

eficial to the fund, but as no such action appears to have been taken in this instance, I am not specifically passing upon this question.

By way of specific answer to your inquiry, therefore, I am of the opinion that the sinking fund trustees of a municipality are without power to sell securities in their hands for the purpose of raising funds to purchase municipal bonds offered for sale by the municipality.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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2386.

APPROVAL, BONDS OF THE VILLAGE OF WEST LIBERTY, LOGAN  
COUNTY, OHIO—\$23,460.06.

COLUMBUS, OHIO, July 23, 1928.

*Industrial Commission of Ohio, Columbus, Ohio*

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2387.

INSURANCE—CONTRACT TO PAY ATTORNEY TO DEFEND ONLY IS  
NOT CONTRACT OF INSURANCE—PROPRIETY OF CONTRACT  
DISCUSSED.

*SYLLABUS:*

1. *An association or league, that undertakes and agrees to employ competent attorneys without charge to the member of such league to defend such member in all legal proceedings against him arising out of alleged wrongful death or other claims for damages arising from the use of his automobile by himself, a member of his family, his agent or employe, said league not assuming or agreeing to pay any judgment or other claim for damages, is not engaged in the insurance business and its contract is not one substantially amounting to insurance.*

2. *Form and substance of contract criticized and disapproved.*

COLUMBUS, OHIO, July 23, 1928.

HON. WILLIAM C. SAFFORD, *Superintendent of Insurance, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent communication requesting my opinion as follows:

“Herewith I hand you a specimen contract of National Motorists League of Columbus, Ohio.