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FALSE CLAIMS REGARDING PATENT MEDICINES.

THE UNITED STATES SUPREME COURT DECIDES THAT THE SHERLEY AMENDMENT TO THE FEDERAL PURE FOOD AND DRUGS LAW IS VALID.

In December, 1912, several cases of "Eckman's Alterative" were seized by officers of the United States on the ground that they were misbranded and subject to condemnation under the Sherley amendment to the Federal pure food and drugs act, which provides that drugs shall be deemed to be misbranded if the package or label shall bear or contain any statement regarding the curative or therapeutic effect of the drug which is false and fraudulent.

In every package containing one of the bottles was a circular containing this statement: "Effective as a preventative for pneumonia." "We know it has cured and that it has and will cure tuberculosis." It was alleged by the Government that this statement was false, fraudulent, and misleading. The Supreme Court of the United States decided January 10, 1916, that Congress has power to "condemn the interstate transportation of swindling preparations designed to cheat credulous sufferers;" that false and fraudulent statements regarding the curative properties of patent medicines or other drugs shipped in interstate commerce rendered such drugs liable to condemnation under the law; and that "persons who make or deal in substances or compositions alleged to be curative are in a position to have superior knowledge and may be held to good faith in their statements."

The opinion is published in this issue of the Public Health Reports, page 137.

THE HARRISON ANTINARCOTIC LAW CONSTRUED.

SEVERAL UNITED STATES COURTS DECIDE THAT POSSESSION OF HABIT-FORMING DRUGS BY PERSONS NOT REQUIRED TO REGISTER IS NOT A VIOLATION OF THE LAW.

The Federal law known as the Harrison antinarcotic law went into effect March 1, 1915. Within a very short time a number of prosecutions under the law were instituted.¹

Section 8 has been considered by several United States district courts, and at least three of these courts have decided that the pro-

¹ Public Health Reports Dec. 10, 1915, p. 3631; Dec. 17, 1915, p. 3715; Dec. 31, 1915, p. 3777.

hibition against having possession or control of the drugs named in the act by persons not registered applies only to persons who import, manufacture, give away, or deal in the drugs.

The prosecutions which have been brought under section 8 of the law show its importance if given a broad construction and general application, but grave constitutional questions are involved.

Two of the decisions referred to are printed in this issue of the Public Health Reports, pages 141 and 143.

PYORRHEA ALVEOLARIS.

PRELIMINARY REPORT ON TREATMENT WITH IPECAC AND EMETIN HYDROCHLORIDE.¹

By JOHN S. RUOFF, Assistant Surgeon, United States Public Health Service, Fort Stanton Sanatorium for Tuberculosis.

The investigation of the curative effects of ipecac and emetin in pyorrhea alveolaris was instituted by direction of the Surgeon General, United States Public Health Service, the conditions at this station (Fort Stanton) being especially suitable for the work. The patients are under the immediate surveillance of the officer in charge and are at all times accessible for the administration of treatment. Every encouragement was offered for a thorough trial. The cooperation of the patient was further enlisted by pointing out the possible effects of pyorrhea alveolaris on tuberculosis and the good that might result from the cure of existing pyorrhea. The work has been under way for nine months. It is still being pursued.

Class of Cases.

In setting forth the results obtained in the treatment of pyorrhea alveolaris at the Fort Stanton Sanatorium, a few words as to the class and character of patients treated will not be out of place.

The patients at this sanatorium consist of the beneficiaries of the United States Public Health Service, made up in this instance chiefly of seamen and officers of merchant vessels. A large percentage of these men have never taken proper care of their teeth; thus out of 78 cases treated 51 had always neglected their teeth. The care bestowed by the remainder is doubtful. Pyorrhea, as stated by the leading workers with the disease to-day, is practically universal and one would naturally expect to find a large percentage of far-advanced cases among this class of men. Of the 78 treated, 34 (43.6 per cent) were far-advanced cases of pyorrhea. All of these patients have tuberculosis in some stage, but mostly far advanced.

¹ Submitted for publication Nov. 29, 1915.

Untoward Effects.

Knowing that the tuberculous patient is subject to disturbances of the alimentary tract, and knowing too that emetin tends to cause nausea, vomiting, and diarrhea, it will be correctly surmised that the investigators have had more than their share of these symptoms to contend with. Also, they have had to content themselves with the minimum number of injections in each case for fear of upsetting the stomach and causing the patient to become dissatisfied and discontinue the treatment altogether. In a large number of cases they have had to use emetin hypodermatically until the endameba were no longer demonstrable, and then to depend upon the local use of a mouth wash of fluid extract of ipecac in an effort to maintain the condition.

Knowing the tendency of the tuberculous subject to become hypochondriacal, neurasthenic, nervous, his tendency to complain of the least discomfort, and knowing, too, the discomfort and pain, at times extreme, caused by the local reaction of emetin given hypodermatically, one will surmise, and correctly, that the investigators have had to contend with many complaints of painful arms and have had to discontinue the hypodermatic treatment for that reason in many of their cases. It may also be added here that the number of cases treated would have been much larger had it not been for the local discomfort and other deleterious effects caused by emetin, these effects causing the treatment to be contraindicated in some and refused by a large number of subjects in whom it was indicated.

Prevalence and Character of Infection.

Recent writers state that about 98 per cent of all persons will show the endameba-buccalis. Of 190 examined here, 187 showed the endameba. Our cases were chosen at random among the patients. Practically all of them seemed to have a pyorrhoeal tendency, although of the 78 treated, 14 had no clinical symptoms of pyorrhoea, while the remainder, 64, had one or more of the clinical symptoms: viz, pockets, pus, loose teeth, receding gums, and bleeding gums. Of these, the last named symptom was the most frequently found, occurring in 51 of the 64 cases. It may be stated that this symptom of bleeding gums was the one most frequently affected by the emetin and ipecac, and always the first to disappear.

Details of Treatment.

The investigators followed in a general way the plan of treatment set forth by Bass and Johns in their book *Pyorrhoea Alveolo-Dentalis*. Each patient was given an initial examination, his history being taken at the same time to determine as nearly as possible the date

of onset, amount of care taken of the teeth, the use of tobacco, the condition of the digestive apparatus, and the presence or absence of bleeding gums. He was then sent to the dentist and a careful examination of the mouth made to determine the condition of the teeth and gums. The teeth were then scaled, old roots and hopeless teeth were extracted, and the mouth was put in as good condition as possible, some of the actual operative work being done by the writer. No other operative procedures were attempted, and no routine treatment of the teeth and gums was carried out other than by the brush in the hands of the patient. He was next sent to the laboratory where a microscopical examination was made for endameba.

For the convenience of study, and ease in tabulating and comparing results, the cases were divided into classes, as shown below.

At the time of scaling by the dentist each patient was given a supply of fluid extract of ipecac to use locally. The first two classes to be treated were directed to use two or three drops on the brush. The investigators also used a tooth powder modified by mixing with the stock 5 grams of powdered ipecac to 95 grams of the powder, but this was later discontinued and all were directed to use 10 drops of fluid extract of ipecac in one-fourth to one-half glass of water as a mouth wash after cleaning the teeth morning and night

CLASS 1.

This consisted of 20 men, of whom 2 (squad A) had apparently healthy mouths; 7 (squad B) had receding or bleeding gums or both; while 11 had gross lesions of pyorrhea. All received three $\frac{1}{2}$ -grain (0.03 gram) doses of emetin on consecutive days and were examined for endamebæ on the fourth day, and all found positive. This treatment was repeated on the three following days, and upon reexamination 11 were found negative, 7 were still positive, and 2 were discontinued on account of nausea, vomiting, and loss of appetite. These 7 were then given three $\frac{3}{4}$ -grain (0.045 gram) doses of emetin on consecutive days, and upon reexamination 6 were negative and 1 still showed endamebæ. This one case was given three more $\frac{3}{4}$ -grain (0.045 gram) doses of emetin on the next three days and was finally negative after the twelfth dose, having received six doses of one-half grain (0.03 gram) each and six doses of three-fourths grain (0.045 gram) each, covering a period of 12 days.

Subsequent history of class 1.—All continued to use the fluid extract of ipecac locally, but in spite of this every member of class 1 showed the endamebæ upon reexamination four weeks later. The physical condition of the gums and teeth in squad A was unchanged; 4 of squad B remained the same, 2 were moderately improved, and the

results were doubtful in 1; of squad C, 8 remained the same, 1 was slightly improved, and 2 were greatly improved.

At the time of writing, three and one-half months later, the condition of these mouths has not changed.

CLASS 2.

This consisted of 12 men, of whom 4 (squad A) had healthy mouths; 8 (squad B) had receding or bleeding gums, or both; there were no far advanced cases of pyorrhea in this class. All received three $\frac{1}{2}$ -grain (0.03 gram) doses of emetin on consecutive days and were examined on the fourth day. Of the 12 men, 6 were negative after three doses of one-half grain (0.03 gram) each; 1 discontinued treatment on account of rise of temperature; the remaining 5 received three more $\frac{1}{2}$ -grain (0.03 gram) doses on the next three days; and all were found negative after the sixth dose.

Subsequent history of class 2.—All continued the use of fluid extract of ipecac locally, but all showed the endamebæ three weeks later. The physical condition of the gums and teeth in squad A and 5 of squad B remained the same, while 3 of the latter were slightly improved.

At the time of writing, three months later, the physical condition of these mouths is unchanged.

CLASS 3.

This class consisted of 13 men, of whom 1 had a healthy mouth, 8 (squad B) had receding or bleeding gums or both, and 4 had gross lesions of pyorrhea. None were negative after three doses of one-half grain (0.03 gram) each, but 6 were negative after six doses of one-half grain (0.03 gram) each; the remaining 6 were still positive, but were discontinued on account of various disagreeable symptoms.

Subsequent history of class 3.—All continued the local use of fluid extract of ipecac, but 11 of the 12 men showed the endamebæ two weeks later. The physical condition of the gums and teeth in the 1 healthy mouth remained unchanged, 4 of squad B were slightly improved, and 3 were moderately improved. In squad C, 2 were slightly improved, while 2 remained the same.

At the time of writing, nearly three months later, the physical condition of these mouths is unchanged.

CLASS 4.

This class consisted of 5 men, all with unusually good teeth, but with incipient pyorrhea. No emetin was given hypodermatically. These men were all given a mouth wash of diluted hydrogen peroxide and fluid extract of ipecac. After brushing the teeth the mouth was

rinsed with hydrogen peroxide, then with fluid extract of ipecac, 10 drops in one-fourth glass of water. This was kept up twice daily for two months, at the end of which time they all still showed the endameba and no improvement in the physical appearance of the gums and teeth.

Our experience is thus at variance with the results recorded by Bass and Johns in work with a similar class of cases.

CLASS 5.

This consisted of 12 men, of whom 1 (squad A) had a healthy mouth, 6 (squad B) had either receding or bleeding gums or both, and 5 showed gross pyorrhoeal lesions. Four were negative after three doses of one-half grain (0.03 gram) each, 1 discontinued treatment on account of rise of temperature. Seven men received six doses of one-half grain (0.03 gram) each, but only 2 were rendered negative; the remaining 5 discontinued treatment on account of various disagreeable symptoms.

Subsequent history of class 5.—Eleven of the 12 men showed the endameba four weeks later in spite of using fluid extract of ipecac as a mouth wash. The physical condition of the gums and teeth in the one healthy mouth remained the same, 2 of squad B remained unchanged, and 4 were slightly improved. In squad C, 1 was slightly improved and 4 were moderately improved.

At the time of writing, two and one-half months later, the condition of all these mouths is the same.

CLASS 6.

This class consisted of 16 men, of whom 1 (squad A) had a healthy mouth, 5 (squad B) had receding or bleeding gums or both, and 10 (squad C) had gross lesions of pyorrhoea. All received six $\frac{1}{2}$ -grain (0.03 gram) doses of emetin on consecutive days before being reexamined. Twelve were negative after the sixth dose, 1 discontinued treatment on account of local reaction, 3 were still positive but were discontinued on account of the exhaustion of our supply of emetin.

Special technique in observations on local reaction.—This class was subdivided into four smaller groups of four men each. Group A received hypodermatic injections of emetin dissolved in 2 c.c. of water injected into the arm. Group B received emetin dissolved in 4 c.c. of water injected into the arm. Group C received emetin dissolved in 2 c.c. of water injected into the buttocks. Group D received emetin dissolved in 2 c.c. of normal saline solution injected into the arm. No marked difference in the amount of local reaction was noticed.

Subsequent history of class 6.—Of the 12 men that were negative after the sixth dose of emetin, 10 were reexamined four months later and all found positive, although all used fluid extract of ipecac as a mouth wash twice daily. The physical condition of the gums and teeth in the 1 healthy mouth and in 2 of squad B and in 4 of squad C remained the same. Two of squad B and 5 of squad C were slightly improved. The results were doubtful in 1 man in squad B, while 1 of squad C became worse.

At the time of writing, two months later, the physical condition of the gums and teeth remains unchanged.

Status of Pyorrhœa Treatment in the Literature.

Ernest Sturridge, D. D. S., London,¹ prefers the treatment of pyorrhœa by ionization with zinc ions, and says "after treatment by ionization alone with zinc chloride," he found in every instance that amebæ were not present upon reexamination. He recommends in addition careful cleansing and instrumentation and the application of a weak solution of iodine in bad cases, as advocated by Dr. Barrett.

Barton Lisle Wright and Paul Gardiner White, United States Navy,² give deep muscular injections of mercuric succinamid and claim good results.

F. E. Stewart, M. D., Phar. D., Philadelphia,³ recommends thorough removal of all tartar and dead and infected pulps, the filling of root canals, the use of fluid extract of ipecac or emetin as a local application to the gums and teeth in tooth washes, the employment of emetin to destroy endamebæ, and the injection of bacterin, either a stock bacterin or an autogenous vaccine.

Arthur H. Merritt, D. D. S., New York,⁴ places no confidence in either emetin or vaccines when he says that "no drug or vaccine ever will of itself cure the disease." He believes pyorrhœa to be a preventable disease, and a curable disease if not too long neglected. His treatment consists in a "careful curettage of each pyorrhœal pocket, the removal of calcareous deposits and necrotic tissue, the correction of occlusion on weakened teeth, the stimulation and massage of the gums, and the maintenance of a high standard of mouth hygiene."

T. Sidney Smith, Palo Alto, Cal.,⁵ has confidence in proper surgical treatment of pyorrhœa, and says "Periodontal diseases are not cured until the pyorrhœal pockets have been entirely obliterated," and "that such healing does not depend on either the absence or presence of endamebas, but entirely on the character of the tissues and the thoroughness of the surgery."

¹ Ernest Sturridge, D. D. S., *Dental Cosmos*, July, 1915.

² Barton Lisle Wright, M. D., and Paul Gardiner White, M. D., *Dental Cosmos*, July, 1915.

³ F. E. Stewart, M. D., Phar. D., *New York Medical Journal*, Aug. 7, 1915.

⁴ Arthur H. Merritt, D. D. S., *New York Medical Journal*, Aug. 7, 1915.

⁵ T. Sidney Smith, D. D. S., *Journal A. M. A.*, May 8, 1915.

Summary of Results.

Of 190 cases examined 187 showed endameba. Of the 187, 78 have been treated for pyorrhœa. Of the 78 treated, none lost their endamebæ permanently. The condition of the gums and teeth was greatly improved in 3 cases, moderately improved in 9 cases, slightly improved in 22 cases, while 41 cases remained the same; the results were doubtful in 2 cases and 1 case became worse. Practically all that were found negative for endamebæ at the conclusion of the injections were found positive for endamebæ from two weeks to four months later, in spite of using a solution of ipecac as a mouth wash.

Conclusion.

Emetin is an amebicide, but alone will not cure pyorrhœa alveolaris.

Outline of Future Work.

Less confidence will hereafter be placed in the properties of emetin or other preparations of ipecac, although it is not denied that the drug possesses amebicidal properties. It appears necessary to revert to a degree at least to those painstaking and tedious operative procedures, the efficacy of which has long been known to dental surgeons. Just how much assistance is to be expected from the ipecac preparations used in conjunction with operative measures is a question upon which further studies may be expected to throw some light.

Acknowledgments.

Surg. F. C. Smith, in charge of the station, has made valuable suggestions in the preparation of this article. Acting Asst. Surg. H. P. Reid has done most of the microscopical work, and the station dentist, Dr. C. R. Irby, has performed most of the necessary operative work.

NARCOTIC DRUGS.

RECENT LEGISLATION DESIGNED TO RESTRICT THEIR USE.¹

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

While the practicability of effectually controlling the use of narcotic drugs by statute law may reasonably be questioned, it is generally agreed that recent legislation is designed to and will, if properly enforced, effectually place the blame for the continuance of the narcotic-drug abuse where it rightfully belongs. It would also appear possible that, having learned the origin and cause of the

¹ Read at the meeting of the American Society for the Study of Alcohol and Other Narcotics, Washington, D. C., Dec. 16, 1915.

disease, regulative or curative measures could later be more effectually applied.

The practical application of effectual measures to restrict the traffic in narcotic drugs must of necessity depend on the awakening of the people generally to the social and economic importance of preventing the spread of practices that entail physical, mental, and moral degeneration.

Up to the present time the followers of the drug trade at large and the members of the medical profession generally have been indiscriminately accused of fostering and developing the all-too-widespread abuse of habit-forming drugs. That this accusation was wholly unwarranted has been shown by the whole-hearted way in which all branches of the drug trade and all classes of medical practitioners have endeavored to live up to the requirements, at times irksome and annoying, imposed by the regulations issued in compliance with the provisions of the Federal antinarcotic law.

There is also much evidence to indicate that the estimates that have been published from time to time as to the number of drug addicts in the United States are not in keeping with the amount of material available for the use of such addicts.

For a number of years the aggregate amount of coca and opium and their salts and derivatives imported into the United States has undergone but little change. While the nature of the product that was being imported has varied, the sum total of the pharmacopœal doses of the several drugs has been remarkably uniform.

The appended table, based on the quantities of the several drugs entered for consumption in the United States during the years 1912 to 1915, will serve to indicate the limitation of the possible number of confirmed drug habitués in the United States at the present time.

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

Year.	Coca and cocaine.	Opium and alkaloids.
1912.....	311,000,000	2,308,700,000
1913.....	324,000,000	2,518,800,000
1914.....	194,960,000	2,409,800,000
1915.....	260,900,000	1,986,960,000

The average daily consumption of 2,370 drug addicts in the State of Tennessee has been reported as 8½ grains of morphine, equal to approximately 1,000 average doses each month or 12,000 doses a year.

