

**BOARD OF HEALTH OF THE  
STATE OF NEW JERSEY,  
CIRCULAR 118, SEPTEMBER,  
1907; PUBLIC HEALTH LAWS**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649684403

Board of Health of the State of New Jersey, Circular 118, September, 1907; Public Health Laws  
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](http://www.triestepublishing.com)

**VARIOUS**

**BOARD OF HEALTH OF THE  
STATE OF NEW JERSEY,  
CIRCULAR 118, SEPTEMBER,  
1907; PUBLIC HEALTH LAWS**



## Board of Health of the State of New Jersey.

---

C. F. BRACKETT, *President.*

THE SECRETARY OF STATE, . . . . .

THE ATTORNEY-GENERAL, . . . . .

THE STATE GEOLOGIST, . . . . .

} *Members ex-officio.*

WILLIAM H. MURRAY,

GEORGE P. OLCOTT,

LABAN DENNIS,

WILLIAM M. LANNING,

HENRY B. RUE.

HENRY MITCHELL, *Secretary.*

---

### CONTENTS.

State and local boards of health.

Births, marriages and deaths.

Public water-supplies.

Food and drugs.

Nuisances and crimes.

Cemeteries.

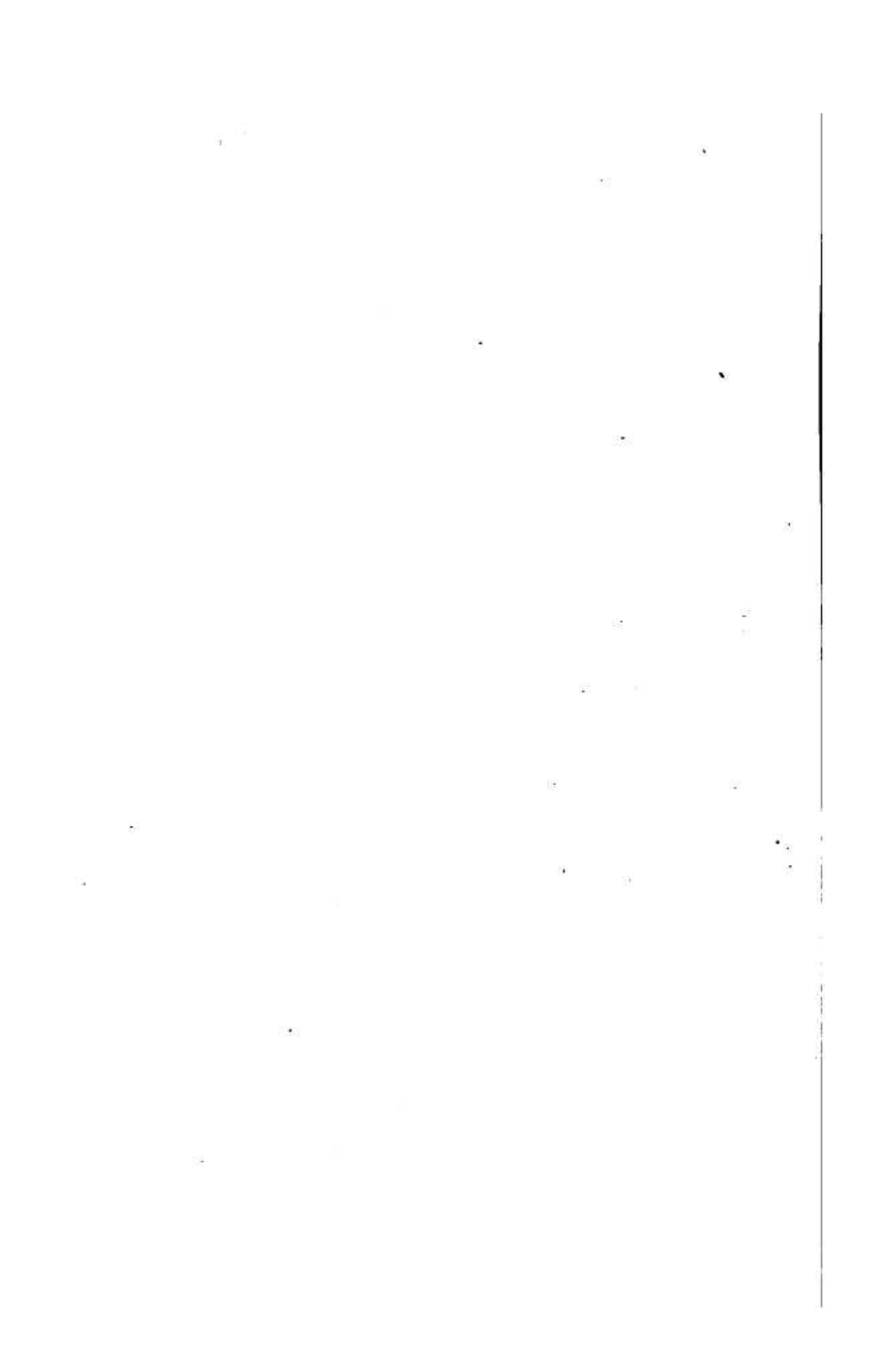
Mosquitoes.

Hospitals and dispensaries.

Refuse disposal.

Medical inspection of schools.

THIS COLLECTION OF THE LAWS OF NEW JERSEY, RELATING TO THE PROTECTION OF THE PUBLIC HEALTH, COMPILED IN THE OFFICE OF THE ATTORNEY-GENERAL BY THEODORE BACKES, ESQ., PRESENTS THE IMPORTANT ACTS OF THE LEGISLATURE BEARING UPON THIS SUBJECT. IT IS DESIGNED TO REPLACE CIRCULAR 96, WHICH WAS PUBLISHED IN 1899, AND IS NOW OUT OF PRINT. THE ARRANGEMENT UNDER GENERAL TOPICS, WITH MARGINAL NOTES AND INDEX, RENDERS THE PROVISIONS OF THESE LAWS AVAILABLE FOR CONVENIENT REFERENCE.



# Public Health Laws of the State of New Jersey.

## STATE AND LOCAL BOARDS OF HEALTH.

An Act to establish in this State boards of health and a bureau of vital statistics, and to define their respective powers and duties.

Approved March 31, 1887.

### I. STATE BOARD OF HEALTH AND BUREAU OF VITAL STATISTICS.

1. That there shall be in this State a State Board of Health to be known as "The Board of Health of the State of New Jersey," which shall be composed of the Secretary of State, the Attorney-General and the State Geologist, as ex-officio members, and seven persons to be appointed from time to time as hereinafter directed, by the Governor; each of the appointed members shall hold office for the term of seven years, and their respective terms of office shall be so arranged that the term of office of not more than one member shall expire in any one year; if the office of any appointed member shall for any cause become vacant before the expiration of the term for which such member was appointed, the same shall be filled by the Governor for the unexpired term only; *provided, however,* that whereas a State Board of Health has heretofore been created in this State and is now in fact constituted and organized in the manner hereinbefore prescribed, the members of said board heretofore created shall constitute and shall henceforth be deemed and taken to be "The Board of Health of the State of New Jersey," established by this act, that the appointed members of the said board heretofore created shall respectively continue to hold office as members of the board established under this act until the expiration of the terms for which they were originally appointed, and that the secretary and all other officers of said board heretofore created, shall continue to hold their respective offices under this act for the term for which they were originally appointed or elected.

2. That the said State board shall take cognizance of all matters affecting health and life among the citizens of this State, shall make sanitary investigations and inquiries in respect of the people, the causes of diseases and especially of epidemics and the sources of mortality, and the effects of localities, employments, conditions and circumstances on the public health; they shall also make investigations and in-

Gen. Stat., p. 1624.  
State Board of Health, how constituted and appointed.

Proviso.

Powers and duties of the board.



Creates a State Bureau of Vital Statistics.

Fixing amount to be paid for classification, index and transcription of vital statistics.

Board to elect officers.

Duties and compensation of secretary.

State board to make annual report to the Governor.

Authorized to make sanitary inspections of chattels and persons in transportation, and of cars, boats, vehicles, etc.

quiries into the sanitary condition of any State, county, city or township almshouse, asylum, prison, penitentiary, jail, reform school, schoolhouse or other public building, and of tenements, manufactories and workshops; the said State board shall also constitute a state bureau of vital statistics who shall, as such board, cause to be made such tabular classification, and such index and transcription of the vital facts shown by the certificates of marriages, births and deaths now by law returned to the Secretary of State, as may be useful to the said board or to the officers thereof in preparing for diffusion among the people of the State such facts as may bear upon public health; the said board shall fix and determine the amounts to be paid for the classification, index and transcription above required, which amounts shall not exceed the sum of four cents for each certificate returned to the Secretary of State, and shall be paid out of the annual appropriations made to said State board as hereinafter provided.

3. That the said State board shall appoint a president, who shall call meetings as often as once in three months and also whenever in his judgment it shall be necessary, and whenever requested so to do by three members of the board; they shall also elect a secretary to serve for a term of five years, who shall be a physician of at least five years' practice in this State, who shall also be medical superintendent of vital statistics, and who shall superintend the performance of the duties prescribed by law in relation to the State Board of Health and the classification, index and transcription of vital facts hereinbefore required to be made; the compensation of the said secretary shall be the sum of twenty-five hundred dollars per annum for the services required of him under the provisions of this act as such secretary and medical superintendent, which sum the Treasurer of this State is hereby authorized to pay from any money in the treasury not otherwise appropriated upon a warrant drawn by the said State Board of Health, signed by its president and attested by its secretary; the said State Board of Health shall also in the month of December in each year make a report to the Governor of their investigations and inquiries for the year, with such communications and suggestions concerning the public health as they may deem proper.

