tracts, all funds from the investment of capital, and all receipts from any source whatsoever, one per cent."

I am of the opinion that the monies received as an annuity or as disability compensation come within the purview of "* * * all funds from the investment of capital, and all receipts from any source whatsoever, * * *"); and therefore that such receipts constitute "taxable gross income" under the provisions of the law.

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HIGHWAY COMMISSION: Whether commission would be justified in paying bill of Muncie Water Works Company for lowering their mains.

July 11, 1933.

Hon. Evan B. Stotsenburg,
Commissioner,
State Highway Commission,
Indianapolis, Indiana.

Dear Sir:

I have your letter of July 1st in regard to the matter of the bill of the Muncie Water Works Company for lowering their mains in the sum of $546.35.

Inasmuch as the mains were not on a public highway and they had a prior grant of right-of-way over that particular ground, they would not come under the same rule as where the mains have been constructed on a public street or highway.

It is my opinion, therefore, that the commission would be justified in paying this bill for lowering the mains.

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GROSS INCOME AND STORE LICENSE DEPT.: Liability of Sinclair Oil Refining Company for store license tax.

July 12, 1933.

Mr. N. W. Gordon,
Gross Income Tax and Store License Division,
Department of Treasury,
Indianapolis, Indiana.

Dear Sir:

I have before me your request for an official opinion regarding the liability of Sinclair Oil Refining Company for store license tax under the following conditions, namely: