sublimate, cyanide of potassium, strychnine, hydrocyanic acid, oils of croton, rue, tansy, pennyroyal, savin, ergot and cotton root and their preparations, phosphorus and its poisonous derivatives and compounds, compound solution of cresol, lysol, strophanthus or its preparations, aconite, belladonna, nux vomica, veratrum viride, their preparations, alkaloids, or derivatives, and poison containing any of the poisons enumerated in this schedule.

The following is schedule "B": Hydrochloric acid, nitric acid, oxalic acid, sulphuric acid, bromine, chloroform, cowhage, creosote, ether, solution of formaldehyde or formalin, cantharides, cocculus indicus, all their preparations, iodine or its tinctures, tartar emetic, and other poisonous derivatives of antimony, sugar of lead, sulphate of zinc, and wood alcohol.

SEC. 9. *Carbolic acid; quantity of sale restricted; proviso.*—The sale or furnishing of carbolic acid (phenol) in quantities of less than 1 pound is prohibited unless upon the prescription of a physician, dentist, or veterinary surgeon duly licensed to practice

in this State, but this prohibition shall not apply to solutions of carbolic acid (phenol) containing not over 10 per cent of the carbolic acid (phenol) and not less than 10 per cent of ethyl alcohol. All sales of carbolic acid (phenol) thus diluted so as to contain no more than 10 per cent of carbolic acid (phenol) may be made under the same conditions as the drugs enumerated in schedule "B" as found in section 7, but sales of carbolic acid (phenol) containing more than 10 per cent of said acid shall be registered subject to the same regulations as the poisons enumerated in schedule "A" as found in section 7.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 66.)

SEC. 8. *Narcotic drugs; unlawful to sell except upon prescription; form; registry; proviso.*—It shall be unlawful for any person, firm, or corporation to sell, furnish, or give away, or offer to sell, furnish, or give away, or to have in their or his possession, any cocaine, opium, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, flowering tops and leaves, extracts, tinctures and other narcotic preparations of hemp or loco weed (*cannabis sativa*), Indian hemp, or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds, excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing. No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber and properly authorized officers of the law and shall be preserved for at least three years from the date of the filing thereof: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to pharmacies, as defined in chapter 1, title 62, Compiled Laws of Utah, 1907, entitled "Pharmacy"; or physicians, nor to each other, nor to the sale at retail in pharmacies by pharmacists to physicians, dentists, or veterinary surgeons duly licensed to practice in this State: *Provided further*, That all such wholesale jobbers, wholesalers, and manufacturers in this section mentioned shall, before delivery of any of the articles in this section enumerated, make or cause to be made, in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry and sale was made; also a statement showing how delivery was made, whether delivered personally or forwarded by mail, express, or by freight, which book shall be substantially as follows:

Date of sale.	Quantity and name of article.	Name of purchaser.	How delivered.	Name of person selling.
.....
.....

And said book shall always be open for inspection by any peace officer or any member of the board of pharmacy or any inspector authorized by said board, and such book shall be preserved for at least five years after the date of the last entry therein. The taking of any order, or making of any contract or agreement, by any traveling representative, or any employee, or any person, firm, or corporation, for future delivery in this State, of any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative or employee, within the meaning of the provisions of this act: *Provided further*, That a true and correct copy of all orders, contracts, or agreements taken for narcotic drugs specified in this section shall be forwarded by registered mail to the secretary of the State board of pharmacy within 24 hours after the taking of such order, contract, or agreement, unless such order, contract, or agreement is recorded by entry in a book used for that purpose only, of some wholesale jobber, wholesaler, or manufacturer permanently located in this State, as provided for in this section. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary medicine to furnish to or prescribe for the use of any habitual user of the same, or of anyone representing himself as such, any cocaine opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative, or compound of the foregoing substances or their salts, derivatives, or compounds; and, it shall also be unlawful for any practitioner of medicine or dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being.

Provided, however, That the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician, by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the purpose of this act: *Provided*, That such licensed physician shall report in writing, over his signature, by registered mail, to the office of the State board of pharmacy, within 24 hours after the first treatment, each and every habitual user of such narcotic drugs, as are enumerated in this section, whom he or she has taken, in good faith, under his or her professional care for the cure of such habit, such report to contain the date, name, and address of such patient, and the name and quantity of the narcotic or narcotics prescribed in such treatment: *Provided further*, That the provisions immediately foregoing shall not apply to any licensed physician treating such habitué in good faith who personally administers such narcotics enumerated in this section, after writing a prescription therefor: *And provided further*, That the above provisions shall not apply to preparations sold or dispensed without a physician's prescription containing not more than 2 grains of opium, or one-fourth grain of morphine, or 1 grain of codeine, or one-sixth grain of cocaine, or one-fourth grain of heroin, or one-sixth grain of eucaïne, or one-sixth grain novocaine, or one-half grain extract *cannabis indica*, or one-sixth grain beta eucaïne, or 10 grains chloral hydrate in 1 fluid ounce, or, if a solid preparation, in 1 ounce avoirdupois; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts, or alpha or beta eucaïne or any of their salts, or any synthetic substitute for them: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act.

SEC. 8a. Possession of certain pipes and preparations unlawful; penalty.—The possession of a pipe or pipes or other contrivances used for smoking opium (commonly known as opium pipes) or the usual attachment or attachments thereof, or extracts, tinctures, or other narcotic preparations of hemp, or loco weed, their preparations or

compounds (except corn remedies containing not more than 15 grains of the extract or fluid of hemp to the ounce, mixed with not less than five times its weight of salicylic acid combined with collodion) is hereby made a misdemeanor, and upon conviction thereof shall be punishable by the penalties prescribed in section 7 of this act.

SEC. 8b. *Search and seizure; disposition of instruments and narcotics confiscated.*—All narcotic drugs specified in section 8 and also all pipes used for smoking opium (commonly known as opium pipes) or the usual attachments thereto, or extracts, tinctures, or other narcotic preparations of hemp, or loco weed, their preparations or compounds (except corn remedies containing not more than 15 grains of the extract or fluid extract of hemp to the ounce, mixed with not less than five times its weight of salicylic acid combined with collodion), may be seized by any peace officer, and in aid of such seizure a search warrant or search warrants may be issued in the manner and form prescribed in chapter 56, title 91, Compiled Laws of Utah, 1907, entitled, "Code of Criminal Procedure." All such narcotic drugs, pipes used for smoking opium (commonly known as opium pipes) or the usual attachments thereto, and all such hemp seized under the provisions of this act shall be ordered destroyed by the judge of the court in which final conviction was had; said order of destruction shall contain the name of the party charged with the duty of destruction as herein required: *Provided, however,* That the judge shall turn all such evidence over to the State board of pharmacy for such destruction: *And provided further,* That the board of pharmacy may dispose of all narcotics now on hand or hereafter coming into their possession (other than smoking opium) either by gift to the medical director of Utah State prisons or State hospitals or by sale to wholesale druggists, the funds received from such sales to be applied by the board of pharmacy to the carrying out of the provisions of this act or of the act creating such Utah State board of pharmacy.

SEC. 8c. *License of pharmacist may be revoked; when; restoration.*—The board may revoke the registration and license of any registered pharmacist or assistant pharmacist upon conviction of the second offense for violating any of the provisions of sections 8 or 8a of this act, and in such case said registration shall not be restored before the period of one year from the date of said revocation.

(Laws 1915, chap. 15.)

An act prohibiting the delivery of poisons, drugs, explosives, or weapons to State, prisoners.

SECTION 1. *Delivery of poisons, weapons, etc., prohibited: penalty.*—Every person who, without the consent of the warden of the Utah State prison, shall deliver to any convict or person within the State prison, or who shall give or deliver to any convict when outside of the State prison, or leave, deposit, or place at or near any camp or other place where convicts are kept at work on public roads or otherwise, or who shall leave within the Utah State prison grounds, or within any cell or cell house or buildings of any kind belonging to said State prison, or who shall leave, deposit, or place at or near any such buildings, grounds, or premises, any explosives or explosive substance of any kind or character, or any poison of any kind, or any opium, or any preparation of like character, or any preparation commonly called "dope" or any substitute therefor, or any deleterious drug of any kind, or any knife, dirk, or any weapon of any kind or character whatsoever, including firearms of all kinds, or any implement, instrument, or substance which can be used by any convict or any person in said State prison as a means of injuring the warden, his deputy, or any guard, convict, or any person whomsoever, or which can be used as a means of escape from said State prison by any such convict or person, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the Utah State prison at hard labor for a term of not more than 10 years.

