

# Plea Is Made For Influenza Ban by Blue

## Surgeon General Declares Pittsburgh Should Stand by Dr. Royer's Orders.

### INFORMATIONS READY State Agents Start Steps for Prosecution of Violators of Closing Edict.

#### NEW CASES DECREASE

An appeal to the residents of Pittsburgh and Western Pennsylvania to observe the closing order of the State Health Department, and declaring that the protection of health in the Pittsburgh district is an imperative war measure, was issued by Surgeon General Rupert Blue, head of the United States Public Health Service, and made public in Harrisburg last night by Dr. H. Franklin Royer, acting State Health Commissioner.

The appeal was accompanied by a statement from Dr. Royer saying that his agents here successfully closed all the open saloons yesterday when they appeared to take evidence of violations of the closing order, and that these agents will proceed today to institute criminal proceedings against the managers of motion picture theaters and others who remained open in defiance of the ban.

**Gen. Blue's Statement.**  
Surgeon General Blue's statement, which was also sent to Dr. Draper, of the Federal Public Health Service, who is directing the epidemic relief work in the state, follows:

"Citizens of Pittsburgh and Western Pennsylvania:  
As surgeon general of the National Public Health Service, I appeal to every good citizen of Pittsburgh and vicinity to stand faithfully by the order imposing restrictions upon moving picture establishments, theaters, public meetings and the sale of alcoholic beverages, until the epidemic conditions are much better than at present and until advised by the State Department of Health of Pennsylvania and representatives of the Federal Public Health Service.

With 145 war industries in Pittsburgh and the metropolitan district about it, it is imperative to protect the lives and health and man power of this district. See to it that your elected officials do their duty."

**Royer Agents Active.**  
Several of Dr. Royer's agents arrived in Pittsburgh yesterday morning, and in the afternoon held a conference with Attorney Nelson, McVicar, legal representative of the State Health Department in this city, following which Mr. McVicar declared he had been instructed to immediately

# Surgeon General Blue Urges Pittsburgh To Back Dr. B. F. Royer In Closing Order

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proceed with the prosecution of violators of the influenza ban.

**Informations Prepared.**  
Mr. McVicar made out informations charging managers against the managers of all theaters and moving picture houses which were open last evening? These will be filed at 10 o'clock this morning with Alderman G. S. Wilcox.

Early last night Mr. McVicar caused the serving on the proprietors of all places conducting the day, in violation of Dr. Royer's closing order, notice that unless they closed their places of business they would be liable to the penalties of the law touching the violations of the orders

of the Department of Health. The health authorities, Mr. McVicar said, will attempt to have the licenses of some of the bar violators revoked, and the informations charge against the others the violating of the state health act.

This was decided upon at a conference between Mr. McVicar, Dr. Karl Schaffie, and other representatives of Dr. Royer, Attorney Charles W. Weibert, chief legal adviser of the department, who was supposed to have come here from Harrisburg, did not arrive in the city, but it was stated that he was represented by attaches of his office. These agents were said to have gone around the city yesterday, gathering evidence of bar violators.

**Evidence Being Gathered.**  
Mr. McVicar in a statement, in the afternoon declared that the state health representatives had placed the matter in the hands of his firm, and that as soon as the evidence was obtained criminal proceedings would be entered. He added:

It is our hope that prosecutions will not be necessary. We learned that some places were opened in the morning but were closed later. These persons, in all probability, will not be prosecuted, although I am not prepared to state this positively. We hope, however, that all saloonkeepers and amusement place proprietors will realize the necessity of complying with the order and will remain closed until the ban is removed by the state. We believe the general public have confidence in the position taken by the State Department of Health, and will not attend any place of amusement prior to the lifting of the ban by Dr. Royer. There is great danger in congregating before the stage has officially rescinded its order.

Few saloons in Pittsburgh opened yesterday, but one of the big downtown establishments selling throughout the day. No action had been taken against the proprietor of this establishment yesterday. Practically

all of the amusement houses, however, were opened, and the motion picture theaters were well patronized.

**Acting on Mayor's Advice.**  
John P. Harris, general manager of the Harry Davis Enterprises and president of the Harris Amusement Companies, in commenting on the attitude of the interests he represents on the controversy between the state and the city authorities, yesterday said:

Our position is very plain, our duty is clear. We are acting on the Mayor's proclamation and acting on his advice. Knowing that he has the interests of this city and the welfare of our people at heart, and is in position to understand and appraise the health conditions more accurately than anyone else in this city, we have, as you know, opened all our amusements.

There was nothing for us to do, through our entire business life we have endeavored to serve the public. We have never jeopardized health nor life nor morals. Our position today is precisely the same. We are ready to stand up for the well-defined public opinion and newspaper expression, as our warrant for reopening our business and resuming the normal activities of our business.

Our city has undoubtedly been a widespread demand for the opening of the theaters. The Mayor has said that we should return to the normal state of our life for the well-being of the whole community, that the continuance of the ban can but serve to further harass the people already overburdened with care through the great war, and finally that it is his patriotic duty to keep the heartaches cheerfully quiet as much as to keep the home fires burning. It is from the city that we get our income to operate our theaters, and we would be singularly lacking, both in patriotism and civic duty, if we failed to obey the Mayor's proclamation.

**Epidemic on Wane.**

The reports sent to Maj. W. H. Davis, director of the Department of Health, showed practically a 50 per cent decrease in the epidemic waves. The number of new cases of influenza in the 48-hour period from 4 o'clock Saturday afternoon to 4 o'clock yesterday afternoon was 424, making the total to 1,431. There were 41 new cases of pneumonia reported, a total of 1,390. In the 24 hours ending at 4 o'clock yesterday 113 deaths were reported, of which 25 were from pneumonia, 41 from influenza and pneumonia, and 47 from influenza. On Monday of last week 318 new cases of influenza and 71 of pneumonia were reported, with 123 deaths.

One ban not lifted by the city against public funerals and Mass. Davis announced yesterday that only private funerals will be allowed. This ruling must be followed implicitly, and the district policemen have been instructed to notify families in which deaths occur that the burial services must be attended only by members of the families.

**Mayor Issues Statement.**

Mayor E. V. Babcock last night had little to say about the situation, beyond the statement that the figures in the epidemic justified the position he had taken, and that he did not believe any serious consequences awaited bar violators.

The motion picture and theatrical

house managers had been informed that the closing of reasonable hours entered into the enforcement of Dr. Royer's order, and Mayor Babcock believed no court would declare keeping the ban in force to be reasonable in face of the returns. The Mayor said:

Unless forced by law I will not provide police service to make arrests in any case of violation of the influenza ban placed on the city by the acting state health commissioner. I had a conference with City Solicitor Stephen Stone, and in event of arrests I will feel it my duty to inform either magistrate or justice. Justice may have jurisdiction in such cases, but I was partly responsible for the opening of places closed by the ban. Dr. Royer is drunk with power, and I am now convinced that there is in this action of the State Health Department something other than a desire to preserve public health.

**War Board Investigates.**

In response to a request sent by Dr. Royer asking that the Pittsburgh War Production Committee act to enforce the closing of banned places a meeting of the committee was held in the Chamber of Commerce building yesterday. It was decided to take no action until after an investigation had determined if the Mayor's advice to proprietors of the closed places was in proper production. A committee was appointed to determine this, composed of the following:

Commander H. R. Adams, Bureau of Ordnance Navy Department, Carnegie Steel Company, Alki, H. H. Scott, Pittsburgh district ordinance officer, Chamber of Commerce Building, J. A. B. Landell, Pittsburgh representative United States Shipping Board, Pittsburgh representative Park Building, and Alexander K. Hamilton, assistant district manager Bureau of Aircraft Production, Keenan Building.

Another meeting will be held tomorrow at which the report of the committee will be heard. The following telegram was sent to Dr. Royer by George S. Oliver, chairman of the War Production Committee and regional advisor of Region 3:

Pittsburgh war production committee, in fully attending to your letter, appointed a committee to promptly investigate and report as to whether existing epidemic conditions are causing decrease in production. Until such report is available committee does not feel it can take further action.

**U. S. Court Postponed.**

The November session of the United States District Court, scheduled to open November 11, has been postponed one week and will open November 18. More than 1,500 subpoenas have been issued for witnesses to appear when court opens.

No complaints were made in quarter sessions court against any of the liquor dealers violating. Before the license can be revoked, proceedings must be brought against the licensee in the quarter sessions court, where the dealer complained against is given a hearing and an opportunity to answer the charges. Until the matter is thus called to the attention of the court, no action may be taken by the license court judges against any of the dealers who failed to keep their places closed.

The Red Cross Bureau Communication, which was closed several weeks ago because of the epidemic, was opened yesterday. This branch of Red Cross sends messages into enemy countries.

The making of influenza serum for Pittsburgh Chapter, American Red Cross, has been stopped, because the demand for this serum has fallen off. This announcement was made yesterday to the executive committee of the chapter by Edward A. Woods, who is the chairman of the special influenza committee. Mr. Woods reported that the Red Cross was providing serum to the city of Pittsburgh for all purposes. Since the beginning of the influenza epidemic the Red Cross has supplied serum to 243 organizations for the inoculation of 241,510 persons.

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