

opinion as to your third question is that the chief benefit of Amended Senate Bill No. 200, was intended for the indigent tenant, even though the landlord may incidentally be financially benefited.

I am unable to state that the intent of Amended Senate Bill No. 200, is either of those suggested in your fourth inquiry. The purpose or aim of the act is at best, only a matter of conjecture, to be gathered if possible from the language contained therein. The aim or purpose of the legislature in enacting the act in question might have been to, if possible, prevent the indigent person from becoming a more burdensome public charge.

Specifically answering your inquiries it is my opinion that:

1. A landlord may accept or attempt to collect rent charges which are in arrears, even though he is receiving direct housing relief warrants in payment of the current rent of the indigent pursuant to the authority of Amended Senate Bill No. 200 as amended by Amended Substitute Senate Bill No. 53 as enacted by the 90th General Assembly at its regular and first special session.

2. Applications for direct housing relief under Amended Senate Bill No. 200, as amended by Amended Substitute Senate Bill No. 53, as enacted at the 90th General Assembly, general and first special sessions, should be made on behalf of the indigent tenant, even though prepared by the landlord with the consent of the tenant.

Respectfully,

JOHN W. BRICKER,

*Attorney General.*

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2356.

DISAPPROVAL, PROPOSED ARTICLES OF INCORPORATION OF  
THE RECOVERY MUTUAL INDEMNITY COMPANY.

COLUMBUS, OHIO, March 10, 1934.

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

DEAR SIR:—I acknowledge receipt of the proposed articles of incorporation of The Recovery Mutual Indemnity Company which you have submitted to me for my approval.

The purposes for which this corporation is being formed, are set forth in the third paragraph of the articles, which reads as follows:

“The purpose or purposes for which said corporation is formed are to carry on the business of mutual insurance, and to reinsure, and to accept reinsurance as follows:

Against loss, expense and liability resulting from the ownership, maintenance or use of any automobile or other vehicle including aircraft, watercraft, electric motors and apparatus and heat and pressure devices; and against loss or damage by any hazard upon objects having to do with energy which are not prohibited by the statutes of the State of Ohio or at common law from being the subject of insurance, except life insurance.”

These purposes show that it is intended to include the risks provided for in paragraphs four and seven of section 9607-2, General Code. In including insurance against loss, expense and liability resulting from the ownership, maintenance or use of vehicles provided in said paragraph four, the articles should provide that no policies shall be issued against the hazard or fire alone. Opinions of the Attorney General for 1931, Volume 1, page 453.

I might also suggest here that electric motors and apparatus and heat and pressure devices would hardly be classed as vehicles.

As to the miscellaneous insurance which is provided for in these articles, it is my opinion that this should be limited to risks not provided for in section 9607-2, otherwise the language used might be broad enough to include risks set forth in paragraph one of said section. This section clearly provides that if it is sought to transact the kinds of insurance mentioned in paragraph one of this section, the company may not transact the other kinds of insurance mentioned in the other paragraphs of said section.

The articles in question are signed by the required number of persons but they are not acknowledged. Since there is no provision in the special statutes for this kind of company, as to the manner in which articles of incorporation shall be executed, the requirement of the General Corporation Act should be followed, which provides for such acknowledgment. This office has consistently held that where no special provision is made, with respect to any matter concerning the corporation, organization, conduct or government of insurance companies, the General Corporation Act applies. Opinions of the Attorney General for 1918, Volume II, page 1348; Opinions of the Attorney General for 1919, Volume II, page 129; Opinions of the Attorney General for 1932, Volume I, page 207; Opinions of the Attorney General for 1932, Volume III, page 1411. Furthermore, the articles do not show the date on which they were signed.

I am therefore returning the articles of incorporation to you without my approval, so that the changes herein suggested may be made.

Respectfully,

JOHN W. BRICKER,

*Attorney General.*

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2357.

APPROVAL, BONDS OF EVENDALE RURAL SCHOOL DISTRICT, HAMILTON COUNTY, OHIO, \$45,000.00.

COLUMBUS, OHIO, March 10, 1934.

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