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
such certificate, the applicant shall submit to the state board of examiners his diploma from a dental college recognized by the state board of dental examiners of Indiana or holding a license from the state board of dental examiners of Indiana. *Every such applicant shall pay to the board twenty-five dollars at the time of making such application, and shall pass an examination before the board at a time and place to be fixed by the board.* * * *” (Our italics.)

It seems clear, in view of the above provision, that an application must be filed by the person desiring a certificate before he shall be entitled to take the examination. And the law specifically provides that the applicant shall pay twenty-five dollars “at the time of making such application.” (Our italics.)

As the law now reads, it is my opinion that the board has no authority to grant an examination to any applicant unless the full fee of twenty-five dollars has first been paid. I can readily see the desirability of such a plan as you suggest; but until there has been an appropriate amendment of the act under which your board operates, you will have to demand the full fee before allowing any applicant to take a junior examination such as you propose.

GOVERNOR: Cities and towns—whether city whose population at last U. S. Census was less than 3,000 may be classed as fifth class city.

July 29, 1933.

Hon. Wayne Coy,
Under Secretary to the Governor,
State House,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter of the 21st inst., asking my opinion as to whether a city whose population was so close to the three thousand mark by the last preceding United States census as to raise the presumption that since such time such population has reached such mark, could not be classified as a fifth class city by a ruling of this office, under chapter 283