of the attending physician. Nothing is said in the latter act, however, about any of the expenses of treatment other than the furnishing of the serum itself. Since section 8197, supra, provides that "the state board of health shall provide means to give the Pasteur treatment," and since the cost of the serum has been made a charge on the respective counties, cities and towns by a later enactment of the legislature, it is my opinion, that the state board of health should take care of all necessary expenses, in a proper case, except the cost of the serum.

CONSERVATION DEPARTMENT: Whether Universal Hunting and Fishing License Law applies to persons fishing in those parts of Lake Michigan under jurisdiction of this state.

July 13, 1933.

Hon. Kenneth M. Kunkel,
Director, Fish and Game Division,
Conservation Department,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter of June 24, 1933, in which you ask whether or not the so-called "Universal Hunting and Fishing License Law" applies to persons fishing from piers in those parts of Lake Michigan under the jurisdiction of this state.

The law in question is chapter 216 of the Acts of 1933, which, omitting title and introductory matter, reads as follows:

"The following persons only may hunt, fish or trap without a license therefor, and upon these conditions only: The owners of farm lands who are residents of Indiana, and their children living with them, upon such lands only; bona fide tenants of farm lands, residing thereon, upon such lands only. All persons under eighteen years of age may fish without a license. Also all persons who by right of being an honorably discharged soldier, sailor, marine or army nurse are exempt from securing a license under this act." (My italics.)

The persons about whom you inquire are not among the classes of persons expressly exempted from the operation of
the act. And the act provides that such persons “only” as are named therein “may hunt, fish or trap without a license therefor.” That part of the waters of Lake Michigan which is within the jurisdiction of Indiana constitutes a part of the public waters of this state and is subject to the operation of our fish and game laws unless expressly excepted.

PUBLIC INSTRUCTION, DEPT. OF: Whether trustee may legally split his vote half and half making it possible for auditor to cast deciding vote for county superintendent.

July 13, 1933.

Hon. Grover Van Duyn,
Assistant Superintendent,
Department of Public Instruction,
Indianapolis, Indiana.

Dear Sir:
I have before me your letter of June 16, 1933, submitting the following question:

“Can a trustee legally split his vote giving one-half a vote to each of two different candidates for county superintendent, thus bringing about a tie vote and in this way making it possible for the auditor to cast the deciding vote?”

The statute controlling elections of county superintendents by the township trustees of each respective county is section 6507 Burns Annotated Indiana Statutes, Revision of 1926. So much of the section as is pertinent to the question presented reads as follows:

“The township trustees of each county of this state shall meet at the office of the auditor of their county on the first Monday in June, 1917, at ten o’clock a.m., and every four years thereafter, and elect by ballot a county superintendent for their county. * * * In all elections of a county superintendent, the county auditor shall be the clerk of such election; and in case of a tie vote, the auditor shall cast the deciding vote. In case any one candidate shall receive a number of votes equal to one-half of all the trustees of the county, the county auditor shall then and at all subsequent