

ified in the writ. Such writ shall be directed to the sheriff or sheriffs within such territory who shall give notice of the time and places of holding such election as in other cases. Such election shall be held and conducted and returns thereof made as in case of a regular election."

Thus, I am of the view, in specific answer to your second question, that if a member of the General Assembly should accept any of the employments you mention upon adjournment of the legislature from its regular session and tender his resignation from such an employment prior to the reconvening of the General Assembly in special session, he would have forfeited his right to his seat in the General Assembly.

In passing, your attention should also be directed to the fact that a clerk in the office of the county treasurer or surveyor may be in the classified civil service of the county, unless exempted under paragraph 8 or 9 of section 486-8(a), General Code. If he is in the classified civil service of the county, he could not legally retain his membership in the General Assembly, as section 486-23, General Code, provides:

"nor shall any officer or employe in the classified service of the \* \* \* several counties \* \* \* take part in politics other than to vote as he pleases and to express freely his political opinions."

It has been held in numerous opinions of former attorneys general, as well as myself, that holding public office is taking part in politics within the inhibition of section 486-23, General Code. See Opinions of the Attorney General for 1927, Vol. I, page 462; Opinions of the Attorney General for 1928, Vol. II, page 1119; Opinions of the Attorney General for 1929, Vol. II, page 837; Opinions of the Attorney General for 1929, Vol. III, page 1904; Opinions of the Attorney General for 1931, Vol. II, page 922; Opinions of the Attorney General for 1933, Vol. III, page 1817 and Opinions of the Attorney General for 1934, Vol. I, page 414.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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4367.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS RESIDENT DISTRICT DEPUTY DIRECTOR—ROBERT E. JENKINS; DISAPPROVAL, BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES AS RESIDENT DISTRICT DEPUTY DIRECTORS—HARRY L. DITTMER AND CHARLES E. KUNKER.

COLUMBUS, OHIO, June 27, 1935.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval three bonds guaranteeing the faithful performance of the duties of the officials as hereinafter named:

Robert E. Jenkins, Resident District Deputy Director in Meigs and Gallia Counties—The Fidelity and Casualty Company of New York.

Harry L. Dittmer, Resident District Deputy Director in Trumbull County—  
Standard Accident Insurance Company.

Charles E. Kunker, Resident District Deputy Director in Warren County—  
Glens Falls Indemnity Company.

These bonds appear to be in proper legal form in accordance with sections 1183 and 1182-3, General Code.

However, in the bond of Harry L. Dittmer, the power of attorney attached thereto authorizing Gustave C. Boltz to execute the bond, is dated January 18, 1933, and there is no statement with such power of attorney showing it was in full force and effect on or just prior to June 20, 1935, when the bond was executed.

In the bond of Charles E. Kunker it appears that the power of attorney attached thereto does not give authority to Dewey C. Black to execute the type of bond in this instance.

In view of the foregoing, I am approving the bond of Robert E. Jenkins, but am disapproving the bonds of Harry L. Dittmer and Charles E. Kunker. All of said bonds are herewith returned.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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4368.

COUNTY COMMISSIONERS—EQUIPMENT TO FEED PRISONERS IN COUNTY JAIL.

SYLLABUS:

*County Commissioners may furnish equipment to feed prisoners in the county jail when they deem it necessary and they shall furnish such equipment when required so to do by the Common Pleas Court.*

COLUMBUS, OHIO, June 29, 1935.

HON. J. S. HARE, *Prosecuting Attorney, New Philadelphia, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion, which reads as follows:

“I respectfully request you to furnish me, as Prosecuting Attorney, a written opinion upon the following:

The duty of the County Commissioners to furnish the Sheriff with all equipment necessary to feed prisoners confined in the county jail, where there is no contract for feeding, and where the County Commissioners pay all the bills.”

Section 2419, General Code, the general section providing for the establishment and maintenance of county offices, reads as follows:

“A court house, jail, public comfort station, offices for county officers and