

to hold that section 2 of Chapter 6881 is repealed by the other statute would destroy this Chapter and, in my judgment, the Legislature intended no such thing.

"Intent is the spirit which gives life to a Legislative enactment."*

Respectfully submitted,

T. F. WEST,

Attorney General.

STATE ROAD COMMISSIONER—"TRAVELING EXPENSES" DEFINED.

Tallahassee, Fla., May 26, 1916.

Honorable Wm. F. Cocke,

State Road Commissioner,

Tallahassee, Fla.

Dear Sir:—

I have your communication of May 25th, submitting the following inquiry:

"In Section 6, Chapter 6883, Laws of Florida—the Act creating this Department—it is provided:

"Section 6. In all cases where the County Commissioners of the several counties shall request the advice and assistance of the department in the construction and repair of roads, the department shall whenever practicable send the State Road Commissioner, or an assistant into such county and render all assistance practicable in the premises, without expense to the county except that the actual traveling expenses of the Highway Commissioner or assistant shall be paid by the county requesting such special service.'

"The question now arises whether 'traveling expenses'

* (See State *ex rel.* Luning v. Johnson, 71 Fla. 363.)

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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