

at the same time. However, it is not believed that the fact he was a deputy state fire marshal at the time he was a candidate for the office of councilman would in any wise affect the situation. He necessarily would have to sever his connection with the state before he could legally take the office of councilman. There are some instances wherein one who is a candidate for an office under certain conditions forfeits the office, if elected. The case under consideration, however, does not come within such class. The inhibition in Section 4207 is against a member of council holding any other public office or employment excepting notary public or member of the state militia.

You are therefore specifically advised that under the provisions of Section 4207, General Code, a deputy state fire marshal may not legally hold the office of member of a city council while he is acting in such capacity. However, under the statutes, there is no inhibition against a state fire marshal being a candidate for the office of city councilman, but, if elected thereto, it would be necessary for him to give up one or the other of the positions.

Respectfully,
GILBERT BETTMAN,
Attorney General.

627.

APPROVAL, BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES AS RESIDENT DISTRICT DEPUTY DIRECTORS--W. McCROBA, HAROLD Z. HAKES, ALBERT L. ALLEN.

COLUMBUS, OHIO, July 17, 1929.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:--You have submitted for my consideration three bonds, each in the sum of five thousand dollars, and conditioned for the faithful performance of the duties of the principal as Resident District Deputy Director, as follows:

W. McCroba-----	Meigs County-----	Fidelity and Deposit Co. of Maryland.
Harold Z. Hakes-----	Seneca County-----	Fidelity and Deposit Co. of Maryland
Albert L. Allen-----	Richland County-----	Aetna Casualty & Surety Company

These bonds were heretofore submitted and returned without my approval for the reasons specifically mentioned in my Opinion No. 611, under date of July 12, 1929. It now appears that the objections noted in said opinion have now been corrected, and I have therefore noted my approval on said bonds as to form and legality, and return the same herewith.

Respectfully,
GILBERT BETTMAN,
Attorney General.