The average consumption of cocaine is less well established, though we know that it is not unusual for addicts to take the equivalent of from 50 to 100 average doses daily.

On the above basis it would appear that, granting that all of the imported material were used for illegitimate purposes, there could be less than 175,000 opium addicts and fewer than 80,000 cocaine habituéés in the United States at the present time.

While it is true that the total amount of opium and of coca consumed annually in this country is out of all proportion to the possible need for medicinal purposes, we have as yet not succeeded in definitely locating the lower limit of the harmful influences of these drugs, nor have we been able to show who is primarily responsible for their abuse, or how this abuse can be most effectually avoided.

Among the many problems of a public-health nature associated with the use and abuse of narcotic drugs no one question is more in need of a satisfactory solution than that of the need for adequate knowledge regarding the nature and extent of the degenerative changes that may be brought about by the long-continued use of comparatively small doses of narcotic drugs. That the human organism can become habituated to and require the continued use of small quantities of such drugs is admitted. That even small doses of active drugs may influence normal metabolism and, in time at least, bring about extensive degenerative changes would appear probable, but much additional work will be required before we can definitely outline the probable nature of the changes that are involved.

Antinarcotic laws as we understand them at the present time had their origin in the antiopium smoking law of Ohio enacted in 1885. Since that time practically every State in the Union has placed on its statute books a more or less comprehensive law designed to regulate the sale and use of narcotic drugs within the State. Practically all of these laws proved to be ineffective, largely because of the fact that being limited in scope and application to persons within the State no efficient means could be found to regulate the importation and distribution of the several drugs from without the State. This shortcoming was finally corrected by the enactment of the Federal antinarcotic law of December 17, 1914, which became effective March 1, 1915. This law promises to provide an effectual regulation of the interstate traffic in opium and coca, their alkaloids and derivatives.

The direct object of the Federal law is to provide a system of records and the statute restricts the traffic in the several drugs to persons engaged in the conduct of a lawful business or in the legitimate practice of one of the professions enumerated in the act. Each sale or distribution of any of the drugs involves the production of certain records and all of the records are open to inspection by officials intrusted with the enforcement of laws, Federal, State, or local, designed to restrict the sale and use of the proscribed drugs.

The active enforcement of the Federal law has already had a wholesome effect in the way of reducing the sale of narcotic drugs. Some of the larger wholesale dealers in drugs are quoted as saying that their sales of drugs of this kind have been reduced from 70 to 80 per cent and retail dealers generally are agreed that the sales of narcotic drugs and preparations at retail have been materially reduced.

Some few dealers have reported an increased volume of business and the report of the Department of Commerce on the quantities of the several drugs entered for consumption in the United States during the fiscal year ended June 30, 1915, would appear to indicate that the actual amount of material imported has not varied materially. This is further emphasized by the appended table giving the quantities of the several drugs entered for consumption during the quarters ended September 30 and December 31, 1914, and March 31 and June 30, 1915:

Narcotic drugs—The quantities of the several drugs entered for consumption in the United States during the quarters ended Sept. 30 and Dec. 31, 1914, and Mar. 31 and June 30, 1915.

	July 1 to Sept. 30, 1914.	Oct. 1 to Dec. 31, 1914.	Jan. 1 to Mar. 31, 1915.	Apr. 1 to June 30, 1915.
Coca leaves.....pounds..	305,220	305,451	111,501	323,140
Cocaine.....ounces..		5	10	104
Opium.....pounds..	63,755	82,844	84,061	122,346
Powdered.....do.....	4,966	22,616	7,087	4,308
Morphine.....ounces..	580		803	
Other alkaloids.....do.....	1,028	4,078	2,316	1,204

This table seems to show that the proportionate amount of the several drugs imported during the last quarter of the fiscal year, or during the period of time in which the Federal antinarcotic law was already in effect, was decidedly greater than the total amount for the year. This disproportion can be explained by the fact that the conditions in the drug market at the present time are unusual and that many lots of the drugs ostensibly imported for consumption were in reality designed for reexportation to countries formerly supplied by Germany. Altogether, it may be asserted that it will be at least several years before we can secure adequate and satisfactory information in regard to the actual effect of the Federal law on the consumption of drugs.

This is further emphasized by the fact that by far the greater amount of drugs legitimately used is distributed by illicit dealers in the drugs and that it will require a long period of time before the varied leaks from the legitimate drug trade to the illicit dealer can be located and effectually closed.

During the past year considerable effort has been made to bring State laws into more complete harmony with the Federal law, and no

less than 19 States have enacted more or less comprehensive amendments of their antinarcotic law. While it is true that several of these laws involve unnecessary and perhaps conflicting requirements, the general trend of legislation evidently is to elaborate on the requirement of the Federal law so as to make local laws more effective and definitely to place the responsibility for the continued abuse of narcotic drugs where it rightfully belongs.

A review of recent legislation also suggests the thought that legislators are finally awakening to some degree of appreciation of the fact that the treatment of drug addicts is a psychologic and medical and not a criminal or penologic problem and that adequate provision for the treatment of inebriates must be made to safeguard the drug addict and to reclaim him if possible to a life of usefulness. A recognition of this fact is evidenced by the laws recently enacted in New York, Pennsylvania, Colorado, Connecticut, Hawaii, and the Philippine Islands. A due appreciation of the difficulties involved in the satisfactory treatment and control of drug addicts is also evidenced by legislation requiring the prompt reporting of drug addicts by the general practitioner and the keeping of records of treatment as required by the laws of Colorado and Illinois.

The preventing of the misuse of drugs and of the development of drug addicts involves sociologic and economic problems to meet which the existing State laws should be so amended as to elaborate on the requirements of the Federal antinarcotic law as to the number and kind of drugs proscribed, in order to prevent if possible the abuse of any narcotic drug, even in comparatively small quantities.

Unfortunately all of the State laws enacted up to the present time include exception clauses similar in effect to the intent of section 6 of the Federal antinarcotic law. These exception clauses have very properly been objected to as being subject to possible abuse in that they tend to vitiate the intent as well as the requirements of the law itself.

From a practical point of view it would appear desirable that the responsibility for the use and abuse of narcotic drugs should rest squarely with the members of the medical profession. Dealers in drugs should not be allowed any degree of discretion as to the disposition of dangerous drugs, even in limited quantities, and all stimulating drugs of a narcotic character should be included in the provisions of a law designed, in any way, to restrict the abuse of habit-forming drugs.

To some extent the State laws are even at the present time more comprehensive than the Federal law. The laws of 20 States restrict the sale and use of chloral and its derivatives. Six States restrict the use of cannabis and its preparations, and in 30 States two or more of the synthetic substitutes for cocaine are specifically men-

tioned in the law. In some respects, however, State laws have been found to conflict more or less seriously with the Federal law, and considerable study will be required to avoid difficulties in the simultaneous enforcement of State and Federal legislation.

Many of the difficulties that have been encountered in the enforcement of conflicting legislation are due to the fact that the requirements of State laws do not always coincide with the provisions of the Federal law, and that persons amenable under the act are at times uncertain as to which of the several laws takes precedence.

Some, at least, have overlooked the fact that, so far as the requirements of the Federal law may be concerned, they take precedence over State laws and must be complied with, as a minimum, by all who are licensed to manufacture, sell, or distribute any of the proscribed drugs. On the other hand, in the comparatively few instances in which the State law is more comprehensive than the Federal law, these more comprehensive requirements are not set aside by the Federal law, but serve to emphasize the need for additional restrictions and requirements adequately to safeguard the distribution, sale, or manufacture of any of the narcotic or otherwise dangerous drugs.

Among the additional requirements that might well be included in a State antinarcotic law are:

A further restriction of the quantity, as well as the kind, of drugs that may be sold without providing a satisfactory record.

A satisfactory definition of the rights and privileges of practitioners of pharmacy, medicine, dentistry, and veterinary medicine.

A provision for the revocation of licenses to practice pharmacy, medicine, dentistry, or veterinary medicine that may be held by habitual users of habit-forming drugs.

A provision for the revocation of the license to practice any of the above professions after conviction under the Federal or State laws designed to restrict the sale or use of narcotic drugs.

An adequate appropriation to secure the effectual enforcement of the several requirements embodied in the State law by an established department, board, or commission. The penalties imposed should be in accord with those imposed under the Federal antinarcotic law, and for the second offense, at least, should include the possibility of imprisonment, in the discretion of the court.

In conclusion, it can not be too strongly emphasized that laws designed to restrict the abuse of narcotic drugs are, primarily, public-health measures, and that the economic problems that may be involved should be considered as being of but secondary importance.

PLAGUE-PREVENTION WORK.

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 DECEMBER 25, 1915.

Total rats and mongoose taken.....	315	Average number of traps set daily.....	984
Rats trapped.....	294	Cost per rat destroyed.....	23½ cents.
Mongoose trapped.....	5	Last case rat plague, Aiea, 9 miles from Honolulu, Apr. 12, 1910.	
Rats shot from trees.....	16	Last case human plague, Honolulu, July 12, 1910.	
Examined microscopically.....	270	Last case rat plague, Homakua Mill, Paauilo, Hawaii, Dec. 15, 1915.	
Showing plague infection.....	None.	Last case human plague, Paauhau Plantation, Hawaii, Dec. 16, 1915.	
Classification of rats trapped:			
Mus alexandrinus.....	87		
Mus musculus.....	138		
Mus norvegicus.....	46		
Mus rattus.....	23		
Classification of rats shot from trees:			
Mus alexandrinus.....	11		
Mus rattus.....	5		

Hilo.

WEEK ENDED DECEMBER 18, 1915.

Rats and mongoose taken.....	3,052	Classification of rats trapped and found dead:	
Rats trapped.....	3,005	Mus norvegicus.....	490
Rats found dead.....	2	Mus alexandrinus.....	480
Mongoose taken.....	45	Mus rattus.....	897
Rats and mongoose examined macroscopically.....	3,052	Mus musculus.....	1,140
Rats and mongoose examined microscopically.....	3	Last case of rat plague, Paauilo, Hamakua Mill Co., Dec. 15, 1915.	
Rats and mongoose examined bacteriologically.....	3	Last case of human plague, Kalopa, Paauhau, Dec. 16, 1915.	
Rats and mongoose plague infected.....	2		

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.

State Reports for December, 1915.

Place.	New cases reported.	Place.	New cases reported.
District of Columbia.....	1	Massachusetts:	
Maryland:		Essex County—	
Baltimore city.....	2	Lynn.....	1
Allegany County—		Norfolk County—	
Mount Savage R. F. D.....	1	Avon Township.....	1
Allegany Hospital.....	1	Suffolk County—	
Baltimore County—		Boston.....	4
Warren.....	1	Chelsea.....	1
Calvert County—		Revere.....	2
Broomes Island.....	1	Total.....	9
Dorchester County—			
Vienna.....	1		
East New Market.....	1		
Cambridge.....	1		
Total.....	9		

City Reports for Week Ended Jan. 1, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Baltimore, Md.....	1		Lexington, Ky.....	1	1
Butte, Mont.....	1		Lynn, Mass.....	1	1
Chicago, Ill.....	3	1	New York, N. Y.....	1	1
Cleveland, Ohio.....		1	Philadelphia, Pa.....	2	2
Dubuque, Iowa.....	2	2	St. Louis, Mo.....	3	1
Elizabeth, N. J.....	40	3	Springfield, Ill.....	24	1
Indianapolis, Ind.....	1		Washington, D. C.....	1	1

DIPHTHERIA.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 129.

ERYSIPELAS.

City Reports for Week Ended Jan. 1, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Ann Arbor, Mich.....	1	.....	Milwaukee, Wis.....	2	.....
Binghamton, N. Y.....	1	.....	Nanticoke, Pa.....	1	.....
Boston, Mass.....	.....	4	New York, N. Y.....	.....	7
Buffalo, N. Y.....	5	1	Passaic, N. J.....	1	1
Butler, Pa.....	1	.....	Philadelphia, Pa.....	14	1
Chicago, Ill.....	27	3	Pittsburgh, Pa.....	16	.....
Cincinnati, Ohio.....	3	.....	Portland, Oreg.....	1	.....
Cleveland, Ohio.....	6	.....	St. Louis, Mo.....	6	1
Detroit, Mich.....	5	.....	St. Paul, Minn.....	2	.....
Harrisburg, Pa.....	1	.....	San Francisco, Cal.....	1	.....
Johnstown, Pa.....	2	.....	Schenectady, N. Y.....	1	.....
Kansas City, Mo.....	2	.....	Williamsport, Pa.....	1	.....

GONORRHEA.

Vermont Reports for July, November, and December, 1915.

Cases of gonorrhoea were notified in the State of Vermont as follows: During the month of July, 72; during November, 40; and during December, 42.

LEPROSY.

City Report for Week Ended Jan. 1, 1916.

During the week ended January 1, 1916, one case of leprosy was reported at New Orleans, La.

MALARIA.

State Reports for December, 1915.

During the month of December, 1915, cases of malaria were notified in States as follows: Maryland, 1; South Carolina, 23.

City Reports for Week Ended Jan. 1, 1916.

During the week ended January 1, 1916, malaria was reported by cities as follows: Berkeley, Cal., 1 case; Richmond, Va., 1 case.

MEASLES.

California—Imperial County.

Acting Asst. Surg. Richter reported by telegraph that during the two weeks ended January 15, 1916, 60 cases of measles were notified in Imperial County, Cal.

New York—Buffalo.

Surg. Gardner reported that during the first 9 days of January, 1916, 504 cases of measles were notified in Buffalo, N. Y., and that during the month of December, 1915, 1,576 cases of the disease, with 9 deaths, were reported in Buffalo.

See also Diphtheria, measles, scarlet fever, and tuberculosis, page 129.

PELLAGRA.**State Reports for December, 1915.**

- During the month of December, 1915, cases of pellagra were notified in States as follows: District of Columbia, 1; South Carolina, 13.

City Reports for Week Ended Jan. 1, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Birmingham, Ala.....	1	.....	Nashville, Tenn.....	1	1
Charleston, S. C.....	.....	2	New Orleans, La.....	1	1
Chattanooga, Tenn.....	3	2	New York, N. Y.....	.....	1
Lynchburg, Va.....	.....	1	Richmond, Va.....	1	.....

PNEUMONIA.**City Reports for Week Ended Jan. 1, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Alameda, Cal.....	1	2	Los Angeles, Cal.....	20	11
Beaver Falls, Pa.....	1	.....	Manchester, N. H.....	3	3
Braddock, Pa.....	2	.....	McKeesport, Pa.....	5	.....
Chicago, Ill.....	472	302	Muscatine, Iowa.....	1	.....
Cleveland, Ohio.....	104	39	Philadelphia, Pa.....	408	170
Coffeyville, Kans.....	1	1	Pittsburgh, Pa.....	84	65
Dayton, Ohio.....	1	3	Reading, Pa.....	1	1
Detroit, Mich.....	14	40	Rochester, N. Y.....	3	2
Dubuque, Iowa.....	7	6	Salt Lake City, Utah.....	2	3
Duluth, Minn.....	3	3	San Francisco, Cal.....	20	18
Grand Rapids, Mich.....	6	6	Schenectady, N. Y.....	1	3
Harrisburg, Pa.....	4	4	Steelton, Pa.....	2	.....
Kalamazoo, Mich.....	3	3	Steubenville, Ohio.....	2	.....
Kansas City, Mo.....	11	15	Stockton, Cal.....	3	3
Lancaster, Pa.....	4	.....	Wilkesburg, Pa.....	2	3
Lincoln, Nebr.....	1	2			

POLIOMYELITIS (INFANTILE PARALYSIS).**State Reports for December, 1915.**

Place.	New cases reported.	Place.	New cases reported.
Massachusetts:		Massachusetts—Continued.	
Bristol county—		Worcester county—	1
Fall River.....	1	Webster Township.....	1
Essex county—		West Brookfield Township.....	.....
Lawrence.....	1	Total.....	12
Hampden county—			
Springfield.....	1	New Jersey:	1
Middlesex county—		Bergen County.....	6
Lowell.....	1	Essex County.....	2
Somerville.....	1	Hudson county.....	.....
Waltham.....	1	Total.....	9
Norfolk county—			
Dedham Township.....	1	Vermont:	1
Plymouth county—		Orleans County.....	.....
Brockton.....	1		
Suffolk county—			
Boston.....	2		

POLIOMYELITIS (INFANTILE PARALYSIS)—Continued.

Idaho Reports for September to November, 1915.

Place.	Cases.	Deaths.
September: Benewah County.....	1	.....
October: Franklin County.....	1	.....
November: Twin Falls County.....	3	.....

Vermont Report for November, 1915.

During the month of November, 1915, cases of poliomyelitis were notified in counties of Vermont as follows: Caledonia 5, Chittenden 3, Orleans 3, Windsor 2.

City Reports for Week Ended Jan. 1, 1916.

During the week ended January 1, 1916, poliomyelitis was reported by cities as follows: Buffalo, N. Y., 1 death; Rochester, N. Y., 1 case; Sacramento, Cal., 1 case; Steubenville, Ohio, 1 case.

RABIES.

Washington—Seattle—Rabies in Animals.

Surgeon Lloyd reported that during the month of December, 1915, 5 cases of rabies in dogs, 3 of which were proven positive in the laboratory, were reported in Seattle, Wash., making totals of 468 cases in dogs, 8 in cattle, 4 in cats, 2 in horses, and 1 in a hog, since the first appearance of the disease in Seattle.

SCARLET FEVER.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 129.

SMALLPOX.

Minnesota.

Collaborating Epidemiologist Bracken reported by telegraph that during the week ended January 15, 1916, 4 new foci of smallpox infection were reported in Minnesota, cases of the disease having been notified as follows: Martin County, Lake Fremont Township, 1; Redwood County, Charlestown Township, 3; St. Louis County, Hibbing, 1; Yellow Medicine County, Grant Falls, 1.

Texas—Galveston.

Surg. Bahrenburg reported that 3 cases of smallpox had recently been notified at Galveston, Tex., 1 case each on January 10, 13, and 15, 1916.

SMALLPOX—Continued.

