

**Quarantine of Railroad Cars. Railway Cars, Place of Quarantining. Contagious Diseases on Car, How Quarantined. County Health Officer, Duty Of.**

Where a car conveying a bridge crew is sidetracked at its destination, and used as place of abode, and a case of smallpox is found therein, such car should be treated as a camp and the car placed in quarantine where found.

Helena, Montana, March 12, 1908.

Hon. T. D. Tuttle,  
Secretary of State Board of Health,  
Helena, Montana.

Dear Sir:—

I am in receipt of your favor of the 7th inst., submitting the following question telephoned you by the health officer of Granite County:

A car containing a bridge crew came to Drummond from Bonner, immediately after the car was taken out of the train and sidetracked one of the men was found to be sick. A physician was called and the case was pronounced smallpox. Should the car be quarintined where found or should it be sent to a division point?

We understand the facts of this case to be that the car was sent to Drummond and sidetracked for the purpose of working the men there; that this was the end of their journey.

Authority is given the state board by Chap. 110 of the Laws of 1907, particularly Section 25 of said laws, for the quarantining and disinfection of passenger cars or other public conveyances, and under the rules adopted by the board we understand that where a passenger is found upon a car, in transit, suffering from a contagious disease, the car should be taken to a division point and there disinfected. But the facts of this

case would not bring it within this rule, for here the car had reached its destination, had been sidetracked, and, in effect, located. In that sense it would partake of the nature of the camp, for if the men had been taken from the car and put in a tent, and then a case of smallpox had been found, it could hardly then be contended that they should be removed to a division point of the company. In such cases there is no authority of law for causing the car or camp to be moved to some other county for the purpose of quarantine and disinfection.

The county attorney of Granite County, perhaps, had before him your rule relative to disinfecting cars at division points, and from the meagre information at his command at that time, supposed these people were in transit, and that the rule would therefore apply. But the facts as given to us make the rule inapplicable to the car in question, and it should therefore be treated as a camp by the local health officers of Granite County.

Very truly yours,

ALBERT J. GALEN,

Attorney General.