

POLITICAL ADVERTISEMENTS SIGNED BY "COMMITTEE" DOES NOT COMPLY WITH LAW.

Tallahassee, Fla., May 10, 1916.

Dear Sir:

Yours of the 6th inst. has been received.

The signing of political advertisements by "Committee" without indicating who composed the committee or its officers is, in my opinion, not a compliance with the statute on the subjects. By Section 9 of Chapter 6470, you will note that it is required "that all political advertisements and all campaign literature published or circulated prior to or on the day of the primary election shall be signed by the author thereof, and if the same is being published and circulated by a club or a committee, then it shall be signed by the chairman and secretary of such club or committee, and such literature which is in circular form shall have upon it the name of the printer or publisher."

This quotation seems to answer your inquiry.

Yours very truly,

T. F. WEST,

Attorney General.

LATEST DAY UPON WHICH A CANDIDATE CAN QUALIFY.

Tallahassee, Fla., May 15, 1916.

My dear Sir:

Your letter and telegram have been received, and I am wiring you as follows:

"Your letter and telegram received. Think seventeenth last day for county candidates to qualify by filing sworn statement and receipt for assessment; and that

one who had not announced his candidacy at time first campaign expense account must be filed under section nineteen Corrupt Practices Act, is not required to file such account."

By section 26 of the Primary Election Law it is required that each candidate for nomination in the primary, to be voted for wholly within a single county, shall file his sworn statement and receipt for committee assessment, if any has been levied, and pay his filing fee to the Clerk of the Circuit Court of said county *not less than twenty days previous to the day of the primary election.*

The primary election is to be held on June 6th, and the usual method for making the calculation for determining the last day upon which a candidate, under a statute like this, may qualify, is as follows:

Begin with the day preceding the day of the election, which is June 5th, and count back twenty days. The last day is May 17th; and since we do not include the day of the election, it is apparent and courts in construing similar statutes hold that the last day in the calculation "is not less than twenty days previous to the day of the election."

As I understand your other question, it is about like this: May one become a candidate in the primary after the time fixed in section 19 of the Corrupt Practices Act for filing the first statement of campaign expenses which candidates are required to file?

My answer is as follows: By section 26 of the Primary Election Law one may qualify as a candidate twenty days previous to the day of the primary election, and it is clear, under this statute, that one may become a candidate twenty days previous to the primary election who was not prior to that time a candidate. In such a case I think it would not be necessary to file the first statement of campaign expenses, for the very obvious reason that such person was not at the time when the statement

was required to be filed a candidate, but became a candidate later and after the last day for filing such statement.

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

Yours very truly,

T. F. WEST,

Attorney General.

CANDIDATES MAY ANNOUNCE AFTER TIME FOR FILING FIRST STATEMENT HAS ELAPSED.

Tallahassee, Fla., May 16, 1916.

My dear Sir:

Yours of the 15 instant has been received. I note your inquiry as follows:

"Where a candidate comes out, announces for office after the time has lapsed to file his first Statement, and enters the race, can he by filing his second Statement, enter the race and have his name placed on the ticket, for the Primary election? that is where there has no one qualified for the office, and there has been no expense."

As I understand your question, it is briefly stated like this: May one become a candidate in the primary after the time fixed in Section 19 of the Corrupt Practices Act for filing the first statement of campaign expenses which candidates are required to file.

My answer is as follows: By Section 26 of the Primary Election Law one may qualify as a candidate twenty days previous to the day of the primary election, and it is clear, under this statute, that one may become a candidate twenty days previous to the primary election