

**Fines, for Violation of Quarantine Regulations, Disposition of.
Quarantine, Disposition of Fines for Violation of.**

Fines imposed for a violation of quarantine regulations adopted by the state board of health should be turned over to the State Treasurer.

Helena, Montana, October 4, 1909.

Hon. E. E. Esselstyne,
State Treasurer,
Helena, Montana.

Dear Sir:

I am in receipt of your communication, regarding the disposition of the fine sent you by Judge W. H. Safford, justice of the peace, in the case of the State v. Saltenberg.

It appears from the letter of Mr. Safford that this fine was imposed in the action brought for violation of section 1505 revised codes. This section relates to quarantine measures and regulations adopted by the state board of health, and specifically provides that upon a conviction of any person for violation of any such quarantine regulations that the fine shall be paid to the state treasurer of the state. Section 9715 and section 994, revised codes, provide for the disposition of fines in all cases where no special provision to the contrary is made. Therefore, fines imposed for a violation of section 1508, revised codes, would be handled under sections 9715 and 994. But, in our opinion, the special provision of section 1505, being a later enactment, modifies said sections 9715 and section 994, and that therefore all fines collected under said section 1505 for a violation of quarantine regulations adopted by the state board of health should be turned over to the state treasurer. However, section 9715 is still in force in so far as it relates to the costs in such action, and all costs must first be paid out of the fine and the balance then turned over to the state treasurer.

Very truly yours,
ALBERT J. GALEN,
Attorney General.