

Children, Physically Deformed Should Not Be Admitted to the Orphans' Home. State Orphans' Home, Who Is Entitled to Admission.

Children with physical deformities should not be admitted to the home but should be returned to the county from whence they were admitted.

November 15th, 1911.

Mr. E. H. Renisch,
Pres. State Orphans' Home,
Twin Bridges, Montana.

Dear Sir:

I acknowledge receipt of your favor of the 4th inst., making enquiry as to what course you should pursue in the case of children delivered to the Orphans' Home found to be suffering from physical deformity or ailment. The specific cases in which you desired advice are with reference to Lois Carey, committed from Lewis and Clark County, who has been found upon examination to be suffering from Hernia; Blanche, committed also from Lewis and Clark County, found upon examination by your physician to be a "hermophrodite;" and John Harrison, also committed from Lewis & Clark County, found upon examination by your physician to be suffering from "Ophthalmia Neonatorum."

I have taken this question up with the Governor, and also with the board of county commissioners of Lewis and Clark County, and after thorough consideration of the cases believe the following the proper course to be pursued with respect to each case; I think that Lewis and Clark County should be required to pay the expenses of an operation upon Lois Carey for the "hernia," and, in the event of its refusal to pay such charge he should be returned to Lewis and Clark County as a county charge.

In the case of Blanche, it appearing that she is physically deformed, and the state not having made provision for the care of such cases, it should be returned to Lewis and Clark County as a county charge.

In the case of John Harrison—his disease, "ophthalmia neonatorum," appears from your statement, and the opinion of all physicians, to be a dangerously infectious disease, and I therefore advise you that he should be at once returned to Lewis and Clark County as a county charge.

I should have answered your letter before now but for the fact that I have been giving the subject study and consideration.

Very truly yours,

ALBERT J. GALEN,

Attorney General.