

**Smallpox Patients, Liability of City and County for Care of.
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for Care of Smallpox Patients.**

A city is liable for the expense incurred in caring for a smallpox patient who is a resident of the city. But if the patient is not a resident of the city, the county should bear the expense.

Helena, Montana, December 11, 1909.

Hon. W. H. Trippett,
County Attorney,
Anaconda, Montana.

Dear Sir:

In response to your telephonic communication for an opinion respecting the liability of the city of Anaconda to care for indigent smallpox patients and enforce quarantine regulations, you are advised that under the provisions of chapter 117, laws of 1909, if the patient is a resident of the city, then the city is liable for the expense incurred. But if the patient is not a resident of the city, but is merely sojourning therein, or delayed by the authorities, or temporarily stopping therein without employment, then the county should pay the expenses.

For further information on this subject see Opinions of Attorney General 1906-08, page 167.

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