

Pertinent to this discussion, it was held in an opinion of the Attorney General, found in Annual Report of the Attorney General for 1913, p. 100, the syllabus of which reads:

"In order to authorize the secretary of state to accept the articles of incorporation of the Roumanian-American League, an institution formed for the purpose of mutual assistance and benefit socially, financially and cultural, it must be determined either that the association is not to have a lodge system with ritualistic form of work and representative form of government, or that the death benefits to be provided for shall not exceed \$100.00, or the disability benefits more than \$150.00, to any one person in any one year, and that certificates are not to be issued. These things must be stated in the articles of incorporation in order to authorize the secretary of state to accept such articles for filing."

Following the further provisions of Section 9491, General Code, not set out in the syllabus just quoted, an association which desires to exempt itself from the laws governing fraternal benefit societies might properly limit its powers in its articles in the following respects:

1. Limit its membership to five hundred.
2. Deny any power to issue *certificates* to its members providing for payment of benefits.
3. Deny any power to give any compensation to any person for obtaining members for the association.

The proposed articles are further defective in authorizing the trustees to add to the purposes of the association. The purposes of the corporation cannot in any event be substantially changed. Such limited change as can be lawfully made must be, by amendment, adopted by the members according to law and duly certified and filed. See Section 8623-113, General Code.

For the reasons herein stated, I am forced to advise you that the proposed articles should not be filed until the same have been modified to conform to the pertinent statutes.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3484.

APPROVAL, BONDS OF VILLAGE OF CYGNET, WOOD COUNTY, OHIO
—\$16,500.00.

COLUMBUS, OHIO, August 6, 1931.

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

3485.

APPROVAL, NOTES OF BEXLEY CITY SCHOOL DISTRICT, FRANKLIN
COUNTY, OHIO—\$375,000.00.

COLUMBUS, OHIO, August 6, 1931.

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