SEC. 2. *Copies of act to be posted.*—The warden of the Utah State prison shall cause to be posted and maintained in conspicuous places outside and within the buildings

and upon the grounds of said State prison, and at and near any camp where convicts are at work, copies of this act.

SEC. 3. This act shall take effect upon approval.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 100.)

An act to amend section 206, Compiled Laws of Utah, 1907, as amended by chapter 120, Laws of Utah, 1911, relating to powers of city councils, and arranging the subdivisions of said section into independent sections to be known as sections 206 to 206x87, inclusive.

SEC. 206x41. *Manufacture and sale of intoxicating liquors.*—To license and regulate or prohibit the manufacturing, selling, giving away, or disposition in any manner of any intoxicating liquors; provided no license for such purpose shall be issued by the city council of any city where the qualified electors of such city have voted "against sale" of intoxicating liquors, and where the qualified electors have voted "against sale" of intoxicating liquors the city council of such city shall prohibit the manufacturing, selling, giving away, or disposition in any manner of any intoxicating liquors, except the manufacture thereof as provided by law, and in any city where the qualified electors have voted "for sale" of intoxicating liquors, such city council shall have the right to determine the amount to be paid for liquor licenses, as provided by law, and said licenses shall be subject to the same regulations as are required by the general laws of the State, and to provide such other reasonable regulations as such city council may deem advisable.

PRACTICE OF PHARMACY.

(Laws 1915, chap. 65.)

An act amending section 1715, Compiled Laws of Utah, 1907, as amended by chapter 126, Laws of Utah, 1909, providing authority in the State board of pharmacy to refuse registration, either original or renewal, as pharmacists or assistant pharmacists to applicants for such registration and providing for the revocation of such registration under certain conditions.

SECTION 1. *Section amended.*—That section 1715, Compiled Laws of Utah, 1907, as amended by chapter 126, Laws of Utah, 1909, be, and the same is hereby, amended to read as follows:

"Sec. 1715 (as amended). The board shall have the right to refuse registration to applicants whose examination or credentials do not present evidence of their competency satisfactory to said board. * * * The said board of pharmacy shall have the power and authority to employ inspectors of pharmacy, and to inspect during business hours all pharmacies, dispensaries, stores, and places in which drugs or medicines or poisons are compounded, dispensed, or retailed."

Vermont.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, No. 197.)

SECTION 1. On and after the first day of July, 1915, it shall be unlawful for any person, firm, or corporation to sell, furnish, give away, or deliver any opium, morphine, heroin, codeine, cocaine, cannabis indica, cannabis sativa, or preparation thereof, or any salt or compound of said substances, except upon the written prescription or written order of a registered physician, dentist, or veterinary surgeon, bearing the name of the physician, dentist, or veterinary surgeon giving it, which prescription when filled shall show the date of each filling and shall be retained on file by the druggist filling it for a period of at least two years, and it shall not again be filled except upon

the order of the prescriber, given in person or in writing. The prescription shall not be copied except for the purpose of record by the druggist filling the same, and it shall at all times be open to inspection by the officers of the State board of health, the board of registration in pharmacy and its authorized agents, and by the police authorities and police officers of cities and towns. But the provisions of this act shall not apply to prescriptions, nor to the sale, distribution, giving away, or dispensing of preparations and remedies, if such prescriptions, preparations, or remedies do not contain more than 2 grains of opium, or more than one-quarter of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or more than one-half of a grain of extract of cannabis indica, or more than one-half of a grain of extract of cannabis sativa, or any salt or compound of any of them in 1 fluid ounce, or, if a solid or semisolid preparation, to the avoirdupois ounce; nor to liniments, ointments, or other preparations which are prepared for external use only except liniments, ointments, and other preparations which contain cocaine or any of its salts; nor to compound medicinal tablets, pills, or powders containing not over one-twentieth of a grain of morphine or one-quarter of a grain of codeine or any of their salts, except heroin, to each pill, powder, or tablet: *Provided*, That such preparations, remedies, or prescriptions are sold, distributed, given away, or dispensed in good faith as medicines, and not sold for the purpose of evading the provisions of this act.

SEC. 2. It shall be unlawful for any practitioner of veterinary medicine or surgery to prescribe any of the drugs mentioned in section 1 of this act for the use of a human being.

SEC. 3. The provisions of this act shall not be construed to prevent any lawfully authorized practitioner of medicine or of veterinary medicine or of dentistry from prescribing, administering, or dispensing any drug that may be indicated for any patient under his care: *Provided*, That such prescribing, administering, or dispensing is not for the purpose of evading the provisions of this act: *And provided further*, That every physician, veterinarian, and dentist shall keep a record in a suitable book of the names and addresses of all patients to whom he dispenses narcotics.

SEC. 4. Any manufacturer or jobber and any wholesale druggist and any registered pharmacist, physician, veterinarian, or dentist may sell opium, morphine, codeine, cocaine, heroin, cannabis indica, cannabis sativa, or any preparation thereof, or any salt or compound of such substances, to any manufacturer, jobber, wholesale druggist, registered pharmacist, physician, veterinarian, or dentist, or to any incorporated hospital; but such substances or preparations, except such as are included within the exemptions set forth in section 1, shall be sold only upon a written order duly signed by such manufacturer, jobber, wholesale druggist, pharmacist, physician, veterinarian, dentist, or superintendent of such incorporated hospital, which order shall state the article or articles ordered and the date. The said orders shall be kept on file in the laboratory, warehouse, pharmacy, or store in which they are filled, by the proprietor thereof or his successors, for a period of not less than two years from the date of delivery, and shall be at all times open to inspection by officers of the State board of health, members of the board of registration in pharmacy, or their authorized agents, and by the police authorities and police officers of cities and towns.

SEC. 5. Any person who, for the purpose of evading or assisting in the evasion of any provision of this act, shall falsely represent that he is a physician, dentist, or veterinarian, or that he is a manufacturer, jobber, wholesale druggist, or pharmacist, or an agent or an employee of an incorporated hospital, or who, not being an authorized physician, dentist, or veterinarian, makes or alters a prescription for any of the said substances, shall be deemed guilty of a violation of this act.

SEC. 6. A person who violates a provision of the preceding sections of this act or who aids or abets another in the violation thereof shall be fined not more than \$1,000 nor less than \$50, or be imprisoned not more than one year, or both. Justices and

municipal and county courts shall have concurrent jurisdiction of offenses under this act.

SEC. 7. The State board of health shall make a chemical analysis to determine the composition and quality of any substance mentioned in this act on application of the State's attorney of any county and shall furnish a certificate certifying to the composition or quality thereof. Such certificate, under seal of the State board of health, which shall be affixed by the chemist thereof making the analysis, shall be prima facie evidence of the composition and quality of the substance analyzed.

(Laws 1915, No. 124.)

An act to amend section 3736 of the Public Statutes, as amended by No. 121 of the acts of 1910 and by section 1 of No. 134 of the acts of 1912, relating to the reformation of inebriates and the transportation thereof.

SECTION 1. Section 3736 of the Public Statutes is hereby amended so as to read as follows:

"**SEC. 3736** (as amended). When a person shall have become an habitual drunkard or dipsomaniac, or so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, the probate court for the district in which he resides or is domiciled shall, on application of the selectmen of the town where he resides or is domiciled, or any of his relatives, upon reasonable notice to such person, make inquiry; and, if it finds him to be an habitual drunkard, or so far addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, shall order such person to be taken by the sheriff of the county to an institution in this State where he can receive special treatment for such condition, or shall order him committed to the care, custody, and control of some suitable person, for not less than 4 or more than 12 months, but if it shall find him to be a dipsomaniac, shall commit him to such institution or person for three years; and if such person shall be indigent and such fact shall be so certified to by the selectmen of his town, the expense of commitment and treatment and the necessary expense in transportation to such institution shall be borne by the State; and upon his discharge the necessary expenses in transporting such person to the town from which he was committed shall be borne by the State and advanced by the superintendent of the institution to which he was committed; but in the event of the death of such person while an inmate of such institution, the expense of removal or burial shall be borne by the town from which he was committed."

SEC. 2. This act shall take effect from its passage.

(Laws 1915, No. 215.)

An act to amend section 1 of No. 178 of the acts of 1908, relating to the commitment to the house of correction, State prison, Vermont Industrial School, and Vermont State Hospital for the Insane.

SECTION 1. Section 1 of No. 178 of the acts of 1908 is hereby amended so as to read as follows:

"**SECTION 1** (as amended). Commitments to the State prison, house of correction, and Vermont Industrial School shall be made by the sheriff of the county in which the crime was committed and to the Vermont State Hospital for the Insane when ordered committed by the county court or when an inebriate or dipsomaniac is ordered committed by the probate court."

POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, No. 200.)

SECTION 1. Section 5478 of the Public Statutes, as amended by section 3 of No. 159 of the acts of 1908, is hereby amended so as to read as follows:

"**SEC. 5478** (as amended). A member or officer of the State board of health, director, chemist, or inspector of the State laboratory of hygiene, or a local health officer in his

own town may inspect the carcasses of slaughtered animals intended for food, and meat, fish, vegetables, produce, fruit, or provisions, and for such purpose may enter any building, inclosure, or other place in which said carcasses or articles are stored, kept, or exposed for sale. If such carcasses or articles are designated for food for man, and found tainted, diseased, corrupted, decayed, unwholesome, or from any cause unfit for food, the local board of health, or such member or officer of the State board of health, director, chemist, or inspector of the State laboratory of hygiene shall seize the same and cause it to be forthwith destroyed, or disposed of otherwise than food."

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, No. 171.)

An act to prohibit the sale of intoxicating liquors.

SECTION 1. The words "intoxicating liquor," or "liquor," as used in this act, shall include spirituous or intoxicating liquor, malt liquors, lager beer, fermented wine, fermented cider, distilled spirits, and any beverage which contains more than 1 per cent of alcohol by volume at 60° Fahrenheit.

SEC. 2. No person shall furnish or sell, or expose or keep with intent to sell, any intoxicating liquor. But this act shall not apply to the furnishing of such liquor by a person in his private dwelling, unless to an habitual drunkard, or unless such dwelling becomes a place of public resort; nor to the sale of fermented cider by the barrel or cask of not less than 32 liquid gallons capacity, provided the same is delivered and removed from the vendor's premises in such barrel or cask at the time of such sale.

SEC. 3. An officer empowered to serve criminal process shall, without warrant, arrest a person whom he finds in the act of unlawfully selling, furnishing or transporting intoxicating liquor, and shall seize the liquors, vessels, and implements of sale in the possession of such person. He shall detain such person and the property so seized until proper warrants can be procured or complaint made.

SEC. 4. If a State's attorney of a county, or a grand jury of a town, or two reputable citizens of the county make complaint under oath or affirmation, before a justice of such county or a judge of a municipal court, that he or they have reason to believe that intoxicating liquor is kept or deposited in a dwelling house, store, shop, steamboat or water craft of any kind, depot, railway car or land carriage of any kind, warehouse, or other building or place in such county, for sale or distribution, contrary to law, such justice or judge shall issue a warrant to search the premises described in such complaint, and if intoxicating liquor is found therein under circumstances warranting the belief that it is intended for sale or distribution contrary to law, the officer shall seize and convey the same to some place of security and keep it until final action is had thereon.

SEC. 5. A sheriff, deputy sheriff, constable, selectman, or grand juror who has information that intoxicating liquor is kept with intent to sell or is sold in a tent, shanty, hut, or a place of any kind for selling refreshments in a public place, except dwelling houses, on or near the ground of a cattle show, agricultural exhibition, military muster, or public occasion of any kind shall search such suspected place without warrant; and if such officer finds intoxicating liquor upon the premises, he shall seize the same and apprehend the keeper of such place and take him, with the liquor so seized, forthwith or as soon as conveniently may be before a justice or municipal judge in whose jurisdiction the same is found; and thereupon such officer shall make a written complaint under oath, and subscribed by him, to such justice or judge, setting forth the finding of such liquor; and upon proof that the liquor is intoxicating and that the same was found in the possession of the accused in a tent, shanty, or other place, with intent to sell, the liquor seized shall be adjudged forfeited and disposed of by order of said justice or judge as provided in this act; and such owner or keeper shall be proceeded against, as provided in this act, for keeping intoxicating liquor with intent to sell.

SEC. 6. The officer who makes a seizure of intoxicating liquor, with or without warrant, shall forthwith give notice thereof to a grand juror of the town in which such seizure is made, or to the State's attorney of the county; and such grand juror or State's attorney shall attend and act in behalf of the State at the hearing against the liquor so seized; and the officer making the seizure and the prosecuting officer shall be allowed the same fees for travel and attendance as in other cases.

SEC. 7. The officer shall apprehend and bring forthwith before the justice or judge the owner and keeper and all persons having the custody of, or exercising any control over, the liquor seized, either as principal, clerk, servant, or agent.

SEC. 8. If the owner or keeper of such liquor is unknown to the officer, or if no person is found in possession or custody of the same, the officer shall apprehend and bring before the justice or judge the owner or occupant of the building or apartments in which such liquor was found, if known to him or can by him be ascertained.

SEC. 9. If, upon hearing, it appears that such liquor was intended for sale or distribution contrary to law, such liquor, and the casks or vessels in which it is contained, shall be adjudged forfeited and condemned.

SEC. 10. When liquor is adjudged forfeited and condemned under the preceding section, it shall be destroyed under a written order of said justice or judge and in his presence, or in the presence of some person designated by him for that purpose in such order, and the person witnessing such destruction shall join with the officer executing the order in certifying upon the back thereof the fact of its execution.

SEC. 11. Upon condemnation of such liquor, any and all persons apprehended and brought before such justice or judge under sections 7 and 8 of this act shall be liable to pay the costs of such proceedings, if, in the judgment of the justice or judge, any of them, by themselves, clerks, servants, or agents, shall have been engaged in, aided, assisted, or abetted the keeping of such liquor for unlawful sale or distribution, or have been privy thereto, or have knowingly permitted the use of any building or apartments by them owned or controlled for the storing or keeping of such liquor for such unlawful sale or distribution.

SEC. 12. Against any and all persons by said justice or judge adjudged liable to pay such costs, in case such costs are not paid, the justice or judge shall issue an execution in favor of the State and against the body or bodies of such persons for such costs; upon which execution shall be certified as follows: "This execution is issued for the costs of the seizure and condemnation of intoxicating liquor kept in violation of law"; and persons committed upon such executions shall not be admitted to the liberties of the jail yard.

SEC. 13. If an officer has reason to believe and does believe that intoxicating liquor is kept or concealed in any conveyance or baggage being conveyed along any highway, he shall search the same without a warrant.

SEC. 14. If an officer seizes intoxicating liquor without a warrant, he shall forthwith make complaint, under oath, subscribed by him, to a justice or judge of a municipal court in whose jurisdiction such liquor was seized; and thereupon the same proceedings shall be had as if such liquor had been seized with a warrant.

SEC. 15. When the owner, keeper, or possessor of intoxicating liquor seized under the provisions of this act appears and makes claim to the same, he shall file a written claim with the justice or court before whom the proceedings are pending, setting forth his interest in the liquor and the reasons why it should not be adjudged forfeited; he shall also give security by way of recognizance to the State, with sufficient sureties, in such sum as the court directs, conditioned that he will prosecute his claim to effect and pay the costs awarded against him.

SEC. 16. No appeal shall be allowed to the claimant from the judgment of the court until he gives security by way of recognizance to the State, with sufficient sureties, in such sums as the court directs, conditioned that he will prosecute his appeal to effect and pay the costs awarded against him.

SEC. 17. If the judgment is against the claimant, the liquor and the casks or vessels containing the same shall be adjudged forfeited as provided in this act; and judgment shall be rendered against the claimant for all costs of prosecution incurred after the filing of his claim.

SEC. 18. If the appellant fails to enter and prosecute his appeal, or if judgment is against him on appeal, the court in which such appeal is finally decided shall order the liquor to be disposed of as in case of liquor adjudged forfeited under an order of a justice or municipal judge.

SEC. 19. If liquor seized by an officer as intoxicating is taken from his possession by writ of replevin, it shall not be delivered to the claimant, but shall be held by the officer serving such writ until the final determination of the suit; whereupon the same shall be delivered to the party in whose favor judgment is rendered, or to such officer as has authority to hold or destroy the same under original seizure proceedings.

SEC. 20. No proceedings on seizure of intoxicating liquor except final execution shall be delayed by a replevin thereof, but the cause shall proceed to final judgment as if replevin had not been commenced.

SEC. 21. If proceedings for the condemnation and destruction of intoxicating liquor result in the prosecution and conviction of the owner or keeper thereof for keeping with intent to sell contrary to law, the costs in such proceedings shall be taxed against such owner or keeper.

SEC. 22. When a person is found in such a state of intoxication as to disturb the public or domestic peace and tranquillity, a sheriff, deputy sheriff, high bailiff, or justice of the county, or constable, grand juror, or selectman of the town in which such person is so found, or police officer of any city or incorporated village, shall apprehend such person, and may do so without a warrant, and detain him in custody, at the expense of the State, in any place within the county, in the discretion of such officer, until, in his opinion, the person so detained is capable of testifying properly in court; and he shall then bring him before a court having jurisdiction of the offense and further proceedings shall be had in accordance with law.

