It seems obvious, from the excerpts quoted from the conditions and restrictions adopted by the industrial board relative to formation or reciprocal associations such as the Lynch Association, that the board had legally assumed general supervision of the financial affairs of such associations, and of the minimum premiums to be charged by them. It seems equally obvious that application of the provisions of Chapter 323, Acts of 1935, *supra*, to such associations would subject them to a similar and conflicting supervision by the rating bureau. Consequently, subjecting such associations to the provisions of said Chapter 323 could not help but "annul, restrict, or ** interfere with the licensing and supervision" of the same by the industrial board under the provisions of the Workmen’s Compensation Act.

It is my opinion that Section 26 of Chapter 323, Acts of 1935, exempts the Lynch Coal Operators Reciprocal Association and kindred associations from the operation of said Act.

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PUBLIC INSTRUCTION, OFFICE OF SUPT. OF: Right of minor child to establish residence for school purposes apart from residence of parents.  

January 31, 1936.

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

Dear Sir:

I have before me your letter requesting an official opinion in answer to the following questions:

"What is meant by emancipating a child?  
"May a parent emancipate a child to another individual for the purpose of re-establishing the child’s residence for school purposes?"

Since the above questions apparently relate to school problems, I think it is desirable to make some preliminary observations. In the first place it is the duty and obligation of every school corporation in the state to furnish facilities
for the education of the children resident therein. The test of obligation in that behalf, I think, is residence, quite separate and apart from the question of emancipation. In other words a child may be emancipated in fact and still reside with his parents. In discussing the meaning of the term "emancipation"; therefore, it should be remembered that it has very little bearing upon the question of residence other than as affording a basis upon which a child upon his own initiative may establish a residence independent of that of his parents.

Without expressing any opinion on the question as to the effect of emancipation upon the obligations of the parent, if there is a full emancipation the parents are completely divested of all rights of custody and earnings of the child which thereupon belong to the child in his own right. To emancipate means to free the child for all the period of minority from parental right to custody, control or the service.

2 Words and Phrases (2nd Series) 242-243.

Wabash R. Co. v. McDaniels, Admr., 183 Ind. 104 at p. 110.

See also: Hensley, Admr., v. Hilton, 191 Ind. 309 at p. 318.

Passing now to your second question, I do not think a categorial answer thereto can be made. In the first place it is not quite accurate to say that a parent emancipates a child to another individual. If a minor child is emancipated in the above sense of the term, he is free to select his own residence and free from the coercion or dictation of the parent.

Referring now particularly to the school situation which after all I think is what you desire, from what has already been said, I think it is evident that there are very few actual emancipations of minor children resulting in changes of residence for the purpose of the child's availing himself of school privileges in a school corporation other than that of the parent. It may be that a parent may send his minor child to live with a relative in another school corporation during the school term without any intention of permanently releasing the child from the parents' control or of surrendering all rights to his earnings or having a residence for the child established in such place, and the question arises as to whether under such circumstances, the obligation of the cor-
poration in which the parents reside may thus be shifted. Generally speaking, in my opinion, it cannot, and although there may be and doubtless are cases where, under the facts, a bona fide residence of a minor child separate and apart from the residence of the parents may be obtained, each case necessarily will have to be determined upon its own peculiar facts.

PUBLIC INSTRUCTION, OFFICE OF SUPT. OF: Right of committee on specifications for construction of school bus bodies to change specifications after being once agreed upon them.

January 31, 1936.

Hon. Floyd I. McMurray,
State Superintendent of
Public Instruction,
Indianapolis, Indiana.

Dear Sir:

I have before me your request for an official opinion in answer to the following questions:

"Question 1. May the Committee change its prescribed specifications for construction?

"Question 2. May a bus that has been placed on the approval list for 1935 be approved for the year 1936?

"Question 3. In the light of the above questions, will you please give your interpretation of the following excerpt as found in Section 9: 'such buses shall be placed on an approved list and any school authority shall thereafter be permitted to buy, lease or contract for the use of any such bus'?

The particular provision of the law to be construed is section 9 of Chapter 303 of the Acts of 1935 which is as follows:

"That a committee consisting of the state superintendent of public instruction, the secretary of the state board of health, the chief of the motor vehicle regulation division of the public service commission, the state director of safety and the administrative officer of the department of commerce and industry shall, by proper rules and regulations, prescribe standards of