

provides, that you should place the amount of the check attached, transmitted by the Adjutant General.

I note also the recommendation of the Adjutant General and the order of the Governor thereon.

The Statute upon the subject is Section 705 of the General Statutes, and the portion thereof which applies to this matter is as follows:

"When the officer ordering the court, or the officer commanding for the time being, approves a sentence of a court-martial imposing a fine on an offender, said offender shall have a period of ten days from the publication of the findings and sentence of said court-martial and the approval thereof by such officer, within which to pay such fine to his immediate commanding officer, who shall at once remit the amount of said fine to the State Treasurer to be credited to the fund from which the contingent expenses of the Adjutant-General's office are paid, by whatever name such fund may be known and designated."

My opinion is, that the amount of the check referred to should be credited to the fund mentioned by this Statute.

I am returning herewith the papers sent me with the request for this opinion.

Very respectfully,

T. F. WEST,

Attorney General.

LICENSE REQUIRED FOR INSURANCE WEIGHING MACHINE.

Tallahassee, Fla., March 29, 1913.

*Hon. J. C. Luning, State Treasurer,
Capitol.*

Dear Sir:—

I have your communication of March 27th, which reads as follows:

"I have the honor to transmit herewith a letter from Mr. H. D. Trasy, of Jacksonville, Florida, together with a picture of the "National Insurance Scale" and a blank form of policy.

Mr. Trasy desires to know if it will be permissible to operate these machines in this State.

Kindly inform me whether it will be lawful to operate these machines in this State, returning the correspondence with your reply, and oblige,"

Under the laws of this State, each machine would be liable for a license tax of Five Dollars as a weighing machine.

The underwriter of the policies issued by this machine, "Aetna Life" of Hartford, Conn., is authorized to do insurance business in this State.

While each machine, in view of the work it performs as an agent of an insurance company, might be considered as an agent of the "Aetna Insurance Company," yet I find no precedent for compelling a payment of a license on each machine as an agent of an insurance company. In my opinion, there is no State law that would prevent the operation of this machine in Florida.

I herewith return the correspondence transmitted by you.

Yours very truly,

T. F. WEST,

Attorney General.