

BUREAU OF HEALTH CREATED

Act of Jun. 26, 1895, P.L. 350, No. 258

Cl. 11

AN ACT

Creating a Bureau of Health in the Department of Public Safety in cities of the second class, defining the powers and duties thereof and of the officers thereunder, prescribing rules and regulations and laws respecting the public health, and authorizing and imposing fines, penalties and punishments for violations thereof.

Section 1. Be it enacted, &c., That there is hereby created and established a Bureau of Health in cities of the second class in this Commonwealth, which bureau shall be connected with and under the control of the Department of Public Safety of said cities. The Director of said department shall appoint a superintendent, and such other employes in said bureau as shall from time to time be necessary to perform the duties thereof. The councils of said cities shall fix the compensation of all persons so employed.

Section 2. It shall be the duty of the said bureau of health to have all things or conditions which may in their opinion have a tendency to imperil health removed or corrected, as said bureau may deem necessary; and if the agent, owner, owners, tenant or occupants of any premises on or in which such thing or condition shall be found, shall refuse or neglect after due notice to remove or correct the same, he, she or they so refusing or neglecting, shall for every such offense be subject to all the penalties prescribed in section eleven of this act. If any person or persons, firm, corporation or agent, shall cause or permit to be thrown, cast or placed any offensive substance, matter or thing on any premises, lot, street, alley or public place therein, or if any owner, agent or occupant of any lot of ground or premises within said cities shall suffer or permit any such offensive substance, matter, or thing aforesaid, to be, lie or remain on such lot or premises, every person so offending shall be subject to all the penalties prescribed in section eleven of this act. (Amended, 1899, Act No. 113, P. L. 164, Section 1)

Section 3. No person shall throw, place or conduct, or suffer his or her servant, child or family to throw, place or conduct into any street, alley or lot, any putrid or unsound matter, beef, pork, fish, hides or skins of any kind, or any filth or offal, dead animal, vegetables, oyster shells, or other unsound or offensive matter whatever, or anything likely to become offensive, nor shall any person allow such filth, offal, or other offensive matter as aforesaid to be or remain upon their premises, or in any outhouse, stable, or privy or other place owned or occupied by them, or in any alley or street in such manner as to be offensive, and every person who shall violate any of the provisions of this section shall forfeit and pay a fine and penalty not exceeding ten dollars.

Section 4. It shall be the duty of any and all person or persons, corporation or corporations, having the ownership or control of dead undressed unslaughtered hogs, cattle or other animals or animal matter within any of the said cities, to remove the same within six hours after their death or arrival within the above described locality to some point or place to be designated or approved by the Director of the Department of Public Safety, and there promptly disposed of in a sanitary manner, and in case the person or persons having the ownership, control or possession of such dead animals or animal matter shall fail to remove them within the time specified, he or they

shall be liable to a fine or penalty not exceeding twenty-five dollars, and it shall be the duty of the officers of the said bureau to take immediate possession of, and remove the same.

Section 5. No person, persons or corporation shall render or try out any dead hogs, cattle, or other animals, or animal matter, or any decayed, putrid or unsound animal matter in the said cities, nor shall it be lawful to carry on any of the above described business within the limits of said cities, without adopting and using such proper and suitable machinery, or appliances, as shall prevent foul and disagreeable odors, and as the bureau of health of the cities aforesaid shall approve; nor shall the same be then operated without a permit in writing from the said bureau of health, and in case of the violation hereof the person, persons or corporation so offending shall be subject to all the penalties prescribed in section eleven of this act, and to like penalties for every week said violation shall continue. (Amended, 1899, Act No. 113, P. L. 164, Section 2)

Section 6. If any person or persons shall own, occupy or keep any grounds or other premises in such condition as to be offensive, he or they shall be subject to all the penalties prescribed in section eleven of this act. Whenever any such nuisance shall be found on any premises within the city contrary to the provisions of this act, the bureau of health is hereby authorized to cause the same to be summarily abated, in such manner as it may direct, and at the expense of the person or persons so offending, and in cases where the owner, owners, agent, or agents of unoccupied property, upon which any offensive matter or substance exists, reside out of the said city or cannot be found after diligent search, to cause the same to be removed or abated, and the expense attending the removal or abatement of the same shall be recovered by the said bureau in the name of said cities before any court, police magistrate, alderman, or justice of the peace having jurisdiction of like cases. (Amended, 1899, Act No. 113, P. L. 164, Section 3)

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 7. It shall not be lawful for any person to erect or continue any privy, unless the same shall be furnished with a substantial vault at least six feet deep, constructed of hard, burned brick, laid in cement, with bottom and sides cemented, so as to prevent the contents escaping therefrom, be located at least two feet from the line of the adjoining property, and secured and enclosed; and in case of violation hereof the person or persons so offending shall be subject to all the penalties prescribed in section eleven of this act, and which may be enforced for every week the same shall be so continued. If any person shall suffer or permit any cellar, vault, privy, water closet, drain pipe, pool, sewer, sink, or any plumbing whatever, in or upon any premises belonging to or occupied by him or her, to become foul or offensive, he or she shall be subject to all the penalties prescribed in section eleven of this act, and to like penalties for every day the same shall continue after notice to remove, abate or correct the same. The owner or agent of every building in said cities shall furnish the same with proper and sufficient drainage, under ground, to carry off waste water or other sewage, and also with suitable privies or water closets, sufficient for the accommodation of all persons

residing or employed therein, and in case of neglect or refusal so to do said owner or agent shall be subject to all the penalties prescribed in section eleven of this act, and to like penalties for every day the said neglect or refusal shall continue after the first conviction. (Amended, 1899, Act No. 113, P. L. 164, Section 4)

Section 8. Whenever, in the opinion of the said bureau of health, any privy vault shall need cleaning, it shall be the duty of said bureau to notify the owner, agent, or occupant to cleanse the same within a period named in said notice, and if the person so notified shall fail to comply within the time mentioned, said bureau of health is hereby authorized to cause said vault to be cleaned, and the person so failing to comply with said notice shall be subject to all the penalties prescribed in section eleven of this act. Nothing in this section shall discharge the owner, agent or occupant of the premises from any liability otherwise provided to pay all the expense of such cleaning. (Amended, 1899, Act No. 113, P. L. 164, Section 5)

Section 9. The said cities shall have the right to provide suitable places for the purpose of receiving therein the contents of privies, and other offensive substances, and when the same are provided it shall be lawful for said Bureau of Health to make proclamation thereof by advertisement in one or more of the daily newspapers of said cities, to be continued at least thirty days, and from and after the expiration of the said thirty days during which said advertisement has been published, it shall not be lawful for any person or persons employed in cleansing any privy or privies within the bounds aforesaid, to deposit, or cause to be deposited, the contents or any part of the contents thereof in any other place or places than such as shall be designated by the said Bureau of Health in its proclamation; and if any person or persons shall deposit or cause to be deposited such contents or any part thereof in any other place or places than as aforesaid without the consent of the said Bureau of Health, such person or persons shall forfeit and pay for every such offense a fine or penalty not exceeding fifty dollars. No person shall remove or cause to be removed, the contents or any part thereof of any privy-well until he shall have first obtained a permit from the said Bureau of Health, which permit shall specify the time within which the contents of the privy may be removed, and the place to which the said contents shall be conveyed and deposited, and if any person shall remove, cause or allow or assist in removing the contents or any part thereof of any privy-well before he has obtained such permit, or at any other time than that specified in the said permit, or shall convey to and deposit, or assist in conveying or depositing the same in any other place than that described in the said permit, he shall for any of the aforesaid acts forfeit and pay a fine or penalty not exceeding fifty dollars. Hereafter no person shall be permitted to remove or cause to be removed any portion of the contents of a privy-well within the limits aforesaid excepting in vehicles so constructed and operated as to be air tight, so as to prevent the emission of noxious smells, and if any person shall remove, cause or permit to be removed the contents or any part thereof of any privy excepting in vehicles constructed and operated as aforesaid, he shall forfeit and pay a fine or penalty not exceeding fifty dollars, and any constable, police officer or watchman is hereby authorized to seize and detain all vehicles, horses, implements and apparatus, actually taken with any person or persons detected in any violation of said provision, and

deliver the same to the Bureau of Health for safe keeping, and as security for the payment of the penalties herein named.