Miscellaneous State Reports.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Idaho (July 1-31):			New Jersey (Dec. 1-31):		
Bingham County.....	11		Hudson County.....	2	
Cassia County.....	9				
Total.....	20		South Carolina (Dec. 1-31):		
Idaho (Aug. 1-31):			Anderson County.....	1	
Benewha County.....	2		Charleston County.....	8	
Cassia County.....	5		Laurens County.....	37	
Fremont County.....	1		Total.....	46	
Total.....	8		Vermont (July 1-31):		
Idaho (Sept. 1-30):			Caledonia County.....	1	
Ada County—			Orleans County.....	3	
Boise.....	1		Rutland County.....	1	
Fremont County.....	4		Windsor County.....	14	
Total.....	5		Total.....	19	
Idaho (Oct. 1-31):			Vermont (Nov. 1-30):		
Bonneville County.....	5		Lamoille County.....	1	
Cassia County.....	19		Orleans County.....	3	
Elmore County—			Windsor County.....	1	
Glenns Ferry.....	1		Total.....	5	
Total.....	25		Vermont (Dec. 1-31):		
			Orleans County.....	5	

City Reports for Week Ended Jan. 1, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Butte, Mont.....	1		Grand Rapids, Mich.....	1	
Chicago, Ill.....	1		Lincoln, Nebr.....	2	
Cincinnati, Ohio.....	1		New Castle, Pa.....	1	
Cleveland, Ohio.....	1		New Orleans, La.....	3	
Danville, Ill.....	1		Oklahoma City, Okla.....	5	
Davenport, Iowa.....	15		Portland, Ore.....	1	
Detroit, Mich.....	2		Sioux City, Iowa.....	3	
Duluth, Minn.....	2		Springfield, Ill.....	12	
Evansville, Ind.....	15		Toledo, Ohio.....	1	

SYPHILIS.

Vermont Reports for July, November, and December, 1915.

Cases of syphilis were notified in Vermont as follows: During the month of July, 33; during November, 20; and during December, 20

TETANUS.

City Reports for Week Ended Jan. 1, 1916.

During the week ended January 1, 1916, tetanus was notified in cities as follows: Birmingham, Ala., 1 death; Charleston, S. C., 1 death; Lincoln, Nebr., 1 death; Providence, R. I., 1 death.

TUBERCULOSIS.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 129.

TYPHOID FEVER.

State Reports for December, 1915.

Place.	New cases reported.	Place.	New cases reported.
District of Columbia.....	16	Maryland—Continued.	
Maryland:		Dorchester County—Continued.	
Baltimore City.....	60	Thomas.....	1
Allegany County—		Hurlock R. F. D.....	1
Eckhart Mines.....	2	Frederick County—	
Luke.....	3	Adamstown.....	1
Eckhart.....	3	Myersville.....	1
Claysville.....	1	Frederick City Hospital.....	1
Allegany.....	1	Bridgeport.....	1
Spring Gap R. F. D.....	1	Buckeystown.....	2
Carlos.....	1	Harford County—	
Cumberland.....	2	Perryman.....	2
Barton.....	2	Aberdeen R. F. D.....	1
Barton R. F. D.....	1	Havre de Grace.....	1
Anne Arundel County—		Howard County—	
Bayards R. F. D.....	1	Ellicott City.....	1
West River R. F. D.....	1	Montevideo R. F. D.....	1
Curtis Bay.....	1	Kent County—	
Eastport.....	1	Chester town.....	1
Robinson Station.....	1	Fairlee.....	1
Baltimore County—		Montgomery County—	
Ruxton.....	1	Chevy Chase.....	1
Rossville.....	1	Mount Zion.....	1
Catonsville.....	2	Gaithersburg R. F. D.....	1
Mount Winans.....	3	Brookville R. F. D.....	1
Corbett.....	1	Derwood R. F. D.....	1
Carney.....	1	Washington Grove.....	1
Phoenix.....	1	Sandy Spring.....	1
Roland Park.....	2	Prince Georges County—	
Chase.....	7	Silver Hill.....	3
Catonsville R. F. D.....	1	Seat Pleasant.....	1
Highlandtown.....	5	Somerset County—	
Bengles R. F. D.....	1	Marion.....	1
Hamilton.....	1	Crisfield.....	1
Howard Park.....	1	Dames Quarter.....	1
North Branch R. F. D.....	1	Deals Island.....	1
Hampstead R. F. D.....	1	Talbot County—	
Towson.....	2	Easton.....	1
Bayview Hospital.....	1	St. Michaels.....	1
Fullerton.....	1	Easton R. F. D.....	1
White Hall R. F. D.....	1	Tilghmans Island.....	1
St. Agnes Hospital.....	1	Washington County—	
West Evergreen.....	1	Cascade.....	1
Reisterstown.....	1	Highfield.....	1
Parkton.....	1	Smithsburg.....	4
White Marsh.....	1	Hagerstown.....	29
Towson R. F. D.....	1	Hancock.....	2
Calvert County—		Downsville.....	2
Chesapeake Beach.....	1	Dargan.....	1
Wilson.....	1	Williamsport.....	1
Caroline County—		Maugansville.....	1
Ridgely.....	1	Pectonville.....	1
Henderson R. F. D.....	1	Chewsville.....	2
Preston.....	1	Reid.....	1
Carroll County—		Crystal Falls.....	1
Mount Airy.....	1	Edgemont.....	1
Union Bridge.....	1	Hagerstown R. F. D.....	4
Taneytown R. F. D.....	1	Mason-Dixon R. F. D.....	1
New Windsor.....	1	Clearspring R. F. D.....	1
Silver Run R. F. D.....	1	Beavers Creek.....	1
Woodbine.....	1	Wicomico County—	
Cecil County—		P. G. Hospital (Salisbury).....	1
Childs.....	1	Green Hill R. F. D.....	1
Chesapeake City.....	1	Salisbury.....	4
Elkton.....	1	Fruitland R. F. D.....	1
Charles County—		Fruitland.....	1
La Plata R. F. D.....	1	Worcester County—	
White Plains R. F. D.....	2	Whaleyville.....	2
White Plains.....	5	Snow Hill.....	4
Dorchester County—		Snow Hill R. F. D.....	2
Toddville.....	2	Pocomoke City R. F. D.....	4
Cambridge Hospital.....	2	Pocomoke City.....	3
East New Market.....	1	Berlin.....	1
Woolford R. F. D.....	1	Bishopville.....	3
Fishing Creek.....	1	Berlin R. F. D.....	1
Cambridge.....	1	Stockton.....	1
		Total.....	272

TYPHOID FEVER--Continued.

State Reports for December, 1915--Continued.

Place.	New cases reported.	Place.	New cases reported.
Massachusetts:		Massachusetts--Continued.	
Barnstable County--		Worcester County--	
Provincetown Township.....	1	Fitchburg.....	1
Berkshire County--		Leominster Township.....	2
North Adams.....	1	Southbridge Township.....	1
Sheffield Township.....	3	Worcester.....	3
Williamstown Township.....	1	Total.....	142
Bristol County--		New Jersey:	
Fall River.....	54	Atlantic County.....	4
New Bedford.....	11	Bergen County.....	4
Somerset Township.....	1	Burlington County.....	9
Essex County--		Camden County.....	13
Beverly.....	3	Essex County.....	9
Gloucester Township.....	1	Hudson County.....	10
Haverhill.....	4	Hunterdon County.....	2
Lawrence.....	4	Mercer County.....	10
Lynn.....	2	Middlesex County.....	3
Salem.....	2	Monmouth County.....	12
Saugus Township.....	1	Morris County.....	2
Hampden County--		Passaic County.....	2
Chicopee.....	1	Salem County.....	2
Holyoke.....	1	Somerset County.....	1
Springfield.....	2	Union County.....	5
Hampshire County--		Warren County.....	3
Amherst Township.....	1	Total.....	91
Middlesex County--		South Carolina:	
Framingham Township.....	2	Clarendon County.....	2
Lowell.....	11	Greenville County.....	3
Malden.....	3	Lancaster County.....	1
Newton.....	1	Pickens County.....	2
Somerville.....	3	Richland County.....	9
Waltham.....	1	Union County.....	6
Woburn.....	1	Total.....	23
Norfolk County--		Vermont:	
Braintree Township.....	1	Addison County.....	2
Canton Township.....	1	Caledonia County.....	2
Milton Township.....	1	Franklin County.....	1
Wellesley Township.....	1	Orleans County.....	1
Wrentham Township.....	1	Washington County.....	1
Plymouth County--		Windsor County.....	3
Bridgewater Township.....	1	Total.....	10
Brockton.....	3		
Hingham Township.....	3		
Suffolk County--			
Boston.....	4		
Chelsea.....	2		
Revere.....	1		

Idaho Reports for July to November, 1915.

Place.	New cases reported.	Place.	New cases reported.
Idaho:		Idaho--Continued.	
July--		September--Continued.	
Bingham County.....	3	Madison County.....	2
Elmore County--		Washington County--	
Glenns Ferry.....	1	Weiser.....	1
Fremont County.....	5	Total.....	15
Kootenai County--		October--	
Harrison.....	1	Ada County--	
Madison County.....	1	Boise.....	11
Total.....	11	Bonnieville County.....	3
August--		Cassia County.....	11
Ada County--		Custer County.....	1
Boise.....	1	Elmore County.....	6
Benewha County.....	2	Franklin County.....	5
Fremont County.....	7	Madison County.....	3
Idaho County--		Total.....	40
Keuterville.....	1	November--	
Total.....	11	Ada County--	
September--		Boise.....	8
Ada County--		Washington County--	
Boise.....	1	Weiser.....	4
Benewah County.....	6	Total.....	12
Latah County.....	5		

TYPHOID FEVER—Continued.

Vermont Reports for July and November, 1915.

Place.	New cases reported.	Place.	New cases reported.
Vermont:		Vermont—Continued.	
July—		November—Continued.	
Chittenden County.....	1	Caledonia County.....	4
Franklin County.....	1	Chittenden County.....	5
Orange County.....	1	Franklin County.....	4
Rutland County.....	2	Rutland County.....	2
Windham County.....	1	Washington County.....	7
Total.....	6	Windham County.....	4
November—		Windsor County.....	2
Addison County.....	2	Total.....	32
Bennington County.....	2		

City Reports for Week Ended Jan. 1, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio.....	1		Mobile, Ala.....	1	
Baltimore, Md.....	6		Nashua, N. H.....	1	
Berkeley, Cal.....	1		Nashville, Tenn.....	1	1
Binghamton, N. Y.....	1		New Bedford, Mass.....	1	
Birmingham, Ala.....	3	1	New Britain, Conn.....	1	
Boston, Mass.....	9		New Castle, Pa.....	3	
Buffalo, N. Y.....	3	1	New Orleans, La.....	1	3
Camden, N. J.....	1		New York, N. Y.....	35	7
Canton, Ohio.....	1		Niagara Falls, N. Y.....	1	
Chelsea, Mass.....	1		Oakland, Cal.....	2	
Chicago, Ill.....	7	4	Perth Amboy, N. J.....	2	
Cincinnati, Ohio.....	1	1	Philadelphia, Pa.....	7	4
Cleveland, Ohio.....	2		Pittsburgh, Pa.....	16	1
Columbus, Ohio.....	2		Plainfield, N. J.....	1	1
Cumberland, Md.....	1	1	Providence, R. I.....	2	
Dallas, Tex.....	1		Reading, Pa.....	1	
Danville, Ill.....	5		Rochester, N. Y.....	1	
Dayton, Ohio.....	2	1	Rockford, Ill.....	2	
Detroit, Mich.....	4	4	Sacramento, Cal.....	2	
Dubuque, Iowa.....	3	1	St. Louis, Mo.....	5	
Evansville, Ind.....	1	1	St. Paul, Minn.....	2	1
Everett, Wash.....	1		Salt Lake City, Utah.....	2	
Fall River, Mass.....	7	4	San Francisco, Cal.....	3	1
Galveston, Tex.....	1	1	Schenectady, N. Y.....		1
Grand Rapids, Mich.....	2	1	Somerville, Mass.....		
Harrisburg, Pa.....	1		Springfield, Ill.....	1	
Haverhill, Mass.....	1		Steeltown, Pa.....	1	
Indianapolis, Ind.....	4	2	Staubenville, Ohio.....	2	
Jersey City, N. J.....	5	1	Syracuse, N. Y.....	3	1
Johnstown, Pa.....	1	1	Troy, N. Y.....	2	
Kansas City, Mo.....	2		Waltham, Mass.....	1	
Lexington, Ky.....		1	Washington, D. C.....	1	
Lincoln, Nebr.....	8	1	Wheeling, W. Va.....	4	
Lynn, Mass.....		1	Wilkes-Barre, Pa.....	1	
Malden, Mass.....	1		Wilmington, Del.....	3	4
Marinette, Wis.....	1		Worcester, Mass.....		1
Milwaukee, Wis.....	2		York, Pa.....	1	

TYPHUS FEVER.

Texas—El Paso.

Acting Asst. Surg. Tappan reported by telegraph that a death from typhus fever occurred in the El Paso County hospital January 15, 1916, the patient being a laborer recently arrived from Mexico.

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS.

State Reports for December, 1915.

State.	Cases reported.			State.	Cases reported.		
	Diphtheria.	Measles.	Scarlet fever.		Diphtheria.	Measles.	Scarlet fever.
District of Columbia.....	239	53	90	New Jersey.....	736	.....	431
Maryland.....	346	752	236	South Carolina.....	162	9	28
Massachusetts.....	942	1,148	709	Vermont.....	60	8	43

Idaho Reports for July to November, 1915.

State.	Cases reported.		
	Diphtheria.	Measles.	Scarlet fever.
Idaho:			
July.....	3	.....	1
August.....	2	.....	3
September.....	.....	.....	7
October.....	1	2	12
November.....	1	4	13

City Reports for Week Ended Jan. 1, 1916.

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.
Over 500,000 inhabitants:										
Baltimore, Md.....	584,605	200	16	1	222	3	27	.....	2	21
Boston, Mass.....	745,139	393	73	7	45	1	63	2	48	17
Chicago, Ill.....	2,447,045	1,112	114	21	82	.....	172	3	183	91
Cleveland, Ohio.....	656,975	244	35	2	58	1	37	4	22	22
Detroit, Mich.....	554,717	266	52	1	21	3	36	.....	20	23
New York, N. Y.....	5,468,190	1,752	282	20	230	7	140	1	305	207
Philadelphia, Pa.....	1,683,664	947	67	13	88	.....	48	1	91	71
Pittsburgh, Pa.....	571,984	247	37	6	268	3	26	2	30	10
St. Louis, Mo.....	745,988	304	65	7	4	.....	25	.....	33	27
From 300,000 to 500,000 inhabitants:										
Buffalo, N. Y.....	461,335	239	22	5	345	4	12	1	19	14
Cincinnati, Ohio.....	406,706	141	16	.....	24	.....	8	.....	17	13
Jersey City, N. J.....	300,133	103	9	1	7	1	8	.....	24	9
Los Angeles, Cal.....	465,367	132	17	2	3	.....	10	.....	37	23
Milwaukee, Wis.....	428,062	131	15	3	200	1	7	.....	21	8
New Orleans, La.....	366,484	205	50	3	.....	.....	4	.....	19	18
San Francisco, Cal.....	1,416,912	174	20	1	3	.....	14	.....	38	18
Washington, D. C.....	358,679	127	45	2	16	.....	11	.....	14	8
From 200,000 to 300,000 inhabitants:										
Columbus, Ohio.....	209,722	67	7	.....	1	.....	8	.....	9	4
Indianapolis, Ind.....	265,578	94	4	1	3	.....	7	.....	15	6
Kansas City, Mo.....	289,879	.....	12	1	4	.....	16	.....	1	4
Portland, Oreg.....	272,833	40	15	.....	3	.....	1	1	7	2
Providence, R. I.....	250,025	80	17	1	20	.....	12	.....	.....	5
Rochester, N. Y.....	250,747	73	10	.....	18	.....	4	.....	10	3
St. Paul, Minn.....	241,999	63	5	.....	3	.....	8	.....	11	5
From 100,000 to 200,000 inhabitants:										
Birmingham, Ala.....	174,108	.....	2	1	.....	.....	2	.....	7	6
Bridgeport, Conn.....	118,434	41	6	1	.....	.....	2	.....	6	5
Cambridge, Mass.....	111,669	34	21	.....	1	.....	12	.....	7	2

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

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

City Reports for Week Ended Jan. 1, 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 100,000 to 200,000 inhabit-										
ants—Continued.										
Camden, N. J.	104,349		4				1		5	
Dallas, Tex.	116,605		5	2	1		8		1	8
Dayton, Ohio	125,509	32	8	1	2		24		1	2
Fall River, Mass.	126,904	44	5				6		8	
Grand Rapids, Mich.	125,759	33	1		1		2		3	1
Hartford, Conn.	108,969	38	4		19		2			2
Lowell, Mass.	112,124	33	5		1		3		4	3
Lynn, Mass.	100,316	23		1						
Nashville, Tenn.	115,978	52	3	1			1		2	2
New Bedford, Mass.	114,694	24	4		1				3	4
New Haven, Conn.	147,095	4	4				6		3	2
Oakland, Cal.	190,803						4		1	4
Reading, Pa.	105,094	23	1		124	1	5			11
Richmond, Va.	154,674	54	3		1		1		3	1
Salt Lake City, Utah	113,567	26	2				2	1		5
Springfield, Mass.	103,216	42	7				4		3	3
Syracuse, N. Y.	152,534	43	1		7				3	1
Tacoma, Wash.	108,094				1		4			3
Toledo, Ohio	187,840	60	12		95		12		27	7
Trenton, N. J.	109,212	51	14	2	130	2	2		3	5
Worcester, Mass.	160,523	53	6		10	1	4		5	4
From 50,000 to 100,000 inhabit-										
ants:										
Akron, Ohio	82,958	31	2	2	2		16		5	
Altoona, Pa.	57,606	17	3							
Bayonne, N. J.	67,582		7		2		3		5	
Berkeley, Cal.	54,879	3	3							
Binghamton, N. Y.	53,062	21	4				5		1	1
Brookton, Mass.	65,746	15		1				1		1
Canton, Ohio	59,139	9	2		3		7	1	3	
Charleston, S. C.	60,427	30					1			4
Chattanooga, Tenn.	58,576		2				2		1	3
Duluth, Minn.	91,913	28	1	2	7		5		2	1
Elizabeth, N. J.	84,550	17	9	1	20	1	2		9	1
Evansville, Ind.	72,125	22	2				1		3	2
Harrisburg, Pa.	70,754	22	2						8	1
Hoboken, N. J.	76,104	23	4	1	4		4		1	
Johnstown, Pa.	66,585	34	2	1	55	1	1		1	1
Lancaster, Pa.	50,269		3		10				1	
Lawrence, Mass.	98,197	29	6		15	1	10		2	1
Little Rock, Ark.	55,158	21	4				2			
Malden, Mass.	50,067	16	6		1		5			
Manchester, N. H.	76,959	24	2		7		7		3	3
Mobile, Ala.	56,536	15					10			2
New Britain, Conn.	52,203		8	1					9	2
Oklahoma, Okla.	88,158	21	4				2		1	5
Passaic, N. J.	69,010	21	5		32		1		2	5
Pawtucket, R. I.	58,156	24	5		2	1	3			2
Rockford, Ill.	53,761	14	1		43		13			1
Sacramento, Cal.	64,806	24								3
Saginaw, Mich.	54,815	24	1	1			7			
San Diego, Cal.	51,115	27	5	1	1		2		3	
Schenectady, N. Y.	95,265	22	4	1			5		1	1
Sioux City, Iowa.	55,588		1				1			
Somerville, Mass.	85,460	32	4		5		1		2	2
South Bend, Ind.	67,030	20	8		2				3	1
Springfield, Ill.	59,468		10		1					1
Springfield, Ohio.	50,804	17	3				1			
Troy, N. Y.	77,738		3		1		6		2	2
Wilkes-Barre, Pa.	75,218	18			3		7			
Wilmington, Del.	93,161		2							
York, Pa.	50,543		4		3		1			
From 25,000 to 50,000 inhabitants:										
Alameda, Cal.	27,031	8	1							
Brookline, Mass.	31,934	12	7		3		6			1
Butler, Pa.	26,587	7	1				1			
Butte, Mont.	42,918	25							6	
Chelsea, Mass.	32,452		1		32		2		3	
Culander, Md.	25,564	10	1				1		4	
Danville, Ill.	31,554	13			2		3		2	

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

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

City Reports for Week Ended Jan. 1, 1916—Continued.

