

2. If the sheriff makes only one trip, the fact that he arrests more than one prisoner on the trip does not, in my opinion, authorize a charge against the county for more than one trip. Under Section 1684 of the General Statutes arresting officers are prohibited from charging constructive mileage against the county, and under Section 4065 of the General Statutes sheriffs are required, in presenting bills covering mileage, to certify that no constructive mileage is charged therein.

The Attorney General is not authorized to officially advise county officers and, therefore, this letter cannot be regarded as an official expression from this office, but only as representing my views as an attorney on the questions about which you inquire.

As requested I am returning herewith the diagram which accompanied your letter.

Yours very truly,

T. F. WEST,

Attorney General.

BOARD OF PUBLIC INSTRUCTION MAY ISSUE DUE BILLS.

Tallahassee, Fla., February 10, 1917.

My Dear Sir:

Yours of the 7th instant has been received and noted.

There seems to be no legal objection to the issuance of obligations in the nature of due bills by a board of public instruction for the purpose of taking care temporarily of expenses necessarily incurred by such board, provided, of course, such obligations are kept within the budget of expenses previously prepared by the board as required by law, but, in view of the legislation on this subject generally, passed at the last session of the leg-

islature, I would suggest that you stay very near the shore on this proposition and incur only such expenses as are imperative. This suggestion is made in order that your board may not violate the spirit of the legislation mentioned, and it seems to be necessary from the financial statement sent me, it appearing from this statement that the income for the present year will not take care of obligations already existing.

The purpose of the legislation mentioned was to require county boards to live within their incomes, but the legislature probably made a mistake in not allowing further time in which to transfer from a credit to a cash basis. However, we have nothing to do with the question of the wisdom of the legislation, and the local officers should, if possible, work out a plan for taking care of the imperative needs of the situation without violating the law until the next legislature meets, when the statute may be modified so as to give more time for placing the counties on a cash basis.

The Attorney General has no authority to officially advise county officers and, therefore, this letter cannot be regarded as an official expression from this office. It represents simply my views as an attorney and is written in reply to your inquiry with a view to assisting you, if possible, in taking care of the existing situation.

Yours very truly,

T. F. WEST,
Attorney General.

COUNTY OFFICERS—HOW ELECTED.

Tallahassee, Fla., March 13, 1917.

My Dear Sir:

I have your communication of March 5, and in reply beg to advise that Section 6 of Article VIII of the Con-