"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
issued, and the right to refuse the evidence upon which a certificate has been issued, and then suspend or revoke the same and the license issued thereon for any of the following causes: * * * 6. That the holder thereof employs a solicitor or capper for the purpose of procuring patients for dental work to be done;”.

This is only one of the number of causes provided by the statute for the revocation of licenses theretofore granted to dentists.

The statute points out a mode of procedure.

Literally, paragraph 2 of section 10 of the Acts, supra, provides as follows:

“Proceedings to suspend or revoke any certificate or license under causes 3, 5, 6, 7 and 9 of the preceding section shall be taken upon sworn information of any resident of Indiana. Such information shall be in writing verified by a person familiar with the facts therein charged, and three sworn copies thereof shall be filed with the secretary of the board.”

This paragraph of the statute further states, that upon the receipt of such information, if the board deems the information sufficient, they shall make an order setting the charge for hearing at a specified time and place and the secretary of the board shall cause a copy of the order and the information to be served upon the accused at least twenty days before the day appointed in the order for the hearing.

One paragraph of your letter reads as follows:

“Would your office assist our board with legal services in this action, the hearing to be held in Indianapolis, as in a court case? (Sec. 12, 12a, 12b.) Or must our board engage other legal talent? Our finances have been so reduced in our current budget that extra legal talent will be almost impossible at present.”

With reference to that paragraph, the statute provides that the board and the accused may have the benefit of counsel and the board shall have power through its present secretary to administer oaths, etc.

It has been the custom of this office to represent the boards in such hearings, although there is no provision in the statute therefor. So in this case, if you hold the hearing in the state
house at Indianapolis, some member of the staff of this office will assist you.

I might suggest that you should be careful in the preparation of your pleadings and notices and the like. To assist you in preparing your notice, I will enclose to you herewith a notice which I think sufficient.

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**PUBLIC INSTRUCTION, DEPT. OF:** Whether or not model school maintained by state college or university may receive state financing under chapter 96, Acts of 1933.

August 29, 1933.

Mr. Grover VanDuyn,
Assistant Superintendent of Public Instruction,
State House,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter of August 16, 1933, in which you ask whether or not a model public school, grades one to twelve, inclusive, which is being maintained by the Indiana State Teachers College under authority of chapter 9 of the Acts of 1929, is entitled to the benefits of chapter 96 of the Acts of 1933, providing for certain financial aid by the state to the several school corporations.

Section 1 of chapter 9, Acts of 1929, provides:

"Whenever any of the several boards of trustees of the Indiana State Normal School, Indiana University and Purdue University shall have established a school in the county in this state, in which Indiana State Normal School, Indiana State University or Purdue University is situated, for the purpose of instructing children therein in the subjects and branches of learning taught in the public schools of this state, the several trustees of the school townships of this state and the several boards of school trustees of the several cities and towns in this state are hereby authorized to enter into contracts with such board of trustees of the Indiana State Normal School, Indiana University, or Purdue University, conducting such school providing for the education of all or any number of children of said"