

**LAWS OF THE STATE OF
MICHIGAN RELATING
TO THE PUBLIC HEALTH**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649366514

Laws of the State of Michigan relating to the public health by Various

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

VARIOUS

**LAWS OF THE STATE OF
MICHIGAN RELATING
TO THE PUBLIC HEALTH**

L A W S
OF THE
STATE OF MICHIGAN
RELATING TO
THE PUBLIC HEALTH.

COMPILED AND PUBLISHED UNDER THE SUPERVISION OF THE SECRETARY OF
STATE, IN PURSUANCE OF JOINT RESOLUTION No. 18,
OF THE SESSION LAWS OF 1875.



BY AUTHORITY.

LANE LIBRARY

LANSING:
W. S. GEORGE & CO., STATE PRINTERS AND BINDERS.
1876.
B

PREFATORY REMARKS.

This compilation of the health laws of Michigan is made in pursuance of joint resolution number eighteen, of the Session Laws of eighteen hundred and seventy-five, approved March 20, 1875, in the following words:

JOINT RESOLUTION for publishing in pamphlet form all laws relating to the Public Health.

WHEREAS, It is important that health officers, and persons who give immediate attention to sanitary science in this State, should have in a form convenient for reference, all the laws in force in this State relating to the public health;

Resolved by the Senate and House of Representatives of the State of Michigan, That the Secretary of State, immediately after the final adjournment of this Legislature, be authorized and directed to compile and publish, in pamphlet form, all the laws of this State, then in force, relating to the public health; that he shall cause 2,000 copies of such pamphlet to be printed; that he shall send one copy to each health officer in this State, and that he shall place one thousand copies in the hands of the Secretary of the State Board of Health for the use of said board.

Although the resolution is sufficiently comprehensive in requiring the publication of "all laws relating to the public health," there was yet room for some doubt whether anything further was intended than the publication of laws or portions of laws coming within the administration of health boards. Some acts, however, not coming under this administration, were yet so exclusively in the interest of the public safety and health that they could not be excluded. Another class of acts, as, the inspection laws, have reference both to the public health and the convenience of commerce, and hence claimed recognition. Another class of acts, namely, those prescribing penalties for the commission of crimes against life and health, bear more or less directly upon the subject. There were, again, the beneficent laws, relating to hospitals, asylums, and public charities. Hence the compiler found himself at the outset confronted with the necessity of exercising a wide discretion. This discretion has been exercised in a liberal spirit toward the object of the work, and where provisions were found whose remoteness seemed to deny them space, they are recognized by references at the end of the work.

Aside from informing health officers more specifically as to their powers and duties, it is thought that the compilation may show wherein the health laws are deficient, and thereby suggest future legislation, and also that by bringing together the various provisions of law it may, by showing the care which legislation has taken to guard life and health, stimulate health boards to more systematic action, and aid them in securing the cooperation of other officers and persons on whom incidental duties are imposed, either directly or by implication.

The sections of this compilation are numbered consecutively by figures in parentheses at the beginning of each section. The section numbers following are those of the act or statute. The section numbers of the Compiled Laws, so far as the matter is found in the compilation of 1871, are indicated in parentheses at the end of each section.

CONTENTS.

	PAGE.
I. STATE BOARD OF HEALTH: Act establishing a State Board of Health.....	7
II. SOCIAL AND VITAL STATISTICS: Act to provide for taking the Census and Statistics; Registration of Births, Marriages, and Deaths; Statistics of the Insane, Deaf, Dumb, and Blind.....	9
III. THE PRESERVATION OF PUBLIC HEALTH: Local Boards of Health; Nuisances; Precautions against Contagion; Quarantine; Small Pox and other Dangerous Diseases; Offensive Trades; Boards of Health in Cities and Villages.....	19
IV. SANITARY PROVISIONS RELATING TO CITIES AND VILLAGES: Act for the Incorporation of Cities; Act for the Government of Villages.....	27
V. OFFENSES AGAINST THE PUBLIC HEALTH: Unwholesome Provisions; Adulteration of Drugs; Poisons; Act to provide against Nuisances.....	36
VI. INSPECTION OF PROVISIONS AND SALT: Beef and Pork; Butter and Hogs' Lard; Fish; Flour and Meal; Salt.....	38
VII. THE ADULTERATION OF MILK AND BEVERAGES: Act to punish the Adulteration of Milk; Act to prevent the Adulteration of Alcoholic Liquors.....	51
VIII. IMPORTATION OF DISEASED CATTLE AND SHEEP: Act to prevent the Introduction of Contagious Diseases in Cattle; Act to prevent the Importation, etc., of Diseased Sheep.....	58
IX. RAILROADS: Certain Duties of the Commissioner of Railroads; General Police and Sanitary Regulations; Act to provide for the better protection of Human Life on Railroads; Lighting of Railway Passenger Cars; Act requiring notice to be given of Accidents; Cutting of Decayed and Dangerous Trees; Depredations on Railroads.....	54
X. ILLUMINATING OILS AND EXPLOSIVE SUBSTANCES: The Inspection of Illuminating Oils; Transportation of Explosives; Keeping of Gunpowder.....	68
XI. CEMETERIES IN THEIR RELATION TO PUBLIC HEALTH: Vacating Cemeteries; Enlarging the Limits of Cemeteries.....	67
XII. MISCELLANEOUS PROVISIONS: Act to Authorize Boards of Health to dispose of Real Estate; Criminal Abortion; Act to prevent the setting of Guns, etc.; Statistics as to the treatment and cure of Inebriates; Drainage; Restrictions as to Marriage; Parity of the Fisheries; Dissection for Scientific Purposes; Miscellaneous References.....	73

L A W S

RELATING TO

THE PUBLIC HEALTH.

I. STATE BOARD OF HEALTH—CERTAIN DUTIES OF LOCAL BOARDS, ETC.—SUPERINTENDENT OF VITAL STATISTICS.

Act No. 51, Laws of 1878, p. 104.¹ Approved April 12, 1878.

STATE BOARD OF HEALTH.

(1.) SECTION 1. *The People of the State of Michigan enact*, That a board is hereby established which shall be known under the name and style of the "State Board of Health." It shall consist of seven members, as follows: Six members who shall be appointed by the governor with the consent of the senate, and a secretary, as provided in section four of this act. The six members first appointed shall be so designated by the governor that the term of office of two shall expire every two years, on the last day of January. Thereafter, the governor, with the consent of the senate, shall biennially appoint two members to hold their offices for six years, ending January thirty-first. Any vacancy in said board may be filled until the next regular session of the legislature by the governor.

State board of health established.

Members of, and how appointed. Term of office.

Vacancy, how filled.

(2.) SEC. 2. The state board of health shall have the general supervision of the interests of the health and life of the citizens of this state. They shall especially study the vital statistics of this state, and endeavor to make intelligent and profitable use of the collected records of deaths and of sickness among the people; they shall make sanitary investigations and inquiries respecting the causes of disease, and especially of epidemics; the causes of mortality, and the effects of localities, employments, conditions, ingesta, habits and circumstances on the health of the people. They shall, when required, or when they deem it best, advise officers of

Duties of.

¹ Title of act: "An act to establish a State Board of Health, to provide for the appointment of a Superintendent of Vital Statistics, and to assign certain duties to local boards of health."

- the government, or other state boards, in regard to the location, drainage, water supply, disposal of excreta, heating, and ventilation of any public institution or building. They shall from time to time recommend standard works on the subject of hygiene for the use of the schools of the state.
- Meeting of board.** (3.) SEC. 3. The board shall meet quarterly at Lansing, and at such other places and times as they may deem expedient. A majority shall be a quorum for the transaction of business. They shall choose one of their number to be their president, and may adopt rules and by-laws subject to the provisions of this act. They shall have authority to send their secretary, or a committee of the board to any part of the state, when deemed necessary to investigate the cause of any special or unusual disease or mortality.
- Quorum.**
- Election of president and the adoption of rules, etc.**
- Election of secretary.** (4.) SEC. 4. At their first meeting, or as soon as a competent and suitable person can be secured, the board shall elect a secretary, who shall, by virtue of such election, become a member of the board and its executive officer. The board may elect one of their own number secretary, in which case the governor shall appoint another member to complete the full number of the board.
- Term of office of secretary and his duties.** (5.) SEC. 5. The secretary shall hold his office so long as he shall faithfully discharge the duties thereof, but may be removed for just cause at a regular meeting of the board, a majority of the members voting therefor. He shall keep his office at Lansing, and shall perform the duties prescribed by this act, or required by the board. He shall keep a record of the transactions of the board; shall have the custody of all books, papers, documents and other property belonging to the board, which may be deposited in his office; shall, so far as practicable, communicate with other state boards of health, and with the local boards of health within this state; shall keep and file all reports received from such boards, and all correspondence of the office appertaining to the business of the board. He shall so far as possible aid in obtaining contributions to the library and museum of the board. He shall prepare blank forms of returns and such instructions as may be necessary, and forward them to the clerks of the several boards of health throughout the state. He shall collect information concerning vital statistics, knowledge respecting diseases, and all useful information on the subject of hygiene, and through an annual report, and otherwise, as the board may direct, shall disseminate such information among the people.
- Salary of secretary.** (6.) SEC. 6. The secretary shall receive an annual salary which shall be fixed by the state board of health. The board shall quarterly certify the amount due him, and on presentation of said certificate the auditor general shall draw his warrant on the state treasurer for the amount. The members of the board shall receive no per diem compensation for their services, but their traveling and other necessary expenses while employed on the business of the board shall be allowed and paid.
- Expenses of board.**
- Appropriation.** (7.) SEC. 7. The sum of four thousand dollars per annum, or so much thereof as may be deemed necessary by the state board of health, is hereby appropriated to pay the salary of the secretary,

meet the contingent expenses of the office of the secretary, and the expenses of the board, which shall not exceed the sum hereby appropriated. Said expenses shall be certified and paid in the same manner as the salary of the secretary.

