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 hereinafter provided.”

Section 12243, so far as is applicable to your question, reads as follows:
"To open an office for such purpose, or to announce to the public in any way a readiness to practice medicine in any county of the state, or to prescribe for, or to give surgical assistance to, or to heal, cure or relieve, or to attempt to heal, cure or relieve those suffering from injury or deformity, or disease of mind or body, or to advertise, or to announce to the public in any manner a readiness or ability to heal, cure or relieve those who may be suffering from injury or deformity, or disease of mind or body, shall be to engage in the practice of medicine within the meaning of this act."

Our courts have defined the practice of medicine to be persons who pretend to cure diseases for a compensation by any means.

Witty v. State, 173 Ind. 404.

All persons who pretend to cure diseases of any character.

Benham v. State, 116 Ind. 112.

Chiropractic is defined by Webster as follows:

"A system of healing that treats disease by manipulation of the spinal column."

Where a statute provides that one not lawfully authorized to practice medicine who practices or attempts to practice medicine in any of its branches must have a license. Chiropractic is the practice of medicine and is in violation of such statute.


Section 12243.1 Revised Statutes of 1929 (Vol. IV) among other things provides as follows:

"All persons who are now practicing or may hereafter engage in the practice of chiropractic or any other (drugless) method or system of healing in this state shall be subject in all respects whatsoever to all the provisions of an act entitled 'An act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of licenses to practice, providing for the appointment of a state board of medical registration and examination and defining their duties, defining
certain misdemeanors and providing penalties, and re-
pealing all laws in conflict therewith and certain acts
therein specified,' approved March 8, 1897, and all acts
amendatory thereof and supplemental thereto, except
that applicants for license to practice chiropractic or
any other system or method of healing in which drugs
are not administered and which does not include sur-
gery or obstetrics shall not be required to take an
examination in materia medica, surgery and obstetrics:
Provided, That any chiropractor or practitioner of any
other system or method of healing, who is a graduate
of a school or college teaching the system or method of
healing which he practices, and who was on January
1, 1927, residing in the State of Indiana and practicing
chiropractic or any other system or method of healing
taught by the school or college of which he is a gradu-
ate, shall be given without examination a certificate
for a license to practice the system or method of heal-
ing in which he has been so engaged.”

The practice of podiatry is defined by statute and is found
in section 12246 of the Statutes of 1926.

This section, together with the following sections, provides
that no one may practice podiatry except those who are li-
censed so to do.

Section 12254 reads as follows:

“This act shall not apply to the physicians licensed
by the state board of medical registration and exam-
ination of this state, nor to the surgeons of the United
States army, navy and United States public health
service, when in actual performance of their official
duties.”

I must construe all of these statutes together in order to
determine the legislative intent and construing them as I do,
I find that no one can practice medicine except that he be
licensed so to do. I also find that a chiropractor is a practi-
tioner of medicine and must have a license to practice his
profession and he is governed by the same statute which
covers the practice of medicine generally, and the courts have
decided that a chiropractor is engaged in the practice of
medicine.
The statute defining podiatry and fixing his qualifications by its provisions requires everyone to have a license to practice this profession except physicians licensed by the Board of Medical Registration and Examination. Your letter states that the person referred to, has a license to practice chiropractic and therefore, licensed to practice medicine under the provisions of the law.

Therefore, since a chiropractor is licensed to practice medicine under the provisions of the statute, he would have the right, in my opinion, to practice podiatry under the expressed provisions of this statute.

DENTAL EXAMINERS, BOARD OF: Payment of fees on application for certificate to practice dentistry; time of payment and whether or not fee is divisible.

July 28, 1933.

Hon. J. M. Hale, D. D. S.,
Secretary-Treasurer,
Indiana State Board of Dental Examiners,
Mt. Vernon, Indiana.

Dear Sir:

I have before me your letter of July 20 announcing that your board plans to institute junior examinations for the accommodation of junior dental students, covering six of the fifteen theoretical subjects covered by your board’s general examinations. The candidates would be examined as to the remaining nine subjects, according to your letter, after graduation from dental school. This division of the examination into two sections is made for the benefit of the applicant, and you ask whether you may charge a fee of $10.00 for the junior examination, to be credited upon the total fee of $25.00 provided for by statute.

The particular section of the law applicable to fees and examinations is section 2, chapter 169, Acts of 1931. This section reads in part as follows:

"After this law goes into effect, any person desiring to begin the practice of dentistry in this state shall procure from the state board of dental examiners a certificate that such person is entitled to practice dentistry in the State of Indiana and, in order to procure