

943.

SECRETARY OF STATE—WITHOUT AUTHORITY TO DESTROY ORIGINAL APPLICATIONS FOR REGISTRATION OF MOTOR VEHICLES.

*The secretary of state is without statutory authority to destroy original applications for registration of motor vehicles, etc., filed in his office under section 6290 et seq. G. C.*

COLUMBUS, OHIO, January 15, 1920.

HON. HARVEY C. SMITH, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—The state registrar of automobiles has requested an opinion relative to the necessity of preserving original applications for the registration of motor vehicles, etc. His request reads as follows:

“Please furnish this department with a ruling on the necessity of preserving obsolete documents. I have in mind the original applications for the registration of motor vehicles for the years 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916 and 1917.

I will be very glad to have your opinion and suggestion as to their disposition.”

The statutes of this state governing the registration of motor vehicles, etc. (section 6290 G. C. et seq.) provide that the owners of motor vehicles and chauffeurs, shall file applications for registration in the office of the secretary of state, and that such officer shall file the applications in his office. And it is also provided that manufacturers or dealers in motor vehicles shall make applications for registration in like manner, etc.

The statutes contain no provision authorizing the destruction of the original applications for registration, nor is there anything to indicate that their destruction at any time is contemplated. They are public papers and should be preserved and kept under the control of the secretary of state until their destruction is authorized by law.

The public policy of this state is against the destruction of public documents and papers. See section 13088 G. C. making it an offense to maliciously destroy a paper or writing duly filed in a state office.

Respectfully,

JOHN G. PRICE,

*Attorney-General.*

944.

BOARD OF EDUCATION—WHERE MEMBER ELECTED AND AFTER QUALIFYING RESIGNS—VACANCY FILLED FOR UNEXPIRED TERM BY OTHER MEMBER OF BOARD.

*Where a member of a board of education was elected in 1917 for a term of four years beginning January 1, 1918, and resigned after qualifying for said office, the board was authorized under section 4748 G. C. to fill said vacancy by appoint-*