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WHAT
THE STATE OWES
THE PEOPLE.

PUBLIC HEALTH IS PUBLIC WEALTH.

A PAPER READ BY

HON. ERASTUS BROOKS,
OF NEW YORK,

AT THE EIGHTH ANNUAL MEETING OF THE
AMERICAN PUBLIC HEALTH ASSOCIATION,

At New Orleans, La., Thursday, Dec. 9, 1880.

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At the Eighth Annual Meeting of the American Public Health Association, held at New Orleans, La., December 10, 1880, the following resolution was adopted:

Resolved, That five hundred copies of the address before this Association, by Hon. Erastus Brooks of New York, on "What the State Owes the People," be printed in pamphlet form, and copies be sent to the Governors of the States, together with a communication, respectively asking them to consider the propriety of calling the attention of the legislative bodies in their States to the importance of action in the directions indicated in the paper."

AZEL AMES, JR.,

Secretary.

WHAT THE STATE OWES THE PEOPLE.

That "the world is governed too much" is a maxim that may wisely be accepted by both the people and the government; and especially is the maxim true in a republic like our own, where the people, when notified of their duty, are reasonably considerate and intelligent. The declaration of independence, the constitution of the United States, and the constitution of the several States, all begin with some reference to the peoples' rights and welfare. The great object of government is the diffusion of knowledge, and the enactment of laws for the regulation of States, communities and persons; and among the first of these duties are provisions of law for the safety of the people. To secure "life, liberty and the pursuit of happiness" is a principle of government older than the constitution, and as such it was embodied in the first record of our national existence. It is safe, therefore, to say in the beginning of what we have to present to the American Public Health association, that there can be no real life or happiness where the public health is not provided for by law; and that the State is only in the discharge of one of its first duties when it seeks, under reasonable laws, to maintain the chief end of its existence,

In the Congress of the United States, and in the legislatures of the several States and Territories, it is exceptional to find members of the medical profession. Here and there, it is also true, only are found men who unite an interest in the political and physical welfare of the State. In a certain way we all seek that "good digestion which waits on appetite," looking for "health on both." But far more than in what we eat and drink, and put on and off, we digest our words and thoughts. Our laws are digested and have been from the order of the Roman Emperor Justinian, now nearly 1400 years since, to the present time. In food for the body, as in light and air for the abodes of men, the work to be done is to arrange, classify, dissolve and distribute whatever in the one case is nutritious from whatever is otherwise; and in preparing, if I am correct, whatever is put into the stomach for conversion into blood and into chyle or chyme; and in the other case the work to be done is to arrange, classify, work over and distribute, for the use of others, whatever is necessary in books and letters for the instruction of mankind.

For more than forty-five years of my life, as proprietor, editor and legislator, I have been engaged in the second class of this kind of work. To most of you belongs the more important work which may be presented in the three aspects of reducing the mortality among the people at large, of saving the peo-

ple from physical pain, and of curing the sick. If to do all this is not to make "a voyage of discovery" and "a circumnavigation of charity," then no such voyage can be taken in the journey of life. I can recall no work of equal value, nor any kind of labor calculated to promote so much human happiness.

In political governments the people are bound to seek and to enjoy, if they can, their political preferences for principles and for persons. Whether in majorities or minorities one side will govern and the other side will obey. The two sides are essential to the welfare of the State; but while this is true there are in all States and communities, unities and necessities, still more essential for the public good, and upon which there can be no safe divisions of opinion as to the proper uses of the authority of the State. We may have diversities of opinion as to the causes of diseases, remedies for their cure,—as to climates—and exposures, as to habits of living, the safety of buildings, the best methods of drainage, sewage and ventilation in dwellings and work-shops; but science and experience will in time solve all these differences into one practice or system, while in all that belongs to duty to be performed, or to culpability for neglect of duty commanded to be done in questions relating to the public health, there can safely be no divided counsels.

I place the subject of health as among the first, if not the very first, in the science of political economy. It is a question which belongs to the wealth of the nation and to the prosperity of the people. The man or scientist who is capable of discovering or curing disease, and whom by custom we define as a physician, is, in the established meaning of words, an experimentalist in physics and a natural philosopher. The doctor, in brief, is a person recognized, in law and practice, as one skilled in the art of healing the sick through the agency of proper medicines, and it is this healing of disease in its effect upon communities which covers and governs a material fact in political economy.

We know what ravages yellow fever has produced in this country and in the world, how many lives it has destroyed, how much misery it has produced and distributed, and how much wealth it has diminished. The lessening or removal of the prevalence of this great calamity has been partly the work of physicians and a large share of it belongs to the nursing of liberal and intelligent men and women. This work, often a volunteer service, was inspired by the noblest motives, and has again and again, and especially in this section of the country, produced the grandest results.

