

provision contained in section 9510, General Code, a receiver of a casualty company which was dissolved by order of the court was denied the right to the interest collected after its dissolution on the deposit it had made with the superintendent of insurance for the benefit of its policyholders. The court said:

“We see no reason why the interest must not follow the principal. By section 14 of the act the corporation, so long as it shall continue solvent and comply with the laws of the state, shall be permitted by the superintendent to collect the interest or dividends upon its deposits. This, doubtless, has reference to a solvent corporation still continuing active business. It has no application to a corporation that has ceased to exist and has been dissolved by a judgment of the court. Thereafter, the superintendent holds the deposits or securities under the trust created by the statute for the benefit of the policyholders, and as such is entitled to collect the interest thereafter accruing and treat it as a part and parcel of the trust in his hands.”

Since the rights of the receiver of the International Re-Insurance Corporation in the deposit in question can be no greater than the rights of the Georgia Casualty Company had it not assigned said deposit, it follows that said receiver is not at this time entitled to the interest on said deposit, but said interest becomes a part of the deposit to be administered in accordance with section 641, et seq., General Code.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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2995.

APPROVAL—TRANSCRIPT OF PROCEEDINGS RELATING TO THE  
SALE OF A SMALL TRACT OF HOCKING CANAL LAND FOR THE  
PURPOSE OF CONSTRUCTING A CITY STREET IN LANCASTER,  
OHIO.

COLUMBUS, OHIO, August 4, 1934.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval a transcript of your proceedings relating to the sale of a small marginal tract of Hocking Canal land which remained for proper disposition after the larger part of such canal lands in the City of Lancaster, Ohio, had been used by the municipality for the purpose of constructing thereon a city street as authorized and provided for in House Bill No. 417, enacted by the 89th General Assembly, 114 O. L. 536.

The parcel of Hocking Canal lands here in question is Marginal Tract No. 5, as shown by the plat of said canal property in the City of Lancaster and by the plats thereof in the office of the Governor and of the Superintendent of Public Works, and which parcel is more particularly described as follows:

Beginning at the point of intersection of the easterly line of the said abandoned Hocking Canal lands and the southerly line of that part of Lot No. 216, as formerly owned by Leonard Kissner and now owned by the grantee herein, said point being 151.9 feet west of the west line of Columbus Street as measured along the southerly line of said lot No. 216; and running thence westerly with the said southerly line of Lot No. 216, 13.1 feet to the easterly line of the first alley west of Columbus Street; thence northerly with the said easterly line of said alley, 14 feet, more or less, to a point in the said easterly line of said canal property; thence southeasterly with the said easterly line of said canal property, 19.17 feet, more or less, to the place of beginning and being a triangular tract of land, containing 92 square feet, more or less.

From the transcript of your proceedings with respect to the proposed sale of this property, it appears that the same is to be sold and conveyed to one Katherine K. Beach, who is now the owner of a tract of land which is contiguous to and abuts upon the marginal tract of land above described. Under the provisions of section 6 of the act of the legislature above referred to, this person, as the owner of such abutting lands, has a prior right with respect to the purchase of this parcel of marginal canal lands if the same is needed for street or other municipal purposes; and by the terms of this statute she has the right to purchase this property of the state at the appraised value thereof, which appraised value, I assume, has been determined in this case in the manner provided by section 4 of this act.

Finding as I do that Katherine K. Beach, as the owner of contiguous lands, has the right to purchase this property and that you have in the transcript of your proceedings made all the findings necessary to authorize you to sell this property to the person above named at the appraised value thereof, your proceedings for the sale of this property are hereby approved as is evidenced by my approval endorsed upon the transcript submitted to me and upon the duplicate thereof, both of which are herewith enclosed.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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2996.

APPROVAL—CONTRACT BETWEEN STATE OF OHIO AND THE WEISS HEATING AND PLUMBING COMPANY FOR THE CONSTRUCTION AND COMPLETION OF CONTRACT FOR HEATING FOR A PROJECT KNOWN AS GARAGE, DEPARTMENT OF HIGHWAYS, DIVISION NO. 4.

COLUMBUS, OHIO, August 6, 1934.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval, a contract between the State of Ohio, acting by the Department of Public Works, for the Department