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?’
I direct your attention to Section 2 of Chapter 124 of the Acts of the General Assembly of 1935, found on page 465 thereof, which reads as follows:

"Whoever, not being husband or wife, parent or child of any person guilty of a felony, knowing him to be such, harbors or conceals such felon, shall, on conviction, be imprisoned in the state prison for any determinate period of not less than one year nor more than ten years."

You will note that this statute provides a determinate sentence of not less than one nor more than ten years where one is found guilty of its violation.

The sentence provided for in the case submitted by you can be construed in only one manner and that is a determinate sentence of three years. It is my opinion that this sentence is determinate.

I am of the opinion that the sentence of the court being determinate is in accordance with the provisions of the section of the statute cited.

HIGHWAY COMMISSION, STATE: Use of highway funds for road study in cooperation with Purdue University.

April 13, 1936.

Hon. James D. Adams,
Chairman, State Highway
Commission of Indiana,
State House Annex,
Indianapolis, Indiana.

Dear Sir:

This is in response to your letter of April 9, 1936, submitting a plan for making a study of the problem of improving light traffic highways and requesting an opinion as to the legality of the plan. In an opinion dated March 31, 1936, I held that your Commission was not authorized to turn over to Purdue University approximately $25,000 per annum of highway funds to be used for a joint study between the University and your Commission.

Under the plan now submitted the Commission will conduct the study, but will do so in connection with the engineering