

at either academy shall not be counted. (May 28, 1921, c. 203, 43 Stat. 191; Feb. 11, 1925, c. 209, 43 Stat. 872.)

**64. Transportation of dependents.**—When any commissioned officer, having a wife or dependent child or children, is ordered to make a permanent change of station, the United States shall furnish transportation in kind from funds appropriated for the transportation of the Public Health Service to his new station for the wife and dependent child or children. If the cost of such transportation exceeds that for transportation from the old to the new station the excess cost shall be paid to the United States by the officer concerned. Transportation supplied the wife or dependent child or children of such officer, to or from stations beyond the continental limits of the United States, shall not be other than by Government transport, if such transportation is available. (May 18, 1920, c. 190, § 12, 41 Stat. 601.)

**65. Heat or light prohibited to persons receiving allowances for rental of quarters.**—No person in the Public Health Service while such person is receiving an allowance for rental of quarters shall receive any issuance for heat or light in kind. (Mar. 2, 1923, c. 178, Title I, 42 Stat. 1385.)

## Chapter 2.—SANITATION AND QUARANTINE.

Sec.

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**Section 81. Entry of vessels in violation of quarantine laws.**—It shall be unlawful for any merchant ship or other

vessel from any foreign port or place to enter any port of the United States except in accordance with the provisions of this section and sections 82 to 84, 92 to 94, 99, 100, 102, and 111 of this title and with such rules and regulations of State and municipal health authorities as may be made in pursuance of, or consistent with said sections; and any such vessel which shall enter, or attempt to enter, a port of the United States in violation thereof shall forfeit to the United States a sum, to be awarded in the discretion of the court, not exceeding \$5,000, which shall be a lien upon said vessel, to be recovered by proceedings in the proper district court of the United States. In all such proceedings the United States district attorney for such district shall appear on behalf of the United States; and all such proceedings shall be conducted in accordance with the rules and laws governing cases of seizure of vessels for violation of the revenue laws of the United States. (Feb. 15, 1893, c. 114, § 1, 27 Stat. 449.)

**82. Bill of health; contents; fees; detail of medical officer at consulate; vessel clearing without bill; vessels from ports near frontier.**—Any vessel at any foreign port clearing or departing for any port or place in the United States or its possessions or other dependencies or any vessel at any port in the possessions or other dependencies of the United States clearing or departing for any port or place in the United States or its possessions or other dependencies, shall be required to obtain from the consul, vice consul, or other consular officer of the United States at the port of departure, or from the medical officer where such officer has been detailed by the President for that purpose, a bill of health in duplicate, in the form prescribed by the Secretary of the Treasury, setting forth the sanitary history and condition of said vessel, and that it has in all respects complied with the rules and regulations in such cases prescribed for securing the best sanitary condition of the said vessel, its cargo, passengers, and crew; and said consular or medical officer is required, before granting such duplicate bill of health, to be satisfied that the matters and things therein stated are true; and for his services in that behalf he shall be entitled to demand and receive such fees as shall by lawful regulation be allowed, to be accounted for as is required in other cases.

The provisions of the preceding paragraph shall not apply to vessels operating exclusively in trade between foreign ports on or near the northern frontier of the United States and ports in the United States; but the Secretary of the Treasury is hereby authorized, when, in his discretion, it is expedient for the preservation of the public health, to establish regulations governing such vessels.

The President, in his discretion, is authorized to detail any medical officer of the Government to serve in the office of the consul at any foreign port for the purpose of furnishing information and making the inspection and giving the bills of health hereinbefore mentioned. Any vessel clearing and sailing from any such port without such bill of health, and entering any port of the United States, shall forfeit to the United States not more than \$5,000, the amount to be determined by the court, which shall be a lien on the same, to be recovered by proceedings in the proper district court of the United States. In all such proceedings the United States district attorney for such district shall appear on behalf of the United States; and all such proceedings shall be conducted in accordance with the rules and laws governing cases of seizure of vessels for violation of the revenue laws of the United States.

The provisions of this section shall not apply to vessels plying between foreign ports on or near the frontiers of the United States and ports of the United States adjacent thereto; but the Secretary of the Treasury is authorized, when, in his discretion, it is expedient for the preservation of the public health, to establish regulations governing such vessels. (Feb.

15, 1893, c. 114, § 2, 27 Stat. 450; Aug. 18, 1894, c. 300, 28 Stat. 372; Feb. 27, 1921, c. 80, 41 Stat. 1149; Feb. 7, 1925, c. 146, 43 Stat. 809.)

**83. Vessels from foreign ports without bill of health not entering United States subject to regulations.**—Any vessel sailing from any foreign port without the bill of health required by section 82 of this title, and arriving within the limits of any collection district of the United States, and not entering or attempting to enter any port of the United States, shall be subject to such quarantine measures as shall be prescribed by regulations of the Secretary of the Treasury, and the cost of such measures shall be a lien on said vessel, to be recovered by proceedings in the proper district court of the United States and in the manner set forth above as regards vessels from foreign ports without bills of health and entering any port of the United States. (Mar. 3, 1901, c. 836, 31 Stat. 1080.)

**84. Disposition of infected vessels.**—On the arrival of an infected vessel at any port not provided with proper facilities for treatment of the same, the Secretary of the Treasury may remand said vessel, at its own expense, to the nearest national or other quarantine station, where accommodations and appliances are provided for the necessary disinfection and treatment of the vessel, passengers, and cargo; and after treatment of any infected vessel at a national quarantine station, and after certificate shall have been given by the United States quarantine officer at said station that the vessel, cargo, and passengers are each and all free from infectious disease, or danger of conveying the same, said vessel shall be admitted to entry to any port of the United States named within the certificate. But at any ports where sufficient quarantine provision has been made by State or local authorities the Secretary of the Treasury may direct vessels bound for said ports to undergo quarantine at said State or local station. (Feb. 15, 1893, c. 114, § 6, 27 Stat. 452.)

**85. Unauthorized entry within or departure from quarantine grounds or anchorages; masters or owners of vessels violating law or making false statement as to condition of vessel or contents, or as to health of passenger or person thereon.**—Any vessel, or any officer of any vessel, or other person other than State health or quarantine officers, entering within the limits of any quarantine grounds and anchorages, or any quarantine station and anchorage, or departing therefrom, in disregard of the quarantine rules and regulations or without the permission of the officer in charge of such quarantine ground and anchorage, or of such quarantine station and anchorage, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$300 or by imprisonment for not more than one year, or both, in the discretion of the court. Any master or owner of any vessel violating any provision of sections 81 to 85, 92 to 94, 96, 99 to 105, and 111 of this title, or violating any rule or regulation made in accordance with said sections, relating to the inspection of vessels, or to the prevention of the introduction of contagious or infectious diseases into the United States, or any master, owner, or agent of any vessel making a false statement relative to the sanitary condition of such vessel or its contents, or as to the health of any passenger or person thereon shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$500 or imprisonment for not more than one year, or both, in the discretion of the court. (June 19, 1906, c. 3133, § 4, 34 Stat. 300.)

**86. Vessels from infected ports subject to State quarantine laws.**—No vessel or vehicle coming from any foreign port or country where any contagious or infectious disease may exist, and no vessel or vehicle conveying any person or persons, merchandise or animals, affected with any infectious or contagious disease, shall enter any port of the United States or

pass the boundary line between the United States and any foreign country, contrary to the quarantine laws of any one of said United States, into or through the jurisdiction of which said vessel or vehicle may pass, or to which it is destined, or except in the manner and subject to the regulations to be prescribed as provided in this chapter. (Apr. 29, 1878, c. 60, § 1, 20 Stat. 37.)

**87. Cost of fumigation and disinfection of foreign vessels.**—The cost of fumigation and disinfection shall be charged vessels from foreign ports at rates to be fixed by the Secretary of the Treasury. (Apr. 17, 1917, c. 3, § 1, 40 Stat. 6.)

**88. Discharge of cargo of vessel in quarantine.**—Whenever, by the health laws of any State, or by the regulations made pursuant thereto, any vessel arriving within a collection district of such State is prohibited from coming to the port of entry or delivery by law established for such district, and such health laws require or permit the cargo of the vessel to be unladen at some other place within or near to such district, the collector, after due report to him of the whole of such cargo, may grant his warrant or permit for the unloading and discharge thereof, under the care of the surveyor, or of one or more inspectors, at some other place where such health laws permit, and upon the conditions and restrictions which shall be directed by the Secretary of the Treasury, or which such collector may, for the time, deem expedient for the security of the public revenue. (R. S. § 4793.)

**89. Quarantine warehouses; erection.**—There shall be purchased or erected, under the orders of the President, suitable warehouses, with wharves and inclosures, where merchandise may be unladen and deposited, from any vessel which shall be subject to a quarantine, or other restraint, pursuant to the health laws of any State, at such convenient places therein as the safety of the public revenue and the observance of such health laws may require. (R. S. § 4794.)

**90. Same; deposit of goods in.**—Whenever the cargo of a vessel is unladen at some other place than the port of entry or delivery under sections 88 and 89 of this title, all the articles of such cargo shall be deposited, at the risk of the parties concerned therein, in such public or other warehouses or inclosures as the collector shall designate, there to remain under the joint custody of such collector and of the owner, or master, or other person having charge of such vessel, until the same are entirely unladen or discharged, and until the articles so deposited may be safely removed without contravening such health laws. And when such removal is allowed, the collector having charge of such articles may grant permits to the respective owners or consignees, their factors or agents, to receive all merchandise which has been entered, and the duties accruing upon which have been paid, upon the payment by them of a reasonable rate of storage; which shall be fixed by the Secretary of the Treasury for all public warehouses and inclosures. (R. S. § 4795.)

**91. Extending time for entry of vessels subject to quarantine.**—The Secretary of the Treasury is authorized, whenever a conformity to such quarantines and health laws requires it, and in respect to vessels subject thereto, to prolong the terms limited for the entry of the same, and the report or entry of their cargoes, and to vary or dispense with any other regulations applicable to such reports or entries. No part of the cargo of any vessel shall, however, in any case, be taken out or unladen therefrom, otherwise than is allowed by law, or according to the regulations hereinafter established. (R. S. § 4796.)

**92. Enforcement of regulations.**—The Surgeon General of the Public Health Service shall, under the direction of the Secretary of the Treasury, cooperate with and aid State and municipal boards of health in the execution and enforcement of the rules and regulations of such boards and in the execu-

tion and enforcement of the rules and regulations made by the Secretary of the Treasury to prevent the introduction of contagious or infectious diseases into the United States from foreign countries, and into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia; and all rules and regulations made by the Secretary of the Treasury shall operate uniformly and in no manner discriminate against any port or place; and at such ports and places within the United States as have no quarantine regulations under State or municipal authority, where such regulations are, in the opinion of the Secretary of the Treasury, necessary to prevent the introduction of contagious or infectious diseases into the United States from foreign countries, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia, and at such ports and places within the United States where quarantine regulations exist under the authority of the State or municipality which, in the opinion of the Secretary of the Treasury, are not sufficient to prevent the introduction of such diseases into the United States, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia, the Secretary of the Treasury shall, if in his judgment it is necessary and proper, make such additional rules and regulations as are necessary to prevent the introduction of such diseases into the United States from foreign countries, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia, and when said rules and regulations have been made they shall be promulgated by the Secretary of the Treasury and enforced by the sanitary authorities of the States and municipalities, where the State or municipal health authorities will undertake to execute and enforce them; but if the State or municipal authorities shall fail or refuse to enforce said rules and regulations the President shall execute and enforce the same and adopt such measures as in his judgment shall be necessary to prevent the introduction or spread of such diseases, and may detail or appoint officers for that purpose. The Secretary of the Treasury shall make such rules and regulations as are necessary to be observed by vessels at the port of departure and on the voyage, where such vessels sail from any foreign port or place to any port or place in the United States, to secure the best sanitary condition of such vessel, her cargo, passengers, and crew; which shall be published and communicated to and enforced by the consular officers of the United States. None of the penalties imposed by any of sections 81 to 84, 92 to 94, 99, 100, 102, and 111 of this title shall attach to any vessel or owner or officer thereof until a copy of all the above-mentioned sections, with the rules and regulations made in pursuance thereof, has been posted up in the office of the consul or other consular officer of the United States for ten days, in the port from which said vessel sailed; and the certificate of such consul or consular officer over his official signature shall be competent evidence of such posting in any court of the United States. (Feb. 15, 1893, c. 114, § 3, 27 Stat. 450; July 1, 1902, c. 1370, § 1, 32 Stat. 712; Aug. 11, 1912, c. 288, § 1, 37 Stat. 309.)

**93. Duties of Surgeon General as to quarantine; reports.**—It shall be the duty of the Surgeon General of the Public Health Service, under the direction of the Secretary of the Treasury, to perform all the duties in respect to quarantine and quarantine regulations which are provided for by sections 81 to 84, 92 to 94, 99, 100, 102, and 111 of this title, and to obtain information of the sanitary condition of foreign ports and places from which contagious and infectious diseases are or may be imported into the United States, and to this end the consular officer of the United States at such ports and places as shall be designated by the Secretary of the Treasury shall make to the Secretary of the Treasury weekly reports of the

sanitary condition of the ports and places at which they are respectively stationed, according to such forms as the Secretary of the Treasury shall prescribe; and the Secretary of the Treasury shall also obtain, through all sources accessible, including State and municipal sanitary authorities throughout the United States, weekly reports of the sanitary condition of ports and places within the United States, and shall prepare, publish, and transmit to collectors of customs and to State and municipal health officers and other sanitarians weekly abstracts of the consular sanitary reports and other pertinent information received by him, and shall also, as far as he may be able, by means of the voluntary cooperation of State and municipal authorities, of public associations, and private persons, procure information relating to the climatic and other conditions affecting the public health, and shall make an annual report of his operations to Congress, with such recommendations as he may deem important to the public interest. (Feb. 15, 1893, c. 114, § 4, 27 Stat. 451; July 1, 1902, c. 1370, § 1, 32 Stat. 712; Aug. 14, 1912, c. 288, § 1, 37 Stat. 309.)

**94. Regulations to secure sanitary conditions of vessels; inspection; health certificate.**—The Secretary of the Treasury shall from time to time issue to the consular officers of the United States and to the medical officers serving at any foreign port, and otherwise make publicly known, the rules and regulations made by him, to be used and complied with by vessels in foreign ports, for securing the best sanitary conditions of such vessels, their cargoes, passengers, and crew, before their departure for any port in the United States, and in the course of the voyage; and all such other rules and regulations as shall be observed in the inspection of the same on the arrival thereof at any quarantine station at the port of destination, and for the disinfection and isolation of the same, and the treatment of cargo and persons on board, so as to prevent the introduction of cholera, yellow fever, or other contagious or infectious diseases; and it shall not be lawful for any vessel to enter said port to discharge its cargo, or land its passengers, except upon a certificate of the health officer at such quarantine station certifying that said rules and regulations have in all respects been observed and complied with, as well on his part as on the part of the said vessel and its master, in respect to the same and to its cargo, passengers and crew; and the master of every such vessel shall produce and deliver to the collector of customs at said port of entry, together with the other papers of the vessel, the said bills of health required to be obtained at the port of departure and the certificate herein required to be obtained from the health officer at the port of entry; and that the bills of health herein prescribed shall be considered as part of the ship's papers, and when duly certified to by the proper consular or other officer of the United States, over his official signature and seal, shall be accepted as evidence of the statements therein contained in any court of the United States. (Feb. 15, 1893, c. 114, § 5, 27 Stat. 451.)

**95. Regulations to prevent spread of contagious diseases; violation of rules.**—Whenever it shall be made to appear to the satisfaction of the President that cholera, yellow fever, smallpox, or plague exists in any State or Territory, or in the District of Columbia, and that there is danger of the spread of such disease into other States, Territories, or the District of Columbia, he is authorized to cause the Secretary of the Treasury to promulgate such rules and regulations as in his judgment may be necessary to prevent the spread of such disease from one State or Territory into another, or from any State or Territory into the District of Columbia, or from the District of Columbia into any State or Territory, and to employ such inspectors and other persons as may be necessary to execute such regulations to prevent the spread of such disease. The said rules and regulations shall be prepared by the Surgeon General of the Public Health Service under the direction of the

Secretary of the Treasury. Any person who shall willfully violate any rule or regulation so made and promulgated shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$500, or imprisonment for not more than two years, or both, in the discretion of the court. (Mar. 27, 1890, c. 51, § 1, 26 Stat. 31; July 1, 1902, c. 1370, § 1, 32 Stat. 712; Aug. 11, 1912, c. 288, § 1, 37 Stat. 309.)

**96. Jurisdiction over established station, to be ceded before payment of compensation.**—Whenever any established station, or any land or water, or any part thereof, shall be acquired by the United States under the provisions of this section and sections 85, 101, and 103 to 105 of this title, jurisdiction over the same shall be ceded to the United States by any State in which the same is situated before any compensation therefor shall be paid. (June 19, 1906, c. 3433, § 6, 34 Stat. 301.)

**97. State health laws observed by United States officers.**—The quarantines and other restraints established by the health laws of any State, respecting any vessels arriving in, or bound to, any port or district thereof, shall be duly observed by the officers of the customs revenue of the United States, by the masters and crews of the several revenue cutters, and by the military officers commanding in any fort or station upon the seacoast; and all such officers of the United States shall faithfully aid in the execution of such quarantines and health laws, according to their respective powers and within their respective precincts, and as they shall be directed, from time to time, by the Secretary of the Treasury. But nothing in this section and sections 88 to 91 and 112 to 114 of this title shall enable any State to collect a duty of tonnage or impost without the consent of Congress. (R. S. § 4792.)

**98. Vessels for quarantine officers.**—The Secretary of the Navy is authorized, in his discretion, at the request of the Secretary of the Treasury, to place gratuitously, at the disposal of the Public Health Service, at any of the ports of the United States, to be used temporarily for quarantine purposes, such vessels or hulks belonging to the United States as are not required for other uses of the National Government, subject to such restrictions and regulations as the Secretary of the Navy may deem necessary to impose for the preservation thereof. (June 14, 1879, No. 6, 21 Stat. 50; Feb. 15, 1893, c. 114, 27 Stat. 149.)

**99. Authority of medical officers acting as quarantine officers.**—The medical officers of the United States, duly clothed with authority to act as quarantine officers at any port or place within the United States, and when performing the said duties, are hereby authorized to take declarations and administer oaths in matters pertaining to the administration of the quarantine laws and regulations of the United States. (Mar. 3, 1901, c. 836, 31 Stat. 1086.)

**100. Compensation for use of State buildings.**—Whenever the proper authorities of a State shall surrender to the United States the use of the buildings and disinfecting apparatus at a State quarantine station, the Secretary of the Treasury shall be authorized to receive them and to pay a reasonable compensation to the State for their use, if, in his opinion, they are necessary to the United States. (Feb. 15, 1893, c. 114, § 8, 27 Stat. 152.)

**101. Acquisition of quarantine stations and plants already established by State or local authorities.**—In any place where a quarantine station and plant is already established by State or local authorities it shall be the duty of the Secretary of the Treasury, before selecting and designating a quarantine station and grounds and anchorage for vessels, to examine such established stations and plants, with a view of obtaining a transfer of the site and plants to the United States, and whenever the proper authorities shall be ready to transfer the same or surrender the use thereof to the United States, the Secretary of the Treasury is authorized to obtain title thereto or possession

and use thereof, and to pay a reasonable compensation therefor, if, in his opinion, such purchase or use will be necessary to the United States for quarantine purposes and the quarantine stations established by authority of this section and sections 85, 96, and 103 to 105 of this title shall, when so established, be used to prevent the introduction of all quarantinable diseases. (June 19, 1906, c. 3433, § 5, 34 Stat. 301.)

**102. Establishment of quarantine grounds; trespasses; violation of quarantine laws.**—The Surgeon General, with the approval of the Secretary of the Treasury, is authorized to designate and mark the boundaries of the quarantine grounds and quarantine anchorages for vessels which are reserved for use at each United States quarantine station; and any vessel or officer of any vessel or other person, other than State or municipal health or quarantine officers, trespassing or otherwise entering upon such grounds or anchorages in disregard of the quarantine rules and regulations, or without permission of the officer in charge of such station, shall be deemed guilty of a misdemeanor and subject to arrest, and upon conviction thereof be punished by a fine of not more than \$300 or imprisonment for not more than one year, or both, in the discretion of the court. Any master or owner of any vessel, or any person violating any provision of this section and sections 81 to 84, 92 to 94, 99, 100, and 111 of this title, or any rule or regulation made in accordance therewith, relating to inspection of vessels or relating to the prevention of the introduction of contagious or infectious diseases, or any master, owner, or agent of any vessel making a false statement relative to the sanitary condition of said vessel or its contents or as to the health of any passenger or person thereon, shall be deemed guilty of a misdemeanor and subject to arrest, and upon conviction thereof be punished by a fine of not more than \$500 or imprisonment for not more than one year, or both, in the discretion of the court. (Mar. 3, 1901, c. 836, 31 Stat. 1086.)

**103. Quarantine stations, grounds, and anchorages.**—The Secretary of the Treasury shall have the control, direction, and management of all quarantine stations, grounds, and anchorages established by authority of the United States, and shall select and designate such suitable places for them and establish the same at such points on or near the coast line of the United States or the border of the United States and a foreign country, as in his judgment are best suited for the same and necessary to prevent the introduction of yellow fever into the United States, and, in his discretion, he may also establish at the group of islands known as the Dry Tortugas, at the western end of the Florida Reef, and at such other point or points on or near the coast line of the United States (not to exceed four in the aggregate) as he deems necessary, quarantine grounds, stations, and anchorages, whereat or wherefo infected vessels bound for any port in the United States may be detained or sent for the purpose of being disinfected, having their cargoes disinfected and discharged, if necessary, and their sick treated in hospitals until all danger of infection or contagion from such vessels, their cargoes, passengers, or crews has been removed. (June 19, 1906, c. 3433, § 1, 34 Stat. 299.)

**104. Land and water selected for quarantine stations transferred from other departments to Secretary of Treasury, or acquired by purchase or condemnation.**—In cases in which the title to the land and water so selected and designated is in the United States it shall be the duty of the department, bureau, or official of the United States having custody or possession of such land and water, or any part thereof, not used by the Government for other purposes designated by law, or possession of said Dry Tortugas Islands, on demand of the Secretary of the Treasury, to deliver the same into his custody and possession for the use of the Public Health Service, evidencing such delivery by a suitable instrument in writing to be delivered to the Secretary of the Treasury. That in cases

In which the title to such land and water, or any part thereof, is in any other owner than the United States it shall be the duty of the Secretary of the Treasury to secure the title and possession of the same to the United States for the use of the Public Health Service of the United States, by purchase at a reasonable price, if possible; but if, in his judgment, the price demanded for such property be excessive, he is authorized to apply to the Attorney General of the United States to cause to be instituted, in the proper tribunal, condemnation proceedings in the name of the United States for the purpose of acquiring for the United States the title and possession of such land and water, and said Attorney General shall, as soon as possible after such application by the Secretary of the Treasury, cause such proceedings to be instituted and conducted to a conclusion, and the custody and possession of such land and water, when duly required in accordance with the award made in such condemnation proceedings, shall be delivered to the Secretary of the Treasury for the use of the Public Health Service. (June 19, 1906, c. 3433, § 2, 34 Stat. 299; Aug. 14, 1912, c. 288, § 1, 37 Stat. 309.)

**105. Notice of selection of places for quarantine stations and anchorages; instrumentalities for disinfecting vessels and cargoes and hospital buildings; treatment of sick and eradication of disease.**—On acquiring possession of any land and water in accordance with the provisions of sections 103 and 104 of this title for the purpose of establishing thereat a quarantine station and anchorage, the Secretary of the Treasury shall cause to be published in such newspapers as he may think proper, once a week for four successive weeks, a notice of the selection and designation of such places for quarantine stations and anchorages, with a description of the boundaries of such quarantine stations and anchorages, and such rules and regulations as he shall adopt and promulgate, requiring vessels with yellow fever among their passengers or crews to go to specified quarantine stations and anchorages, to be dealt with there before visiting any port of the United States. He shall establish at such quarantine stations and anchorages all necessary instrumentalities for disinfecting vessels and their cargoes, and where the same shall be required shall erect the necessary hospital buildings and install the necessary furniture and fittings for receiving and treating the sick among the passengers and crews of vessels going to such quarantine stations and anchorages, and provide for the separation of those among their passengers and crews who are suffering from yellow fever from those who are in good health, and shall further provide for doing all things necessary to eradicate such disease from such vessels, their cargoes, passengers, and crews. (June 19, 1906, c. 3433, § 3, 34 Stat. 300.)

**106. Trespass on quarantine reservations; vessels entering United States in violation of laws.**—Whenever any person shall trespass upon the grounds belonging to any quarantine reservation, or whenever any person, master, pilot, or owner of a vessel entering any port of the United States, shall so enter in violation of section 86 of this title, or in violation of the quarantine regulations framed under said section, such person trespassing, or such master, pilot, or other person in command of a vessel shall, upon conviction thereof, pay a fine of not more than \$300, or be sentenced to imprisonment for a period of not more than thirty days, or shall be punished by both fine and imprisonment, at the discretion of the court. And it shall be the duty of the United States attorney in the district where the misdemeanor shall have been committed to take immediate cognizance of the offense, upon report made to him by any medical officer of the Public Health Service, or by any officer of the customs service, or by any State officer acting under proper authority. (Aug. 1, 1888, c. 727, § 1, 25 Stat. 355; July 1, 1902, c. 1370, § 1, 32 Stat. 712; Aug. 14, 1912, c. 288, § 1, 37 Stat. 309.)

