

29.

APPROVAL, DEEDS TO MIAMI AND ERIE CANAL LANDS IN THE CITY OF CINCINNATI—3 GRANTEES.

COLUMBUS, OHIO, January 28, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent communication enclosing three deeds of the State of Ohio conveying parcels of surplus Miami and Erie Canal Lands relinquished by the city of Cincinnati to the State of Ohio under the provisions of Amended Senate Bill No. 123, as passed by the 87th General Assembly of Ohio (112 O. L. 210).

The deeds enclosed for my examination and approval are as follows:

<i>Parcel No.</i>	<i>Names and Addresses of Grantees.</i>	<i>Consideration.</i>
65	Gordon Weil, 3901 Reading Rd., Cincinnati, Ohio.....	\$756 00
143	Anna B. Breyer, 3648 Bless Avenue, Cincinnati, Ohio.....	110 00
147	Anna B. Breyer, 3648 Bless Avenue, Cincinnati, Ohio.....	378 00

I have examined the forms submitted and am of the opinion that they are in conformity with law. You are accordingly advised that these deeds have my approval as to form.

By virtue of the provisions of Section 9 of the act hereinbefore referred to, the sales of these tracts are made by you, subject to the approval of the Governor and Attorney General. These sales meet with my approval, and I have accordingly endorsed my approval upon the forms submitted which are herewith returned.

Respectfully,

GILBERT BETTMAN,
Attorney General.

30.

CIVIL SERVICE—DUTY OF APPOINTING POWER TO FILL VACANT POSITION FROM ELIGIBLE LIST OF COMMISSION—TERM OF PROVISIONAL APPOINTEE—RIGHTS OF INNOCENT THIRD PERSONS.

SYLLABUS:

1. *When an eligible list for any position in the classified civil service of the state or any subdivision thereof is certified by the Civil Service Commission to the appointing power, it becomes the duty of the appointing power, if the position is not at the time being occupied by a person appointed from a regularly certified eligible list to make an appointment to the position from the eligible list so certified*

2. *A provisional appointee occupying a position in the classified civil service may lawfully perform the duties of the position only until a regular appointment can be made from a duly certified eligible list for the position although third persons, who are not fully advised of his status, will be protected in their dealings with him, even*