

PUBLIC HEALTH REPORTS

VOL. 31

FEBRUARY 18, 1916

No. 7

LICENSING OF HAWKERS OF DRUGS.

CALIFORNIA LAW REQUIRING ITINERANT VENDORS OF DRUGS TO PAY A TAX AND SECURE A LICENSE HELD VALID.

A drug peddler was arrested in California and convicted of violating a State law which requires all itinerant vendors of drugs to secure licenses and pay a semiannual State tax of \$100. This tax is in addition to fees or taxes which may be required by county or municipal authorities.

The Supreme Court of the State decided that the law is not in conflict with the Federal Constitution and that it is valid.

The essential parts of the opinions appear in this issue of the Public Health Reports, page 391.

SALE AND USE OF POISONS.

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

The potential influences of poisonous drugs on the morbidity as well as the mortality of those using them are beginning to attract the attention of persons cognizant of the rapid increase in deaths from degenerative diseases that are occurring in the comparatively early periods of life. That potent drugs may have an important action on the metabolic processes has long been recognized, but that their use is as extensive and widespread as it really is has perhaps not been known, or, if known, has not been appreciated.

The problem of adequate legislation for restricting the sale and use of poisons is complicated by the fact that the nature and characteristics of dangerous poisons can not be outlined or defined. The question "what is a poison" continues to elicit discussion and to attract attention on the part of dealers and others engaged in the manufacture, sale, or distribution of poisonous or potent drugs or their preparations, but up to the present time this question has not generally received due attention because of the fact that persons not directly interested, in an economic way, in the manufacture or sale

of products that may be involved, have not had their attention directed to the need for properly studying the possible secondary results of the very widespread consumption of active drugs and medicines.

Some years ago an attempt was made in connection with State poison laws to define in a general way the nature of the products to be classed as poisons. These general definitions varied very widely in comprehensiveness, and even the less inclusive would to-day be construed to embrace many articles not recognized as generally harmful poisons because of the limited distribution given them at the present time.

During the year 1915 persons interested in the enactment of laws to restrict the sale and use of poisons reverted to the earlier proposition of particularizing rather than generalizing the definition of a poison, and practically all of the recently enacted laws are evidently based on the supposition that for all practical purposes it is best to enumerate specifically the articles that are to be included in the schedule of poisons.

For all usual purposes it is generally admitted that easy access to poisons greatly increases their abuse and the likelihood of fatal accidents from the mistaking of a dangerously potent drug for one that is comparatively inert. A more or less concerted attempt has recently been made to dissuade householders from keeping poisons in the home. Such an attempt, if coupled with systematic efforts at educating the people in regard to the possible harmful effects of all potent drugs, would go far toward making the enactment of additional State laws unnecessary.

Persons well qualified to express an opinion hold that ordinary articles of commerce that are possibly poisonous should not be classed as poisons unless evidence is available that fatal accidents have occurred from the use of such substances which would indicate that their distribution should be safeguarded. At the present time no satisfactory evidence is available in this country in regard to the nature or kind of drug to be safeguarded. The available morbidity statistics are at best meager, and in no instance do they include any mention of indisposition due to poisons. Even the mortality statistics of the Census Bureau are altogether too meager to be of value as an index of the nature or kind of poison to which the many fatal cases of poisoning may be due.

In England and Wales this need for specific information is to an extent met by the very exhaustive records of cases of poisoning included in the annual reports of the registrar general of births, deaths, and marriages in England and Wales as illustrated by the appended table showing the deaths reported for 1912 and 1913. In this connection it may be pointed out that the existing poison law in England

provides that drugs that are abused or are found to be a source of danger, or a menace, may be included in the schedule of poisons and their sale or distribution thus regulated.

Deaths by poisoning reported for 1912 and 1913 by the registrar general of births, deaths, and marriages in England and Wales.

[Compiled from Pharm. J. Lond., 1914, vol. 93, p. 453; 1915, vol. 94, pp. 623-624.]

Name of poison.	1912					1913				
	Accidental deaths.		Suicides.		Total.	Accidental deaths.		Suicides.		Total.
	Male.	Female.	Male.	Female.		Male.	Female.	Male.	Female.	
Acetic acid.....	3	1			4			1		1
Aconite.....							2		1	3
Alcohol.....	9	1		1	11	1				1
Ammonia.....	6	3	6	14	29	6	3	10	11	30
Antipyrin.....						1				1
Arsenic.....	3	4	3	1	11	2	1	5	1	9
Atropine.....									1	1
Beladonna.....	3	2	4	1	10	6	4	2	5	17
Camphor and its preparations.....	2	1	1		4			1		1
Carbolic acid.....	11	6	41	47	105	5	5	28	36	74
Chloral hydrate.....	3	1			4	1	2			3
Chlorodyne.....	2	3			5	2	3			5
Chloroform.....	1		4		5	1		2		3
Cocaine.....	1	1	1		3					
Crocin.....								1		1
Formalin.....									1	1
Fusel oil.....									1	1
Hydrochloric acid.....	7	1	45	41	94	8	4	55	43	110
Hydrocyanic acid.....	1		31	2	37	3	1	34		38
Iodine.....							1			1
Jeyesfluid.....						1	1			2
Lysol.....	1	1		2	4	3	2		5	10
Magnesium sulphate.....							1			1
Mercuric chloride.....		3	3	7	13	2	1	4	6	13
Nicotine.....						1		2		3
Nitric acid.....	1	2	2	1	6	2		3		5
Opium, laudanum, and morphine.....	32	16	42	10	109	35	17	26	14	92
Phosphorus.....	2	3	3	6	14			1	2	3
Potash.....						1				1
Potassium bichromate.....						2		1	1	4
Potassium cyanide.....	4		38	3	45	1	3	38	4	46
Potassium nitrate.....						1				1
Quinine sulphate.....							1			1
Sodium bichromate.....								1		1
Strychnine.....	4		7	4	15	2	4	8	3	17
Sulphuric acid.....	5			1	6	1	2	5	1	9
Sulphonal.....	1			1	6					
Trional.....		3		3	3		1			1
Vero al.....	9	3	1	1	14	8	9	6	3	26
Weed killer.....						1			1	2
White precipitate.....							1			1
Zinc chloride.....							1			1
Other poisons.....	37	17	92	77	223	9	15	44	53	121
Total.....	148	76	327	220	771	105	85	277	194	662

One of the inherent difficulties in connection with a study of drug abuse, in a comprehensive way, is our lack of knowledge in regard to the nature and character of the drugs that are sold and used, and the accompanying difficulties of determining the extent or the distinguishing features of the harmful influences exerted by the various drugs and compounds that are now being consumed in huge quantities. In connection with some few drugs that are known to be widely used, considerable data has been accumulated;

but even this data is as yet incomplete, and much work must still be done before we are in position to definitely outline the deteriorating influences of any appreciable number of poisonous drugs.

The many cases of poisoning that are reported in the literature as being due to the ingestion of narcotic or hypnotic drugs not generally classed as poisons would appear to suggest the need for some additional form of legislation which would adequately safeguard the sale and distribution of such drugs in interstate commerce. It has long been held by persons who have given the subject thought and study that the enactment of a Federal poison law on which food and drug officials, the postal authorities, the producer, and the wholesale dealer alike could rely for guidance, would go far toward bringing about an effective regulation of the sale and distribution of poisons in interstate traffic. As stated before, such a law would also serve as a practical basis for the promulgation of the necessary regulations under existing postal laws for the sending of products of a medicinal character through the mails.

The diversity at present existing between the laws of the various States regulating the manufacture and sale of poisonous drugs is causing a great deal of embarrassment and in some instances complication and delay in the shipping of articles containing poisons from one State to another. The person or firm desirous of developing an interstate business in poisonous drugs is confronted by forty or more independent State laws, the requirements of which are so diverse that it is practically impossible to comply with them by adopting any one form of label for use in all parts of the country. It has been pointed out very properly that if a manufacturer must prepare and label his products in a specific way to meet the requirements in each State, and if the labels required in one State differ from those required in an adjoining State, the process of complying with existing laws becomes cumbersome and the cost prohibitive.

A practical national poison law would not alone serve as a model to determine what is a poison but would, if based on authentic information bearing on the existing use and abuse of poisonous drugs, be an incentive for strict adherence to the provisions of such a law, at least in connection with articles offered for interstate commerce.

The laws relating to the sale of poisons were amended in California, Idaho, New York, and South Dakota. The South Dakota law is unique in that it restricts the sale of poisons to pharmacies or to dealers handling goods other than foods. In general stores the sale of poisons is restricted to a department other than the place in which food products are kept for sale. This requirement is evidently an effort to recognize the possibility or danger of mistaking an active poison for a food product or the possible contamination of food products by poisons.

Another somewhat novel law is that of Michigan, which forbids the sale of poison fly paper and makes it unlawful to manufacture, sell, or offer for sale any form of fly poison unless the contained poison is made inaccessible to children.

The sale of fungicides or insecticides is regulated by law in New Hampshire and Washington. In the former State the manufacturer must file annually with the commissioner of agriculture a statement recording the composition of the article as offered for sale and the commissioner of agriculture may have the material tested to show that it complies with the claims made for it.

The distribution of samples of medicines has been prohibited or restricted by ordinance or regulation in Los Angeles, Cal.; Springfield, Ohio; Paterson, N. J.; Pittsfield, Mass.; New York City, and in Hanover County, N. C.

Among the unusual provisions embodied in laws or regulations enacted during the year 1915, the following are of special interest: In New York City a recently adopted regulation of the board of health makes it unlawful to sell or give away hair dyes and other toilet preparations which, by reason of any ingredients contained therein, may be detrimental to health. This appears to be the first effort to regulate or restrict the sale of cosmetics containing dangerous poisons and would seem to be a timely effort in a practical direction to safeguard the health of women and young girls.

The board of health of the city of New York has also adopted a regulation making it unlawful to permit the growth of poison ivy and ragweed on any vacant lot in the city. With the growing appreciation of the number of persons who are susceptible to poisoning by poison ivy and the general recognition of ragweed as a causative factor of hay fever, it would appear that this regulation also is designed as an efficient safeguard to the health and welfare of the citizens, which it is designed to protect.

Poisons in Articles of Commerce.

Laws designed to restrict the occurrence of poisons, or of other possibly harmful contaminations in food products, are recognized as being of importance, not alone from the standpoint of their intrinsic merit but also from the point of view of the present temper of popular sentiment.

While food and drug laws are of importance as public health measures, they are now generally recognized as being primarily economic measures designed to secure for the purchaser authoritative information regarding the nature and composition of the products marketed as foods or drugs.

The general uniformity in the phraseology and context of the several State food and drug laws would suggest the possibility of a

strict compliance with the recommendations of the commissioners on uniform laws, to the effect that uniformity in food and drug laws can best be secured by amendments to the State laws with a view of bringing them in complete harmony with the requirements of the Federal law.

Some of the more recently enacted laws, however, appear to demonstrate the impracticability of this suggestion and the need for additional safeguards in the way of standards for foods and food accessories.

To provide uniform standards, an effort is being made at the present time under the auspices of several organizations of men interested in the enforcement of food and drug laws, to outline and to offer for general adoption suitable standards for food products.

The food and drug laws of a number of States and Territories have been amended during the past year. Prominent among the laws that have been so modified are those of Hawaii, Iowa, Massachusetts, Nebraska, North Carolina, North Dakota, Oklahoma, Rhode Island, Vermont, and Wyoming.

In Hawaii the definition for the term "food" is made "to include all articles used for food, drink, confectionery, or condiment by man or animals, whether simple, mixed, or compound."

In Iowa "food" is defined as including all articles used for or entering into the composition of food, drink, confectionery, or condiment used by man or domestic animals.

An amendment to the pure-food law of Nebraska defines commercial feeding stuffs and makes provisions for their analysis.

The amended pure-food law of North Dakota outlines standards for a number of articles and includes a number of sections in which the requirements are presented in a negative form.

VITAMINES AND NUTRITIONAL DISEASES.

A STABLE FORM OF VITAMINE, EFFICIENT IN THE PREVENTION AND CURE OF CERTAIN NUTRITIONAL DEFICIENCY DISEASES.¹

By **ATHERTON SEIDELL**, Technical Assistant, Hygienic Laboratory, United States Public Health Service.

According to the recently developed conceptions of nutritional deficiency diseases, particularly beriberi and pellagra, a factor, hitherto unrecognized, must be taken into consideration in respect to the essential food elements necessary for normal metabolism. This constituent has been given the name "vitamine," and this term now expresses the idea that in addition to the usual proteins, fats, carbohydrates, etc., contained in ordinary foodstuffs there must be

¹ Received for publication Dec. 28, 1915.

present also a sufficient amount of vitamines in order that normal metabolism be maintained.

It is recognized that although vitamines undoubtedly are widely distributed in food products, they occur for the most part in very minute amounts, and the various foods differ in the proportions which they contain. In the case of an ordinary mixed diet a supply of vitamines ample for the needs of the organism will no doubt usually be present. On the other hand, if the diet is made up principally of foods poor in vitamines or rendered so by their preparation, it would be expected that an insufficient amount of these substances would be provided and that abnormal metabolic processes would result. The studies which have been made on beriberi, and especially on polyneuritis in fowls, have definitely established this conception of the rôle of vitamines in metabolism.

In all attempts which have so far been made to isolate vitamines in sufficient quantities for experimental studies, only very small yields have been obtained. This has been due to the apparent destruction of the physiologically active substance during the various steps of the several processes employed. On this account it has so far not been possible to make convincing demonstrations of the specific function of isolated vitamines in nutritional deficiency diseases of human beings. It was in the hope of developing an efficient procedure for obtaining a relatively concentrated and comparatively cheap form of vitamine, suitable for studies on the prevention and cure of such human nutritional deficiency diseases as beriberi, pellagra, infantile malnutrition, etc., that the following briefly-described experiments were undertaken:

Of the various substances which have been shown to be rich in vitamines, brewer's yeast is probably, at present, the cheapest. In all save perhaps a few of the larger brewing establishments the bottom yeast remaining after each brew is washed down the sewer. This material, therefore, appeared to meet every requirement for cheapness. As obtained from the brewery¹ it is in the form of a light-colored mush. It is first subjected to pressure in a hydraulic press for removal of the beer still retained by it. The press cake is then stirred with ice water and again pressed out. The cake is placed in enamel-ware vessels and brought to a temperature of 37.5° C. and held there for a period of about 48 hours. The autolysis is more or less complete at the end of this time and the material converted to the consistency of thick soup. After cooling to room temperature, the liquid is filtered through large folded filter papers. All methods of filtration involving the use of pressure which were

¹ Acknowledgments are due the Christian Heurich Brewing Co., of Washington, for the very liberal supplies of yeast used in the present investigation.

tried, failed. The weight of clear red brown filtrate amounts to approximately 50 per cent of the weight of the unfiltered material.

This filtered autolyzed yeast contains about 23 per cent of total solids, determined by evaporation in a vacuum desiccator. It will keep in a cool place, without noticeable change, for several months, possibly much longer. If administered in 1 c. c. doses on alternate days to a pigeon kept on an exclusive diet of polished rice, the pigeon does not lose weight nor show symptoms within at least two months, the period during which the present experiment has been under way. A pigeon kept on polished rice without the yeast filtrate begins to lose weight usually within the first 5 days and dies with the typical paralysis of polyn neuritis within about 20 days. If 1 c. c. of the yeast filtrate is given to completely paralyzed pigeons a relief of the paralysis will occur within an hour and to all outward appearances the pigeon will be restored to a normal condition within 12 hours.

Although this yeast filtrate is evidently very active and has good keeping qualities, an effective dose for a man, as estimated from the amount required for pigeons, would be about 200 c. c. It was therefore realized that the material would have to be considerably concentrated before it could be successfully used in human cases.

The procedures originally employed for concentrating the yeast filtrate included vacuum distillation, evaporation in a current of dry air, and freezing and removing the ice by centrifugation according to the method perfected by Mr. H. C. Gore, of the Bureau of Chemistry, for concentrating cider and fruit juices. Although a portion of the dissolved solids separated during the concentration and could be removed, the resulting concentrated liquid became more and more sirupy and it was impossible to convert the material to a solid condition. The use of alcohol for precipitating the inactive material from the very concentrated solution was at first thought to be a practical step, since an easily removed granular product was obtained. On concentrating the alcoholic filtrate from this product and estimating its activity by experiments on neuritic pigeons it was found that a considerable loss of the active constituent had occurred. An examination of the solid precipitated by the alcohol showed it to be quite active; hence a distribution of the vitamine had taken place. It was therefore apparent that the use of alcohol for concentrating the vitamine in yeast filtrate was not a practical procedure from an economic standpoint.

After experiments with a number of other procedures had failed to yield satisfactory results, attention was turned to the possibility of using a medium which might exert a selective adsorption for the vitamine. It was shown several years ago by Prof. John Uri Lloyd, of Cincinnati, that certain varieties of fuller's earths could, by proper treatment, be rendered very efficient in the selective adsorption of

alkaloids from complex mixtures. It was thought that possibly this material might remove the vitamine from the autolyzed yeast filtrate. Preliminary experiments indicated that such a removal of it could be effected. After beginning the work, there was found a published statement by Chamberlain and Vedder (Philipp, J. Sci. (B) 6, 399, 1911) to the effect that the neuritis-preventing substance of extracts of rice polishings is removed by filtering through bone black. This observation strengthened the expectation that a separation of the vitamine from the substances accompanying it in filtered autolyzed yeast could be effected by means of an efficient adsorptive agent.

Through the kindness of Prof. Lloyd a large quantity of the especially selected and prepared hydrous aluminum silicate which he uses for alkaloidal separations and which is known as "Lloyd's Reagent," was sent to the writer. It was decided that in the first experiment a relatively large amount of the adsorptive agent should be used. Two hundred grams per liter of yeast filtrate were therefore selected, and the mixture was thoroughly shaken during about 15 minutes and then filtered through a large Buchner funnel. The filtrate was reserved and the residue pressed out with a spatula and, without washing, drained with air suction as thoroughly as possible. The solid residue was transferred to a vacuum desiccator containing concentrated H_2SO_4 and dried to constant weight.

As indicated in connection with the description of the autolyzed yeast filtrate, there are two methods of determining the activity of a product in respect to polyneuritis—first by the prevention of the onset of the symptoms and second by means of curative experiments. Both methods were employed in the case of the solid, which had been shaken with the autolyzed yeast filtrate, and of the clear liquid recovered after treatment with the solid.

In the case of the curative experiments it was found that a pigeon suffering from severe paralysis due to an exclusive diet of polished rice, showed unmistakable improvement within an hour after a dose of the solid corresponding to 3 c. c. of the yeast filtrate, and to all outward appearances was normal the next morning. Similar experiments made with the filtrate from the solid showed it to have no appreciable curative action.

The feeding experiments were conducted on a group of 12 pigeons. They were kept in a large cage and given as much polished rice as they would eat. They were weighed and dosed as follows at intervals of two to three days: Two of the pigeons were given 3 c. c. doses of the original yeast filtrate (Y. F.), three received doses of 0.6 gram of the activated solid (A. S.) corresponding to 3 c. c. of Y. F., three received 3 c. c. doses of the filtrate from the activated solid (F. A. S.), and four were retained as controls.

The results are plotted on the accompanying chart. It will be seen that the pigeons receiving the autolyzed yeast filtrate and the solid activated by being shaken with the yeast filtrate, not only showed no ill effects from the exclusive diet of polished rice but actually gained considerably in weight. The controls and those receiving the filtrate from the activated solid all developed the typical paralysis of polyneuritis within from 11 to 23 days. The experiment, therefore, proves conclusively that, using a ratio of 200 grams per liter, the adsorptive agent removes the vitamine promptly and completely from autolyzed yeast filtrate.

