

Solicitor of the county who can give him complete information on the subject.

Very respectfully,

T. F. WEST,

Attorney General.

PEDDLERS—EFFECT OF EXEMPTION FROM LICENSE TAX IN OTHER STATES.

Tallahassee, Fla., April 28, 1917.

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

Dear Sir:—

Yours of the 27 instant has been received.

I note your inquiry and the letter from Mr. A. H. Harvey, of Zephyrhills, Florida, to which is attached a certificate referred to as a Soldiers' and Sailors' Certificate granted to him under the laws of the State of New York and authorizing him to hawk, peddle, vend and sell by auction his own goods, wares or merchandise, or solicit trade within the State of New York. This certificate appears to be authorized under certain statutes of the State of New York and grants the privilege mentioned to the holder because of service rendered by him in the United States army.

He wishes to know if this certificate is good in this State, that is to say, if he, as the holder of this certificate is entitled to an exemption from the payment of a license tax in this State for hawking, peddling, vending and selling by auction his own goods, wares or merchandise, etc.

This certificate is granted to the holder under the laws of the State of New York. The laws of the State of New

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York cannot confer upon the holder of such certificate this privilege while he resides in the State of Florida. While here he is subject to the laws of this State, and there is no statute giving this exemption in this State or authorizing it to be given to holders of certificates of this kind from other State while they are residents of this State.

Respectfully submitted,

T. F. WEST,

Attorney General.

OFFICER—STATE AND FEDERAL OFFICE BY
SAME PERSON.

Tallahassee, Fla., May 1, 1917.

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

Dear Sir:—

The letter of Mr. I. E. Diefendorf, of DeLeon Springs, Florida, addressed to Honorable James E. Alexander, has been referred by you to this office for attention.

Under the Constitution county commissioners are officers; and it is provided by the Constitution that no person holding or exercising the functions of any office under any foreign government, under the government of the United States or any other state, shall hold any office of honor or profit under the government of this State.

If the employment of Mr. McBride under the Federal government is such as would constitute him an officer under the government of the United States, he cannot hold such office and continue to fill the position of county commissioner, but without definite information