



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable John W. Crudington
County Auditor
Potter County
Amarillo, Texas

Dear Sir:

Opinion Number O-5257
Re: Does the Commissioners' Court
of Potter County have the
authority to invest Fifty
Thousand Dollars from Road
and Bridge Fund in United
States War Bonds?

Your telegram of April 27, 1943, requesting the
opinion of this department on the above question has been
received and carefully considered.

The authority to invest certain funds has been ex-
pressly conferred upon the Commissioners' Court in certain
instances by the Legislature, and in conferring this author-
ity the Legislature has named the character of the securities
in which such money may be invested. The Commissioners' Court
is a court of limited power and unless the authority to in-
vest particular funds is conferred by law, the court is with-
out power to make the investment. Howard vs. Henderson County,
116 S. W. (2d) 479, Wallace vs. Commissioners' Court of Madison
Co., 15 S. W. (2d) 535. No authority has been conferred upon
Commissioners' Courts to invest the money in the Road and
Bridge fund and therefore the court is without power to invest
such funds in Defense Bonds or in any other securities.

We think your question has been answered by the Attorney

Honorable John W. Crudington, page #2

General in Opinions Nos. O-4906 and O-5223, and we are enclosing copies of these opinions.

APPROVED MAY 3, 1943

Gerald C. Mann

ATTORNEY GENERAL OF TEXAS

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *C. F. Gibson*

C. F. Gibson
Assistant

CFG-s
Encls.

*OK.
C.C.R.*