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.
From 25,000 to 50,000 inhabitants—Continued.										
Davenport, Iowa	47,127		2				2			
Dubuque, Iowa	39,650					5			2	2
East Orange, N. J.	41,155	11	3		15		2			
Elgin, Ill.	27,844	11	2	1	2					2
Everett, Mass.	38,307	6	9		2		5		5	
Everett, Wash.	33,767	8	1							1
Fitchburgh, Mass.	41,144	6	4				1		1	1
Galveston, Tex.	41,076	25							1	2
Haverhill, Mass.	47,774	16	2	2			2		3	
Kalamazoo, Mich.	47,364	27							1	2
Kenosha, Wis.	30,319	2	1							
Knoxville, Tenn.	38,300						1			
La Crosse, Wis.	31,522	17								1
Lexington, Ky.	39,703	20	1				1			
Lincoln, Nebr.	16,028	22	4		1		3		1	1
Lorain, Ohio	35,662		3				10			
Lynchburg, Va.	32,385	15							1	1
Madison, Wis.	30,084					35				
McKeesport, Pa.	46,743	6	1							2
Medford, Mass.	25,737	8								1
Montclair, N. J.	25,550	3								
Nashua, N. H.	27,114					1			2	
New Castle, Pa.	40,351		6						1	
Newport, R. I.	29,631	5	1							1
Newton, Mass.	43,085	16	7	1			1			
Niagara Falls, N. Y.	36,240	11			3					
Norristown, Pa.	30,833	21	3	1						
Ogden, Utah	30,466	33	2	1						
Pasadena, Cal.	43,859	16					3			1
Perth Amboy, N. J.	39,725		8		1		2		2	
Pittsfield, Mass.	37,580	16	4		2		2		6	
Portsmouth, Va.	38,610		3				2			
Racine, Wis.	45,507	16	1		1				21	
Roanoke, Va.	41,929	8	4				1			
Rock Island, Ill.	27,961	13			1					
Steubenville, Ohio	26,631						3		1	
Stockton, Cal.	34,508						6			
Superior, Wis.	45,285	9	1				2			1
Taunton, Mass.	35,957	15			10				1	
Waltham, Mass.	30,129	14	9		1					4
Wheeling, W. Va.	43,097		2		7				1	
Williamsport, Pa.	33,495	12	1		1		2			
Wilmington, N. C.	28,264	15	1							1
Zanesville, Ohio	30,406		1							
From 10,000 to 25,000 inhabitants:										
Ann Arbor, Mich.	14,979				1		2			
Beaver Falls, Pa.	13,316		1		32		1			
Biddeford, Me.	17,570	17								2
Bradnock, Pa.	21,310				6		1			
Cairo, Ill.	15,593	10								1
Clinton, Mass.	13,075	2					1			
Coffeyville, Kans.	16,765		3						1	
Concord, N. H.	22,480	6			2					1
Galesburg, Ill.	23,923	5			1		3			1
Harrison, N. J.	16,555		1		3					
Kearny, N. J.	22,753	9	3				2		1	2
Key West, Fla.	21,437	8								
Melrose, Mass.	17,166								1	
Muscatine, Iowa	17,287	7								
Nanticoke, Pa.	22,441		1		1		2			
Newburyport, Mass.	15,195	5			1					
New London, Conn.	20,771	6	10				1			
North Adams, Mass.	12,019	6					2			
Northampton, Mass.	19,846		1		1				2	
Plainfield, N. J.	23,280	6			9		1		1	
Rutland, Vt.	14,624	5								
Saratoga Springs, N. Y.	12,842				13					
Wilkinsburg, Pa.	22,361	11	1		9		1		2	
Woburn, Mass.	15,862	3								

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

FOREIGN.

GREAT BRITAIN.

Examination of Rats—Liverpool.

During the period from November 21 to December 18, 1915, 5,240 rats were examined at Liverpool. No plague infection was found.

MAURITIUS.

Plague.

During the period from October 1 to November 4, 1915, 8 cases of plague were notified in the island of Mauritius.

MEXICO.

Typhus Fever—Queretaro.

According to information dated January 12, 1916, typhus fever was prevalent at Queretaro, with an estimated number of 500 cases.

SYRA ISLAND.

Plague.

According to information received January 15, 1916, 16 cases of plague, with 10 deaths, have been notified on the island of Syra, Ægean Sea. The disease was principally of the pneumonic form.

TURKEY IN ASIA.

Dengue—Jaffa.

Dengue was reported, November 1, 1915, to be prevalent at Jaffa.

Typhus Fever Epidemic—Aleppo.

On November 1, 1915, typhus fever was reported present in epidemic form at Aleppo. The estimated daily occurrence of deaths was 200.

ZANZIBAR.

Examination of Rats—Zanzibar.

During the month of October, 1915, 4,398 rats were examined at Zanzibar. No plague infection was found.

CHOLERA, PLAGUE, SMALLPOX, AND TYPHUS FEVER.**Reports Received During Week Ended Jan. 21, 1916.¹****CHOLERA.**

Place.	Date.	Cases.	Deaths.	Remarks.
India:				
Bassein.....	Nov. 14-27.....		23	
Calcutta.....	Nov. 14-20.....		18	
Henzada.....	Nov. 21-27.....		2	
Madras.....	Nov. 23-Dec. 4.....	2		
Madras Presidency.....	Nov. 6-19.....		9	
Mandalay.....	Nov. 14-27.....		12	
Mergui.....	Nov. 14-20.....		1	
Prome.....	Nov. 14-27.....		47	
Rangoon.....	Nov. 14-20.....	10	8	
Toungoo.....	Nov. 14-27.....		2	
Java.....				Nov. 9-15, 1915: Cases, 14; deaths, 10.
Batavia.....	Nov. 9-15.....	5	3	
Russia:				
Moscow.....	Nov. 14-27.....	4	1	

PLAGUE.

Egypt:				
Garbieh Province.....	Dec. 6-7.....	2	1	
Minieh Province.....	Dec. 9.....	3	3	
India:				
Bombay.....	Nov. 21-Dec. 4.....	15	10	Nov. 14-27, 1915: Cases, 10,076; deaths, 7,027.
Madras Presidency.....	Oct. 30-Nov. 5.....		44	
Do.....	Nov. 12-19.....		34	
Mandalay.....	Nov. 14-27.....		47	
Rangoon.....	Nov. 14-20.....	6	6	
Java:				
Surabaya.....	Nov. 5-11.....	2	2	
Mauritius.....	Oct. 1-Nov. 4.....	8		
Syra Island.....	Jan. 15.....	16	10	
Turkey in Asia:				
Beirut.....	Oct. 8.....	2		

SMALLPOX.

Australia:				
Newcastle district.....	Nov. 19-Dec. 9.....	34		
Sydney.....	Dec. 3-9.....	3		
Austria-Hungary:				
Hungary—				
Budapest.....	Dec. 5-11.....	94		
Brazil:				
Rio de Janeiro.....	Nov. 14-Dec. 4.....	61	15	
China:				
Foochow.....	Nov. 21-27.....			Present.
Tientsin.....	do.....		2	
India:				
Bombay.....	Nov. 21-Dec. 4.....	13	8	Nov. 9-15, 1915: Cases, 73; deaths, 15.
Calcutta.....	Nov. 14-20.....		1	
Madras.....	Nov. 21-Dec. 4.....	6	1	
Rangoon.....	Nov. 14-20.....	2	1	
Java.....				
Batavia.....	Nov. 9-15.....	9	5	
Mexico:				
Agascalientes.....	Dec. 27-Jan. 2.....	6		
Frontera.....	Dec. 5-18.....	28	9	
Hermosillo.....	Dec. 26-Jan. 1.....	6	3	
Vera Cruz.....	Dec. 26-Jan. 1.....	13	5	
Portugal:				
Lisbon.....	Dec. 20-26.....	1		
Russia:				
Petrograd.....	Nov. 14-20.....	14	4	
Spain:				
Valencia.....	Dec. 5-18.....	28	1	
Turkey in Asia:				
Beirut.....	Oct. 3-23.....	11	6	
Uruguay:				
Montevideo.....	Oct. 1-31.....	1		

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

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

Reports Received During Week Ended Jan. 21, 1916—Continued.

TYPHUS FEVER.

Place.	Date.	Cases.	Deaths.	Remarks.
Egypt:				
Cairo.....	Sept. 3-16.....	9	7	
Germany:				
Berlin.....	Nov. 29-Dec. 4.....		1	
Königsberg.....	Dec. 5-18.....	8	1	
Great Britain:				
Dundee.....	Dec. 12-18.....	3		
Liverpool.....	Dec. 19-25.....	2		
Greece:				
Saloniki.....	Oct. 24-Nov. 27.....		170	
Java:				Nov. 9-15, 1915: Cases, 8; deaths, 1
Batavia.....	Nov. 9-15.....	7	1	
Mexico:				
Aguascalientes.....	Dec. 27-Jan. 2.....		4	Estimated number cases, 1,500.
Queretaro.....	Dec. 16.....			Prevalent. Estimated number cases, 500.
Salina Cruz.....	Dec. 16-21.....	1		
Russia:				
Moscow.....	Dec. 7-27.....	28	5	
Petrograd.....	Nov. 14-20.....	6	1	
Vladivostok.....	Oct. 22-28.....	1	4	
Turkey in Asia:				
Aleppo.....	Oct. 26-Nov. 1.....			Estimated deaths 200 daily.

Reports Received from Jan. 1 to 14, 1916.¹

CHOLERA.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary.....				Total, Oct. 25-Nov. 1, 1915: Cases, 107; deaths, 36.
Croatia-Slavonia.....	Oct. 18-Nov. 1.....	102	32	
Hungary.....	do.....	16	11	
Borneo:				
Putatan.....	Oct. 17-23.....	2		
India:				
Calcutta.....	Oct. 31-Nov. 13.....		27	
Henzada.....	Oct. 7-30.....		1	
Madras.....	Nov. 7-20.....	3		
Mandalay.....	Oct. 24-30.....		24	
Mergui.....	Oct. 23-30.....		7	
Myingyan.....	Oct. 19-Nov. 6.....		10	
Pakkoku.....	Oct. 10-Nov. 6.....		45	
Rangoon.....	Oct. 31-Nov. 13.....	25	24	
Toungoo.....	Oct. 7-Nov. 6.....		40	
Indo-China:				
Saigon.....	Oct. 25-31.....	1	1	
Java:				Oct. 15-Nov. 8: Cases, 55; deaths, 35.
Batavia.....	Oct. 26-Nov. 8.....	40	28	
Brebes.....	Oct. 15-28.....	6	6	

PLAGUE.

Brazil:				
Bahia.....	Nov. 21-Dec. 11.....	8	4	
Ceylon:				
Colombo.....	Oct. 24-Nov. 13.....	9	9	
China:				
Hongkong.....	Nov. 7-20.....	2	2	
Egypt:				
Minieh, province.....	Nov. 27-Dec. 1.....	6	6	
Port Said.....	Aug. 13-26.....	2		

¹ From medical officers of the Public Health Service, American consuls, and other sources. For reports received from June 26 to Dec. 31, 1915, see PUBLIC HEALTH REPORTS for Dec. 31, 1915. In accordance with custom, the tables of epidemic diseases are terminated semiannually and new tables begun.

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

Reports Received from Jan. 1 to 14, 1916—Continued.

PLAGUE—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
India.....				Oct. 31—Nov. 13: Cases, 8,164; deaths, 6,024.
Bombay.....	Nov. 9-20.....	9	12	
Karachi.....	Nov. 7-20.....	2	2	
Madras Presidency.....	Oct. 16-29.....		74	Madras Presidency, Aug. 1, 1898, to June 30, 1915: Cases, 141,356, deaths, 109,095.
Mandalay.....	Oct. 24—Nov. 6.....		11	
Rangoon.....	Oct. 1—Nov. 13.....	17	16	
Indo-China:				
Saigon.....	Oct. 25—Nov. 13.....	7	4	
Java.....				Oct. 22—Nov. 4, 1915: Cases, 293; deaths, 277.
Kediri residency.....	Oct. 22—Nov. 4.....	137	129	
Madioen residency.....	do.....	1	1	
Paseroean residency.....	do.....	6	8	
Surabaya residency.....	do.....	2	2	
Surakarta residency.....	do.....	147	137	
Russia:				
Siberia—				
Transbaikal Province..	October, 1914.....	16	13	
Straits Settlements:				
Singapore.....	Oct. 31—Nov. 6.....	2	2	

SMALLPOX.

Austria-Hungary:				
Hungary—				
Budapest.....	Nov. 21-27.....	205		
Canada:				
Ontario—				
Fort William and Port Arthur.	Dec. 19-25.....	1		
Quebec—				
Montreal.....	do.....	1		
Canary Islands:				Epidemic.
Grand Canary.....	Nov. 23.....			
Ceylon:				
Colombo.....	Oct. 24—Nov. 13.....	6	2	
China:				Present.
Nanking.....	Nov. 7-27.....			
Egypt:				
Cairo.....	Sept. 3-16.....	2		
Germany:				
Oppeln, Govt. district.....	Nov. 21-27.....	1		
Saxony.....	do.....	1		
India:				
Bombay.....	Nov. 7-20.....	5	1	
Calcutta.....	Nov. 7-13.....		1	
Madras.....	Nov. 7-20.....	13	7	
Rangoon.....	Oct. 31—Nov. 13.....	3	1	
Italy:				
Turin.....	Nov. 22—Dec. 5.....	6		
Java.....				Oct. 15—Nov. 8: Cases, 194; deaths, 39.
Batavia.....	Nov. 1-8.....	5	3	
Mexico:				
Aguascalientes.....	Dec. 13-26.....	5	7	
Frontera.....	Nov. 21—Dec. 4.....	34	10	
Guadalajara.....	Dec. 5-11.....	3		
Hermosillo.....	Dec. 12-25.....	38	6	
Progreso.....	Dec. 5-18.....	2		
Tampico.....	Dec. 7-20.....		11	
Vera Cruz.....	Dec. 13-26.....	21	24	
Portugal:				
Lisbon.....	Dec. 5-9.....	3		
Russia:				
Petrograd.....	Oct. 24—Nov. 13.....	57	13	
Riga.....	Nov. 14-20.....	1		Aug. 1-31, 1915: Cases, 10; deaths, 1.
Spain:				
Madrid.....	Nov. 1-30.....		22	
Valencia.....	Nov. 21—Dec. 4.....	80	1	
Switzerland:				
Basel.....	Nov. 29—Dec. 4.....	7		
Turkey in Asia:				
Beirut.....	Oct. 10-30.....	12	6	
Union of South Africa:				
Johannesburg.....	Oct. 17-23.....	2		

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

Reports Received from Jan. 1 to 14, 1916—Continued.

TYPHUS FEVER.

Place.	Date.	Cases.	Deaths.	Remarks.
China:				
Antung.....	Nov. 22-Dec. 5....	2		
Egypt:				
Alexandria.....	Nov. 12-18.....	1	1	
Cairo.....	Aug. 13-Sept. 2....	15	12	
Germany:				
Berlin.....	Nov. 21-27.....		3	
Hanover.....	.....do.....	1	1	
Lübeck.....	Nov. 7-20.....	3	1	
Königsberg.....	Nov. 23-Dec. 4....	1	2	
Stettin.....	Dec. 5-11.....		1	
Great Britain:				
Liverpool.....	Dec. 5-18.....	3	2	
Greece:				
Saloniki.....	Nov. 7-27.....		93	
Italy:				
Florence.....	Oct. 1-30.....	50	2	
Java:				
Batavia.....	Oct. 26-Nov. 8....	1	1	Oct. 15-Nov. 8, 1915: Cases, 30; deaths, 11.
Samarang.....	Oct. 22-23.....	2		
Mexico:				
Aguascalientes.....	Dec. 13-26.....		8	
Mexico City.....	Dec. 23.....			Prevalent.
Russia:				
Petrograd.....	Oct. 24-Nov. 13...	8	1	
Riga.....	Nov. 14-20.....	12		
Vladivostok.....	Oct. 8-21.....	10		
Spain:				
Madrid.....	Nov. 1-30.....		1	
Turkey in Asia:				
Mersina.....	Nov. 21-27.....			

SANITARY LEGISLATION.

COURT DECISIONS.

UNITED STATES SUPREME COURT.

The Sherley Amendment to the Pure Food and Drugs Act is Constitutional—A Misbranded "Patent Medicine" Condemned.

SEVEN CASES ECKMAN'S ALTERATIVE V. UNITED STATES, — U. S. —.
(Jan. 10, 1916.)

Congress has power to condemn the interstate transportation of swindling preparations designed to cheat credulous sufferers, and to make such preparations, accompanied by false and fraudulent statements, illicit with respect to interstate commerce.

