

2668.

APPROVAL, BONDS OF MAPLE HEIGHTS CITY SCHOOL DISTRICT,
CUYAHOGA COUNTY, OHIO—\$4,000.00.

COLUMBUS, OHIO, May 16, 1934.

Industrial Commission of Ohio, Columbus, Ohio.

2669.

APPROVAL, NOTES OF BRANCH HILL RURAL SCHOOL DISTRICT,
CLERMONT COUNTY, OHIO—\$380.00.

COLUMBUS, OHIO, May 16, 1934.

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

2670.

APPROVAL, NOTES OF PIONEER VILLAGE SCHOOL DISTRICT, WIL-
LIAMS COUNTY, OHIO—\$1,059.00.

COLUMBUS, OHIO, May 16, 1934.

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

2671.

DISAPPROVAL, ARTICLES OF INCORPORATION OF SOCIETA MARIA
SS. DEL CARMINE.

COLUMBUS, OHIO, May 16, 1934.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—I acknowledge receipt of the articles of incorporation of Societa Maria SS. Del Carmine, which you have submitted to me for my approval. This purports to be a corporation not for profit, and I have no authority to approve or disapprove articles of incorporation not for profit. However, the purposes of this corporation, as set forth in the articles, are as follows:

“Promote Social and Civic Welfare. Pay a death benefit to its deceased members.”

Since one of the purposes of this society is to pay death benefits, it becomes an insurance society and must comply with the insurance laws of this state, unless it comes within one of the exemptions of section 9491, General Code. Under the by-laws, the amount of the death benefit to be paid depends upon the number of the members belonging to this society, and I find no provision limiting the membership. I fail to find anything either in the articles or the constitution and by-laws which would bring it within any of the exemptions contained in section 9491.

It is my opinion, therefore, that this society under its present set-up cannot lawfully be incorporated.

Respectfully,
 JOHN W. BRICKER,
Attorney General.

2672.

APPROVAL—PROCEEDINGS RELATING TO THE CANCELLATION OF
 LEASE ON CERTAIN PARCELS OF MIAMI AND ERIE CANAL
 LANDS IN MIAMI COUNTY, OHIO.

COLUMBUS, OHIO, May 16, 1934.

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

DEAR SIR:—You have submitted for my examination and approval your finding and report made upon the application of The Miami Valley Railway Company for the cancellation of the lease which said company now holds on certain parcels of Miami and Erie Canal lands in Miami County, Ohio, which lease was executed to The Miami Valley Railway Company under date of March 22, 1930, for a term of ninety years and which provides for an annual rental of \$800 00. The application for the cancellation of the lease here in question is made by said company, the lessee therein, under the provisions of sections 6 and 7 of House Bill No. 467, enacted by the 90th General Assembly under date of June 8, 1933, which act became effective as a law on the 11th day of October, 1933. Under the provisions of the sections of this act, above referred to, if at any time any lessee of canal lands of the state can no longer economically use such lands, such lessee may file with the Superintendent of Public Works, at least sixty days prior to any rental payment date, a sworn statement of facts pertaining to such lease, setting forth the reasons why such lease cannot be used any longer by it, and requesting the cancellation of such lease. It is further provided that upon receipt of such sworn statement, said Superintendent of Public Works shall make a thorough investigation of all the facts pertaining to such lease, and if he is satisfied that such representations are true, and that all accrued rentals due thereon have been paid in full up to the next semi-annual rental payment date, he may, with the approval of the Governor and Attorney General, indicated by a resolution in the manner therein provided, cancel such lease.