"It is a well-established and salutary doctrine, that he who is intrusted with the business of others cannot be allowed to make such business an object of pecuniary profit to himself. This rule does not depend on reasoning technical in its character, and is not local in its application. It is based on principles of reason, of morality, and of public policy. It has its foundation in the very constitution of our nature, for it has authoritatively been declared that a man cannot serve two masters, and is recognized and enforced wherever a well regulated system of jurisprudence prevails."

Other cases are referred to in the course of the opinion.

In addition to the general public policy involved, however, there is a statute in this state which expressly prohibits a member of the county council from being a party to or in any manner interested in any contract or agreement with his county.

Burns Indiana Statutes Annotated (1933), Section 26-513.

I think the above statute applies in principle, at least. In my opinion, both questions should be answered in the negative.

NEWSPAPERS: Legal advertising—Publication city ordinances.

November 17, 1936.

Hon. Wm. P. Cosgrove,
State Examiner,
State Board of Accounts,
State House,
Indianapolis, Indiana.

Dear Sir:

I have before me your request for an official opinion on the question of whether or not the Beech Grove Independent, a weekly newspaper of general circulation published and printed in the City of Beech Grove, since June, 1936, and being the only newspaper of general circulation printed and published therein, is entitled to receive for publication and to publish
legal notices of the civil and school city of Beech Grove, Indiana.

It is provided by Section 4 of Chapter 96 of the Acts of the Indiana General Assembly for the year 1927 (Acts 1927, pp. 256-257) that:

"The term 'newspaper' as used in this Act shall be construed to mean a weekly, semi-weekly, tri-weekly or daily newspaper which shall have been published for five consecutive years in the same city or town."

It is further provided by Section 4 of said Act that:

"All notices, ordinances and reports affecting civil and school city business shall be published in two such newspapers published in such city."

Section 4 provides further that:

"If neither of said political parties is represented by a newspaper published in such city, then all such civil and school city notices, ordinances and reports shall be published in any two newspapers of general circulation published in such city, and, if there be but one newspaper published in such city, publication in such newspaper shall be sufficient."

It will be seen, therefore, by the above language that while the legislature required that where two newspapers representing the two leading political parties and which had been published in the same city for five consecutive years should receive the preference in the publication of such city's legal notices, it did not intend to prohibit publication in a newspaper of general circulation and published locally.

It was undoubtedly the intention of the legislature that whenever it was possible that public legal advertising be published in two newspapers of general circulation representing the two opposite political parties, the same should be so published, and that in the event no such newspapers existed within the city, the officer or officers charged with the duty of publishing notices should resort to the publication of such notices in any newspaper of general circulation published in such city.
I am, therefore, answering your question in the affirmative that the Beech Grove Independent is entitled to receive for publication and to publish all notices required by law to be published relating to the civil or school business of the City of Beech Grove.

PAROCHIAL SCHOOL CHILDREN: Transportation by School Trustees when additional conveyances would be required on established School Routes—Chapter 54, Acts 1933 construed.

November 25, 1936.

Hon. Grover Van Duyn,
Assistant Superintendent of
Public Instruction,
Indianapolis, Indiana.

Dear Sir:

I have at hand your recent letter requesting an official opinion regarding the duty of a township trustee in the matter of furnishing transportation for children in the St. Vincent Orphanage who are attending a parochial school in the city of Vincennes. You state that the entire eighth grade from the orphanage is being sent to the parochial school referred to, and that a regular public school bus route is operated near the site of the orphanage, but that transportation of this group of children would necessitate the use of another bus and the contracting of another bus driver. You ask whether the township trustee is obligated to transport the parochial school children under the circumstances related.

The statute applicable to this matter, and in fact the only statute either authorizing or requiring the transportation of parochial pupils in public school conveyances, is Section 1, Chapter 54, Acts of 1933 (Section 28-2805, Burns 1933 Indiana Statutes). So much of the statute as pertains to the matter under inquiry reads as follows:

"* * * Where school children who are attending any parochial school in any school corporation of this state reside on or along the highway constituting the regular route of a public school bus or conveyance, the school trustee shall afford transportation, without extra