Your second question depends partly upon historical facts, all of which are not in the possession of the writer. In the case of the Civil War, it has been held by the courts that the war began April 12, 1861, and ended April 1, 1865. Likewise, the courts have fixed the period of the late war with Germany between the dates of April 6, 1917, and July 2, 1921. April 21, 1898, was fixed by Congress as the date when a state of war first existed between this country and Spain, and the war terminated officially on April 11, 1899, when ratifications of the Treaty of Paris, which had been signed December 10, 1898, were exchanged and officially proclaimed.

The war in the Philippines, being an insurrection by subjects of the United States and therefore, never recognized by official proclamation as a war between sovereign states, presents a more difficult problem. This "war" generally is recognized as having begun on February 4, 1899. (See World Almanac, 1933.) Aguinaldo, leader of the insurrectionists, was captured March 25, 1901, and the United States established a civil government in the Philippines on May 3, 1901. It is the writer's opinion that the latter date should be taken as the one marking the termination of the "war" in the Philippines.

AUDITOR OF STATE: Per diem of special judges—whether salary reduction act applies to such per diem.

June 29, 1933.

Hon. Floyd E. Williamson,
Auditor of State,
Indianapolis, Indiana.

Dear Sir:

I have before me your request for an official opinion as to whether the General Salary Reduction Act of 1932, the same being chapter 70 of the Acts of 1932, the terms of which were extended by chapter 122 of the Acts of 1933—whether the provisions of the above acts apply to the per diem of special judges as provided in chapter 25 of the Acts of 1932.

It is my opinion that the above General Salary Reduction Acts do not apply to the per diem of special judges, which is fixed by chapter 25 of the Acts of 1932 at the sum of ten ($10.00) dollars per day for the time actually served.