

# INFLUENZA BAN ABROGATED BY CITY OFFICERS

## Mayor Babcock Advises Disregard of State Health Authorities' Ruling.

### CHURCHES MAY OPEN

## Schools to Resume and Other Activities Expected to Become Normal Again.

### BETTER CONDITIONS

Mayor E. V. Babcock last night lifted the influenza ban on Pittsburgh, so far as the city authorities are concerned.

In a proclamation announcing that he had advised the Director of the Department of Public Health to interpose no objections to the return of the people to normal pursuits, he took that issue with the order given earlier in the day by Dr. B. Franklin Royer, acting state health commissioner, and in a statement declared that he advised all persons to resume their normal activities, and that the city not only would not act as police power for the state department of health, but in every way in its power would stand by the people who did not observe the state order.

#### City Being Punished.

"We have been closed for one month now, and the state is acting as if we were being punished for something," said the Mayor. "No one would act more vigorously to carry out the orders of the state health department than I would, or than I did, when they seemed necessary. Now, in the opinion of the men most competent to judge, the keeping on of the ban for another week would simply have an effect directly opposite to that desired. While the state is, of course, supreme in this respect, the city will refuse to act as its police agent. If Dr. Royer wants to quarantine the city in punishment, he may try to do so, but provided government needs do not interpose a higher power.

"We not only shall not interpose any objections to a return to normal pursuits beginning Sunday morning at 8 a. m., but shall do all in our power to protect our citizens in the conduct of their legal activities."

The action taken by the Mayor followed a conference with City Solicitor Stephen Stone, Maj. W. H. Davis,

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# Disregard of State Ban Is Advised by Babcock

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Director of the Department of Health and other members of his cabinet.

#### Churches May Reopen.

While the proclamation does not specifically lift the ban, which was ordered by Dr. Royer and enforced by the city through its health department, it serves notice to the public that this enforcement will no longer be effective.

Churches, however, and schools, which were closed by Director Davis on the advice of the state authorities, were not included in the original closing order, and the ban on them, therefore is removed. While no official notification will be sent to pastors, Maj. Davis last night issued a statement saying that they may resume services tomorrow if they desire.

In regard to saloons and theatrical enterprises, the opening is dependent upon the judgment of the proprietors. These places were closed by the state authorities. If they open in violation of this order, they may come in conflict with the state health commissioner. The city, however, will refuse to act as prosecuting agent and will even aid in their defense should the state authorities take action.

#### Royer for Opening Nov. 9.

Several hours before Mayor Babcock issued his proclamation Acting State Health Commissioner Royer had held a telephonic communication with the Mayor in which Dr. Royer had set Saturday, November 9, as the date on which the closing order would be rescinded. In a statement issued during the day he had discussed the situation in Pittsburgh which he then considered encouraging.

He declared that he had had a report from Dr. Wilmer R. Batt, state registrar of vital statistics, who had been sent to Pittsburgh to report on conditions, and that he had been informed the peak of the epidemic had been passed and that a rapid improvement would be noted within a few days. He said also that a formal order would be sent to all boards of health in the Pittsburgh district and that a state-wide order would be issued permitting wholesale liquor dealers and bottlers to make deliveries to hotels, saloons and other retail establishments 29 hours prior to the lifting of the restrictions on the retail sale of liquor.

#### Progress of Epidemic Checked.

In announcing this decision Dr. Royer said:

The encouraging reports made by Dr. Batt, who has been in Pittsburgh investigating the epidemic situation, enables me to make this announcement rescinding the closing order on November 9. This, of course, is conditional on the epidemic continuing to show a marked decline. If there should be a sudden increase in the number of new cases or the number of deaths it may be necessary to continue the ban a few days longer.

The progress of the epidemic in this section, however, has apparently been checked and I believe that conditions will improve rapidly from now on. Some of the remote and smaller centers of population and township districts near Pittsburgh will not be in condition for a lifting of the ban on the same date. The situation in these centers will be fully covered in the official orders to boards of health.

#### Epidemic on the Wane.

That the epidemic of Spanish influenza passed its peak October 23, and is now on the wane is the belief of Maj. Davis and of Dr. Phillip E. Marks, head of the Bureau of Infectious Diseases. Since that time the number of new cases has steadily decreased.

The figures submitted do not show this. For the 24-hour period ending at 4 o'clock yesterday afternoon, an increase in new cases is shown. This is caused by lump reports from several doctors, including cases as far

back as October 19. The figures show 386 new cases of influenza, making a total of 18,703. Of these, 150 were submitted by two physicians, and Dr. Marks declared that about 250 would represent the new cases occurring yesterday and Thursday.

There were 58 new cases of pneumonia reported, bringing the total to 1,475. The deaths were 171, of which 58 were from pneumonia, 102 from influenza and pneumonia, and 11 from influenza.

Between 4 o'clock yesterday afternoon and last midnight 83 deaths from pneumonia, 36 from pneumonia and influenza, and seven from influenza were reported.

#### Deaths May Continue.

The large number of deaths will continue for several weeks, Dr. Marks explained, even though the new cases of influenza decrease. The after effects of the disease, and the danger of pneumonia following a partial recovery, will claim many lives unless every precaution is taken.

In the neighborhood boroughs there is still danger, and yesterday morning five motor dispensaries, each equipped with a physician, a nurse, medicines and home comforts, were sent out into the county, and a house-to-house aid will be supplied in the more dangerous districts so long as the epidemic lasts. The dispensaries are supposed to return nightly, but the physicians in charge remained out until a late hour this morning.

Sidney A. Teller, director of the Irene Kaufmann Settlement, has asked Mayor Babcock to name a special "Epidemic Prevention Day," in which rubbish and accumulated dirt shall be cleaned up in the interest of public health.

#### Status of the City.

One of the members of the Mayor's cabinet last night explained the status of the city in regard to the State Health Commissioner and the latter's powers. While Dr. Royer has no authority within the city of Pittsburgh, it was explained, he has the power to quarantine the remainder of the state against Pittsburgh, an act of the Legislature giving to the state health authorities arbitrary powers, which the Mayor and his advisers believe are now being used unlawfully at the expense of the city of Pittsburgh.

All of the city officials who consulted with the Mayor, as well as medical authorities and business men, were agreed that the depression caused by the closing order was now reacting against recovery from influenza, and that as the new cases were rapidly decreasing the mental oppression that follows the disease was made worse by the continuance of the ban on amusements, schools and churches.

#### Mayor Uses Authority.

It was pointed out that Philadelphia had practically defied the Health Commissioner and that the ban had been removed on the threat of the authorities of that city to take the same action as that now taken by Mayor Babcock.

It was declared that the Mayor has no power to rescind Dr. Royer's orders, but that he has power to refuse co-operation in their enforcement, and that this power has been invoked in his proclamation. Should Dr. Royer desire to take action against an individual saloon keeper or amusement house manager, for instance, and should conviction ensue, the penalty is a fine of \$100, imprisonment for 30 days, or both.