"Classifications of subjects of legislation that are natural, fair and reasonable are permitted by the Constitution."

Chapter 74 of the Acts of 1931, applies to all townships having wholly or partially within their borders, one or more second class cities which are not county seats, or having wholly or partially within their borders any first class cities. This law is general in that it applies to all townships in the state coming within this classification. It is entirely reasonable, since, it is evident that the necessity for frequent meeting of the advisory board in matters of poor relief is much more extensive in townships having a large population than in such where the population is not so great. The very fact that such township contains within its borders, a city of the first or second class, indicates that the demands for poor relief in such a township would be far more numerous than in a township not falling within the classification.

It is, therefore, my opinion that chapter 74 of the Acts of 1931 is entirely valid and constitutional.

INDUSTRIAL BOARD: Workmen's compensation—what fund to be used for payment of.

August 26, 1933.

Hon. Ira M. Snouffer, Chairman,
Industrial Board of Indiana,
Indianapolis, Indiana.

Honorable Sir:
I have before me your request for an official opinion in response to the following inquiry:

"On the 13th day of February, 1933, the above named plaintiff received an injury while leaving the state house and on his way home from his employment with the industrial board.

"On the 22nd day of February, 1933, plaintiff filed his application, being Form No. 9, with the industrial board requesting that he be awarded compensation. That thereafter on the 3rd day of April, 1933, the full industrial board awarded plaintiff compensation at the rate of $16.50 per week, beginning on the 21st day of
February, 1933, and to continue during period of plaintiff's disability as a result of said injury, not exceeding the period fixed by law, and requiring that all deferred payments owing the plaintiff by reason of said compensation be paid in cash and in a lump sum forthwith. That on the 4th day of April, 1933, the sum of $99.00 was paid said plaintiff to apply on the compensation due him, bringing the compensation payments to date. That the physician, hospital and nurse's services were paid by the industrial board.

"The question confounding the industrial board at the present time is just from which fund the balance of the compensation due this plaintiff should be paid, and we would appreciate if you would kindly advise us from which fund to make settlement with Mr. Wolf for his compensation."

It should be noted that there is no fund provided for in the budget of the industrial board of Indiana for the specific purpose of making compensation payments. By their very nature such payments are in lieu of salaries or wages for personal services. The compensation payment represents compensation which would normally accrue to the individual from the personal services fund.

It follows logically, then, that in the absence of a fund specifically designated to meet the contingency of such compensation payments, that such payments should be made from the fund designated for the payment of personal services.

PUBLIC INSTRUCTION, DEPT. OF: (1) Deputy county superintendent, salary (2) county superintendent, mileage; (3) Sec. 6514, B. R. S. 1926 not repealed by Acts of 1933; (4) effective date chapter 21, p. 144, Acts of 1933.

August 28, 1933.

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

Dear Sir:

In your letter of August 28, 1933, you ask: