

other sections of the General Code relating to the execution of leases of this kind.

I am therefore approving said lease as to legality and form, as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,

GILBERT BETTMAN,

Attorney General.

1604.

DISAPPROVAL, BONDS OF JEFFERSON TOWNSHIP SCHOOL DISTRICT, ADAMS COUNTY—\$462.00.

COLUMBUS, OHIO, March 11, 1930.

Re: Bonds of Jefferson Township School District, Adams County, Ohio, \$462.00.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

GENTLEMEN:—The transcript of proceedings relative to the above issue of bonds discloses that these bonds have been authorized without a vote of the electors. Section 2293-15, General Code, setting forth the limitations of net indebtedness which may be incurred by a school district without a vote of the people, provides insofar as pertinent as follows:

“The net indebtedness created or incurred by any school district without a vote of the people shall never exceed one-tenth of one per cent of the total value of all property in such school district as listed and assessed for taxation.

* * * * *

In ascertaining the limits of this section, the bonds specified in Section 2293-13 and the following bonds shall not be considered:

(a) Bonds issued prior to April 29, 1902, or to refund, extend the time of payment of, or in exchange for bonds issued prior to April 29, 1902.

(b) Bonds heretofore issued to meet deficiencies in the revenue which at the time of issuance were not required by law to fall within any debt limitation.

(c) Bonds heretofore issued under the provisions of Section 7630-1 or hereafter issued for the purpose of rebuilding or repairing a school-house wholly or partly destroyed by fire or other casualty, * * * .”

The financial statement discloses that the total value of all property in the district as listed and assessed for taxation is \$462,000.00 and that in addition to the above issue there are now issued and outstanding bonds in the amount of \$400.00 which were issued in 1925 without a vote of the people under Sections 7629 and 7630, General Code. It is apparent that the present outstanding bonds in the amount of \$400.00 may not be disregarded in computing the limitation of net indebtedness provided in Section 2293-15, *supra*. It, therefore, follows that the issuance of the above bonds would cause the creation of an unvoted net indebtedness by this school district in excess of the limitation provided in Section 2293-15.

In view of the foregoing, I am compelled to advise you not to purchase these bonds.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1605.

APPROVAL, BONDS OF GOSHEN TOWNSHIP CENTRALIZED RURAL
SCHOOL DISTRICT, CLERMONT COUNTY— \$12,000.00.

COLUMBUS, OHIO, March 11, 1930.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

1606.

PRISONER—FOUND INSANE BEFORE OR AFTER CONVICTION AND
COMMITTED TO LIMA STATE HOSPITAL—CONDITIONS PRECE-
DENT FOR RELEASE UPON RESTORATION TO REASON.

SYLLABUS:

When a person accused of crime is found insane, before trial or after conviction, and committed to the Lima State Hospital under the provisions of Section 13441-2, General Code, the superintendent of such institution may release such person when he is restored to reason upon notifying the proper authorities of the county of such fact and giving the authorities of the county a reasonable time to take such person in custody.

COLUMBUS, OHIO, March 11, 1930.

HON. HAL H. GRISWOLD, *Director, Department of Public Welfare, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your letter of recent date which is in part as follows:

“We respectfully request your interpretation of that part of Section 13441-2 reading—‘provided, that if the court deem it advisable, it shall commit such person to the Lima State Hospital until he be restored to reason, and upon being restored to reason the accused shall be proceeded against as provided by law.’

Does the phrase ‘upon being restored to reason the accused shall be proceeded against as provided by law’ mean that a person committed under the sections quoted above, to a general state hospital for the insane or to the Lima State Hospital for the criminal insane, can not be discharged upon being restored to reason or upon being diagnosed ‘not insane’, but