

judges that their terms of office shall be four years. The acts in question, however, contain no reference to the other municipal court acts heretofore adopted by the General Assembly, but only adopt the statutes relating to judges of courts of common pleas by general reference. Upon the construction to be given a law adopting another law by general reference, Lord Denman, C. J., said in *Reg. v. Badcock*, 6 Q. B. 787 at p. 797:

"It is a sound rule of construction, applicable to modern as well as ancient statutes, perhaps even more so from necessity in consequence of the looseness of expression which now prevails, that 'in construction of general reference in acts of Parliament, such reference must be made as will stand with reason and right.'"

Since the courts are uniformly reluctant to construe an act void for uncertainty, even when it is susceptible of different interpretations, I believe the courts would hold these acts valid. Because of the fact that the only statutes which are adopted by the act, are the statutes with respect to the election of judges of the courts of common pleas, I am inclined to the view that if the acts are to be held valid, the words of reference to the law regulating the election of common pleas judges may be given a sufficiently broad construction to include the provisions with respect to the term of office of common pleas judges.

The same conclusion might be reached by a consideration of Article XVII, Section 2 of the Constitution, to which you refer. It may well be argued that, the legislature not having limited the term of these judges, they are entitled to the maximum term permitted by the Constitution, which is six years.

In a supplemental communication attached to your request for my opinion, which has just been received, you express the desire that the opinion be rendered so that it may be in your hands on May 25. You have, therefore, not afforded the opportunity to make as thorough a search of adjudicated cases touching the question you present which its importance deserves.

In specific answer to your question, I am inclined to the opinion that the courts would construe House Bills Nos 91 and 92 as valid enactments of the 89th General Assembly and that the judges elected thereunder shall hold office for six years. The matter should, however, be clarified by the legislature.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

3254.

APPROVAL, CONTRACTS FOR ROAD IMPROVEMENTS IN FAIRFIELD,  
MONTGOMERY AND RICHLAND COUNTIES.

COLUMBUS, OHIO, May 25, 1931.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

3255.

DELINQUENT TAXES—MAY BE COLLECTED BY COUNTY TREASURER IN MANNER PROVIDED BY SECTIONS 2667 ET SEQ., GENERAL CODE, ALTHOUGH SUCH TAXES NOT DELINQUENT FOR FOUR YEARS—FIRST SYLLABUS OF OPINION REPORTED IN OPINIONS OF ATTORNEY GENERAL FOR 1927, VOL. II, p. 891, UPHELD.