neer. No officer or employee of the city or town whether holding a paid or unpaid office, shall be eligible to appointment on said sanitary board. Said appointees shall originally be appointed for terms of two and three (2 and 3) years respectively and upon the expiration of each such term and each succeeding term, an appointment of a successor shall be made in like manner for a term of three (3) years."

It is my opinion that under this particular section of the statute a sanitary board might be set up in cities of the third class. However, the mayor would not be entitled to appoint the members of this board.

LABOR, DIVISION OF: Minors. Employment of as farm or domestic laborers.

May 26, 1938.

Mrs. Mary L. Garner,

Director, Division of Labor,
Room 404 State House,
Indianapolis, Indiana.

Dear Mrs. Garner:

This will acknowledge receipt of your letter of May 25 in which you ask to the right of school officials acting as issuing officers under the laws governing the employment of minors to destroy certain records relative to such certificate.

This is a matter in which the state is not a party and there is no law governing the preservation or destruction of such documents. If the issuing officer feels that these documents are of any value they should be returned to the owner when they have served their purpose. If they have no value, then their custody is entirely a matter for the local school officials to deal with as they see fit.

As to the necessity for an employment certificate for minors between the ages of sixteen and eighteen years who are engaged in farm labor, domestic service or as a caddy, it is my opinion that no such certificate is necessary. Your attention is directed to Section 28-519, Burns' Indiana Statutes, 1933 Revision, which provides that—
"No certificate shall be required for any minor between the ages of fourteen (14) and sixteen (16) years to perform farm labor or domestic service to perform the duties or to work or act as caddy during the hours when schools are not in session."

Section 28-518 forbids the employment of any minor under the age of fourteen, except in the occupations above listed during the hours when the schools are in session. Section 28-520 requires minors between the ages of fourteen and eighteen years to submit to physical examination, except those engaged in farm or domestic service.

It is apparent, therefore, that the Legislature did not intend to attempt to regulate or supervise employment of minors during the hours when schools were not in session for those engaged in farm or domestic labor or boys working as caddies. This being true, it is my opinion that no certificate of employment is necessary for boys above the age of sixteen years who are employed either in farm labor, domestic service or as caddies.


May 31, 1938.

Hon. Ross H. Wallace,
Director, Department of Financial Institutions,
State House,
Indianapolis, Indiana.

Dear Mr. Wallace:

This will acknowledge receipt of your letter of May 23 in which you ask as to whether or not a savings bank in the State of Indiana has authority to borrow money upon debentures and to utilize the proceeds for augmenting the capital structure of such bank, or banks. In reply to this inquiry your attention is directed to Section 19 of the Savings Bank Act which deals with the authority of savings banks to invest the money deposited therein. Section 10 of this Act, as amended by Chapter 27, Acts of the Indiana General Assembly, 1937, gives a savings bank authority