

Shall a policy holder in this State in a company or association such as you describe, who participates in the earnings of the company or association issuing such policy be construed as transacting an insurance business in this State, and thereby become amenable to the laws of the State relating to insurance, and subject to the penalties imposed by such laws upon those who carry on such business in this State?

In my opinion individual holders of such policies in this State in such companies or associations are not engaged in the insurance business in contemplation of the statutes of this State.

Respectfully submitted,

T. F. WEST,

Attorney General.

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OPINIONS TO STATE SUPERINTENDENT OF  
PUBLIC INSTRUCTION.

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SCHOOL BOOKS—LOCAL AGENTS' SALE PRICE.

Tallahassee, Fla., Jan. 25, 1913.

*Hon. W. N. Sheats,  
State Supt. of Public Instruction,  
City.*

Dear Sir: \*

Yours of 24th inst. has been received.

I note your inquiry as follows:

"Can a local agent for the sale of text books, adopted

by the Florida State Text Book Commission, legally charge the contract price of said books, and in addition thereto, charge the required postage on orders sent to him by mail where said postage is not prepaid?"

Section 13 of Chapter 6178, Acts of 1911, Laws of Florida, provides:

"That there shall be maintained in each County in the State, provided the Commission shall deem it advisable, and so demand, not less than one nor more than twelve, agencies for the distribution of the books, to the patrons, or the Contractor shall be permitted to make arrangements with merchants, or others, for the handling and distribution of the books, and parties living in the country where no agency has been established, or no arrangements made for distribution, may order the same from one of the Contractors, and it shall be the duty of the Contractor or contractors, to deliver any book, or books, so ordered to the person ordering, to his post office address, freight, express, postage, or other charges, prepaid, at the retail contract price; Provided, The price of the book, or books, so ordered shall be paid in advance."

I understand this language to mean that the books referred to, shall be delivered to the purchaser at the price fixed for such books, without anything in addition thereto for the delivery of same.

Very respectfully,

T. F. WEST,

Attorney General.