and that the salary of such deputy shall be fixed by the township trustees and paid out of the county treasury upon warrant issued by the county auditor.

Your second question, "Does the 1933 statute deny mileage to county superintendent, provided the board of education and county council approves?" has been heretofore answered. According to a former opinion from this office, the 1933 Acts deny mileage to the county superintendent.

Your question (3), which is as follows: "Does the 1933 statute so stated repeal section 6514 Burns 1926, which law gives a county superintendent a deputy?", is answered in point one herein. It may be added that the first question answered had to do with a special class; that is, counties of the population between 15,000 and 25,000. In this class, the 1933 Acts do not repeal section 6514 of Burns Revised Statutes of 1926.

You ask in your fourth question, "Does this 1933 law forbid granting mileage prior to January 1, 1934?" The Acts of 1933, chapter 21, reading on page 114, provide as follows: "Effective Date. Sec. 18. This act shall be in full force and effect on and after January 1, 1934." It follows from the reading of section 18, that the law heretofore in effect pertaining to mileage continues in effect until January 1, 1934; that is, mileage is not forbidden until January 1, 1934.

ADJUTANT GENERAL: Liability insurance—on armory properties as required by contract—vouchers to be honored.

August 29, 1933.

Hon. Elmer F. Straub,  
Adjutant General,  
Indianapolis, Indiana.

Dear Sir:

I have before me your request for an official opinion regarding the following:

"Referring to your conversation of this date with Major Thompson, of this department, regarding liability insurance on the various trusteeed armories over the state, it is requested that an official opinion be rendered, in order that the auditor's office will honor vouchers for this type of insurance."
"This insurance is called for in lease contract agreement entered into between the Peoples State Bank, as trustees, and the state armory board. It states as follows—that the armory board will insure said buildings against loss by fire, tornado, public liability, rental and contingent landlord liability and to place such insurance in good responsible insurance companies, designated and approved by the Peoples State Bank, in an amount as respects tornado, 90 per cent of insurable value of such building and improvements and as respects public liability insurance and contingent landlord liability insurance to an amount equal to $10,000 on any one person and $25,000 in any one accident.

"We have some vouchers that have been held up by the auditor's office and would appreciate an opinion as soon as possible."

From an examination of the contracts referred to, we find that the liability insurance which forms the subject matter of this inquiry is carried for the benefit of the owner of the premises and is specifically required to be kept in force by the definite terms of the contract.

I am, therefore, of the opinion, that the armory board is liable for the liability insurance in question and that the auditor's office should pass the voucher for payment.

---

DENTAL EXAMINERS, BOARD OF: Rights of board to suspend or revoke dental license.

August 29, 1933.

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

Dear Sir:

Your letter of August 25 in which you asked concerning the law and your rights as a board to suspend or revoke a license once issued to a dentist, has been received.

Your attention is directed to section 9 of chapter 169 of the Acts of 1931, found on page 591, which reads as follows:

"The state board of dental examiners may refuse to issue a certificate, or if a certificate has already been