

this though he shall have had no previous experience, while one who has had 4 years and 11 months' experience in the employ of either a certified public accountant or a public accountant cannot receive a certificate as public accountant without examination. There is no reasonable basis for the discrimination between such two persons."

Where a statute is subject to two interpretations, one of which raises serious constitutional question as to its validity and the other results in harmonizing the statute with the Constitution, the courts will adopt the latter construction. This principle is so well established that citation of the numerous authorities in support thereof is deemed unnecessary.

It is a cardinal rule of all statutory construction that full effect must be given to the manifest intent of the legislature. The legislature obviously deemed it unnecessary to require those architects who have, for the period stated, been engaged in the practice of architecture in responsible charge of design or supervision, to take an examination. In so far as the state is concerned, it makes no difference whether an architect's compensation has been dependent upon the net profits of a partnership or upon a fixed salary. The nature of the work which the architect has performed is obviously the only reasonable matter of concern to the state in determining who shall or who shall not be required to take an examination.

In view of the serious constitutional questions raised under the Equal Protection Clause of Section 2, Article I of the Ohio Constitution and the 14th Amendment to the Federal Constitution by construing the term "member" in its more limited sense, and in order to effectuate the obvious intent of the legislature, it is my opinion that the exemption from the requirement of examination contained in paragraph C of Section 1334-7, General Code, of a member of a reputable firm of architects therein set forth applies not only to such persons as have been partners of such architectural firm but also to such employes of a reputable firm of architects as have been in responsible charge of design or supervision during the period of time set forth in the section.

Respectfully,

JOHN W. BRICKER,
Attorney General.

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APPROVAL, NOTES OF MT. ORAB VILLAGE SCHOOL DISTRICT,
BROWN COUNTY, OHIO—\$736.00.

COLUMBUS, OHIO, February 14, 1933.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.