state or of the county or from fees received for their services. * * *.”

After a careful consideration of the language found in Section 1 of Chapter 33, Acts 1941, it is my opinion that the deputy registration officers may be regularly appointed deputy clerks provided their appointment as a deputy registration officer is made in accordance with the provisions of the above quoted Act, and provided, further, that the necessary funds have been duly appropriated and are available to pay their salaries as deputy clerks. Furthermore, such deputy clerks acting as deputy registration officers are entitled to receive, in addition to their salary as deputy clerk, a sum of not to exceed five cents for each and every registration blank or transfer of registration which such registration officer delivers, properly filled out and executed, to the clerk.

STATE ATHLETIC COMMISSION: Promoter of wrestling and boxing matches required to give statutory bond covering payment of taxes. Other person’s bond covering exhibitions in another city cannot suffice for this promoter’s bond.

March 11, 1944.

Opinion No. 26

Hon. Sam Murbarger, Secretary
State Athletic Commission of Indiana,
225 State House,
Indianapolis, Indiana.

Dear Sir:

Your letter of March 9, 1944, received requesting an opinion as to whether or not the bond of Mr. Malcolm A. Eastes, a matchmaker of Hammond, Indiana, which bond covers liabilities for losses on boxing and wrestling exhibitions held in Hammond, Indiana, is sufficient to cover any losses that may occur on exhibitions held in Gary, Indiana, under a promoter’s license to be hereafter issued to Mr. Dorrance Funk, for which promoter’s license application is now being made.

A personal investigation of the bond of Mr. Eastes as filed in the Treasurer of State’s office reveals that such bond is
limited to exhibitions held in Hammond, Indiana. I am therefore, of the opinion that the bond would not cover exhibitions held in Gary, Indiana.

Under Section 63-209, Burns 1933, same being Sec. 9, Ch. 93, Acts of 1931, all promoters, matchmakers, etc., are required to be licensed before participating, either directly or indirectly, in such boxing, sparring, wrestling match, or exhibition.

Section 63-223, Burns 1933, being Sec. 23, Ch. 93, Acts of 1931, provides that every person, club, corporation or association "which may conduct any match or exhibition under this act" shall execute and file with the Treasurer of State a bond, not less than five thousand dollars ($5,000), in such form and with such sureties thereon as may be approved by the State Treasurer, payable to the State of Indiana, and conditioned for the payment of the tax imposed by such Act, and in compliance with said Act, and in compliance with the valid rules and regulations of the commission, before any such license shall be issued.

It is my opinion that under the foregoing statutes, the promoter who is actually conducting such exhibitions, who would be Mr. Funk in this case, would be required to execute such bond before he could secure such license. If this is a partnership arrangement between Mr. Funk and Mr. Eastes, they would be required to secure a license, and would be required to give a bond, in that form. In any event, the bond of Mr. Eastes covering liabilities arising from exhibitions in the city of Hammond, Indiana, would not qualify Mr. Funk for such promoter's license.

STATE BOARD OF ACCOUNTS: Constitutional Law-Statutes. Title to prior act of legislature may be amended to broaden its scope. Title as amended supersedes original title. Title to Chapt. 89, Acts 1943, sufficient. Airports may be acquired and operated by cities of 4th class under either the Act of 1929 as amended in 1943 or Chapt. 24 of the Acts of 1943. Funds appropriated for maintenance and operation limited by Art. 13, Sec. 1 of Constitution and provisions of the acts themselves. Surplus funds of municipally owned utility can only be used