



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable Charles R. Martin
County Auditor
Harrison County
Marshall, Texas

Dear Sir:

Opinion No. O-4074

Re: Would the county be authorized under the law to rent a typewriter or to purchase incidentals, such as stamps, etc., for the local board carrying on tire rationing and sugar rationing work, or should this expense be borne by the office of the State Tire Rationing Administrator?

Your letter requesting the opinion of this department on the above stated question reads in part as follows:

"On January 1st 1942, Honorable Coke R. Stevenson, Governor of the State of Texas, wrote a joint letter to the County Judges and the Mayors of incorporated towns in Texas, explaining in detail instructions for tire rationing which had been furnished him from the Office of Price Administration, suggesting that local board will be selected at a joint conference of the County Judge and the Mayors of all incorporated cities within the county, acting in their capacities as county and municipal defense coordinators, and in response to this letter and at the special request of the Governor, a meeting of the Harrison County Coordinators of Civilian Defense was held and a board appointed to act and to be known as the Harrison County Tire Rationing Board, composed of three members, with one of their number acting as chairman. A copy of the letter from the Governor is enclosed herewith for your guidance and help in answering my inquiry.

"This local tire rationing board, which is also now in charge of the sugar rationing, has an office and as I understand a secretary has been sent in to help with their work. In carrying on this work by this local board, it is necessary that said Board have a typewriter and some office supplies, such as stamps and some incidentals to carry on their work.

"Would the County be authorized under the law to rent a typewriter, or to purchase incidentals, such as stamps, etc., for this local board in carrying on this tire rationing and sugar rationing work, or should this expense be borne by the office of the State Tire Rationing Administrator, Austin, who I understand is Honorable Mark McGee?"

The joint letter mentioned in your inquiry states in part:

"Local Tire Rationing Boards will be supplied with letterheads, stationery, report forms, application blanks, certificates and instructions from Washington. Office space, equipment, and such necessary clerical help as will be needed must be supplied locally."

We have carefully considered your request and find no authority whatsoever authorizing the Commissioners' Court to expend county funds for any of the above mentioned purposes. We also fail to find any provision of law providing that the above mentioned expenses are to be borne by the office of the State Tire Rationing Administrator. No salaries or funds of any kind have been provided for the administration of the act regarding tire rationing or the act regarding sugar rationing.

Therefore, in the absence of any statute authorizing the expenditure of county funds for the purposes above mentioned and in the absence of any law providing that such expenses be borne by the office of the State Tire Rationing Administrator it is our opinion that such expenses cannot be paid by either of them.

Honorable Charles R. Martin, Page 3

Trusting that the foregoing fully answers your inquiry, we are

Yours very truly

ATTORNEY GENERAL OF TEXAS

Frank R. Ralston

APPROVED APR 8, 1942
FIRST ASSISTANT
ATTORNEY GENERAL

By *Ardell Williams*

Ardell Williams
Assistant

AW:GO

APPROVED
OPINION
COMMITTEE
BY *AWB*
CHAIRMAN