

Papers of Mayor James Rolph

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CHARLOTTE F. JONES  
ATTORNEY-AT-LAW  
HUMBOLDT BANK BLDG.  
SAN FRANCISCO, CAL.  
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Oct. 26, 1918.

Hon. James Rolph, Jr.,  
Mayor of San Francisco, Cal.  
City.

Dear Sir:

I call your attention to the fact that the people of this community are being terrorized by means of the padded death lists published in the daily newspapers. In this morning's Examiner, 140 deaths published, 40 of whom were persons not living in this city at all, but in other states, and another 40 of whom were merely notices repeated from the previous day's list. I don't know how many of the remaining 60 deaths were repeated from some previous day's list. The newspapers justify this by stating that they are paid advertisements, but that is immaterial, as the effect is the same.

To abate this evil, I herewith demand, on behalf of the misinformed and imposed-upon residents of this city, that you, as their superior officer and head, issue the following orders and instructions to the Board of Health and city physicians:

1. That the Board of Health shall publish in and among the death notices in each and every newspaper, a true, full and correct list of each and every death occurring in this city of this so-called Spanish Influenza, giving the correct name and address of each of said diseased person,- said notice to be published daily.

2. That each and every physician in this city shall be required to furnish a full, true and correct list of each and every one of his patients afflicted with said influenza, commencing with the first case, and continuing until the last case under his care; said list to be certified to by affidavit, and to be published in the daily papers at the expense of the city and county, and also publicly recorded; said list also to include the number of deaths and recoveries from said disease.

When business men in general and owners and managers of places of amusement in particular are irretrievably injured in their business by rules and regulations of the Board of Health, and working men and women are thrown out of employment, suffer great loss of wages, and are deprived of necessary and needed recreation by said rules and regulations, and the whole community is subjected to great discomfort, inconvenience, suffering, and great financial loss, then the general public is clearly and unquestionably entitled to know the grounds for this state of affairs; something more is needed than the mere word of a trio of self-important doctors. Also, when important political meetings for candidates and discussion of vitally important amendments are prohibited, the voters of this state have the right to know the real reason why this is done.

If physicians claim they haven't time to make said certified statements, the Board of Health can prepare said affidavits for

them, and have a notary public bring each statement to each doctor for his signature.

It is a nice spectacle, to see a great world city lying bound, prostrate, gagged and cowed at the feet of the Medical Trust! If said correct death lists are not published, I shall make it my particular business to make a house to house canvass of this city and advise the voters what candidates to vote for, to show their protest at this state of affairs. If said list is published, I shall most certainly verify it, personally. I don't care how much trouble I am put to to show my protest against an infamous law, which attempts to restrict or impede my breathing! I, for one, don't propose to remain silent, when a civilized community is reduced to the status of savages living in fear of medicine men!

I further call your attention to the fact that the Board of Health is posting official notices or bulletins in public places, and various places of business, urging people to wear a different size mask from the size required by said infamous mask ordinance, thus the Board of Health itself is guilty of insubordination and criminal conspiracy and attempt to induce others to commit a misdemeanor!

I also desire to state that in my opinion, said infamous mask ordinance is absolutely unconstitutional and was not legally enacted, and every police officer making arrests thereunder would be personally liable in damages to persons they arrest, according to decisions holding that a police officer, in attempting to enforce a void ordinance, is individually liable therefor. And in this sort of an ordinance, I believe that the city would also be liable in an action for false arrest and imprisonment, for the acts of its police officers.

Very truly yours,

*Charles McF. Jones*

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