The State politically, but not in the sense of party politics, and the people personally, in every sense I need not say, have the deepest interest in what is called State preventive medicine. Disease among a large class is often but another name for poverty, pauperism, orphanage and bankruptcy. In Philadelphia in 1871-72 some 4500 people perished from small-pox. The reported loss in business there at the time, and from this disease, was \$16,000,000, besides a cash value in human lives of \$5,000,000 more. New York city was also a great sufferer at the same time and from the same cause, while Baltimore, Boston and Providence and other cities resisted the disease and prospered greatly, owing to a timely and thorough vaccination of the inhabitants.

The State imposes certain qualifications not only upon dealers in drugs, but upon physicians, before they can practice in the great art of prescribing suitable remedies for disease. A more important State duty is the enactment of wholesome laws to prevent disease. This is done without infringing upon the personal or political rights of any citizen.

The first duty is to remove the cause of all pestilences and epidemics, foreign or domestic; and where these unfortunately prevail the second duty is, by vigorous administrations of proper laws to prevent their spread and put an end to their existence. When the pleuro-pneumonia came into the United States from Holland—once the great depot of this disease in Europe—and when, to an alarming extent, it was carried into England, the realm, the State and the Federal governments did not hesitate to act forcibly and promptly for its removal. Holland, profiting by experience and energy, reduced by inoculation the disease to 1 or 2 per cent and finally stamped it out. If Massachusetts and other States have accomplished a great work in preventing the lung plague in cattle, what ought not all the States to do in preventing even a worse disease in men, women and children? To a woman of Massachusetts is due the honor of suggesting the first Board of Health in the United States. A decent care for the people by the State and a decent respect for the government by the people establishes reciprocal relations which no party can neglect. The lives, health and happiness of all classes of citizens depend upon these mutual observances of duty; and hence the existence of State boards of health all created by law to present, discuss and enforce obedience to the laws passed. The law, in all its provisions, is for the common good. It is a simple application of the science of medicine in the form of remedies or preventions to the people of the State. It teaches mankind not only the inestimable blessings of light and air and water, of ventilation and drainage in dwellings and places of business, but the absolute need of the best use of these great gifts in nature, chemistry and discovery.

It is demonstrated in the city from whence I come, by the president of the city Board of Health, that thousands of young lives have been saved yearly for ten years and more by the enforcement of health laws passed by the State. Recent laws relating to the tenement-houses will impart great comfort to their poor occupants and add largely to the number of lives saved. The death-rate of the city

now numbers between 20,000 and 30,000 each year, and one-third of this number of lives could be saved if the health laws could be enforced. Eminent physicians, verbally and in their written reports, assure me that one-third or more of the prevailing sickness in town and country could be prevented by the observance of sanitary laws. Mr. Edwin Chadwick stated three years ago, to the British Scientific association, that both the sick and death-rate had been reduced one-third by the practice of sanitary laws, and that the death-rate in the old districts had come down to 16 or 17 in each thousand deaths; and he declares that in new districts, with no overcrowding and with a proper supply of water and surface cleansing, that the death-rate can be reduced to 10 in the thousand, which is nearly two-thirds less than the mean death-rate among the general people.

More remarkable than even this encouraging promise, but resting upon the common sense rules of fidelity in public service—and adding, perhaps, a becoming sympathetic interest in the happiness of mankind—is the statement that in well-governed institutions for children between the ages of three and fifteen years, the death-rate can be reduced to two-thirds of the number generally prevalent, or to three in each 1000 children, and with a corresponding immunity from all common epidemics. Even in the British reformatory prisons, by the careful use of preventive medicines, the death-rate has been reduced to three in the thousand, with a general exemption from diarrhoea, dysentery, typhus fever and eruptive diseases. The diseases belonging to the respiratory organs are also reduced by care to one-half.

The cholera epidemic which prevailed in England in 1832 frightened the people there into the necessity of securing more of the dependences of life than had before been enjoyed. The panic of a scourge, like most other panics, prompted many of the people to put on their thinking caps, and from the consequences of the cholera came in the course of ten, twelve and fifteen years valuable government reports and laws. These laws, if Dr. Bowditch be correct, are in advance of the laws of all other countries; and one man, Dr. Farr, has been the bright particular star in this work of sanitary reform, not only for Great Britain, but in many other parts of the world. If disease spreads by contagion, so also good example and benevolence inspires imitation and secure their reward. The great pioneers of the world in discovery and work have proved its greatest benefactors, and to the good beginnings at home and abroad we owe to-day the existence of twenty-four State boards of health in the thirty-eight States of the Union, and all these have been established within twenty years. Lord Beaconsfield spoke the truth for his own country when he said, as prime minister of England, three years since, that "the health of the people is the first duty of the statesman." This sentiment is at least equally true in a country of such enormous proportions as our own, and daily increasing, not only from its own inherent growth, but as the destined home of so many millions of people in the old world.

The government and the States are not asked for what so often excites and thrills the body politic by the possession of place,

patronage and power, but simply to engage in the paternal works of saving the lives and promoting the health of the people. The appeal is to the common sense and practical humanity of members of Congress and of the Legislatures of the States, some of whom as in Mississippi, Alabama and Texas have already performed a work of moral and social importance, not only to the people of their own States, but in the way of example to all non-acting States. The motives for the needed work are the highest of our best natures, "since the greatest good of the greatest number of the people," is all that is asked.

If, when governed by such considerations, the people refuse to act, the law here as abroad must take its course, and penalties imposed for its violation. Nor is it enough, as expressed a hundred years ago and more by Edmund Burke, that "men mean well. It becomes them to do well." You are asking nothing new of States. Centuries ago the republics of Greece and Rome had their sanitary laws, and the argument then as to-day, as a part of the important work of the period, was that physical culture would secure physical health. The old Romans had their systems of ventilation, drainage and sewerage, their splendid aqueducts, baths and pavements, and all of them promoted the comfort, convenience and health of the people. Sanitary law also was a part of the Mosal law, and in practice better at times than the customs in very many of our own American towns and cities in the closing years of the nineteenth century of the Christian era.

Among the lost arts and blessings of mankind unfortunately were the lost codes of laws relating among other things to the public health. The code of Justinian and the laws of Lycurgus, with laws for justice and health, went into decay, and for a thousand years and more books and learning, and in a certain sense, deeds of practical charity, were confined to the monks. It was long a forgotten lesson among general teachings that "cleanliness was next to godliness," and therefore a very close neighbor to all kinds of practical piety. Hence, and clear up to and far into this nineteenth century, came agues, malaria, small-pox, cholera, scurvy, plagues, and pestilences, and all the inherited ills of life to which, from negligence and ignorance, flesh and blood are exposed. Happily for the world public opinion is now aroused in the interest of the public health, and the subject reaches us to-day in the threefold form of economy, thrift and morals.

If, as alleged by way of criticism, the health service is costly, it can be proved to be the best possible investment to meet the cost. We begin in the New York State Board this year with an appropriation of \$15,000, and it may be more or less hereafter. The City Board of New York asks for the year 1881 the sum of \$253,363, and it is money so well invested that in buildings, institutions, in saving health and lives, it will save more money to the city, in income and taxes, than any investment of the most skillful financier in Wall street. If to this result the money value of life is counted, the five or six thousand lives yearly saved will run into some millions of dollars. In Great Britain they place this kind of value upon human existence, just as we say in the United States that the cash value of every

able-bodied immigrant from the Old World is \$1000. There Dr. Farr—perhaps the highest authority in the Old World—placed, in his reports as the registrar general of the government, the money value of each man, woman and child in the United Kingdom at \$795. The neglected preventable deaths in England and Wales during the school period, apart from infant mortality, makes a loss to the State of \$95,000,000! The British life insurance companies and friendly societies also give the money value of work lost by sickness. For every death there were, as proved on careful investigations by the government, two persons always sick and disabled, thus making a loss for each death of 730 days in each year. This result is reached by placing the minimum of the entire population at the sum of \$795 here named, and to these figures are added 50,000 lives lost annually in the school age in England and Wales, which might be saved. But such statistics are exhaustless, and I must soon leave them for more practical conclusions.

In considering the subject of State law and personal work it will be wise to recognize the principle in regard to disease—especially is this true in cases of quarantine—that it is not places but principles which secure public health. This rule applies alike to the ship, the shop and the home. Ship fever under proper treatment and practice has become what Dr. Vanderpoel has called almost a mythical disease, and by simple cleanliness it is now easily mastered.

Cholera, though not mastered by being stamped out in the same way, is often under control, and its spread into towns and States and along the coasts and rivers can be prevented. It always comes from importation. Importation, if need be, can be forbidden, and by law and care its spread, if it should come, can be prevented. When in 1832, 1848, 49, 1854, 1865-66, it entered the United States and Canada, it traveled as fast as travelers could be borne by steam to the far West, and left its footsteps of sorrow all along the road, from New York and Quebec. So also in 1848 it entered New Orleans from Havre, and forced its way all along the Mississippi, reaching towns and cities 1000 miles apart, and, surviving the winter, it pursued its ravages over land and water in 1849-50. Had the United States, or Louisiana alone, possessed powers given them under existing laws, no such disaster could have occurred.

Sanitary laws properly executed I need not say in this place have prevented and can prevent the spread of cholera. The law, however, must be supreme, and not only supreme but cover districts, precincts, towns, counties, States and governments, even to the interposition of international authority. There must be the *ordon sanitaire*, as along the vast frontiers of Russia, and maritime law in the hands of faithful officials, and these officials must be sanitary officers, as we have seen them upon the Red sea and the Mediterranean, at Medua and Mecca, keeping back and pushing forward the hundreds of thousands of Mussulman pioneers, who, but for the law and its vigilant observance, would bear disease and death wherever their footprints are found.

What John Stuart Mill calls "the limits of the province of government" we must agree,

whether spoken of the State or of the citizen, excludes no good work. It may and should exclude all those needless forms of non-intercourse common to the middle ages and to later periods of time, and all oppressive methods of administration, as when petty despots govern the people; but whatever is needed for the absolute good of the people in establishing and maintaining the public health must be done. If the law is a bad one, repeal it because it is a bad law, or amend it until it becomes wise and timely. In New York we have a compulsory law requiring vaccination, but it is a dead letter except in a single city, and vaccination is generally reduced to deeds of charity or to simple individual volition, even when the public welfare requires obedience to the public statute. It is the cost to the State that some people complain of, but as a question of State economy I hope I have removed this objection. The real State cost in all the United States at present is less than \$5000 for each million of inhabitants, and the saving covers the cost ten times over. The civil war destroyed 600,000 persons. Sicknes wastes more than war—20,000 a year in London and 120,000 in the United Kingdom, and if recurred figures from medical men are true 700,000 years of individual human life are yearly lost by preventable neglect among the 5,000,000 of people in the State of New York, and 70,000 years of human life are also wasted every year there by sickness, and New York is no worse off than other States of the Union. These lives fall short ten years each of what they should be. So in England also we read the important truth that in the healthy districts of the kingdom persons who reach the age of twenty years pass on to the good old age of three score and three years and nearly a half; while in the general districts death comes within forty-five years. The annual money loss of this single death record, coming from ignorance, neglect and crime, is stated at nearly \$50,000,000, besides the loss from impairment of health and from poverty among those not positively dead.

When it is known that in small-pox, isolation and vaccination provide a certain cure for a loathsome disease, the existence of which is concealed where it notoriously is, the law or its officers are at fault. When it is also known that bad air produces bodily and mental disease and that proper ventilation, heating and water supply are remedial measures, it is the duty of the law put in practice to point out and remove the evil. The law in some of our cities at least prescribe where houses shall be built of brick or stone only, and if it is a wise law may not the construction and drainage of dwellings and workshops also be regulated by law? Mr. Edwin Chadwick says that by following out a correct principle three houses may be well drained at the present cost of one, and Mr. Edward Atkinson, also good authority, declares that unsafe buildings cost more to construct than fire-proof buildings. It is proposed in England to guarantee dwellings as safe to live in on the score of health, and simply by evidences of proper construction and drainage.

When sewer gas poisons the blood and produces dysentery and malaria in other forms, who shall condemn any proper law intended to prevent poison and self-inflicted murder? So in regard to

adulterations of food. Take, for example, the simple article of candy, much of which is reported to be made from grape sugar, glucose and terra alba, the latter being sold at one cent a pound and the former at four cents a pound, where granulated sugar costs by the barrel ten and a half cents—the cheaper candy may be impaired by impurities from fifty to seventy per cent. It is a public duty to resist all impurities, both in the food we eat and in the contaminated air we breathe; in all dwellings, and all work-shops, and in all that is around them; and let me say in speaking, alike for the State and citizen, that “obstacles” is the only safe rule of action.

This subject addresses itself to the hearts, minds and bodies and estates of every man and woman in the land. The real wealth of a nation is counted not in mines of gold, silver and coal, nor in the more useful metals of iron, lead, copper and tin; nor yet in the millions of acres of land cultivated by between five and six millions of our people; nor in the work produced by half this number of persons employed in the manufactories and workshops of the people; nor yet alone in the treasures brought up from the depths of the sea, or borne upon the two oceans which surround us; nor from or upon our grand lakes and large or limited rivers. These are vast, grand and stupendous sources of material wealth and of physical greatness. But, as far above them all as the heavens are from the earth, as a simple question of value, is the general health of the people. Here alone is true manhood, real civilization, contentment in life, peace and rest in the family, pervading happiness and substantial good-will among men. Here alone the personal man is the temple of the undying soul, and only the purified abodes of men are fitting habitations for this vital principle.