SEC. 23. When any person is convicted of the crime of being found intoxicated, he shall be detained by the court in which he was convicted, and shall, on oath, before such court, at the time of such conviction or as soon thereafter as may be, disclose the place where and the person of whom the liquor producing such intoxication was obtained and the circumstances attending it; and if he does not so disclose, he shall be committed to the jail of the county at the expense of the State until he so discloses or is discharged by the court. .

SEC. 24. If such person, after taking an appeal, pays the fine imposed or fails to enter his appeal, the justice or judge shall issue his warrant to apprehend the body of such person and to bring him before such justice or judge to make disclosure as provided in the preceding section.

SEC. 25. If the court adjudges from the evidence that the sale or furnishing of such liquor was in violation of this act, such court shall forthwith issue a warrant and cause the person so selling or furnishing such liquor to be brought forthwith before it; and the grand juror of the town, or State's attorney of the county, shall appear and prosecute such cause in the same manner as if he had been complainant therein, and shall attend at the taking of such disclosure.

SEC. 26. A person who furnishes or sells, or who exposes or keeps with intent to furnish or sell, intoxicating liquors shall be imprisoned not more than 12 months nor less than 3 months, or fined not more than \$1,000 nor less than \$300, or both.

SEC. 27. A person who for himself, or as agent, takes or solicits orders for the sale of intoxicating liquors shall be imprisoned not more than six months nor less than three months, or fined not more than \$500 nor less than \$100.

SEC. 28. A person who by himself, clerk, or agent brings into the State, or conveys or transports over or along a railroad or public highway, intoxicating liquor which he

knows or has reason to believe is to be unlawfully kept, sold, or furnished shall be imprisoned not more than six months nor less than three months, or fined not more than \$500 nor less than \$100.

SEC. 29. A person or corporation that sells, furnishes, or gives away candy of any sort or kind containing intoxicating liquors of any sort, in any quantity whatsoever or flavored in a manner to imitate the taste of intoxicating liquor, shall upon the first conviction thereof be fined \$10, together with the costs of prosecution, and for each subsequent conviction shall be fined \$25, together with the costs of prosecution.

SEC. 30. A State's attorney or town grand juror who willfully refuses or neglects to investigate a complaint for a violation of this act, when accompanied by evidence in support thereof, shall be fined \$300.

SEC. 31. A person who is found intoxicated shall, on the first conviction thereof, pay a fine of \$5 with costs of prosecution, with an alternative sentence of imprisonment in the county jail for not more than 20 nor less than 10 days; and for each subsequent conviction he shall be fined \$15 with costs of prosecution, or be imprisoned in the county jail for a term of 30 days, or both; provided the prosecution is commenced within 30 days after the offense is committed. A person who has been convicted of a third offense shall, for the purposes of this act, be deemed an habitual drunkard.

SEC. 32. A person who willfully violates a provision of this act for which no penalty is prescribed shall be imprisoned not more than three months nor less than one month or fined not more than \$200 nor less than \$50, or both.

SEC. 34. Outlines the form of pledge to be signed by persons convicted of being intoxicated.

SEC. 35. No sentence of imprisonment under this act, either cumulative or on failure to pay fine and costs, shall exceed the term of three years.

SEC. 36. A husband, wife, child, guardian, employer, or other person who is injured in person, property, or means of support by an intoxicated person, or in consequence of the intoxication of any person, shall have a right of action in his or her name, jointly or severally, against a person or persons who, by selling or furnishing intoxicating liquor, have caused in whole or in part such intoxication. If such intoxicating liquor was sold or furnished to such person in a rented building, and the owner of such building, or his agent in charge thereof, knew or had reason to know that intoxicating liquor was sold or kept for sale by his tenant in such building contrary to law, said owner may be joined as defendant in such action, and judgment therein may be rendered against him. Upon the death of either party the action or right of action shall survive to or against his executor or administrator. The party injured or his legal representatives may bring either a joint action against the person intoxicated and the person or persons who furnished the liquor and the owner of the building, or a separate action against either or any of them.

SEC. 37. All damages recovered by a minor in such action shall be paid over to such minor or his guardian on such terms as the court may order.

SEC. 38. A judgment for the plaintiff under section 37 of this act shall be treated as rendered in an action founded on tort; and the court, at the time of such judgment, shall adjudge that the cause of action arose from the willful and malicious act of the defendant, and that he ought to be confined in close jail, and a certificate thereof shall be stated in or upon the execution.

SEC. 39. When a person is convicted of or pleads guilty to furnishing or selling intoxicating liquor contrary to law, the court shall forthwith give notice thereof to the United States collector of internal revenue for this district, if such court has reason to believe that such person has not paid the special tax imposed by the United States Government upon dealers in intoxicating liquors.

SEC. 40. The receipt for or record of the payment of the United States special tax as liquor seller shall be prima facie evidence that the person named therein keeps for sale and sells intoxicating liquors.

SEC. 41. Justices and municipal and city courts shall have concurrent jurisdiction with the county court of prosecutions for intoxication, and of all offenses under this act to which the respondent pleads guilty; but in other prosecutions under this act they may cause the respondent to be apprehended and committed to jail, or bound over with sufficient sureties, by way of recognizance, for his appearance at the next term of the county court within the county in which said cause is triable, to answer to such complaint, information, or indictment as may be brought against him, and from term to term thereafter.

SEC. 42. When a respondent is bound over, as provided in the preceding section, the court shall, if requested by either party, order the necessary witnesses to recognize for their appearance before the county court, in the sum in which the respondent is bound over; and if a witness refuses so to recognize, he may be committed to jail on the warrant of the court making such order.

SEC. 43. In prosecutions for offenses under this act, if a specification is required, it shall be sufficient to specify the offenses with such certainty as to time and person as the prosecutor is able, and the same may be amended upon trial. When the specifications set forth the sale or furnishing to any person or persons unknown, the witnesses may be inquired of as to such transactions; and if the name of the person is disclosed, it may be added to the specification and upon such terms as to postponement of the trial as the court deems reasonable.

SEC. 44. Fines and costs collected under this act shall be paid to the county clerk by the court before whom the trial is held, within 30 days after they are collected, and the county clerk shall pay the same quarterly to the State treasurer. The auditor of accounts shall draw his orders for the payment of costs incurred by the State under this act.

SEC. 45. Form of complaint for selling or furnishing intoxicating liquor.

SEC. 46. Under the foregoing complaint each distinct act of selling or furnishing may be proved, and the court shall impose a fine for each offense, as provided in this chapter for that offense. In informations and indictments for offenses under this chapter the description of the offense may be substantially in the same form so far as the case will admit.

SEC. 47. Form of warrant.

SEC. 48. Form of warrant for rearrest of persons convicted of being intoxicated.

SEC. 56. Chapter 219 of the Public Statutes and all amendments thereof and all acts and parts of acts inconsistent with this act are hereby repealed, except so far as the same relate to pending cases and to offenses committed prior to the date on which this act takes effect and to prosecutions for such offenses, provided said prosecutions are commenced within 30 days from the date on which this act takes effect.

SEC. 57. This act shall take effect on the 1st day of May, A. D. 1916, provided that a majority of the ballots to be cast as hereinafter provided shall be "Yes," and provided that if a majority of the ballots to be cast as hereinafter provided shall be "No," then this act shall take effect on the 1st day of May, A. D. 1927, but as to section 59, 60, 61, 62, and 63 this act shall take effect from its passage.

SEC. 58. In each town and city the warning for the annual meeting in 1916 shall contain an article in substance as follows: "Shall an act of the general assembly of 1915 entitled 'An act to prohibit the sale of intoxicating liquors' become a law May 1, A. D. 1916?"

The secretary of state shall, at least 10 days prior to said annual meeting in 1916, furnish the town clerk of each town and city with a sufficient number of ballots to be used in voting upon the question of the acceptance of the provisions of this act. Said secretary shall also, when furnishing ballots, furnish each town clerk with a sufficient number of sample ballots printed on differed colored paper, which shall be posted in three or more public places in such town, at least six days prior to said

annual meeting. Said secretary shall also cause to be printed upon the sample ballots herein provided for section 57 of this act.

SEC. 59. The ballot clerks, board of civil authority, and town and city clerks shall perform the same duties in respect to the ballots to be used under this act as are imposed upon said officials by chapters 11 and 12 of the Public Statutes, except as otherwise provided in this act, and all regulations provided by law for conducting general elections shall be applicable to the votes provided for in this act.

