

When a statute specifies the time at or within which an act is to be done, it is usually held to be directory, unless time is of the essence of the thing to be done, or the language of the Act contains negative words or shows that the designation of the time was intended as a limitation of power, authority or right. (*People v. Lake County*, 33 Cal. 287; 36 Cyc. 1160.)

We are, therefore, clearly of the opinion that the County Commissioners, at their first regular meeting in August, should appoint inspectors and clerks for the various election precincts within their county for the primary election to be held in September.

Yours very truly,

GEO. B. THATCHER, Attorney-General.

By WM. McKNIGHT, Deputy.

201. Employers--Employees--Eight-Hour Law--Open-Cut Mines.

Section 6557, Rev. Laws, regulating the employment of workmen in open-cut or open-pit mines is constitutional.

CARSON CITY, June 25, 1918.

HON. ROBERT F. COLE, Labor Commissioner, Carson City, Nevada.

Dear Sir: I am in receipt of your favor of the 15th instant, requesting my opinion relative to the constitutionality of the eight-hour law applying to workers employed in open-cut mines, being section 6557, Revised Laws of Nevada, 1912. Said section is as follows:

The period of employment of workingmen in open-pit and open-cut mines shall not exceed eight hours in any twenty-four hours, except in cases of emergency where life or property is in imminent danger.

This section has had several interpretations by this office, and I am entirely satisfied of the constitutionality of this Act. You are hereby referred to interpretations of the same section appearing in the report of the Attorney-General for 1915 and 1916, Opinion No. 26 ½ on page 25 of said report, and Opinion No. 67 on page 57 of said report, wherein the same section was under consideration and its constitutionality upheld as to workers in open-pit or open-cut mines.

Yours very truly,

GEO. B. THATCHER, Attorney-General.

202. Elections—Registration—Women.

All that the registrar can require of any person applying for registration is satisfactory

answers to such questions as will satisfy him that the applicant is 21 years of age and upwards, and has actually resided in the State six months and in the district or county thirty days next preceding the election. A woman is not required to give her exact age.

CARSON CITY, July 2, 1918.

MR. AUSTIN JACKSON, *Reno, Nevada*.

DEAR MR. JACKSON: I am in receipt of your favor of the 24th ult., asking information concerning the registration law of this State.

You inquire whether or not a woman, upon application for registration, will have to give her exact age, or whether a mere stating of the fact that she is over 21 years of age will comply with the registration law.

Section 12, Stats. 1917, p. 428, of the registration Act provides as follows:

Any elector residing within the county may register by appearing before the County Clerk or deputy registrar and making satisfactory answers to all questions propounded by the County Clerk touching the items of information called for by such registry card and by signing and verifying the affidavit or affidavits on such card.

The qualification of electors prescribed by the Constitution of this State is found in article 2, section 1, of the Constitution, as amended, approved and ratified by the people at the general election in 1914. Such amendment appears in the Statutes of 1913, at page 581 and such section as so amended reads as follows:

All citizens of the United States (not laboring under the disabilities named in the Constitution) of the age of twenty-one years and upwards who shall have actually and not constructively resided in the State six months, and in the district or county thirty days next preceding any election, are entitled to vote for all officers that now are or hereafter may be elected by the people, and upon all questions submitted to the electors at such election.

Therefore, all that the registrar can inquire of any person applying for registration is satisfactory answers to such questions as will satisfy him that the applicant is 21 years of age and upwards and has actually resided in the State six months, and in the district or county thirty days next preceding any election.

The age of the applicant is 21 years of age, and, upon making "satisfactory answer to all questions" which the registrar is entitled to propound the applicant touching his or her qualifications for registration, such applicant must be registered by him and the applicant must be registered by him and the applicant for registration need not state his or her exact age, but merely qualifies himself or herself by stating that he or she is over 21 years of age.

Yours very truly,

EDW. T. PATRICK, *Deputy Attorney-General*.

203. Public Schools—County High Schools—County Boards of Education.

The County Board of Education cannot undertake the construction of a proposed building on a day-labor basis or by letting several contracts of less than \$500 each.

CARSON CITY, July 3, 1918.

MR. J.H. WHITE, *District Attorney, Hawthorne, Nevada*.