

5025.

APPROVAL, PROPOSED AGREEMENT TO ELIMINATE
GRADE CROSSING IN HARRISON COUNTY—PENN-
SYLVANIA RAILROAD COMPANY.

COLUMBUS, OHIO, December 20, 1935.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a proposed agreement by and between the Director of Highways and the Pennsylvania Railroad Company with reference to the elimination of a grade crossing over the tracks of said company on State Highway No. 373, near Jewett, in Harrison County.

After examination, it is my opinion that said proposed agreement is in proper legal form and when executed will constitute a valid and binding contract.

Said proposed contract is being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5026.

APPROVAL, PAPERS IN CONNECTION WITH THE CON-
VERSION OF THE HOME BUILDING AND SAVINGS COM-
PANY, XENIA, OHIO, INTO HOME FEDERAL SAVINGS
AND LOAN ASSOCIATION.

COLUMBUS, OHIO, December 20, 1935.

HON. WILLIAM H. KROEGER, *Superintendent of Building and Loan Asso-
ciations, Columbus, Ohio.*

DEAR SIR:—I have examined the various papers submitted by you in connection with the conversion of The Home Building and Savings Company, Xenia, Ohio, into Home Federal Savings and Loan Association, and find the papers submitted and the proceedings of said The Home Building and Savings Company, as disclosed thereby, to be regular and in conformity with the provisions of section 9660-2 of the General Code of Ohio.

All papers, including two copies of the charter issued to the said Home Federal Savings and Loan Association, are returned herewith to be filed by

you as a part of the permanent records of your department, except one copy of the charter which the law provides shall be filed by you with the Secretary of State. The law further provides that such filing with the Secretary of State shall be within ten days after the requirements of said section 9660-2 have been complied with by The Home Building and Savings Company, and that your approval shall be endorsed on the copy so filed. You will find on the copies of the charter, form of approval for your signature.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5027.

WORKMEN'S COMPENSATION FUND—ADVANCED COSTS
IN PENDING CASES PAYABLE FROM FUND—IF
RECOVERED CREDITED TO FUND—SALARIES AND
EXPENSES IN PREPARING REHEARING RECORDS NOT
PAYABLE FROM FUND.

SYLLABUS:

1. *When the Industrial Commission of Ohio is required to advance costs in connection with a case pending in court for the preparation of a proper bill of exceptions to be used in error proceedings in the Court of Appeals or for the printing of records to be filed in the Supreme Court, such money may be advanced from the state insurance fund and if any such costs are recovered by way of judgment they should then be credited to that fund.*

2. *The Industrial Commission of Ohio is not authorized to pay from the state insurance fund the salaries and expenses incurred in the preparation of rehearing records.*

COLUMBUS, OHIO, December 21, 1935.

The Industrial Commission of Ohio, Columbus, Ohio.

DEAR SIRs:—This will acknowledge receipt of your request for my opinion which reads as follows:

“Certain expenses are incurred incidental to the defense of appeals provided under Section 1465-90, such as expenses for the printing of the record in the Supreme Court and the preparation of bills of exceptions in the Court of Appeals. Inasmuch as these expenses are incidental to the particular claim pending on appeal it has