Section 10. From and after the passage of this act, it shall not be lawful for any person to remove the contents of any privy-well within the limits of said cities, unless such person shall first be licensed by the Bureau of Health to do so, and any person so offending against the provisions of this section, shall for every such offense forfeit and pay a fine or penalty not exceeding fifty dollars. Any person desirous of being licensed to empty or remove the contents of privy-wells or cesspools, shall make application in writing to the said Bureau of Health, and on being satisfied with the character of the applicant, and the construction of his vehicles, the said bureau may, under the rules and regulations made in relation thereto, and with the approval of the Director of the Department of Public Safety, grant him a license for one year, and may renew and continue the same from year to year, as shall be found proper. Any person so licensed offending against any of the provisions of this act, or of the rules and regulations made thereunder, shall by order of said bureau and with the assent of the Director of the Department of Public Safety aforesaid, forfeit his license, and be disqualified from having the same again granted for such period not exceeding three years as said bureau may determine, and he shall also be subject to all fines, pains and penalties provided by law for any violation thereof.

Section 11. The bureau of health of each of said cities shall have full power to cause all offensive or putrid substances and all nuisances to be removed, and to cause such of the privies within the limits aforesaid to be emptied or corrected, at the expense of the owners, agents or occupants of the houses to which the said privies are appurtenant, as the said bureau shall from time to time deem necessary; and if the owners, agents or occupants of the premises, on or in which any offensive or putrid substance or other nuisance may be found, and the owners, agents or occupants of the houses to which the said privies are appurtenant, shall on due notice thereof refuse or neglect to have the same immediately removed, emptied or corrected as aforesaid, he, she or they, so refusing or neglecting, shall be subject to all the penalties prescribed in section eleven of this act; and the expense attending the removal, emptying, or correction of the same shall be recovered by the said bureau before any alderman, police magistrate, or justice of the peace, or in any court having jurisdiction, from all corporate bodies and individuals. (Amended, 1899, Act No. 113, P. L. 164, Section 6)

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 12. The Director of the Department of Public Safety of any of said cities with the approval of the councils thereof, shall have power and authority to enter into a contract or contracts with such parties as may be found necessary for the removal of all dead animals from the streets, lanes, alleys, unoccupied ground, or any other portion of said cities.

Section 13. It shall be unlawful for any person, firm or corporation to keep, expose or offer for sale for food, or keep the same for the purpose of sale for food, within the limits of said cities, any emaciated, tainted, putrid, decayed, decaying, unwholesome, or diseased meat, game, fish, eggs, or poultry, or any decayed or unwholesome vegetable, fruit, or

other matter or thing used for food. In case of keeping, exposing, or offering such for sale, the said bureau shall have the power and authority to seize, condemn, and confiscate the same, and also all maimed and diseased animals, or any that may be too young to be used for food. The keeping, offering, exposure, or sale as aforesaid, of any emaciated, tainted, putrid, decayed, decaying, unwholesome, or diseased meat, game, fish, eggs, or poultry, or any decayed or unwholesome vegetable, fruit, or other matter or thing used for food, or of any maimed or diseased animal, or animals too young to be used for food, shall be and is hereby declared to be unlawful, and the person so offending shall be subject to all the penalties prescribed in section eleven of this act. The exposure to sale, after condemnation as aforesaid, of any emaciated, tainted, putrid, decayed, decaying, unwholesome or diseased meat, fish, game, eggs or poultry, or any decayed or unwholesome vegetable, fruit or other matter or thing used for food, or of any maimed or diseased animal, or animals too young to be fit for food, shall be and is hereby declared to be unlawful, and any person or persons so offending shall be subject to all the penalties prescribed in section eleven of this act. (Amended, 1899, Act No. 113, P. L. 164, Section 7)

Section 14. It shall be the duty of the Bureau of Health to make a complete registration of all dairies and milk depots in the said cities, and to require the names of the owners of the different dairies, or of the persons dealing in milk, to be legibly placed upon each vehicle used for the conveyance of milk, and any person or persons refusing or neglecting to give such information, or to place his or their name or names on said vehicles as aforesaid, shall be liable to a fine of not more than twenty dollars for each and every day the same shall be omitted.

