

Company, and except any lien or encumbrance upon said property created by said lessee.

I have likewise examined the quit-claim deed executed by The Broad Front Realty Company, conveying to the State of Ohio its interest in this property. Said deed has been properly executed and acknowledged, and the form of said deed is such that it conveys to the State of Ohio all of the right, title and interest in said property now owned and held by The Broad Front Realty Company, by virtue of said lease or otherwise.

There has been submitted to me as part of the files relating to the purchase of this property encumbrance record No. 2103. This encumbrance record has been properly executed and approved, and the same shows a sufficient balance in the appropriation account to pay the purchase price of said property which is the sum of \$87,049.00.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

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3093.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS RESIDENT DISTRICT DEPUTY DIRECTOR—J. B. PUFFENBERGER.

COLUMBUS, OHIO, March 25, 1931.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted a bond in the penal sum of \$5,000.00, with surety as indicated, to cover the faithful performance of the duties of the official as hereinafter named:

J. B. Puffenberger, Resident District Deputy director, Seneca and Wood Counties—Hartford Accident and Indemnity Company.

Finding said bond to have been properly executed, I have accordingly approved the same as to form, and return it herewith.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

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3094.

STATE LIBRARY BOARD—HAS SOLE POWER TO DETERMINE AND CREATE POSITIONS WITHIN LIBRARY SERVICE.

SYLLABUS:

*By virtue of Sections 154-53 and 154-54 of the General Code, the State board of library commissioners has the sole power to determine and create positions in the various departments of the library service of the state of Ohio.*

COLUMBUS, OHIO, March 25, 1931.

HON. JOSEPH T. TRACY, *Auditor of State, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion with reference to the following inquiry:

"The question is whether positions in the State Library shall be created by official action of the Board, or, by the Librarian?"

Section 154-53, General Code, in so far as pertinent to your inquiry, is as follows:

"It (state library board) shall organize the library service of the state into departments and determine the number of assistants and other employes therein."

Section 154-54 provides in part as follows:

"Under the direction and supervision of the state library board and subject to the rules and regulations established by it, the state librarian shall, through such departments as may be created by the board, exercise all powers and perform all duties vested by law in the state board of library commissioners."

It is apparent that by virtue of sections 154-53 and 154-54 the state library board has the sole power of creating the various departments in the library service of the state of Ohio and that the said board also is empowered to create positions in the various departments created by the board. These two sections, when read together, provide that the state board of library commissioners shall organize the library service of the state of Ohio into departments and, that said departments may be created by the board at its discretion; that after the department or departments have been created by the board of library commissioners said board shall determine the number of assistants and other employes therein.

It is therefore my opinion that by virtue of sections 154-53 and 154-54 of the General Code, the state board of library commissioners has the sole power to determine and create positions in the various departments of the library service of the state of Ohio.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

3095.

DISAPPROVAL; ARTICLES OF INCORPORATION OF EMPIRE MUTUAL  
INSURANCE ASSOCIATION.

COLUMBUS, OHIO, March 26, 1931.

HON. CLARENCE J. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval proposed articles of incorporation of Empire Mutual Insurance Association. The body of said proposed articles reads:

"WITNESSETH, That we, the undersigned, a majority of whom are citizens of the State of Ohio, desiring to form a corporation, not for profit, under the General Corporation Laws of said State, do hereby certify:

FIRST: The name of said corporation shall be Empire Mutual Insurance Association.

SECOND: Said corporation shall be located at Cleveland in Cuyahoga County, Ohio, and its business there transacted.

THIRD: Said corporation is formed for the purpose of insuring,