



OFFICE OF THE ATTORNEY GENERAL OF TEXAS

AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable Roy L. Hill
County Attorney
Runnels County
Ballinger, Texas

Overruled by 0-2474

Dear Mr. Hill:

Opinion No. 0-2333

Re: Whether or not a county
may expend funds to sup-
ply textiles to the sew-
ing rooms provided by the
Works Projects Admin-
istration.

We have your letter of May 2, 1940, submit-
ting for a legal opinion the question above captioned.

An excerpt from the letter from the Deputy
State Administrator, which accompanies your request,
will explain more fully the nature of the inquiry. That
excerpt is as follows:

"As the Federal funds which may be ex-
pended for non-labor are limited by law to
\$6.00 per man-month, and as the State aver-
age for all projects approximates this figure
the extent to which garments will be avail-
able for the destitute and the extent to
which employment may be given to women in
sewing rooms will depend upon the cooperation
of sponsors of sewing projects, since the
responsibility of supplying the additional
textiles will rest with them.

"Sponsors may purchase these textiles

locally or they may secure them through the Procurement Division of the Treasury Department by sending the funds to the State Disbursing Office. Details of procedure for purchase through the Procurement Division will be sent to the District Managers by the Division of Professional and Service Projects within the next few days."

Your inquiry is ruled by our Opinion No. 0-1972, which answered each of the following questions in the negative:

"Question No. one

"Has the Commissioners' Court authority to purchase or rent sewing machines for use in the WPA sewing room project?

"Question No. two

"Has the Commissioners' Court authority to purchase groceries or other supplies to be used for demonstration purposes in connection with the WPA housekeeping aid project?

"Question No. three

"Has the Commissioners' Court authority to furnish typewriters and adding machines or to repair and maintain such machines used in State or Federal relief agencies? Also in this connection, does the Court have the authority to furnish to such agencies office supplies, such as paper, typewriter ribbons, desks, chairs, etc?

"Question No. four

"Has the Commissioners Court authority to employ clerical help for the Texas and federal relief agencies nominated as secretaries, stenographers, bookkeepers, etc.?

"Question No. five

"What authority, if any, has the Commissioners' Court to participate with county funds in the construction of a building to house Federal

and State relief agencies?

"Question No. six

"A local charitable organization operating under the name of Mothers' Health Center has for its purpose education and the dissemination of contraceptive methods and supplies to the indigent mothers of this locality. Has the Commissioners' Court authority to participate with County funds in the carrying on of the work of this organization?"

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While that opinion does not decide the express question you propound, yet those actually decided necessarily decide the present inquiry in principle.

The opinion was based upon a construction of Article 2372e, Vernon's Civil Annotated Statutes, in the light of the well-recognized rule that the County Commissioners' Court possessed only such powers as are conferred upon it by law. The Article immediately above referred to confers certain specific powers with respect to projects, such as that being considered, but it does not include the item or purpose embraced in your inquiry and, therefore, by a familiar rule of construction the power may not be enlarged by implication.

Your question, therefore, should be answered in the negative in line with your statement that you had so advised the County Judge yourself.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By

/s/

Ocie Speer
Assistant

OS-MR

APPROVED MAY 10, 1940

/s/ Gerald C. Mann
ATTORNEY GENERAL OF TEXAS

Approved
Opinion Committee
By B.W.B., Chairman