places of legal settlement which may be done with respect to a public school, the school corporation furnishing the education can be reimbursed by the corporation where the legal settlement is. But there is no provision for the issuance of a transfer by the public school officers of one corporation to a child to attend a parochial school in another corporation. For the above reason it seems to me that the intent of the legislature in the above legislation in providing for the furnishing of transportation in certain cases to children attending parochial schools was to provide for such children residing in private homes where the question of transfers and reimbursement would not enter. In other words, the italicized language "their homes" as used above does not include an orphanage, but is limited to private homes wherein the children reside as members of a family in the ordinary sense. "Home" has been defined to be "one's own dwelling place; the house in which one lives; esp., the house in which one lives with his family." (Our italics.) Webster's New International Dictionary, Second Edition.

In my opinion your question should be answered in the negative.

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NURSE SERVICE: Charge for same legal when patient able to pay whether living in city or county outside of city limits.

November 6, 1936.

Hon. W. H. Frazier,
Assistant Director,
Indiana State Board of Health,
State House Annex,
Indianapolis, Indiana.

Dear Sir:

Receipt is acknowledged of your request for an official opinion dated October 14, 1936, which reads as follows:

"The Evansville Public Health Nursing Association receives an annual appropriation from Vanderburgh County and the City of Evansville for rendering nursing service to people within those areas. Besides city and county funds the organization receives fees from
insurance companies for giving bedside care to their policy holders, also a sum from the Community Fund. Indigent patients are cared for without charge in both the county and city. Patients living within the city limits who are not insurance policy holders and who have the financial means to pay for nursing service are charged according to their ability to pay.

“July first of each year the Executive Committee of the Evansville Public Health Nursing Association appears before the County Commissioners and Auditor and asks for an annual appropriation. After the amount has been appropriated and approved by the tax and adjustment board, the Association receives the money in monthly checks for which they sign a voucher for each month:

“Question:

“Is it legal for the Association to charge patients in the county (outside of the city limits) according to their financial means for bedside service rendered by the nurses of this Association, that is, the same procedure as that carried out in the city areas? The fee goes into the budget of the Association and not to the individual nurse.”

It appears from your letter that an annual appropriation is made by the proper authorities, which appropriation is a part of the tax assessed upon all persons living in Vanderburgh County whether within the corporate limits or without. It appears further that persons who have the financial means and who are living within these city limits of Evansville are required to pay for nursing service. It appears further that the fee charged for those having financial means to pay for nursing service goes into the budget of the Association, or rather is added to the appropriation made by the County officials.

I see no reason nor authority that would permit the officials of the Association to charge patients of financial means within the city limits for nursing service and not to charge for a like service patients living without the city limits. My conclusion is that it is legal for the Association to charge patients in the County (outside of the city limits) according to
their financial means for service rendered by nurses of the Association, the fee charged and collected to go into the budget of the Association and not to the individual nurse. The budget for the Association is made up in due time and contributed to by every taxpayer of Vanderburgh County. Why should the patients without the city limits be given a privilege (free nursing service) when other patients of like financial means are required to pay for the same?

My answer to your question, therefore, is in the affirmative.

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MILK CONTROL BOARD: Liability on distributor’s bond.

November 10, 1936.

C. W. Humrickhouse, Executive
Secretary, Milk Control Board of Indiana,
332 State House,
Indianapolis, Indiana.

Dear Sir:

This is in answer to your recent request for an opinion based on the following state of facts: On June 15, 1936, the Greenwood Dairy Farms, Inc., a corporation, which is hereinafter referred to as the Dairy Company, applied to the Indiana Milk Control Board for a license to distribute milk in Indiana for the year beginning July 1, 1936. At the time of the application the company gave a bond in the sum of $6,000.00 with sureties as required by the statute which provides for the payment to all producers of milk by the Dairy Company. The bond was as follows:

"That Greenwood Dairy Farms, Inc., as principal, and Arthur Admire and Julia Joan Rudd, as sureties, are bound unto the Milk Control Board of the State of Indiana in the sum of Six Thousand Dollars ($6,000) for the payment of which we bind ourselves jointly and severally, firmly by these presents.

"Sealed and dated this 15th day of June, 1936.

"The condition of this obligation is such that whereas the above bounden Greenwood Dairy Farms, Inc., has made application to the Milk Control Board of the State of Indiana for a license to engage in the busi-