Attention was next turned to ascertaining how small a proportion of the solid reagent would adsorb the vitamine completely from the

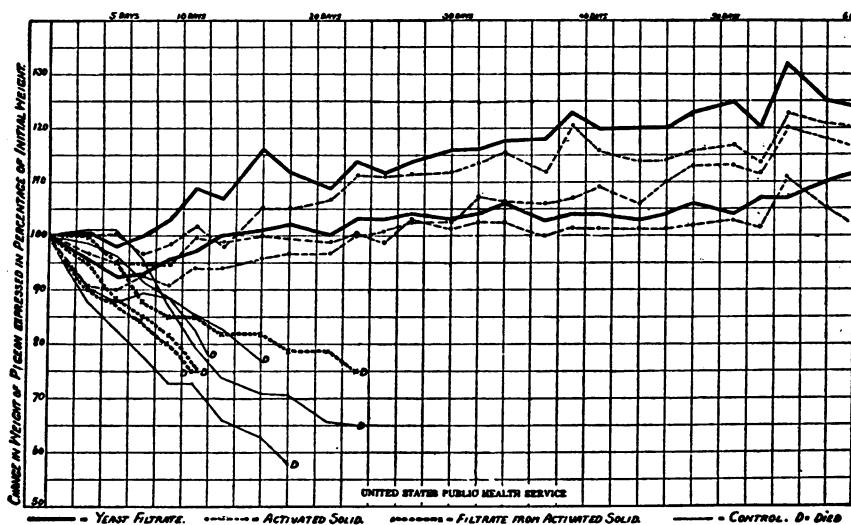


Chart showing effect of yeast filtrate, activated solid, and filtrate from activated solid on pigeons kept upon an exclusive diet of polished rice. (Dosage began on fifth day.)

yeast liquor. This information was considered desirable in order that an activated solid containing as high a concentration of the vitamine as possible might be obtained; one in which doses sufficient for human patients would be contained in amounts of the solid small enough for convenient administration.

An experiment made with the solid and with the filtrate obtained by separating a mixture of only 20 grams of the reagent to 1 liter of yeast liquor showed that, although the solid was active when given in doses corresponding to 3 c. c. of the original yeast liquor, the liquid filtered from the solid still retained a sufficient amount of vitamine to protect pigeons for periods of over two months when given in 3 c. c. doses on alternate days. From this it is evident that only an incomplete separation had been effected.

The proportion of 40 grams of solid per liter was next used but the filtrate was found still to be just slightly active. When 50 grams per liter were used only an inconsiderable amount of vitamine appeared to remain in the yeast filtrate. This, therefore, was considered to be the lowest proportion of solid reagent which could be employed for removing the active material from autolyzed yeast filtrate. A curative experiment made with the filtrate obtained in using 50 grams solid per liter resulted as follows: A pigeon which was beginning to show weakness indicative of the approach of the paralysis of polyneuritis was given 5 c. c. of the filtrate and the next day showed a very slight improvement. The 5 c. c. doses of the filtrate were continued on alternate days, but the symptoms of polyneuritis developed progressively until typical paralysis, followed by death, resulted on the eighth day succeeding that of the first dose. There was evidently just enough active material in the relatively larger doses of filtrate to delay the fatal termination about one week.

On the basis of the above-described experiments the procedure which has been adopted for preparing activated solid from autolyzed yeast liquor is as follows: To a large volume of clear autolyzed yeast filtrate is added 50 grams per liter of the colloidal hydrous aluminium silicate reagent as prepared by Prof. Lloyd, of Cincinnati, for alkaloidal separations. The mixture is well shaken and allowed to stand several hours until the supernatant liquid is practically free of suspended solid. The dark liquid is then siphoned off and about an equal volume of water and enough standard hydrochloric acid is added to yield an approximately N/100 acid solution. The addition of this small amount of acid is necessary to hasten subsidence of the solid. After shaking and allowing to stand, the supernatant liquid is again siphoned off. The solid is washed a second time with the very dilute acid and then poured upon a large Buchner funnel and washed several times with small portions of water and finally with about three small portions of 95 per cent alcohol. The solid is then spread out on paper to permit the evaporation of the major part of the alcohol and finally dried to constant weight in vacuum desiccators containing concentrated sulphuric acid.

Both preventive and curative experiments on pigeons have been made with this material, and the results agree with those already described and illustrated by the chart for the product made with the ratio of 200 grams of reagent per liter of yeast filtrate. It has been found that prompt and effective cures of completely paralyzed pigeons result from 0.05 gram doses of the activated solid, corresponding to 1 c. c. of the original yeast filtrate. Preventive experiments, continued at present for over a month, using 0.05 gram of the solid on alternate days, show that the pigeon retains its normal health and weight on an exclusive diet of polished rice.

On the basis of 60 kilograms as the weight of a man, as compared with 300 grams for the pigeon, a comparable dose of the activated material would be 10 grams of the solid on alternate days, or 5 grams per day. This is a quantity which could be conveniently taken either in capsules or as an aqueous suspension. The material is practically tasteless and odorless, and aside from the vitamine which it contains is an absolutely inert substance which would produce no noticeable effects on passage through the body.

In regard to the probable therapeutic value of the product here described, it should be mentioned that much evidence has been advanced to show that polyneuritis in birds is essentially the same disease as beriberi in man, consequently, it may be expected that the concentrated vitamine may prove to be an efficient remedy for beriberi. That it will be valuable in the treatment of pellagra can not be asserted until clinical tests on human cases have been made; it can only be said that if the source of the vitamine at present selected—viz, yeast—should happen not to be well chosen as regards pellagra, the method here described for concentrating the yeast vitamine probably could be applied equally effectively to some other raw product.

In conclusion it should be mentioned that the procedure here developed for yeast can be used with slight modifications in the estimation of the vitamine content of various food products. Experiments already under way upon the potato have demonstrated the applicability of the method.

PLAGUE-PREVENTION WORK

CALIFORNIA.

The following report of plague-prevention work in California for the week ended January 22, 1916, was received from Surg. Boggess, of the United States Public Health Service, in charge of the work:

SAN FRANCISCO, CAL.		SAN FRANCISCO, CAL.—Continued.	
RAT PROOFING.		RAT PROOFING—continued.	
New buildings:		Old buildings—Continued.	
Inspections of work under construction.	187	Yards and passageways, planking removed.....	35
Basements concreted (square feet 59,680)	70	Cubic feet new foundation walls installed	8,800
Floors concreted (square feet, 19,670)...	13	Concrete floors installed (square feet, 30,162)	44
Yards, passageways, etc. (square feet, 25,554)	109	Basements concreted (square feet, 36,725)	43
Total area of concrete laid (square feet).	105,014	Yards and passageways, etc., concreted (square feet, 15,060).....	92
Class A, B, and C (fireproof) buildings:		Total area concrete laid (square feet)...	81,947
Inspections made.....	129	Floors rat proofed with wire cloth (square feet, 350).....	1
Roof and basement ventilators, etc., screened.....	547	Buildings razed.....	19
Wire screening used (square feet).....	2,650	New garbage cans stamped approved.....	508
Openings around pipes, etc., closed with cement.....	911	Nuisances abated.....	297
Sidewalk lens lights replaced.....	800		
Old buildings:			
Inspections made.....	503		
Wooden floors removed.....	43		

SAN FRANCISCO, CAL.—Continued.

OPERATIONS ON THE WATER FRONT.

Vessels inspected for rat guards.....	21
Reinspections made on vessels.....	36
New rat guards procured.....	21
Defective rat guards repaired.....	16
Rats trapped on wharves and water front..	39
Rats trapped on vessels.....	22
Traps set on wharves and water front.....	196
Traps set on vessels.....	40
Vessels trapped on.....	12
Poisons placed on water front.....	3,600
Poisons placed within Panama-Pacific International Exposition grounds (pieces).....	88,000
Bait (bacon) used on water front and vessels (pounds).....	6
Amount of bread used in poisoning, water front (loaves).....	9
Pounds of poison used on water front.....	3

RATS COLLECTED AND EXAMINED FOR PLAGUE.

San Francisco:

Collected.....	427
Examined.....	329
Found infected.....	None.

Hollister:

Collected.....	11
Examined.....	11
Found infected.....	None.

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

CONTRA COSTA COUNTY.

Hopkins tract, 130 acres, treated with kilmol; 44 gallons kilmol used.

RECORD OF PLAGUE INFECTION.

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

¹ None.² Wood rat.

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

LOUISIANA—NEW ORLEANS—PLAGUE ERADICATION.

The following report of plague-eradication work at New Orleans for the week ended February 5, 1916, was received from Surg. Creel, of the United States Public Health Service, in charge of the work:

OUTGOING QUARANTINE.

Vessels fumigated with sulphur.....	6
Vessels fumigated with carbon monoxide..	17
Vessels fumigated with cyanide gas.....	6
Sulphur used (pounds).....	671
Coke consumed in carbon-monoxide fumigation, pounds.....	21,600
Cyanide used in cyanide-gas fumigation, pounds.....	299
Sulphuric acid used in cyanide-gas fumigation, pints.....	419
Clean bills of health issued.....	31
Foul bills of health issued.....	3

FIELD OPERATIONS.

Rodents trapped.....	7,646
Premises inspected.....	7,335
Notices served.....	534
Poisons placed.....	84
Garbage cans installed.....	81

BUILDINGS RAT PROOFED.

By elevation.....	140
By marginal concrete wall.....	138
By concrete floor and wall.....	170
By minor repairs.....	235
Total buildings rat proofed.....	683

BUILDINGS RAT PROOFED—continued.

Concrete laid, square yards.....	5,464
Premises plank and shed flooring removed.....	156
Buildings demolished.....	173
Total buildings rat proofed to date (abated)	101,413

LABORATORY OPERATIONS.

Rodents received by species:

Mus rattus.....	149
Mus norvegicus.....	861
Mus alexandrinus.....	150
Mus musculus.....	6,308
Wood rats.....	120
Musk rats.....	26
Putrid (included in enumeration of species).....	58
Total rodents received at laboratory.....	7,614
Rodents examined.....	1,858
Rats suspected of plague.....	148

PLAGUE RATS.

Case No. 277:
Address, 2111 Chippewa Street.
Captured, Jan. 8, 1916.

PLAGUE RATS—continued.

Case No. 277—Continued.

Diagnosis confirmed, Feb. 4, 1916.

Treatment of premises: Intensive trapping.

Rat proofing expedited.

Case No. 278:

Address, 4305 Annunciation Street.

Captured, Jan. 25, 1916.

Diagnosis confirmed, Feb. 4, 1916.

Treatment of premises: Intensive trapping.

Rat proofing expedited.

PLAGUE STATUS TO FEB. 4, 1916.

Last case of human plague, Sept. 8, 1915.

Last case of rodent plague, Feb. 4, 1916.

Total number of rodents captured to Feb. 5. 598,786

Total number of rodents examined to Feb. 5 324,540

Total cases of rodent plague to Feb. 5, by species:

Mus musculus.....	6
Mus rattus.....	18
Mus alexandrinus.....	11
Mus norvegicus.....	243

Total rodent cases to Feb. 5, 1916..... 278

WASHINGTON—SEATTLE—PLAGUE ERADICATION.

The following report of plague-eradication work at Seattle for the week ended January 29, 1916, was received from Surg. Lloyd, of the United States Public Health Service, in charge of the work:

RAT PROOFING.

New buildings reinspected.....	39
New buildings reinspected, concrete foundations.....	37
New buildings elevated.....	2
Old buildings inspected.....	2
Premises rat proofed, concrete, old buildings..	2
Floors concrete, old buildings (sq. ft. 3,675) ..	2
Wooden floors removed, old buildings.....	2
Building razed.....	1

LABORATORY AND RODENT OPERATIONS.

Dead rodents received.....	10
Rodents trapped and killed.....	325
Total.....	335
Rodents examined for plague infection.....	205
Rodents proven plague infected.....	None.
Poison distributed (pounds).....	16
Bodies examined for plague infection.....	7
Bodies found plague infected.....	None.

CLASSIFICATION OF RODENTS.

Mus rattus.....	9
Mus alexandrinus.....	56
Mus norvegicus.....	162
Mus musculus.....	98

WATER FRONT.

Vessels inspected and histories recorded.....	7
New rat guards installed.....	8
Defective rat guards repaired.....	5
Port sanitary statements issued.....	38
The usual day and night patrol was maintained to enforce rat guarding and fending.	

MISCELLANEOUS WORK.

Rat-proofing notices sent to contractors, new buildings.....	7
Letters sent in re rat complaints.....	6
Lectures on sanitary measures.....	1

RODENTS EXAMINED IN EVERETT.

Mus norvegicus trapped.....	43
Mus musculus trapped.....	2
Total.....	45

Rodents examined for plague infection.....	44
Rodents proven plague infected.....	None.

¹ Indicates number of rodents the tissues of which were inoculated into guinea pigs. Most of them showed on necropsy only evidence of recent inflammatory process; practically none presented gross lesions characteristic of plague infection.

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 JAN. 22, 1916.

Total rats and mongoose taken.....	231	Classification of rats killed by sulphur dioxide:	
Rats trapped.....	1	Mus alexandrinus.....	3
Rats killed by sulphur dioxide.....	5	Mus rattus.....	2
Examined microscopically.....	212	Average number of traps set daily.....	984
Showing plague infection.....	0	Cost per rat destroyed.....cents..	32
Classification of rats trapped:		Last case rat plague, Aiea, 9 miles from Honolulu,	
Mus alexandrinus.....	99	Apr. 12, 1910.	
Mus musculus.....	70	Last case human plague, Honolulu, July 12, 1910.	
Mus norvegicus.....	43		
Mus rattus.....	19		

Hilo.

WEEK ENDED JAN. 15, 1915.

Rats and mongoose taken.....	2,936	Rats and mongoose plague infected.....	1
Rats trapped.....	2,890	Classification of rats trapped and found dead:	
Rats found dead.....	1	Mus norvegicus.....	398
Mongoose taken.....	45	Mus alexandrinus.....	427
Rats and mongoose examined macroscopically.....	2,936	Mus rattus.....	907
Rats and mongoose examined microscopically.....	1	Mus musculus.....	1,159
Rats and mongoose examined bacteriologically.....	1	Last case of rat plague, Paauhau Sugar Co., Jan. 18, 1916.	
		Last case of human plague, Paauhau Sugar Co., Dec. 16, 1915.	

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.

Arkansas.

Collaborating Epidemiologist Garrison reports that 12 cases of cerebrospinal meningitis were notified in Arkansas during January.

California Report for December, 1915.

During the month of December, 1915, cases of cerebrospinal meningitis were notified in California as follows: One case in Fresno County and one at Los Angeles, Los Angeles County.

Louisiana.

Collaborating Epidemiologist Dowling reports that the only cases of cerebrospinal meningitis reported in Louisiana since the first of the year were during the month of January, one in Caddo Parish and one in New Orleans.

Mississippi—Louise.

Collaborating Epidemiologist Stingily reported by telegraph February 12, 1916, that 10 cases of cerebrospinal meningitis had been notified at Louise, Yazoo County, Miss.

DIPHTHERIA.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 381.

ERYSIPELAS.**City Reports for Week Ended Jan. 29, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio.....		1	Newark, N. J.....	1	
Ann Arbor, Mich.....	3		New Castle, Pa.....	1	
Baltimore, Md.....		1	New York, N. Y.....		8
Beaver Falls, Pa.....	1		North Adams, Mass.....		1
Boston, Mass.....		3	Omaha, Nebr.....	2	
Brockton, Mass.....	1		Philadelphia, Pa.....	20	7
Buffalo, N. Y.....	8	3	Pittsburgh, Pa.....	14	
Chicago, Ill.....	54	9	Portland, Oreg.....	2	
Cincinnati, Ohio.....	2	1	Reading, Pa.....	3	
Cleveland, Ohio.....	9	2	Rochester, N. Y.....	2	
Detroit, Mich.....	8		St. Louis, Mo.....	13	1
Harrisburg, Pa.....	3		St. Paul, Minn.....	2	
Hartford, Conn.....	4		San Francisco, Cal.....	5	
Kalamazoo, Mich.....	2		Seattle, Wash.....	1	
Lancaster, Pa.....	1		South Bethlehem, Pa.....	1	
Los Angeles, Cal.....	3		York, Pa.....	1	
Milwaukee, Wis.....	1				

LEPROSY.**Hawaii—Honolulu.**

During the month of December, 1915, 6 cases of leprosy were notified in Honolulu, Hawaii.

City Report for Week Ended Jan. 29, 1916.

During the week ended January 29, 1916, 1 case of leprosy, with 1 death, was reported at Los Angeles, Cal.

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

During the month of December, 1915, 293 cases of malaria were notified in Arkansas, and in California 46 cases were notified.

Arkansas Report for August, 1915.

During the month of August, 1915, 1,124 cases of malaria were notified in the State of Arkansas.

City Reports for Week Ended Jan. 29, 1916.

During the week ended January 29, 1916, malaria was reported by cities as follows: Coffeyville, Kans., 1 case; Newark, N. J., 1 case; New Orleans, La., 1 death; Norfolk, Va., 1 case and 1 death.

MEASLES.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 381.

PELLAGRA.**Arkansas Reports for August and December, 1915.**

During the month of August, 1915, 286 cases of pellagra were notified in the State of Arkansas, and during the month of December, 1915, 32 cases of the disease were notified in the same State.

City Reports for Week Ended Jan. 29, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Birmingham, Ala.....		2	New Orleans, La.....	1	
Chicago, Ill.....		1	Richmond, Va.....		1
Mobile, Ala.....		2	Wilmington, N. C.....		2

PNEUMONIA.**City Reports for Week Ended Jan. 29, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Beaver Falls, Pa.....	4		Newark, N. J.....	49	22
Berkeley, Cal.....	1	1	New Castle, Pa.....	2	
Binghamton, N. Y.....	8	1	Newport, Ky.....	2	2
Braddock, Pa.....	1		Norfolk, Va.....	12	10
Canton, Ohio.....	1		North Adams, Mass.....	1	
Chicago, Ill.....	289	116	Ogden, Utah.....	1	1
Cleveland, Ohio.....	49	34	Pasadena, Cal.....	1	
Columbus, Ohio.....	4	19	Philadelphia, Pa.....	97	64
Danville, Ill.....	1	4	Pittsburgh, Pa.....	54	37
Detroit, Mich.....	10	14	Portland, Me.....		4
Duluth, Minn.....	1	1	Reading, Pa.....	6	7
Erie, Pa.....	2		Rochester, N. Y.....	4	4
Grand Rapids, Mich.....	18	7	Sacramento, Cal.....	2	2
Harrisburg, Pa.....	3	2	Saginaw, Mich.....	1	4
Kalamazoo, Mich.....	2	1	San Francisco, Cal.....	18	15
Kansas City, Mo.....	12	25	Schenectady, N. Y.....	8	2
Lincoln, Nebr.....	2	2	Seattle, Wash.....		4
Lorain, Ohio.....	3		South Bethlehem, Pa.....	4	
Los Angeles, Cal.....	12	8	Spokane, Wash.....	3	3
Manchester, N. H.....	3	3	Toledo, Ohio.....	2	15
Morristown, N. J.....	2		Wichita, Kans.....	2	
Muscatine, Iowa.....	3				

POLIOMYELITIS (INFANTILE PARALYSIS).**California Report for December, 1915.**

Place.	New cases reported.	Place.	New cases reported.
California:		California—Continued.	
Contra Costa County—		Sacramento County—	
Concord.....	1	Sacramento.....	1
Los Angeles County.....	3	San Francisco County—	
Huntington Park.....	1	San Francisco.....	1
Long Beach.....	1		
Los Angeles.....	2	Total.....	10

POLIOMYELITIS (INFANTILE PARALYSIS)—Continued.

Arkansas Report for August, 1915.

During the month of August, 1915, one case of poliomyelitis was notified in the State of Arkansas, in Mississippi County.

City Reports for Week Ended Jan. 29, 1916.

During the week ended January 29, 1916, poliomyelitis was reported by cities as follows: Ann Arbor, Mich., 1 case; New York, N. Y., 1 case and 1 death; Pittsburgh, Pa., 1 case.

RABIES.

Washington—Seattle—Rabies in Animals.

During the month of January, 1916, 2 cases of rabies in dogs were reported in Seattle, Wash., making a total of 468 cases of the disease reported in dogs since the beginning of the present outbreak. Eight cases have been reported in cattle, 4 cases in cats, 2 in horses, and 1 in a hog.

SCARLET FEVER.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 331.

SMALLPOX.

Arizona—Nogales.

Acting Asst. Surg. Gustetter reported the presence of 4 cases of smallpox in Nogales, Ariz., February 7, and the occurrence of 1 death from the disease during the week ended February 5, 1916.

Arkansas—Mountain View.

Collaborating Epidemiologist Garrison reported February 17 that 7 cases of smallpox have been notified at Mountain View, Arkansas.

Minnesota.

Collaborating Epidemiologist Bracken reported by telegraph that during the week ended February 12, 1916, three new foci of smallpox infection were reported in Minnesota, cases of the disease having been notified as follows: Brown County, Linden Township 1; Itasca County, Big Fork Township 12; Watonwan County, St. James 1.

