

rived from tolls collected for transit over the bridges operated by such commission for the purpose of paying dues in the national toll bridge association or paying the expenses incurred in the attendance of commission members at conventions of such association.

3. Under the provisions of Section 1465-60 and related sections of the General Code (Workmen's Compensation Law), it is the duty of the state bridge commission to contribute to the state insurance fund.

4. It is not a crime, nor is it unlawful, to resell tickets or coupons entitling the holder thereof to cross the Fort Steuben bridge, which tickets are sold at a discount in accordance with the toll schedule in effect at such bridge.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

850.

PETITION—IN RE: SECTIONS 6346-5, 6346-5A, G. C.—RATES OF INTEREST—LOAN—INSPECTION FEE—MAXIMUM CHARGE—SECTION 4785-175, G. C.

COLUMBUS, OHIO, July 7, 1939.

MR. LESLIE H. SNYDER, *2640 Kemper Lane, Cincinnati, Ohio.*

DEAR SIR: You have submitted for my examination a written petition bearing over one hundred names, containing a proposed law and a summary of the same under section 4785-175, General Code. Copy of said proposed law and summary thereof is hereto attached.

Section 4785-175, General Code, so far as pertinent to your request, is as follows:

“Whoever seeks to propose a law or constitutional amendment by initiative petition or to file a referendum petition against any law, section, or item in any law, shall by a written petition signed by one hundred qualified electors submit such proposed law, constitutional amendment or measure to be referred, and a summary of same to the attorney general for examination. If in the opinion of the attorney general the summary is a fair and truthful statement of the proposed law, constitutional amendment or measure to be referred, he shall so certify.”

In construing the above section, the Supreme Court in the case of *State, ex rel. Hubbell, v. Bettman*, 124 O. S., 24, held as disclosed by the second branch of the syllabus as follows:

“The summary or synopsis referred to in Section 4785-176 (175), General Code, should not describe at length the character of the proposal to be submitted but should contain a short, concise, succinct summing up reduced into a narrow compass.”

In discussing the meaning of the word “summary” in section 4785-175, General Code, in the above opinion, Marshall, C. J., said at page 27 :

“The other point presented by the Attorney General is that the so-called ‘fair and truthful summary of the contents and purposes of such proposed law or amendment’ is not in fact a summary. ‘Summary’ has been defined as ‘short, brief, compendious, succinct; reduced into a narrow compass.’ On examination, the summary here, or ‘Synopsis,’ as it is labeled, is found to contain approximately 4,900 words, while the text of the proposed amendments contains approximately 4,800 words. * * * There would manifestly be no point to having a summary in addition to the text itself unless the summary is just what the definition of that term expresses, viz.: ‘a short, concise summing up,’ which will properly advise those who are asked to either sign the petition or to support the amendment at the polls of the character and purport of the amendments without the necessity of perusing them at length.”

An examination of the summary you have submitted shows that it is written in almost the identical words of the proposed sections and is substantially of the same length.

It is therefore my opinion that the purported summary submitted is not a summary within the meaning of the legislative intent of section 4785-175, General Code, as interpreted by the Supreme Court, and consequently I am returning your petition without my certification.

Respectfully,

THOMAS J. HERBERT,
Attorney General.