

It will be noted from a reading of this Act that the county commissioners are specifically authorized to purchase materials and supplies for the repair and maintenance of county highways and are given specific authority to employ or contract with such teams, trucks and men as may be necessary to carry on the work of maintenance and repair of said highways.

It is my opinion, therefore, that the two Acts are not in conflict and that the county commissioners would have authority to use their highway forces to repair, reconstruct and maintain county highways subject only to the requirements of the Acts above quoted in the purchasing of materials, supplies and equipment and the approval of the state highway commission.

If the work undertaken is new construction of the type that is not included in the terms "reconstruction" and "repair," then certain statutory requirements governing the location, establishment and construction usually govern such proceedings. Since new construction is evidently not included in your question, this opinion will not be deemed to cover new construction.

As to your second question, it is my opinion that the board of county commissioners in the reconstruction and repair of county highways have authority to furnish the material and labor necessary under the above mentioned restrictions subject to the general requirements that all expenditures for the purchase of materials must first be advertised and subject to competitive bidding if the same exceeds an expenditure of three hundred fifty dollars in any one month.

GOVERNOR'S OFFICE: Construction contracts. Printing contracts. Printing contracts not governed by. Chapter 319 of Acts of 1935.

Hon. M. Clifford Townsend,
Governor of the State of Indiana,
State House,
Indianapolis, Indiana.

November 16, 1937.

My Dear Governor Townsend:

I have before me your letter of November 10, 1937, requesting an interpretation of the provisions of chapter 319 of the Acts of 1935 as to whether or not said Act would ap-

ply to the county, city and township printing. Section 1 of said Act reads in part as follows:

“Any firm, individual, partnership or corporation which is hereafter awarded a contract by this state, or by any political subdivision thereof, or by a municipal corporation, for the construction of any public work, and any subcontractor thereon, shall be required to pay for each class of work on such project a scale of wages which shall in no case be less than the prevailing scale of wages being paid in the immediate locality for such class of work as hereinafter to be determined.”

The word “construction” as used in this Act is a word of limitation descriptive of the nature of the public work and this Act is, therefore, limited to construction contracts of public work.

This Act in no way repeals or modifies chapter 205 of the Acts of 1921 which created the Board of Public Printing, of which you are a member.

It is, therefore, my opinion that chapter 319 of the Acts of 1935 does not apply to public printing contracts and is applicable only to construction contracts of public work.

DENTAL EXAMINERS, STATE BOARD OF: Dentistry, practice of—what constitutes. Advertising, interstate—within provisions of dental law.

November 17, 1937.

Dr. J. M. Hale, Secretary-Treasurer,
Indiana State Board of Dental Examiners,
Mt. Vernon, Indiana.

Dear Mr. Hale:

I have before me your letter of November 4, which reads as follows:

“The ORADENTAL LABORATORIES, Inc., Gary, Indiana, carries an ad in PATHFINDER of Washington, D. C., a copy of which is enclosed. It shows a picture of an upper plate on which is overprinted ‘Perfect Fit Guaranteed.’ In the upper right ‘FALSE TEETH’ and then reading down ‘at prices that save