

#### ARTICLE 4. VENEREAL DISEASES

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§ 1295. [1] **Venereal Diseases; Definition and Nature; Prostitution.**—Syphilis, gonorrhea, and chancroid, herein designated as venereal diseases, are hereby declared to be infectious, contagious, communicable, and dangerous to the public health. Prostitution is hereby declared to be a prolific source of such diseases; and the repression of prostitution is hereby declared to be a health measure.

§ 1296. [2] **Investigations by Local Health Officers.**—It shall be the duty of all municipal and county health officers to use every available means to ascertain the existence of, and to investigate all cases of syphilis, gonorrhea, and chancroid, coming within their respective jurisdictions, and, when it is

necessary, have all such cases treated, if they are not already under treatment, and to ascertain the sources of such infection, and to institute measures for the protection of other persons from infection by such venereally infected person, or from persons reasonably suspected of being so infected, and for the protection of the public health at all times, and to this end said health officer, if he be a municipal health officer, may designate any member of the city police or health department to make any investigation contemplated hereunder; and, if a county health officer, he may designate any discreet person to do so; and while such persons are conducting such investigations they shall have all authority necessary for the purpose, the same as the health officer himself.

§ 1297. [3] **Medical Clinics and Detention Houses.**—In order to carry out the provisions of the last section, any health officer may, if he be a municipal health officer, with the consent of the municipal council or other body having proper authority, or if he be a county health officer, with the consent of the county commissioners or other tribunal, establish, either independently or in cooperation with other agencies, one or more medical clinics within their respective jurisdictions, and may also, with like consent, establish or provide one or more places for detention and quarantine of such persons as may come within the purview of this article.

§ 1298. [4] **Evidence of Infection.**—The following shall be prima facie grounds and reasons for suspecting that such persons are infected with a venereal disease, that is, with syphilis, gonorrhoea or chancroid:

(a) Being a common prostitute, that is, a person commonly reputed in the neighborhood where he or she lives as practicing promiscuous sexual intercourse, whether such person be male or female;

(b) Being a person known to be associating with prostitutes;

(c) Being a person who has been convicted in any court, or before a police judge, or before a justice of the peace, upon any charge growing out of sex-immorality, such as keeping a house of ill-fame or bawdy house, or loitering in any such house, or of street-walking, fornication or adultery;

(d) Being a person heretofore arraigned upon any charge as set out in the last subsection, where the evidence does not justify a conviction but does raise the inference that such person is infected with a venereal disease;

(e) Being a person heretofore reported by a physician as infected with a venereal disease, where such person is afterwards reported as having failed to return for treatment;

(f) Being a person designated in a venereal disease report as the source of such infection of the person reported.

§ 1299. [5] **Examination of Convicts.**—When any person has been tried and convicted in any police court, or in any criminal or circuit court, or before a justice of the peace, upon any charge or offense growing out of sex-immorality, such as has been set out in the last preceding section, said person shall not be released from custody by the judge, justice, or police officer trying the case until the local health officer having proper jurisdiction has been notified and has had time to make all necessary tests and examinations to ascertain whether in fact such person is infected with a venereal disease, and all necessary expenses for holding such person in custody pending

examination and treatment, if needed, shall be a proper charge against the municipality, if the offense was committed within it, or against the county in which the offense was committed, if committed outside of a municipality; and every municipality, whether it be a county seat or not, shall be liable under this section.

§ 1300. [6] **Reports by Physicians.**—It shall be the duty of every practicing physician or other person who makes a diagnosis in, or treats a case of, syphilis, gonorrhoea or chancroid, to make two reports of the case, as follows: One report shall be made to the local municipal health officer, if the party for whom the diagnosis was made or case treated lives within any municipality having a health officer, and if the municipality has no health officer, or if the party lives outside of a municipality, then to the health officer of the county in which such person lives; the second report shall be made to the director of the bureau of venereal diseases of the State. And every superintendent or manager of a hospital, dispensary, or charitable or penal institution in which there is a case of venereal disease shall report the same under like conditions.

The reports above required shall state the street number and address of the person reported as diseased, the age, sex, color, marital state and occupation of such person, the date of the onset of the disease, the source of infection, whether said disease is in an infectious stage, and whether the person reported is at the time of making report engaged in any occupation forbidden under this article and hereafter mentioned. The reports, when made out, shall be mailed or handed to the parties to whom they are directed to be made within forty-eight hours after a diagnosis is made or treatment started; and the municipal health officer or county health officer, as the case may be, shall file and preserve said reports, and they shall be open to inspection by the director of the bureau of venereal diseases of the State, or any proper person, an employee of said bureau, whose duties may be connected with the enforcement of laws against venereal diseases, by any member of the state public health council, and by local health officers, or officers whose duties are connected with executing the laws against these diseases.

