

state, including the division of building and loan associations in the department of commerce, provided in Section 10 of said act as follows:

“So much of the appropriation herein made for personal service as pertains to the compensation of employes in the following groups and grades of the classified civil service of the state, save and except employes in such groups and grades in the state universities, normal schools, and the Ohio agricultural experiment station may be expended only in accordance with the classification and rules of the state civil service commission and at the following rates of annual salaries for the respective groups and grades:

\* \* \* \* Examining \* \* \* \*

Examiner Gr. III. Rate A-----\$2,800.00.”

Inasmuch as the act provides in Section 10 thereof, above quoted, that the appropriations made for personal service “may only” be expended at the rates fixed therein, it will be necessary to expend the money at those rates, else there is no authority for its expenditure at all.

It follows, therefore, that since certain examiners employed in the building and loan division of the department of commerce have been rated by the state civil service commission as “Examiner Gr. III. Rate A” the only authority for the expenditure of the appropriations made for the payment of their salaries is at the rate of \$2,800.00 per year, and if they are not paid at that rate there is no authority in the appropriation act to pay them at all.

It is my opinion that the effect of the provisions of Section 10 of the appropriation act above referred to is to suspend the provisions of Section 677-2 of the General Code of Ohio during the life of the appropriation act in so far as the salaries of examiners in the building and loan division of the department of commerce, who have been rated by the state civil service commission as Examiners, Gr. III, Rate A, are affected.

Respectfully,

GILBERT BETTMAN,

*Attorney General.*

656.

APPROVAL, LEASES TO LAND AT BUCKEYE LAKE.

COLUMBUS, OHIO, July 24, 1929.

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

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting for my examination and approval three certain leases in triplicate, executed by the State of Ohio through you as Superintendent of Public Works, whereby there is leased and demised to the respective lessees therein named for terms of fifteen years each, certain parcels of state reservoir lands located along and adjacent to Buckeye Lake, which parcels of land are fully described in said leases. Said leases designated with respect to the lessees therein and the valuations of the parcels of land covered by said leases, are as follows:

<i>Lessees</i>	<i>Valuations</i>
Gertrude Holtsberry -----	\$600.00
S. A. Luster-----	200.00
Esther L. Plant-----	500.00

Each of said leases calls for an annual rental of six per cent upon the appraised value of the parcel of land demised by the lease.

An examination of said leases shows that the same and each of them have been executed in substantial compliance with the provisions of Section 471 and other related sections of the General Code applicable to leases of this kind; and no reason appearing why these leases should not be approved by this department, the same and each of them are hereby approved, as is evidenced by my approval endorsed upon said leases and upon the duplicate and triplicate copies thereof.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

657.

APPROVAL, LEASES TO LAND AT PORTAGE LAKES.

COLUMBUS, OHIO, July 24, 1929.

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

DEAR SIR:—You have submitted for my examination and approval four certain leases in triplicate, executed by the State of Ohio through you as Superintendent of Public Works, leasing and demising unto the respective lessees therein named for terms of fifteen years each, certain parcels of state reservoir lands in the Portage Lakes district, which parcels of land are fully described in said leases. The leases here in question, designated with respect to the lessees therein named, the location of the property and the assessed valuation thereof, are as follows:

<i>Lessees</i>	<i>Location</i>	<i>Valuation</i>
Emma E. Conger—	Front Lot 8, East Reservoir-----	\$100.00
Bessie E. Davis—	Front Lot 10, East Reservoir-----	100.00
Dow W. Harter—	Island, Turkey Foot Lake-----	200.00
J. P. Leingang—	Front Lot 693, Cottage Grove Allotment-----	100.00

Each of said leases calls for an annual rental of six per cent upon the appraised value of the parcel of land demised by the lease.

An examination of said leases shows that the same and each of them have been executed in substantial compliance with the provisions of Section 471 and other related sections of the General Code applicable to leases of this kind; and no reason appearing why these leases should not be approved by this department, the same and each of them are hereby approved, as is evidenced by my approval endorsed upon said leases and upon the duplicate and triplicate copies thereof.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*