SMALLPOX—Continued.

California Report for December, 1915.

Place.	New cases reported.	Deaths.	Vaccination history of cases.			
			Number vaccinated within 7 years preceding attack.	Number last vaccinated more than 7 years preceding attack.	Number never successfully vaccinated.	Vaccination history not obtained or uncertain.
California:						
Alameda County—						
Oakland.....	2	.....	.....	.....	2	.....
Colusa County.....	4	.....	.....	1	3	.....
Kings County.....	1	.....	.....	.....	.....	1
Los Angeles County—						
Los Angeles.....	2	.....	.....	1	1	.....
San Benito County.....	1	.....	.....	.....	.....	1
San Francisco.....	1	.....	.....	.....	1	.....
San Joaquin County—						
Stockton.....	1	.....	.....	1	.....	.....
Santa Cruz County—						
Santa Cruz.....	1	.....	.....	1	.....	.....
Tehama County.....	1	.....	.....	.....	1	.....
Total.....	14	.....	.....	4	8	2

Miscellaneous State Reports.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Arkansas (Aug. 1-31):			Arkansas (Dec. 1-31)—Con.		
Johnson County.....	2	.....	(counties—, continued.		
Arkansas (Dec. 1-31):			Saline.....	4	.....
Counties—			Scott.....	1	.....
Lawrence.....	2	.....	Washington.....	9	.....
Logan.....	1	.....	Woodruff.....	1	.....
Phillips.....	5	.....	Total.....	28	.....
Pope.....	4	.....		
Pulaski.....	1	.....		

City Reports for Week Ended Jan. 29, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Butte, Mont.....	2	.....	New Orleans, La.....	3	.....
Danville, Ill.....	2	.....	Oklahoma City, Okla.....	2	.....
Davenport, Iowa.....	22	.....	Omaha, Neb.....	2	.....
Detroit, Mich.....	5	.....	Rock Island, Ill.....	2	.....
Evansville, Ind.....	4	.....	St. Louis, Mo.....	3	.....
Fort Worth, Tex.....	6	.....	Seattle, Wash.....	2	.....
Galveston, Tex.....	1	.....	Sioux City, Iowa.....	3	.....
Grand Rapids, Mich.....	1	.....	Spokane, Wash.....	6	.....
Kalamazoo, Mich.....	1	.....	Springfield, Ill.....	6	.....
Kansas City, Mo.....	3	.....	Stockton, Cal.....	1	.....
Knoville, Tenn.....	3	.....	Toledo, Ohio.....	4	.....
Los Angeles, Cal.....	3	.....	Wichita, Kans.....	1	.....
Marinette, Wis.....	2	.....		

TETANUS.

City Reports for Week Ended Jan. 29, 1916.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Baltimore, Md.....	.....	1	New York, N. Y.....	.....	1
Chicago, Ill.....	.....	1	Philadelphia, Pa.....	1	2
Newark, N. J.....	1	1	St. Louis, Mo.....	1	1

TUBERCULOSIS.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 381.

TYPHOID FEVER.

State Reports for December, 1915.

Place.	New cases reported.	Place.	New cases reported.
Arkansas:		California—Continued.	
Bradley County.....	1	San Bernardino County—	
Carroll County.....	1	Needles.....	1
Columbia County.....	1	Redlands.....	1
Drew County.....	1	San Diego County.....	1
Faulkner County.....	1	San Diego.....	4
Greene County.....	2	San Francisco County—	
Newton County.....	1	San Francisco.....	11
Quachita County.....	2	San Joaquin County—	
Phillips County.....	5	Lodi.....	1
Polk County.....	3	San Luis Obispo County—	
Pulaski County.....	2	San Luis Obispo.....	
Saline County.....	2	Santa Barbara County—	
Washington County.....	1	Santa Barbara.....	1
Total.....	23	Santa Clara County.....	4
California:		Santa Clara.....	1
Alameda County—		Shasta County—	
Berkeley.....	1	Redding.....	5
Oakland.....	7	Siskiyou County.....	1
Butte County.....	1	Sonoma County—	
Contra Costa County—		Santa Rosa.....	2
Richmond.....	3	Stanislaus County.....	3
Fresno County.....	1	Oakdale.....	1
Fresno.....	2	Tehama County—	
Humboldt County—		Corning.....	1
Arcata.....	1	Tuolumne County.....	1
Kern County.....	4	Yolo County.....	1
Bakersfield.....	4	Total.....	89
Los Angeles County.....	1	Hawaii:	
Long Beach.....	1	Hawaii—	
Los Angeles.....	12	Hamakua district.....	2
Santa Monica.....	1	Kauai.....	
Watts.....	1	Waimea district.....	1
Maric County—		Maui.....	
San Rafael.....	1	Wailuku district.....	1
Merced County.....	2	Oahu.....	
Monterey County—		Honolulu.....	6
King City.....	1	Waiialua district.....	1
Orange County.....	2	Total.....	11
Sacramento County—			
Sacramento.....	5		

Arkansas Report for August, 1915.

Place.	New cases reported.	Place.	New cases reported.
Arkansas:		Arkansas—Continued.	
Bradley County.....	1	Logan County.....	3
Calhoun County.....	2	Lonoke County.....	1
Carroll County.....	3	Mississippi County.....	4
Clay County.....	1	Newton County.....	2
Conway County.....	2	Quachita County.....	1
Dallas County.....	3	Phillips County.....	6
Drew County.....	2	Pike County.....	2
Faulkner County.....	4	Polk County.....	10
Greene County.....	4	Pulaski County.....	18
Hempstead County.....	2	Saline County.....	10
Hot Spring County.....	3	Sebastian County.....	10
Howard County.....	3	Sevier County.....	4
Independence County.....	5	St. Francis County.....	5
Izard County.....	25	Stone County.....	2
Johnson County.....	4	White County.....	1
Lafayette County.....	2	Total.....	148
Lee County.....	3		

TYPHOID FEVER—Continued.**City Reports for Week Ended Jan. 29, 1916.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Ann Arbor, Mich.	1	.....	Morristown, N. J.	1	.....
Atlanta, Ga.	1	.....	Newark, N. J.	1	1
Baltimore, Md.	1	.....	New Bedford, Mass.	1	.....
Beaver Falls, Pa.	3	.....	New Castle, Pa.	1	.....
Birmingham, Ala.	2	1	New Orleans, La.	2	.....
Boston, Mass.	4	.....	New York, N. Y.	16	5
Bridgewater, Conn.	1	.....	Niagara Falls, N. Y.	1	.....
Brockton, Mass.	1	.....	Norfolk, Va.	1	.....
Buffalo, N. Y.	3	2	Oakland, Cal.	1	.....
Charleston, S. C.	3	.....	Philadelphia, Pa.	6	.....
Chattanooga, Tenn.	1	.....	Pittsburgh, Pa.	6	1
Chicago, Ill.	11	3	Portland, Me.	3	1
Cincinnati, Ohio	3	.....	Portland, Oreg.	2	.....
Cleveland, Ohio.	1	.....	Providence, R. I.	.....	1
Coffeyville, Kans.	1	.....	Reading, Pa.	2	.....
Columbus, Ohio	1	.....	Richmond, Va.	1	.....
Covington, Ky.	2	.....	Saginaw, Mich.	3	.....
Danville, Ill.	2	1	St. Louis, Mo.	5	.....
Detroit, Mich.	.....	2	St. Paul, Minn.	1	.....
Duluth, Minn.	2	1	San Diego, Cal.	1	.....
Fall River, Mass.	3	.....	San Francisco, Cal.	2	.....
Galesburg, Ill.	.....	2	Seattle, Wash.	.....	1
Galveston, Tex.	2	1	Somerville, Mass.	1	.....
Grand Rapids, Mich.	7	.....	South Bethlehem, Pa.	2	.....
Harrisburg, Pa.	2	.....	Springfield, Mass.	.....	1
Haverhill, Mass.	1	.....	Syracuse, N. Y.	.....	1
Indianapolis, Ind.	7	1	Tacoma, Wash.	1	1
Johnstown, Pa.	1	.....	Toledo, Ohio.	4	1
Kansas City, Mo.	3	.....	Waltham, Mass.	3	.....
Lancaster, Pa.	1	.....	Washington, D. C.	1	1
Lawrence, Mass.	2	1	Wheeling, W. Va.	4	.....
Little Rock, Ark.	1	.....	York, Pa.	1	.....
Malden, Mass.	1	.....	Zanesville, Ohio.	13	.....
Milwaukee, Wis.	1	.....		

TYPHUS FEVER.**Texas—Laredo.**

One new case of typhus fever was reported at Laredo, Tex., February 17.

City Report for Week Ended Jan. 29, 1916.

During the week ended January 29, 1916, two cases of typhus fever, with one death, were reported at New York, N. Y.

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS.**State Reports for December, 1915.**

During the month of December, 1915, cases of diphtheria, measles, and scarlet fever were notified in States as follows: In Arkansas, diphtheria 58, measles 1, scarlet fever 23; in California, diphtheria 407, measles 99, scarlet fever 422; in Hawaii, diphtheria 18, measles 401.

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

City Reports for Week Ended Jan. 29, 1916.

City.	Population as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuberculosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Over 500,000 inhabitants:										
Baltimore, Md.	584,605	268	28	5	190	2	58		28	15
Boston, Mass.	745,139	323	83	6	59	1	91	1	50	19
Chicago, Ill.	2,447,045	784	129	9	162	2	270	3	226	94
Cleveland, Ohio	656,975	203	30		89	5	24	2	43	16
Detroit, Mich.	554,717	197	69	8	84		34		41	14
New York, N. Y.	5,468,190	1,812	330	19	293	5	182	3	457	193
Philadelphia, Pa.	1,683,664	677	59	11	181	4	55		130	69
Pittsburgh, Pa.	571,984	206	22	1	218	2	16		33	20
St. Louis, Mo.	745,988	287	63	2	9		27	1	54	20
From 300,000 to 500,000 inhabitants:										
Buffalo, N. Y.	461,235	237	14	3	323	6	16		39	20
Cincinnati, Ohio.	406,706	160	17		64	1	4		27	23
Jersey City, N. J.	300,133	108		1						7
Los Angeles, Cal.	465,367	139	12	1	9		6		54	26
Milwaukee, Wis.	428,062	106	13	1	298	3	28		24	8
Newark, N. J.	399,000	146	41	2	197	2	26	1	51	13
New Orleans, La.	366,484	126	49		1		3		51	21
San Francisco, Cal.	* 416,912	168	36	7	2		43		27	20
Seattle, Wash.	330,834	58			12		2		17	4
Washington, D. C.	358,679	146	28		19		19		16	8
From 200,000 to 300,000 inhabitants:										
Columbus, Ohio.	209,722	84	11		1		8		8	5
Indianapolis, Ind.	265,578	110	8	2	5		18		20	10
Kansas City, Mo.	289,879		12	2	8		30	2	3	7
Portland, Ore.	272,833	69	4		3		2		11	4
Providence, R. I.	250,025	99	13	2	6		17			
Rochester, N. Y.	250,747	71	6		18		4		6	3
St. Paul, Minn.	241,999	57	7	1	9		13		11	2
From 100,000 to 200,000 inhabitants:										
Atlanta, Ga.	184,873	57	2				4			7
Birmingham, Ala.	174,108	44		1	2		1		5	3
Bridgeport, Conn.	118,434	49	6		4		3		3	3
Cambridge, Mass.	111,669	38	13	1	5		6		8	6
Camden, N. J.	104,349		3		2					
Fall River, Mass.	126,004	63	2				6		9	6
Grand Rapids, Mich.	125,759	39			5		2		6	3
Hartford, Conn.	108,969		11	1	39		2		7	1
Lowell, Mass.	112,124	42	14	1	4		3		1	3
Lynn, Mass.	100,316	30	4	2	121		18		1	4
Nashville, Tenn.	115,978	58	4				2	1	9	7
New Bedford, Mass.	114,604	38	8	1	3		5		12	5
New Haven, Conn.	147,095		5		2		5		8	3
Oakland, Cal.	190,803	8	5				4		4	1
Omaha, Nebr.	135,455		10		9		92	5		
Reading, Pa.	105,094	53			175	2	11	2	2	
Richmond, Va.	154,674	55	4	2	4		3		9	3
Spokane, Wash.	142,990	3			14		2			
Springfield, Mass.	103,216	38	6				3		3	2
Syracuse, N. Y.	152,534	52	9	1	5		5		5	3
Tacoma, Wash.	108,094		1		1					
Toledo, Ohio.	187,840	77	10		200	3	14		3	6
Trenton, N. J.	109,212	67	10		22		2		12	4
Worcester, Mass.	160,523	75	10		1		7		13	5
From 50,000 to 100,000 inhabitants:										
Akron, Ohio.	82,958	52	6		7		25		1	2
Atlantic City, N. J.	55,806	9	1		1		1		5	
Bayonne, N. J.	67,582		2				4		3	
Berkeley, Cal.	54,879	15	2				5			
Binghamton, N. Y.	53,082	17	4				1		2	1
Brockton, Mass.	65,746	19	4		4		1		8	2
Canton, Ohio.	59,130	17	6		9		18	1		
Charleston, S. C.	69,427	31	3				2			3
Chattanooga, Tenn.	58,576		1	1			2		3	3
Covington, Ky.	53,520		1		7				2	3
Duluth, Minn.	91,413	24	6		63		11		1	5
Erie, Pa.	73,798	25	3		6		1		7	

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

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

City Reports for Week Ended Jan. 29, 1916—Continued.

City.	Popula- tion as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
From 50,000 to 100,000 inhabit- ants—Conti. ued.										
Evans, Ill., Ind.	72, 125	25	1						5	3
Fort Worth, Texas	99, 528	21	2		1					
Harrisburg, Pa.	70, 754	18	5	1	2				7	2
Hoboken, N. J.	76, 104	32	4		10	1	4		8	4
Jackson, Ill., Fla.	73, 137	29	2						6	3
Johnstown, Pa.	66, 585	35	5	1	83		3		3	2
Lancaster, Pa.	59, 269	5	5		1				3	
Lawrence, Mass.	98, 197	31	8	2	31		3		8	2
Little Rock, Ark.	55, 158	35	1							
Malden, Mass.	50, 067	13	2				2		1	1
Manchester, N. H.	76, 959	20	1		33	1	6			
Mobile, Ala.	56, 536	20					2		1	2
New Britain, Conn.	52, 203	9	4	2	11		2		4	2
Norfolk, Va.	88, 076		4						7	7
Oklahoma, Okla.	88, 158	18			2		3			
Passaic, N. J.	69, 010	29	5		37	1	2		2	1
Pawtucket, R. I.	58, 156	15	2	1	7		1			1
Portland, Me.	63, 014	31	4							1
Rockford, Ill.	53, 761	12	3		46		18			
Sacramento, Cal.	64, 806	18								2
Saginaw, Mich.	54, 815	20	1		4		3		2	1
San Diego, Cal.	51, 115	18	3		5					2
Schenectady, N. Y.	95, 265	15	2		1		6		7	
Somerville, Mass.	85, 460		4		1		3		4	1
South Bend, Ind.	67, 030	20	7		2		7		1	1
Springfield, Ill.	59, 468		6		1		2			2
Springfield, Ohio.	50, 804	18			1		4		2	3
Troy, N. Y.	77, 738		1		2		9		3	
Wichita, Kans.	67, 817	12	1		2		1		1	
Wilkes-Barre, Pa.	75, 218	30	1				2		7	1
York, Pa.	50, 543		2		56				1	
From 25,000 to 50,000 inhabitants:										
Alameda, Cal.	27, 051	11			1		1			
Brookline, Mass.	31, 934	8	2		2				2	
Butler, Pa.	26, 587	4								
Butte, Mont.	42, 918	13	1		6				3	3
Chester, Mass.	132, 452	10			11	1	8		6	1
Chicopee, Mass.	28, 688	3							3	2
Cumberland, Md.	25, 564	6			1		2		1	3
Danville, Ill.	31, 554	21	1	1	4		2		2	
Davenport, Iowa.	47, 127		2				3			
Dubuque, Iowa	39, 650						4			1
East Orange, N. J.	41, 155	9	8		8		7		2	2
Elgin, Ill.	27, 844	7							1	
Everett, Mass.	38, 807	14	4				5		6	
Everett, Wash.	33, 767	5					2			
Fitchburg, Mass.	41, 144	15	13	2	6		8		3	
Galveston, Tex.	41, 076	19	4				2		7	
Haverhill, Mass.	47, 774	20	14	1	1		2		4	3
Kalamazoo, Mich.	47, 364	26							3	1
Kenosha, Wis.	30, 319	5					1		1	
Kingston, N. Y.	26, 632	7	2				12		6	1
Knoxville, Tenn.	38, 200				6					
La Crosse, Wis.	31, 522	12			9					
Lexington, Ky.	39, 703	23	2		4				11	2
Lincoln, Neb.	46, 028	13			2		3			
Lorain, Ohio.	35, 662				2		3		1	
Lynchburg, Va.	32, 385	15	1				1		1	1
Madison, Wis.	30, 041		1		4	1				
Medford, Mass.	25, 737	10	1		8				1	2
Montclair, N. J.	25, 550	6	1		2		4			
New Castle, Pa.	40, 351		3				2			
Newport, Ky.	31, 722	14	1							
Newport, R. I.	29, 631	7	7						2	
Newton, Mass.	43, 085	15	1		1		1		1	
Niagara Falls, N. Y.	36, 240	11	2		8	1			1	2
Norristown, Pa.	30, 833	10	1		6					1
Ogden, Utah.	30, 466		1	1			2		1	2
Orange, N. J.	32, 524	10	1				4		1	1
Pasadena, Cal.	43, 850	16			1				5	2

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

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

City Reports for Week Ended Jan. 29, 1916—Continued.

City.	Popula- tion as of July 1, 1914 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
From 25,000 to 50,000 inhabit- ants—Continued.										
Yrth Amboy, N. J.	39,725		3						1	1
Pittsfield, Mass.	37,580	9	1				1		1	
Portsmouth, Va.	38,610	13								2
Racine, Wis.	45,507	21			7		2		1	
Romney, Va.	41,909	16	5		1		1		2	
Rock Island, Ill.	27,961		1		1					
Steubenville, Ohio.	26,631	5	2				1			
Stockton, Cal.	34,508	10								
Superior, Wis.	45,285	11	2	1			4			1
Taunton, Mass.	35,957		1		3		3		3	2
Waltham, Mass.	30,129	13					4			1
West Hoboken, N. J.	41,893	10					1		1	
Wheeling, W. Va.	43,067	28	1		33	1			1	1
Williamsport, Pa.	33,495	19	1							
Wilmington, N. C.	28,264	12					1			
Zanesville, Ohio.	30,406		1							
From 10,000 to 25,000 inhabitants:										
Ann Arbor, Mich.	14,979	8	1							
Beaver Falls, Pa.	13,316				10					
Biddeford, Me.	17,570	4								1
Braddock, Pa.	21,310				1					
Cairo, Ill.	15,593	6								1
Clinton, Mass.	13,075	3								
Coffeyville, Kans.	16,765								2	
Concord, N. H.	22,480	6								1
Galesburg, Ill.	23,923	13					2			2
Garfield, Mass.	16,746						7			
Kearny, N. J.	22,753	9	4	1	3				4	
Kokomo, Ind.	20,312	8	7	2	1		1		1	
Long Branch, N. J.	15,057	6								
Marquette, Wis.	14,610				1		2			
Melrose, Mass.	17,166		1							
Morristown, N. J.	13,158	7	1				1			
Muscatine, Iowa.	17,287	6								
Nanticoke, Pa.	22,441	6					1			
Newburyport, Mass.	15,195	6								
New London, Conn.	20,771		6							
North Adams, Mass.	22,019	9					2		1	
Northampton, Mass.	19,846	8	1				3		2	1
Plainfield, N. J.	23,680	14	1		35				1	
Rutland, Vt.	14,624	5								1
Saratoga Springs, N. Y.	12,842	6			7					
South Bethlehem, Pa.	23,522		2		12		1		1	1
Steelton, Pa.	15,337								2	
Wilkesburg, Pa.	22,361	10								1
Woburn, Mass.	15,862	6								

* Population Apr. 15, 1910; no estimates made.

FOREIGN.

CUBA.

Communicable Diseases—Habana.

