

From this provision it appears that the legislature had in mind that such county humane society might appoint an agent with authority to perform his duties as such throughout the county and within some one or more municipal corporations in such county. In such case the appointment of the agent is subject to approval by the probate judge of the county and by the mayor of any municipal corporation in the county in which such agent is to perform his duties as such agent. When such agent is appointed by the humane society and the same is approved by the probate judge and the mayor of the municipal corporation the county commissioners and the council of such municipal corporation are authorized and required to provide a salary for such agent in the manner provided in Section 10072; General Code. and as above noted, the county commissioners and the council of such municipal corporation may in such case agree upon the amount of monthly salary that each is to pay such agent: provided, however, that the county commissioners shall not pay salary to more than one of such agents.

By way of specific answer to your question I am of the opinion that where a qualified person resides in a county where a county humane society is organized and established, but such person resides outside of the limits of a particular municipal corporation situated in such county, he cannot be legally appointed by the county humane society of such county as an agent of such county humane society with authority to perform his duties as such agent within the limits of such municipal corporation only; but if the appointment of such agent is for the whole county, including any municipal corporation located therein, such agent may reside either in such city or in the county outside of the limits of such municipal corporation. Where such agent is appointed for the whole county his appointment is subject to approval both by the probate judge of the county and the mayor of the municipal corporation, and his salary is required to be provided for in the manner and within the limitations set out in Section 10072 of the General Code.

Respectfully,
EDWARD C. TURNER,
Attorney General.

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APPROVAL, BONDS OF MARION COUNTY, OHIO—\$8,070.00.

COLUMBUS, OHIO, January 17, 1928.

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