CERTAIN DUTIES OF LOCAL BOARDS, ETC.

(8.) SEC. 8. It shall be the duty of the health physician, and also of the clerk of the local board of health in each township, city and village in this state, at least once in each year, to report to the state board of health their proceedings, and such other facts required, on blanks, and in accordance with instructions received from said state board. They shall also make special reports whenever required to do so by the state board of health.

Health physicians and clerks of local boards to report to state board.

(9.) SEC. 9. In order to afford to this board better advantages for obtaining knowledge important to be incorporated with that collected through special investigations and from other sources, it shall be the duty of all officers of the state, the physicians of all mining or other incorporated companies, and the president or agent of any company chartered, organized, or transacting business under the laws of this state, so far as is practicable, to furnish to the state board of health any information bearing upon public health which may be requested by said board for the purpose of enabling it better to perform its duties of collecting and distributing useful knowledge on this subject.

Duty of state officers, physicians, etc., to furnish information.

SUPERINTENDENT OF VITAL STATISTICS.

(10.) SEC. 10. The secretary of the state board of health shall be the superintendent of vital statistics. Under the general direction of the secretary of state, he shall collect these statistics, and prepare and publish the report required by law relating to births, marriages, and deaths.

Secretary to be superintendent of vital statistics.

(11.) SEC. 11. The secretary of state shall provide a suitable room for the meetings of the board at Lansing, and office room for its secretary.

Room for use of board.

II. SOCIAL AND VITAL STATISTICS.

ACT TO PROVIDE FOR TAKING THE CENSUS AND STATISTICS OF THE STATE

Laws of 1853, p. 60. Approved February 9, 1853.

(12.) SECTION 1. *The People of the State of Michigan enact,* That it shall be the duty of the supervisor of each township and ward, and assessor of each assessment district, at the time of taking a list of the taxable property, or between the first Monday of

Duty of supervisors and assessors to take census and statistics.

April and third Monday of May, in the year one thousand eight hundred and fifty-four, and every ten years thereafter, to go to every dwelling-house in their respective township, ward or assessment district, and by personally inquiring of the head of every family, or some competent person, to ascertain and take an enumeration of all the inhabitants therein (except uncivilized Indians belonging to some tribe), in the following order, to wit: The names of all males of the age of twenty-one years and under forty-five (designating the married from the unmarried); the names of those of forty-five and under seventy-five; the names of those of seventy-five and under ninety; the names of those of ninety and under one hundred; and the names of those over one hundred; the number of females of the age of eighteen years and under forty (designating the married from the unmarried); the number of the age of forty and under seventy-five; the number of the age of seventy-five and over; the number of children under the age of five years; the number of the age of five and under ten (designating the males from the females); the number of males of the age of ten and under twenty-one, and the number of females of the age of ten and under eighteen; the number of colored persons; the number of blind; the number of deaf and dumb; and the number of insane persons and idiots; the number of marriages and the number of deaths the preceding year, as near as can be ascertained; and the occupation or profession of all males over twenty-one years of age.—(§792.)

Duty of supervisors and assessors to collect statistics.

Statistics to be collected.

(13.) SEC. 2. And it shall also be the duty of the supervisors and assessors of each city and township, at the time mentioned in the preceding section for taking the census of his township or ward, to ascertain and set down in a table prepared for that purpose the whole number of acres of taxable land; the whole number of acres of land owned by individuals and companies; the number of acres improved; the whole number of acres of land exempt from taxation, and for what cause, and its value; the number of acres sowed with wheat then on the ground; the number of acres and the number of bushels of corn harvested the preceding year; the number of acres harvested and the number of bushels of wheat raised the preceding year; the number of bushels of all other kinds of grain; the number of bushels of potatoes and the number of tons of hay the preceding year; the number of acres planted with the following varieties of trees: peach, pear, apple, plum, cherry; the number of acres planted with grape vines, with raspberry canes, strawberry plants, currant and gooseberry bushes; and the number of acres planted with melons and with garden vegetables, and the quantity of each of the following articles produced during each of the two preceding years: apples, peaches, pears, plums, cherries, grapes, strawberries, currants, gooseberries, melons and garden vegetables, and the value thereof as nearly as it can be ascertained; the number of sheep, and the number of pounds of wool sheared the preceding year; and the number of sheep and the number of swine over six months old; and the number of pounds of pork marketed; the number of neat cattle (other than oxen and cows)