

3867.

DISAPPROVAL, CERTIFICATE OF INCORPORATION OF THE HOLY TRINITY MUTUAL FIRE INSURANCE ASSOCIATION.

COLUMBUS, OHIO, January 26, 1935.

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

DEAR SIR:—I have examined the certificate of incorporation of Holy Trinity Mutual Fire Insurance Association, which you have submitted to me for my approval. It is sought to form a mutual protective association under the provisions of sections 9593, General Code, et seq. In describing the kinds of property to be insured, the certificate says:

“Said association shall insure dwellings, private garages, household goods, furniture and such other property as is authorized by section 9593 of the General Code of Ohio * * *.”

Section 9595, General Code, provides that the certificate must specify the kinds of property proposed to be insured. A reference to section 9593, General Code, might be sufficient if section 9593 specified definitely the kinds of property that may be insured but this statute after specifying certain kinds of property, reads, “and other property not classed as extra hazardous.”

I am of the view therefore that the phrase in the certificate “such other property as is authorized by section 9593” is not a specification of the kinds of property which it is proposed to insure. It is suggested therefore that the certificate specify definitely the different kinds of property which the association proposes to insure.

Respectfully,

JOHN W. BRICKER,
Attorney General.

3868.

CITY—MAY PURCHASE TRUCK FROM PROCEEDS OF GASOLINE AND AUTO LICENSE FUNDS WHEN—LIMITATION ON USE OF SAID SERVICE TRUCK.

SYLLABUS:

(1) *A city may legally purchase, out of the proceeds of funds arising from the provisions of Sections 5537 and 6309-2, General Code, a service truck, providing such truck is used only in connection with the maintaining, repairing, constructing and repaving of the city streets, and is not used in connection with the cleaning and clearing of the city streets.*

(2) *A city may legally purchase out of the proceeds of the funds arising from the provisions of Section 5541-8, General Code, a service truck, providing such truck is used only in connection with the constructing, maintaining, widening, reconstructing, cleaning and clearing of the city streets.*