

OFFICES—JUSTICE OF PEACE AND MEMBER
BOARD PUBLIC INSTRUCTION MAY BE HELD
BY SAME PERSON.

Tallahassee, January 10, 1917.

Dear Sir:

I have your communication of January 8th, and in reply beg to advise that the subject-matter of your inquiry is fully covered in the latter part of Section 15 of Article XVI of the Constitution of Florida, which reads as follows:

“And no person shall hold or perform the functions of more than one office under the government of this State at the same time; provided, notaries public, militia officers, county school officers and commissioners of deeds may be elected or appointed to fill any legislative, executive or judicial office.”

In view of the law as above quoted, and the fact that a member of the Board of Public Instruction is a county school officer, and a Justice of the Peace would be a judicial officer, I am of the opinion that you would be authorized to perform and exercise the functions of both of these offices at one and the same time.

With very kind personal regards to you and yours, I am

Yours very truly,

T. F. WEST,

Attorney General.

OFFICES—JUSTICE OF PEACE AND NOTARY PUBLIC
MAY BE HELD BY SAME PERSON.

Tallahassee, January 10, 1917.

My Dear Sir:

Yours of the 9th instant has been received.

Under separate cover I am forwarding you by this mail

copy of the Fee Bill for the various county officers prepared by this office.

There is, in my opinion, no legal objection to your holding the two positions of Justice of the Peace and Notary Public at the same time.

Yours very truly,

T. F. WEST,
Attorney General.

SCHOOL FUNDS—POLL TAX PAID INTO CANNOT BE REFUNDED.

Tallahassee, Fla., January 12, 1917.

Dear Sir:

Yours of the 10th instant has been received.

I note your inquiry as follows:

"Two parties who are overage have paid their poll taxes by mistake in this county and have asked the School Board to refund the money. I would thank you to advise me what authority the School Board would have in the matter of this kind."

There is no authority that I know of permitting a refund by the board of public instruction of the county of moneys received by the school fund of the county in this way.

The Attorney General is not authorized to officially advise in a case of this kind and this letter, therefore, cannot be regarded as an official expression from this office.

With kind personal regards, I am

Yours very truly,

T. F. WEST,
Attorney General.