of the Acts of 1939 cannot be administered out of the Auto License Fund.

It by no means follows, however, that the law is invalid or unenforceable. Additional burdens may be placed on a public officer without a corresponding increase in salary.

Board, etc. v. Gresham, 101 Ind. 53, at p. 56; Bynum v. Board, etc., 100 Ind. 90, at p. 91.

The Act under consideration, however, does provide for the payment of a fifty cent service charge. (See section 3.) Section 2 of said Act provides also that:

“All applicable provisions of the law of the State of Indiana concerning registering and licensing of motor vehicles shall apply to the registering and licensing of motor boats except as modified or extended by the provisions of this Act. * * *”

One of these applicable provisions is the limitation of the notary fee which would leave a margin of this service charge available for some other purpose; and while it is true that the appropriation of such balance is not as explicit as it might be made, it is also true that no set form of language is necessary to constitute an appropriation. All that is necessary is the use of words sufficient to authorize the expenditure.

Carr, Aud. v. State, ex rel., 127 Ind. 206.

The designation of the fee as a “service charge” indicates, I think, that it is to be used to pay the expenses of administering the Act, and I so hold. But I do not think such fees can be supplemented by the Auto License Fund.

HISTORICAL BUREAU: Authority to sponsor, for WPA a state-wide museum project.

May 2, 1939.

Hon. Christopher B. Coleman,
Director, Indiana Historical Bureau,
Department of Education,
140 North Senate Avenue,
Indianapolis, Indiana.

Dear Sir:

I have your request for an official opinion upon the question of the authority of the Historical Bureau to sponsor for
the WPA, state-wide museum project. Such authority is dependent, under the "General Rules of Eligibility Regarding Sponsorship of WPA Projects" as attached to your request, upon the Historical Bureau possessing the legal authority to engage in work in the various county historical museums in Indiana.

The Historical Bureau was created as a division of the Indiana Library and Historical Department (sections 63-801 and 63-802, Burns Ind. St. Ann. 1933) and is a part of the Department of Education pursuant to executive proclamation issued April 15, 1933, under authority of section 60-101, et seq., Burns, etc., 1933.

It was provided that "the records, papers, facilities, equipment and other property now known as and constituting the Historical Commission shall constitute the Historical Bureau of the Indiana Library and Historical Department." Section 63-804, Burns, etc., 1933.

An examination of the duties of the Historical Commission, authorized by the General Assembly of 1915, gives some indication of the scope of the material which came into the custody of the bureau pursuant to the above quoted provision:

"It shall be the duty of the commission to edit and publish in such form as it may determine, documentary and other materials on the history of the State of Indiana. * * *

"The commission shall prepare and execute plans for an historical and educational celebration of the centennial of the State. The commission may arrange such exhibits, pageants and celebrations as it may deem proper to illustrate the epochs in the growth of Indiana; to reveal its past and present resources in each field of activity; to teach the development of industrial, agricultural and social life, and the conservation of natural resources. The commission is authorized to procure pictures, cuts, photographs and materials illustrative of the history and development of the State and to cooperate in such manner as the commission may determine with State and local authorities and agencies in stimulating public interest and activity in the celebration."
The statute thus defines the duties of the Historical Bureau:

"It shall be the duty of the Historical Bureau to edit and publish documentary and other materials relating to the history of the State of Indiana, and to promote the study of Indiana history in cooperation with the Indiana Historical Society and any other like organization, and to promote the development of the State historical museum and the collection of archeological material." (Sec. 63-812, Burns, etc., 1933.)

Other statutory provisions authorize financial assistance to local historical societies "for the construction and furnishing of rooms or for the purchase and remodeling of a building for the meetings of such historical society; and/or for the installation, construction and furnishing of fireproof vaults for the preservation of the records, historical papers, souvenirs and natural history collections of such society." (Secs. 26-1301 to 26-1311, Burns, etc., 1933.)

The General Assembly has specifically authorized the Historical Bureau to "promote the study of Indiana history in cooperation with the Indiana Historical Society and any other like organization," and has given to the bureau a great variety of matter including "pictures, cuts, photographs and materials illustrative of the history and development of the State." There can be no question but that the legislative purposes would be effectively carried out through the development of museums. That the General Assembly was of like opinion is evidenced by its provisions (sections 26-1301, et seq., supra) for the proper preservation of historical materials in locally situated buildings.

The statutes above referred to contain ample authority for the Historical Bureau to carry on work in connection with local historical societies in their various county historical museums. The only limitation to be found in the statute may be said to be that such work shall be directed toward editing or publishing documentary or other material relating to the history of the State, or promoting the study of Indiana history, but in the light of the property entrusted to the bureau and to the local societies, and in view of the statutory duty to preserve such property, the bureau is authorized to engage in any kind of work dealing with any of the books, records, documents, photographs, historical papers, souvenirs, natural his-
tory collections and other material or property having any relation to any of the various county historical museums.

PUBLIC INSTRUCTION, DEPARTMENT OF: Equivalency certificates, authority of State Board of Education to issue, discontinue, and formulate rules and regulations for examination of applicants.

May 9, 1939.

Hon. Floyd I. McMurray,
State Superintendent of Public Instruction,
Department of Education,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter requesting an official opinion in answer to the following questions:

"1. Upon what authority may the State Board of Education issue an equivalency certificate?
2. May the practice of giving equivalency examinations and issuing equivalency certificates legally be discontinued?
3. Does the State Board have the power to formulate rules and regulations for the examination of applicants for equivalency certificates?"

I find two sections of the statute which have reference to the issuance of equivalency certificates, as I understand the term to be used. They are section 28-4926 of Burns Indiana Statutes Annotated (1933), and section 28-4816 of Burns Indiana Statutes Annotated (1933). The last of these sections is section 4 of chapter 101 of the Acts of 1907, the same being an Act entitled:

"An Act to classify and regulate the minimum wages of teachers in the public schools."

Section 4 made it the duty of the State Board of Education from time to time to provide regulations which shall define the words "high school" and "equivalent" as the terms are used in the Act. The term "equivalent" is used only in section 2. However, this section, as amended by chapter 51 of