

MAKE IT CLEAR

Changes Sought in Vaccination Law.

Hearings Resumed at State House.

Dr Durgin Speaks in Favor.

Says Letter of Present Law Wrong.

Declares Certificates Are Issued to Healthy Children.

Medical Inspectors Support His Argument.

Anti-Vaccinationists Appear in Opposition.

Vaccination hearings were resumed at the state house this morning before the committee on public health. There were several bills under discussion, one to define more clearly the vaccination laws and to make them more stringent; two to make them less stringent; another to repeal the penalty for refusing to get vaccinated and to permit a child to enter school without being vaccinated, one to forbid the injection of any poisonous substance into the body of any person without consent, this being the petition of Dr Immanuel Pfeiffer; another to provide for the compensation of persons quarantined on account of contagious diseases, and another to authorize the state board of health to produce vaccine lymph for the free use of the people.

Dr S. H. Durgin, chairman of the Boston board of health, appeared to advocate a clearer definition of the law. He said the spirit of the present law was right, but the letter was wrong. He presented a bill so that the law shall read as follows:

Sec 135—Any person over 21 years of age who presents a certificate signed by the register of a probate court that he is under guardianship shall not be subject to the provisions of section 131; and any child who presents a certificate, signed by a registered physician that the physician has at the time of giving the certificate personally examined the child and that he is of the opinion that the physical condition of the child is such, naming his physical disability, that his health will be endangered by vaccination, shall not, while such physical disability continues, be subject to the provisions of section 6 of chapter 44, or of the three preceding sections; and the parent or guardian of such child shall not be liable to the penalties imposed by section 136, chapter 75.

Dr Durgin said that the certificate clause in the present law is being used for the purpose of evading the law, and certificates are being issued to sound, healthy children, by physicians who are utterly opposed to vaccination altogether. He said it was not a question between man and man, but a question of public policy.

Dr E. M. Green, medical inspector in the Boston school, said that there were many sound, healthy children in school who have not been vaccinated. In many cases they hold certificates stating that they are unfit subjects for vaccination.

Supt Beaver said he had felt much uneasiness in the past few months because of the large number of children in the public schools who are not vaccinated.

Dr Temple, another medical inspector, and E. B. Young, principal of the Prince grammar school, favored the bill.

Principal Mead of the Chapman school, East Boston, said he was horrified a few weeks ago to learn that three patients near his school had been moved to the pest house, and one of them was a boy who had been in his school only three days before. An examination of the pupils in the school showed that about 20 percent were unvaccinated, most of whom he believed had come to the school from other cities and towns.

The first witness in opposition was Dr Cowies of Wakefield, a homeopathist, who said that he formerly favored vaccination, but that his experience had brought him to the point of opposition. He believed physicians should be permitted to issue certificates exempting children from vaccination.

Walter C. Wright of Medford, a member of the anti-vaccination league, opposed the bill. He said that smallpox was a bad thing, but dishonesty was worse, and he thought the amendment would stimulate dishonesty.

Dr Hale of Columbus av, an allopathic physician, opposed the amendment, because the person best fitted to pass on the physical condition of the child was the family physician.

Dr Wheeler of Boston, a Harvard graduate, said he was opposed to compulsory vaccination, and particularly opposed to the bill under discussion as an arrogant, impudent and infamous measure, and an attempt of the majority physicians to outlaw the minority on the subject of vaccination. He said he believed every child was unfit for vaccination.

Francis J. Garrison said the bill put a despotic power in the hands of the board of health.

Frank B. Sanborn of Concord said he did not exactly oppose the bill, but he believed that if the laws now on the book relating to vaccination had been enforced we would not now have the present smallpox epidemic.

The committee then took up the Pfeiffer bill, to prevent the injection of any poison into the body of a person without the consent of such person. Representative Bullock called attention to the fact that the bill not only would prevent vaccination, which was the point aimed at, but would also forbid any physicians from making any hyperdemic injections. Dr Hale, John K. Hastings and Dr Wheeler all favored the bill.

Dr Schmidt of Jamaica Plain said the bill would make the practice of medicine impossible.

The two anti-vaccination bills, one of the anti-vaccination league and the other of Representative Foster of Somerville, were taken up together. Mr Foster spoke in support of the bills to exempt from compulsory vaccination persons who hold a certificate of a physician that the person is an unfit subject for vaccination.

He said there were towns in the state, including Provincetown, which voted to elect a board of health that would not enforce the vaccination laws.

The hearing at this point was continued till tomorrow at 11 o'clock.