

James C. Churchill

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OF THE
STATE OF MINNESOTA.

(1849-1858.)

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THE PUBLIC HEALTH.

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THE PUBLIC HEALTH.

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An Act for the Preservation of the Public Health.

✓ [Chapter 18, Revised Statutes.]

Who to constitute board of health.

(1.) SEC. I. The justices of the peace of every precinct, the president and trustees of every incorporated village, and the mayor and the aldermen of every incorporated city in this territory, shall be boards of health, and as such shall exercise all the powers, and perform all the duties provided in this chapter, within the limits of the precincts, villages and cities, respectively, of which they are such officers.

To make regulations, appoint health officers, &c.

(2.) SEC. II. Every board of health may take such measures and make such rules and regulations, as they may deem most effectual, for the preservation of the public health; and for that purpose may appoint a physician, who shall be the health officer of the territory, within the jurisdiction of the board, and who shall hold his office during their pleasure; they may also appoint so many persons to aid them in the execution of their powers and duties, as they may think proper, and shall regulate the fees and charges of every person so employed by them.

Board to examine into nuisances, &c.

(3.) SEC. III. The board of health may examine into all nuisances, sources of filth and causes of sickness, and make such regulations respecting the same as they may judge necessary, for the public health and safety of the inhabitants; and every person who shall violate any order or regulation made by any board of health, and, duly published agreeably to the provisions of this chapter, shall be deemed guilty of misdemeanor, and punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding three months.

Notice of orders and regulations to be published.

(4.) SEC. IV. Notice shall be given by the board of health of all orders and regulations made by them, by publishing the same in some newspaper, if there be one published in such town, village or city; if there be none, then by posting up such notice in five public places therein; and such publication of said orders and regulations, shall be deemed a legal notice to all persons.

Nuisances on private property to be removed by owner.

Penalty for neglect

Board of health may remove nuisance at expense of owner, &c.

(5.) SEC. V. Whenever any nuisance, source of filth, or cause of sickness, shall be found on private property, the board of health shall order the owner or occupant thereof, at his own expense, to remove the same within twenty-four hours; and if the owner or occupant shall neglect so to do, he shall forfeit a sum not exceeding fifty dollars.

(6.) SEC. VI. Whenever such owner or occupant shall not comply with such order of the board of health, said board may cause the said nuisance, source of filth, or cause of sickness to be removed, and all ex-

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penses incurred thereby shall be paid by the said owner or occupant, or by such other person as shall have caused or permitted the same.

(7.) SEC. VII. Whenever the board of health shall think it necessary, for the preservation of the health of the inhabitants, to enter any building or vessel in their city, village or town, for the purpose of examining into and destroying, removing or preventing any nuisance, source of filth, or cause of sickness, and shall be refused such entry, any member of the board may make complaint under oath to a justice of the peace of his county, whether such justice be a member of such board or not, stating the facts in the case so far as he has knowledge thereof.

Proceedings to remove nuisance in vessels or buildings.

(8.) SEC. VIII. Such justice shall thereupon issue a warrant, directed to the sheriff or any constable of the county, commanding him to take sufficient aid, and being accompanied by two or more of the board of health, between the hours of sunrise and sunset, to repair to the place where such nuisance, source of filth or cause of sickness complained of may be, and the same destroy, remove, or prevent, under the direction of the members of such board of health.

Justice to issue warrant to sheriff to remove nuisance.

(9.) SEC. IX. When any person coming from abroad, or residing in any town within this territory, shall be infected or shall lately have been infected with the small pox or other contagious disease, dangerous to the public health, the board of health of the town, village or city where such sick or infected person may be, may immediately cause him to be removed to a separate house, if it can be done without danger to his health, and shall provide for him nurses and necessaries, which shall be charged to the person so removed and taken care of, or the parent, guardian or other person who may be liable for the support of such infected person.

Infected person to be removed to separate house, &c.

(10.) SEC. X. If such infected person cannot be removed without danger to his health, the board of health shall make provision as directed in the preceding section, for such person in the house where he may be, and in such case, they may cause the persons in the neighborhood to be removed, and may take such other measures as they may deem necessary for the safety of the inhabitants.

If such person cannot be removed, how board to proceed.

(11.) SEC. XI. Any two justices of the peace may make out an order under their hands, directed to the sheriff or any constable of the county, requiring him under the direction of the board of health, to remove any person infected with contagious disease, and to provide nurses, attendants and other necessaries for the accommodation, safety and relief of such infected persons. This chapter shall not be construed so as to annul or conflict with any powers granted in any city charter for the regulation of the public health.

Warrant to remove infected person by two Justices.

This chapter not to conflict with city charter.