Communicable diseases were notified at Habana during the period from November 11 to 30, 1915, as follows:

Disease.	New cases.	Deaths.	Remaining under treatment Nov. 30, 1915.
Diphtheria.....	14		9
Leprosy.....	2	2	252
Malaria.....	116	1	10
Measles.....	18		1
Paratyphoid fever.....	1		4
Scarlet fever.....	5		4
Typhoid fever.....	17	1	30
Varicella.....	2		2

1 From interior of Republic.

EGYPT.

Plague—Year 1915.

During the year ended December 31, 1915, 235 cases of plague with 120 deaths were notified in Egypt. The cases were distributed as follows:

Place.	Cases.	Deaths.	Date of first case, 1915.	Date of last case, 1915.
Alexandria.....	10	5	Jan. 28	Dec. 23
Port Said.....	19	11	Feb. 27	Nov. 7
Provinces:				
Assiout.....	59	32	Jan. 12	Dec. 31
Beni Suef.....	7	2	June 24	June 24
Fayoum.....	79	38	Jan. 3	Aug. 28
Gallipoli.....	1		May 27	May 27
Garbiyah.....	8	4	Dec. 6	Dec. 28
Gizeh.....	10	10	Apr. 1	Dj.
Minieh.....	42	18	Apr. 28	Dec. 31

Plague on Steamship Syria—Suez.

A case of plague was notified January 10, 1916, at Suez on the steamship *Syria* from Bombay. The vessel had a history of 4 cases of plague en route. Of these, 3 were left at Aden. The *Syria* left Bombay December 29, 1915, and arrived at Suez January 10, 1916.

GREAT BRITAIN.

Examination of Rats—Liverpool.

During the two weeks ended January 15, 1916, 343 rats were examined at Liverpool. No plague infection was found.

ITALY.

Florence—Typhus Fever Not Present.

The American consul at Florence reported February 8, 1916, that no typhus fever existed in that city. The statement of typhus fever at Florence during the month of October, 1915, previously published in the Public Health Reports, was in error.

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

Reports Received During Week Ended Feb. 18, 1916.¹

CHOLERA.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary:				
Austria.....	Nov. 23-Dec. 11....	43	12	Nov. 18-Dec. 10, 1915: Cases, 675; deaths, 276. In a prison camp.
Hungary.....	Nov. 23-Dec. 5....	37	19	
India:				
Bassein.....	Dec. 5-11.....		3	
Calcutta.....	Dec. 12-18.....		19	
Mandalay.....	Dec. 5-11.....		7	
Myingyan.....	Nov. 23-Dec. 4....		1	
Prome.....	Dec. 5-11.....		17	
Toungoo.....	.....do.....		1	

PLAGUE.

Ceylon:				
Colombo.....	Dec. 12-25.....	18	12	
Egypt:				
Assiout Province.....	Dec. 31.....	2		Jan. 1-Dec. 31, 1915: Cases, 235; deaths, 120. 1 septicemic.
Do.....	Jan. 2-12.....	6	2	
Garbieh.....	Jan. 10-13.....	2	1	
Minieh Province.....	Dec. 31.....	3		
Do.....	Jan. 1-13.....	3	1	
Suez.....	Jan. 10.....	1		On s. s. Syria from Bombay.
India:				
Bombay.....	Dec. 19-25.....	8	8	Dec. 12-25, 1915: Cases, 9,588; deaths, 7,206.
Do.....	Dec. 26-Jan. 1.....	9	8	
Madras Presidency.....	Dec. 19-Jan. 1.....	781	534	
Mandalay.....	Dec. 5-11.....		60	
Straits Settlements:				
Singapore.....	Dec. 12-18.....	1		
At sea:				
	Dec. 29, 1915-Jan. 10, 1916.	4		Three left at Aden; 1 arrived Jan. 10 at Suez.

SMALLPOX.

Algeria:				
Algiers.....	Dec. 1-31.....	1		
Germany:				
Hamburg.....	Dec. 26-Jan. 1.....	1		Dec. 26, 1915-Jan. 1, 1916: Cases, 1.
India:				
Bombay.....	Dec. 18-Jan. 1.....	37	23	
Madras.....	Dec. 19-Jan. 1.....	16	7	
Toungoo.....	.....do.....		1	

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

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

Reports Received During Week Ended Feb. 18, 1916—Continued.

SMALLPOX—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Mexico:				
Aguascalientes.....	Jan. 21-30.....	.....	7	
Nogales.....	Feb. 7.....	20	.....
Vera Cruz.....	Jan. 24-30.....	13	11	
Spain:				
Madrid.....	Dec. 1-31.....	.....	19	
Sevilla.....	do.....	.....	7	
Valencia.....	Jan. 1-8.....	8	.....
Straits Settlements:				
Singapore.....	Dec. 12-18.....	1	.....
Switzerland:				
Basel.....	Dec. 5-25.....	36	.....
Turkey in Asia:				
Beirut.....	Nov. 21-Dec. 11...	19	7	

TYPHUS FEVER.

Germany:				
Lübeck.....	Jan. 1-9.....	1	.....
Merseburg, Govt. district..	Dec. 26-Jan. 1.....	1	.....
Italy:				
Palermo.....	Jan. 3-9.....	3	.....
Mexico:				
Aguascalientes.....	Jan. 24-30.....	.....	2	
Turkey in Asia:				
Beirut.....	Nov. 21-27.....	7	3	

Reports Received from Jan. 1 to Feb. 11, 1916.

CHOLERA.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary.....				Total, Oct. 25-Nov. 29, 1915: Cases, 303; deaths, 109.
Austria.....	Nov. 7-27.....	121	44	
Croatia-Slavonia.....	Oct. 18-Nov. 26.....	174	54	
Hungary.....	Oct. 18-Nov. 22.....	24	19	
Borneo:				
Putatan.....	Oct. 17-23.....	2	.....
India:				
Bassein.....	Nov. 28-Dec. 4.....	.....	10	
Calcutta.....	Oct. 31-Dec. 11.....	.....	105	
Henzada.....	Oct. 7-Nov. 27.....	.....	3	
Madras.....	Nov. 7-Dec. 4.....	5	.....
Madras Presidency.....	Nov. 6-26.....	.....	12	
Mandalay.....	Oct. 24-Nov. 27.....	.....	36	
Mergui.....	Oct. 21-Nov. 20.....	.....	8	
Myingyan.....	Oct. 19-Nov. 6.....	.....	10	
Pakokku.....	Oct. 10-Nov. 6.....	.....	45	
Prome.....	Nov. 14-Dec. 4.....	.....	79	
Rangoon.....	Oct. 31-Dec. 11.....	63	51	
Toungoo.....	Oct. 7-Dec. 4.....	.....	46	
Indo-China:				
Saigon.....	Oct. 25-Nov. 28.....	4	3	
Java.....				Oct. 15-Nov. 15: Cases, 69; deaths, 48. Nov. 12-Dec. 6, 1915: Cases, 17; deaths, 10.
Batavia.....	Oct. 26-Nov. 29.....	51	34	
Brebes.....	Oct. 15-Nov. 25.....	9	9	
Persia:				
Enzeli.....	Nov. 6-12.....	.....	10	Nov. 22, 1915: Still present
Esaleme.....	Nov. 28.....	.....	7	
Gazian.....	Nov. 6-12.....	.....	4	
Karkhan-Roud.....	Nov. 28.....	.....	38	And in vicinity.
Kazvin.....	Nov. 27.....	.....	10	
Rescht.....	Nov. 24.....	.....	.....	And vicinity: Present.
Russia:				
Moscow.....	Nov. 14-27.....	4	1	

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

Reports Received from Jan. 1 to Feb. 11, 1916—Continued.

PLAGUE.

Place.	Date.	Cases.	Deaths.	Remarks.
Brazil:				
Bahia.....	Nov. 21-Jan. 1....	12	8	
Ceylon:				
Colombo.....	Oct. 24-Dec. 11....	19	19	
China:				
Hongkong.....	Nov. 7-27.....	3	3	
Ecuador:				
Guayaquil.....	Nov. 1-30.....	1	1	
Egypt:				
Alexandria.....	Dec. 23-31.....	2	2	
Assiout, province.....	Dec. 17-26.....	2	2	
Garbieh, province.....	Dec. 6-28.....	6	4	
Gizeh, province.....	Dec. 27.....	1	1	
Minieh, province.....	Nov. 27-Dec. 23....	10	9	
Port Said.....	Aug. 13-Nov. 1....	3	2	
Greece:				
Athens.....	Dec. 8-20.....	1	1	
Syra Island.....	Jan. 16.....	16	10	
India:				
Bombay.....	Nov. 9-Dec. 18....	36	35	Oct. 31-Dec. 11, 1915: Cases, 29,158; deaths, 21,217.
Calcutta.....	Nov. 21-27.....	1	1	
Karachi.....	Nov. 7-21.....	2	2	
Madras Presidency.....	Oct. 16-Nov. 5.....	118	118	Madras Presidency, Aug. 1, 1898, to June 30, 1915: Cases, 141,356; deaths, 109,095.
Do.....	Nov. 12-Dec. 18....	1,058	734	
Mandalay.....	Oct. 21-Dec. 4.....	98	98	
Rangoon.....	Oct. 1-Dec. 11....	41	40	
Indo-China:				
Saigon.....	Oct. 25-Dec. 5....	8	5	
Java:				
Kediri residency.....	Oct. 22-Nov. 18....	270	237	Oct. 22-Nov. 18, 1915: Cases, 635; deaths, 603.
Madison residency.....	Oct. 22-Nov. 11....	1	1	
Paseroean residency.....	Oct. 22-18.....	14	13	
Surabaya residency.....	do.....	6	6	
Surabaya.....	Nov. 3-11.....	2	2	
Surakarta residency.....	Oct. 22-Nov. 18....	344	323	
Mauritius:				
Oct. 1-Nov. 4.....		8	8	
Russia:				
Siberia—				
Transbaikal Province..	October, 1914.....	16	13	
Straits Settlements:				
Singapore.....	Oct. 31-Nov. 27....	4	2	
Siam:				
Bangkok.....	Nov. 14-20.....	1	1	
Union of South Africa:				
Orange Free State.....	Jan. 28.....	11	11	

SMALLPOX.

Australia:				
New South Wales.....				Total, Dec. 10-30, 1915: Cases, 39.
Bega district.....	Dec. 10-16.....	1	1	
Cundletown.....	Dec. 24-30.....	3	3	
Gloucester district.....	Dec. 10-16.....	1	1	
Newcastle district.....	Nov. 19-Dec. 30....	61	61	
Sydney.....	Dec. 3-23.....	9	9	
Rooty Hill district.....	Dec. 10-16.....	1	1	
Austria-Hungary:				
Austria—				
Vienna.....	Dec. 10-Jan. 1....	24	3	
Hungary—				
Budapest.....	Nov. 21-Dec. 31....	373	373	In addition, 3 among troops. 5 among troops.
Do.....	Jan. 1-8.....	1	1	
Brazil:				
Rio de Janeiro.....	Nov. 14-Jan. 1....	147	31	
Canada:				
Ontario—				
Fort William and Port Arthur.....	Dec. 19-25.....	1	1	
Do.....	Jan. 16-22.....	2	2	
Quebec—				
Montreal.....	Dec. 19-25.....	1	1	
Do.....	Jan. 16-22.....	2	2	
Canary Islands:				
Grand Canari.....	Nov. 23.....	1	1	Epidemic. Present.
Arucas.....	Dec. 5-13.....	1	1	

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

Reports Received from Jan. 1 to Feb. 11, 1916—Continued.

SMALLPOX—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Ceylon:				
Colombo.....	Oct. 24-Nov. 13....	6	2	
China:				
Foochow.....	Nov. 21-27.....			Present.
Tientsin.....	do.....		2	
Nanking.....	Nov. 7-Dec. 18....			Do.
Egypt:				
Alexandria.....	Dec. 21-27.....	3		
Cairo.....	Sept. 3-Oct. 28....	5		
France:				
Paris.....	Dec. 5-11.....	1		
Germany:				
Bavaria—				
Munich.....	Dec. 19-25.....	1		
Breslau.....	Dec. 12-18.....	1	1	
Düsseldorf.....	Dec. 5-11.....	1		
Oppeln, Gov't. district.....	Nov. 21-Dec. 25....	14		Of these, 8 in one institution.
Saxony.....	do.....	1		
Guatemala:				
Guatemala City.....	Jan. 9-15.....			Present.
India:				
Bombay.....	Nov. 7-Dec. 18....	46	25	
Calcutta.....	Nov. 7-20.....		2	
Madras.....	Nov. 7-Dec. 18....	30	13	
Rangoon.....	Oct. 31-Dec. 11....	14	7	
Italy:				
Turin.....	Nov. 22-Dec. 5....	6		
Java:				
Batavia.....	Nov. 1-Dec. 6....	25	10	Oct. 15-Dec. 6: Cases, 422;
Samarang.....	Nov. 12-22.....	2		deaths, 87.
Manchuria:				
Harbin.....	Nov. 15-28.....	5		
Mexico:				
Aguascalientes.....	Dec. 13-Jan. 23....	11	23	
Frontera.....	Nov. 21-Dec. 25....	86	24	
Guadalajara.....	Dec. 5-25.....	21	7	
Do.....	Jan. 2-22.....	16	3	
Hermosillo.....	Dec. 12-Jan. 16....	62	12	
Monterey.....	Dec. 13-Jan. 9....	12	9	
Piedras Negras.....	Jan. 19-16.....	2	2	
Progreso.....	Dec. 5-18.....	2		
Salina Cruz.....	Jan. 1-15.....	1	1	
Tampico.....	Dec. 7-Jan. 20....		62	Jan. 14, epidemic; estimated
Vera Cruz.....	Dec. 13-Jan. 23....	81	72	number cases, 100.
Portugal:				
Lisbon.....	Dec. 5-26.....	4		
Russia:				
Petrograd.....	Oct. 24-Dec. 11....	81	21	
Riga.....	Nov. 14-20.....	1		Aug. 1-31, 1915: Cases, 10;
Siam:				deaths, 1.
Bangkok.....	Nov. 28-Dec. 4....		1	
Spain:				
Madrid.....	Nov. 1-30.....		22	
Valencia.....	Nov. 21-Jan. 1....	141	10	
Straits Settlements.				
Singapore.....	Nov. 28-Dec. 4....	1		
Switzerland:				
Basel.....	Nov. 29-Dec. 4....	7		
Turkey in Asia:				
Beirut.....	Oct. 10-Nov. 20....	38	18	
Union of South Africa:				
Johannesburg.....	Oct. 17-23.....	2		
Uruguay:				
Montevideo.....	Oct. 1-31.....	1		

TYPHUS FEVER.

Austria-Hungary:				
Hungary—				
Budapest.....	Dec. 12-31.....	3	1	
Do.....	Jan. 1-8.....	3		
China:				
Antung.....	Nov. 22-Dec. 5....	2		

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

Reports Received from Jan. 1 to Feb. 11, 1916—Continued.

TYPHUS FEVER—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Egypt:				
Alexandria.....	Nov. 12-Dec. 31...	5	2	
Cairo.....	Aug. 13-Nov. 11...	46	29	
Germany:				Dec. 5-18, 1915: Cases, 13.
Berlin.....	Nov. 21-Dec. 11...	.....	5	
Bremen.....	Nov. 28-Dec. 4...	1	1	
Dortmund.....	Dec. 12-18.....	1	1	
Erfurt.....	Dec. 19-25.....	.....	1	
Hanover.....	Nov. 21-Dec. 25...	2	2	
Königsberg.....	Nov. 28-Jan. 8....	12	3	
Lübeck.....	Nov. 7-Dec. 31....	3	2	
Saxe-Coburg-Gotha.....	Dec. 5-18.....	3	.....
Stettin.....	Dec. 5-25.....	.....	6	
Great Britain:				
Dundee.....	Dec. 12-18.....	3	.....
Liverpool.....	Dec. 5-18.....	3	2	
Greece:				
Saloniki.....	Oct. 21-Nov. 27...	.....	170	Dec. 10: Present among troops.
Yehije-Vardar.....	Dec. 10.....	.....	.....	Present among troops.
Italy:				
Palermo.....	Dec. 13-19.....	3	.....
Java:				Oct. 15-Dec. 6, 1915: Cases, 68;
Batavia.....	Oct. 26-Dec. 6....	16	3	deaths, 19.
Samarang.....	Oct. 22-Nov. 25...	6	1	
Mexico:				
Aguascalientes.....	Dec. 13-Jan. 16...	.....	17	
Guadalajara.....	Dec. 25-31.....	6	2	
Mexico City.....	Dec. 23.....	.....	.....	Prevalent.
Do.....	Jan. 12.....	.....	1	
Monterey.....	Jan. 3-9.....	1	.....
Queretaro.....	Dec. 16.....	.....	.....	Prevalent. Estimated number
Salina Cruz.....	Dec. 16-21.....	1	.....	cases, 500.
Tampico.....	Dec. 1-31.....	.....	1	
Do.....	Jan. 11-20.....	.....	1	
Russia:				
Moscow.....	Dec. 7-27.....	28	5	
Petrograd.....	Oct. 24-Dec. 11...	20	4	
Riga.....	Nov. 14-20.....	12	.....
Vladivostok.....	Oct. 8-Nov. 4....	18	4	
Spain:				
Madrid.....	Nov. 1-30.....	.....	1	
Sweden:				
Stockholm.....	Dec. 26-Jan. 1....	1	.....
Switzerland:				
Zürich.....	.....do.....	1	.....
Turkey in Asia:				
Aleppo.....	Oct. 23-Nov. 1....	.....	.....	Estimated deaths, 200 daily.
Mersina.....	Nov. 21-27.....	3	.....

YELLOW FEVER.

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

SANITARY LEGISLATION.

COURT DECISIONS.

CALIFORNIA SUPREME COURT.

Itinerant Vendors of Drugs—Law Levying Tax and Requiring License Held Valid.

Ex parte GILSTRAP, 152 Pac. Rep., 42. (Sept. 30, 1915.)

A law requiring each itinerant vendor of drugs to secure a license and pay a semiannual tax of \$100 held by the court to be a valid exercise of the police power of the State and not in conflict with the Federal Constitution.

LAWLOR, J.: * * * The amended petition [for habeas corpus] sets forth that upon a complaint sworn to by S. F. Scott, inspector of the California State Board of Pharmacy and filed in the justice's court of Modesto Township, county of Stanislaus, petitioner was arrested, tried, and convicted and sentenced to pay a fine of \$100, with alternative imprisonment in the county jail at the rate of one day for every dollar of said fine remaining unpaid, and the costs of said action, for the offense of misdemeanor, to wit, carrying on and conducting as an itinerant vendor the business of selling drugs without previously obtaining a license therefor. (Stats. 1903, p. 284; Stats. 1907, p. 765; Stats. 1909, p. 419.) * * * Upon his failure and refusal to pay the fine imposed the petitioner was taken into custody by Arthur S. Dingley, sheriff of the said county, and the respondent herein, whose return sets forth the commitment on which the petitioner is held, and avers that petitioner was in such custody when he applied for the writ.

(1) It is claimed by the petitioner that * * * the levying [of the license tax] is void, in that it is in violation of section 1 of the fourteenth amendment of the Constitution of the United States, in these particulars: (a) It abridges the privileges and immunities of citizens of the United States; and (b) it deprives them of liberty and property without due process of law.

We will first examine the legislation: The original act prescribing a license tax for itinerant vendors of drugs was passed in 1903. (Stats. 1903, p. 284.) Section 2 was amended in 1907 (Stats. 1907, p. 765) and section 1 in 1909 (Stats. 1909, p. 419).

Section 1 of the act as amended reads in part:

No person as principal or agent shall conduct as an itinerant vendor the business of selling or in any manner disposing of drugs * * * within this State without previously obtaining a license therefor as herein provided.

Section 2, as amended in 1907 * * * reads in part:

A license fee of \$100 is hereby levied upon all such itinerant vendors doing business in this State. Said tax shall be paid to the State board of pharmacy, for the use and benefit of the State of California, and shall constitute a special fund for the enforcement of this act and of the provisions of the act or acts creating such board of pharmacy. Upon the receipt of said sum from any persons desiring to conduct such business within this State, the secretary of said board of pharmacy shall issue a license to such person to carry on such business within this State for the term of six months next ensuing: *Provided*, that nothing in this act shall be construed to prevent the collection of any tax or license that may be imposed by any county or municipal authority. * * *

Section 3 provides that:

Itinerant vendors under the meaning of this act shall include all persons who carry on the business above described by passing from house to house, or by haranguing the people on the public streets or in public places, or use the various customary devices for attracting crowds and therewith recommending their wares, and offering them for sale.

