

Summarizing, it is my opinion that:

1. The penalty prescribed in Section 5652-7c does not apply to the purchaser of a dog but only to the seller.
2. The county auditor or county dog warden may not examine and require an applicant for dog registration to divulge the name of the person from whom he purchases the dog.
3. Neither the county auditor nor county dog warden may require an applicant for dog registration to sign an affidavit that he did not own said dog on January 1, 1928.
4. Every person who owns, keeps or harbors a dog more than three months old prior to January 1, 1928, and fails to register such dog before January 1, 1928, is guilty of a misdemeanor and is subject to the penalty prescribed in Section 5652-14, General Code.
5. The owner, keeper or harbinger of a dog more than three months old prior to January 1, 1928, who registers the same after January 1, 1928, either before or after January 20, 1928, is still subject to the fine and costs as provided in Section 5652-14, General Code, if convicted.

Respectfully,

EDWARD C. TURNER,
Attorney General.

2408.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE WEGE MARBLE & TILE COMPANY, COLUMBUS, OHIO, FOR THE CONSTRUCTION OF MARBLE AND TERRAZZO WORK FOR ADDITIONS TO MUSEUM AND LIBRARY BUILDING AT AN EXPENDITURE OF \$9,455.00—SURETY BOND EXECUTED BY THE INDEMNITY INSURANCE COMPANY OF NORTH AMERICA.

COLUMBUS, OHIO, July 30, 1928.

HON. RICHARD T. WISDA, *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 Ohio State Archaeological and Historical Society, and The Wege Marble & Tile Company, of Columbus, Ohio. This contract covers the construction and completion of all work included under the title of Base Bid as indicated on the drawings and mentioned in the specifications for the Marble and Terrazzo Contract for Additions to Museum and Library Building and Equipment, and calls for an expenditure of nine thousand four hundred fifty-five and no/100ths (\$9,455.00) dollars.

You have also submitted an encumbrance estimate bearing No. 3017, and bearing 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. I note that the amount of the contract is \$9,455.00 while the amount of the encumbrance estimate is \$10,208.00. You have, however, informed me that you are at the present time preparing and having approved a credit encumbrance estimate for the difference between the above amounts. You have also furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure has been obtained as required by Section 12 of House Bill No. 502 of the 87th

General Assembly. In addition you have submitted a contract bond upon which the Indemnity Insurance Company of North America appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating 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,
EDWARD C. TURNER,
Attorney General.

2409.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE HUFFMAN-WOLFE COMPANY, COLUMBUS, OHIO, FOR THE CONSTRUCTION OF HEATING AND PLUMBING FOR ADDITION TO MUSEUM AND LIBRARY BUILDING AT AN EXPENDITURE OF \$10,907.00—SURETY BOND EXECUTED BY THE STANDARD ACCIDENT INSURANCE COMPANY.

COLUMBUS, OHIO, July 30, 1928.

HON. RICHARD T. WISDA, *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 Ohio State Archaeological and Historical Society, and The Huffman-Wolfe Company, of Columbus, Ohio. This contract covers the construction and completion of all work included under the title of Base Bid as indicated on the drawings and mentioned in the specifications for the Heating and Plumbing Contract for Additions to Museum and Library Building and Equipment, and calls for an expenditure of Ten thousand nine hundred seven and no/100ths (\$10,907.00) dollars.

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 has been obtained as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond upon which the Standard Accident Insurance Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded.

Among the papers submitted is a certificate from the Industrial Commission to the effect that the contractor has complied with the laws relating to the workmen's compensation, but I find that said certificate expired on July 16, 1927. You have informed me, however, that a new certificate will be obtained.

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,
EDWARD C. TURNER,
Attorney General.