

It is therefore my opinion that on the death of the wife of a present member of the Armed Forces of the United States in the present war, the claim for the burial benefits authorized by Section 1, Chapter 55 of the Acts of 1943, may be paid.

OFFICIAL OPINION NO. 67

July 18, 1945.

Miss Irene F. Prosch, Secretary,
State Board of Beauty Culturist Examiners,
301 State House,
Indianapolis, Indiana.

Dear Miss Prosch:

Your letter of July 12, 1945 received requesting an official opinion on the following question:

“May a Beauty School conduct one class of no more than 8 hours in day time and also conduct an evening class of no more than 8 hours, or is such school restricted to one course of no more than 8 hours in a 24-hour period?”

The answer to your question is governed by the provisions of Section 63-1803 Burns' 1943 Replacement, same being Section 3, Chapter 72, Acts 1935, which in part provides:

“No school of beauty culture shall be licensed and approved by the board to operate as such, unless it requires as a prerequisite to graduation a course of instruction of not less than one thousand (1,000) hours of continuous instruction of not more than eight (8) hours in any one (1) working day, * * *.”

From the above language it is clear the Legislature intended to require *any course* of instruction to be not less than one thousand (1,000) hours of continuous instruction of not more than eight (8) hours in any one (1) working day. Nowhere in said statute has the Legislature prohibited any such school of beauty culture from having a day course and a separate night course, nor has it prohibited such schools from having

several separate courses as long as such courses meet the requirements of said statute.

I am therefore of the opinion a school of beauty culture may conduct one (1) class of not more than eight (8) hours in the day time and also conduct for other pupils a similar class in the evening without violating the provisions of the beauty culture law.

OFFICIAL OPINION NO. 68

July 18, 1945.

Hon. Ralph F. Gates, Governor,
State of Indiana,
State House,
Indianapolis 4, Indiana.

My dear Governor:

I have your letter of June 16th, in which you enclose the original contract entered into for the architectural work for the World War Memorial, dated April 14, 1923, also copy of supplemental contract for architectural work entered into March 15, 1927, together with copy of minutes of the meeting of the Board of Trustees April 19, 1923. In your letter you asked for an official opinion as to whether these contracts bind the State of Indiana or the World War Memorial Commission to continue to have the architectural work done by the firm of architects at Cleveland, Ohio. The question evidently relates to architectural work contemplated by Chapter 204 of the Acts of the 1945 General Assembly.

It is provided by Section 3 of Article 10 of the Indiana Constitution that "No money shall be drawn from the treasury but in pursuance of appropriations made by law." The contract first mentioned above, of the date of April 19, 1923, was entered into between trustees of the Indiana World War Memorial and the firm of Walker and Weeks of Cleveland, Ohio, under and pursuant to an Act of the Legislature of Indiana known as Chapter 50, Special Session 1920, page 174. This Act created a board of trustees known as "Trustees of the Indiana World War Memorial." The power of said board of trustees is set forth in Section 6 of said Act (Sec. 59-207