

In the opinion it was said as follows:

“The humane agent is in the employ of the humane society, a corporation. He is engaged in a public duty and for performing this duty, the county or municipality is authorized to pay him a compensation. He is not, in my opinion in the service of the state, the county, or of the city, within the meaning of section one of the civil service act.”

Inasmuch as a humane agent is not an officer of the county, I know of no rule or principle of law to prevent a humane society from supplementing the amount the county commissioners appropriate as salary to such agent, in accordance with Section 10072, General Code, with such additional salary as it may deem proper. Such agents, although engaged in public or quasi-public duties, are nevertheless agents in the employ of the humane society, a corporation.

Answering your question specifically, I am of the opinion that when, in accordance with the provisions of Section 10072, General Code, a board of county commissioners has appropriated money to be paid to a humane society agent, such humane society is not thereby precluded from paying such agent an amount as salary in addition to such amount appropriated by such commissioners.

Respectfully,

EDWARD C. TURNER,
Attorney General.

2631.

APPROVAL, NOTES OF THE VILLAGE OF PARMA, CUYAHOGA COUNTY
—\$137,067.00.

COLUMBUS, OHIO, September 27, 1928.

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

2632.

COUNTY COMMISSIONERS—WIDENING OF STATE ROAD OVER 18
FEET—CO-OPERATION WITH DIRECTOR OF HIGHWAYS—PERCENT-
AGE OF COST—ASSESSMENT DISCUSSED.

SYLLABUS:

1. *A proposal to cooperate with the state in the widening of a state road over eighteen feet may be made by the county commissioners upon a certain percentage of the cost of such excess pavement or such proposal may agree to pay a lump sum toward such excess cost, provided that the amount thereof does not exceed the amount which the county is authorized to contribute toward such improvement.*