dred thousand dollars ($4,600,000) during the fiscal year beginning July 1, 1935; and four million nine hundred thousand dollars ($4,900,000) during the fiscal year beginning July 1, 1936; and

"Provided, further, That from funds herein appropriated expenditures made for the specific purpose of providing for administration and supervisory service—which shall consist of: (a) salaries and per diem; (b) traveling expenses—may equal the sum of one million dollars ($1,000,000) during the fiscal year beginning July 1, 1935, and one million dollars ($1,000,000) during the fiscal year beginning July 1, 1936; and”.

Section 1, Chapter 109, Acts of 1935, pp. 385 and 386.

These specific provisions in the Act as to how the highway funds are to be expended by the Commission, without a reference to any grant to Purdue University, lead to the conclusion that the legislature did not intend to authorize the expenditure referred to in your letter.

I am of the opinion that the expenditure would not be authorized.

WELFARE, DEPARTMENT OF PUBLIC: County department of public welfare must be organized and prepared to assume duties assigned to it as an entirety before certification may issue.

Hon. Wayne Coy,
Administrator of State
Department of Public Welfare,
Indianapolis, Indiana.

April 6, 1936.

Dear Sir:

I have before me your letter calling attention to Section 120 of Chapter 3 of the Acts of the Special Session of the General Assembly of 1936 entitled "An Act concerning public welfare." The section in its entirety is as follows:

"Section 120. Continuation of powers. Notwithstanding the taking effect of this act, the several offi-
cers, agencies, and boards of any county whose duties are transferred by this act to the county department of public welfare shall continue to discharge the respective duties which they were discharging at the time of the taking effect of this act, until the state department of public welfare shall certify, in writing, to the board of commissioners of any such county, that the county department of public welfare is organized, as prescribed in this act, and is prepared to assume the duties assigned to it by the provisions of this act.” (Our italics).

Acts of 1936, page ...

You inquire as to whether the certification referred to in the italics supra may be made in piecemeal as the county department of public welfare becomes ready to assume any particular part of its duties. The language of the section seems to indicate otherwise. It is my opinion that only one certification is contemplated and that the county department of public welfare must be organized as prescribed in the Act and prepared to assume the duties assigned to it as an entirety before the certification may issue.

WOMAN'S PRISON, INDIANA: Prison sentence—Punishment for harboring or concealing felon.

April 11, 1936.

Mrs. Marian F. Gallup,
Superintendent,
The Indiana Woman's Prison,
Indianapolis, Indiana.

Dear Madam:

I have your letter before me which is as follows:

"In checking over our commitments, I find that we have one, Irene Norton, committed from Clay County Circuit Court, July 25, 1935; crime, Harboring a felon, 'for a period of not less than 3 years nor more than 3 years.'

"Will you give me an opinion on the use of the definite sentence in this case?"