4. The State Board of Health shall have a right to cause a sanitary inspection to be made of all chattels and persons in transportation through the State, and of the cars, boats and other vehicles in which such chattels or persons may be transported, and the said board shall have the same right of inspection, procedure and control in this respect as is or may be conferred by law upon the local board of health or local authorities in any township or city, or other local municipal government in this State, and when in the judgment of said board it may be necessary, the said board may require or cause an examination of vessels, cars, boats or other vehicles and of all baggage and persons, to be made, and may enforce

## STATE AND LOCAL BOARDS OF HEALTH.

7

such detention or disinfection as they may deem necessary for the public safety.

5. That the said State board may appoint inspectors and assign them to such duties as the interests of the public health in any part of the State may require, and to aid in the execution of the laws relating thereto; and they may require the said inspectors to investigate the local epidemics, nuisances, needs for drainage, neglect of sanitary law, the condition of schoolhouses, tenements, manufactories and workshops, of public buildings belonging to the State, or to any county or city therein, and of the persons confined or employed therein; and the State board, its agents and appointees shall have the same right of inspection in regard to all matters affecting the public health as has been or may be conferred upon local boards of health; the inspectors appointed by the State Board of Health shall be paid by the board out of the moneys appropriated therefor such sum as may be fixed and determined by the board.

Board may appoint inspectors and to assign duties.

6. That every physician in this State making official reports to the State Board of Health through the bureau of vital statistics shall be entitled to receive by mail, from the Treasurer of the State, a copy of the annual report of the State Board of Health and of the bureau of vital statistics.

Physicians making official reports entitled to copy of annual report.

7. That the annual appropriation of the State Board of Health, for the purpose of making sanitary investigations and inquiries in respect to the people, the causes of disease, epidemics and the sources of sickness and mortality, the effect of locality, employments, conditions and circumstances on the public health, and for the purpose of making inquiry and investigation into the sanitary condition of any State, county, city or township almshouse, asylum, prison, penitentiary, jail or reform school, and for such other expenses as the said board are by this act authorized to incur, shall be the sum of six thousand dollars, in addition to such appropriations as are authorized by law to be made for the purpose of preventing contagious and infectious disease among animals and the adulteration of foods and drugs; all moneys appropriated for the use of said board shall be paid by the Treasurer of the State on the order of the Comptroller upon requisition made by the board, signed by the president and secretary thereof and approved by the Governor.

Annual appropriation to the State board.

Amount.

8. That in case any emergency of epidemic or of peril to the public health shall, in the judgment of the State Board of Health, require the expenditure of a larger amount of money than is herein appropriated, the facts that warrant such expenditure, in the judgment of the board, shall be presented by it to the Governor, Comptroller and Treasurer of the State, and if, in their judgment, additional expenditure is needed to enable the State Board of Health to meet such emergency, they are hereby authorized to add to the appropriation made by virtue of the authority hereby given, such sum as in their judgment may be necessary therefor.

Additional appropriation in cases of emergency, by whom and how made.

## II. LOCAL BOARDS OF HEALTH.

Local boards of health, how appointed and constituted.

9. That there shall be a local board of health in every city, borough, town and other local municipal government, in this State, which shall be composed of not less than five nor more than seven members, who shall be appointed in such manner and hold their respective offices for such terms, not exceeding four years, as the board or aldermen, common council or other governing body may by ordinance provide; *provided, however*, that in cities containing a population of over one hundred thousand inhabitants such boards may consist of not less than five nor more than nine members; the terms of office of the members of said local boards shall be so arranged that the terms of not more than three members shall expire in any one year; if any vacancy shall occur in any of said local boards, it shall be filled in the same manner in which the original appointments were made, but for the unexpired term only.(a)

Proviso.

Who to constitute the local boards of health.

10. That there shall be a local board of health in every township of this State, which shall be composed of the members of the township committee, the township assessor and one physician to be appointed by the township committee; such physician shall hold office for the term of three years from the time of his appointment and until his successor shall be appointed; if any township committee shall not appoint a physician as aforesaid on or before the first day of June, eighteen hundred and eighty-seven, or if they shall neglect or fail to make such appointment within ten days after the death, removal or resignation of any physician, or after the expiration of his term of three years aforesaid, it shall be lawful, in any of said cases, for the State Board of Health, at any time after the expiration of either of the periods above limited for appointment by the township committee, and before the township committee shall have made an appointment, to appoint a physician as a member of said local board of health, who shall hold his office for the term of three years from the time of his appointment by said State board and until his successor shall be appointed; if, however, in any township, no physician shall be appointed, as hereinabove required, either by the township committee or by the State Board of Health, then and in such case the members of the township committee and the assessors shall constitute the local board of health of such township, and shall continue to constitute such board, until such appointment as aforesaid shall be made; in case of the death, removal or resignation of any assessor before the time of electing his successor, the township clerk shall succeed such assessor as a member of such local board, and shall continue as such member until an assessor shall be duly elected or appointed, and such township clerk

Failure of town committee to appoint physician, State board to make the appointment.

Who to constitute the local boards on failure to appoint.

(a) The establishment by the Legislature of general and local boards of health is not to be regarded as detracting from the general powers of municipal governments unless that legislative intent clearly appears. *Nicolin v. Lucery*, 20 Fr. 331.