

referred to shall include only the actual transportation of the engineer to and from the special piece of work to be done in any particular county or whether they shall include railroad fare, livery bills and board of engineer while so engaged.

"I would thank you to give me your opinion as to the extent of the law upon this point."

In reply, I beg to advise that I am of the opinion that the words "actual traveling expenses," as quoted from the law above stated, were intended to embrace railroad fare, hotel bills, livery bills, or any other necessary expense incurred by the State Road Commissioner, or his assistants, in traveling to or from the various counties in this State and overseeing or superintending road work in such counties. Respectfully submitted,

T. F. WEST,
Attorney General.

Opinions to State Hotel Commissioner.

HOTELS AND RESTAURANTS—ROOMS, WHEN COUNTED AS SUCH.

Tallahassee, Fla., September 24, 1916.

Hon. A. L. Messer,

Hotel Commissioner,
Tallahassee, Florida.

Dear Sir:

I have your communication of September 19th, submitting the following inquiry:

"I beg to ask that you advise me on Section Three (3) of Chapter 6952, Laws of Florida (relating to hotels, restaurants, and etc.), if in your judgment the parlor, dining-

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room, office, sample-room, store-room and kitchen constitute a part of the five rooms that hotels, rooming-houses, and etc., have to bring them within the jurisdiction of this Department.

"There seems to be some difference of opinion by some of the attorneys in the State; some of them claim that any building used for the above purpose must have five sleeping-rooms for the accommodation of either transient or permanent guests in addition to the above-named rooms (dining-room, kitchen, sample-room, store-room, parlor, office).

"It was the intention of this bill when drafted that such above-named rooms (parlor, dining-room, and etc.), be counted as a part of the five rooms, for the reason they have to be inspected and reported on the same as sleeping-rooms."

In reply, I beg to advise that the subject-matter of your inquiry appears to be fully covered in paragraph 3 of Section 3 of Chapter 6952, Acts of 1915, which reads as follows:

"In all hotels within the meaning of this act the parlor, dining-room, kitchen and office, sample-rooms and store-rooms, shall be construed to mean the same as guest rooms, and in all rooming-houses the parlor and office, sample rooms and store rooms shall be construed to be guest rooms."

In view of the law as above quoted, I am of the opinion that the parlor, dining-room, office, sample-rooms, store-rooms and kitchen would be embraced in the five rooms as referred to in Chapter 6952, Acts of 1915, as above, and that such rooms would be properly counted in determining what should constitute a hotel or rooming-house under the provisions of the Act.

Respectfully submitted,

T. F. WEST,

Attorney General.