

came; and such auditors shall issue a warrant, payable to the treasurer of the state for the amount of such bill and charge the amount to the current expense fund.

Sections 1815 and 1816 G. C. were originally Sections 631 and 632 of the Revised Statutes of Ohio. In the case of State vs. Kiesewetter, 37 O. S. page 546, the court in construing said sections of the Revised Statutes held that the expense of furnishing such clothing is under Section 631 chargeable on the estates of the patients or on those who would be legally bound to furnish them if they were not in the asylums.

And in the second paragraph of the syllabus it is held that:

"If the duty of supplying patients with clothing, as required by Section 631, should not be performed, the remedy, in such case of failure, is for the institution to furnish it under Section 632; and for the amount so furnished, it is to be reimbursed as therein provided."

Section 632 of the Revised Statutes which was enacted as 1816 of the General Code provided, at the time of the decision herein, that the account for clothing, if not paid by the inmate, or those responsible therefor, should be forwarded to the auditor of the county from which the person came and that said auditor should pay the amount of said bill out of the county funds.

In amending Section 1815 G. C. supra, the legislature substituted for the phrase "all persons admitted into any institution," the phrase, "all persons admitted into a benevolent institution."

You are advised that it is my opinion that, under the provisions of Sections 1815 and 1816, General Code, counties of the state are liable for, and may be compelled to reimburse the state for the expense of clothing inmates of the state benevolent institutions.

Respectfully,

EDWARD C. TURNER,
Attorney General.

225.

APPROVAL, LEASE TO OHIO FUEL SUPPLY COMPANY TO LAND IN HOCKING COUNTY, OHIO, FOR OIL AND GAS PURPOSES.

COLUMBUS, OHIO, March 23, 1927.

HON. JOSEPH T. TRACY, *Auditor of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination lease, in duplicate, between Joseph T. Tracy, Auditor of State, acting as State Supervisor of School and Ministerial Lands, as lessor, and the Ohio Fuel Supply Company, of Columbus, Ohio, as lessee, covering 652 acres of land located in section 29, range 16, township 13, Hocking county, Ohio, for oil and gas purposes.

The lease is signed on the part of the lessee as follows: "The Ohio Fuel Supply Company, by D. M. Wilson, vice-president," and is acknowledged by the same officer. You should be furnished with satisfactory evidence that said officer is properly authorized to execute the lease on behalf of the lessee.

Except as above noted, my examination of the lease reveals that the same is proper as to form, and I am therefore returning the same to you with my approval thereon, subject to the exception above noted.

Respectfully,

EDWARD C. TURNER,
Attorney General.