

3632.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE NORTHERN REALTY COMPANY, AKRON, OHIO, COVERING RIGHT TO CROSS THE PROPERTY OF SAID COMPANY WITH A DREDGE CANAL, TO CONNECT EAST RESERVOIR WITH LONG LAKE AT AKRON, OHIO.

COLUMBUS, OHIO, September 18, 1926.

HON. RICHARD T. WISDA, *Assistant Superintendent Division 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 Highways and Public Works, and the Northern Realty Company of Akron, Ohio. This agreement is for the right to cross the property of said company with a dredge canal, to connect East Reservoir with Long Lake at Akron, Ohio.

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

Respectfully,

C. C. CRABBE,
Attorney General.

3633.

ELECTIONS—WHEN A POLITICAL PARTY ADOPTS A PARTY EMBLEM THE SAME SHOULD BE PLACED UPON THE OFFICIAL BALLOT—SECTION 5014, GENERAL CODE, CONSTRUED.

SYLLABUS:

Under section 5014, General Code, when a political party duly adopts a party emblem, the same is entitled to be placed upon the official ballot at the election until such time as such emblem has been changed by a state convention, notwithstanding the candidates of such party may go on by petition as distinguished from the primary method.

COLUMBUS, OHIO, September 20, 1926.

HON. THAD H. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—Hon. J. B. Baird, Assistant Secretary of State, has presented the following inquiry:

“The Socialist Party has for years had a recognized party emblem. This year that party places its ticket upon the ballot by petition.

We desire your opinion as to whether or not under the provisions of section 5014 of the General Code of Ohio the Socialist Party is entitled to have placed above its ticket its party emblem?”

Section 5014, to which you refer, provides:

“If the certificate of nomination of any state convention requests that the figure or device selected by such convention shall be used to designate the candidates of such party on the ballots for all elections throughout the state,

such figure or device shall be used until changed by request of a subsequent state convention of the same party. Such device may be the figure of a star, an eagle, a rooster, a flower, a plow or some other appropriate symbol. The coat of arms or seal of the state or of the United States, the national flag or any other emblem common to the people at large shall not be used as such device."

It would appear under the provisions of this section that if the certificate of nomination of any state convention requests an emblem which is selected by such convention, the same shall be used on the ballot for all elections throughout the state until changed by a subsequent state convention.

This section authorizes the adoption of a party emblem by convention, and this seems to remain such party emblem entitled to be used upon the ballot until such time as by party convention the same is officially changed.

It, therefore, is my opinion that if the Socialist Party has duly adopted an emblem by state convention, as provided for in said section, the same may be properly placed upon the ballot, notwithstanding the candidates of said party go upon the ballot by petition instead of being nominated at the primary.

Respectfully,

C. C. CRABBE,

Attorney General.

3634.

APPROVAL, BONDS OF MONTGOMERY COUNTY, \$3,100.00.

COLUMBUS, OHIO, September 21, 1926.

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

3635.

APPROVAL, BONDS OF VILLAGE OF BEREÀ, CUYAHOGA COUNTY,
\$10,000.00.

COLUMBUS, OHIO, September 20, 1926.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.