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OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable E. L. Bauknight  
Acting County Attorney  
Travis County  
Austin, Texas

Dear Sir:

Opinion No. C-3963  
Re: Commissioners' Court has no  
authority to appropriate  
\$400.00 to purchase reading  
room equipment for Camp Bowie.

You request an opinion of this department on the right of the Commissioners' Court of Travis County, Texas, to appropriate \$400.00 for the purpose of purchasing reading room equipment to be used by the 11th Quartermaster Corps of the National Guard, a Travis County unit, now stationed in Brownwood, Texas, with the understanding that such equipment if purchased will be returned to Camp Mabry upon the return of such unit to the county.

If such right is conferred upon the Commissioners' Court it is by virtue of Article 888B of the Revised Civil Statutes, which reads in part:

"Each Commissioners' Court and the Council or Commission of each City or Town in this State is hereby authorized in their discretion, to appropriate a sufficient sum, not otherwise appropriated, to pay the necessary expenses of the administrative units of the National Guard of this State located in their respective Counties and in or near their respective Cities or Towns, not to exceed the sum of One Hundred (\$100.00) Dollars per month for such expenses from any one such Court, Council or Commission for any one organization; . . ."

It is to be noted that the appropriation authorized by such article is specifically limited to the payment of "the necessary expenses of the administrative units". It is

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our opinion that the use of such language manifests a legislative intention that such money is to be used for administrative overhead and not for the purposes here sought.

It is our opinion that your question must be answered in the negative.

Yours very truly

ATTORNEY GENERAL OF TEXAS

APR 24, 1941

*Gov. Allen*

GOVERNOR  
STATE OF TEXAS

By *Lloyd Armstrong*

Lloyd Armstrong  
Assistant

LA:CO

