

the money for this contract. In addition you have submitted a contract bond, upon which the Fidelity and Casualty Company of New York 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.

Finally it appears that the Governor has approved all of the acts of the Commission in accordance with Section 1 of House Bill No. 17, 88th General Assembly, heretofore mentioned.

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,  
GILBERT BETTMAN,  
*Attorney General.*

2559.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND ROBERT S. LEIBY, COLUMBUS, OHIO, FOR VENTILATION FOR THE OHIO STATE OFFICE BUILDING, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$44,500.00—SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, November 20, 1930.

HON. CARMİ A. THOMPSON, *Chairman, State Office Building Commission, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by William Green, Elmer S. Landes, Warner P. Simpson, Carmi A. Thompson and William F. Wiley, duly appointed, acting and qualified members of the State Office Building Commission, provided for in Section 1 of House Bill No. 17 of the 88th General Assembly, passed March 14, 1929 (113 O. L. 59), and Robert S. Leiby of Columbus, Ohio. This contract covers the construction and completion of contract for ventilation for the Ohio State Office Building, Columbus, Ohio, in accordance with Item No. 3 of the Form of Proposal, dated August 25, 1930. Said contract calls for an expenditure of forty-four thousand, five hundred dollars (\$44,500.00).

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. It is to be noted that the Controlling Board's approval of the expenditure is not required under the act (113 O. L. 59), appropriating the money for this contract. In addition, you have submitted a contract bond upon which the Globe Indemnity 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.

Finally, it appears that the Governor has approved all the acts of the Commission

in accordance with Section 1 of House Bill No. 17, 88th General Assembly, heretofore mentioned.

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,  
 GILBERT BETTMAN,  
*Attorney General.*

2560.

SERVICE OF SUMMONS—HOW MINOR MAY BE SERVED IN CIVIL ACTION.

*SYLLABUS:*

1. *Under the provisions of Sections 11286 and 11291 of the General Code, service may be made upon a minor in a civil action by delivering a copy of the summons with the endorsement thereon to said minor personally or by leaving a copy at his usual place of residence. Also a copy of said summons must be served upon his guardian or father in the same manner. If neither can be found, then a similar service must be made upon his mother or the person having the care of such infant or with whom he lives.*

2. *In the event the service is made under the provisions of Section 10781 of the General Code, in connection with the sale of real estate by an executor or an administrator and service is made by the plaintiff or some person other than the sheriff, summons must be served by personally delivering copies to the minor, and guardian, father, mother or custodian, as the case requires.*

COLUMBUS, OHIO, November 21, 1930.

HON. R. S. CUNNINGHAM, *Prosecuting Attorney, Lancaster, Ohio.*

DEAR SIR:—Acknowledgment is made of your communication requesting my opinion as follows:

“Section 11291 of the General Code provides how the service of summons on minors in civil actions must be made.

We request your opinion as to whether or not it is necessary to have personal service on minors or whether summons being left at their place of residence is sufficient, assuming, of course, that the guardian or father is served as provided in said section.”

Section 11291, to which you refer, provides:

“When the defendant is a minor the service of summons must be upon him, and also upon his guardian, or father; or, if neither can be found, upon his mother, or the person having the care of such infant, or with whom he lives. The manner of service must be the same as in the case of adults, and shall be made on such persons, in the order named herein.”

In analyzing the above section, it will be observed that a minor is to be served in the manner that service is made upon adults.