SEC. 60. A special box shall be provided for the reception of the ballots provided for in this act, which shall be opened at the hour the meeting is called, and shall remain open until the close of the meeting not earlier than 3 o'clock on the afternoon.

SEC. 61. The town clerks of the several towns shall, within 24 hours from the adjournment of said annual meeting in 1916, report to the secretary of state upon blanks furnished by said secretary of state the result of the vote upon the question of the acceptance of the provisions of this act. On the 15th day of March, A. D. 1916, said secretary of state shall canvass the returns so made to him, and shall, within two days thereafter issue his proclamation certifying the result of such vote and declaring the time when the provisions of this act shall take effect.

SEC. 62. In case a majority of the ballots cast as hereinbefore provided for shall be "Yes," then the votes in the several towns at the annual meetings in 1916 on the questions, "Shall license be granted for the sale of intoxicating liquor in this town?" and "Shall licenses of the fifth class be granted in this town?" shall be void, and the term of office of license commissioners then in office shall extend to and terminate on the 1st of May, A. D. 1916.

(Laws 1915, No. 172.)

SECTION 1. Section 57 of an act of the general assembly of 1915, entitled "An act to prohibit the sale of intoxicating liquors," approved March 12, 1915, is hereby amended so as to read as follows:

"Sec. 57 (as amended). This act shall take effect on the 1st day of May, A. D. 1916, provided that a majority of the ballots to be cast as hereinafter provided shall be 'Yes,' and provided that if a majority of the ballots to be cast as hereinafter provided shall be 'No,' then this act shall take effect on the 1st day of May, A. D. 1927, but as to sections 58, 59, 60, 61, and 62, this act shall take effect from its passage."

PRACTICE OF PHARMACY.

(Laws 1915, No. 190.)

SECTION 1. Section 5405 of the Public Statutes is hereby amended so as to read as follows:

"Sec. 5405 (as amended). A person not licensed as a pharmacist shall not practice pharmacy, display a sign, emblem, or device indicating that his place of business is used as a pharmacy, drug or chemical store, apothecary shop, or place for the retailing, compounding, or dispensing of drugs, chemicals, or poisons, or for the compounding or dispensing of physicians' prescriptions, nor expose for sale at retail drugs, chemicals, or poisons, unless such place of business is conducted, managed, or controlled by a duly licensed pharmacist."

Virginia.

SALE AND USE OF COCAINE AND NARCOTICS.

(Norfolk, Va., Ord., Feb. 15, 1915.)

(1) It shall be unlawful for any person, except a registered pharmacist, to retail, sell, or give away any cocaine, alpha or beta eucaine, opium, laudanum, morphine, or heroin, or any salt or any compound containing any of the foregoing substances,

and then only upon the written prescription of a duly registered physician, licensed veterinarian, or licensed dentist, except as hereinafter provided; and it shall be unlawful for any physician, veterinarian, or dentist to write, issue, deliver, or dictate, either directly or indirectly, any prescription or sell or give away any of the habit-forming drugs enumerated above to or for any habitual user: *Provided*, That nothing in this act shall prohibit any duly registered licensed physician from personally administering any of the above enumerated drugs or issuing a prescription directly to his patient for not more than 16 grains of opium, 8 grains morphine, 8 grains heroin, 8 grains cocaine, 8 grains alpha eucaine, 8 grains beta eucaine, 1 ounce laudanum within any given 48 hours: *And provided also*, That this act shall not prohibit any bona fide sanitarium, hospital, or institution for the treatment of the sick from administering the drugs above enumerated in such quantities as may be necessary in effecting a cure of patients addicted to their use. With every prescription issued in accordance with this ordinance shall be issued two copies thereof, one of which shall be attached to the original prescription delivered to the patient, and the other of which shall be filed by the person issuing the same with the department of health within 24 hours after its issuance.

Said prescription shall contain the name and address of the person for whom the same is prescribed and the date on which the same shall have been issued; and no druggist shall fill such a prescription unless there is delivered to him at the time said prescription is presented to him to be filled a copy of said prescription, and said druggist shall within 24 hours after filling such prescription file with the department of health the said copy of the said prescription, and shall note on said copy the date of filling the same, and shall permanently retain on his file the original prescription. Said prescription shall be filled but once, and no copy of it shall be taken by any person, except a copy may be taken by the department of health or their agents, and the original shall at all times be open to the inspection of the prescriber and officers of the law; except, however, that such cocaine, alpha or beta eucaine, opium, laudanum, morphine, heroin may be lawfully sold at wholesale by a wholesale jobber or manufacturer upon the written order of a licensed pharmacist, duly registered practicing physician, licensed veterinarian, or licensed dentist: *Provided also*, That nothing in this ordinance shall be construed to prevent the legitimate administering of said drugs, their salts, compounds, and derivatives, by a duly registered practicing physician, duly licensed veterinarian, or duly licensed dentist to patients suffering from diseases other than the drug habit or physical injuries in such quantities as have already been set forth in this ordinance.

(2) It shall be unlawful for any person other than a duly licensed physician, dentist, or veterinarian or trained nurse to have in his or her possession an instrument commonly known as a hypodermic syringe or hypodermic needle, unless the same shall have been regularly prescribed or ordered by a duly licensed physician, dentist, or veterinarian: *Provided, however*, That this shall not apply to licensed dealers in drugs, drug supplies, or surgical instruments. It shall be unlawful for any person to sell, give away, or furnish to any person other than a duly licensed physician, dentist, or veterinarian an instrument commonly known as a hypodermic syringe or hypodermic needle without the written order of a duly licensed physician, dentist, or veterinarian. Every person who disposes of or sells at retail or furnishes or gives away to any person either of the above instruments upon the written order of a duly licensed physician, dentist, or veterinarian shall before delivering the same enter into a book kept for that purpose the date of the sale, the name and address of the purchaser, and a description of the instrument sold, disposed of, furnished, or given away, and shall within 24 hours thereafter file with the department of health, in writing, a report showing the date of the sale, the name and address of the purchaser, a description of the instrument sold, disposed of, furnished, or given away, and the

name and address of the physician, dentist, or veterinarian on whose written order the same was so sold, disposed of, furnished, or given away.

(3) Violation of any provision of this ordinance shall be punishable by a fine of not more than \$500 or imprisonment in jail for not more than six months, or both.

Washington.

SALE AND USE OF POISONS.

(Laws 1915, chap. 166.)

SEC. 7. It shall be unlawful for any person to offer for sale in the State of Washington any horticultural insecticide or fungicide which is adulterated or misbranded within the meaning of this act. The term "insecticide" as used in this act shall include any substance or mixture of substances intended to be used for preventing, destroying, repelling, or mitigating any insects which may infest vegetation. The term "Paris green" as used in this act shall include the product sold in commerce as Paris green and chemically known as the aceto-arsenite of copper. The term "lead arsenate" as used in this act shall include the product or products sold in commerce as lead arsenate and consisting chemically of products derived from arsenic acid (H_3AsO_4) by replacing one or more hydrogen atoms by lead. That the term "fungicide" as used in this act shall include any substance or mixture of substances intended to be used for preventing, destroying, repelling, or mitigating any and all fungi that may infest vegetation or be present in any environment whatsoever.

SEC. 8. That for the purpose of this act an article shall be deemed to be adulterated—

In the case of Paris green: First, if it does not contain at least 50 per cent of arsenious oxide; second, if it contains arsenic in water-soluble form equivalent to more than $3\frac{1}{2}$ per cent of arsenious oxide; third, if any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

In the case of lead arsenate: First, if it contains more than 50 per cent of water; second, if it contains total arsenic equivalent to less than $12\frac{1}{2}$ per cent of arsenic oxid (As_2O_3); third, if it contains arsenic in water-soluble form equivalent to more than seventy-five one-hundredths per cent of arsenic oxid (As_2O_3); fourth, if any substances have been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength: *Provided, however,* That extra water may be added to lead arsenate (as described in this paragraph) if the resulting mixture is labeled lead arsenate and water, the percentage of extra water being plainly and correctly stated on the label.

In the case of insecticides or fungicides, other than Paris green and lead arsenate, First, if its strength or purity fall below the professed standard or quality under which it is sold; second, if any substance has been substituted wholly or in part for the article; third, if any valuable constituent of the article has been wholly or in part abstracted; fourth, if it is intended for use on vegetation and shall contain any substance or substances which, although preventing, destroying, repelling, or mitigating insects, shall be injurious to such vegetation when used.

That the term "misbranded" as used herein shall apply to all insecticides, Paris green, lead arsenates, or fungicides, or articles which enter into the composition of insecticides, or fungicides, the package or label of which shall bear any statement, design, or device regarding such article or the ingredients or substances contained therein which shall be false or misleading in any particular, and to all insecticides, Paris greens, lead arsenates, or fungicides which are falsely branded as to the State, Territory, or country in which they are manufactured or produced.

That for the purpose of this act an article shall be deemed to be misbranded—

In the case of insecticides, Paris greens, lead arsenates, and fungicides: First, if it be an imitation or offered for sale under the name of another article; second, if it be

labeled or branded so as to deceive or mislead the purchaser, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package; third, if in package form, and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package. . . .

(Laws 1915, chap. 31.)

SEC. 82. *Polluting waters prohibited.*—It shall be unlawful to cast or pass, or to suffer or permit to be cast or passed, into any waters of this State, either fresh or salt, any sawdust, planer shavings, wood pulp, or other waste, lime, gas, coculus indicus, chemical substances, or any refuse or waste material substance or matter at any time whatsoever deleterious to fish or shellfish.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 2.)

SECTION 1. This entire act shall be deemed an exercise of the police power of the State, for the protection of the economic welfare, health, peace, and morals of the people of the State, and all of its provisions shall be liberally construed for the accomplishment of that purpose.

SEC. 2. The phrase "intoxicating liquor," wherever used in this act, shall be held and construed to include whisky, brandy, gin, rum, wine, ale, beer, and any spirituous vinous, fermented, or malt liquor or liquid containing intoxicating properties which is capable of being used as a beverage, whether medicated or not, and all liquids, whether proprietary, patented, or not, which contain any alcohol, which are capable of being used as a beverage.

SEC. 3. Defines the word "person."

SEC. 4. Makes it unlawful for any person to sell, manufacture, or give away any intoxicating liquor. .

SEC. 5. Makes it unlawful to use buildings for the manufacture, sale, or giving away of intoxicating liquors.

SEC. 6. Prohibits the soliciting of orders or advertising of intoxicating liquors.

SEC. 7. Nothing in this act shall be construed to prohibit a registered druggist or pharmacist from selling intoxicating liquors for medicinal purposes, upon the prescription of a licensed physician, as herein provided, or for sacramental purposes, upon the order of a clergyman, as herein provided, or from selling alcohol for mechanical or chemical purposes only; but it shall be unlawful for such druggist or pharmacist to permit any such liquor to be drunk upon the premises where sold. Every druggist or pharmacist selling intoxicating liquor or alcohol for the purposes provided shall keep a true and exact record in a book provided by him for that purpose, in which shall be entered at the time of every sale of intoxicating liquor or alcohol made by him or in or about his place of business, the date of the sale, the name of the purchaser, his place of residence, stating the street and house number (if there be such), the kind, quantity, and price of such liquor or alcohol, and the purpose for which it is sold, and, when the sale is for medicinal or sacramental purposes, the name of the physician issuing the prescription or of the clergyman giving the order therefor, and, when the sale is of alcohol for mechanical or chemical purposes, the purchaser shall be required to sign the record of the sale in the book. Whenever any druggist or pharmacist fills a prescription for intoxicating liquor, he shall cancel the same by writing across the face thereof, in ink, the word "Canceled," with the date on which it was presented and filled, and shall keep the same on file, separate from other prescriptions, and no such prescription shall be filled again. Such book and all prescriptions for intoxicating liquor filled shall be open to inspection by any prosecuting attorney or city attorney, judge, or justice of the peace, sheriff, constable, marshal, or other police officer, or member of the city or town council. It shall be unlawful for any druggist

or pharmacist to fail or neglect to keep such record or to destroy or in any way alter any such record or entry thereon or any prescription filled, or to permit or procure the same to be destroyed or altered, or to refuse inspection thereof to any person entitled to such inspection, or to fail or neglect to cancel any such prescription, or to refill any prescription or to sell intoxicating liquor for medicinal purposes except upon a written prescription of a licensed physician, or for sacramental purposes without an order signed by a clergyman, or to sell any alcohol for mechanical or chemical purposes without obtaining the signature of the purchaser: *Provided*, That nothing herein contained shall be construed to prohibit the sale by a druggist or pharmacist of such intoxicating liquor as may be needed by or for a sick person in case of extreme illness where delay may be dangerous to the patient. A druggist or pharmacist who has been convicted of selling intoxicating liquor or of any other act in violation of this section shall not, within two years thereafter, either personally or by agent, sell intoxicating liquor for any purpose whatsoever; and upon a second conviction of a violation of the provisions of this section, such druggist or pharmacist shall forfeit his right to practice pharmacy, and the justice of the peace or superior judge before whom such druggist or pharmacist is convicted of a second violation of this section shall so adjudge, and shall send a copy of such judgment to the board of pharmacy, who upon receipt thereof shall forthwith cancel the license of such druggist or pharmacist, and no other license shall be issued by the board of pharmacy to such druggist or pharmacist within two years from the date of such cancellation.

SEC. 8. It shall be unlawful for any licensed physician to issue a prescription for intoxicating liquor except in writing or in any case, unless he has good reason to believe that the person for whom it is issued is actually sick and that the liquor is required as medicine. Every prescription for intoxicating liquor shall contain the name and address of the physician, the name and quantity of liquor prescribed, the name of the person for whom prescribed, the date on which the prescription is written, and directions for the use of the liquor so prescribed. Upon the conviction a second time of any licensed physician of a violation of the provisions of this section, it shall be unlawful for such physician thereafter to write any prescription for the furnishing, delivery, or sale of intoxicating liquor, and it shall be unlawful for any druggist or pharmacist to knowingly fill any prescription written or signed by any physician who has been convicted the second time of a violation of the provisions of this section.

SEC. 10. Makes it unlawful for any person to maintain any clubhouse in which intoxicating liquor is sold.

SEC. 11. Provides for the search and seizure of intoxicating liquor.

SEC. 12. Provides for hearings, and places the burden of proof on the claimant; provides also that forfeited articles other than intoxicating liquor are to be sold, the proceeds to go to the common-school fund.

SEC. 13. Provides that no person shall be excused for testifying on the ground that his testimony may incriminate him.

SEC. 14. Provides that any citizen or organization within the State may employ an attorney to assist the prosecuting attorney.

SEC. 15. Provides for permits for shipments of liquor, gives the form of permits, and requires that said permits shall be affixed to packages.

SEC. 16. Provides that no person shall have more than one permit in 20 days.

SEC. 17. Any registered druggist or pharmacist actually engaged in business within the State desiring to transport or ship any intoxicating liquor within this State shall make and file with the county auditor a statement in writing under oath, which statement shall contain the name of the said druggist or pharmacist, the name under which he transacts business, or if made by the agent of a corporation or a copartnership shall state the name of such corporation or copartnership and the official position or connection of the person making said statement with said firm or corporation, the location of the place of business of said person, firm, or corporation; that he, they, or it is regularly engaged in business as a druggist or pharmacist, at such point, and that it is

necessary from time to time to make shipments of intoxicating liquor, and that such liquor is not to be sold in violation of the laws of the State, but is obtained for use for purposes permitted by this law only; that the applicant for such permit or any of the members of the said partnership, as a partnership, or of the officers, agents, or servants in the employ of said corporation and in charge of its business at such location, have not been theretofore convicted of any violation of the laws relating to intoxicating liquor of the State of Washington. It shall be the duty of the county auditor to file said application, when properly sworn to, and give the same a serial number, and thereafter said applicant shall from time to time, as he, they, or it desire to make shipments of intoxicating liquor for lawful purposes, file with said county auditor a written request for permits, giving the serial number of said application on file. Such requests need not be sworn to, but shall be signed and shall state the place from which such shipment is to be made, and to whom, and the name and quantity of intoxicating liquor to be shipped. Upon receipt of such written request from any druggist or pharmacist in good standing, as hereinafter specified, said county auditor shall issue and deliver to said druggist or pharmacist a permit in substantially the following form:

PERMIT TO DRUGGIST OR PHARMACIST TO TRANSPORT INTOXICATING LIQUOR.

STATE OF WASHINGTON, *County of* ———, ss:

——— residing at ———, a druggist or pharmacist in good standing, is hereby permitted to ship or transport from ———, in the State of Washington, to ———, in the county of ———, State of Washington, intoxicating liquor not exceeding in quantity ——— (here insert kind and quantity to be shipped). This permit can only be used for one shipment and shall be void after 30 days from the date of issue.

Dated this ——— day of ———, 19 —.

