

It therefore appears that both positions are offices and could not be held by one and the same person at the same time, as Section 15, of Article XVI, of the Constitution would thereby be violated.

With kind personal regards,

Yours very truly,

T. F. WEST,

Attorney General.

JUSTICES OF THE PEACE, WHEN MAY ISSUE WARRANTS FOR PERSON IN DISTRICT.

Tallahassee, Fla., July 5, 1917.

Dear Sir:

Your letter was duly received some time ago but under the pressure of official business answer has been delayed until now.

It seems that you desire to know if a justice of the peace can issue a warrant for a person in another justice's district where the latter justice is not qualified or is unable to try the case.

Replying to above will advise that Section 3900 of the General Statutes seems to cover your case. It is there provided that "In case a justice of the peace be disqualified or unable from any cause to try any criminal case, the same may be tried before any other justice of the peace of the county, or before the county judge."

The above would necessarily carry with it the authority to issue warrants and other process.

Yours very truly,

T. F. WEST,

Attorney General.