

when audited, will make \$10,500 00, "for necessary incidental expenses" under the resolution. The question arises, "is there no limit to the amount to be drawn, and if so, who is the legal responsible officer to determine the limit as required by law?"

3. Is it mandatory upon the auditor in the discharge of his duty in reference to this class of accounts, that he draw his warrant for any amount, which the Governor may approve and order paid?

4. If His Excellency, the Governor, is the only responsible officer, who may determine the amount to be drawn? Is it the duty of the auditor to require any further voucher, giving detailed expenditures of amount drawn, or to ask that any report or exhibit be made to his office, either by the commission, or the Governor, for file or reference?

5. Will the expenditure of money, to be used in conducting the canvass in West Florida, come within the meaning of the joint resolution, which declares that "the Governor is authorized to negotiate with the State of Florida for annexation, &c.," or can this canvass in West Florida, as stated in the voucher, be considered as part of a negotiation with the State Government of Florida?

Believing as I do, that more than double the amount of money, contemplated by the Legislature, has already been drawn from the State treasury by the commission, approved by the Governor, the foregoing are herewith submitted for answer to the law officer of the State, whose opinion shall govern my action in the premises.

Wishing only to discharge my duty as auditor, and freely conceding to others the same right of individual judgment, which I claim for myself, I make the foregoing inquiries, and hope that you will answer each question at your earliest convenience, for reference and file in this office.

I am very respectfully,

Your obedient servant,

R. M. REYNOLDS,

Auditor.

The Attorney-General being absent from the city, did not reply to the above communication.

On August 6, 1869, a line was drawn over the latter portion of said voucher, commencing at the words "to be used in conducting the canvass in West Florida, &c.," and