

In passing, your attention is directed to a statement in a letter from your commission to the Franklin County board of county commissioners under date of October 24, 1927, to the effect that the county commissioners are the appointing officers for the superintendent of the Franklin County Tuberculosis Hospital, but for all other positions at that institution the appointing authority is the superintendent. Section 3153, General Code, provides that upon the recommendation of the superintendent the board of trustees (county commissioners) shall appoint such nurses and other employes as may be necessary for the proper conduct of the hospital. This section specifically makes the board of trustees the appointing authority for all employes of the hospital.

It is therefore my opinion:

1. That Mrs. A. P. Lawin is at the present time the actual head or superintendent of the Franklin County Tuberculosis Hospital and is entitled to act as such, during good behavior and efficient service, until such time as the board of county commissioners of Franklin County determines to and does appoint a suitable person medical superintendent of said hospital.

2. Upon the appointment of such medical superintendent, Mrs. Lawin will cease to have entire charge and control of the hospital but will continue to perform any other duties which have been exercised by her as superintendent of nurses, during good behavior and efficient service, subject to the right of the board of county commissioners at any time to abolish the position or change the duties thereof. If the position of superintendent of nurses is abolished, such abolishment must be in good faith and must not leave the door open to creating the same position under another name and filling the same by employing a person other than Mrs. Lawin.

3. It is the duty of your commission, upon the request of the county commissioners, to certify a list of eligible candidates from which an appointment can be made to the position of medical superintendent of the Franklin County Tuberculosis Hospital, or if such list is not available to hold a competitive examination to provide such list.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1384.

APPROVAL, BONDS OF THE CITY OF DEFIANCE, OHIO—\$15,033.84.

COLUMBUS, OHIO, December 17, 1927.

Industrial Commission of Ohio, Columbus, Ohio.

1385.

APPROVAL, BONDS OF THE VILLAGE OF MIDDLE POINT, VAN WERT COUNTY—\$2,000.00.

COLUMBUS, OHIO, December 17, 1927.

Industrial Commission of Ohio, Columbus, Ohio.