§ 1301. [7] **False Report or Information.**—Any physician or other person required to make reports of a venereal disease hereunder, or who is required to report the failure of any patient to return for further treatment, who fails or refuses to make any such reports, or who knowingly reports a person under a false or fictitious name or address, or who makes any other statements on any report which he has reason to believe are untrue, shall be guilty of a misdemeanor, and shall be punished as hereinafter provided; and each report that should have been made, and each name that should have been given, and each address that should have been given, or have been wrongfully reported or given, shall be a separate offense; and a second conviction of a physician for failure to comply with any provision of this section shall be sufficient ground and reason for the state public health council to revoke the license of such physician. Any person suffering with a venereal disease, whose name is required to be reported hereunder, who gives to the physician or person required to make reports herein required a false or fictitious name or address, or who shall fail or refuse to answer any proper question required to be reported hereunder, or who makes any false state-

ment in answer to any such question, shall be guilty of a misdemeanor, and shall be punished as hereinafter provided.

§ 1302. [8] **Blanks and Fees for Reports.**—It shall be the duty of the local health officers to furnish report blanks to physicians or other persons who need them, for the purpose of making reports required to be made to them, and of the director of the bureau of venereal diseases to furnish blanks for reports to be made to the said bureau; and counties and municipalities may, if they choose, pay persons, for making such reports as are to be made to county and municipal health officers, the sum of not to exceed twenty-five cents for each report so made.

§ 1303. [9] **Treatment.**—It shall be the duty of every physician or other person who examines or treats a person having syphilis, gonorrhoea, or chancroid, to instruct said person in measures for preventing the spread of such disease, and to inform him of the necessity of taking treatment until cured, and all such persons who were examined and found infected, or are being treated as above set out, shall follow such directions and take such precautions as are necessary and are recommended, and every person starting to take treatment shall continue such treatment until discharged by said physician or other person treating him, and any failure to return for further treatment within ten days after the last date set by said physician or other person for said patient to return for further treatment, without lawful excuse therefor, shall be a misdemeanor and such person shall be punished as hereinafter provided. After the ten days mentioned above for the patient to return for treatment shall have expired, the physician or other person to whom said patient should have returned for treatment shall, unless he has knowledge of good reasons why said patient failed to return, make a report of the facts in the case to the local health officer having proper jurisdiction, and said local health officer shall at once make an investigation to ascertain why said patient failed to return, and shall take any steps necessary in the matter to protect the public health, and to this end he may arrest, detain and quarantine said patient so failing to return for treatment.

§ 1304. [10] **Minors.**—Whenever a venereal disease report shows that the person infected is a minor, the local health officer to whom the report is made shall at once notify the parents of such minor of the facts appearing upon the report, or the guardian, if there are no parents, and if the minor be under eighteen years of age, said local health officer may notify the judge of the juvenile court, or other court having jurisdiction, and if the parents or guardian fail or refuse to assist in controlling the minor and securing treatment therefor, and if, after five days from the time said parents or guardian should have received said notice, nothing has been heard from them, said local health officer shall take any other steps necessary to protect the public health.

§ 1305. [11] **Precautions as to Exposure to Disease.**—Whenever any attending physician or other person knows or has good reasons to believe that any person having syphilis, gonorrhoea or chancroid, is so conducting himself or herself, or is about to so conduct himself or herself, in such manner as to expose other persons to infection, such physician or other person shall at once notify the local health officer having jurisdiction of the facts in the case, giving the name and address of the party; and said

local health officer upon receipt of such notice shall at once cause an investigation to be made to ascertain what should be done in the premises, and may do whatever is necessary to protect the public health.

§ 1306. [12] **Persons Not under Treatment.**—Where a venereal disease report shows the person is suffering with such disease in an infectious stage, and is not under treatment, the local health officer shall at once investigate and ascertain whether such person so reported is conducting himself so as to expose others to infection, and shall take such action as is necessary to protect the public health, and may arrest, detain and quarantine such person if necessary.