Section 15. It shall be unlawful for any person or persons to offer for sale, exchange or delivery, or to have in their custody or possession, with intent to sell, exchange or deliver, or expose or offer for sale or exchange, any milk adulterated with water or other substance, or any milk from diseased cows or goats; and if any person or persons shall violate any of the provisions of this section, he, she or they shall be subject to all the penalties prescribed in section eleven of this act, and, in addition thereto, said bureau of health shall have the power and authority to seize, condemn, and confiscate such milk. (Amended, 1899, Act No. 113, P. L. 164, Section 8)

Section 16. It shall be the duty of the said Bureau of Health to see that the provisions of section fourteen and fifteen of this act are enforced, and for that purpose its officers shall have the right at all times to enter all places where milk may be sold, or stop any vehicle used in conveying the same, and cause a sample to be tested or analyzed.

Section 17. Any person or persons who shall in any of said cities engage in or carry on the sale, exchange, or traffic in milk, shall have the carriage or vehicle from which the same is vended, conspicuously marked with his, her or their names, also designating the locality from which said milk is obtained or where produced, and for every neglect of such marking, the person or persons so neglecting shall be subject to a fine not exceeding ten dollars. For marking wagons or vehicles so as to convey the idea that said milk is procured from or produced in a different locality than it really is, the person or person so offending shall be subject to a fine not exceeding fifty dollars. The addition of water or of ice to milk, is hereby declared an adulteration, and any milk obtained from animals

fed on distillery waste or any substance in a state or putrefaction, is hereby declared to be impure and unwholesome.

Section 18. It shall be unlawful for any person or persons engaged in gathering bones, grease, or dead animals from the markets or other places in any of said cities, or for any person to transport, haul or carry the same through the streets, alleys and public places therein, without having the wagon or vehicle in which the same is so carried or hauled tightly and securely covered in such manner as shall be approved by the Bureau of Health, nor shall any such wagon, cart or vehicle be suffered to stand in or upon any street, alley or public place at any time longer than shall be sufficient to transact such business, and in any case not to exceed fifteen minutes, and any person or persons who shall violate the provisions of this section shall be subject to a fine of not less than five, nor more than one hundred dollars for each and every violation thereof.

Section 19. It shall be the duty of the officer or officers who shall be appointed therefor, to carry out all the orders of the Bureau of Health and the provisions of this act, and of all ordinances, rules and regulations in relation to the sanitary condition of said cities, and to proceed from time to time to make thorough and systematic examinations of the same and cause all nuisances to be abated with reasonable promptness; and for the purpose of carrying out the foregoing requirements such officer or officers shall be permitted at all times from the rising to the setting of the sun, to enter into any house, store, stable, or other building, and to cause the floors to be raised if deemed necessary by them, in order to make a thorough examination of cellars, vaults, sinks or drains; to enter upon all lots of ground, and to cause all stagnant waters to be drained off, the pools, sinks, vaults, drains or low grounds to be cleansed, filled up, or otherwise improved or corrected; to cause all privies to be cleaned and kept in good condition; and to cause all dead animals or other nauseous or unwholesome things or substances to be removed beyond the limits of the city or otherwise disposed of. In order to carry out the provisions of this section, it shall be the duty of the said officer or officers to serve notice in writing upon the owner, occupant or agent of any lot, building, or premises in, or upon which any such nuisance offensive matter or substance may be found, or who may be the cause of any such offense, requiring him or them to abate the same in such manner as the rules and regulations shall prescribe within reasonable time. Notice may be given or served by any officer who may be directed or deputed by said bureau to give or make the same, and if such owner or occupant, or agent shall neglect or refuse to comply with the requirements of such notice within the time specified, he or they shall be subject to a fine of not less than five, nor more than fifty dollars for every such violation, and it shall be the duty of the said bureau to proceed at once upon the expiration of the time specified in such notice to cause such nuisance to be abated: Provided, That whenever the owner, occupant or agent of any premises in or upon which any such nuisance, offensive matter or substance may be found, is unknown, or cannot be found, the said bureau shall proceed to abate the same without notice, and in either case the expense of such abatement shall be collected from the owner or owners thereof by action of assumpsit or otherwise, as provided by law. For the purpose of carrying the foregoing provisions into effect it shall be the duty of the Director of the Department of Public Safety to employ a sufficient force, under the control of the superintendent of the Bureau of Health, to make from

time to time, and as often as may be necessary, a thorough and systematic examination of the said cities, and to ascertain and report to the Bureau of Health for prosecution, all violations of the health laws and regulations, and for this purpose they shall be permitted at all times to visit or enter into or upon any building, lot or grounds within the jurisdiction of the said cities, and make examinations thereof.

