are infected with tuberculosis. Section 8 of this act provides the penalties for violation of the provisions of the act or of the rules and regulations made in pursuance thereof. The above laws, which are summarized briefly, constitute the authority given you, also your rights and duties in seeing that the herd that you mentioned is properly tuberculin tested.

It is my further opinion that the fact that the milk from these non-tuberculin tested cattle is being pasteurized before sale is not of itself sufficient to relieve the owner of the cattle from the obligation of having them tested in accordance with the above law for the reason that tuberculosis germs may be disseminated in other ways than by milk produced from the animals.

The acts of the legislature above summarized constitute your authority to proceed with the enforcement of the act and, in the event of refusal on the part of the owner of the cattle to submit his herd to the proper test, you may file charges against him for violation. The affidavit charging this violation is prepared through the cooperation of the prosecuting attorney of the county where the violation occurred.

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STATE BOARD OF TAX COMMISSIONERS: Lucrative offices, whether county surveyor may also act as city engineer.

December 28, 1936.

Hon. Philip Zoercher,
Chairman, State Board of
Tax Commissioners,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter submitting the following question:

"Can the County Surveyor at the same time act as City Engineer, both positions having a fixed salary?"

This question has been before this Department heretofore and answered in the affirmative in an official opinion dated December 21, 1934, and addressed to Indiana State Board of Registration for Professional Engineers and Land Surveyors.

Opinions of Attorney General (1934), page 500.