§ 1307. [13] **Sources of Infection.**—Whenever it shall appear from any venereal disease report made by a physician, or other person, or otherwise or whenever other reasonable facts are brought to the attention of any local health officer having proper jurisdiction which show that any hotel, boarding house, rooming house, or other house, place or thing is the source of infection of a venereal disease, without such report or other facts showing the particular person or thing therein as the source of such infection, then the local health officer shall at once notify the owner, proprietor or person operating, running or managing said hotel, boarding house, rooming house, or other house, or place, of the essential facts in the case; and if the place reported as being the source of such infection be a place or house, commonly reputed in the neighborhood to be a house or place of prostitution, or house or place of like character or kind, or is commonly known to be such by the police of the city (if in any municipality), then the proprietor, manager or operator of such house and all the inmates therein shall be apprehended and dealt with the same as other persons are arrested, detained, examined, quarantined, and treated, if found infected with a venereal disease.

§ 1308. [14] **Issuance of Warrant or Order as to Custody.**—Upon receipt of a written report or of any other reliable information by the local health officer that any person infected with a venereal disease in an infectious stage is conducting himself, or herself, or is about to conduct himself or herself, so as to infect others, or expose others to infection; or that a person infected with a venereal disease under treatment; or that any person is a prostitute, or person associating with prostitutes, and is reasonably suspected of being infected, or of conducting himself or herself so as to infect others; or that a person has been convicted in any court or municipality, or before a justice of the peace, of an offense growing out of sex-immorality; or that a person is being held by any court, municipality, or justice of the peace, pending an examination for a venereal disease; or that a certain person has been reported in a venereal disease report as the source of a venereal disease; or when any other facts are brought to the attention of the local health officer having proper jurisdiction, showing that any person is reasonably suspected of being infected with a venereal disease, or is about to conduct himself or herself so as to infect others, said health officer shall at once issue his warrant or order, if the party be not already in custody, and shall proceed as hereinafter provided.

§ 1309. [15] **Form and Execution of Warrant.**—Such warrant or order mentioned in the preceding section shall be directed to the chief of police if within a municipality, or to any sheriff or constable if without, or to any other

officer qualified to execute process, directing said officer to apprehend the person mentioned therein, and to bring said party before the said health officer at a time and place set out in the warrant or order, there to be further dealt with as provided by law; and said officer to whom the warrant is directed shall execute the same as are other papers of like character or kind. And pending a hearing in the matter said officer may for safe-keeping, lodge said person so apprehended under warrant, in jail, or in any other place of detention that may have been provided for such persons; but the health officer may by indorsement on the warrant at the time of its issuance direct any other disposition to be made of the person arrested, before trial, as to him shall appear proper, and said officer executing the warrant shall be guided thereby, but said officer shall not be held responsible should the person arrested escape. Said warrant above required to be issued shall be sufficient if it is in words and figures as follows (the blanks to be filled as necessary in each case):

State of West Virginia, Office of \_\_\_\_\_  
County (or City) of \_\_\_\_\_ County

To \_\_\_\_\_, Chief of Police, Sheriff or  
Constable of \_\_\_\_\_ City, County of \_\_\_\_\_

It having been brought to the attention of the undersigned health officer for (city or county) of \_\_\_\_\_ West Virginia, that \_\_\_\_\_ reported as living or residing at \_\_\_\_\_ in said (city or county), is infected, or is reasonably suspected of being infected, with one or more venereal diseases, to-wit: syphilis, gonorrhoea, and chancroid, by reason of the fact that said \_\_\_\_\_ has reported as (set out any reasons set in section 14, (§1308) or other reasons) \_\_\_\_\_

and therefore reasonably suspected of being so infected; and as such diseases have been declared to be infectious, contagious, communicable, and dangerous to the public health.

These are therefore to command you to apprehend the said \_\_\_\_\_ if found within your baliwick, and to bring \_\_\_\_\_ before me at my office in the city or county of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_M., there to be further dealt with as provided by law.

Given under my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Health Officer or Commissioner.

City (or County) of \_\_\_\_\_  
West Virginia.

§ 1310. [16] **Hearing on Warrant; Detention.**—When a party is brought in for a hearing upon arrest under the warrant provided in the preceding section, the health officer shall at once proceed to ascertain the facts in the case, and to this end he may summon witnesses, and administer oaths to such witnesses touching their testimony, and may commit for contempt for failure to answer proper questions, and may, if proper, discharge the party from further custody; but if from the testimony it appears that the party so apprehended is properly classifiable under any sub-division of section four (§ 1298) of this article, touching persons reasonably suspected of being infected with a venereal disease, then such party shall not be released from custody until proof has been made showing the party is already under treatment from a reputable physician, or other person, or until an examination has been made to ascertain whether in fact said party is so infected, and results of all tests and examinations are known, and shall make all orders touching the care, custody, and examination of the party as are reasonably necessary in the premises, and if it is found that said party is infected, then he may make any other orders that may be necessary touching the treatment of such party, and if said party is suffering with one or more venereal diseases in an infectious stage, said party shall not be released from custody until the diseases are past such infectious stage, and said party may be detained or quarantined in any place or institution provided for the purpose, or in the patient's own home if the health officer thinks best; and if no other place is available for such purposes, then such party shall be detained in the city or county jail, as the case may be. And it shall be the duty of every city and every county in the State to take this contingency in hand when they are making up their estimates for taxation and levy purposes and to provide therefor.

§ 1311. [17] **Release from Detention.**—If as a result of the tests and examination provided to be made in the preceding section, it is shown that the party so examined is suffering with a venereal disease, not in an infectious state, said party may be released from further detention upon signing the agreement herein required to be provided, and which agreement shall be signed by the persons who have become non-infectious under treatment and detention, but who have not been cured. All persons signing the agreement mentioned above shall observe its provisions; and any failure to do so shall be deemed a misdemeanor, and shall be punished as hereinafter provided. The agreement mentioned above shall be sufficient if in words and figures following, after the blanks have been filled to suit each individual case:

Agreement to be signed by persons who are suffering with a venereal disease and are to be released from detention or quarantine, before being cured, or by persons who voluntarily submit themselves for treatment to the health clinics as provided by law:

State of West Virginia,

County (or city) of \_\_\_\_\_

Witnesseth, That I, \_\_\_\_\_  
residing at \_\_\_\_\_ in the county of

\_\_\_\_\_, State of West Virginia, do hereby  
acknowledge the fact that I am at this time infected with a venereal disease,

to-wit: with \_\_\_\_\_ and that I agree to place  
myself under the care of \_\_\_\_\_ within \_\_\_\_\_

\_\_\_\_\_ hours hereafter, and that I will remain under treatment of  
said physician or clinic until released by the health officer of \_\_\_\_\_

\_\_\_\_\_, or until my case is transferred with the approval of said health  
officer to another regularly licensed physician or approved clinic; and that I  
further agree to report to the health officer above, within four days after be-  
ginning treatment from the above physician or clinic, of the medical treatment  
applied in my case, and that I will report thereafter as often as may be re-  
quired of me by the health officer; and that I further agree to take all of the  
precautions recommended by the health officer to prevent the spread of the  
above disease to other persons, and to this end that I will perform no act that  
might expose other persons to the above disease; and that I further agree, until  
finally released by the health officer, to notify him of any change in my  
address, and to obtain his consent before moving my abode outside his  
jurisdiction.

Witness my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_  
(Signature of Patient)

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_  
(Local Health Officer)

§ 1312. [18] **Employment of Infected Person.**—It shall be unlawful for  
any person having a venereal disease in an infectious stage to be engaged as a  
barber in any barber shop in the State, or to be engaged in any capacity in any  
bakery in the State, or to be employed at any hotel, restaurant, eating house,  
lunch counter, or other public place, as a cook, or cook's helper, or as a  
waiter, or in any other capacity whatever, where he may come in contact with  
food about to be served; and it shall be the duty of every physician or other  
person reporting a case of venereal disease hereunder required, to state in  
said report whether or not said person so reported is so engaged, and if so,  
to give the place where such party is so employed; and it shall be the duty  
of the local health officer, upon receipt of a report showing a person is so  
engaged, at once to notify the party to discontinue such employment; and  
if said party so notified fails or refuses to discontinue, such employment  
within twenty-four hours after notice, then the party or parties employing  
said infected person shall be notified of the fact, and if such employer fails

or refuses to take steps to have such infected person discontinue work within twenty-four hours after receiving notice from the health officer, he shall be guilty of a misdemeanor, and every twenty-four hours thereafter that such infected party continues in the employment of said employer shall be a separate offense upon the part of said employer. In the meantime said health officer may, if the infected party is not under treatment, have the infected person arrested, detained and quarantined, or otherwise dealt with as may seem best to said health officer.