Section 20. The Director of the Department of Public Safety in every such city, with the approval of the councils thereof, shall have power and authority to enter into a contract or contracts with such parties as may be found necessary, for the removal of all offal, garbage and swill from private premises and for the disposal of the same. The Bureau of Health shall cause a printed notice to be left at each and every hotel, tavern, eating house and dwelling house in the city, stating that a scavenger will call for offal, garbage and swill at certain times mentioned in the notice, and requiring that such offal, garbage and swill be ready in prescribed and suitable vessels for the scavenger when he calls for the same, and a copy of this section shall be appended to such notice. Any person who shall, after notice, neglect or refuse to have the offal, garbage or swill upon his or her premises ready for the scavenger in the manner and at the time mentioned in said notice, shall be subject to a penalty of five dollars for each and every day such offal, garbage or swill shall remain on such premises after the same shall have been called for by the scavenger.

Section 21. It shall be lawful for the Bureau of Health of each of said cities, when it shall have reason to believe from the report in writing of any reputable physician practicing in such cities that any person within the said cities is afflicted with any contagious disease dangerous to the community, to take measures for preventing the spreading of the contagion by forbidding and preventing all communication with the infected house or family, except by means of physicians, nurses or messengers to convey the necessary advice, medicines and provisions to the afflicted person or persons, and exercise all such other powers as the circumstances of the case shall require, and as shall in the judgment of said bureau be most conducive to the public good, with the least private injury.

Section 22. It shall be the duty of the physician of the Bureau of Health.

First, to report to the bureau the prevalence of any epidemic contagious or infectious disease, or other causes which in his opinion is likely to be injurious to the general health.

Second, to keep at all times a sufficient supply of vaccine virus, and see that all persons so far as he may have it in his power, are properly vaccinated, especially those in the vicinity of any person attacked by smallpox.

Third, upon being informed of the existence or introduction of any contagious or infectious disease within the said city, to inquire immediately into the facts and report the same in writing to the Bureau of Health, and see that the orders of said bureau are obeyed so far as possible.

Fourth, to report to said bureau all cases in which any sick person has not been properly cared for, and all other matters which he may deem important, and give such information as the said bureau may desire in relation to the sanitary condition or regulation of said city so far as he may be able so to do.

Fifth, to examine at the request of the Bureau of Health, boats and vessels, cars, and other vehicles coming into the said city the officers, crew or passengers of which may be or

are supposed to be affected by any contagious or infectious disease, and advise the said bureau what disposition shall be made of the same, and to perform such other duties as the Director of the Department of Public Safety and Bureau of Health shall hereafter prescribe, including the vaccination of the children in the public schools, or of others requesting him to do so, and to make a monthly report of his transaction to the Bureau of Health, together with such suggestions as may be calculated to promote the general sanitary condition and welfare of said city.

Section 23. Each and every physician located or practicing in any of the said cities who shall know that any person whom he or she is called upon to visit, or who comes or is brought to him or her for examination, is suffering from, or is afflicted with cholera, smallpox, (variola or varioloid) diphtheria, diphtheritic croup, membraneous croup, scarlet fever, typhoid fever, typhus fever, yellow fever, epidemic cerebro-spinal fever, relapsing fever, or leprosy, shall forthwith make report in writing, or upon blanks to be furnished for that purpose, to the Bureau of Health of the city in which said person may be located, which said report shall over his or her own signature state the name of the disease, and the name, age and sex of the person suffering therefrom, and shall also set forth by street and number, or otherwise sufficiently designate the house, room or other place in which said person may be located, together with such other information relating thereto as may be deemed important by said bureau. Upon receipt by the Bureau of Health of a report of the existence of a case of cholera, smallpox (variola or varioloid) scarlet fever, typhus fever, yellow fever, relapsing fever, diphtheria, diphtheritic croup, membraneous croup, or leprosy, in said city, it may at once place, or cause to be placed, in a conspicuous place or places upon or near the house or premises in which said case may be located, a placard or placards upon which shall be printed in large letters the name of the disease from which the person or persons in said house or premises may be suffering as aforesaid, as the case may be: Provided, That variola or varioloid shall be placarded as "smallpox," and that diphtheritic croup and membraneous croup shall be placarded as "diphtheria," and said placard or placards shall remain thereon until such time as the rules and regulations established by the said Bureau of Health regarding the destruction or disinfection of infected bedding, clothing or other articles which have been exposed to infection, and the disinfection of houses and premises shall have been fully complied with: Provided, That in addition to the placarding aforesaid, or in lieu of the same the said Bureau of Health may place a guard or guards upon said houses or premises. If any person or persons shall deface, alter, mutilate, destroy, or tear down any such placard, without the permission of the said Bureau of Health, such person or persons shall be liable for each offense to a penalty of not less than five nor more than twenty dollars, which may be recovered by summary proceedings before the mayor or any alderman or police magistrate in any of such cities.

Section 24. No person having smallpox or any other dangerous, infectious, or contagious disease shall be put out, removed or allowed to be put out or removed, from the premises or place occupied by him or her, into any street or alley or other public place in said city, but the owner or occupant of said premises shall immediately report such case to the Bureau of Health. Any person who shall violate any clause of or neglect

to perform any duty required in this section, shall be subject to a penalty of not more than one hundred dollars.

Section 25. The said Director of the Department of Public Safety shall have the power, when he shall deem it necessary for the protection of such city against any prevailing, pestilential or contagious disease, by and with the consent of the councils thereof, to erect, purchase or lease such public hospitals, buildings and grounds as may be necessary, and said director is empowered to make such rules, orders and regulations as may be deemed proper for the government and management of said hospitals, buildings and grounds, and to appoint such physicians, officers, and servants, as may be necessary to attend to such hospitals, upon the approval thereof by said councils.

Section 26. It shall be the duty of the officer or officers appointed for such purpose by the director aforesaid, to visit and examine all sick persons who shall be reported as laboring or supposed to be laboring under yellow or ship fever, smallpox, cholera, or any infectious or pestilential disease, and under the advice of the physician to said Bureau of Health, and with the consent of the attending physician, cause all such persons to be removed to the cholera, small-pox, or other hospitals, or to such other safe and proper place as said Bureau of Health may direct, and cause them to be provided with suitable nurses and medical attendance, at the expense of such city.

Section 27. The Bureau of Health may take such measures as it may from time to time deem necessary to prevent the spread of small-pox, by issuing an order requiring all persons in the city, or any part thereof, to be vaccinated within such time as said bureau shall prescribe, and all persons refusing or neglecting to obey such order, shall be liable to a fine or not less than five dollars nor more than twenty-five dollars: Provided, It shall be the duty of the Bureau of Health to provide for the vaccination of such persons as are unable to pay for the same, at the expense of such city.

Section 28. In case of pestilence or epidemic disease, or of danger from anticipated or impending pestilence or epidemic disease, or in case the sanitary condition of any of the said cities should be of such a character as to warrant it, it shall be the duty of the said Department of Public Safety and Bureau of Health to take such measures, and to do and order and cause to be done, such acts for the preservation of the public health, (though not herein or elsewhere authorized) as they may in good faith believe and declare the public safety and health demand.

Section 29. The councils of said cities, for the purpose or providing for the contingencies mentioned in the preceding section, and for the purpose of carrying out the provisions of this act, shall from time to time appropriate a sufficient amount of money to cover such expenditures.

Section 30. Whenever the Bureau of Health shall receive information that any malignant or contagious disease, (measles excepted), prevails within any port or place within the United States, it shall make diligent inquiry concerning the same, and if it shall appear that the disease prevails as aforesaid, all communications with such infected port or places shall be subject to such control and regulations as the Director of the Department of Public Safety may from time to time prescribe and publish in one or more newspapers published in the said cities, and all goods, wares and merchandise, bedding and clothing from such infected port or place having been brought or entered into any of said cities contrary to such regulations, shall be seized, held, disinfected, or destroyed as to the said Bureau

of Health may seem necessary and proper, and any person or persons having been brought or entered into any of the said cities from such infected port or place aforesaid, may be conveyed by any person authorized by said Bureau of Health to such place of detention within or without the limits of such city, as the said bureau may appoint or direct for that purpose, and there be detained at the expense of such city, until duly discharged by order in writing from the said Bureau of Health.

Section 31. The said Director of the Department of Public Safety shall make such reasonable and general rules and regulations for the government of the quarantine or health of the city as he shall from time to time deem necessary, and the physician or officer in charge of any quarantine station or place, shall have power to enforce such regulations as may be necessary for the proper conduct and management thereof, and it shall be the duty of all persons in quarantine and all agents, officers, policemen or others employed by the said city in and about said quarantine stations or places, to carry out and obey the same.

Section 32. No person, master, captain or conductor in charge of any boat, vessel, railroad car or public conveyance, shall knowingly bring into any of said cities any person or persons suffering from cholera, small-pox, yellow or ship fever, or any contagious or communicable disease whatsoever, and no vessel, boat, railroad car, or public conveyance, shall at any time pass by any quarantine station or place without stopping, nor shall leave the same without a permit from the Bureau of Health, and no person stopping in said quarantine or so as aforesaid received therein, shall leave the same without first obtaining permission as aforesaid, nor shall any person aid or abet any master, conductor, or person in charge of any boat, vessel, railroad car, or public conveyance in violating, neglecting or evading any provision or requirement of this act, nor shall any person interfere with, resist, neglect or refuse to obey the orders of any physician, officer, policeman, or other person in authority at any quarantine station or place of quarantine so as aforesaid established, nor do any act or thing in violation of, or in disobedience to any of the provisions, clauses, or sections of this act, nor commit any breaches of the peace, or do any act calculated in any way to defeat or interfere with the provisions or requirements of this act, or of any regulations of the said bureau, physician or officer in charge of any quarantine. Any violation of any of the provisions of this section shall subject the person or persons so offending to a penalty of not more than fifty dollars.

Section 33. The Director of the said Department of Public Safety, in conjunction with the bureau hereby created, shall have, and is given full power and authority to establish and prescribe from time to time all necessary rules and regulations for enforcing the provisions of this act, and to establish and maintain such quarantine station or stations, within or without the limits of such city, as the public welfare may in their judgment demand.

Section 34. (Supplied June 7, 1915, P.L.900, No.402)

Section 35. (Supplied June 7, 1915, P.L.900, No.402)

Section 36. (Supplied June 7, 1915, P.L.900, No.402)

Section 37. (Supplied June 7, 1915, P.L.900, No.402)

Section 38. (Supplied June 7, 1915, P.L.900, No.402)

Section 39. Any and all persons violating or offending against, or failing, neglecting or refusing to comply with, any and all of the provisions of sections one, two, three, four,

five, six, seven, eight, nine, and ten of this act, and sections thirty-four, thirty-five, and thirty-six of the act to which this is supplement, shall forfeit and pay for every such offense a fine not exceeding one hundred dollars, to be recoverable before any alderman or police magistrate of such cities of the second class, and in default of payment thereof, be imprisoned in the common jail of the county in which such conviction takes place for a period not exceeding thirty days. (Amended, 1899, Act No. 113, P. L. 164, Section 11)

Section 40. (Supplied June 7, 1915, P.L.900, No.402)

Section 41. (Supplied June 7, 1915, P.L.900, No.402)

Section 42. When not otherwise provided in this act, any violation of any of the provisions thereof shall subject the person or persons so offending to a fine or penalty not exceeding one hundred dollars. All fines and penalties authorized or imposed by this act shall be recoverable by summary proceedings before the mayor, or any alderman or police magistrate in any of said cities, and all suits or actions at law instituted for the recovery thereof, shall be in the name and for the use of the city within or against which the offense is committed, and upon recovery thereof, all such fines and penalties shall be paid to the city treasury thereof. In default of the payment of any fine or penalty imposed by any mayor, alderman or police magistrate under the provisions of this act, the person or persons so offending may be committed to the jail, workhouse or other penal institution of the county in which said city is situated, for a period not exceeding thirty days.

Section 43. Whenever any of said cities shall have incurred expense in enforcing any of the provisions of this act imposing duties upon persons or corporations, such city shall have the right to recover the same by action of assumpsit from the owner, owners or occupants of the premises or other persons or corporations failing or refusing to comply with, or execute the same.