of compensation is not the criterion to be used in its determination.

In the case of Wells v. State of Indiana, ex. rel. Peden, 175 Ind. 380, a trustee of the school board of the town of Spencer, Indiana, receiving a compensation of $60.00 per annum, was appointed deputy county auditor. The office of the membership of the school board was declared to be vacant and a successor appointed and qualified. The facts are practically identical with the ones in your question. The supreme court therein, ruled both offices to be lucrative, and the procedure below to be correct.

It is my opinion, that the acceptance of the office of deputy state veterinarian vacated the office of trustee of the school town of Spencer.

TAX COMMISSION: Taxation—meaning of “paid-in value” as used in chapter 82 of Acts of 1933.

August 12, 1933.

Hon. Philip Zoercher, Chairman,
State Board of Tax Commissioners,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter requesting an interpretation of the language, “paid-in value of its shares of capital stock, issued and outstanding,” as used in section 5 of chapter 82 of the Acts of 1933. The particular question is, whether the above language refers to the actual amount paid in or whether it refers to the present cash value or sale value.

I think said language clearly refers to the actual amount paid in as distinguished from the face or par value. It does not have reference to cash value or sale value.

HIGHWAY COMMISSION: Whether it may reimburse A. M. Smith for right-of-way.

August 12, 1933.

Hon. James D. Adams, Chairman,
State Highway Commission,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter requesting an opinion as to whether the commission may legally reimburse A. M. Smith