**107. Violation of quarantine laws; by officers.**—Any officer, or person acting as an officer, or agent of the United States, at any quarantine station, or other person employed to aid in preventing the spread of such disease, who shall willfully violate any of the quarantine laws of the United States, or any of the rules and regulations made and promulgated by the Secretary of the Treasury as provided for in section 95 of this title, or any lawful order of his superior officer or officers, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$300 or imprisonment for not more than one year, or both, in the discretion of the court. (Mar. 27, 1890, c. 51, § 2, 26 Stat. 31.)

**108. Same; by common carriers.**—When any common carrier or officer, agent, or employee of any common carrier shall willfully violate any of the quarantine laws of the United States, or the rules and regulations made and promulgated as provided for in section 95 of this title, such common carrier, officer, agent, or employee, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine of not more than \$500, or imprisonment for not more than two years, or both, in the discretion of the court. (Mar. 27, 1890, c. 51, § 3, 26 Stat. 31.)

**109. Report of expenditures to prevent epidemics.**—A detailed report shall be submitted annually to Congress, showing the expenditures made under appropriations to enable the President, in case only of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague or black death, trachoma, influenza, Rocky Mountain spotted fever, or infantile paralysis, to aid State and local boards, or otherwise, in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force. (June 12, 1917, c. 27, § 1, 40 Stat. 121; Feb. 17, 1922, c. 55, 42 Stat. 380; Jan. 3, 1923, c. 22, 42 Stat. 1102; Apr. 4, 1924, c. 81, Title I, 43 Stat. 76; Jan. 20, 1925, c. 85, § 1, 43 Stat. 757; Jan. 22, 1925, c. 87, Title I, 43 Stat. 775.)

**110. Schedule of fees for vessels at quarantine stations; New York Station.**—The Secretary of the Treasury is authorized and directed to promulgate such a schedule of fees to be charged vessels at each of the national quarantine stations as will be fair and reasonable for the services rendered by each station. This authority shall not be applicable to any quarantine station where the fees are fixed by law.

The schedule of fees and rates of charges in effect at the New York Quarantine Station at the time of the transfer of the title thereto to the United States shall be adopted and promulgated by the Secretary of the Treasury as the schedule of fees and rates of charges for the operation of the said station under the jurisdiction of the United States. (June 5, 1920, c. 235, § 1, 41 Stat. 875; June 10, 1921, c. 23, § 1, 42 Stat. 38.)

**111. Suspension of immigration.**—Whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or other infectious or contagious diseases in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary. (Feb. 15, 1893, c. 114, § 7, 27 Stat. 452.)

**112. Removal of revenue officers from port during epidemic.**—Whenever, by the prevalence of any contagious or epidemic disease in or near the place by law established as the port of entry for any collection district, it becomes dangerous or inconvenient for the officers of the revenue employed therein

to continue the discharge of their respective offices at such port, the Secretary of the Treasury, or, in his absence, the Undersecretary of the Treasury, may direct the removal of the officers of the revenue from such port to any other more convenient place, within, or as near as may be to, such collection district. And at such place such officers may exercise the same powers, and shall be liable to the same duties, according to existing circumstances, as in the port or district established by law. Public notice of any such removal shall be given as soon as may be. (R. S. § 4797; July 31, 1891, c. 174, § 4, 28 Stat. 205; June 10, 1921, c. 18, § 301, 42 Stat. 23; Feb. 17, 1922, c. 55, 42 Stat. 366.)

**113. Adjournment of courts during epidemic.**—Whenever, in the opinion of the Chief Justice, or, in case of his death, or inability, of the senior Associate Justice of the Supreme Court, a contagious or epidemic sickness shall render it hazardous to hold the next stated session of the court at the seat of government, the Chief or such Associate Justice may issue his order to the marshal of the Supreme Court, directing him to adjourn the next session of the court to such other place as such justice deems convenient. The marshal shall thereupon adjourn the court, by making publication thereof in one or more public papers printed at the seat of government from the time he shall receive such order until the time by law prescribed for commencing the session. The several circuit and district judges shall, respectively, under the same circumstances, have the same power, by the same means, to direct adjournments of the several circuit courts of appeals and district courts to some convenient place within their circuits or districts respectively. (R. S. § 4799.)

**114. Removal of prisoners during epidemic.**—The judge of any district court, within whose district any contagious or epidemic disease shall at any time prevail, so as, in his opinion, to endanger the lives of persons confined in the prison of such district, in pursuance of any law of the United States, may direct the marshal to cause the persons so confined to be removed to the next adjacent prison where such disease does not prevail, there to be confined until they may safely be removed back to the place of their first confinement. Such removals shall be at the expense of the United States. (R. S. § 4800.)

### Chapter 3.—LEPROSY.

#### STATION AND LABORATORY AT MOLOKAI, HAWAII

Sec.

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#### LEPROSY HOME IN UNITED STATES

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#### STATION AND LABORATORY AT MOLOKAI, HAWAII

**Section 121. Establishment.**—There is established on the tract of land on the leper reservation at Molokai, Hawaii, ceded by the Territorial government of Hawaii to the United States in perpetuity a hospital station and laboratory of the Public Health Service of the United States for the study of the methods of transmission, cause, and treatment of leprosy. (Mar. 3, 1905, c. 1443, § 1, 33 Stat. 1009.)

**122. Patients; admission and treatment.**—For the purposes of this subchapter the Surgeon General, through his accredited agent, is authorized to receive at such station such patients afflicted with leprosy as may be committed to his care under legal authorization of the Territory of Hawaii, not to exceed

forty in number to be under treatment at any time, said patients to remain under the jurisdiction of the said Surgeon General, or his agent, until returned to the proper authorities of Hawaii. (Mar. 3, 1905, c. 1443, § 3, 33 Stat. 1009.)

**123. Detail of medical officers and employees of Public Health Service.**—The Surgeon General of the Public Health Service of the United States is authorized to detail or appoint, for the purposes of these investigations and treatment, such medical officers, acting assistant surgeons, pharmacists, and employees as may be necessary for said purpose. (Mar. 3, 1905, c. 1443, § 4, 33 Stat. 1009.)

**124. Regulations for administration.**—The Surgeon General of the Public Health Service shall, subject to the approval of the Secretary of the Treasury, make and adopt regulations for the administration and government of the hospital station and laboratory and for the management and treatment of all patients of such hospital. (Mar. 3, 1905, c. 1443, § 6, 33 Stat. 1010.)

**125. Additional pay and allowances to officers detailed.**—When any commissioned or noncommissioned officer of the Public Health Service is detailed for duty at the leprosy home provided for in sections 121 to 124 of this title, or while engaged in investigations of leprosy at Kalahele and other places in Hawaii, he shall receive, in addition to the pay and allowances of his grade, one-half the pay of said grade and such allowances as may be provided for by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury. (Mar. 3, 1905, c. 1443, § 7, 33 Stat. 1010; Mar. 4, 1911, c. 285, § 1, 36 Stat. 1394.)

#### LEPROSY HOME IN UNITED STATES

**131. Establishment; administration by Public Health Service.**—There is established a home for the care and treatment of persons afflicted with leprosy, to be administered by the United States Public Health Service. (Feb. 3, 1917, c. 26, § 1, 39 Stat. 872.)

**132. Erection of buildings.**—The Secretary of the Treasury is authorized to cause the erection upon such site of suitable and necessary buildings for the purposes of this subchapter at a cost not to exceed the sum appropriated for such purpose. (Feb. 3, 1917, c. 26, § 4, 39 Stat. 873.)

**133. Persons receivable into; removal of afflicted persons to.**—There shall be received into said home, under regulations prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, any person afflicted with leprosy who presents himself or herself for care, detention, and treatment, or who may be apprehended under authority of the United States Quarantine Acts, or any person afflicted with leprosy duly consigned to said home by the proper health authorities of any State, Territory, or the District of Columbia. The Surgeon General of the Public Health Service is authorized, upon request of said authorities, to send for any person afflicted with leprosy within their respective jurisdictions, and to convey said persons to such home for detention and treatment, and when the transportation of any such person is undertaken for the protection of the public health, the expense of such removal shall be paid from funds set aside for the maintenance of said home. (Feb. 3, 1917, c. 26, § 2, 39 Stat. 873.)

**134. Regulations.**—Regulations shall be prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, for the government and administration of said home and for the apprehension, detention, treatment, and release of all persons who are inmates thereof. (Feb. 3, 1917, c. 26, § 3, 39 Stat. 873.)

**135. Detail of officers of Public Health Service to; pay.**—When any commissioned or other officer of the Public Health