teachers, there is necessarily a certain amount of discretion vested in the officials that select and employ teachers, and this is especially true in the employment of superintendents.

Acts 1873, p. 68;
Burns Ind. Stat. 1933, Sec. 28-1401;
School City of Crawfordsville v. Montgomery, 99 Ind. App. 526.

A contract with a school teacher must be in writing, and should be definite, and its terms otherwise reasonable. I assume that the intention of the parties in entering into a contract such as is referred to by you, is that the superintendent would receive an amount in addition to his stipulated monthly or yearly salary expressed in the form of expense incurred by him in his attendance at certain educational association conferences. These meetings have come to be almost a part of the public school educational system and attendance at such association is not an unreasonable requirement. While I question the propriety of making special agreements with teachers or superintendents, which depart from the prescribed uniform contracts, I am of the opinion that a contract of the tenor set out by you under your second inquiry is legal.

Your first question is answered in the negative. Your second question is answered in the affirmative.

WOMAN’S PRISON: Penalty for carrying pistol without permit.

March 16, 1936.

Mrs. Marian F. Gallup,
Superintendent,
Indiana Women’s Prison,
Indianapolis, Indiana.

Dear Madam:

I have before me your letter of March 4, 1936, in which you ask about the sentence of a woman from Fayette County for “carrying pistol without permit”, and in reply will say that perhaps the court, in making out the commitment, in this case, has used the word permit in the same sense that license
is used. The statute makes it a felony to carry a pistol without a license.

In this connection, I desire to direct your attention to Chapter 63 of the Acts of 1935, which is an act to regulate the sale, transfer and possession of certain firearms and prescribing penalties for its violation.

Section 3 supra provides that "No person shall carry a pistol in any vehicle or on or about his person, except at his place of abode or fixed place of business without license to have as hereafter provided".

Section 4 of the Act makes certain exceptions in the above statute which does not apply to the case before us.

Section 5 of the Acts provides the manner of obtaining a license.

The penalties for the violation of the statute are prescribed in Section 15 supra, which reads as follows:

"Any violation of any provision of this Act constitutes a felony, punishable by a fine of not more than one thousand dollars, or by imprisonment in the State Prison, any determinate period of not less than one year nor more than ten years."

It is my opinion that the statute gives the court power to assess punishment against one convicted of carrying a concealed pistol and he may enter a judgment of a fine within the limits of the statute or if he thinks a fine is not adequate punishment for the crime, he may then, under the terms of the statute, imprison the offender as provided by the above quoted statute.

GROSS INCOME TAX AND STORE LICENSE DIVISION:

Store licenses—Form of notice of delinquent store license fees approved.

March 16, 1936.

Mr. C. A. Jackson, Director,
Store License Division,
Department of Treasury,
Indianapolis, Indiana.

Dear Sir:

I have before me your request that an official opinion issue, approving a certain form of notice to taxpayer of delinquency