

<p>Historical</p> <p>Opinion Entry</p> <p>Created: 12/06 11:23 AM Modified: 07/02 12:14 PM</p>	<p>Title: AGO 10/31/1914 @ p.161 Topic: TREATMENT OF CHILDREN "DEFORMED IN FEET AND LIMBS" BY STATE BOARD OF HEALTH Category: Formal Requestor: Joseph Y. Porter, State Health Officer, Jacksonville, Fla Issue date: 10/31/1914</p>
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less importance than the protection and preservation of the health of the people of the State and, therefore, I would say that the Legislature could hardly have intended that your Board should use so much of its annual income in furnishing such serum to the farmers as would interfere with the necessary work of the Board in looking after the public health.

The necessary conclusion is that while as much of the fund as possible should be used for the first named purpose, this should not be done to the disadvantage and neglect of the other, and my judgment is that the law should be thus interpreted.

Respectfully,

T. F. WEST,

Attorney General.

TREATMENT OF CHILDREN "DEFORMED IN FEET
AND LIMBS" BY STATE BOARD OF HEALTH.

Tallahassee, Fla., Oct. 31, 1914.

Dr. Joseph Y. Porter,
State Health Officer,
Jacksonville, Fla.

Dear Sir:—

Yours of the 28th inst. has been received.

I note your inquiry, as follows:

"Will you kindly construe for me, Chapter 6133 of the Laws of Florida, approved May 30, 1911; being an 'Act to Authorize and Direct the State Board of Health to Establish a Hospital for the Treatment of Indigent Crippled Children, and Providing an Appropriation therefor;' ad-

vising as to whether under the provisions of this Act the State Board of Health has authority to extend aid in this regard to children of the State who are indigent and suffering from cleft palate, or strabismus, or other malformations, not directly connected with limb deformity.

My belief is, that the bill, as originally drawn by Governor Gilchrist, who was responsible for it, intended aid of this character should be given to children who were deformed in feet and limbs to the extent that it prevented them from earning a livelihood, and if corrected, would probably make them self-sustaining citizens."

In view of the salutary and beneficent purposes of the statute referred to, my judgment is that a liberal construction should be placed upon the language employed, and it may be that it should not be limited in its application to those only who are "deformed in feet and limbs," but it appears clear that it does not include those suffering from cleft palate or strabismus. On the other hand, it seems to me that one might very properly be regarded as "crippled," within the meaning of the statute, who suffers from any malformation deformity or injury which directly interferes with the powers of locomotion.

Respectfully submitted,

T. F. WEST,

Attorney General.