

of the board of trustees of Ohio State university, and Robert J. Dienst, of Columbus, Ohio. This contract covers the construction and completion of brick road, south of Lord Hall, south of Power House, south of Robinson Laboratory and north of Veterinary Clinic, Ohio State University grounds, and calls for an expenditure of \$32,562.00.

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. There has further been submitted a contract bond upon which Robert J. Dienst, C. H. Niermeyer, and Charles Niermeyer appear as sureties, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the workmen's compensation have been complied with.

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

Respectfully,
C. C. CRABBE,
Attorney General.

2752.

APPROVAL, BONDS OF VILLAGE OF UPPER ARLINGTON, FRANKLIN COUNTY, OHIO, \$60,000.00.

COLUMBUS, OHIO, Sept. 4, 1925.

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

2753.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE MICHIGAN PIPE COMPANY OF BAY CITY MICHIGAN, COVERING FURNISHING OF WOOD PIPE LINES TO CONDENSERS IN POWER HOUSE ON THE CAMPUS OF THE OHIO STATE UNIVERSITY AT EXPENSE OF \$9,634.00. SURETY BOND EXECUTED BY THE AETNA CASUALTY & SURETY COMPANY.

COLUMBUS, OHIO, Sept. 4, 1925.

HON. GEORGE F. SCHLESINGER, *Director of Highways and 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 for and on behalf of the board of trustees of Ohio State University, and the Michigan Pipe Company

of Bay City, Michigan. This contract covers the furnishing of wood pipe lines to condensers in power house on the campus of Ohio State University, and calls for an expenditure of \$9,634.00.

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. There has further been submitted a contract bond upon which the Aetna Casualty and Surety Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

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

Respectfully,
C. C. CRABBE,
Attorney General.

2754.

ELECTION OF WIDOW OR WIDOWER MUST BE MADE WITHIN ONE YEAR FROM DATE OF SERVICE OF CITATION EXCEPT AS PROVIDED IN SECTIONS 10567 AND 10568 G. C.

SYLLABUS:

a. The election by the widow or widower must be made within one year from the date of the service of the citation, except as provided in sections 10567 and 10568 G. C.

b. Under the provisions of amended section 10571 G. C. when the citation is issued and served, and no election is made within one year from the said service it "shall be deemed that she or he has elected to take under the will."

COLUMBUS, OHIO, Sept. 4, 1925.

HON. EDWARD C. STANTON, *Prosecuting Attorney, Cleveland, Ohio.*

DEAR SIR:—Acknowledgment is hereby made of your recent communication to this department, which reads as follows:

"We have been requested by the probate court of this county to ask for an opinion upon the meaning and construction of section 10571, General Code.

"The probate court desires to know if the right of a widow or widower to elect to take under the will or under the law, is cut off within the period of one year from the service of citation under section 10567 General Code; and if this citation is issued is the widow or widower presumed to take under the will or under the law. Does the service of citation make any difference as to the time which is given to the widow or widower to elect?"

Section 10566 of the General Code reads as follows: