

By the fourth paragraph of Section 298 of the General Statutes of Florida it is provided that every office in this State shall be deemed vacant in cases where the incumbent ceases to be an *inhabitant* of the State, district, county, town or city for which he shall have been elected or appointed.

In this case it appears that Mr. Cumbaa's home is outside of the district in which he was elected and that he is in fact an inhabitant of another district.

In this situation he is, in my opinion, under the law, not eligible to the office, and the fact that his store and place of business are in the district does not change this result.

The correctness of this conclusion will be conceded, I think, when it is recalled that it is partially universally held that in the cities in this State where one's place of business may be in one justice of the peace district or election precinct and his home and residence in another he is an inhabitant or resident of the district or precinct in which his home is located.

Yours, very truly,

T. F. WEST,

Attorney General.

COUNTY FUNDS FOR MUNICIPAL PURPOSES.

Tallahassee, Fla., February 24, 1917.

*Honorable Sidney J. Catts, Governor,
Tallahassee, Florida.*

Dear Sir:

Yours of this date has been received.

I note your inquiry as follows:

"It is reported that the County Commissioners of Mon-

roe County have an organized Fire Company in the City of Key West that is maintained and paid for by the County of Monroe; the County Commissioners appropriating the moneys necessary for the maintenance of this Company.

"Kindly advise whether in your opinion the County Commissioners of that County have the authority under the law to appropriate money for this purpose.

"The report is that this Fire Company, while it is maintained by the County is actually used entirely for the protection of the property in the City of Key West."

There is, in my opinion, no authority for the appropriation and expenditure from the public funds of the County of Monroe of the amount necessary for the maintenance of the fire department or company of the City of Key West.

Respectfully submitted,

T. F. WEST,
Attorney General.

RECORD BOOKS—LOOSELEAF DISAPPROVED.

Tallahassee, Fla., March 10, 1917.

*Honorable Sidney J. Catts, Governor,
Tallahassee, Florida.*

Dear Sir:

Yours of the 5 instant has been received.

I note your inquiry and the letter of Sidney J. Jones, Esquire, of Jacksonville, relative to the legal authority of Clerks of the Circuit Court of the various counties of this State to use loose leaf record books for the recording