stitution within the meaning of the law, the fact that less than forty-two months elapsed between matriculation and graduation would not in and of itself standing alone, prevent the Board from issuing a certificate for a license to said applicant.

HEALTH, STATE BOARD OF: Public nuisances—penalty and removal.

Division of Public Health, Housing and Industrial Hygiene, State House Annex, Indianapolis, Indiana.

Attention: Mr. Fred K. Myles, Director.

Dear Sir:

In reply to your inquiry relative to public nuisances:

Section 2647 B. R. S. 1926, provides:

"Whoever causes or suffers any offal, filth, or noisome substance to be collected or to remain in any place to the damage, prejudice, or discomfort of others or the public." * * * "shall on conviction be fined not less than ten dollars nor more than five hundred."

The above section is part of the criminal code referring to criminal offenses contrary to public health.

Section 2351 B. R. S. 1926, provides as follows:

* * * Abatement of nuisance. * * * "After any person shall have been convicted of erecting, continuing, or maintaining any public nuisance, the court may make it a part of the judgment that such nuisance be removed by the proper officer."

Section 11832 B. R. S. 1926, provides as follows (referring to prosecutor):

"Such prosecuting attorneys within their respective jurisdictions, shall prosecute all prosecutions for felonies and misdemeanors."

Section 1, chapter 140 of the Acts of 1933, provides:

"Prosecuting attorneys and their deputies shall receive for their services the compensation provided in
this act, which compensation shall be paid monthly, from the general fund of the county, in the manner now provided by law for the payment of official salaries, and they shall receive no other compensation, per diem, per centum or other remuneration whatsoever.”

From a review of the above sections of the statutes, it is my opinion, that upon the proper showing of facts by your department or others comprising a criminal nuisance, the prosecuting attorney of Laporte County is required to institute proceedings against the offender without other compensation than the salary he now receives from the general fund of Laporte County.

MEDICAL REGISTRATION AND EXAMINATION, BOARD OF: Chiropractor—whether he has legal right to treat feet and announce same to public in any manner whatsoever.

July 28, 1933.

Dr. Dan Tucker,
President, Board of Podiatry Examiners,
Indianapolis, Indiana.

Dear Sir:

Your letter of July 20th in which you enclose to this office certain advertisements of the “Hooper Clinic” appearing in the public press and wherein you ask this office this question:

“Has a chiropractor the legal right to treat feet and announce same to the public in any manner whatsoever?”

In reply, will say that the statute of the state regulates the subject of the practice of medicine.

Section 12234 of the Revised Statutes of 1926 reads as follows:

“It shall hereafter be unlawful for any person to practice medicine, surgery or obstetrics in this state without first obtaining a license so to do, as herein- after provided.”

Section 12243, so far as is applicable to your question, reads as follows: