The Commission further said:

"Commutation rates are, at least, preferential rates and are justified, if at all, because of consideration of public policy, and because it encourages a volume of traffic moving at regular intervals."

The order of the Commission in that proceeding authorized school students commutation tickets in books of 40 for one way rides at a price much less than the basic passenger rate per mile.

In this opinion I am not passing upon the question of the reasonableness of the rate heretofore charged in the City of Anderson, or in any other city for school children tickets.

My opinion is simply that a preferential low rate to children going to and returning from school is not illegal in Indiana.

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INDIANA GIRLS' SCHOOL: Release—Authority of board of trustees of institution to release and finally discharge girls committed to the institution before they reach the age of 20 years.

September 10, 1942.

Mrs. Adeline C. Lehman, Superintendent,
Indiana Girls' School,
Indianapolis, Indiana.

Dear Mrs. Lehman:

I have your request for an official opinion upon the question of whether or not the Board of Trustees of the Indiana Girls' School may absolutely release and finally discharge girls committed to the School pursuant to Section 13-707, Burns' Indiana Statute Annotated 1933, before they reach the age of twenty years.

The statute referred to provides the form of commitment and requires that "such girls shall be committed to the custody of the board of trustees of the Indiana Girls' School, to be confined by it at that institution, or at such other place as may be designated by said board of trustees where they can be
most faithfully and properly cared for, and they shall be confined therein until they reach the age of twenty years unless sooner released by said board of trustees, subject to such rules and regulations as said board of trustees may establish. No commitments shall be for a shorter period than until such girls shall attain respectively the age of twenty years.

Section 13-709, Burns' etc., supra, authorizes the board to release girls "on trial" when suitable homes are found, and to employ visiting agents to find and investigate such homes and to visit the girls so placed in homes on trial. The visiting agents shall make reports of all investigations and visits made by them. The girl may be recalled to the institution if she does not properly conduct herself or does not have a suitable home.

The use of the term "on trial" in authorizing the placing of girls in homes and the provisions for investigation and report and power to recall clearly indicate that the trial period may continue as long as deemed advisable by the board, until the girl reaches the age of twenty, but that if the trial period proves in all respects satisfactory, prior to the time the girl becomes twenty years of age, the board may fully release the girl to such family where a suitable home was found for her. Such a full release could only be accomplished in accordance with rules and regulations adopted by the board governing the selection, investigation and reports upon homes in which girls are to be placed "on trial". Such rules and regulations may establish reasonable standards to be met by such homes before they shall be considered fit homes in which to place a girl, and authorize removal of the girl upon failure to comply with such standards. Also rules and regulations should fix the maximum period of time for which said trial period shall continue, the minimum and frequency of visits to be made by visiting agents of the board during such trial period, and should require reports upon all such visits.

An additional trial period, additional visits and further reports by visiting agents, within the discretion of the board or the Superintendent or other officers of the School, should be authorized by rule or regulation. Rules and regulations should specify the particulars in which reports shall be satisfactory, before the trial period may be ended by the board, and should provide for a finding entered upon the records of the board that the trial period meets with the approval of the board and
that the girl should be and is fully released to the particular family and finally discharged from the custody of the board. Except as rules and regulations of the type above referred to are adopted by the board, and administered as respects girls who have been placed in homes on trial, there is no authority given to the board to release or discharge girls committed to its custody until they are twenty years of age.

Section 13-712, Burns' etc., 1933, supra, contains the following:

"The board of trustees shall adopt rules for the conduct of the girls legally committed to their custody and also for their release and after-supervision until twenty years of age, not inconsistent with this act."

The last quoted statute permits the adoption of rules and regulations for the supervision of girls during the maximum time for which they may be subject to the custody or supervision of the Board, that is, until they become twenty years of age.

It is not inconsistent, however, with the authority to adopt regulations providing for the release of girls upon trial to homes and, if such trial release is satisfactory, for their full and final release to such homes, all subject to the discretion of the board.

INDIANA STATE TEACHERS COLLEGE: Appropriation—Whether capital outlay appropriations can be used to pay outstanding bonds.

September 16, 1942.

Hon. Ralph N. Tirey, President,
Indiana State Teachers College,
Terre Haute, Indiana.

Dear Sir:

I have before me your letter of September 8, 1942, reading in part as follows:

"The General Assembly of 1941 appropriated $53,-
500 for the use of Indiana State Teachers College, and designated as Educational Improvement Fund, for the fiscal year beginning July 1, 1942, and ending June 30, 1943. It was the intention of the Legislature in mak-