* * * * *

The definition of an "itinerant vendor" as found in section 3 of the act, is broad enough to include hawkers and peddlers. (Standard Dictionary; *Pegues v. Ray*, 50 La. Ann., 574, 23 South., 904, 905; *Andrews v. White*, 32 Me., 388, 389; note to *Hager v. Walker*, 129 Am. St. Rep., 276; 25 Cent. Dig., 1114-1116; *Emert v. Missouri*, 156 U. S., 296-306, 15 Sup. Ct., 367, 39 L. Ed., 430, 5 Interest. Com. Rep., 68; *Baccus v. Louisiana*, 232 U. S., 334-338, 34 Sup. Ct., 439, 58 L. Ed., 627; and 21 Cyc., p. 370.)

Is such legislation violative of the fourteenth amendment of the Constitution of the United States? The petitioner claims that:

It is not a police regulation, but a mere trade or commercial regulation, and not within the power of the legislature to enact.

It is well established that the fourteenth amendment of the Federal Constitution was not designed to interfere with the reasonable exercise of the police power in the several States. In *Barbier v. Connolly* (113 U. S., 29, 31, 5 Sup. Ct., 357, 358, 28 L. Ed., 923), passing on the constitutionality of a laundry ordinance of the city and county of San Francisco, it is said:

In this case we can only consider whether the fourth section of the ordinance of the city and county of San Francisco is in conflict with the Constitution or laws of the United States. We can not pass upon the conformity of that section with the requirements of the constitution of the State. * * * The fourteenth amendment, in declaring that no State "shall deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws," undoubtedly intended not only that there should be no arbitrary deprivation of life or liberty, or arbitrary spoliation of property, but that equal protection and security should be given to all under like circumstances in the enjoyment of their personal and civil rights. * * * But neither the amendment—broad and comprehensive as it is—nor any other amendment, was designed to interfere with the power of the State, sometimes termed its police power, to prescribe regulations to promote the health, peace, morals, education, and good order of the people, and to legislate so as to increase the industries of the State, develop its resources, and add to its wealth and prosperity.

Powell v. Pennsylvania, 127 U. S., 683, 8 Sup. Ct., 992, 1257, 32 L. Ed., 253; *Mugler v. Kansas*, 123 U. S., 623, 8 Sup. Ct., 273, 31 L. Ed., 205; *Butchers' Union Co. v. Crescent City Co.*, 111 U. S., 746-751, 4 Sup. Ct., 652, 28 L. Ed., 585; *Yick Wo v. Hopkins*, 118 U. S., 356, 6 Sup. Ct., 1064, 30 L. Ed., 220; *Minn. Ry. Co. v. Beckwith*, 129 U. S., 28, 33, 9 Sup. Ct., 207, 32 L. Ed., 586; *Giozza v. Tiernan*, 148 U. S., 662, 13 Sup. Ct., 721, 37 L. Ed., 599; *In re Kemmler*, 136 U. S., 436, 10 Sup. Ct., 930, 34 L. Ed., 519; *Davis v. Mass.*, 167 U. S., 47, 17 Sup. Ct., 731, 42 L. Ed., 71; *Jones v. Brim*, 165 U. S., 180, 182, 17 Sup. Ct., 282, 41 L. Ed., 677; *Missouri Pacific Railway Co. v. Humes*, 115 U. S., 512, 519, 6 Sup. Ct., 110, 29 L. Ed., 463; *In re Rahrer*, 140 U. S., 554, 11 Sup. Ct., 865, 35 L. Ed., 572.

There is nothing in any of the authorities cited by the petitioner to the contrary of this doctrine. Applying the foregoing authorities to the case here, the recent cases of *Emert v. Missouri*, supra, and *Baccus v. Louisiana*, supra, seem to us conclusive on the question of the constitutionality of the legislation under the fourteenth amendment. *Emert v. Missouri* upheld a statute of the State of Missouri requiring the payment of a license tax by itinerant peddlers. The legislation was declared not to be repugnant to the grant by the Federal Constitution to Congress of the power to regulate commerce among the several States. The case cites many authorities on the general subject with reference to the fourteenth amendment of the Federal Constitution, and holds that such legislation is a valid exercise of the power of the State over persons and business within its borders.

Baccus v. Louisiana sustained a statute of the State of Louisiana, passed in 1894 (Act No. 49 of 1894, sec. 12), prohibiting the sale of drugs by itinerant vendors or peddlers, in the following language (232 U. S., 337, 34 Sup. Ct., 440, 58 L. Ed., 627):

* * * Thus, considering the case in its true aspect, the single issue to be decided is: Did the State have power, without violating the equal protection or due process of law clause of the fourteenth amendment, to forbid the sale by itinerant vendors of "any drug, nostrum, ointment, or application of any kind intended for the treatment of disease or injury," although allowing the sale of such articles by other persons? That it did have such authority is so clearly the result of a previous ruling of this court (*Emert v. Missouri*, 156 U. S., 296 [306, 307, 15 Sup. Ct., 367, 39 L. Ed., 430]), or at all events is so persuasively made manifest by the authorities cited and the reasoning which sustained the ruling of the court in the case just stated, as to leave no room for controversy on the subject. Moreover, the power which the State government possessed to classify and regulate itinerant vendors or peddlers exerted in the statute under consideration is cumulatively sustained and made, if possible, more obviously lawful by the fact that the regulation in question deals with the selling by itinerant vendors or peddlers of drugs or medicinal compounds, objects plainly within the power of Government to regulate.

In the opening brief of the petitioner section 3 of article 1 of the constitution of this State is cited to the proposition that the Constitution of the United States is the supreme law of the land, which is undoubtedly true "as to all matters provided for therein, * * * whether so recognized or not * * *" (*People v. Nolan*, 144 Cal., 75, 77 Pac., 774), and authorities are then cited to the point that a statute may be rendered invalid either by the express or implied terms of the Federal Constitution.

But it is manifest from the foregoing authorities that the levying of a license tax by the State for the purpose of regulating the business of selling drugs by itinerant vendors is not repugnant to the fourteenth amendment or to the Constitution of the United States as a whole.

(2) The next question is: Does the legislation constitute a valid exercise of the police power of the State apart from the Federal guaranties?

The constitutional limitations of the power to impose license or occupation taxes is discussed at length and many authorities are collated in a note to *Hager v. Walker*, 129 Am. St. Rep., 249 (128 Ky., 1, 107 S. W., 254, 15 L. R. A. [N. S.] 195), wherein an occupation tax on real estate agents was declared unconstitutional. Under the head of "Mercantile pursuits," the right to impose a license tax on the occupation of vending milk, meats, weapons and ammunition, tobacco, and the like is supported. Upon the subject of licensing the occupation of hawkers and peddlers (par. 7) it is said:

The occupation of hawkers and peddlers is one which from early times has been deemed a proper subject for special legislative control and restriction, particularly in cities. The primary purpose for regulating this occupation should be to protect the public from imposition from dishonest traders. It is probable, however, that most regulations find their impulse in the demands of established shopkeepers for protection from competition with hawkers and peddlers. So that it may be said that the purpose of regulating the occupation of peddling is to protect, on the one hand, fair traders, especially established storekeepers residing permanently in cities and towns and there paying rent and taxes for the local privilege, from being undersold by itinerant persons, and, on the other hand, to guard the public from fraud and imposition not infrequently practiced by such traders who have no known residence or responsibility. (*State v. Cederaski*, 80 Conn., 478, 69 Atl., 19; *State v. Looney*, 214 Mo., 216, 97 S. W., 934, 99 S. W., 1165, 29 L. R. A. (N. S.), 412; *Saulsbury v. State*, 43 Tex. Cr. R., 90, 63 S. W., 568, 96 Am. St. Rep., 837.)

* * * That persons who desire to peddle may be required to obtain a license and pay a fee therefor, or may be required to pay a tax for the privilege of following their occupation, is attested by numerous recent decisions. * * * Such regulation and taxation are valid, unless made impartial, unreasonable, oppressive, or discriminatory. * * * There is no doubt, as the authorities in the preceding paragraph all recognize, that hawkers and peddlers may be placed in a class by themselves for license purposes. (129 Am. St. Rep., p. 276.)

See 25 Cent. Dig., pp. 1113-1128; 21 Cyc., p. 364; and 15 Am. & Eng. Ency. of Law, pp. 290-303.

It is clear that the license tax is a general law, enforceable in every part of the State, regulating "the business of selling or in any manner disposing of drugs * * * within this State" by "itinerant vendors," as that term is defined in section 3 of the act. That it is a general law of the State is shown by the language "within this State," in section 1, and "itinerant vendors doing business in this State," in section 2

of the act; that the license tax must be paid to the State board of pharmacy "for the use and benefit of the State of California;" that it shall constitute a special fund for the enforcement of this act, and of the provisions of the act or acts creating such board of pharmacy; and that an annual statement is required to be filed by such board with the controller of the State. The charge, it is to be noted, was brought by an inspector of the State board of pharmacy.

On the subject of the police power, it was said by Mr. Justice Sloss, in County of Plumas v. Wheeler (149 Cal., 762, 87 Pac., 910), which declares constitutional a county ordinance fixing a license fee on the business of raising, herding, grazing, and pasturing sheep and lambs within the county.

The principles affecting the right of legislative bodies, in the exercise of what is known as the "police power," to place restrictions upon the conduct of lawful pursuits and occupations, are well settled, although there is often great difficulty in applying these principles to a given state of facts. It is within the legislative discretion to place such restrictions upon the use of any property or the conduct of any business as may be reasonably necessary for the public safety, comfort, or health. "The police power, the power to make laws to secure the comfort, convenience, peace, and health of the community, is an extensive one, and in its exercise a very wide discretion as to what is needful or proper for the purpose is necessarily committed to the legislative body in which the power to make such laws is vested." (*Ex parte Whitwell*, 98 Cal., 73, 32 Pac., 879 [19 L. R. A., 727] 35 Am. St. Rep., 152.) "Rights of property, like all other social and conventional rights, are subject to such reasonable limitations in their enjoyment as shall prevent them from being injurious, and to such reasonable restraints and regulations established by law as the legislature, under the governing and controlling power vested in them by the constitution, may think necessary and expedient." (*Commonwealth v. Alger*, 7 Cush. [Mass.] 53.) * * * The manner and extent of such regulation are primarily legislative questions, and the courts will not interfere unless it clearly appears that the legislature has, under the guise of regulation, imposed an arbitrary or unreasonable burden upon the use of property or the pursuit of an occupation. But the legislative determination is not conclusive."

We think that the legislation is well within the police power of the State. The subject matter is one "which from early times has been deemed a proper subject for special legislative control and restriction." *Hager v. Walker*, *supra*. The amount of the license tax can not be said to be "oppressive or discriminatory." (County of Plumas v. Wheeler, 149 Cal., 763, 87 Pac., 909; *In re Miller*, 13 Cal. App., 567, 110 Pac., 139.) The law applies uniformly upon the whole of a single class of clearly defined individuals, and the classification is founded upon a natural, intrinsic, and constitutional distinction. (*Ex parte Koser*, 60 Cal., 177; *Abeel v. Clark*, 84 Cal., 226, 24 Pac., 383; *Cody v. Murphey*, 89 Cal., 522, 26 Pac., 1081; *Foster v. Police Commissioners*, 102 Cal., 483, 37 Pac., 763, 41 Am. St. Rep., 194; *People v. Central Pac. R. R. Co.*, 105 Cal., 576, 38 Pac., 905; *Murphy v. Pacific Bank*, 119 Cal., 334, 51 Pac., 317; *Rode v. Siebe*, 119 Cal., 518, 51 Pac., 869, 39 L. R. A., 342; *Vail v. San Diego*, 126 Cal., 35, 58 Pac., 392; *Murphy v. Pacific Bank*, 130 Cal., 542, 62 Pac., 1059; *Rup-erich v. Baehr*, 142 Cal., 190, 74 Pac., 782; *Kaiser Land & Fruit Co. v. Curry*, 155 Cal., 638, 103 Pac., 341; *Lewis v. Curry*, 156 Cal., 93, 103 Pac., 493; and *Matter of Yun Quong*, 159 Cal., 508, 114 Pac., 835, Ann. Cas., 1912C, 969.) And it is plain that the legislature only intended to regulate the business of selling drugs by itinerant vendors within the limits of the police power of the State, and did not assume to exercise the power of taxation for the purposes of revenue.

* * * * *
Writ discharged, and petitioner remanded.

We concur: SLOSS, J.; LORIGAN, J.

SHAW, J. (concurring): I see nothing in this case requiring elaborate statement, prolonged discussion, or the citation of many authorities. Assuming that the law in controversy is an exercise of the police power, and not of the power of taxation, the questions presented have long been settled by numerous decisions and are comparatively simple and easy of solution. Upon that hypothesis the decisions in *Baccus v. Louisiana* (232 U. S., 337, 34 Sup. Ct., 439, 58 L. Ed., 627), *Ex parte Campbell* (74 Cal., 20, 15 Pac., 318, 5 Am. St. Rep., 418), and *Ex parte Coombs* (169 Cal., —, 147 Pac., 131), establish the proposition that a law regulating a business which, if unrestricted, may be injurious to the public health or safety, violates neither the State nor the United States Constitutions.

If, however, the act is not a police regulation, but an act imposing a tax for revenue, it might, perhaps, be plausibly urged that a law imposing an occupation tax solely upon itinerant drug peddlers, leaving all other peddlers and all other mercantile pursuits free from such taxes, would be an improper discrimination against one class of peddlers, on the ground that there is no just basis for the classification. The petitioner argues that it is a revenue tax, and that it arbitrarily places an unequal burden upon a class. Justice Lawlor has not discussed this objection. The terms of the act and of the pharmacist act to which it refers satisfactorily show that it was enacted for the purpose of regulation, and not for revenue. The charge is denominated "a license fee." It is required to be paid to the State board of pharmacy for use in enforcing this act and the pharmacist act also. The latter creates a State board of pharmacy and regulates the business of selling drugs and compounding prescriptions in this State, being undoubtedly a police measure. The two acts are therefore supplementary to each other, and together constitute the legislative plan for regulating the entire business of selling drugs, nostrums, and ointments. The legislative conclusion that the fees received from the peddlers should be added to the fees paid under the pharmacist act, and the whole devoted to the use of carrying out and enforcing the general plan, is a legitimate exercise of its discretion to apportion and apply the fund, in view of the fact that the two laws are to be regarded as one covering the entire subject. This indicates the intent to regulate rather than to tax. The law comes within the rule thus stated in *Plumas v. Wheeler* (149 Cal., 763, 87 Pac., 911).

It is also well settled that the power to regulate a business may be exercised by means of a license fee or charge. The amount of the license fee, however, must not be more than is reasonably necessary for the purpose sought, i. e., the regulation of business.

The legislative judgment as to the amount is conclusive, unless it clearly appears to be wrong. In view of the uses to which the license fees are to be devoted, we can not say it exceeds the amount reasonably necessary.

* * * * *

I believe that the law in question is valid, and I concur in the judgment that the petitioner be remanded.

We concur: SLOSS, J.; MELVIN, J.

ANGELLOTTI, C. J.: I concur in the judgment, and generally in the views expressed in the opinion of Justice Lawlor. That the act involved was intended solely as a regulatory measure designed to regulate the business of selling "drugs, nostrums, ointments, or any appliances for the treatment of diseases, deformities, or injuries" by "itinerant vendors" is very clear to me. I am also satisfied that it can not be held, as matter of law, that the legislative judgment as to the amount of fee or charge reasonably necessary for the regulation of that business, viz, \$100 for each half year, is wrong.

MASSACHUSETTS SUPREME JUDICIAL COURT.

Industrial Diseases—Pneumonia Induced by Exposure in the Course of Employment is Within the Terms of the Massachusetts Workmen's Compensation Act.

In re MCPHEE. In re LONDON GUARANTEE & ACCIDENT Co., 109 N. E. Rep., 633. (Sept. 16, 1915.)

The inhalation of damp smoke and drenching with water, resulting in lobar pneumonia, is a "personal injury" within the meaning of that term as used in the Massachusetts workmen's compensation law.

A person who was dependent upon an employee of an amusement company presented a claim under the Massachusetts workmen's compensation act for the death of the employee. From the evidence presented the arbitration committee found that the employee, while assisting in extinguishing a fire which threatened his employer's property, "had been drenched with water and saturated with smoke; the personal injury thus incurred had begun its invasion of his system, ultimately causing lobar pneumonia and death in an unbroken chain of causation with said personal injury."

The Supreme Judicial Court of Massachusetts decided that the evidence was sufficient to support the finding that the death of the employee from pneumonia was the result of a "personal injury" as that term is used in the Massachusetts workmen's compensation law, and that the dependent was entitled to recover.

OKLAHOMA SUPREME COURT.

Typhoid Fever—Evidence Required to Prove in Court the Source of Infection.

CITY OF DUNCAN v. TIDWELL, 150 Pac. Rep., 112. (June 22, 1915.)

A city dump, where human excrement and bodies of dead animals were deposited, was located about 1,940 feet from plaintiff's dwelling. Members of the plaintiff's family contracted typhoid fever, but there was no evidence showing the source of the infection or that the bacillus typhosus existed at the dump. The court held that the proof was insufficient to show that the dump was the cause of the disease.

THACKER, Commissioner: * * * Plaintiff sued for \$1,525 as damages for olfactory discomfort and for typhoid fever, and recovered a verdict and judgment for \$675 on account of the latter suffered by members of his family, and alleged to have been caused by defendant's negligence in respect to the condition of its dumping ground, which was on a lower plane and 1,940 feet southeast from plaintiff's dwelling house, about 2½ miles northeast of defendant city. In this dump ground it appears that dead animals and human excrement, with other garbage, perhaps, were deposited in trenches 4 or 5 feet deep, the dead animals being covered with dirt and the excretions with lime and, when the trenches were about full, with dirt, although more or less of both were sometimes exposed.

Plaintiff's grown daughter, Mrs. Ona Cooper, lived in a three-room house with plaintiff and family, and, following her affliction with this disease, his alleged cause of action arose in that his wife was sick 38 days, his daughter Ole 11 days, his daughter Minne 49 days, and his daughter Robbie 9 days, of the same disease.

* * * There is some evidence tending to show an abundance of flies both at the dump ground and at plaintiff's house, but the evidence tends to show that flies do not travel so far, nor farther than 1,200 feet.

* * * There is no evidence whatever reasonably tending to prove that the condition of said dumping ground was the cause either of the sickness of Mrs. Cooper or the immediately following sickness of the members of plaintiff's family on account of which this action was brought; and any inference of such cause is purely speculative and predicable only upon the prior inference that the human excrement deposited in the trenches in said lower ground contained the bacillus typhosus with which plaintiff's family were infected. As to the general rule against proof of a fact by successive inferences, each predicated upon the last preceding, see *St. Louis & San Francisco Ry. Co. v. Model Laundry*, 42 Okla., 501, 141 Pac., 970.

The evidence in this case does not even tend to exclude the innumerable sources, other than the dump ground, from which plaintiff's family may have contracted the disease; and not only is direct or circumstantial evidence that the germ existed in the dump ground wanting, but there does not appear to be so much as an expert opinion to that effect or, if so, to the effect that the proven facts tended to show that such ground was the source from which plaintiff's family were infected.

We venture no opinion upon the question as to whether the jury might have found that flies or dust could have carried typhoid bacillus from the dumping grounds to plaintiff's dwelling house or to any place where Mrs. Cooper or the other afflicted persons were; but there is certainly no evidence reasonably tending to prove that they did do so, nor that these grounds were the source from which the disease was contracted.

* * * For the reasons stated, the judgment of the trial court should be reversed.

Per CURIAM: Adopted in whole.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

ARIZONA.

Births and Deaths—Registration of—Local Registrars. (Chap. 9, Act Feb. 26, 1915.)

SECTION 1. That paragraph 4408 of title 41, chapter 14, of the revised statutes of Arizona, 1913, Civil Code, be and the same is hereby amended to read as follows:

SEC. 2. The secretary of each county board of health in the State shall be county registrar of vital statistics for that county, and within 30 days after the taking effect of this chapter, or as soon thereafter as possible, each county board of health shall appoint a local registrar of vital statistics who shall be a notary public, or justice of the peace, for each registration district in that county, and the county registrar shall immediately report the names and addresses of such local registrars to the State registrar of vital statistics. The term of office of local registrars appointed by said boards shall be for two years, beginning with the first day of January of the year in which this chapter shall take effect, and their successors shall be appointed at least 10 days before the expiration of their terms of office.

Any local registrar appointed by said county board who fails or neglects to discharge efficiently the duties of his office as laid down in this chapter, or who fails to make prompt and complete returns of births and deaths as required thereby, shall be forthwith removed from his office by said county board of health, and his successor appointed, in addition to any other penalties that may be imposed, under other sections of this chapter, for failure or neglect to perform his duty.

Each local registrar appointed by said county board shall immediately upon his acceptance of appointment as such, appoint a deputy whose duty it shall be to act in his stead in case of absence, illness, or disability, who shall in writing accept such appointment, and who shall be subject to all rules and regulations governing the action of local registrars. And when it may appear necessary for the convenience of the people in any rural district, the local registrar is hereby authorized, with the approval of the county registrar, to appoint one or more suitable persons to act as sub-registrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated, and each sub-registrar shall note, over his signature, the date on which each certificate was filed, and shall forward all certificates to the local registrar of the district within five days, and in all cases before the third day of the following month: *Provided*, That all sub-registrars shall be subject to the supervision and control of the county registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this chapter or the rules and regulations of the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

Each local registrar shall be entitled to be paid the sum of 25 cents for each birth and each death certificate properly and completely made out and registered with him, and correctly copied and promptly returned by him to the county registrar as required by this act. And in case no births or deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect promptly made in accordance with this act. All amounts payable to registrars

under provisions of this section shall be paid by the treasurer of the county in which the registration districts are located, upon certification by the State registrar. And the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths registered, with the names of the local registrars and the amounts due each at the rates fixed herein.

CALIFORNIA.

Malaria—Notification of Cases—Prevention and Control. (Reg. Bd. of H., Dec. 4, 1915.)

RULE 1. Notification.—Any person in attendance on a case of malaria, or a case suspected of being malaria, shall report the case within 12 hours to the local health authority, who shall in turn report at least weekly, on the prescribed form, to the secretary of the State board of health all cases so reported to him. In the absence of local rules permitting notification by telephone, the report to the local health authority shall be in writing.

RULE 2. Diagnosis.—The local health authority may require the submission of specimens of blood from cases of malaria, or cases suspected of being malaria, for the purpose of examination by a State or municipal laboratory. It shall be the duty of every physician attending a case of malaria to take samples of blood for examination when required to do so by the local health authority.

RULE 3. Instructions to household.—It shall be the duty of the physician in attendance on a person having malaria, or suspected of having malaria, to instruct the members of the household in precautionary measures for preventing the spread of the disease to others through the medium of the mosquito.

RULE 4. Investigation and measures for control.—Upon being notified of a case of malaria, or a case suspected of being malaria, the health authority shall make an investigation which shall include an inquiry as to the location where the infection took place and the breeding places from which the mosquitoes responsible for carrying the infection came. He shall take proper legal steps to prevent further infections, and, where possible, secure the abatement of the mosquito-breeding places.

RULE 5. Malaria carriers.—Malaria carriers are persons who are free from obvious symptoms but who harbor the malarial organism in their blood and are therefore capable of infecting the anopheles mosquito. They are hereby declared to be a menace to the public health. They should receive systematic treatment and must be kept from exposure to anopheles mosquitoes until complete recovery.

NORTH CAROLINA.

Ophthalmia Neonatorum—Prevention of. (Chap. 272, Act Mar. 9, 1915.)

SECTION 1. That it shall be unlawful for any physician to neglect or otherwise fail to instill or have instilled immediately upon its birth in the eyes of the new-born babe a suitable amount of a 1 per cent solution of nitrate of silver.

SEC. 2. Should any midwife or nurse or person acting as nurse, having charge of an infant in this State, notice that one or both eyes of such infant are inflamed or reddened at any time within two weeks after its birth it shall be the duty of such midwife or nurse, or person acting as nurse, so having charge of such infant, to report the fact in writing within six hours to the health officer, or some qualified practitioner of medicine, of the city or town in which the parents of the infant reside.

SEC. 3. Every health officer shall furnish a copy of this act to each person who is known to him to act as midwife or nurse in the city or town for which such health officer is appointed, and the secretary of State shall cause a sufficient number of copies of this act to be printed, and supply the same to the health officer and State board of health on application.

SEC. 4. Any person violating this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$5 nor more than \$10.

State Board of Health—Appropriation. (Chap. 167, Act Mar. 8, 1915.)

SECTION 1. That chapter 181 of the public laws of 1913 be and the same is hereby amended by striking out section 14¹ of said chapter and substituting therefor the following:

SEC. 14. For carrying out the provisions of this act \$30,000 is hereby annually appropriated to be paid by the State auditor on requisition signed by the secretary and president of the State board of health.

SEC. 2. This act shall not be construed to affect the appropriation made for the purpose of collecting vital statistics and enforcing the law in regard thereto.

County Boards of Health—Appointment, Powers, and Duties. County Physicians or County Health Officers—Appointment of. (Chap. 214, Act Mar. 9, 1915.)

Section 9² of chapter 62 of the public laws of 1911, as amended by the public laws of 1913, was amended to read as follows:

SEC. 9. *County board of health, who constitutes; election of county physician or county health officer.*—The chairman of the board of county commissioners, the mayor of the county town, and in county towns where there is no mayor the clerk of the superior court, and the county superintendent of schools shall meet together on the first Monday in April, 1911, and thereafter on the first Monday of January in the odd years of the calendar, and elect from the regularly registered physicians of the county, two physicians, who, with themselves, shall constitute the county board of health. The chairman of the board of county commissioners shall be the chairman of the county board of health, and the presence of three members at any regular or called meeting shall constitute a quorum. The term of office of members of the county board of health shall terminate on the first Monday in January in the odd years of the calendar, and while on duty they shall receive \$4 per diem, to be paid by the county. The county board of health shall have the immediate care and responsibility of the health interests of their county. They shall meet annually in the county town, and three members of the board are authorized to call a meeting of the board whenever in their opinion the public health interest of the county requires it. They shall make such rules and regulations, pay such fees and salary, and impose such penalties as in their judgment may be necessary to protect and advance the public health: *Provided*, That all expenditures shall be approved by the board of county commissioners before being paid. The board of health shall meet on the first Monday of July, 1913, and thereafter on the second Monday of January in the odd years of the calendar, and elect either a county physician, whose tenure of service shall be terminable at the pleasure of the county board of health, or a county health officer, who shall serve thereafter until the second Monday in January of the odd years of the calendar: *Provided*, That if the county board of health of any county shall fail to elect a county physician or county health officer within two calendar months of the time set in this section, the secretary of the State board of health shall appoint a registered physician of good standing in the said county to the office of county physician, who shall serve the remainder of the two years, and shall fix his compensation, to be paid by the said county, in proportion to the compensation paid by other counties for like service, having in view the amount of tax collected by said county.

¹The section referred to is section 35 on page 345 of Reprint No. 264 from the Public Health Reports.

²Reprint No. 264 from the P. H. R., p. 338.

Births and Deaths—Registration of. (Chap. 20, Act Feb. 8, 1915; Chap. 85, Act Mar. 4, 1915; Chap. 164, Act Mar. 8, 1915.)

Sections 4, 5, 13, 18, and 19 of chapter 109¹ of the public laws of 1913 were amended to read as follows:

SEC. 4. That within 90 days after the taking effect of this act, or as soon thereafter as possible, the chairman of every board of county commissioners in the State of North Carolina shall appoint a local registrar of vital statistics for each township in his county, and the mayor of every incorporated town or city in the State of North Carolina shall appoint a local registrar of vital statistics for his town or city, and the chairmen of the boards of county commissioners and the mayors of the cities or towns shall notify the State registrar, in writing, of the name and address of each local registrar so appointed. The term of office of each local registrar so appointed shall be four years, beginning with the first day of January of the year in which the local registrar is appointed, and until his successor has been appointed and has qualified, unless such office shall sooner become vacant by death, disqualification, operation of law, or other cause: *Provided*, That in cities where health officers or other officials are, in the judgment of the State board of health, conducting effective registration of births and deaths under local ordinances at the time of the taking effect of this act, such officials may be appointed as registrars in and for such cities, and shall be subject to the rules and regulations of the State registrar, and to all the provisions of this act. Any vacancy occurring in the office of local registrar of vital statistics shall be filled for the unexpired term by a local registrar appointed by the same official who appointed the local registrar whose retirement creates the vacancy. Any chairman of a board of county commissioners or mayor of a city or town who appoints a local registrar to fill a vacancy in the office of local registrar shall notify the State registrar, in writing, of the name and address of the local registrar so appointed. At least 10 days before the expiration of the term of office of any such local registrar, his successor shall be appointed by the chairman of the board of county commissioners for the township local registration office, and by the mayor of the city or town for the town or city registration office. That each local registrar shall be a bona fide resident of the township, city, or precinct for which they are appointed and that removal from said township, city, or precinct shall terminate said office.

Any local registrar who, in the judgment of the secretary of the State board of health, fails or neglects to discharge efficiently the duties of his office as laid down in this act, or who fails to make prompt and complete returns of all births and deaths, as required thereby, shall be forthwith removed from his office by the secretary of the State board of health and such other penalties may be imposed as are provided under section 22 of this act.

Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness, or disability, and such deputy shall in writing accept such appointment and be subject to all rules and regulations governing local registrars. And when it may appear necessary for the convenience of the people in any rural district, the local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each subregistrar shall note on each certificate, over his signature, the date of filing, and shall forward all certificates to the local registrar of the district within 10 days, and in all cases before the third day of the following month: *Provided*, That each subregistrar shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or

¹Reprint No. 264 from the P. H. R., p. 349.

failure to perform his duties in accordance with the provisions of this act or the rules and regulations of the State registrar, and he shall be subject to the same penalties for neglect of duties as the local registrar.

Sec. 5. That the body of any person whose death occurs in this State, or which shall be found dead therein shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for a burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or the body was found. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported into a registration district in North Carolina for burial, the transit and removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition as a basis upon which he may issue a local burial permit. He shall note upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; and no local registrar shall receive any fee for the issuance of burial or removal permits under this act other than the compensation provided in section 20.

Sec. 13. That within 5 days after the date of each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State board of health, with a view of procuring a full and accurate report with respect to each item of information enumerated in section 14 of this act. In each case where a physician, midwife, or person acting as midwife was in attendance upon the birth, it shall be the duty of such physician, midwife, or person acting as midwife to file in accordance herewith the certificate herein contemplated. In each case where there was no physician, midwife, or person acting as midwife in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within five days after the date of such birth, to report to the local registrar the fact of such birth. In such case, and in case the physician, midwife, or person acting as midwife in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information contemplated in the section 14 of this act, it shall then be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth, or who may be interrogated in relation thereto, to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by said section 14, and it shall be the duty of the informant, as to any statement made in accordance herewith, to verify such statement by his signature, when requested so to do by the local registrar.

Sec. 18. That each local registrar shall supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or of death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of

information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurred from some disease which is held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State board of health. If a certificate of birth is incomplete the local registrar shall immediately notify the informant, and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied by the State registrar, which record book the local registrar shall deposit with the register of deeds of the county not later than the 15th of January each year. And the register of deeds shall make and keep an index, the form of which shall be devised and supplied him by the State registrar, of the births and deaths that have occurred in the county, and these records shall be open at all times to official inspection. And he shall, on the 5th day of each month, transmit to the State registrar all original certificates registered by him for the preceding month. And if no births or no deaths occurred in any month the local registrar shall on the 5th day of the following month, report that fact to the State registrar, on a card provided for such purpose.

SEC. 19. That each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State registrar, as required by this act. And in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly, as required by this act. All amounts payable to a local registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon certification of the State registrar. And the State registrar shall certify every six months to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein: *Provided*, That the chairman of the board of county commissioners of the several counties may have the right to make such agreements with the several local registrars and subregistrars as may be agreed upon between said chairman and the local registrars or subregistrars as to the compensation to be paid local registrars or subregistrars.

Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 218, Act Mar. 9, 1915.)

SECTION 1. It shall be unlawful for any person, firm, corporation, or association, with intent to sell or in anywise to dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, to make public, disseminate, circulate, or place before the public or cause directly or indirectly to be made, published, disseminated, circulated, or placed before the public in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill circular, pamphlet or letter, or any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue,

deceptive, or misleading: *Provided*, Said advertisement shall be done willfully and with intent to mislead.

Sec. 2. Any person who shall violate the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$50 or imprisoned not exceeding 30 days.

OREGON.

Wayward Girls and Maternity and Venereal Cases—Appropriation for Payment to Certain Institutions for Support of. (Chap. 335, Act Feb. 26, 1915.)

SECTION 1. That section 1 and section 4 of chapter 362¹ of the session laws of the State of Oregon for 1913 be and the same are hereby amended to read as follows:

Sec. 1. There is hereby appropriated \$10,000 annually out of any funds in the hands of the State Treasurer, not otherwise appropriated, for the support of wayward girls between the ages of 12 and 18 years, and maternity and venereal cases under the age of 21 years, now being cared for or who may be hereafter cared for by charitable or corrective institutions in this State, shall be cared for and supported as hereinafter provided.

Sec. 4. Each institution which has received from the State board of health a certificate provided for in section 2 of this act shall be entitled to receive from and out of the appropriation made by section 1 of this act State aid at the rate of \$3 per month for each wayward girl (of the class mentioned in said section) between the ages of 12 and 18 years, and at the rate of \$10 per month for each maternity or venereal case under the age of 21 years. All sums to which any such institution becomes entitled under this act shall be paid quarterly-yearly, to wit: For the quarters ending on the last days of March and June and September and December of each year. Each institution shall present to the secretary of state an itemized statement showing the names and ages of the different girls kept and maintained by it during the quarter and the length of time each girl was so kept and maintained and the amount to which it is entitled for each such girl and the gross amount [to which] it is entitled for the quarter, but before being presented to the secretary of state said statement must have been presented to and approved by the secretary of the State board of health. Upon receipt of said statement so approved the secretary of state shall issue a warrant upon the State treasurer in favor of said institution for the amount to which it is entitled for the quarter covered by said statement.

SOUTH CAROLINA.

County Jails and State Penal and Charitable Institutions—Prisoners and Inmates—Separation of the Tuberculous from the Nontuberculous. (Act No. 136, Mar. 11, 1915.)

SECTION 1. *Separate accommodations for prisoners with tuberculosis.*—That the county supervisors and county commissioners of the respective counties of South Carolina shall provide in the jails or places of confinement where prisoners are committed for keeping, or sentenced to a term of imprisonment, separate cells or rooms or places in which shall be confined all prisoners who may be committed for keeping or sentenced to a term of imprisonment who are affected with tuberculosis.

Sec. 2. *Examination of prisoners by physician.*—That it shall be the duty of the county supervisor or sheriff of any county when a prisoner or inmate is placed in his custody, who the said official has reason to suspect is suffering with tuberculosis, to have such prisoner or inmate examined by a physician, and if such prisoner or inmate shall be pronounced by the examining physician as a tuberculosis person, then the prisoner or inmate shall be placed in a cell or place provided for by this act.

¹Reprint No. 264 from the P. H. R., p. 85.

SEC. 3. Superintendents and boards of directors to provide separate places of confinement.—That it shall be the duty of superintendents and boards of directors of all State, penal, and charitable institutions to provide separate places of confinement for all prisoners and inmate [sic] who have been pronounced by the physician in charge as a tuberculosis person.

SEC. 4. Cells of tuberculosis prisoners not to be used for other prisoners; fumigation.—That all cells and places of confinement provided for in this act for tuberculosis prisoners and inmates shall under no conditions be used for the imprisonment or keeping of persons who are well and not affected with tuberculosis, unless the said cells and places of confinement have been thoroughly fumigated and disinfected.

SEC. 5. Examination of prisoners within five days.—That it shall be the duty of the jailer, keeper, or warden of all places of confinement designated in this act to have all prisoners and inmates who are suspected to be suffering with tuberculosis examined within five days after they have been committed.

SEC. 6. Association of prisoners on public works not prohibited.—That nothing in this act shall be construed as to interfere with or prevent the county authorities from working or housing together all prisoners on public works as now provided by law.

SEC. 7. Punishment for violation.—That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined or imprisoned in the discretion of the court.

SEC. 8. Inconsistent acts repealed.—That all acts and parts of acts inconsistent with this act be, and the same are hereby, repealed.

SEC. 9. Effective June 1, 1915.—This act shall go into effect on the first day of June, 1915.

State Board of Health—Appropriations. (Act No. 165, Feb. 20, 1915.)

SEC. 17. Health department.—

Item 1. Salary of State health officer.....	\$3,000.00
Item 2. Traveling expenses of State health officer.....	1,000.00
Item 3. Salary of clerk.....	720.00
Item 4. Expenses of State board of health.....	2,000.00
Item 5. Contingent fund for protection against spread of contagious and infectious diseases, tuberculosis, and spinal meningitis, free distribution of diphtheria antitoxin, to be expended at discretion of the State board of health, under the supervision of the governor. The State board of health is hereby required to furnish to the governor quarterly an itemized statement of the expenditures and, upon request from the governor, their reasons for their expenditures.	20,000.00
Item 6. Deficit for 1914.....	6,500.00
Item 7. Director of State laboratory.....	2,500.00
Item 8. Salary of janitor.....	456.25
Item 9. For the erection and maintenance of a tuberculosis camp by the State board of health, to be located on the land now owned by or hereafter donated to the State.....	10,000.00
Item 10. For free beds at the tuberculosis camp, to be awarded to the State board of health....	1,000.00
Item 11. Printing, postage, and stationery.....	1,000.00
Item 12. Maintenance of bureau of vital statistics.....	5,000.00
Item 13. Salary of bacteriologist for laboratory.....	1,500.00
Total.....	54,676.25

Boards of Health in Cities and Towns—Organization. (Act No. 101, Feb. 20, 1915.)

SECTION 1. Section 1591, volume 1, code of laws, 1912, amended.—That section 1591, volume 1, code of laws, 1912, be, and the same is hereby, amended by adding at the end of said section the following: "Provided further, That in the city of Orangeburg the board of health shall consist of three members, one of whom shall be a reputable physician of not less than two years' standing in the practice of his profession, and that the chairman of the board of health shall receive such compensation annually as

shall be fixed by the city council of Orangeburg'' [sic], not exceeding \$200 per annum; so that as amended said section shall read as follows:

SEC. 1591. *Appointment of board of health in cities and towns; term; special provision for Orangeburg.*—It shall be the duty of the mayor or intendant of every incorporated city, town, or village in the State of South Carolina to appoint, by and with the consent of the city or town council of every such city, town, or village, five persons, not members of such council in cities or towns of 5,000 or less population, and in cities exceeding 5,000 in population the number may be increased to 20, as the city may determine, one or more of whom shall be reputable physicians of not less than two years' standing in the practice of his profession. The mayor or intendant of said city or town shall designate one-fifth of the members of the board to serve one year, one-fifth to serve for two years, one-fifth to serve for three years, one-fifth to serve for four years, and one-fifth to serve for five years, and thereafter one-fifth of the number of said board shall be appointed annually to serve for five years. The members shall serve without compensation; and in case any one of these, after accepting and being duly appointed, shall refuse to qualify and serve on the board, he shall be subject to a fine of \$25, to be imposed and collected by the town council: *Provided, however,* That in all cases of vacancies on said board occurring from any cause at any time said vacancies shall be filled in the manner hereinbefore prescribed by appointment for the unexpired term or terms, as aforesaid: *Provided further,* That in the city of Orangeburg the board of health shall consist of three members, one of whom shall be a reputable physician of not less than two years' standing in the practice of his profession, and that the chairman of the board of health shall receive such compensation annually as shall be fixed by the city council of Orangeburg, not exceeding \$200 per annum.

VERMONT.

Tuberculosis—Care of Indigent Persons—Appropriation. (Act No. 199, Mar. 31, 1915.)

SECTION 1. Section 7 of No. 219 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 7. The sum of \$10,000 is hereby annually appropriated for the purpose of carrying out the provisions of this act.

State Board of Health—Appointment—Secretary—Duties—Director of Laboratory—Appointment and Duties. (Act No. 1, Jan. 30, 1915.)

SEC. 162. Section 5409 of the public statutes is hereby amended so as to read as follows:

SEC. 5409. The State board of health shall consist of three persons, appointed by the governor with the advice and consent of the senate, each of whom shall hold office for six years from and including the 1st day of February in the year of his appointment.

SEC. 163. Section 5410 of the public statutes is hereby amended so as to read as follows:

SEC. 5410. A member of said board shall be appointed biennially, in the month of January, in place of the one whose term then next expires. If a vacancy occurs in such office, the governor shall fill the same by appointment, and the person so appointed shall hold office until the 1st day of February in the year of the next biennial session of the general assembly; at which session the vacancy shall be filled for the unexpired term thereof by the governor with the advice and consent of the senate.

SEC. 164. Section 5422 of the public statutes is hereby amended so as to read as follows:

SEC. 5422. The secretary shall superintend the performance of the work of said board prescribed in this chapter, and shall perform such other duties as said board directs. He shall, in case of epidemics, contagious diseases, or other unusual sickness, at the

request of a health officer or local board of health, render such assistance as he deems necessary. He shall, from the reports required by law to be made to him, issue in each even year registration reports, and shall, in the month of July in each even year, make report to the governor of the investigations, discoveries, and recommendations of said board and all important facts in regard to the causes and prevalence of infectious diseases. He shall furnish health officers suitable blanks upon which to make reports of infectious and contagious diseases, also blanks for physicians to report to health officers, shall include therein questions necessary to give the information desired, and may require special information of a health officer not provided for in such blanks.

SEC. 165. Section 5424 of the public statutes is hereby amended so as to read as follows:

SEC. 5424. Said board shall appoint and may remove in its discretion a director of such laboratory, who shall keep a record of the specimens sent to him for examination, and examine such specimens without unnecessary delay. He shall, before the 1st day of April in each even year, make a full report to said board of all matters pertaining to the laboratory, and shall make such other and special reports as said board may direct. Said director, with the approval of said board, may appoint such assistants as may be required.

Town Health Officers—Compensation. (Act No. 1, Jan. 30, 1915.)

SEC. 166. Section 5456 of the public statutes, as amended by No. 215 of the acts of 1912, is hereby amended so as to read as follows:

SEC. 5456. For each report of a contagious disease said health officer shall receive from the town for which he acts 15 cents; for each annual report \$1; and for sanitary inspection, placarding, quarantining, and disinfection of infected buildings and premises, the same as for ordinary professional services, unless he is employed for a stipulated salary. When called by the State board of health to attend a meeting of said board he shall receive from the State his expenses and the same per diem as members of the State board.

State Laboratory of Hygiene—Salaries of Director and First and Second Assistants. (Act No. 230, Feb. 3, 1915.)

SECTION 1. Section 6164 of the public statutes is hereby amended so as to read as follows:

SEC. 6164. The State board of health shall fix the salaries of the director and first and second assistants of the State laboratory of hygiene, but the annual salary of the director shall not exceed \$3,000 nor shall the combined annual salaries of the first and second assistants exceed \$3,200.

Domestic Animals—Tuberculin Test—Appraisalment of Condemned Animals—Live Stock Commissioner—Appointment, Duties, and Salary. (Act No. 202, Mar. 10, 1915.)

SECTION 1. Section 1 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SECTION 1. During the month of February, 1913, and in the month of January, 1915, and biennially thereafter, the governor shall appoint a resident of this State to act as live-stock commissioner for a period of two years next ensuing or until his successor is appointed and qualified. Said commissioner shall be paid a salary of \$1,400 a year, and shall give a bond to the State treasurer for the faithful performance of his duties in the penal sum of \$5,000. He may be removed from office by the governor for cause but only after notice and hearing. The governor shall fill a vacancy in such office. Said commissioner may employ, at the expense of the State, such

clerical, veterinary, or other assistance as the governor may approve to carry out the provisions of this act; and the accounts of said commissioner for salary and expenses, including telephone service, and payments for assistance shall be audited by the auditor of accounts and paid by the State. Said commissioner shall keep a record of all permits issued and cattle or horses imported thereon; of all animals tested on behalf of the State, with the date and place of the test, name and residence of the owner, and numbers of the ear markers inserted or found in the ears of all animals; and a complete and accurate record of all other work performed under the provisions of this act. On or before the 15th day of September annually he shall make a report in writing to the governor, detailing the work done during the 12 months preceding said date, and he shall also upon request furnish the governor with information as to the progress of the work.

SEC. 2. Section 8 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 8. A person testing cattle privately with tuberculin shall report to said commissioner; if any reactors are found they shall be appraised by the veterinarian or commissioner and paid for as provided in section 13 of this act if such test is made by a veterinarian under the authority of the commissioner. A person who fails to report a private test to said commissioner shall be fined not more than \$200 nor less than \$10, or be imprisoned not more than six months.

SEC. 3. Section 11 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 11. The provisions of section 10 of this act shall not apply in the case of owners whose animals have been tested by the State and found free from disease since the 6th of January, 1911, nor in the case of owners whose animals have been tested by the State and retested by reason of disease being found at the first test since last mentioned date. Such owners shall keep their animals free from disease at their own expense; but if any reactors are found they shall be appraised and paid for as provided in section 13 of this act. But said commissioner may retest cattle or horses, as provided in this act, when in his judgment the conditions warrant it, and such retest shall be made at the expense of the owner.

SEC. 4. Section 13 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 13. The value of all animals killed by order of said commissioner or his agent shall be first appraised by the owner and the commissioner or his agent. In the event of a disagreement as to the amount of the appraisal, a third disinterested person shall be selected to act with them and appraise the animals. In making such appraisal the fact that the animals have been condemned for disease shall not be considered, but in no case shall the appraisal for a single animal exceed the sum of \$50, except registered cattle, in which case the limit of appraisal shall be \$75; but a certificate of registration of such animal shall be furnished the live-stock commissioner before the claim is paid.

SEC. 5. Section 18 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 18. A resident of this State who slaughters for human consumption at a place within this State an animal which after slaughter he finds or believes to be tuberculous, which animal shall have been owned within this State for a period of at least six months next preceding its slaughter, may forthwith notify said commissioner, in writing or otherwise, giving such statement of facts as the commissioner shall by general regulations require. The commissioner shall thereupon at the earliest date possible, in person or by agent, inspect the carcass of the animal in question, and if such carcass is tuberculous he or his agent shall appraise the same at a value not to exceed 8 cents per pound; and thereupon, within 60 days, said commissioner shall furnish a

certificate thereof to the auditor of accounts, who shall draw an order in favor of the owner of such carcass for the sum of 75 per cent of the appraised value thereof, provided such claim shall be presented at the office of the commissioner within 30 days. Such diseased carcass shall be buried or destroyed by the owner and at his expense in the presence of said commissioner or his agent. In no case shall such sum of 75 per cent be reckoned on a sum greater than \$50 for a single animal. If upon examination the carcass is not found tuberculous the expenses for inspection shall be paid by the owner or the party who applied for the inspection.

SEC. 6. Section 19 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 19. The sum of \$40,000 and, in addition thereto, whatever amount may be received by the State from the sale of condemned animals, is hereby annually appropriated for the purpose of carrying into effect the provisions of this act. In case of the outbreak within the State of some unusual or dangerous disease of domestic animals, said commissioner may use such further sums as the governor may authorize, to be paid in the manner provided by law, but the expenses so incurred shall in no case be deducted from the amount herein appropriated. If the appropriation for the use of the live stock commissioner should in any year be exhausted, the commissioner shall not test with tuberculin any cattle at the expense of the State until such time as the next appropriation shall become available; but if any resident of this State slaughters for human consumption at a place within this State an animal which after slaughter he finds to be tuberculous, if such animal shall have been owned within this State for a period of at least six months next preceding its slaughter, the same proceedings shall be had and the same payments made as are provided in section 18 of this act.

WEST VIRGINIA.

Domestic Animals—Communicable Diseases—Notification of Cases—Prevention and Control. (Act Feb. 25, 1915.)

SECTION 1. (a) The words "domestic animal," as used in this act, shall mean any equine animal or bovine animal, sheep, goat, pig, dog, cat, or poultry, and shall be taken to include the singular or plural as may be necessary in any given case.

(b) The word "owner," as used in this act, shall mean any person owning any domestic animal, or leasing any domestic animal from another, or any person who allows a domestic animal habitually to remain about the premises inhabited by such person.

(c) The word "person," as used in this act, shall mean any person, copartnership, association, or corporation, and shall be taken to include the singular or plural as may be necessary in any given case.

(d) The word "premises," as used in this act, is to be taken in its widest sense, and is to include land, any structure erected on land, and any vehicle or vessel used in transporting passengers, goods, or animals by land or by water.

SEC. 2. It shall be the duty of the commissioner of agriculture, hereinafter known as the "commissioner," to prevent, suppress, control, and eradicate, so far as possible, any transmissible diseases of such animals or poultry; to issue circulars or bulletins for public distribution giving information on the prevalence and control of diseases and their treatment and such other information as would be of value to the stock industry of the State; and to enforce the laws of the State relating to diseases of animals and poultry, and the manufacture, preparation, storage, sale, and offering for sale of the food and food products derived from diseased animals and poultry. Whenever and wherever deemed necessary to prevent the spread of diseases the commissioner may regulate and prohibit the importation into this State of animals or poultry; may cause general or special quarantine of premises and animals and poultry to be established and maintained; may cause the disinfection of any premises; may cause the

destruction of animals and poultry and personal property, and may regulate and prohibit the moving or transportation of animals and poultry from one place to another in this State. The commissioner may also cause such investigations to be conducted as may seem advisable regarding the causes, and the methods of preventing, controlling, and eradicating diseases thereof.

SEC. 3. The commissioner may employ such competent and experienced veterinarians as may be necessary from time to time to assist him in discharging the duties imposed upon him by this act; such veterinarians shall be graduates of veterinary colleges recognized by the American Veterinarian Medical Association, and to be hereafter known as consulting veterinarians. The commissioner shall have general charge of the enforcement of the provisions of this act, and shall collect and disseminate information and statistics in relation to the diseases of domestic animals, the proper care and sanitation of stables and other buildings used for stabling of farm animals for the purpose of preventing the existence and spread of infectious and contagious diseases. For any services rendered under the provisions of this act, the consulting veterinarians shall receive a per diem of \$5 per day and actual expenses while engaged in carrying out the directions of the commissioner, which expenses shall be paid out of the current appropriation made for the enforcement of this act.

SEC. 4. Whenever any incorporated city of this State shall have in its employ any veterinary sanitary officer engaged in the inspection of meat, milk, or animals, and the qualifications of such officer are equal to those in this act providing for consulting veterinarians, then the commissioner may appoint such city veterinary sanitary officer a consulting veterinarian, but such officer shall not be entitled to claim compensation or expenses from both the State and the city for the same services, and his appointment at any time shall be revocable by the commissioner.

The commissioner shall have the authority to appoint, at different points in this State, veterinarians whose qualifications are equal to the requirements for consulting veterinarians, to examine any of the animals enumerated in this act that are to be moved to States where the sanitary laws require such examination, and provided the owners request such inspection. It shall also be the duty of said commissioner to specify and regulate the fees charged for such examination, and to remove such veterinarian whenever he may see fit: *Provided*, That no inspector herein provided for shall make any charge against the State for such service as he may render.

SEC. 5. In the enforcement of this act and the rules and regulations adopted by the commissioner, he and his employees and the consulting veterinarians may enter any premises, public or private, where they have reason to believe that diseased animals or poultry may be or may have been confined or kept in or on such premises.

Said commissioner, the consulting veterinarians, and their duly appointed and authorized assistants or employees, in the performance of their duties under this act, shall have power to call on sheriffs and their deputies, constables and police officers, mayors of cities, city and town sergeants and policemen to assist them in carrying out its provisions; and it is hereby made the duty of all such officers to assist in carrying out the provisions of this act when ordered so to do; and said commissioner and the consulting veterinarians shall have, while engaged in carrying out the provisions of this act, the same powers and protection that other peace officers have, and any such officer who fails or refuses to enforce the lawful orders and quarantine of said commissioner or any veterinarian acting under him, in the proper execution of the powers conferred by this act, shall be guilty of a misdemeanor and be punished upon conviction thereof by a fine of not less than \$25 nor more than \$200.

SEC. 6. It shall be the duty of every practitioner of veterinary medicine in West Virginia, immediately upon receiving information thereof, to report to the commissioner each case of any of the following diseases, namely: Glanders, anthrax, blackleg or black quarter; contagious pleuropneumonia or lung plague of cattle; rinderpest or cattle plague; hemorrhagic septicemia; foot and mouth disease, or aphthous fever of

cattle; southern cattle fever or Texas fever, John disease; contagious abortion; sheep scab, mange of cattle or horses; hog cholera or swine plague; fowl cholera, avian tuberculosis; rabies or hydrophobia; maladie du coit, or dourine, of horses; advanced or generalized tuberculosis or tuberculosis of the udder; or any other disease now or hereafter proclaimed by the commissioner to be of a transmissible character, or any domestic animal reacting to tuberculin or mallein test. This report shall be in writing and shall include a description of each animal affected, with the name and exact address of the owner or person in charge of the animal, and the exact locality of the animal, and the number of susceptible domestic animals that have been exposed to the disease. It is hereby made the duty of every person who has upon his premises or in his possession any domestic animal which is, or which he has good reasons to suspect may be, affected with infectious, contagious, or communicable disease immediately to report the same to the commissioner. If any person or veterinarian knowingly fail to report such a case, or willfully or maliciously interferes with or obstructs the commissioner or consulting veterinarians in the performance of their official duties under this act, or attempts to conceal the existence of such disease, shall be guilty of a misdemeanor.

SEC. 7. It shall be unlawful for any person, or their agents or employees to knowingly drive, cause to be driven, bring or cause to be brought in any manner whatsoever, into this State any domestic animal affected with any contagious, infectious, or communicable disease. All domestic animals being brought into the State for any purpose, by any means of transportation, shall be subject to the following restrictions: Unless such animal is accompanied by a certificate of good health issued by the State veterinarian or other accredited authority of the State from which such animal originates, or the certificate of a veterinary inspector of the Bureau of Animal Industry of the United States Department of Agriculture, setting forth that such animal is free from all contagious, infectious, or communicable diseases and does not originate from a district of quarantine or infection, such certificate showing inspection to have been made within a period of 30 days prior to the arrival of such animal, certificate to be made in triplicate, the original to be retained by the owner or person in charge of such animal, and by him attached to the bill of lading accompanying shipment of the animals, duplicate will be forwarded to the commissioner, and triplicate to be retained by the veterinarian making the inspection. It shall be the duty of the owner or owners of such animal which is to enter the State without a certificate of health to notify the commissioner, and such notice shall state when, where, and how the animal is to be brought into this State, and must reach the commissioner before the animal arrives at the point of destination. Any animal entering the State without such a certificate of health may be placed in quarantine by the commissioner under such rules and regulations as the commissioner may approve, and held therein at the expense of the owner, and if such animal is found affected with any contagious, infectious, or communicable disease, shall, at the option of the owner, be killed, without compensation to the owner, or continued in quarantine at the expense of the owner.

It shall be unlawful to remove any such domestic animal from quarantine unless it shall have passed a satisfactory examination, and the tuberculin test in the case of bovine animals for dairy and breeding purposes and unless the charges for the quarters, feed, water, and attendance have been paid to the person entitled thereto, the expenses incurred in providing such animal or animals with proper quarters, food, and water may be recovered by the commissioner from the owner by an action at law as other debts are by law collectible. When notified by an officer or agent of the commissioner not to do so, it shall be unlawful for any person to receive or keep, or have in his keeping or possession, any domestic animal imported or brought into this State in violation of any of the provisions of this act, or to allow any such domestic animal to come into contact with any other domestic animal: *Provided, however, That*

this provision shall not apply to the importation of goats, dogs, cats, or poultry at any other time than during an epidemic of any of the diseases mentioned in section 6 thereof. And whenever the commissioner shall consider the importation of goats, dogs, cats, and poultry unsafe on account of the prevalence of such diseases in any other State of the Union, he may prohibit entirely or restrict such importations in such manner as he may deem necessary, and after the publication of his proclamation thereof, all of the provisions and penalties of this section and this act shall have full force and effect.

SEC. 8. No domestic animal that has been used or is to be used for dairy or breeding purposes shall be imported or brought into this State except subject to the following regulations: There shall be provided for each bovine animal over six months old a health certificate and a tuberculin test chart, each in triplicate, from a veterinary inspector of the United States Bureau of Animal Industry, or from the State veterinarian, or duly authorized and officially certified veterinarian of the State from whence the animal has been transported or moved. The original of the certificate and of the chart shall be attached to the waybill, when the animal shall be brought into the State by common carrier, and the duplicate sent so as to reach the office of the commissioner before the animal reaches the point of destination, and the triplicate shall be retained by the veterinarian issuing the certificate. If the animal shall be brought into the State other than by common carrier the office of the commissioner shall be notified before such animal shall be brought in. The original certificate and the chart shall be in the possession of the person who shall bring such animal into the State, and shall be surrendered to any officer or agent of the commissioner on demand. The duplicates thereof shall be sent to the commissioner as aforesaid. Such notice to the commissioner shall state when and where and how the animal is to be brought into the State. Such certificates and charts shall show that the animal is free from Texas fever ticks and all transmissible diseases. The chart must show that an approved preparation of tuberculin has been used, and that the examination and tuberculin test have been carried out in a manner approved by the commissioner: *Provided, however,* That from herds which are recorded and certified as free from tuberculosis either by the State veterinarian or other accredited authority of such States as the commissioner may see fit to recognize for this purpose, or may be so recorded and certified by the United States Bureau of Animal Industry, animals may be permitted to enter the State upon such herd certificate in lieu of the tuberculin test chart hereinbefore required.

This section and section 7 of this act shall not apply to animals brought into the State for immediate slaughter, or to animals brought into the State for temporary exhibition purposes only, after a permit for each animal for exhibition purposes shall have been obtained from the commissioner who shall prescribe such conditions for the issuance and duration of such permits as to him may seem proper.

No apparently healthy bull or heifer under six months of age shall be subject to tuberculin test.

If the commissioner shall suspect the genuineness of any health certificate or tuberculin test chart relating to imported animals, or shall question the competency of the person of the State of export who shall have issued such chart or certificate, he may decline to accept the same; and may refuse to permit the importation of the animals concerned, unless a certificate and chart be furnished from the proper inspector of the Bureau of Animal Industry of the United States, or unless the said commissioner shall otherwise determine. It shall be unlawful for any person to sell for dairy or breeding purposes any domestic animals brought into the State for immediate slaughter, or to use or permit to be used any such animal for dairy or breeding purposes.

SEC. 9. Any bovine animal, not accompanied by the health certificate and tuberculin test chart required by section 8 of this act, may be brought into this State only

under the direct supervision of an officer, or agent of the commissioner, subject to the provisions of section 7 of this act and to the following regulations:

Each animal shall be held in close quarantine at such place under such conditions and during such time as may be prescribed by the commissioners and during the period of such quarantine shall be submitted to a physical examination and tuberculin test by an agent of the commissioner. The examination and test shall be at the expense of the owner. During the continuance of such quarantine the animal shall be provided with proper quarters, food, and water by the owner or at his expense.

SEC. 10. Whenever any of the diseases enumerated in section 6 of this act, or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character, shall exist anywhere in the State, a quarantine of any locality or premises, or of any infected or exposed animals or poultry, may be established. Quarantine shall be of two kinds, special and general.

A special quarantine shall mean a quarantine of a single animal; or a quarantine of a single building, structure, pen, coop, car, vessel, vehicle, field, or inclosure; or a quarantine of any number of animals or poultry when confined or contained in the same building, structure, pen, coop, car, vessel, vehicle, field, or inclosure.

A general quarantine shall include all quarantines not included under the term special quarantine as herein defined.

A special quarantine may be established and maintained whenever any domestic animal or poultry shall be affected with or exposed to any of the diseases enumerated in section 6 of this act, or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character, or there shall be any animal or poultry which it is deemed necessary by the commissioner to have examined or tested. The commissioner or his authorized agent shall have the power to establish and maintain any special quarantine. It shall be the duty of the commissioner, or his agent establishing a special quarantine, to post on the building, structure, pen, coop, car, vessel, vehicle, field, or inclosure wherein the animal or animals or poultry quarantined are confined or contained, a notice declaring the quarantine, a description of the animal or animals or poultry quarantined, and of the premises where quarantined, and of the duration of such quarantine. Such quarantine may continue for such time as the commissioner, the State veterinarian, or his agent establishing the same may deem advisable to accomplish the purpose of quarantine.

