in discharging its duties as an interstate carrier, may properly require all of its employees the carrying of inspected watches; that this legislation tends to hinder interstate commerce and is consequently invalid. The most important feature of the domestic relations law, is that of husband and wife. The law of that relation, is exclusively for the states, no power thereover having been delegated to Congress by the Federal Constitution.”

Cooley, Const. Lim. (5th ed.) 708.

I am of the opinion that there is no conflict between Section 302 (a, b and c 4) Labor-Management Relations Act (supra) and the wage assignment laws (supra). Therefore, regardless of whether the employer is engaged in Interstate Commerce, before there could be a valid assignment for labor dues there must be a proper assignment as required by Section 40-208 (supra).

OFFICIAL OPINION NO. 110

November 9, 1949.

Indiana Real Estate Commission
1028 North Meridian
Indianapolis, Indiana

ATTENTION: Mr. Robert M. Reel

Dear Sir:

I have your letter of October 24, 1949, in which you propound certain questions on which you desire an Official Opinion. Your questions are as follows:

“1) That it is general practice for the oil company to negotiate its own leases with real estate owners in oil territories.

“2) That a few independent operators do go into an oil field and negotiate leases with real estate owners for the oil companies being paid a commission of so much an acre or on some other agreed basis.”
In answer to your first question, you are informed that an oil company which negotiates its own leases on real estate, is not within the purview of the law and does not have to have a broker's license.

In answer to your second question, you are advised that if an operator employs agents to secure oil leases for him and pays them either a commission or salary, the operator is not required to have a license; but the agent who secures the leases is required to have the necessary license.

Section 21 of Chapter 44 of the Acts of 1949 specifically exempts the owner of real estate or a lessor from the operation of the law. You are also advised that what has been said with respect to oil leases, applies, also, to mineral rights so that you should require a person who secures mineral rights or oil leases for compensation or commission, to comply with the law and have the necessary license, either a broker's or salesman's license, whichever is pertinent. The operators or owners who secure these oil or mineral rights are not required to have a license.

CHJ:aa

OFFICIAL OPINION NO. 111

November 16, 1949.

Hon. Charles F. Fleming
Secretary of State
State House
Indianapolis, Indiana

Dear Sir:

Your request of October 17, 1949, for an official opinion is as follows:

"As stated in Chapter 274, 1949 Acts it is my duty to receive certifications of convictions concerning operation of motor vehicles with regard to operation, regulation, or licensing of motor vehicles or of any city ordinances relating to moving traffic violations and to collect a permanent operator's record fee for each such conviction."