Persons who make or deal in substances or compositions alleged to be curative are in a position to have superior knowledge regarding the curative properties of the substances, and such persons may be held to good faith in their statements.

The word "package" or its equivalent expression, as used in sections 7 and 8 of the Federal pure food and drugs act, refers to the immediate container of the article which is intended for consumption by the public.

The amendment of 1912 to the pure food and drugs act (the Sherley amendment) is broad enough to include false and fraudulent statements in circulars contained in the package in which drugs are inclosed.

The phrase "false and fraudulent" as used in the Sherley amendment to the Federal pure food and drugs act must be taken with its accepted legal meaning, and thus it must be found that the statement regarding the curative or therapeutic effect of the article was made with actual intent to deceive—an intent which may be derived from facts and circumstances, but which must be established.

Several cases of a proprietary remedy were shipped in interstate commerce. In every package containing one of the bottles was a circular with this statement: "Effective as a preventative for pneumonia." "We know it has cured and that it has and will cure tuberculosis." The goods were seized and condemned on the ground that the statement was false and fraudulent. The defense challenged the constitutionality of the Sherley amendment, under which the goods were seized, but the court held that it was valid.

Mr. Justice HUGHES delivered the opinion of the Court.

Libels were filed by the United States, in December, 1912, to condemn certain articles of drugs (known as "Eckman's Alterative") as misbranded in violation of section 8 of the food and drugs act. The articles had been shipped in interstate commerce, from Chicago to Omaha, and remained at the latter place unsold and in the unbroken original packages. The two cases present the same questions, the libels being identical save with respect to quantities and the persons in possession. In each case demurrers were filed by the shipper, the Eckman Manufacturing Co., which challenged both the sufficiency of the libels under the applicable provision of the statute and the constitutionality of that provision. The demurrers were overruled and, the Eckman company having elected to stand on the demurrers, judgments of condemnation were entered.

Section 8 of the food and drugs act, as amended by the act of August 23, 1912, c. 352, 37 Stat. 416, provides, with respect to the misbranding of drugs, as follows:

"SEC. 8. 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 purposes of this act an article shall also be deemed to be misbranded. In case of drugs:

* * * * *
 "Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein which is false and fraudulent."

The amendment of 1912 consisted in the addition of paragraph "Third," which is the provision here involved.

It is alleged in each libel that every one of the cases of drugs sought to be condemned contained 12 bottles, each of which was labeled as follows:

"Eckman's Alternative,—contains twelve per cent. of alcohol by weight, or fourteen per cent. by volume—used as a solvent. For all throat and lung diseases including Bronchitis, Bronchial Catarrh, Asthma, Hay Fever, Coughs and Colds, and Catarrh of the Stomach and Bowels, and Tuberculosis (Consumption) * * * Two dollars a bottle. Prepared only by Eckman Mfg. Co. Laboratory Philadelphia, Penna., U. S. A."

And in every package containing one of the bottles there was contained a circular with this statement:

"Effective as a preventative for pneumonia." "We know it has cured and that it has and will cure tuberculosis."

The libel charges that the statement "effective as a preventative for pneumonia" is "false, fraudulent, and misleading in this, to wit, that it conveys the impression to purchasers that said article of drugs can be used as an effective preventative for pneumonia, whereas, in truth and in fact said article of drugs could not be so used;" and that the statement, "we know it has cured" and that it "will cure tuberculosis" is "false, fraudulent, and misleading in this, to wit, that it conveys the impression to purchasers that said article of drugs will cure tuberculosis, or consumption, whereas, in truth and in fact said article of drugs would not cure tuberculosis, or consumption, there being no medicinal substance nor mixture of substances known at present which can be relied upon for the effective treatment or cure of tuberculosis, or consumption."

The principal question presented on this writ of error is with respect to the validity of the amendment of 1912.

So far it is objected that this measure, though relating to articles transported in interstate commerce, is an encroachment upon the reserved powers of the States, the objection is not to be distinguished in substance from that which was overruled in sustaining the white slave act (36 Stat., 825). *Hoke v. United States*, 227 U. S., 308. There, after stating that "if the facility of interstate transportation" can be denied in the case of lotteries, obscene literature, diseased cattle and persons, and impure food and drugs, the like facility could be taken away from "the systematic enticement of and the enslavement in prostitution and debauchery of women," the court concluded with the reassertion of the simple principle that Congress is not to be denied the exercise of its constitutional authority over interstate commerce, and its power to adopt not only means necessary but convenient to its exercise, because these means may have the quality of police regulations. (Id. pp. 322, 323. See *Gloucester Ferry Co. v. Pennsylvania*, 114 U. S., 196, 215; *Hipolite Egg Co. v. United States*, 220 U. S., 45, 57; *Lottery Case*, 188 U. S., 321).

It is urged that the amendment of 1912 does not embrace circulars contained in the package, but only applies to those statements which appear on the package or on the bottles themselves; that is, it is said that the word "contain" in the amendment must have the same meaning in the case of both "package" and "label." Reference is made to the original provision in the first sentence of section 8 with respect to the statements, etc., which the package or label shall "bear." And it is insisted that if the amendment of 1912 covers statements in circulars which are contained in the package it is unconstitutional. Such statements, it is said, are not so related to the

commodity as to form part of the commerce which is within the regulating power of Congress.

But it appears from the legislative history of the act that the word "contain" was inserted in the amendment to hit precisely the case of circulars or printed matter placed inside the package, and we think that is the fair import of the provision. (Cong. Rec., 62d Cong., 2d sess., vol. 48, pt. 11, p. 11322.) And the power of Congress manifestly does not depend upon the mere location of the statement accompanying the article; that is, upon the question whether the statement is *on* or *in* the package which is transported in interstate commerce. The further contention that Congress may not deal with the package thus transported in the sense of the immediate container of the article as it is intended for consumption is met by *McDermott v. Wisconsin* (228 U. S., 115). There the court said: "That the word 'package' or its equivalent expression, as used by Congress in sections 7 and 8 in defining what shall constitute adulteration and what shall constitute misbranding within the meaning of the act," (Food and Drugs Act) "clearly refers to the immediate container of the article which is intended for consumption by the public, there can be no question. * * * Limiting the requirements of the act as to adulteration and misbranding simply to the outside wrapping or box containing the packages intended to be purchased by the consumer, so that the importer, by removing and destroying such covering, could prevent the operation of the law on the imported article yet unsold, would render the act nugatory and its provisions wholly inadequate to accomplish the purposes for which it was passed." And, after stating that the requirements of the act thus construed were clearly within the power of Congress over the facilities of interstate commerce, the court added that the doctrine of original packages set forth in repeated decisions, which protected the importer in the right to sell the imported goods, was not "intended to limit the right of Congress, now asserted, to keep the channels of interstate commerce free from the carriage of injurious or fraudulently branded articles and to choose appropriate means to that end." (Id., pp. 130, 131, 137.)

Referring to the nature of the statements which are within the purview of the amendment, it is said that a distinction should be taken between articles that are illicit, immoral, or harmful and those which are legitimate, and that the amendment goes beyond statements dealing with identity or ingredients. But the question remains as to what may be regarded as "illicit," and we find no ground for saying that Congress may not condemn the interstate transportation of swindling preparations designed to cheat credulous sufferers and make such preparations, accompanied by false and fraudulent statements, illicit with respect to interstate commerce, as well as, for example, lottery tickets. The fact that the amendment is not limited, as was the original statute, to statements regarding identity or composition (*United States v. Johnson*, 221 U. S., 488) does not mark a constitutional distinction. The false and fraudulent statement, which the amendment describes, accompanies the article in the package, and thus gives to the article its character in interstate commerce.

Finally, the statute is attacked upon the ground that it enters the domain of speculation (*American School of Magnetic Healing v. McAnnulty*, 187 U. S., 94) and by virtue of consequent uncertainty operates as a deprivation of liberty and property without due process of law in violation of the fifth amendment of the Constitution and does not permit of the laying of a definite charge as required by the sixth amendment. We think that this objection proceeds upon a misconstruction of the provision. Congress deliberately excluded the field where there are honest differences of opinion between schools and practitioners. (Cong. Rec., 62d Cong., 2d sess., vol. 48, pt. 12, App., p. 675.) It was, plainly, to leave no doubt upon this point that the words "false and fraudulent" were used. This phrase must be taken with its accepted legal meaning, and thus it must be found that the statement contained in the package was put there to accompany the goods with actual intent to deceive—an intent which

may be derived from the facts and circumstances, but which must be established. (Id., 676.) That false and fraudulent representations may be made with respect to the curative effect of substances is obvious. It is said that the owner has the right to give his views regarding the effect of his drugs. But state of mind is itself a fact, and may be a material fact, and false and fraudulent representations may be made about it; and persons who make or deal in substances or compositions alleged to be curative are in a position to have superior knowledge and may be held to good faith in their statements. (Russell v. Clark's Executors, 7 Cranch, 69, 92; Durland v. United States, 161 U. S., 306, 313; Stebbins v. Eddy, 4 Mason, 414, 423; Kohler Mfg. Co. v. Beeshore, 59 Fed., 572, 574; Missouri Drug Co. v. Wyman, 129 Fed., 623, 628; McDonald v. Smith, 139 Mich., 211; Hedin v. Minneapolis Medical Institute, 62 Minn., 146, 149; Hickey v. Morrell, 102 N. Y., 454, 463; Regina v. Giles, 10 Cox, C. C., 44; Smith v. Land & House Corporation, L. R., 28 Ch. Div., 7, 15.) It can not be said, for example, that one who should put inert matter or a worthless composition in the channels of trade labeled or described in an accompanying circular as a cure for disease, when he knows it is not, is beyond the reach of the law-making power. Congress recognized that there was a wide field in which assertions as to curative effect are in no sense honest expressions of opinion, but constitute absolute falsehoods and, in the nature of the case, can be deemed to have been made only with fraudulent purpose. The amendment of 1912 applies to this field, and we have no doubt of its validity.

With respect to the sufficiency of the averments of the libels, it is enough to say that these averments should receive a sensible construction. There must be a definite charge of the statutory offense, but we are not at liberty to indulge in hypercriticism in order to escape the plain import of the words used. There is no question as to the adequacy of the description of the article or of the shipments or of the packages. It is said that there was no proper statement of the contents of the circular. But the libels give the words of the circular, and we think that the allegations were sufficient to show the manner in which they were used. The objection that it was not alleged that the statements in question appeared on the original packages or on the bottles themselves, as already pointed out, is based on a misconstruction of the statutory provision. The remaining and most important criticism is that the libels did not sufficiently show that the statements were false and fraudulent. But it was alleged that they were false and fraudulent, and, with respect to tuberculosis, it was averred that the statement was that the article "has cured" and "will cure," whereas, "in truth and in fact," it would "not cure," and that there was no "medicinal substance nor mixture of substances known at present" which could be relied upon to effect a cure. We think that this was enough to apprise those interested in the goods of the charge which they must meet. It was, in substance, a charge that, contrary to the statute, the article had been made the subject of interstate transportation with a statement contained in the package that the article had cured and would cure tuberculosis, and that this statement was contrary to the fact and was made with actual intent to deceive.

Judgments affirmed.

Mr. Justice McREYNOLDS took no part in the consideration or decision of these cases.

UNITED STATES DISTRICT COURT--WESTERN DISTRICT OF TENNESSEE.

Harrison Antinarcotic Law--Possession of the Drugs Named in the Law by a Person not Required to Register Held not to be a Violation of the Law.¹

UNITED STATES *v.* WILSON, 225 Fed. Rep., 82. (May 31, 1915.)

The Harrison Antinarcotic Act is a criminal statute, and must be strictly construed.

Section 8 of the Harrison Antinarcotic Act was not intended by Congress to apply to persons who are not required to register and pay the special tax under the act.

The defendant had at her house a small quantity of opium and an opium pipe. She did not sell, give away, or deal in opium, except to buy and smoke it. She was charged with unlawfully having in her possession and under her control smoking opium, in violation of section 8 of the Harrison Antinarcotic Act. The court held that the facts proved did not constitute an offense under the act because it was not shown that she belonged to any one of the classes of persons who are required to register and pay the special tax under the law.

MCCALL, District Judge: The defendant was indicted under the act of Congress, approved December 17, 1914, known as the Harrison Antinarcotic Law, and arraigned, pleaded not guilty, and was tried by a jury. There are three counts in the indictment. The district attorney recommended a verdict of not guilty under the first and third counts. The jury found the defendant guilty under the second count.

The case is now before me upon a motion for a new trial. Several grounds are assigned, but I shall consider only those based upon the proposition that the second count charges no offense, and that none was proven. The others are overruled.

The second count charges the defendant with having violated the eighth section of the act, which is as follows:

"Sec. 8. That it shall be unlawful for any person not registered under the provisions of this act, and who has not paid the special tax provided for by this act, to have in his possession or under his control any of the aforesaid drugs; and such possession or control shall be presumptive evidence of a violation of this section, and also of a violation of the provisions of section 1 of this act."

It was admitted, at the trial, that the defendant had at her house, in her possession, and under her control, an opium pipe and an outfit necessary for smoking purposes, including a small quantity of opium prepared for the pipe, at the time charged in the indictment. The defendant testified in her own behalf that she had for several years been an addict to opium smoking, and that the opium prepared for smoking found in her possession was obtained by her from a Chinaman, and that she had it for her own personal use and consumption; that she never sold, gave away, nor dealt in it in any form, except to buy and smoke it. This evidence was uncontradicted, and presents the question, whether it is an offense under the act, for a person to have in his or her possession any of the drugs named in the act for personal use. If it is an offense, Congress has not in terms so declared, and it must be worked out by a construction of the language of the act. It is a criminal statute, and must be strictly construed. Such portions of the act as are pertinent to the inquiry must be considered. The first section is as follows:

That "every person who produces, imports, manufactures, compounds, deals in, dispenses, sells, distributes, or gives away opium or coca leaves or any compound, manufacture, salt, derivative, or preparation thereof, shall register with the collector of internal revenue of the district his name or style, place of business, and place or places where such business is to be carried on. * * * At the time of such registry and on or before the first day of July, annually thereafter, every person who produces, imports, manufactures, compounds, deals in, dispenses, sells, distributes, or gives away any of the aforesaid drugs, shall pay to the said collector a special tax at the rate of \$1 per annum. * * * It shall be unlawful for any person required to register under the terms of this act to produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away any of the aforesaid drugs without having registered and paid the special tax provided for in this section."

¹ Other cases construing this law will be found in the Public Health Reports, Dec. 10, 1915, p. 3631; Dec. 17, 1915, p. 3715; Dec. 21, 1915, p. 3777; *infra*, p. 143.

The first clause of section 1 declares who shall register and pay the special tax. They are those who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away the drugs mentioned. The second clause of section 1 declares it to be unlawful for any person required to register by the first clause of section 1, to do any of those things named therein without having registered and paid the special tax provided in the section.

The question now arises, To whom does the clause "any person not registered under the provisions of this act and who has not paid the special tax" in the eighth section refer? Clearly, it refers to, and at least includes, those doing the things specifically named in the first section. Does it refer to and include others doing things not specifically named in the act, viz, those having in their possession or under their control the drugs named for their personal consumption? It seems to me that to so hold would be for the court to enlarge the list of those whom Congress required to register and pay the special tax. To that extent it would be an amendment of the act. This is not the function of the court. If Congress had intended to require persons to register who had in their possession or under their control drugs for any purpose other than that stated in the act, it would seem that it would have been a simple matter to have said so. It is clear to my mind that the language quoted from the eighth section, supra, when read in connection with the first section of the act, refers only to those mentioned in the last-named section, and however desirable it may be to have that list enlarged the court is without authority to do it.

It is, in my judgment, the purpose of section 8 to make the mere possession of the drugs mentioned in the act by any of those specified in the first section presumptive evidence that such parties had not registered, nor paid the special tax as required therein, and that it was not intended to enlarge the class that is required to register and pay the tax under the first section, nor is it, in my judgment, susceptible of such construction. The section establishes a rule of evidence, in that, upon the Government proving that a defendant was doing any of those things mentioned in section 1, clause 1, of the act, and, further, that a narcotic was found in his possession, he would be presumptively guilty of violating the first section of the act; then the burden of proof shifts, and is upon the defendant to show affirmatively that he is not one of the class mentioned in section 1, required to register, or, if so, that he had registered and paid the special tax. Section 8, in this particular, is very similar to the statute of the State of Tennessee which makes the possession of a retail liquor dealer's federal tax stamp prima facie evidence that the party holding it is selling liquor in violation of the laws of Tennessee. Acts Tenn., 1903, c. 355. This presumption may be overcome by the evidence. In the case at bar, I think the presumption of guilt of the defendant was fully met and overcome by the proof.

The result is that the motion for a new trial will be allowed; and it is so ordered.

UNITED STATES DISTRICT COURT—WESTERN DISTRICT OF PENNSYLVANIA.

Harrison Antinarcotic Law—Possession of Habit-Forming Drugs by a Person not Required to Register under the Law is not Unlawful.

UNITED STATES v. JIN FUEY MOY, 225 Fed. Rep. 1003. (May 12, 1915.)

The law of December 17, 1914, known as the Harrison or Federal Antinarcotic Act, is a revenue act, and section 8, which makes it unlawful for a person not registered under the act to have in his possession any of the drugs to which the act applies, is applicable only to persons who manufacture, import, give away, or deal in the drugs.

A physician was charged with violating section 8 of the Harrison Antinarcotic law by conspiring with a drug addict to allow the drug addict to secure possession of opium. The physician gave to the addict a prescription for opium. It was charged that this was not done for the purpose of medical treatment, but in order to allow the addict to secure possession of the drug. The court held that the law did not make mere possession and control of the drug by a person not required to register and pay the tax unlawful. Therefore, the possession of the drug by the addict was not a violation of the law, and the physician could not be convicted.

Thomson, District Judge: This is a revenue act; and unless it is such, save as to those provisions which relate to the transportation of drugs in interstate commerce, it would perhaps violate the provisions of the Constitution of the United States.

The first section of the act requires that all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof, shall register and pay an annual tax of \$1 to the Government. The act also makes it unlawful for any person required to register under the terms of the act to produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away any of the aforesaid drugs without having registered and paid the special tax. The second section makes it unlawful for any person to sell, barter, exchange, or give away any of the aforesaid drugs, except in pursuance of a written order of the person to whom such article is sold, bartered, exchanged, or given, on a form to be issued in blank for that purpose by the commissioner of internal revenue.

The act definitely excepts from the provisions of section 2 the dispensing or distribution of any of the aforesaid drugs to a patient by a physician, dentist, or veterinary surgeon registered under this act in the course of his professional practice, and also to the sale, dispensing, or distribution of any of the aforesaid drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, or veterinary surgeon registered under the act. There are also other exceptions to the provisions of section 2.

The indictment in question is drawn under the provisions of section 8 of this act, and the particular portion of the section on which the Government relies to sustain the illegality of the possession by Martin is as follows:

That it shall be unlawful for any person not registered under the provisions of this act, and who has not paid the special tax provided for by this act, to have in his possession or under his control any of the aforesaid drugs; and such possession or control shall be presumptive evidence of a violation of this section and also of a violation of the provisions of section 1 of this act.

There is a provision in this section that the section shall not apply—

to the possession of any of the aforesaid drugs which has or have been prescribed in good faith by a physician, dentist, or veterinary surgeon registered under this act.

Turning to the indictment itself, we see that the defendant is charged as follows: With unlawfully, willfully, knowingly, fraudulently, and feloniously conspiring and agreeing with Willie Martin and divers persons to the grand jurors unknown to commit an offense against the United States, to wit, to unlawfully and feloniously have in the possession and under the control of the said Willie Martin opium and compounds and salts and derivatives and preparations thereof, to wit, 1 dram of morphine sulphate. There are 10 counts in the indictment, all charging the offense of

conspiracy in the same general way. The overt act set forth in the indictment consists in issuing to the said Willie Martin a written prescription for 1 dram of morphine sulphate, and that he, the said defendant, did not issue said prescription in good faith; that is to say, that he then and there well knew that the morphine sulphate then and there prescribed was not given for medicinal purposes but for the purpose of supplying one addicted to the use of opium and the compounds, salts, and derivatives and preparations thereof. The other overt acts in the indictment are of the same general character.

The unlawful act, therefore, charged against the defendant, is not the improper or unlawful dispensing of a drug, whether in good or bad faith, but consists in having in the possession and under the control of Martin certain drugs. The indictment, therefore, can not be sustained unless the having in the possession and under the control of Martin of certain drugs is an unlawful thing and a violation of the act of Congress.

In reading the eighth section in connection with the remaining sections of the act of Congress, when it provides that it shall be unlawful for any person not registered under the provisions of this act to have in his possession certain drugs, I think that the word "person" should be held to refer to the persons with whom the act of Congress is dealing; that is, the persons who are required to register and pay the special tax in order to import, produce, manufacture, deal in, dispense, sell, or distribute. And there is no allegation in the indictment that Martin had in his possession these drugs for any of these purposes.

The indictment, therefore, could not be sustained unless the mere fact of having the drug in his possession is a violation of the law. If so, any person would be presumptively guilty and subject to indictment, and have the burden of proof cast upon him under this section, if he had any small amount of the prescribed drug in his possession, without any reference to the purpose for which it was to be used, whether legitimate or otherwise.

On account of the view which the court entertains as to the scope of the act of Congress, the motion to quash the indictment is sustained, and a general exception is noted to the Government, and they will be given any special exception that may be desired.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

CALIFORNIA.

Ophthalmia Neonatorum—Notification of Cases—Treatment and Prevention. (Chap. 724, Act June 11, 1915.)

SECTION 1. Any condition of the eye or eyes of any infant in which there is any inflammation, swelling, or redness in either one or both of eyes of any of such infant, either apart from or together with any unnatural discharge from the eye or eyes of any such infant, at any time within two weeks after its birth, shall, independent of the nature of the infection, for the purpose of this act, be called ophthalmia neonatorum.

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 person or persons attendant upon or assisting in any way whatsoever either the mother or child, or both, at childbirth, in all cases where such child shall develop within two weeks after its birth ophthalmia neonatorum, and such person shall know the same to exist, to report the case within 24 hours after knowledge of the same, in such form as the State board of health shall direct, to the local health officer of the county or municipality within which the mother of any such infant may reside.

SEC. 3. It shall be the duty of the local health officer:

1. To investigate each case as shall be filed with him in pursuance with this act, and all other such cases as may come to his attention.

2. To report all cases of ophthalmia neonatorum coming to his knowledge, and the result of all such investigations as he shall make to the State board of health, in such form as said board shall direct.

3. To conform to such rules and regulations as the State board of health shall promulgate for the purpose of carrying out the provisions of this act.

SEC. 4. It shall be the duty of the State board of health:

1. To enforce the provisions of this act.

2. To promulgate such rules and regulations as the State board of health may deem necessary to properly carry out the provisions hereof.

3. To provide for the gratuitous distribution of a scientific prophylactic for ophthalmia neonatorum, together with proper directions for the use and administration thereof, to all physicians, midwives, and such other persons as may be lawfully engaged in the practice of obstetrics or assisting at childbirths.

4. To print and publish such further advice and information concerning the dangers of ophthalmia neonatorum and the necessity for prompt and effective treatment thereof as said board may deem necessary.

5. To furnish without cost copies of this law to all physicians, midwives, and such other persons as may be lawfully engaged in the practice of obstetrics or assisting at childbirths.

6. To keep a proper record of any and all cases of ophthalmia neonatorum as shall be filed in their office in pursuance with this law, and as may come to their attention in any way, and to constitute such records a part of the biennial report to the governor and the legislature.

7. To report any and all violations of this act as may come to their attention to the district attorney of the district wherein any violation of any provision of this act may have been committed, for the purpose of prosecution.

SEC. 5. It shall be the duty of all maternity homes, hospitals, and similar institutions wherein childbirths shall occur to keep a record of all cases of ophthalmia neonatorum occurring or discovered therein. Such records shall be in the form and contain the matters which the State board of health shall prescribe.

SEC. 6. The failure of any person mentioned in section 2 hereof to report, or the failure of any maternity home, hospital, or similar institution, to record any and all cases of ophthalmia neonatorum, as herein directed, or the failure or refusal of any person or institution, herein mentioned, to obey any rule or regulation adopted by the State board of health under this act, shall constitute a misdemeanor, and upon conviction thereof shall be fined, for the first offense not to exceed \$50; for a second offense not to exceed \$100; and for a third offense, and thereafter not to exceed \$200 for each violation; and after the third conviction, if the person be a physician, midwife, or other person professionally employed, such conviction shall be a sufficient cause for the revocation of the license of such person by the board which granted the same. One-half of all fines collected hereunder shall go to the county wherein the prosecution was had, and the remaining one-half thereof shall go into the State treasury and constitute a special fund to be expended by the State board of health for the purposes of carrying out the provisions of this act. Any case of ophthalmia neonatorum, or the resultant blindness therefrom, upon which the accused may have been in attendance as hereinbefore set forth, shall be prima facie evidence of knowledge of such case by the accused.

SEC. 7. Chapter 14, statutes of 1897, entitled "An act to regulate medical practice, to prevent blindness in infants," approved February 17, 1897, and all other acts and parts of acts in conflict herewith, are hereby repealed.

State Board of Health—Bureau of Tuberculosis—Establishment and Maintenance—Powers and Duties. (Chap. 766, Act June 12, 1915.)

SECTION 1. The State board of health shall maintain a bureau of tuberculosis for the complete and proper registration of all tuberculous persons within the State; for supervision over all hospitals, dispensaries, sanatoria, farm-colonies and other institutions for tuberculosis, both public and private; for advising officers of the State penal and charitable institutions regarding the proper care of tuberculous inmates, and for such educational and publicity work as may be necessary; for administration of the fund for State aid to cities, counties, cities and counties and groups of counties for the care of patients who are county charges in city, county, or city and county tuberculosis wards or hospitals or in tuberculosis wards and hospitals maintained by any group of counties, and for the performance of such other duties as may be assigned by the said board.

SEC. 2. The State board of health shall appoint a director of the bureau, who shall be duly qualified and trained in public health work, whose salary shall be fixed by the board in an amount not to exceed \$3,000 per annum, and such other employees as may be deemed necessary, and shall fix their compensation. The director and all employees of the bureau shall come within the jurisdiction of the civil-service law. In addition to the administration of the bureau, under the supervision of the State board of health, it shall be the duty of the director, and he is hereby invested with full power, to inspect and investigate, and have access to all records and departments of all institutions, both public and private, where tuberculosis patients are treated. He shall prepare annually for each institution a report of its rating on sanitary construction, enforcement of sanitary measures, adequate provision for medical and nursing attendance, provision for proper food, and such other matters of administration as may be designated. Administration of the fund for the care of patients who

are county charges in city, county, and city and county tuberculosis wards and hospitals and the tuberculosis wards and hospitals maintained by any group of counties shall be based upon his reports and under the rules and regulations of the board. The director and other employees of the bureau shall be allowed their actual and necessary traveling expenses incurred in the performance of their duties.

SEC. 3. Every city, county, city and county, or group of counties which establishes and maintains a tuberculosis ward or hospital shall receive from the State the sum of \$3 per week for each person in the active stages of tuberculosis, cared for therein at public expense who is unable to pay for his support and who has no relative legally liable and financially able to pay for his support and who has been a bona fide resident of such city, county, city and county, or group of counties for one year: *Provided*, That the city, county, city and county, or group of counties shall not become entitled to receive such State aid unless the tuberculosis ward or hospital conforms to the regulations of and is approved by the State bureau of tuberculosis. The medical superintendent of each hospital receiving State aid under this act shall render semi-annually to the State bureau of tuberculosis a report under oath showing, for the period covered by the report, (1) the number of patients in the active stages of tuberculosis cared for therein at public expense, unable to pay for their own support and having no relatives legally liable and financially able to pay therefor, and (2) the number of weeks of treatment of each of such patients.

SEC. 4. The sum of \$75,000 is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to be expended by the State board of health in carrying out the provisions of this act: *Provided, however*, That not more than the sum of \$20,000 shall be available for the purposes of this act other than the State aid herein provided. All claims against this appropriation shall be audited by the State board of control. The State controller is hereby directed to draw his warrants for such sums aggregating the amount of this appropriation and the State treasurer is directed to pay the same.

SEC. 5. An act entitled "An act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State board of health; defining its powers and duties; and making an appropriation therefor," approved June 13, 1913,¹ is hereby repealed.

State Board of Health—Department of Sanitary Engineering—Establishment and Maintenance. (Chap. 478, Act May 24, 1915.)

SECTION 1. The State board of health shall maintain a department of sanitary engineering which shall have charge of such matters and shall have such powers as may from time to time be referred and delegated to it by the State board of health. The board shall appoint a director of the department, who shall be a graduate sanitary engineer, whose salary shall be \$4,000 per annum. The State board of health may employ and fix the compensation of other additional professional and clerical assistants and such compensation shall be paid from the funds provided for the maintenance of the department of sanitary engineering. The sum of \$30,000 is hereby appropriated for the purpose of this act. Claims against the fund shall be audited by the State board of health and by the board of control and shall be paid by the State treasurer upon warrants drawn by the State controller.

Milk and Milk Products—Production, Care, and Sale—Tuberculin Test. (Chap. 742, Act June 11, 1915.)

SECTION 1. It shall be unlawful for any person, firm, or corporation, except in bulk to the wholesale trade, to sell or exchange or offer or expose for sale or exchange for human consumption any milk from cows that have not passed the tuberculin test, until it has been pasteurized by the holding process at a temperature not less than 140

degrees Fahrenheit for 25 minutes: *Provided*, That milk for drinking purposes shall not be heated above 145 degrees Fahrenheit. It shall further be unlawful for any person, firm, or corporation to sell or exchange or offer or expose for sale or exchange any milk products except cheese, into the composition of which any milk enters other than that permitted in this section of this act, to be sold at retail. For the purpose of this act milk shall be construed to include cream.

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell or exchange, or offer for sale or exchange, in any city, county, or city and county, in which a milk inspection service, approved by the State dairy bureau, has been established, any milk otherwise than as hereinafter provided in this act, and for the purpose of this act, the term "inspecting department" shall be construed to mean the health department of a county or group of counties, city or group of cities, or city and county maintaining a milk inspection service approved by the State dairy bureau.

SEC. 3. All milk, except certified milk, guaranteed milk, grade A milk, and grade B milk, is hereby declared to be impure and unwholesome and must not be sold for human consumption.

SEC. 4. For the purpose of this act milk shall be graded as follows: Certified milk, guaranteed milk, grade A milk, grade B milk, and milk not suitable for human consumption: *Provided*, That milk not suitable for human consumption shall be plainly so marked.

SEC. 5. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as or for guaranteed milk, any milk, raw or pasteurized, the quality of which is guaranteed by the dealer without approval in writing of the inspecting department, which milk must be of a higher standard than that required for grade A raw milk.

SEC. 6. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade A milk, any milk that does not conform to the rules and regulations and the methods and standards for production and distribution of grade A milk adopted by the inspecting department.

Grade A milk shall conform to the following requirements as a minimum: If raw, it shall consist of the clean raw milk from healthy cows, as determined by physical examination and by the tuberculin test by a qualified veterinarian under the supervision of the inspecting department, and from dairies that score not less than 70 per cent on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture. The tuberculin test must be repeated annually if no reacting animals are found in the herd. If reacting animals are found, they must be removed from the herd and the tuberculin test repeated in six months. All cows are to be fed, watered, housed, and milked under conditions approved by the inspecting department. All persons who come in contact with the milk must exercise scrupulous cleanliness and must not harbor the germs of typhoid fever, tuberculosis, diphtheria, or other infectious diseases liable to be conveyed by milk. Absence of such infections shall be determined by cultures and physical examination to the satisfaction of the inspecting department.

This milk is to be delivered in sterile containers and is to be kept at a temperature established by the inspecting department until it reaches the ultimate consumer, when it must contain less than 100,000 bacteria per cubic centimeter. If pasteurized, it shall come from cows free from disease, as determined by physical examination at least once in six months by a qualified veterinarian of an inspecting department. It shall contain less than 200,000 bacteria per cubic centimeter before pasteurization and less than 10,000 bacteria per cubic centimeter at the time of delivery to the ultimate consumer. Dairies from which this milk is derived must score at least 60 on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture.

SEC. 7. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade B milk, any milk that does not conform to the fol-

following requirements as a minimum: It must be obtained from cows in no way unfit for the production of milk for use by man, as determined by physical examination at least once in six months by a qualified veterinarian of an inspecting department. Before pasteurization such milk shall contain less than 1,000,000 bacteria per cubic centimeter. After pasteurization it shall contain less than 50,000 bacteria per cubic centimeter.

Milk for pasteurization must be kept at a temperature established by the inspecting department up to the time of delivery to the pasteurization plant and rapidly cooled after pasteurization to a temperature of 50° Fahrenheit, or below, and so maintained to the time of delivery of the same. Pasteurization shall be by the holding method at a temperature not less than 140° Fahrenheit: *Provided*, That milk for drinking purposes shall not be heated above 145° Fahrenheit.

Such pasteurizing plant shall be equipped with a self-registering device for record of the time and temperature of pasteurization. Such records shall be kept for two months and be available for inspection by any health department, the State veterinarian, or any of his agents, or the State dairy bureau. Pasteurized milk shall be marked with the day of the week of pasteurization and must be delivered to the consumer within 48 hours thereafter. If milk is repasteurized, it must not be sold except as not suitable for human consumption.

SEC. 8. Milk not suitable for human consumption may be sold for industrial purposes, provided it be heated to a higher temperature than necessary for pasteurization, and delivered in a distinctive container, plainly marked with the words "Not suitable for human consumption," in letters not less than one-quarter inch in length and one-twelfth inch stroke.

SEC. 9. Counties, or groups of counties, cities or groups of cities, or cities and counties, are hereby authorized to maintain a milk-inspection service and laboratory conformable to requirements as set forth by the State dairy bureau, and to establish pasteurizing plants.

SEC. 10. Any person who shall violate any provision of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail for not less than 10 days nor more than 60 days, or by both such fine and imprisonment. One-half of all such fines shall be paid into the State treasury and placed to the credit of the general fund.

SEC. 11. It shall be the duty of the State dairy bureau, with the assistance of the pure-food and drugs laboratory, to enforce all the provisions of this act except the tuberculin testing of cows; and said bureau, with the approval and assistance of the pure-food and drugs laboratory, is hereby empowered to make such rules and regulations as may be necessary and advisable for such enforcement.

SEC. 12. It shall be the duty of the State veterinarian, as soon as practicable, either directly or through local inspecting departments, to enforce the provisions of this act as to the tuberculin testing of cows. For such purpose he may appoint such veterinarians as may be necessary.

SEC. 13. If any dairyman not operating under an inspecting department desires to sell milk, he may file with the State veterinarian a written request that his cows be tuberculin tested. After the filing of such request, said dairyman shall not be liable under the provisions of this act until such time as the State veterinarian shall be able to make the required test. The provision of this section shall apply also to any dairyman operating under an inspecting department if such inspecting department approves.

SEC. 14. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of \$10,000, to be expended by the State veterinarian in accordance with the law to carry out the purposes of this act.

SEC. 15. The provisions of this act shall be effective on and after October 1, 1916.

Food and Drink—Use of Imported Eggs in, to be Indicated in Places where Prepared or Sold. (Chap. 616, Act June 4, 1915.)

SECTION 1. For the purposes of this act the words "person, firm, company, or corporation" shall include hotels, restaurants, cafeterias, lunch counters, lunch wagons, saloons, soda fountains, bakeries, delicatessens, and boarding houses, and every place where food or drink is prepared and offered for sale.

SEC. 2. Every person, firm, company, or corporation who prepares or serves, sells, or offers for sale, any food or drink the ingredients of which are in part composed of eggs shipped or imported into the State of California from any point or place outside of the United States, before so doing shall cause to be printed on all bills of fare or menu cards placed on his or their tables or counters, in black-faced letters not less than one-eighth of an inch in height, the words "Imported eggs used here."

SEC. 3. Every person, firm, company, or corporation preparing, serving, selling, or offering for sale, any food or drink the ingredients of which are in part composed of eggs shipped or imported into the State of California from any point or place outside of the United States shall display in a conspicuous place in his or their public salesroom a sign, which shall be not less than 6 inches in height and three feet in length, bearing the words "Imported eggs used here" in black-faced letters not less than 3 inches in height and one-quarter of an inch in width, upon a white ground.

SEC. 4. Every person, firm, company, or corporation who shall fail to comply with any of the provisions of this act is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not more than six months or by a fine of not more than \$250, or by both such fine and imprisonment, in the discretion of the court. It shall be the duty of the State board of health to enforce the provisions of this act.