**§ 1313. [19] Voluntary Submission to Examination and Treatment.—** Any resident of the State may at any time report to any municipal or county health officer having jurisdiction of the case, and voluntarily submit himself to all tests and examination as are necessary to ascertain whether in fact the person submitting himself for examination is infected with a venereal disease; and said health officer to whom any party has applied as above for tests and examination shall provide for making all such tests and examinations as are necessary to ascertain whether in fact said party so applying be so infected with a venereal disease. If such tests and examinations show said party so applying to be so infected, then said party shall elect whether he will take treatment of a private physician, or whether he will take treatment to be provided by the health officer through a clinic or otherwise, if he elects to take treatment through the local health officer's arrangement, he may be required to pay for such treatment at a charge which shall in no case exceed the sum of five dollars for each dose of "neo" or arsphenamine administered for syphilis, and at a nominal cost for other medicines used; but if the patient is unable to pay anything, he shall be treated free of charge under the direction of the local health officer, at a clinic or otherwise. All proper charges for such examination and treatment as may be necessary hereunder shall be a proper charge against the municipality or county, as the case may be, whether said party so taking treatment lived in or out of a municipal corporation. And whether said person proposing to take treatment as provided hereunder elect to take from a private physician or elect to take treatment under the direction of the local health officer, he shall first sign the agreement required to be signed by persons about to be released from detention or quarantine, and shall observe all its provisions, and so long as such person so signing shall so observe these provisions he need not be detained or quarantined pending treatment, except that no person who is known as a prostitute, or a person associating with such, or as a person who resides in any house having the reputation of being a house of prostitution, or who frequents the same, shall be allowed at liberty if infected with a venereal disease in an infectious stage, even though he does voluntarily submit for examination and treatment and does take treatment under the provisions of this section.

All money collected under this section shall be paid into a clinic fund, if one is provided, and if not then into the county or city treasury, as the case may be; and the local health officer having jurisdiction shall collect and account for such funds collected hereunder.

**§ 1314. [20] Communication of Disease; Certificate.—**It shall be unlawful for any person suffering with an infectious venereal disease to perform any act which exposes another person to infection with said disease, or knowingly to infect or expose another person to infection with such disease; and

no physician, health officer or other person shall give any certificate showing a person to be free from a venereal disease, but such certificate shall simply state the results of tests and examinations that may have been made, and what tests were made to arrive at the results stated.

§ 1315. [21] **Quarantine.**—In establishing quarantine for a venereal disease under the provisions of this article, said health officer establishing said quarantine may confine any person infected, or reasonably suspected of having such venereal disease, or any other person liable to spread such disease, to the house or premises in which he lives, or he may require any such person to be quarantined in any other place, hospital or institution in his jurisdiction that may have been provided. And if no such place has been provided, then such person shall be confined in the county or city jail under a quarantine order, and such jails shall always be available for such purposes. But if such person is to be quarantined in his home, then said health officer shall designate the area, room, or rooms that such person is to occupy while so confined, and no one except the attending physician or his immediate attendants shall enter or leave such room or rooms so designated without permission of said health officer, and no one except the local health officer shall terminate said quarantine, and this shall not be done until the diseased person has become non-infectious as determined by thorough clinical tests, or permission has been given by the state public health council or by the director of the bureau of venereal diseases for the State. If, to make any quarantine effective as provided herein, it becomes necessary, the local health officer may summon a sufficient guard for the enforcement of his orders in the premises. And every person who fails or refuses to obey or comply with any order made by said health officer hereunder, or under any other section concerning quarantine, and every person summoned as a guard who shall, without a lawful excuse therefor, fail or refuse to obey the orders and directions of the health officer in enforcement of said quarantine, shall be guilty of a misdemeanor, and shall be punished as hereinafter provided.

§ 1316. [22] **Physicians to Furnish Statement of Qualifications and Facilities for Treatment of Venereal Diseases.**—It shall be the duty of every physician or other person in the State who proposes to treat or does treat venereal diseases herein, to file with the director of the bureau of venereal diseases of the State, upon a blank to be furnished by said director, a statement showing something of his preparation, experience and facilities in and for the treatment of such diseases; and if he fail or refuse to make such statement, or if he treat a patient for any of said diseases without first having made such statement, he shall be guilty of a misdemeanor, and shall be punished as hereinafter provided.

§ 1317. [23] **Cost and Expenses of Enforcement; Joint Detention Places.**—All costs and expenses necessary to reasonably carry out the provisions of this article, touching the care, custody, detention, and treatment of persons coming within the purviews of its provisions, shall be a general charge against the municipalities or counties, as the case may be, unless special arrangements have been made to defray such expenses. Where conditions and locations are such that more economical results may be secured, one or more municipalities, or counties and municipalities, may join together and establish one or more places for treatment and detention, as may be arranged by the several parties concerned, and to be supported upon a basis to be de-

terminated between them, and when this agreement has been made a matter of record by each party thereto, funds may be levied and expended by the several parties in pursuance of such agreement.

§ 1318. [24] **Offenses by Druggists.**—No druggist or other person, not a licensed physician under the laws of the State, shall prescribe, recommend, or sell to any person any drugs, medicines or other substances to be used for the cure or alleviation of syphilis, gonorrhoea or chancroid, no matter whether said drugs, medicines or substances are patented or proprietary, or otherwise, or compound or mix any drugs, medicines or other compounds for any of said purposes aforesaid, except upon a written formula or order written for the person for whom the drugs or medicines are compounded and signed by a physician licensed to practice under the laws of the State. All drugs, medicines or substances that are commonly known to the medical profession as being commonly used for such purposes as aforesaid for the cure or alleviation of said diseases, whether the name is on the bottles or labels or not, shall be construed as coming within the prohibition above; and all drug stores shall be at all times open to the inspection of any local health officer, or to any party designated by the director of the bureau of venereal diseases of the State, to see whether the provisions of this section are being carried out by said druggists or stores. A sale by a clerk shall also be considered as a sale by the owner or proprietor; and both may be prosecuted hereunder for a misdemeanor.

§ 1319. [25] **Venereal Disease Advertisement; Penalty; Exceptions.**—Whosoever publishes, delivers or distributes or causes to be published, delivered or distributed in any manner whatsoever, in this State, any advertisement concerning a venereal disease, lost manhood, lost vitality, impotency, sexual weakness, seminal emissions, varicocele, self-abuse or excessive sexual indulgence, and calling attention to a medicine, article or preparation that may be used therefor, or to a person or persons from whom, or an office or place at which, information, treatment or advice relating to such disease, infirmity, habit or condition may be obtained, is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than three hundred dollars, or imprisonment in the county jail not to exceed six months, or both, in the discretion of the court.

Nothing in this section shall be construed as to prevent legitimate and legal public notices, placards, etc., issued under the direction of the state department of health or as to prevent sending out literature by either the state department of health or the United States public health service.

§ 1320. [26] **Offenses Generally; Penalties; Jurisdiction of Justices; Complaints.**—Any person violating any provision of this article, where no other punishment is provided, shall be punished by a fine of not less than ten nor more than one hundred dollars, and may in addition thereto, at the discretion of the judge or justice trying the case, be imprisoned in jail for a period of not to exceed thirty days.

Justices of the peace shall have jurisdiction to try and determine all offenses arising under any provision of this article. Any citizen of the State may make complaint before a justice of any offense hereunder, and all proceedings shall be in the name of the State, and security for costs shall not be required,

nor shall costs be adjudged against complainant unless it appears that no reasonable grounds for making complaint existed, and only then when it is made to appear that complainant acted in bad faith.

§ 1320(1). [27] **Additional Power and Authority of Local Health Officers.**—The local health officer, in exercising any of the powers or authority vested in him by sections nine, ten, eleven, twelve, sixteen and twenty-one (§§ 1303-1306, 1310 and 1315) of this article with respect to any patient, minor or other person suffering or believed by him to be suffering from any venereal disease or diseases, may forthwith cause any such patient, minor or other person to be delivered into the custody of the state department of health for detention and treatment as provided in this article.

§ 1320(2). [28] **Detention Places.**—The state department of health is hereby authorized and empowered to establish and provide a suitable place or places in the State of West Virginia for the detention of persons found to be suffering from any of the venereal diseases defined in section one (§ 1295) of this article and to supervise, use and maintain such place or places in a manner deemed necessary or desirable in carrying out the provisions of this article.

§ 1320(3). [29] **Detention and Treatment.**—There shall be accepted and received into the custody of the state department of health at such place or places provided for in the next preceding section, persons found upon investigation and examination to be suffering from venereal diseases as defined in section one (§ 1295) of this article, for the purpose of detention and necessary medical attention and treatment thereat or therein, until found to be and pronounced cured of the venereal disease or diseases from which they are suffering.

§ 1320(4). [30] **Continuous Jurisdiction.**—The state department of health is vested with and given continuous jurisdiction, authority and control over all persons received at and to be detained in or on the place or places provided for in the preceding sections, for all the purposes of this article, and until such persons are found upon proper examination to be and pronounced entirely free from and cured of any venereal disease or symptoms of such disease existing.