serve to place such a creditor on notice that more or less than the par value of the stock might be received. Under those circumstances, I am of the opinion that there has been a substantial compliance with the statutory requirements and that the stock may be sold at less than par value if so resolved by the Board of Directors.

DEPARTMENT OF CONSERVATION: Whether department may sell a tract of land originally acquired as a part of the Greene-Sullivan State Forest.

October 1, 1943.

Hon. Hugh A. Barnhart, Director,
Department of Conservation,
140 North Senate Avenue,
Indianapolis, Indiana.

Dear Mr. Barnhart:

This is in response to your recent letter inquiring as to the right of the State to sell a certain twenty acre tract of land originally acquired as a part of the Greene-Sullivan State Forest.

From your letter and a memorandum of Mr. Carpenter, the State Forest Inspector of your department, it appears that the twenty acre tract of land does not lend itself to forestry purposes; that only a small percentage of the trees planted on the tract have survived; and there is no forestry growth on the land. There are no improvements on this twenty acres and it is not of any use to any institution of the State. The question is whether or not the land can be sold under authority of Sec. 11 of Ch. 162 of the Acts of 1889 found in Burns’ Ind. Stat. Ann. 1933, Section 62-216, which is as follows:

"The auditor of state is hereby authorized and directed to sell, under the provisions and conditions of this act, all lands of the state upon which there is no public building, or which is not in actual use by any of the institutions of this state, or which has not been set apart by law for state purposes, the proceeds thereof to be paid into the general fund in the treasury of state: Provided, That the square known as Univer-
sity Square in Indianapolis shall not be sold under the provisions of this act."

From your letter and the correspondence it appears also that the twenty acre tract of land has not been set apart by law for State purposes. Under these conditions the twenty acres of land may be sold in accordance with the provisions of the above statute to which you refer.

STATE BOARD OF ACCOUNTS: Township assessors, salary of certain classes.

October 4, 1943.

Hon. Otto K. Jensen,
State Examiner,
Department of Inspection and Supervision of Public Offices,
State Board of Accounts,
State House,
Indianapolis, Indiana.

Dear Mr. Jensen:

This will acknowledge receipt of your letter dated September 30th, 1943, which reads as follows:

"At the request of the Assessor of Washington Township, Marion County, I would like to have your opinion on the amount of salary that such township assessor is entitled to under the present statute.

"We have been of the opinion that Section 136 of Chapter 59, Acts of 1919 (Burns' R. S. 64-1003) controls the salary to be received by township assessors of the class of Washington Township. It is the assessor's opinion that he comes under the provisions of Sec. 1 of Chapter 215, Acts of 1935 (Burns' R. S. 64-1005). Washington Township has a population of 42,978 and a valuation in excess of $93,000,000."

Burns' R. S. 1933, Section 64-1003, in part reads as follows:

"* * * And provided, further, That each assessor in any township in this state containing a population of over one hundred thousand (100,000) and not over two