_____,
County Auditor.

Such permit shall be printed upon ordinary white paper, and the county auditor shall keep the applications and requests therefor on file in his office as a part of the records of his office, and as each permit is issued shall indorse on such application "permit issued," with the date of issue.

SEC. 18. Makes it unlawful for any express company, railroad company, or transportation company to transport goods without a permit.

SEC. 19. No county auditor shall issue a permit to any person or druggist or pharmacist who has been convicted of the violation of any of the liquor laws of the State, or to any person other than a druggist or a pharmacist, who is the holder of an internal-revenue special-tax stamp or receipt, issued by the United States Government, permitting or relating to the sale of intoxicating liquor, or to any person not a registered druggist or pharmacist who has, within 20 days immediately preceding, obtained a permit for the shipment of intoxicating liquor.

SEC. 20. It shall be unlawful for any person to ship, transport, or consign any intoxicating liquor, or for any express company, railroad company, transportation company, or any person engaged in the business of transporting goods, wares, and merchandise, to knowingly transport or convey any intoxicating liquor within this State, or for any person to knowingly receive from any express, railroad company, transportation company, or any person engaged in the business of transporting goods, wares, and merchandise any intoxicating liquor unless the package or parcel be clearly and plainly marked in large letters: "This package contains intoxicating liquor."

SEC. 21. It shall be unlawful for any person to make a false statement to a physician, druggist, or pharmacist for the purpose of obtaining intoxicating liquor or alcohol, or to the county auditor for the purpose of obtaining a permit for the shipment of intoxicating liquor, or to any railroad, express, or transportation company or any person engaged in the business of transporting goods, wares, and merchandise for the purpose of obtaining the shipment, transportation, or delivery of any intoxicating liquor.

SEC. 22. It shall be unlawful for any person to have in his possession more than one-half gallon or 2 quarts of intoxicating liquor other than beer, or more than 12 quarts or 24 pints of beer: *Provided, however,* That this section shall not apply to registered pharmacists or to persons keeping alcohol to be used for mechanical or chemical purposes only.

SEC. 23. In any prosecution for the violation of any provisions of this act it shall be competent to prove that any person had in his possession more than 2 quarts of intoxicating liquor other than beer or more than 12 quarts of beer, and such possession and the proof thereof shall be prima facie evidence that said liquor was so held and kept for the purposes of unlawful sale or disposition.

SEC. 24. Provides that the provisions of act shall not apply to unbroken packages of intoxicating liquor.

SEC. 25. The provisions of this act shall not be construed to prohibit the manufacture of vinegar, sweet cider, or unfermented fruit juice for domestic consumption or for sale, nor to prohibit the manufacture and sale of denatured alcohol.

SEC. 26. If any provision or section of this act shall be held void or unconstitutional, all other provisions and all other sections of the act which are not expressly held to be void or unconstitutional shall continue in full force and effect.

SEC. 27. Every justice of the peace or superior judge shall recognize and act upon any sworn complaint of a violation of this act filed by any citizen of the State in the same manner and to the same extent as though the same were filed by a prosecuting officer.

SEC. 28. Within 10 days after the date when this act has become operative every person except registered druggists and pharmacists shall remove or cause to be removed all intoxicating liquor in his possession from the State, and failure so to do shall be prima facie evidence that such liquor is kept therein for the purpose of being sold, bartered, exchanged, given away, or otherwise disposed of in violation of the provisions of this act: *Provided, however,* That this section shall not apply to alcohol kept for chemical or manufacturing purposes, or to one-half gallon of intoxicating liquor other than beer, or 12 quarts or 24 pints of beer held by an individual: *And provided further,* That for said 10-day period of time it shall not be necessary to obtain any permit or permits for the shipment of any such intoxicating liquor lawfully held within the State at the date this act goes into effect to points outside of the State.

SEC. 29. It shall be unlawful for any person other than a common carrier to transport, carry, or bring into this State any intoxicating liquor in excess of one-half gallon of liquor other than beer, or 12 quarts or 24 pints of beer, within any 20-day period.

SEC. 30. Prescribes the duty of the attorney general.

SEC. 31. Provides for penalties in cases not specified.

SEC. 32. Provides penalty for second conviction and also all subsequent convictions.

SEC. 33. This act shall take effect and be in full force and effect from and after the 1st day of January, 1916.

(Laws 1915, chap. 165.)

SEC. 2. That section 2527 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

"Sec. 2527 (as amended). *Intoxication of employees.*—Every person who, being employed upon any railway as engineer, motorman, gripman, conductor, switch tender, fireman, bridge tender, flagman, or signalman, or having charge of stations, starting, regulating, or running trains upon a railway, or being employed as captain, engineer, or other officer of a vessel propelled by steam, or being the driver of any animal or vehicle upon any public highway, street, or other public place, shall be intoxicated while engaged in the discharge of any such duties shall be guilty of a gross misdemeanor."

West Virginia.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 7.)

An act to amend and reenact section 7 of chapter 13, acts of the legislature of 1913, relating to prohibiting the manufacture, sale and keeping for sale of intoxicating liquors and the enforcement of the amendment of section 46 of article 6 of the State constitution ratified on the 5th day of November, 1912, and to further amend said chapter 13 of the acts of the legislature of 1913 by enacting as additional thereto seven sections, to be numbered sections 27 to 33, inclusive, as parts thereof.

SEC. 7 (as amended). It shall be unlawful for any person to keep or have, for personal use or otherwise, or to use, or permit another to have, keep, or use, intoxicating liquors at any restaurant, store, office building, club, place where soft drinks are sold (except a drug store may have and sell alcohol and wine as provided by sections 4 and 24), fruit stand, news stand, room, or place where bowling alleys, billiard or pool tables are maintained, livery stable, boathouse, public building, park, road, street, or alley. It shall also be unlawful for any person to give or furnish to another intoxicating liquors, except as otherwise hereinafter provided in this section. Any one violating this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$100 nor more than \$500, and be imprisoned in the county jail not less than 2 nor more than 6 months: *Provided, however*, That nothing contained in this section shall prevent one, in his home, from having and there giving to another intoxicating liquors when such having or giving is in no way a shift, scheme, or devise to evade the provisions of this act; but the word "home" as used herein shall not be construed to be one's club, place of common resort, or room of a transient guest in a hotel or boarding house: *And provided further*, That no common carrier, for hire, nor other person, for hire or without hire, shall bring or carry into this State, or carry from one place to another within the State, intoxicating liquors for another, even when intended for personal use; except a common carrier may, for hire, carry pure grain alcohol and wine, and such preparations as may be sold by druggists for the special purposes and in the manner as set forth in sections 4 and 24: *And provided further, however*, That in case of search and seizure the finding of any liquors shall be prima facie evidence that the same are being kept and stored for unlawful purposes.

SEC. 28. It shall be unlawful for any person to give, under the proviso in section 7; or otherwise, intoxicating liquors to any minor, person of intemperate habits, or one who is addicted to the use of any narcotic drug. If any person shall violate the provisions of this section he shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$100 nor more than \$500 and imprisoned in the county jail not more than six months.

(Laws 1915, chap. 25.)

An act to amend and reenact section 19 of chapter 13, acts of 1913, relating to prohibiting the manufacture, sale, and keeping for sale of intoxicating liquors.

SEC. 19 (as amended). All express companies, railroad companies, and transportation companies within this State are hereby required to keep books in which shall be entered immediately upon receipt thereof the name of every person to whom liquors are shipped; the amount and kind received; the date when delivered, and by whom and to whom delivered; after which record shall be a blank space in which the consignee shall be required to sign his name in person to such record, which book shall be open to the inspection of any State, county, or municipal officer of this State at any time during business hours of the company; except that in the absence or sickness of a duly licensed druggist, having authority to sell pure grain alcohol and wine for the purposes prescribed by law, a registered pharmacist, in the employ of such

druggist, duly designated by such druggist, in writing personally signed by him, to the agent of the transportation company, may sign such druggist's name to the record of shipments of alcohol for medicinal, pharmaceutical, scientific, and mechanical purposes, or wine for sacramental purposes by religious bodies, such registered pharmacist being required to write immediately beneath such druggist's name his own name and his connection with such druggist. Such books shall constitute prima facie evidence of the facts therein stated and be admissible as evidence in any court in this State having jurisdiction, or in any manner empowered with the enforcement of the provisions of this act. Any employee or agent of any express, railroad company, or transportation company knowingly failing or refusing to comply with the provisions of this section shall be guilty of a misdemeanor and punished by a fine of not less than \$50 nor more than \$100, and may be imprisoned in the county jail not less than 30 days nor more than 6 months: *Provided, however,* That nothing herein contained shall permit or be construed as permitting or authorizing any common carrier or transportation company to bring or carry into this State, or carry from one place to another within this State, intoxicating liquors for another, even when intended for personal use, other than pure grain alcohol and wine and such preparations for druggists as may be sold by them for the special purposes and in the manner set forth in sections 4 and 24.

