

the year a different situation might have obtained with reference to the legal status of the act.

It will be observed that Section 4785-57, General Code, expressly provides for registration by an applicant without making his personal appearance before the registrars on account of sickness or physical disability. When such action is taken the application must be transmitted to the board by a reliable and responsible person who is an elector and "personally cognizant of the sickness and disability of the applicant and of the facts stated in the affidavit." The section then provides that the person transmitting the application under such circumstances shall be examined under oath by the clerk or registrars.

Section 4785-39 of the General Code, provides:

"Persons qualified to register or to change their registration may, after the general registration in 1930 or any registration thereafter, register or change their registration at the office of the board at any time such office is open, except twenty days preceding or ten days following an election. Any elector changing his residence after the close of such registration period may transfer his registration up to and including the third day preceding an election."

While the law seems to require personal appearance before the registrar of all applicants for permanent registration, except in cases of illness and physical disability, it will be seen that after the registration in 1930, one may appear before the board at any time except twenty days before and ten days after an election; also by the terms of Section 4785-55, General Code, any one anticipating that he will be absent on registration days may register before the clerk of the board. Therefore the constitutional objections raised as to the law considered in the Hudson case, *supra*, apparently are eliminated from the present law.

While other sections of the General Code fully authorize the application for an absent voter's ballot and the casting of said ballots by mail, there is no such provision made for registration. As hereinbefore indicated, inasmuch as when a registration is once made it is permanent in character, with certain exceptions stated in the act, it would seem that more safeguards are thrown around the subject of registration than have heretofore been required in connection with such matters.

My personal view is that it would have been wise for the Legislature to have made provision for registration by mail in certain instances. In view of the foregoing, however, I am compelled to the conclusion that under the existing statutes, there is no authority to authorize an elector to so register. The express provisions of the statute setting forth the manner in which a registration shall be made, in my opinion, preclude your power to make a rule or regulation supplying that which the Legislature has failed to grant.

Respectfully,

GILBERT BETTMAN,

Attorney General.

1873.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE HENDERSON ELECTRIC COMPANY, COLUMBUS, OHIO, FOR ELECTRIC WORK IN SHEEP EXHIBIT BUILDING, OHIO STATE FAIR GROUNDS, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$3,780.12—SURETY BOND EXECUTED BY GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, May 17, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Department of Agricul-

ture, and the Henderson Electric Company, of Columbus, Ohio. This contract covers the construction and completion of Contract for Electric Work in Sheep Exhibit Building, at Ohio State Fair Grounds, Columbus, Ohio, according to Item Nos. 3 and 21 of the Form of Proposal dated February 3, 1930, and calls for an expenditure of Three Thousand, Seven Hundred and Eighty Dollars and Twelve Cents (\$3,780.12).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure have been obtained as required by Section 2 of House Bill No. 513 and Section 11 of House Bill No. 510 of the 88th General Assembly. In addition you have submitted a contract bond upon which the Globe Indemnity Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law, and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the Workmen's Compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon, and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1874.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND ENGELHOFF STUDIOS COMPANY, COLUMBUS, OHIO, FOR REDECORATING HOUSE OF REPRESENTATIVES, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$9,600.00—SURETY BOND EXECUTED BY AMERICAN SURETY COMPANY OF NEW YORK.

COLUMBUS, OHIO, May 17, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works for the House of Representatives, Columbus, Ohio, and the Engelhoff Studios Company, of Columbus, Ohio. This contract covers the construction and completion of all work necessary for redecorating the House of Representatives in the State Capitol Building, Columbus, Ohio, and calls for an expenditure of nine thousand and six hundred dollars (\$9,600.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. In addition you have submitted a contract bond, upon which the American Surety Company of New York appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly pre-