855.

APPROVAL, BONDS OF VILLAGE OF SOUTH EUCLID, CUYAHOGA COUNTY—$51,000.00.

COLUMBUS, OHIO, August 11, 1927. ·   °

Industrial Commission of Ohio, Columbus, Ohio.

———— —

856.

REFERENDUM PETITION — DUTY OF SECRETARY OF STATE — AUTHORITY IN ELECTIONS.

SYLLABUS:

1. *Under the provisions of Section 5175-29h, General Code, it is the mandatory duty of the Secretary of State immediately to transmit the parts of a referendum petition, upon the same being filed in his office, to the boards of deputy state supervisors of elections in the various counties from which there appear names of electors on the parts of said petition.*

2. *Where the Secretary of State has once complied with the provisions of the above mentioned section by having mailed to said boards of deputy state supervisors of elections of each county, from which there appear names of electors, on any part petitions filed with him, the said part petitions containing the signatures of electors from that county, and the same are returned to him by said boards, with a certificate of the total number of sufficient signatures thereon, he is without authority again to return said part petitions to said local boards.*

3. *Under the authority of State ex rel., McCrehen vs. Brown, Secretary of State, 108 O. S. 454, and Burke, ex rel., State vs. Brown, Secretary of State, 115 O. S. 721, The Secretary of State possesses no duties relating to elections, except those conferred upon him by statute.*

COLUMBUS, OHIO, August 11, 1927.

HON. CLARENCE J. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your communication requesting my opinion as follows:

"We are attaching hereto a letter received by this Department from the officers of the Ohio State Medical Association.

In view of the Opinion of the Supreme Court of Ohio in State ex rel., McCrehen v. Brown, 108th Ohio State page 454, we desire your opinion as to whether or not the Secretary of State may legally comply with the request made in said letter and return·the part petitions and the certificates executed