

circular space over said ticket. I think, however, it is the uniform practice to print the names of all candidates for each office in such list of independent candidates in groups to the right of party tickets under the designation or title of the office for which nominated, in alphabetical order, according to surnames, as provided in Section 5028, General Code, for the printing of the names of candidates in townships and municipalities having a population of less than two thousand.

It is also my opinion that where a ticket or list of candidates, not containing the names of more candidates for any one office than may be elected, is nominated by petition and there is designated therein a proper name or title for such ticket or list of candidates, it is required that such ticket be printed in a separate column on the ballot to the right of all party tickets, under the name so designated, having printed above such designated name or title, a circular space similar to that above party tickets.

If, however, there be more than one petition filed nominating candidates for several offices to be filled at an election designating the same name or title for such ticket or list of candidates, it becomes a question of fact, to be determined upon proper hearing by the deputy state supervisors of elections, whether or not the filing of these two or more petitions nominating candidates bearing the same party or group designation, is done in good faith, or whether or not the placing of the candidates nominated by two or more nominating petitions on one ticket under the same party or group heading would cause the clashing of conflicting interests of the group of citizens represented on the said petitions, and the decision of said deputy state supervisors of elections, in the absence of fraud or abuse of discretion is final.

Respectfully,

EDWARD C. TURNER,

Attorney General.

1085.

APPROVAL, LEASES TO MIAMI & ERIE CANAL, OHIO CANAL, HOCKING CANAL, PORTAGE LAKES AND INDIAN LAKE LANDS.

COLUMBUS, OHIO, September 29, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your letter of September 27, 1927, in which you enclose the following leases executed in triplicate for my approval:

<i>Miami and Erie Canal</i>	<i>Valuation</i>
James K. Baker, cottage sites.....	\$1,400 00
Frank M. Gulick, land lease.....	200 00
Lawrence C. Hussey, land lease.....	200 00
W. E. Shade, land lease.....	1,200 00
Henry G. Sherwood, land lease.....	2,000 00
Lizzie C. Yahl, land lease.....	1,000 00
 <i>Ohio Canal</i>	 <i>Valuation</i>
C. S. Cameron, oil & gas lease, royalty & bonus.....	
C. S. Cameron, oil & gas lease, royalty & bonus.....	
Geo. F. Cappel, land lease.....	\$150 00

J. N. Hoffman, land lease-----	\$150 00
Northern Ohio Power & Light Co., pole line-----	3,333 34
Pille & Bechtel, land lease-----	5,333 34

<i>Hocking Canal</i>		<i>Valuation</i>
William Thompson, land lease-----		\$100 00

<i>Portage Lakes</i>		<i>Valuation</i>
H. E. Miller, dock-landing and walkway (west res.)-----		\$100 00
George B. Wolf, cottage site and landing, (north res.)-----		1,200 00

<i>Indian Lake</i>		<i>Valuation</i>
Ewing Mahan, business, cottage sites and landing-----		\$1,666 67
H. E. Wise, walkway and landing-----		400 00

I have carefully examined the above leases, and finding them correct in form, and legal, I hereby approve the same.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1086.

HIGHWAY—ERROR IN DESCRIPTION SHOULD BE CORRECTED BY
AMENDING THE RESOLUTION FOR IMPROVEMENT.

SYLLABUS:

Where, subsequent to the filing of an application for state aid, an inter-county highway was relocated by the Director of Highways and Public Works as authorized by law, and all the various steps in the procedure to improve such highway, upon a co-operative basis between the county and the state as provided in Sections 1191, et seq., of the General Code, have been taken, including the letting of the contract, and through inadvertence and mistake the description of the highway, as it was before its relocation, was incorporated in the resolution of the county commissioners approving the plans and determining to proceed, and in the resolution authorizing a bond issue, all other necessary legislation, the plans, the advertisement for bids and the contract containing a description of the road as relocated, it is the duty of such board of county commissioners to correct such erroneous description to conform with its actual intention, by amending said resolution to show correctly the description of the particular section of the highway to be improved.

COLUMBUS, OHIO, September 30, 1927.

HON. OTHO L. MCKINNEY, *Prosecuting Attorney, Springfield, Ohio.*

DEAR SIR:—Receipt is acknowledged of your communication of recent date requesting my opinion as follows:

“The board of county commissioners of this county on the 25th day of September, 1922, by resolution, made application to the Director of Highways for state aid for the construction of the Springfield-Troy Road, I. C. H. No. 196, said road being particularly described in said resolution.