

NATIONAL GUARD—AUTHORITY TO APPOINT
OFFICERS OF.

Tallahassee, Fla., March 21, 1917.

*Honorable Sidney J. Catts, Governor,
Tallahassee, Florida.*

Dear Sir:—

Yours of the 13 instant has been received.

I note your inquiry as follows:

“Enclosed please find two appointments made by Adjutant General Christian. I only send you these to know whether or not Adjutant General Christian suggests and naems all the appointments and then has me to endorse them or whether I have any right in helping to name the same. I care very little about these two appointments but it may involve something which would be pretty serious in case General Christian and myself did not agree, and I do not care to surrender any right that I have by doing things which once done would set a precedent. Let me know what you think about this matter and state the law in regard to what my rights are in the case.”

The statute on this subject is a paragraph of subdivision D of Section 5 of Chapter 5930, Acts of 1909, Laws of Florida (Section 672, Florida Compiled Laws), which reads as follows:

“The Adjutant General shall be apointed by the Governor, and the remaining officers of the Staff Corps and Departments shall be appointed by the Governor upon the recommendation of the Adjutant General in his capacity as Chief of Staff.”

This statute answers your inquiry and, while there may be some question of the validity and binding force of this

provision of the law, I assume that there is no particular desire to raise that question in this instance.

Respectfully submitted,

T. F. WEST,
Attorney General.

ROAMER—AUTHORITY OF GOVERNOR TO GIVE
BOAT TO FEDERAL GOVERNMENT.

Tallahassee, Fla., March 29, 1917.

*Honorable Sidney J. Catts, Governor,
Tallahassee, Florida.*

Dear Sir:—

Yours of the 24 instant has been received.

I note your inquiry as follows:

“Enclosed please find letter from one of the Naval Committee at Key West, Florida. Kindly let me know your opinion as to whether I would have the right to give the Roamer to the United States. I do not wish to take this responsibility and I hope you will decide against it. It seems to me that we should have the opinion of the Legislature about it.”

Replying thereto I will say that in my opinion, there is no legal authority for giving this boat, which is the property of the State, to the Federal Government, and before such action can be legally taken, it will be necessary for the Legislature to pass an act directing or authorizing that it be done.

Respectfully submitted,

T. F. WEST,
Attorney General.