We sum up, in conclusion, the duties of the Federal government and of the State in the following order:

1. Supervision over the health of the entire people; peaceably if it can be done, forcibly if necessary. Where the Federal government has authority, as upon the sea, lakes, rivers, over forts and arsenals, over the army and navy, in the legislation for commerce, international and internal, especially in regard to infected vessels, over animals exported and imported, this authority belongs to Congress. It has been proved, I think, after the most laborious investigations for nearly two centuries past in this country, that the epidemics appearing among us have been traced to importations. If epidemics in this and other gulf cities seem to disprove this fact, the seeming exception is due to the bad sanitary condition of the localities named, or to the fact, as stated by Dr. Vanderpoel, to the germs of disease concealed and dormant in some cellar or room not reached by the purifying air of heaven in the place where the disease exists. The port of New York, for four months of the year, has been as much exposed as New Orleans to yellow fever, and it has been kept away from New York, not by any system of non-intercourse, but simply by the practice of correct principles of quarantine by vigilant and capable officers of the State.

Second—State governments are clothed with power over the health of the people within the commonwealth and over all the territory where the Federal government is

without jurisdiction. The colleges and schools of the State, its institutions of charity and learning, its prisons and reformations, its codes and laws, all that belongs to roads, avenues, parks, canals, docks, piers and even to public and private dwellings, when legislation is needed for health, belongs to the parental care of the State. Epidemics are to be treated like public enemies, and often they are worse than armed foes because more insidious and beyond observation. They come in foul sewerage, polluted streams and corrupted wells of water. They come also like a thief in the night and steal away those jewels of the household, the little ones, whose lives are more precious than all the wealth of the State. To prevent adulterations in food and drugs—not practiced I hope and believe to the extent reported or suspected—is another of the State duties. To clothe boards of supervisors and trustees in towns and villages, and mayors, common councils and health boards in cities, not only with ample power in regard to health but to require them to pass and enforce ordinances, is a positive duty of the State. A State department of health is essential to secure these results, and in its action it must be impartial, effective, vigorous, determined, and take no step backward.

Third—While Federal and State governments are bound to do what is here suggested, a higher law or duty rests upon the women of the household and upon faithful men of business. When a woman suggested the first Board of Health in the States the appeal only came when a typhoid fever was discovered in a seminary of learning at Pittsfield. The State cannot secure obedience to law without the sympathy and co-operation of the people. Light and air, cleanliness and order, are the great preservers of health, and the wives, mothers and daughters, as the necessary mistresses of our dwellings, can best serve the State when they secure the greatest possible health in their own homes. Dr. Farr prescribes the right remedy when he says that "health at home is health everywhere," and when he adds as his conclusion from experience "that the whole future sani-

tary movement rests for permanent and executive support on the women of the country." If it be true, as stated by the president of the State Board of Health for Connecticut that "the predisposing causes of insanity in the United States can be traced to malign influence on childhood," no wonder that we have from Dr. Wilbur, of New York, the startling record that there are 50,000 lunatics in the country, nor that we are behind England, Germany and the age in which we live in our treatment of this class of unfortunate people.

Finally, a word as to quarantine. Commerce cannot be forbidden; but it may be regulated when hurtful to health. At best, however, State law is only a relative guarantee of the public safety. Quarantine and commerce are naturally enemies, and the State must regulate the relation between the two—the State always insisting, that as far as possible the public health within its borders shall be permanent. Every nation and every State has the right to use intelligent ways and means to preserve health over all its borders, and the Federal government also has rights which must be respected and laws which must be obeyed. There are natural, legal, wise and conservative lines between nations, States, municipalities and towns. Where the death-rate in England is 19.9 in the 1000, in Austria 31.3, and close on to the latter number in all parts of Italy, official action is demanded in the name of public safety.

Drawing then only the proper lines between nations, States and local authorities as a question of commerce, all in established authority may, under the administration of wise laws, be able to say to Congress for all rivers passing between different States, and for all lakes bordering upon these States, and for the great highways on the ocean touching our American land—

Bid harbors open, public ways extend;
 Bid temples worthy of the gods ascend;
 Bid the broad arch the roaring flood contain;
 The mole extended break the roaring main;
 Back to her bounds the subject sea command,
 And roll obedient rivers through the land.

