

It appears that this question was suggested by certain amendments which were offered to this act, proposing to refer specifically to county solicitors, prosecuting attorneys for county courts, clerks of civil courts of record and clerks of criminal courts of record, and, therefore, the question presented is whether or not these officers are county officials.

This question was answered with reference to county solicitors by the Supreme Court of this State in the case of *State ex rel Murphy v. Barnes*, 24 Fla. 29, wherein it was held that solicitors for criminal courts of record are county officers.

In an advisory opinion to the Governor, reported in 13 Fla. 687, county officers are defined as those whose general authority and jurisdiction are confined within the limits of the county in which they are appointed, who are appointed in and for a particular county and whose duties concern more especially the people of that county.

It having been decided that county solicitors are county officers, it would seem to follow necessarily that prosecuting attorneys for county courts and clerks of courts in the several counties of this State are also county officials.

Respectfully,

T. F. WEST,  
Attorney General.

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SHERIFFS, WHEN MILEAGE NOT ALLOWED.

Tallahassee, Fla., May 30, 1917.

My Dear Sir:

Yours of the 28th instant has been received.

It is my understanding that a sheriff is not entitled

to compensation for the mileage traveled for the purpose of making arrests in cases where the persons for whom he has warrants are not taken into custody.

With kind personal regards,

Yours very truly,

T. F. WEST,  
Attorney General.

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### JUSTICES OF THE PEACE, JURISDICTION.

Tallahassee, Fla., June 12, 1917.

My dear Sir:

I have your communication of June 8th, relative to the jurisdiction of justices of the peace in counties where county courts exist, and in reply beg to advise that I am of the opinion that Section 22, of Article V, of the Constitution of this State as amended at the general election in 1896 fixes the jurisdiction of all justices of the peace in this State at \$100 in civil matters.

You will observe that Sections 2073 and 2074 of the General Statutes of Florida, in determining the jurisdiction of justices of the peace in this State, provide that in counties where there is no county court such jurisdiction in civil matters shall not exceed \$100 but in counties where county courts have been established this jurisdiction is fixed at \$50. These statutes, however, were enacted prior to the provision of the Constitution, as above referred to, and would, therefore, be modified and superseded by such provision.

The Attorney General is not authorized to officially advise in matters of this kind. This is merely to assist you in arriving at a proper conclusion in the premises, which I shall take pleasure in doing at any time.

Yours very truly,

T. F. WEST,  
Attorney General.