All acts or parts of acts inconsistent herewith are hereby repealed.

(Laws 1915, extraordinary session, chap. 7.)

An act to amend chapter 13, acts of the legislature of 1913, as amended by chapter 7, acts of the legislature of 1915, regular session, relating to prohibiting the manufacture, sale, and keeping of intoxicating liquors, and the enforcement of the amendment of section 46, article 6, of the State constitution, ratified on the 5th day of November, 1912, by enacting one additional section thereto, to be numbered section 34, and to be part of said act.

Sec. 34. It shall be unlawful for any person in this State to receive, directly or indirectly, intoxicating liquors from a common or other carrier. It shall also be unlawful for any person in this State to possess intoxicating liquors received directly or indirectly from a common or other carrier in this State. This section shall apply to such liquors intended for personal use, as well as otherwise, and to interstate as well as intrastate shipments or carriage. Any person violating this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$100 nor more than \$200, and in addition thereto may be imprisoned not more than three months: *Provided, however,* That druggists may receive and possess pure grain alcohol, wine, and such preparations as may be sold by druggists for the special purpose and in the manner as set forth in sections 4 and 24.

Wisconsin.

SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 228.)

An act to amend section 1557n of the statutes prohibiting persons to whom the sale of intoxicating liquors is forbidden from entering saloons and providing a penalty.

(Laws 1915, chap. 317.)

An act to amend sections 1636-54 of the statutes relating to penalties for the operation of automobiles and other similar motor vehicles by intoxicated persons.

SECTION 1. Sections 1636-54 of the statutes are amended to read: "* * * Any person who shall operate, ride, or drive any automol ile, motor cycle, or other similar motor vehicle upon or along any public highway of this State while intoxicated shall

be punished by a fine of not more than \$100 or by imprisonment in the county jail for not less than five days nor more than three months, or by both such fine and imprisonment."

Wyoming.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 106.)

SEC. 2907 (as amended). Except as hereinafter provided, it shall be unlawful for any person, whether acting for himself or as agent, to possess or sell or otherwise dispose of cocaine, eucaine, beta eucaine, alpha eucaine, morphine, heroin, chloral, chloral hydrate, Indian hemp, opium, or any salt, compound, or derivative thereof, except upon the prescription of a licensed practicing physician registered in this State. No person filling the prescription shall refill the same nor give any copy thereof to the party presenting such prescription. The said prescription shall be kept on file and open to inspection by the State board of pharmacy commission, city or county authorities, or of the State board of medical examiners, at any time: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to retail druggists, nor to sales at retail by druggists to regular licensed practicing physicians registered in this State, or to dentists or veterinary surgeons registered in this State, nor to sales to State, county, or private hospitals: *And provided further*, That the above provisions shall not apply to such preparations as are recognized by the United States Pharmacopœia or National Formulary or pharmaceutical preparations to be used in the filling of prescriptions written by a regular practicing physician in this State. Any person found guilty of any violation of the provisions of this section shall be deemed guilty of a felony and shall be fined not less than \$500 nor more than \$1,000, or imprisoned in the State penitentiary for a term of not less than one year nor more than three years, or be punished by both such fine and imprisonment in the discretion of the court.

SEC. 2909 (as amended). No practitioner of medicine, druggist, or veterinary medicine shall furnish to or prescribe for the use of any habitual user of the same any cocaine, eucaine, beta eucaine, alpha eucaine, morphine, chloral, chloral hydrates, Indian hemp, opium, or any salt or compound of any of the foregoing substances or preparation containing any of the foregoing substances, to any person not under his treatment in the regular practice of his profession, and no practitioner of veterinary medicine shall administer any of the foregoing substances to any human being: *Provided, however*, That the provisions of this section shall not be so construed as to prevent any lawfully authorized practitioner of medicine from prescribing or administering, in good faith, cocaine not exceeding 2 grains to any one person within the period of 24 consecutive hours; morphine not exceeding 2 grains within the period of 24 consecutive hours; codeine, Indian hemp, eucaine, alpha eucaine, beta eucaine, opium, or any of its derivatives, not to exceed 4 grains within any consecutive period of 24 hours; chloral not to exceed 240 grains within any consecutive period of 24 hours: *Provided*, That the provisions of this act shall not be so construed as to prevent the use of the foregoing substances in hospitals in any quantity deemed necessary by the attending physicians when such administration is not for the purpose of evading the provisions of this act. When any physician shall administer or prescribe in excess of the dosage of drugs mentioned in this section within any 24 hours, he shall within five days make a report of such action to the secretary of the State board of health stating fully name of patient and conditions under which drugs were administered or prescribed. It shall be the duty of the State pharmacy commission to enforce these sections. Any person found guilty of any violation of the provisions of this section shall be deemed guilty of a felony and shall be fined not less than \$500 nor more than \$1,000, or imprisoned in the State penitentiary for a term of not less than one year nor more than three years, or be punished by both such fine and imprisonment in the discretion of the court.

DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, chap. 71.)

SEC. 9 (as amended). That the term "misbranded," as used herein, shall apply to all drugs or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device, regarding such article or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

That for the purpose of this act an article shall also be deemed to be misbranded—
In case of drugs:

First. If it be an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in said package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein. * * *

POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, chap. 79.)

An act to provide for the condemnation and confiscation of misbranded or adulterated foods.

SEC. 241 (as amended). Any article of food, drink, medicine, drug, or liquor that is adulterated or misbranded within the meaning of the act prohibiting the manufacture and sale of adulterated, misbranded, poisonous, or deleterious foods, drugs, medicines, and liquors, approved March 2, 1911, or any amendment thereof, that is made, labeled, or branded contrary to the provisions of the said act, or that does not conform to the definition or analytical requirements provided in the said act, and is being sold or offered for sale or exposed for sale within the State of Wyoming shall be liable to be proceeded against before any justice of the peace within whose jurisdiction the same may be found and seized for condemnation and confiscation, and authority and jurisdiction are hereby vested in the several justices of the peace to issue the warrant and to hear and determine the proceedings herein provided for. Such proceedings shall be by complaint, verified by affidavit, and in the name of the State of Wyoming against the article or articles proceeded against, particularly describing the same, the place where they are located, the name of the person, firm, or corporation in whose possession they are found, and wherein they violate the provisions of this act. Thereupon said justice of the peace shall issue a warrant, returnable not less than 3 or more than 10 days after its date, directed to the sheriff or any constable of the county, commanding such officer to seize and take into his possession the article or articles described in the complaint and bring the same before the justice of the peace who issued the warrant, and to summon the person, firm, or corporation named in the warrant and any other person who may be found in possession of the said articles to appear at the time and place therein specified, which warrant shall be executed and served in the same manner as a writ of replevin in civil cases before such justice of the peace.

The hearing upon such complaint shall be at the time and place specified in the warrant, which time shall not be less than 5 days nor more than 15 days from the return day. Upon the hearing the complaint may be amended, and any person, firm, or corporation that appears and claims the said article or articles shall be required to file its claim in writing, and either party may demand a trial by jury and appeal may

be taken as in other civil cases. If upon such hearing such article is condemned as being adulterated or misbranded or of a poisonous or deleterious character within the meaning of the said act, or as made, labeled, or branded contrary to the provisions of the said act, or as not conforming to the definition or analytical requirements provided in the said act, the same shall, unless an appeal be taken, be confiscated and disposed of by destruction or sale, as the justice of the peace may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the treasury of the State of Wyoming, but such article shall in no instance be sold contrary to the provisions of the said act: *Provided, however,* That upon the payment of the cost of such proceedings and the execution and delivery of a good and sufficient bond to the State dairy, food, and oil commissioner for the use of the State of Wyoming to the effect that such articles shall not be sold or otherwise disposed of contrary to the provisions of the said act the justice of the peace may by order direct that such articles be delivered to the owner thereof. Whenever the State dairy, food, and oil commissioner or his deputy shall have ground for suspicion that any article of food found in possession of any person, firm, or corporation is adulterated or misbranded within the meaning of the said act, he may, without a warrant, seize such article of food and make an inventory thereof and shall leave a copy of such inventory with the party holding such suspected goods and tag the same "suspected," and he shall notify in writing the person, firm, or corporation in whose possession it may be found not to offer the same for sale or sell or otherwise dispose of the same until further notice in writing from the commissioner.