

File No. 19658. continued.

with an infectious disease on his premises. There would be no force in either argument because the truth is that the contraction of scarlet fever by the child is what the law terms an 'Act of God', and if, by reason thereof, the public authorities are put to expense the public must bear that expense; and if, by reason thereof, the mother is unable to pay her rent and the landlord loses such rent, that is one of the ordinary risks incident to the business of owning and renting houses, and losses suffered by landlords from such causes must be considered made up in the general average of the rents they receive.

Yours very truly,  
 (Signed) S. S. Field,  
 City Solicitor

File No. 19658.

Baltimore, January 8, 1916

Mr. S. S. Fields, City Solicitor,  
 Court House, Baltimore, Md.

Dear Sir:-

Would you kindly give me an opinion regarding the liability of the City in cases where houses are quarantined against all persons entering the premises, including the Landlord, in cases of infectious diseases.

The following may illustrate my meaning.-A house, Mrs. A., a widow with two children, one of whom having scarlet fever, is placarded and all persons warned not to enter. Mrs. A. in this case appears to be nurse and housekeeper. She has been in the habit of paying her rent weekly. Her landlord calls, she explains to him through the window that she has sickness, very little money and therefore unable to pay his rent,

The card is kept on the door for eight weeks on account of the second child having later had the disease also.