On page 1 of said publication, a history of the origin of the standard weights and measures is given, together with the statement that the above action by Congress was taken pursuant to Section 8 of Article 1 of the Constitution of the United States authorizing Congress to “fix the standard of weights and measures.”

On page 936 of said volume is a chart showing the weights per bushel of certain commodities in the different States. This shows the federal government adopted for its use a standard of fifty-six (56) pounds per bushel for shelled or cracked corn, but has not adopted a schedule for corn in the ear.

It is my opinion Section 69-102, Burns’ 1943 Repl., supra, as applied to the question under consideration means that the standard weight of so many ounces to a pound as certified to by the United States Bureau of Standards, or as adopted by the State Commissioner of Weights and Measures and verified by the United States Bureau of Standards, shall constitute one pound. The legal standard weight of shelled corn in Indiana is fifty-six (56) pounds per bushel, and the legal standard weight in Indiana of corn in the ear of the current crop is seventy (70) pounds per bushel until December 1 of that year and sixty-eight (68) pounds per bushel after December 1.

RICHMOND STATE HOSPITAL. Inmates of mental hospital can not make valid contract for services with hospital officials. Such inmates may be assigned services as a part of treatment.

July 10, 1944.

Opinion No. 63

Dr. Paul D. Williams,
Medical Superintendent,
Richmond State Hospital,
Richmond, Indiana.

Dear Doctor:

Your letter of July 1, 1944, received as follows:

“Due to the extreme shortage of help and the difficulty of obtaining competent employees the Board of
Trustees of the Richmond State Hospital are considering the use of a few of the better patients of the Institution as patient-attendants. I know that this has been done in another Institution in Indiana and over the country.

"The Board of Trustees desires to request your opinion of the legal aspects of such employment?"

In my opinion you could not legally establish an employer and employee relationship between officials of your institution and the inmates committed to said institution. The person committed to your institution would have no power to contract for such services.

Section 8-214, Burns 1933, same being Sec. 11, Ch. 14, 2 R. S. 1852, provides as follows:

"Every contract, sale or conveyance of any person while of unsound mind shall be void."

The above section of the statute has been construed to apply only to those persons who have been judicially declared of unsound mind.

Redden et al. v. Baker, Guardian (1882), 86 Ind. 191, 193, 194;
Teegarden et ux. v. Lewis, Administrator (1896), 145 Ind. 98, 102.

It is further pointed out that an additional disadvantage from such employment would be the fact that such a State employee would be subject to the provisions of the Workman's Compensation Act under Section 40-1218, Burns' 1943 Supp., same being Sec. 2, Ch. 136, Acts of 1943.

While you may not legally create the relationship of master and servant between the officials of your institution and such inmates, I see no legal impediment to your institution using the services of inmates committed to your care, provided the condition of the patient is such, and the class of work assigned of such character, that the performance of such services by such inmates may be properly considered by you to constitute beneficial treatment given such inmates.