said auditor of an amount equal to three-fifths of the first annual premium on said applications, and not less than twenty-five thousand dollars in securities required by the last preceding section and, on compliance with said provisions, the auditor of state shall issue to said company a certificate authorizing said company to do business."

You inquire whether the "three-fifths of the first annual premium" on the required preliminary applications is in addition to the twenty-five thousand dollars. I do not think so. I think the section requires the deposit in certain designated securities of an amount equal to three-fifths of the first annual premium on the preliminary applications, subject, however, to the further provision that such deposit must be at least twenty-five thousand dollars. Such a construction has the effect of making the initial deposit of a mutual company conform in amount with the initial deposit required by the next preceding section in the case of a stock company, which, I think, is the clear legislative intent.

GOVERNOR: Investigators of poor—employment of same by township trustee; number provided by law and salary of each.

April 3, 1933.

Hon. Wayne Coy, Executive Secretary,
Governor's Commission on Unemployment Relief,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter requesting an interpretation of certain provisions of Chapter 158 of the Acts of 1933, entitled "An Act authorizing township trustees to employ investigators of the poor and other necessary employees and pay their compensation out of the township poor fund on legal requisitions approved by the board of county commissioners, and declaring an emergency." Acts of 1933, page 822.

Section one of the above act provides in part as follows:

"The township trustee of each township in this state, in his ex officio capacity as overseer of the poor within his township, shall have authority to employ investigators and other assistants in discharging his duties
concerning the relief of the poor in such township and to fix the salaries or wages to be paid to such investigators and assistants. *Such compensation shall not exceed four dollars per day for any such employee* and shall be payable out of the township poor fund on legal requisitions approved by the board of county commissioners of the county in which such township is situated. *The number of investigators, as herein provided, shall not at any one time exceed one such investigator for each two hundred families which are being given assistance by the township trustee.*” (Our italics.)

Your first question assumes a case where a township at a given time has four hundred and ten families on relief, and in accordance with the authority of the act, the trustee has employed two investigators. Subsequently, due to seasonal changes, the number of families on relief within the township is reduced to three hundred and eighty. You inquire whether the number of investigators must be reduced to one on account of such reduction. I think the number must be thus reduced. The language of the act seems to be clear on the point that the number of investigators must not *at any one time* exceed one for each two hundred families which are being given assistance by the township trustee.

You also inquire as to the allowance of expense reimbursement to investigators in addition to the “four dollars per day” which may be paid to them as provided in the act out of the township poor fund. The act makes no provision for the payment of such expense, however, out of such fund, and I know of no other fund out of which such expense could be paid. In my opinion, the maximum *per diem* to investigators under said act is “four dollars per day” and that no allowance can be made for expense reimbursement.