

clear that any funds derived from the sale of this C.C.C. equipment, including buildings, should go directly into the General Fund of the State of Indiana.

To summarize then, it is my opinion that the buildings in question which were erected by the C.C.C. are personal property, they are owned by the State of Indiana, they are to be sold by the Auditor of State in the manner above indicated and the proceeds of the sale are to be paid into the General Fund of the State of Indiana.

OFFICIAL OPINION NO. 5

January 23, 1946.

C. C. Chapin, M.D.,
Superintendent of the Logansport State Hospital,
Logansport, Indiana.

Dear Doctor Chapin:

Your letter of January 9, 1946, received in which you desire to know if you can force the family or county officials to receive patients discharged by you from the Logansport State Hospital which patients are discharged as incurable and harmless patients under the provisions of Section 1, Chapter 70 of the Acts of 1945.

Section 1, Chapter 70 of the Acts of 1945 is as follows:

“Any patient may be discharged from any hospital for insane, by the superintendent thereof, when sufficiently recovered or upon restoration to mental health. Incurable and harmless patients shall be discharged whenever it is necessary to make room for recent cases. All dangerous patients shall be retained in the hospital. Whenever any patient is discharged by the superintendent of any hospital for insane for the reason that such patient is sufficiently recovered to be released or has been restored to mental health, it shall be the duty of the superintendent of such hospital to send a verified certificate to the court by which such patient was committed, stating the name of the patient, the date on which such patient was committed to such

hospital, his address at the time of commitment, the date of the discharge of such patient, the person to whom discharged, if any, and the fact that, in the opinion of the superintendent, such patient is sufficiently recovered to be released, or has been restored to mental health upon receipt of such statement certifying that such person is restored to mental health, the court shall thereupon enter an order finding such person sane."

It is to be noted said statute is silent as to the disposition to be made of any patient required to be discharged as incurable and harmless for the purpose of making room for recent cases.

In discharging any such patient you should notify the legal guardian of such person if he has one, and if not it might be well to notify the nearest relative but in making such suggestion I am of the opinion the law casts no civil obligation upon any relative to support an adult insane person other than a husband to support his wife if she needs assistance and he is able to provide the same.

I am therefore of the opinion that in the event of any such discharge the township trustee of the township from which such insane person was committed and the County Department of Public Welfare of the county from which such insane person was committed should be notified under the Poor Relief Laws.

OFFICIAL OPINION NO. 6

January 24, 1946.

Hon. A. V. Burch, Auditor,
State of Indiana,
State House,
Indianapolis, Indiana.

Dear Sir:

Your letter of January 11, 1946, received requesting an opinion on the following questions: