



# THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

JOHN BEN SHEPPERD  
ATTORNEY GENERAL

May 4, 1953

Hon. Sam Lee  
County Attorney  
Brazoria County  
Angleton, Texas

Opinion No. S-36

Re: Authority of the commissioners' court to approve the expenditure of county funds to send a representative to Mexico City to confer with various interested persons respecting removal of a ban by the Republic of Mexico on the use of migratory labor in Brazoria County.

Dear Sir:

You have requested an opinion on the authority of the commissioners' court to pay the expenses of a representative of Brazoria County attending a conference with the President of Mexico and other officials in Mexico City, being held for the purpose of considering if a ban by the Government of Mexico on the use of migratory labor in Brazoria County should be lifted.

The commissioners' court is a court of limited jurisdiction and has only such powers as are conferred upon it by the Constitution or statutes of this State either by express terms or by necessary implication. Childress County v. State, 127 Tex. 343, 92 S.W.2d 1011 (1936); Von Rosenberg v. Lovett, 173 S.W. 508 (Tex.Civ. App. 1915, error ref.); Roper v. Hall, 280 S.W. 289 (Tex.Civ.App. 1925); Hill v. Sterrett, 252 S.W.2d 766 (Tex.Civ. App. 1951, error ref. n.r.e.); Att'y Gen. Ops. V-1331 (1951) and S-05 (1953).

We know of no provision placing a duty on any official to attend conferences of the nature outlined in your request and we know of no provision authorizing the commissioners' court to pay the expenses of officials attending such a conference. We therefore agree with your conclusion that the commissioners' court of Brazoria County can not expend tax moneys to pay the expenses of a representative to Mexico City to participate in a conference to have the ban lifted on the use of migratory labor in Brazoria County.

SUMMARY

The commissioners' court does not have authority to pay the expenses of a representative to Mexico City to participate in a conference to consider removal of a ban by the Government of Mexico on the use of migratory labor in Brazoria County.

Yours very truly,

APPROVED:

JOHN BEN SHEPPERD  
Attorney General

J. C. Davis, Jr.  
County Affairs Division

Willis E. Gresham  
Reviewer

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JR:am