

1874. He was graduated from the Northwestern University in 1868 and spent a year or two in European travel. In 1871 he entered the Chicago Medical College and completed the course two years later.

Dr. Henry Cropsey Cooper, a son of Dr. Edward C. Cooper and a nephew of Peter Cooper, died last week at his home in Woodridge, N. J. He was born in 1829, was a graduate of the College of the City of New York and the College of Physicians and Surgeons, and served as a ship surgeon for several voyages on a sailing vessel between New York and Liverpool. He was a practicing physician in this city when the civil war broke out, and entered the Union army as captain in a company of the 7th New Jersey Volunteers. Dr. Cooper was wounded and was a prisoner for a time in Libby prison. After the war he became associated with his cousin Edward Cooper, and Abram S. Hewitt, in various iron works and mining enterprises. Dr. Cooper had a summer home in Woodridge, and at one time lived in Boiling Springs. His death was due to cancer of the stomach. He leaves a wife and one daughter.

Dr. Thomas R. Dupuis, surgeon to the City Hospital of Kingston, Ontario, died June 27, aged 60 years. He was vice-president of the Canadian Medical Association in 1886, and had been since 1871 one of the professors of the Royal College of Physicians and Surgeons, Kingston. He was a member of the Royal College of Surgeons, England. He was a facile writer both in verse and prose, and an eloquent and instructive lecturer.

Dr. Henry Fisher, a well known dentist of St. Louis, died Aug. 2.

Dr. Perkins Bigelow, died at Mansfield, Ohio, Aug. 4, 1893.

Dr. J. D. Seawright died at Frankfort, Mo., Aug. 7.

DOMESTIC CORRESPONDENCE.

An Admonition.

EVANSVILLE, IND., Aug. 2nd, 1893.

To Whom It May Concern:—Boast not, my brother, nor be too greatly elated over your erudition, skill and ability in matters medical, for the facts thou knowest not, are many times more numerous than the facts of which thou art cognizant, and the time is yet when men are greatest according to their ability to conceal their ignorance under the habiliments of learning.

J. B. WEEVER.

Pass Him Around.

BENTON HARBOR, MICH., Aug. 5th, 1893.

To the Editor:—Dear Sir—It may be outside the province of THE JOURNAL to publish "dead beats," but, if you think it worth while I would like to warn the fraternity against one C. H. Warner, who claims to be a poor doctor from Florida going to relations in the North, but his wife being taken sick on the way, his money was used up, and he is unable to go on with his sick wife and three small children. This story seldom fails to secure enough from sympathetic physicians and dentists (whom he also works) to enable him to go on (probably) toward the "Fair."

He refers to Friendship Lodge K. of P. of Gainesville, Fla. for his standing as a gentleman, but there is no such lodge, and the Mt. Vernon Lodge, No. 20 of that city know of no such man. If this is of any use to you and you can save any of the fraternity from becoming swindled,

I am respectfully, WAKEMAN RYAN, M.D.

MISCELLANY.

The Railroads and the Board of Health.—The following is the full text of the decision of the Michigan Circuit Court to which we referred in our last issue:

Circuit Court of the United States, Western District of Michigan, Northern Division Minneapolis, St. Paul & Ste. Marie Railway Company vs. Samuel G. Milner et al., Members of and constituting the State Board of Health of Michigan.

On motion for a preliminary injunction before Judges Severens and Sage, the bill sets forth that the complainant, a corporation of the State of Michigan, is and has been for several years past engaged under a traffic arrangement with the Canadian Pacific Railway Company in the transportation of passengers on through tickets from Quebec westward through Canada, and over the line of the complainant's railway to and through the States of Michigan, Wisconsin, Minnesota and North Dakota, also eastward from those States through Canada to Quebec, a large portion of the passengers westward being persons traveling from Norway and Sweden to points in said States.

The defendants it is averred constitute the State Board of Health of Michigan acting under an Act passed by the legislatures of said State, and approved June 20, 1883, entitled an Act to provide for the prevention of the introduction and spread of cholera and other dangerous communicable diseases as amended by an Act approved April 25, 1893. The bill has attached to it as exhibits a copy of such of said acts and of certain rules adopted by said Board purported to be issued under and by virtue of the authority conferred by said Amending Act. It is further averred that said Board acting through its secretary and one of its inspectors, and in pursuance of said rules, is daily detaining and attempting to detain passengers on said Canadian Pacific Railway at the point opposite Sault Ste. Marie, Mich., and prohibiting their entering the State of Michigan until they have undergone the quarantine detention and until the disinfection of their baggage as prescribed in said rules. It is averred that this detention, examination and process of disinfection of baggage is applied to all emigrants irrespective of whether they came from an infected or healthy locality abroad and without regard to their point of destination. It is further averred that all said emigrants and travelers have been before said detention inspected by United States officials detailed for said purpose and that complainant has not received nor permitted to be conveyed within the State of Michigan any passenger, traveler or emigrant coming from any European port through the Dominion of Canada excepting such as have presented a certificate of inspection of the United States Inspector. It is also averred that said Board is threatening to arrest officials and employees of complainant unless complainant shall submit to and comply with said requirements of said Board.

The claim is that the rules and action of said Board of Health are in direct violation of Section 8, Article 1, of the Constitution of the United States, in that they attempt to regulate and prohibit commerce with foreign nations; and that they are also in violation of the treaty made by and between the United States and Norway and Sweden, and now existing; also that they are over above, and beyond the powers conferred upon said Board by said Act and Amending Act of the Legislature of Michigan.

The bill then sets forth averments of irreparable damages and prays for an injunction.

The motion for a preliminary injunction will be overruled for the following reasons:

1. In *Brown vs. Maryland*, 12 Wheaton 419-433, Chief Justice Marshall recognized that the removal or destruction of infectious or unsound articles was undoubtedly an exercise of the police power of the State, and an exception to the prohibition resulting from the exclusive power of Congress to regulate the operations of foreign and interstate commerce, and he says that laws of the United States expressly sanction the health laws of the State. In the license cases 5 Howard, 504, 576, Chief Justice Taney declares that it must be remembered that disease, pestilence and pauperism are not subjects of commerce although sometimes among the attendant evils. They are not things to be regulated and trafficked in, but to be prevented as far as human foresight or human means can guard against them. In *Geatcher vs. Kentucky*, 141 U. S. 47, Justice Bradley refers to these cases with approval and states with great clearness and force the distinction between the exercise of its police