Since the Legislature could not directly by Statute provide for a reduction in such Judges salary under the facts above stated, it could not indirectly do so by its overt Act in enacting a Statute splitting such Judicial Circuit so that in fact the population of the remaining Circuit would accomplish such a reduction in salary. In other words the Legislature could not do indirectly what it is prohibited from doing directly.

I am therefore of the opinion that due to the provisions of Article 7 Section 13 of the Constitution of Indiana, the salary of the present elected, qualified and acting Judge of said Joint Circuit Court would not be effected by the enactment of House Bill 458, now pending in the General Assembly of Indiana.

OFFICIAL OPINION NO. 9

January 25, 1951.

Mr. Leland L. Smith,
Secretary of State,
State House,
Indianapolis, Indiana.

Dear Sir:

I have your request for an Official Opinion which reads as follows:

"BRS 1933, Section 47-2501, Pocket Supplement, being the Acts of 1915, Chapter 304, Section 11, Page 1308 provides in part as follows:

""* * * if the application for title is for a vehicle brought into this state from another state, said application shall be accompanied by proper certificate of title, if such other state has a certificate of title law, or a sworn bill of sale or dealer's invoice fully describing the vehicle, together with the last or current registration receipt if such other state does not have a certificate of title law * * *");"
"'No application for certificate of title for a motor vehicle, semi-trailer, or house car shall be accepted by the department unless such vehicle, other than a new motor vehicle, semi-trailer or house car sold by a dealer licensed in this state or a motor vehicle transferred or assigned, on a certificate of title issued by the department, shall have been inspected by an employee of the department, designated by the commissioner, or by a peace officer of this state * * *.'"

Under the circumstances do motor vehicles titled for the first time in Indiana not need to be inspected by a peace officer?"

The portion of the Act quoted by you contains the only exceptions to the requirements that Motor Vehicles be inspected by a Peace Officer before being titled. These exceptions are:

(a) New Motor Vehicles sold by a dealer licensed in this State.

(b) Vehicles for which a title Certificate has been issued by the Department.

Thus all other Motor Vehicles seeking to be titled for the first time in Indiana are required to be inspected. Such Vehicles would include any Motor Vehicle whether new or used, purchased by a private individual without an Indiana title, and any used Motor Vehicle purchased by a registered dealer which had not been previously titled in Indiana.