

1548.

APPROVAL, BONDS OF HURON COUNTY, \$4,096.20, TO PAY PROPERTY OWNERS' PORTION OF CONSTRUCTING COLLINS ROAD NO. 155 AND COLLINS ROAD NO. 57.

COLUMBUS, OHIO, May 29, 1924.

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

1549.

HOW PERSONAL PROPERTY IN THE HANDS OF AN ADMINSTRATOR SHOULD BE DISTRIBUTED.

COLUMBUS, OHIO, May 29, 1924.

SYLLABUS:

The distribution of personal property in the hands of an administrator of the kind referred to in section 8578, General Code, is to be in accordance with sections 8573 and 8574 as said sections read prior to their amendment in 110 Ohio Laws.

HON. HOMER Z. BOSTWICK, *Probate Judge, Columbus, Ohio.*

Dear Sir:—

I hereby acknowledge receipt of your recent communication, which reads as follows:

“Please kindly consider the following sections of the General Code and favor this office with an opinion concerning the same in answer to certain questions hereinafter propounded.

Section 8583, as amended, 110 Ohio Laws, page 15, relative to the order of descent of real estate which came from an ancestor, paragraph 3, provides, if such intestate leave no husband or wife, relict of himself or herself, or at the death of such relict, the estate shall pass to and vest in the parents of such intestate and the survivor of such parents during the life of such parent and such survivor of them.

Section 8574, as amended, Ohio Laws, page 14, provides, paragraph 5, if such intestate leaves no husband or wife, relict of himself or herself, the estate shall pass to the parents of such intestate and the survivor or such parents during the life of such parents and such survivor of them.

Section 8578 of the General Code provides when a person dies intestate and leaves personal property, it should be distributed in the manner prescribed in section 8574 with further provision that funds arising from the sale of real estate which came by descent shall be distributed in accordance with section 8573.

Question 1:

Is distribution of personal property in the hands of an administrator of the kind referred to in section 8578 to be in accordance with sections 8573