A general quarantine may be established and maintained whenever any of the diseases enumerated in section 6 of this act, or any other disease of domestic animals or poultry now or hereafter adjudged or proclaimed by the commissioner to be of a transmissible character, shall exist in any locality in the State larger in extent than that which may be included in a special quarantine. A general quarantine shall be established and maintained by the commissioner only. Such quarantine shall include such premises, locality or territorial district, and such animals, and shall continue for such time as may be deemed necessary or advisable by the said commissioner. In establishing and maintaining such quarantine the said commissioner may act through and by an officer, or agent employed by him to whom such power is delegated; and the establishment and maintenance of such quarantine by any officer, agent, or employee of said commissioner shall be *prima facie* the establishment and maintenance of quarantine by said commissioner. Whenever any premises or any locality or territorial district shall be placed in or under quarantine by said commissioner, it shall be the duty of the officer, agent, or employee of said commissioner, by whom the order of the commissioner as to quarantine is executed, to post notices within the premises, locality, or territorial district quarantined, declaring the extent and limits of premises, locality, or territorial district so quarantined, and the animals subject to such quarantine. At least 10 such notices shall be posted in the most public places within said quarantined area. A copy of such notice shall be published in one news-

paper published within such quarantined area; or if there be no such newspaper, then in one newspaper circulating generally within such area. If the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia, and, if in the judgment of the commissioner, in the case of other infectious, contagious or otherwise communicable diseases, such action is necessary, the notice shall contain a warning to the owners of dogs within the quarantined area to confine closely all such dogs.

SEC. 11. After the establishment of any quarantine authorized by this act, and the posting of notices required by law, it shall be unlawful for any person, without a special permit in writing from the commissioner to remove from or to any premises within the limits of the quarantine any domestic animal or poultry; or to remove from any quarantined area or premises any hay, straw, grain, fodder, or other food, or animals or poultry, or to remove any car or wagon or vessel so quarantined; or to sell or exchange or give away or lease or lend or remove, or allow to be removed, any quarantined domestic animal or animals or poultry. It shall be unlawful after notice as aforesaid for the owner of any dog to permit such dog to run at large in any such quarantined locality, or for any person to remove or permit to be removed any dog from such quarantined area. Any dog found running at large in such quarantined area or known to have been removed from or to have escaped from such area, as aforesaid, may be secured and confined, or may be shot or otherwise destroyed by any person without liability therefor.

SEC. 12. It shall be unlawful for any person to tear down or deface or to destroy any notice or quarantine posted by any officer, agent, or employee of the commissioner, or to remove or destroy, wholly or partially, any portion of a building or tree or fence whereon the same shall have been posted.

SEC. 13. When any quarantine shall be established under this act, it shall be unlawful for the owner of any domestic animal within the limits of the quarantine area to allow such domestic animal to run at large during the continuance of the quarantine. Any animal so found running at large shall be taken up by the proper constable and kept at the expense of the owner until the lifting of the quarantine. For such service he shall be entitled to \$1 for each animal. Each animal shall be kept until such fee and all cost of keeping such animal shall have been paid. If not paid within two weeks from the lifting of the quarantine, the animal may be sold, and after the deduction of all fees, costs, and expenses, the residue shall be paid to the owner, if known, and if not known shall be paid into the State treasury. This section shall not apply to dogs or affect the special provisions of this act in reference to dogs.

SEC. 14. Animals that shall be placed in quarantine by authority of the commissioner or his agents, shall be provided with suitable quarters and fed and watered by or at the expense of the owner. In default of payment by such owner of the expense of providing suitable quarters and of feeding and watering any of such animals within 10 days after the lifting of said quarantine, the commissioner may sell or cause to be sold any such animal, at public sale, to collect such expense. Any surplus received at said sale, over the expense aforesaid, shall be paid to such owner. No animal shall be removed from a quarantined area until such sale, except upon payment of such expense.

SEC. 15. Whenever it shall be required to destroy or dispose of the carcass of any animal to prevent the spread of disease such destruction or disposal shall be made by one of the following methods:

First. Complete cremation of the entire carcass with all its parts and products.

Second. Boiling the carcass and all its parts and products in water or heating the same with steam at the temperature of boiling water, continuously during at least two hours.

Third. Burial of the carcass and all its parts and products in such place that shall not be subjected to overflow from ponds or streams, and which shall be distant not less than 100 feet from any watercourse, well, or spring, public highway, house, or

stable. In burying such carcass it shall be covered with quicklime to a depth of not less than 3 inches, and the top of such carcass shall not be within 2 feet of the surface of the ground when such grave is filled and smoothed to the level of the surrounding surface. Such grave shall be so protected that the carcass may not be accessible to dogs or other animals.

Whenever any animal affected with any of the diseases enumerated in section 6 of this act or with any disease now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character shall die or be killed, it shall be the duty of the owner of such animal at once to destroy or dispose of the carcass of such animal in the manner provided in this section. It shall be unlawful to sell any such carcass or any part thereof or any hide or offal therefrom: *Provided, however,* That if the owner of such animal shall not within 24 hours dispose of the carcass as provided by law it shall be the duty of the commissioner or his agent to cause the same to be destroyed or disposed of according to law at the cost of such owner. The expense of such destruction or disposal may be collected from such owner as debts of like amount are by law collectible.

SEC. 16. It shall be unlawful for any person to knowingly drive or move or transport on or across or along any public highway or in wagons or railroad cars or other vehicles any animal affected with any disease enumerated in section 6 of this act, or with any disease now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character, except upon express permission in writing from the commissioner or his agents.

SEC. 17. The commissioner or his agents or the inspectors of the United States Bureau of Animal Industry shall possess authority to test with tuberculin any bovine animal kept within this State, subject to such rules and regulations as the commissioner may prescribe. The tuberculin test shall be applied to bovine animals at such times as may be designated by the commissioner as may be necessary in the control and eradication of bovine tuberculosis in this State, and all cows whose milk is sold for human consumption or manufacture and all uncastrated beef animals shall be tested with tuberculin in so far as may be possible. When any such bovine animal is found by the officer making the test to give what the commissioner shall have prescribed by his rules and regulations to be a clearly defined reaction to such test, the said animal shall be considered to be affected with bovine tuberculosis, and shall be marked or branded upon the right side of the neck from 6 to 10 inches back from the jawbone with a capital "T" not less than 2 inches high, 1½ inches wide, with mark one-fourth of an inch wide, unless the owner elects as hereinafter provided to keep the animal in quarantine for eight weeks, when the animal shall be again tested by the commissioner or his agent at the expense of the owner, and if the animal again gives a clearly defined reaction it shall be branded. Any bovine animal affected with advanced or generalized tuberculosis or tuberculosis of the udder may be similarly branded, and such branding shall not be construed as cruelty to animals within the meaning of the penal laws of this State. If such a reacting animal be pure bred and registered or eligible to registry, and the owner of such reacting animal shall desire to keep it, such option is allowed, provided the animal does not, in the judgment of the officer making the examination and test, show evidence of physical breakdown, then or at any time thereafter, probably due to the disease, and it shall then be the duty of the commissioner or his agents to place such animal in quarantine, and the owner or owners thereof, their agents, or employees shall maintain the said animal in quarantine as prescribed by the commissioner or his agents and the product or products of such reacting animal shall only be disposed of under such restrictions as the commissioner shall designate.

Except as hereinbefore provided all bovine animals within this State which are deemed tuberculous, either as a result of physical examination or the tuberculin test, shall be slaughtered within a time and at a place designated by the commissioner

or his agent, and if the owner of any such tuberculous animal shall desire to receive indemnity therefor he shall be required by the commissioner before the appraisal and slaughter of the animal to execute an agreement that he will thoroughly clean and disinfect all premises that may have been infected by such tuberculous animal in such a manner as the commissioner may prescribe; will have his entire herd of bovine animals tested with tuberculin by the commissioner or his agent at such times as the commissioner may designate, and will not admit to his herd any bovine animal that has not given a negative reaction to the tuberculin test. Such an agreement shall be in duplicate, one copy to be retained by the signer, and in such form as the commissioner shall designate, and shall be signed by the owner or owners or their agents, and shall be in effect for a period of two years from the date thereof. All such tuberculous animals shall be appraised before being slaughtered, the owners to be indemnified as hereinafter provided.

The commissioner or his agent shall act as appraiser and shall appraise each tuberculous animal within five days prior to the date of slaughter, basing the amount upon the class and market value of the animal at the time of appraisal, whether for breeding purposes or whether for milk or meat production. Animals reacting to the tuberculin test but not exhibiting any physical evidence of tuberculosis shall be appraised without considering the presence of a diseased condition, but animals exhibiting any physical evidence of tuberculosis shall be appraised as diseased animals. The amount of appraisal shall not exceed the sum of \$75 for a pure-bred registered animal or the sum of \$50 for a grade or nonregistered animal. If the amount of appraisal of any animal, as determined by the appraiser designated, is not satisfactory to the owner of such animal, a written notice of such fact, setting forth the reasons for complaint, shall be made to the appraiser at once. The amount of the appraisal shall then be determined by arbitrators, one to be appointed by the appraiser and one by the owner of the animal. If said arbitrators are not able to agree as to the amount of appraisal, a third arbitrator shall be appointed by them, whose decision shall be final. Arbitrators shall be paid \$1 for each appraisement of five or less than five animals and \$2 if more than five animals are appraised. Compensation for the arbitrator appointed by the owner and the third arbitrator, if appointed, shall be paid by the commissioner if the decision made is against the arbitrator appointed by the veterinarian, but if the decision is in favor of such arbitrator the owner shall pay the compensation of the arbitrator appointed by him and the third arbitrator, if appointed.

After such agreement has been executed and appraisal has been made it shall be the duty of the commissioner or his agent to see that the animal is slaughtered and the carcass disposed of in accordance with the meat-inspection regulations of the United States Bureau of Animal Industry, or in such manner as the commissioner shall prescribe. When the animal is to be slaughtered, as herein provided, the commissioner or his agent shall make and deliver to the owner a certificate which may cover any number of animals belonging to the same owner, showing the age and description of each animal found to be tuberculous, the name and place of test, the mark or brand as tuberculous and any other mark or brand which the animal may bear, the date when and the place to which the animal was sent for slaughter by the veterinarian, the designation of the officer who is to supervise the slaughter, the appraised value of said animal or animals, the name and address of the owner of the animal and the fact that he has executed the agreement hereinbefore provided for. The officer supervising the slaughter shall, immediately after the same, indorse upon or add to the foregoing certificate that he has witnessed the slaughter of each of said animals, the place and date thereof, that the number, age, description, and brand or mark corresponding to those given in the certificate of the officer who made the former certificate and shall state the result of his post-mortem examination, the disposition made of the carcass, and the price received for the same by the veterinarian. The slaughter may be supervised and certificate thereof may be made by the commissioner or any of his agents, or

any person possessing the authority of an agent, or any officer of the United States Bureau of Animal Industry. The commissioner may require such other particulars to be added to either of said certificates or the affidavit hereinafter required, and may make and enforce such rules and regulations governing the handling, shipping, and slaughter of such animals as may be deemed necessary.

The owners of such animals shall be indemnified in such amount as shall be determined by the results of post-mortem inspection by the officer supervising the slaughter according to the following rules:

RULE 1. If any animal is found, upon post-mortem inspection, not to be affected with tuberculosis, the carcass and other edible portions shall be passed as food, and the veterinarian shall sell the same, including all accompanying parts, for the best price obtainable, which price shall be paid to the owner and deducted from the amount of appraisal, and the balance, if any, thus remaining, shall be paid the owner.

RULE 2. If any animal is found, upon post-mortem inspection, to be affected with tuberculosis, and the lesions are such that the carcass and parts of the carcass are passed for food, the veterinarian shall sell the same, including all accompanying parts, for the best price obtainable, which price shall be paid to the owner and deducted from 80 per centum of the amount of the appraisal, and the balance, if any, thus remaining shall be paid the owner.

RULE 3. If any animal, upon post-mortem inspection, is condemned for offal, the veterinarian shall sell the hide and offal for the best price obtainable, which price shall be paid to the owner and deducted from 40 per centum of the amount of appraisal, and the balance, if any, thus remaining shall be paid the owner.

After such tuberculous animals shall have been slaughtered as herein provided for, the veterinarian shall, as soon as possible, forward to the commissioner, who shall, if found to be correct, approve the same and within 30 days file with the county court of the county in which said animals were owned at the time they were condemned as tuberculous, as herein provided, the foregoing certificates, together with the owner's claim for indemnity, and his affidavit that he has thoroughly cleaned and disinfected his premises and complied with all the regulations of the commissioner in respect thereto and in respect to the remainder of his herd. If the said county court, upon examination of the certificates filed as aforesaid and of the affidavit of the claimant and any evidence that may be presented, shall find the claim is regular and the facts therein set up are true, and that the claimant is entitled indemnity as herein provided, the county court shall make an order allowing the claimant one-half of the indemnity hereinbefore provided for, which shall be paid upon the order of the county court out of the general funds of the county. The commissioner shall at the end of the fiscal year issue his warrant upon the State auditor in favor of the claimant, for the remaining one-half of the indemnity allowed, which shall be paid out of any moneys appropriated for carrying out the provisions of this act: *Provided*, That at the end of each fiscal year the claimants for such certificates of value shall be paid the same from the current appropriations made for that purpose: *Provided further*, That the amount to be paid on such certificates in any one year shall not exceed the amount appropriated for such purpose, which amount shall be paid pro rata at the end of each fiscal year: *Provided further, however*, That the right to indemnify shall not exist nor shall payment be made in either of the following cases:

1. For animals owned by the United States, this State or any county, city, town, or village in this State.

2. For animals brought into this State contrary to the provisions of this act, or where the owner of the animal or person claiming compensation has failed to comply with the provisions of the same.

3. When the owner or claimant at the time of coming into possession of the animal knew or had reason to believe it to be afflicted with a dangerous or contagious disease.

4. When the owner shall have been guilty of negligence or had carelessly exposed such animals to the influence of contagious or infectious disease.

SEC. 18. Whenever, to prevent the spread of any disease mentioned in section 6 of this act, it shall be deemed necessary by the commissioner or any of his agents to cause any domestic animal to be killed, and the owner thereof shall desire to receive indemnity therefor, the owner thereof shall be required to execute an agreement with the commissioner or his agent that he will thoroughly clean and disinfect all premises that may have been infected by such diseased animal in such manner as the commissioner or his agent may prescribe. Such an agreement shall be in duplicate, one copy to be retained by the signer and in such form as the commissioner may designate, and shall be signed by the owner or owners or their agents, and shall be in force for a period of two years from the date thereof. The commissioner or any agent so authorized shall act as appraiser and shall appraise each such diseased animal within five days prior to its slaughter, basing the amount upon the market value of the animal at the time of appraisal. Animals reacting to any approved test for a disease but otherwise apparently healthy shall be appraised without considering the presence of a diseased condition, but animals exhibiting any physical evidence of disease shall be appraised as diseased animals, taking into consideration the condition of the animal as to disease, and the nature and extent of the disease, and its present and probable effect on the animal, and having regard to the probable sums to be derived from the sale of the carcass, hide, and offal.

The amount of appraisal shall in no case exceed for a nonregistered equine animal the sum of \$75, for a registered equine animal the sum of \$100, for a nonregistered bovine animal \$50, for a registered bovine animal \$75; for a sheep or pig the sum of \$10: *Provided, however,* That in case of an outbreak of foot-and-mouth disease, or any other dangerously contagious or infectious disease among bovine animals and on account of which disease, bovine animals are being destroyed by order of Federal authority and for which said bovine animals so destroyed, the Federal Government pays one-half the true and actual value according to the appraisement, that the State of West Virginia pay one-half and only one-half the true and actual value as above stated. If the amount of appraisal of any animal as determined by the appraiser designated is not satisfactory to the owner of such animal, the appraisal may be made by arbitrators as provided in section 17 of this act. After such agreement has been executed and appraisal has been made, it shall be the duty of the commissioner or his agent to see that the animal is killed and the carcass disposed of in accordance with the provisions of this act and the rules of the commissioner. When the animal is to be killed the commissioner or his agent shall make and deliver to the owner a certificate which may cover any number of animals belonging to the same owner, showing the age and description of each animal, the appraised value of said animal or animals, the name and address of the owner of the animal and the fact that he has executed the agreement hereinbefore provided for. At the end of each fiscal year the holders of such certificates of value shall be paid two-thirds of the value of the same from the current appropriations made for carrying out the purposes of this act: *Provided,* That the amount paid on such certificates and those similarly provided for in section 17 of this act in any one year shall not exceed the appropriation made therefor, which amount shall be paid pro rata at the end of each fiscal year on an order signed by the commissioner. When any animal is so killed the owner subject to the regulations of the commissioner may dispose of the whole or any part of the carcass and of the hides and offal in such manner as may not tend to spread disease or affect the health of the public.

SEC. 19. Without express permission in writing from the commissioner, or his agent, it shall be unlawful for any person to sell or offer for sale, or to away, or to allow to stray, any animal affected with any disease enumerated in section 6 of this act, or with any disease now or hereafter adjudged and proclaimed by the United States

Bureau of Animal Industry to be of a transmissible character, or any animal that has reacted to any tuberculin or mallein test, or with such permission to sell or offer for sale, or to give away, any such animal without notifying the purchaser or any prospective purchaser or the person to whom the animal shall be sold or given, that the animal is affected or has reacted as aforesaid, or that it has been in a herd affected with such a disease within one year, except when for immediate slaughter in accordance with the meat-inspection regulations of the United States Department of Agriculture; or to dispose of to another in any manner any animal that may be in quarantine until such time as the quarantine shall have been raised by the proper officer, or to dispose of the meat or milk of any animal that may be affected with such contagious, infectious, or communicable disease for use as food or for other purposes except in such manner as shall be provided by the commissioner: *Provided, however*, That nothing in this section shall be construed as interfering with the provisions of the State or National pure food or meat inspection laws except that the milk from tuberculous cows may be sold under such regulations for its sterilization before use as the commissioner may prescribe.

SEC. 20. The commissioner may prescribe methods of making tests with tuberculin, mallein, or other recognized tests for the diagnosis of diseases of animals.

SEC. 21. Each sale in this State of tuberculin for cattle, or of mallein for horses, jacks, or mules, and each injection or test made with tuberculin or mallein shall be reported in writing to the commissioner within one week after such sale or test. Each such report shall be signed by the person who shall have made the sale or test; and shall give the name of the purchaser of the tuberculin or mallein, with the amount sold, the date of sale, the name and address of the owner of the cattle or horses or mules or jacks tested, the locality where such test has been made, a description of the animal or animals tested, and a complete statement of the actual result of such test. It shall be unlawful for any person, whose duty it is hereby made to make such report, to fail or refuse to do so.

SEC. 22. It shall be unlawful for any person to manufacture for sale, or sell or offer for sale, any biological product intended for diagnostic or therapeutic purposes with animals unless such product is officially approved by the Bureau of Animal Industry of the United States.

SEC. 23. Milk produced by a cow which has reacted to a tuberculin test, or is affected with a dangerously transmissible disease, shall not be sold as food for human beings or other animals unless it has been previously heated to at least 178° F. or heated to 140° F. and held at that point for at least 20 minutes, except when a special examination has been made under the direction of the commissioner and written permission to use such milk has been given by him.

SEC. 24. Any person, firm, or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not more than \$100. For each subsequent offense such person, firm, or corporation shall be sentenced to pay a fine of not more than [sic] \$500, and in addition thereto such person or each of the members of the firm or each of the directors of the corporation, as the case may be, with guilty knowledge of the fact, may be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than 10 nor more than 90 days, or either or both, at the discretion of the court.

SEC. 25. It shall be the duty of the prosecuting attorney in the county in which offenses are committed against the provisions of this act to prosecute the same upon information furnished by the commissioner or his agents.

SEC. 26. The commissioner shall be charged with the enforcement of this act and shall have the power to make all needful rules and regulations for the enforcement thereof and shall have authority to accept on the part of the State the laws, rules,

and regulations of the United States Bureau of Animal Industry for the prevention, control, and eradication of contagious, infectious, or otherwise communicable diseases among domestic animals and poultry.

Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 43, Act Feb. 25, 1915).

SECTION 1. Any person, firm, corporation or association, or their agents or employees, who, with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue and deceptive, knowing or having reason to believe that such assertion, representation, or statement is untrue or deceptive, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, and such violation, by an agent or employee, shall be deemed an offense as well as by the principal or employer, and they may be indicted for the same, either jointly or severally.

X