charge. As a matter of fact, the services required of the clerk in the discharge of a patient are usually minor and in many instances require nothing except the filing of the superintendent's report, either as to the death of the patient or his release to relatives.

No decision in the State of Indiana has been found dealing with this question. The State of Missouri, however, has a statute which allows to the clerk for filing and entering every demurrer, motion, ruling or order, a fee of twenty cents. The Supreme Court of Missouri has held that this sum of twenty cents is in payment both for filing the motion and entering the order of the court in respect to it.

Buckman v. Mo. K. & T. Railway Company, 98 Southern 820.

The reasoning of this case by which the one fee is allowed for services in entering a demurrer, together with the order of the court subsequently made thereon, rather than two fees for the two entries is based upon the theory that the fee fixed is contemplated as payment for all the services that are required of the clerk with reference to the particular item of business. It is my opinion, therefore, that the clerk is entitled to but one fee of $5.00 for his services in connection with each person whose admission and discharge occasions such service. Since in many instances no services whatever are required with reference to the discharge of such patients it is my opinion that he is entitled to collect his fee of $5.00 upon the completion of his services required in gaining admission for such patient.

ACCOUNTS, STATE BOARD OF: Teachers Tenure Law does not apply to joint town and township schools.

June 3, 1937.

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

Dear Sir:

This will acknowledge receipt of your letter of May 24, submitting the following question:

> "Do teachers of the consolidated school corporations organized under the provisions of chapter 148, Acts of 1917, come within the provisions of the Teachers Tenure Law, and do teachers who have taught for five or more successive years in such consolidated school corporations have tenure status?"

In reply to this question your attention is directed to the recent decision of the Supreme Court of Indiana, decided on June 1, 1937, entitled Harris v. State, ex rel., Allen.

This opinion holds that:

> "A consolidated school is clearly not a township school as recognized by law. We do not believe that the Act of 1933 removed the limitation upon the powers of consolidated school boards, such as we have here, in respect to removal of tenure teachers. It only removed the restrictions and limitations as applied to township schools controlled by a township trustee."

Under the rules laid down in this decision it is my opinion that your question should be answered in the affirmative.

LABOR, DIVISION OF: Labor Commissioner, powers, conciliators, appointment of temporary council. Acts of 1937, Sec. 9, Chapter 34.

June 3, 1937.

Hon. Thomas Hutson,
Commissioner, Division of Labor,
State House,
Indianapolis, Indiana.

Dear Sir:

On June 3, 1937, you requested an official opinion from this department relative to the power of the Commissioner of the Division of Labor to appoint a temporary arbitrator or conciliator, or a board of arbitration or conciliation.

Your specific question is whether or not pursuant to chapter 34, Acts of 1937, the commissioner may appoint a person to act as a conciliator in order to prevent a strike or lockout, etc., or to settle differences between employers and employees in certain emergency situations.