Foodstuffs in Packages—Use of Imported Eggs in, to be Indicated on Cards Placed in the Packages. (Chap. 617, Act June 4, 1915.)

SECTION 1. For the purposes of this act the words "person, firm, company, or corporation" shall include biscuit companies, cracker companies, bakeries, manufacturers of food products, and every person manufacturing and selling food products in packages.

SEC. 2. Every person, firm, company, or corporation who sells, or offers for sale, any manufactured food product the ingredients of which are in part composed of eggs shipped or imported into the State of California from any point or place outside of the United States shall, before so doing, cause to be placed in each package or wrapper inclosing such manufactured food product a white card 1½ inches in height and 3 inches in length, on one side of which shall be printed or stamped, in legible black-faced letters, the words "Imported eggs used in the manufacture of this article," and no other words, letters, or figures shall be printed or stamped on the same side of the card.

SEC. 3. Every person, firm, company, or corporation who shall fail to comply with any of the provisions of this act is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not more than six months or a fine of not more than \$250, or by both such fine and imprisonment, in the discretion of the court. It shall be the duty of the State board of health to enforce the provisions of this act.

Water for Domestic Use—Permit for Furnishing—Investigation by State Board of Health. (Chap. 649, Act June 7, 1915.)

SECTION 1. Section 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913,¹ is hereby amended to read as follows:

SEC. 2. Whenever any person, firm, corporation, public utility, municipality, or other public body, institution, or corporation shall desire to furnish or supply, or continue to furnish or supply, water for domestic uses or purposes to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution, or industrial camp, it or he shall file as herein provided with the State board of health a petition for permission so to do, together with a statement containing a general description and history of the existing or proposed water-supply system or distribution showing the geographical location thereof with relation to the source of the water supply and all the sanitary and health conditions surrounding and affecting said supply and the works, system, plant, and distributing system, such general statement to be in such form and to cover such matters as the State board shall prescribe. Thereupon a thorough investigation of the proposed or existing works, system, plant, water supply, and all other circumstances and conditions by it deemed to be material must be made under the direction of the State board of health: *And provided further*, That no person, firm, or corporation supplying water for domestic purposes or use on his or its private property upon which there is no industrial camp, hotel, temporary or permanent resort using said water, or supplying less than 200 service connections, shall be required to apply for a permit under the provisions of this section, except upon formal complaint filed with the State board of health by a person receiving such water or by some duly authorized public officer.

As a part of such investigation, and after 10 days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence, oral, and documentary, may be received, a record of which shall be made and filed with said board. All of the expenses of such investigation, including hearings, excepting the compensation of State officers participating therein, shall be borne, and paid as they accrue, by the petitioner. Upon the completion of such investigation, said board:

(a) If it shall determine, as a fact, that the water being furnished or to be furnished or supplied is such that under all the circumstances and conditions it is or may constitute a menace or danger to the health or lives of human beings, or that under all the circumstances and conditions the existing or proposed works, system, plant or water supply is unhealthful or unsanitary, it shall deny the prayer of such petitioner: *Provided, however*, That in case such petition shall be for permission to continue to furnish or supply water from a water system permanently constructed, established and operating prior to the passage of this act, said board may grant the petitioner a temporary and revocable permit, authorizing the continuance of the water supply, under such restrictions and conditions as in said permit may be specified to enable the petitioner to appoint an expert or commission to investigate and report on the best method of water supply, and to construct and put into operation a new or altered system, plant, water supply or distributing system, or to so alter, add to, repair, or modify the operation of the existing water supply, plant, works or system that the water furnished or supplied shall not endanger the lives or health of human beings.

(b) If it shall determine, as a fact, that the water being furnished or supplied to such human beings is such, that under all the circumstances and conditions, it does not endanger the lives or health of human beings it shall grant to petitioner a permit

¹ Reprint No. 264, p. 73.

authorizing petitioner to furnish or continue to furnish or supply such water to such human beings: *Provided, however,* That all permits issued hereunder shall be revocable or subject to suspension by said board at any time that it shall determine, as a fact, that the water being supplied or furnished or intended to be supplied or furnished does or will endanger the lives or health of human beings. The State board of health and its inspectors shall at any and all reasonable times have full power and authority to, and shall be permitted to, enter into and upon any and all places, property, inclosures and structures for the purpose of making and therein or thereon to make examinations and investigations to determine whether any provision of this act is being violated. The holder of any permit granted by said board under the provisions of this act may at any time by order of said board be required to furnish to said board, upon demand, a complete report upon the condition and operation of the water supply, plant, works or system owned, operated or controlled by it, which report shall be made by some competent person designated for the purpose by said board, and at the sole cost and expense of the holder of the permit. Any person, firm, corporation, public utility, municipality, or other public body, institution or corporation who shall furnish or supply or continue to furnish or supply water used or intended to be used for human consumption or for domestic purposes without having an unrevoked permit from the State board of health so to do, as in this act provided, may be enjoined from so doing by any court of competent jurisdiction, at the suit of any person or persons, firm, corporation, municipal or other public corporation whose supply of water for human consumption or for domestic purposes is taken, or received, from, or supplied or furnished by any such water furnishing or distributing person, firm, corporation, public utility or municipality or other public body, institution or corporation, or it or he may be enjoined at the suit of the State board of health in the same manner: *Provided, further,* That any such person, firm, corporation, public utility, municipality or other body, institution or corporation subject to the provisions of this act may file such petition at any time prior to January 1, 1914, unless sooner required so to do by order of said State board of health. Anything done, maintained or suffered in violation of any of the provisions of this act shall be deemed to be a public nuisance dangerous to health and may be summarily abated in the manner provided by law and it shall be the duty of all and every public officer or officers, body or bodies lawfully empowered so to do to immediately abate the same.

Poisons and Habit-Forming Drugs—Use, Sale, and Dispensing. Opium Pipes—Possession of. (Chap. 604, Act June 1, 1915.)

SECTION 1. Section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, approved March 19, 1909, approved April 25, 1911, approved June 11, 1913, is hereby amended to read as follows:

SEC. 7. Any person violating any of the provisions of sections 8 or 8a of this act shall upon conviction thereof be guilty of and shall be punished as follows, viz: For the first offense said person so convicted shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$100, and not to exceed \$400, or by imprisonment for not less than 50 days and not exceeding 180 days, or by both such fine and imprisonment; for the second offense said person so convicted shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$250, and not to exceed \$500, or by imprisonment for not less than 90 days and not exceeding six months, or by both such fine and imprisonment; and for the third offense said person so convicted shall be deemed guilty of a felony and shall be punished by imprisonment in the State prison for not less than one year and not more than five years. Any person violating any of the provisions of this act except those contained in section 8 or 8a, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum

not less than \$30, nor more than \$200, or by imprisonment for not less than 30 days and not more than 50 days, or by both such fine and imprisonment. All moneys, forfeited bail or fines, received under the operation of this act shall be paid by the magistrate receiving same, 75 per cent to the State board of pharmacy, and 25 per cent to the city treasurer of the city, if incorporated, or to the county treasurer of the county in which the prosecution is conducted. The following is schedule "A" referred to in section 1, viz: Schedule "A," arsenic, its compounds and preparations, corrosive sublimate, and other poisonous derivatives of mercury, cyanide of potassium, strychnine, hydrocyanic acid, oils of croton, rue, savin, and tansy, phosphorus and its poisonous derivatives and compounds, strophanthus or its preparations, aconite, bella donna, nux vomica, veratrum viride, their preparations, alkaloids or derivatives, ant poison containing any of the poisons enumerated in this schedule.

The following is schedule "B": Hydrochloric or muriatic 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, oil of pennroyal, tartar emetic, and other poisonous derivatives of antimony, sugar of lead, sulphate of zinc, wood alcohol, lysol and compound solution of cresol.

SEC. 2. Section 8 of said act is hereby amended to read as follows:

SEC. 8. 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 if each fluid or avoirdupois ounce contains more than two grains of opium or one quarter grain of morphine, or one grain of codeine, or one eighth grain of heroin or ten grains of chloral hydrate, or four grains of Indian hemp or loco weed excepting upon the written order of the prescriber for each and every subsequent compounding and 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 section 1 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and acts amendatory thereof; 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 keep in a manner readily accessible, the written orders or blank forms required to be preserved under the provisions of section 2 of the act of Congress, approved

December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing, or giving away of opium or coca leaves and salts, derivatives or preparations. And said records 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 records shall be preserved for at least two 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, of 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 provision 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 California State Board of Pharmacy within 24 hours after the taking of such order, contract, or agreement, unless such order, contract, or agreement is recorded as required under the provisions of section 2 of an act of Congress, approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing, or giving away of opium or coca leaves, their salts, derivatives, or preparations 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 any one 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 purposes of this act: *Provided*, That such licensed physician shall report in writing, over his signature, by registered mail, to the office of the California 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 provision immediately foregoing shall not apply to any licensed physician treating such habitue 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-eighth grain of heroin, or 10 grains chloral hydrate, or 4 grains of Indian hemp or loco weed in 1 fluid ounce or, if a solid preparation, in 1 ounce, avoirdupois.

SEC. 3. Section 8a of said act is hereby amended to read as follows:

SEC. 8a. The possession of a pipe or pipes used for smoking opium (commonly known as opium pipes) or the usual attachment or attachments thereto, or other contrivances used for smoking opium, or extracts, tinctures, or other narcotic preparations of hemp, or loco weed, their preparations or compounds containing more than 4 grains to each fluid or avoirdupois ounce (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), is hereby made a misdemeanor, and upon conviction thereof shall be punishable by the penalties prescribed in section 7 of this act.

SEC. 4. Section 8b of said act is hereby amended to read as follows:

SEC. 8b. 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, flowering tops and leaves, or extracts, tinctures, or other narcotic preparations of hemp, or loco weed, their preparations or compounds, containing more than 4 grains of Indian hemp or loco weed to each fluid or avoirdupois ounce (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 3 of title 12 of part 2 of the penal code. All such narcotic drugs, pipes used for smoking opium (commonly known as opium pipes), or the usual attachments thereto, and all such hemp or preparation of hemp or loco weed 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 California State Board of Pharmacy for such destruction: *And provided further,* That any narcotic drugs specified in section 8, opium pipes, and the usual attachments thereto, or smoking opium, seized under the provisions of this act, now in the possession of any city or county official or officials, or the California State Board of Pharmacy, or which may hereafter come into their or its possession, in which no trial was had, shall be delivered to the California State Board of Pharmacy for destruction by said board: *Provided, however,* That none of the narcotic drugs specified in section 8, opium pipes and the usual attachments thereto, or smoking opium coming into the possession of said board, as above described, shall not be destroyed within a period of six months from the date of such seizure: *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 California 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 the provisions of this act or of the act creating such California State Board of Pharmacy.

SEC. 5. Section 8c of said act is hereby amended to read as follows:

SEC. 8c. The board may revoke the registration of any registered pharmacist or assistant pharmacist upon conviction of the second offense for violating any of the provisions of section 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.

SEC. 6. Section 8d of said act is hereby amended to read as follows:

SEC. 8d. The State board of pharmacy is hereby charged with the enforcement of the provisions of section 307 of the penal code and all fines, moneys, or forfeited bail imposed for violation of said section upon collection shall be disposed of as is provided for the disposition of fines, moneys, or forfeited bail, in section 7 of this act.

SEC. 7. Section 9 of said act is hereby amended to read as follows:

SEC. 9. The sale or furnishing of carbolic acid (phenol) in quantities of less than 1 pound, paregoric in quantities of more than 1 fluid ounce, 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 solution 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 regulation as the poisons enumerated in schedule "A," as found in section 7.

Drug Addicts and Inebriates—Commitment of. (Chap. 510, Act May 26, 1915.)

SECTION 1. Section 2185c of the political code of the State of California is hereby amended to read as follows:

2185c. Whenever it appears by affidavit to the satisfaction of a magistrate of a county, or city and county, that any person is so far addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, or is subject to dipsomania or inebriety, he must issue and deliver to some peace officer for service a warrant directing that such person be arrested and taken before a judge of the superior court for a hearing and examination on such charge. Such officer must thereupon arrest and detain such person until a hearing and examination can be had. At the time of the arrest a copy of said affidavit and warrant of arrest must be personally delivered to said person. Such affidavit and warrant of arrest must be substantially in the form provided by section 2168 of the political code for the arrest of a person charged with insanity. He must be taken before a judge of the superior court, to whom said affidavit and warrant of arrest must be delivered to be filed with the clerk. The judge must then inform him of the charge against him, and inform him of his rights to make a defense to such charge and produce any witnesses in relation thereto. The judge must by order fix such time and place for the hearing and examination in open court as will give a reasonable opportunity for the production and examination of witnesses. Such order must be entered in the minutes of the court by the clerk and a certified copy of the same served on such person. The judge may also order that notice of the arrest of such person and the hearing of the charge be served on such relatives of said person known to be residing in the county, as the court may deem necessary or proper.

The hearing and examination shall be had in compliance with the provisions of sections 2169 and 2170 of the political code. The judge, after such hearing and examination, if he believes the person is so far addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, or is subject to dipsomania or inebriety, must make an order that he be confined in a hospital for the care and treatment of the insane, designated in such order, and the order must be accompanied by a written statement of the judge as to the financial condition of the patient and of the persons legally liable for his maintenance, as far as can be ascertained: *Provided*, That before a person shall be committed to a State hospital, satisfactory evidence shall be submitted to the trial judge showing that the person to be committed is not of bad repute or bad character, apart from his or her habit for which the commitment is made, and that there is reasonable ground for believing that the person, if committed, will be permanently benefited by treatment: *And provided, further*, That no person who has heretofore been committed under the provisions of this section as an intemperate user of narcotics, and who has been discharged or has escaped, shall be again committed to any State hospital unless permission for such recommitment be first obtained from the medical superintendent thereof. Such order and statement shall be in substantially the form provided by section 2171 of the political code for the commitment of insane persons. The court shall commit such person for a definite period, not to exceed two years, but provided that he may be paroled by the medical superintendent under the same rules and conditions that the insane are paroled: *And provided, further*, That the State commission in lunacy shall be given the same power to discharge any person committed under this act as contained in section 2189 of the political code, upon the

recommendation of the hospital superintendent, when satisfied that such person will not receive substantial benefit from further hospital treatment. Such person shall be delivered to the State hospital for the insane to which he has been committed in compliance with the provisions of section 2172 of the political code, providing for the commitment and deliverance of an insane person.

Sewers, Water Mains, and other Conduits—Construction, Maintenance, and Use Jointly by Two or More Municipalities. (Chap. 75, Act Apr. 17, 1915.)

SECTION 1. Section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended, is hereby amended so as to read as follows:

4. Whenever the councils, sanitary boards or other legislative bodies of two or more municipal corporations, two or more sanitary districts, or one or more municipal corporations, and one or more sanitary districts, shall find, and by resolutions adopted by them shall declare, that it will be for the interest or advantage of such municipal corporation or sanitary district so to do, such municipal corporations or sanitary districts, by their respective city councils, sanitary boards, or other legislative bodies, may enter into a joint agreement authorizing the construction and maintenance of sewers, water mains, or other conduits situated in the streets or other public places of either or any of such municipal corporations or sanitary districts, or in part outside of the limits thereof, at the joint cost and expense of, and for the joint use and benefit of such municipal corporations or sanitary districts, upon such terms and conditions, and under such regulations, as may be approved by the city councils, sanitary boards or other legislative bodies of all such municipal corporations or sanitary districts; and the city council, sanitary boards, or other legislative body of each such municipal corporation or sanitary district may bind and obligate such municipal corporation or sanitary district to pay such proportionate part of the cost of the construction and maintenance of such sewers, water mains, or other conduits at such times and in such installments as may be so approved.

All contracts for the construction of sewers, water mains, or other conduits, under the provisions of this section, shall be made and entered into by the one of such municipal corporations or sanitary districts designated by the city councils, sanitary boards, or other legislative bodies of all such municipal corporations or sanitary districts, and in the manner provided in section 3 of this act. Two or more municipal corporations, two or more sanitary districts, or one or more municipal corporations and one or more sanitary districts, may also, by their city councils, sanitary boards, or other legislative bodies, enter into an agreement or agreements with each other for the joint use by such municipal corporations or sanitary districts of any sewers, water mains, or other conduits theretofore, in whole or in part, constructed in the streets or other public places of either or any such municipal corporations or sanitary districts, upon such terms and conditions as they may, by mutual agreement made by their respective city councils, sanitary boards, or other legislative bodies, determine to be proper. Authority is hereby specifically granted to use the streets within the public corporations entering into such an agreement for the construction and maintenance of sewers provided for by such agreement and whenever it is necessary to extend such sewers without the limits of the public corporations entering into such agreement, then authority is hereby granted to use public highways without the limits of an incorporated city for the construction and maintenance of such sewers, subject only to the right of the board of supervisors to make reasonable police regulations for the protection of the highways so used.

Horses, Mules, Dairy Cattle, and Breeding Bulls—Inspection of, for Communicable Diseases, when Imported. (Chap. 54, Act Apr. 12, 1915.)

SECTION 1. It shall be unlawful for any person, firm, company, or corporation, their agents and servants, to bring into the State of California any horses, mules, dairy cattle, or breeding bulls except as hereinafter otherwise provided.

(a) Dairy cattle and breeding bulls over 6 months of age must be accompanied by a certificate of health and tuberculin-test record signed by a qualified veterinarian showing that each of said animals is free from communicable diseases, including tuberculosis, and copy of such certificate and tuberculin-test record shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.

(b) In lieu of such certificate of health and tuberculin test record, as provided for in subdivision (a) of this section, said dairy cattle and breeding bulls may be brought into the State of California, provided said animals are accompanied by a signed statement issued by the State veterinarian or other authority in charge of live stock sanitary work in the State from which such animals are transported, stating that the animals in the shipment originated in herds which are free from tuberculosis and are not affected with any communicable disease, and a copy of said statement shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.

(c) Horses and mules must be accompanied by certificate of health signed by a qualified veterinarian, stating that each animal in the shipment is free from communicable diseases, and a copy of said certificate shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.

(d) In lieu of the certificate provided for in subdivision (c) of this section, horses and mules may be brought into the State of California, provided said animals are accompanied by a signed statement issued by the State veterinarian or other authority in charge of live stock sanitary work in the State from which said animals are transported, stating that each animal in the shipment is free from communicable diseases and has not recently been exposed to any communicable disease, and a copy of said statement shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.

SEC. 2. Animals accompanying shipments of emigrant movables shall be exempt from the inspection or certification as provided for in this act. It is further provided that when horses, mules, dairy and breeding cattle are being brought into the State of California for exhibition or theatrical purposes, said animals shall likewise be exempt from the inspection and certification as provided for in this act: *Provided, however,* That when dairy or breeding bulls which have been brought into the State of California for exhibition purposes are sold to remain in the State of California, said animals shall be subjected to the tuberculin test and certified to as free from tuberculosis by the State veterinarian of the State of California before said animals are delivered to the purchaser.

SEC. 3. Whenever it shall have been determined by the State veterinarian that a communicable disease exists among domestic animals in any other State or Territory in the United States or foreign country, and the importation of animals from said State or Territory or foreign country might spread such disease among animals within the State of California, nothing in this act shall be so construed as to prevent or prohibit the governor of the State of California from issuing his proclamation quarantining said State or Territory or foreign country or from prescribing the regulations under which animals might be imported into the State of California from said State or Territory or foreign country.

SEC. 4. That certain act of the legislature of the State of California approved June 4, 1913,¹ entitled "An act to prevent the importation into the State of California of

horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat catle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules, and asses affected with glanders into the State of California,' approved March 7, 1911," is hereby repealed.

SEC. 5. Any person, firm, company, or corporation, their agents, servants, and employees, who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$500, or by imprisonment in the county jail for a term not exceeding 180 days, or by both such fine and imprisonment.

Advertisements—Untrue, Deceptive, or Misleading. Prohibited. (Chap. 634, Act June 1, 1915.)

SECTION 1. Section 654a of the penal code is hereby amended to read as follows:

654a. Any person, firm, corporation, or association, or any employce thereof, who, with intent to sell, furnish, perform, or in any way dispose of real or personal property, choses in action, merchandise, service, professional or otherwise, or anything of any nature whatsoever offered by such person, firm, corporation, or association, or any employee thereof, directly or indirectly, to the public for sale or distribution, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto or any interest therein, shall make, publish, disseminate, circulate, or cause to be made, published, disseminated, or circulated, or in any manner place or cause to be placed before the public in the State of California, in any newspaper, magazine, book, pamphlet, circular, letter, notice, handbill, poster, or other publication, or on any billboard, sign, card, label, or other advertising medium, or by means of any electric sign, window sign, show-case or window display, or by any other advertising device, or by public outcry or proclamation, or in any other manner or means whatever, an advertisement of any sort regarding such real or personal property, choses in action, merchandise, service, or anything so offered to the public, which advertisement shall contain any statement, representation, or assertion concerning such real or personal property, choses in action, merchandise, service, or anything so offered to the public, or concerning any circumstance or matter of fact connected in any way, directly or indirectly, with the proposed sale, performance or disposition thereof, which statement, representation, or assertion is false or untrue in any respect, or which is deceptive or misleading, and which is known, or which by the exercise of reasonable care should be known, to be false or untrue, deceptive, or misleading by the person, firm, corporation, or association making, publishing, disseminating, circulating, or placing before the public said advertisement, shall be guilty of a misdemeanor: *Provided, however,* That this act shall not apply to any publisher of a newspaper, magazine, or other publication who publishes said advertisement in good faith, without knowledge of its false, deceptive, or misleading character.

Mattresses—Making, Remaking, and Sale—Labeling. (Chap. 641, Act June 7, 1915.)

SECTION 1. (1) The term "mattress," as used in this act, shall be construed to mean any quilted pad, comforter, mattress, mattress pad, bunk quilt, or cushion stuffed or filled with wool, hair, or other soft material to be used on a couch or other bed for sleeping or reclining purposes.

(2) The term "person," as used in this act, shall be construed to include all individuals and all firms or copartnerships.

(3) The term "corporation," as used in this act, shall be construed to include all corporations, companies, associations, and joint-stock associations or companies.

(4) Whenever the singular is used in this act it shall be construed to include the plural; whenever the masculine is used in this act it shall include the feminine and neuter genders.

SEC. 2. (1) No person or corporation, by himself or by his agents, servants, or employees, shall employ or use in the making, remaking, or renovating of any mattress any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease, or for or about any person having any infectious or contagious disease; any material known as "shoddy," and made in whole or in part from old or worn clothing, carpets, or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed; any material, not otherwise prohibited by this act, of which prior use has been made, unless any and all of said material have been thoroughly sterilized and disinfected by a reasonable process approved by the board of health of the city or town where said mattress is made, remade, or renovated.

(2) No person or corporation, by himself or by his agents, servants or employees, shall sell, offer to sell, deliver, or consign, or have in his possession with intent to sell, deliver, or consign any mattress made, remade, or renovated in violation of subsection 1 of this section.

SEC. 3. No person or corporation, by himself or his agents, servants or employees, shall, directly or indirectly, at wholesale or retail, or otherwise, sell, offer for sale, deliver, or consign, or have in his possession with intent to sell, deliver, or consign, any mattress that shall not have plainly and indelibly stamped or printed thereon, or upon a muslin or linen tag not smaller than 3 inches square securely sewed to the covering thereof, a statement in the English language setting forth the kind or kinds of materials used in filling the said mattress, and whether the same are in whole or in part, new or old, or secondhand, or shoddy, and the name and address of the manufacturer or vendor thereof, or both.

SEC. 4. Whenever the word "felt" as applied to cotton is used in the said statement concerning any mattress it shall be designated in said statement whether said felt is "felted cotton" or "felted linters."

SEC. 5. It shall be unlawful to use in the said statement concerning any mattress the word "floss" or words of like import if there has been used in filling said mattress any materials which are not termed as "Kapok."

SEC. 6. It shall be unlawful to use in said statement concerning any mattress the word "hair" unless said mattress is entirely manufactured of animals' hair.

SEC. 7. It shall be unlawful to use in the description in the said statement any misleading term or designation, or term or designation likely to mislead.

SEC. 8. Any mattress made from more than one new material, shall have stamped upon the tag attached thereto the percentage of each material so used.

SEC. 9. Any mattress made from any material of which prior use has been made shall have stamped or printed upon the tag attached thereto in type not smaller than 20-point the words "secondhand material."

SEC. 10. Any mattress made from material known as "shoddy" shall have stamped or printed upon the tag attached thereto in type not smaller than 20-point the words "shoddy material."

SEC. 11. The statement required under section 3 of this act, shall be the following form:

MATERIALS USED IN FILLING.

.....
.....
.....

Vendor
Address

This article is made in compliance with the act of the State of California, approved the day of

SEC. 12. Any person who shall remove, deface, alter, or in any manner attempt the same, or shall cause to be removed, defaced, or altered, any mark or statement placed upon any mattress under the provisions of this act shall be guilty of a violation of this act.

SEC. 13. The unit for a separate and distinct offense in violation of this act shall be each and every mattress made, remade, renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver, or consign, contrary to the provisions hereof.

SEC. 14. Any person or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$20, and not to exceed \$100, for each offense, or by imprisonment for not less than three months and not exceeding six months or by both such fine and imprisonment.

SEC. 15. Any individual who has reason to believe that this act has been or is being violated may institute proceedings to enforce this act and to punish violations of its provisions.

Weeds—When Declared a Nuisance—Abatement of. (Chap. 511, Act May 26, 1915.)

SECTION 1. All weeds growing upon the streets or sidewalks or upon private property within municipalities, which bear seeds of a wingy or downy nature or attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous may be declared to be a public nuisance by the legislative body of any municipality, and thereafter abated as in this act provided.

SEC. 2. Whenever any such weeds are growing upon any street or sidewalk or private property the legislative body of any municipality may, by resolution, declare the same to be a public nuisance. Said resolution shall refer to the street by the name under which it is commonly known, and describe the property upon which or in front of which said nuisance exists by giving the lot and block number of the same according to the official map, or the assessment map of such municipality used for describing property on tax bills; and no other description of said property shall be required. Any number of streets, sidewalks, or parcels of private property may be included in one and the same resolution.

SEC. 3. After the passage of said resolution, the street superintendent shall cause to be conspicuously posted in front of the property on which or in front of which such nuisance exists, at not more than 100 feet in distance apart, but not less than three in all, notices headed "Notice to destroy weeds," such heading to be in words not less than 1 inch in height and substantially in the following form:

NOTICE TO DESTROY WEEDS.

Notice is hereby given that on the day of, 19.., the (name of the legislative body) passed a resolution declaring that noxious or dangerous weeds were growing upon or in front of the property on street, in said, and more particularly described in said resolution, and that the same constitute a public nuisance which must be abated by the removal of said noxious or dangerous weeds, otherwise they will be removed and the nuisance will be abated by the municipal authorities, in which case the cost of such removal shall be assessed upon the lots and lands from which or in front of which such weeds are removed, and such cost will constitute a lien upon such lots or lands until paid. Reference is hereby made to said resolution for further particulars.

All property owners having any objections to the proposed removal of such weeds are hereby notified to attend a meeting of the (name of the legislative body) of said (city or town) to be held (give date), when their objections will be heard and given due consideration.

Dated this day of, 19...

.....
Street superintendent (city or town of).

Said notices shall be posted at least five days prior to the time for hearing objections by the legislative body of the municipality.

SEC. 4. At the time stated in the notices, the legislative body of the municipality shall hear and consider all objections or protests, if any, to the proposed removal of weeds, and may continue the hearing from time to time. Upon the conclusion of said hearing the legislative body, by motion or resolution shall allow or overrule any or all objections, whereupon the legislative body shall be deemed to have acquired jurisdiction to proceed and perform the work of removal, and the decision of the legislative body on the matter shall be deemed final and conclusive.

SEC. 5. After final action has been taken by the legislative body on the disposition of any protests or objections, or in case no protests or objections have been received, the legislative body of the municipality, by motion or resolution, shall order the street superintendent to abate said nuisance by having the weeds referred to removed, and he and his assistants or deputies are hereby expressly authorized to enter upon private property for that purpose. Any property owner shall have the right to have any such weeds removed at his own expense, providing the same is done prior to the arrival of the street superintendent or his representatives to do the same.

SEC. 6. The street superintendent shall keep an account of the cost of abating such nuisance in front of or on each separate lot or parcel of land where the work is done by him or his deputies, and shall render an itemized report in writing to the legislative body of the municipality showing the cost of removing such weeds on each separate lot, or in front thereof, or both: *Provided*, That before said report is submitted to said legislative body, copy of the same shall be posted for at least three days prior thereto on or near the chamber door of said legislative body, together with a notice of the time when said report shall be submitted to the legislative body for confirmation.

SEC. 7. At the time fixed for receiving and considering said report, the legislative body shall hear the same, together with any objections which may be raised by any of the property owners liable to be assessed for the work of abating said nuisance and thereupon make such modifications in the report as they deem necessary, after which by motion or resolution said report shall be confirmed. The amounts of the cost for abating such nuisance in front of or upon the various parcels of land mentioned in said report shall constitute special assessments against the respective parcels of land and as thus made and confirmed shall constitute a lien on said property for the amount of such assessments, respectively. After confirmation of said report, a copy shall be turned over to the assessor and the tax collector of such municipality, whereupon it shall be the duty of said officers to add the amounts of the respective assessments to the next regular bills for taxes levied against the said respective lots and parcels of land for municipal purposes, and thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.

FLORIDA.

Habit-Forming Drugs—Sale and Dispensing—Use in Treatment of Drug Addicts. (Chap. 6391, Act May 19, 1915.)

SECTION 1. It shall be unlawful for any pharmacist, druggist, apothecary, or other person, firm, or corporation doing business in which drugs, medicines, or poisons are retailed or physicians' prescriptions are compounded or dispensed, to sell at retail any opium or coca leaves or any compound, manufacture, salt, derivative or preparation thereof, except upon the written prescription of a duly licensed physician or of a dentist or a veterinary surgeon and except as hereinafter provided. Such prescription shall contain the name and address of the person for whom it is written, the exact

amount of any of the above-named drugs or substances to be given and the signature of the physician writing it. No pharmacist, druggist, apothecary, or other person, firm, or corporation shall sell, dispense, or otherwise furnish more or less of any of the before-mentioned drugs, compounds, or mixtures than the amount set forth in such prescription. Every such prescription shall contain the date upon which it shall have been filled and a serial number. Such prescription shall be filled but once, and no copy shall be given to any person, except that a copy may be taken by any officer or agent of the State board of health, the local board of health, or of the law.

SEC. 2. That the provisions of this act shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth grain of morphine, or more than one-eighth grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semisolid preparation, in one 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 cocaine 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. 3. Any duly licensed physician, a dentist, or veterinary surgeon may prescribe, dispense, or administer any of the before-mentioned drugs or preparations or their derivatives for the treatment or cure of diseases in the course of their professional practice: *Provided*, That such physician, dentist, or veterinary surgeon shall not prescribe, dispense, or furnish any of the before-mentioned drugs to any persons who may be addicted to the habitual use of these drugs or any of their derivatives or preparations, except that a duly licensed physician may, for the cure of such habit or addiction, prescribe or administer these drugs in reducing doses to an habitual user while personally supervising and controlling such habitual user and treating him or her for the habit or addiction aforesaid. In the event that any such case of habitual user of any of the drugs mentioned in section 1 of this act shall prove refractory or unusually difficult of treatment, it shall be the duty of the physician treating such case to report the fact to the State board of health, the local board of health, or to the county judge. It shall also be the duty of any physician treating any such case of drug addiction to report such case to the State board of health, the local board of health, or to the county judge, in the event that such patient shall not pursue his treatment in good faith until final cure: *Provided*, That nothing in this section shall prevent the prescribing, by a duly licensed physician, of opium or any of its derivatives or preparations for such habitual users or addicts as may be declared incurable after investigation by the county judge and an agent of the State board of health, or of a municipal health officer, in and after consultation with the physician in attendance.

SEC. 4. In the event that such refractory or difficult or uncured case be brought to the attention of the authorities mentioned in section 3, it shall be the duty of said authorities to bring such case to the official attention of the prosecuting officer of the county.

SEC. 5. It shall be the duty of the prosecuting officers of each county to prosecute each offender against this act when duly brought to his notice.

SEC. 6. Any violation of this act shall be a misdemeanor and shall be punished by a fine of not more than \$500 or imprisonment for not more than 30 days. A second conviction shall be punished by a fine of not over \$2,000 or by imprisonment for not more than one year. Furthermore, if, upon a second conviction, the offender be a

licensed physician, veterinary surgeon, or a licensed pharmacist, in addition to the fine, his or her license to practice medicine or pharmacy in the State of Florida shall be permanently revoked.

Drug Addicts—Commitment, Detention, and Treatment. (Chap. 6896, Act June 5, 1915.)

SECTION 1. That the Florida Hospital for the Insane shall be used for the detention, care, and treatment of all persons addicted to the excessive use of opium, cocaine, their derivatives and compounds, and other narcotic drugs, and the board of commissioners of State institutions shall have the management, control, and the same powers and duties with respect to such persons in said Florida Hospital for the Insane as it [sic] now or may hereafter be possessed by said board with reference to lunatics or insane persons.

SEC. 2. That the superintendent of the said Florida Hospital for the Insane, under the direction of the board of commissioners of State institutions, shall have the care and charge of all persons committed to said Florida Hospital for the Insane under this act. Said board of commissioners of State institutions shall be authorized to employ such physicians, medical attendants, nurses, and other persons as may be necessary in their judgment for the proper administration of this act.

SEC. 3. That all persons who are regularly committed to said Florida Hospital for the Insane, who have been duly adjudged under the provisions of this act to be indigent and addicted to the excessive use of the drugs hereinabove mentioned, shall be admitted to said Florida Hospital for the Insane; but whenever in the opinion of the board of commissioners of State institutions it shall be necessary to restrict the number of admissions of such persons for lack of room or any other reason, said board may notify by mail the county judge of each county in this State of that fact, and after such notice no further commitments shall be made hereunder until said order shall be suspended by said board of commissioners of State institutions.

SEC. 4. That the county judge of the county in which the person addicted to the excessive use of said drugs, or any of them, resides shall have jurisdiction to make and enter an order or orders for the commitment of such person to the said Florida Hospital for the Insane. Said jurisdiction shall be exercised by the filing of a petition by such person voluntarily, in which event said petition need not be verified, or by any other person who shall have first obtained leave of such county judge to make and file said petition, in which event said petition shall state, under oath of the petitioner, the name of the person sought to be committed, his residence, family, physical and financial condition, and the nature and extent of the use of any such drug by such person sought to be committed, and any other facts which may be necessary to inform the court of the condition and situation of the party sought to be committed and of the propriety of such commitment. Upon the presentation of such petition, if made by another than the person sought to be committed, such county judge shall issue his *caapias*, which shall be served by the sheriff of such county, commanding the person accused to appear before such county judge for examination at a date named in said *caapias*. At the time fixed in said *caapias* said judge shall take such testimony as may be adduced respecting the charge contained in said petition. The accused may be represented by counsel, and the county judge may, if he deems it necessary, require the county solicitor, if there be such in said county, otherwise the State attorney, to appear at said hearing and represent the State of Florida and the accused therein.

MONTANA.**Tuberculin Test of Dairy Cattle. (Chap. 9, Act Feb. 9, 1915.)**

SECTION 1. Section 6 of chapter 146, session laws of the twelfth Legislative Assembly of the State of Montana [1911], is hereby amended to read as follows:

SEC. 6. All tuberculin used for making tests under the provisions of this act shall be of the kind and quality prescribed by the State live-stock sanitary board, and must, whenever possible, be obtained from the United States Bureau of Animal Industry, and the manner and method of testing cattle under the provision of this act shall be in accordance with the rules and regulations prescribed by the said board.

Advertisements—False or Misleading, Prohibited. (Chap. 117, Act Mar. 8, 1915.)

SECTION 1. False advertising as used in this act shall mean any false statement regarding the quality or price of goods, wares, or merchandise in any advertisement, circular, letter, poster, handbill, display card, or other written or printed matter, by means of which such goods, wares, or merchandise are offered for sale to the public.

SEC. 2. It shall be unlawful for any person, corporation, copartnership, or association of individuals to make any false statement regarding the quality or price of goods, wares, or merchandise in any advertisement, circular, letter, poster, handbill, display card, or other written or printed matter, by means of which such goods, wares, or merchandise are offered for sale to the public.

SEC. 3. Any person violating any of the provisions of this act by means of false advertising, as herein defined, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail not less than 30 days nor more than 6 months, or by both such fine and imprisonment.

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