



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
ATTORNEY GENERAL

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

Dear Sir:

Opinion No. 0-6920

Re: Payment of County Engineer's
traveling expenses to state-wide
meeting of County Engineers.

We are in receipt of your letter of recent date request-
ing the opinion of this department on the above stated matter. We
quote from your letter as follows:

"The County Engineers throughout the State of
Texas are planning a state-wide meeting to be held in
Waco, Texas, in the near future for the purpose of
working out ways of promoting interests of the counties
in road work, etc.

"QUESTION: Can the county auditor legally approve
and present for allowance by the commissioners' court a
bill covering the engineer's expenses in attending such
a meeting as outlined above?"

The Commissioners' Court is a court of limited jurisdic-
tion and has only such powers as are conferred upon it by the Con-
stitution and statutes of this State by express terms or by implica-
tion. (Van Rosenberg v. Lovett, 173 S.W. 508; Miller v. Brown, 216
S.W. 452; Howard v. Henderson County, 116 S.W. 2d 479; Galveston,
H. & S.A. Ry. Co. v. Uvalde County, 167 S.W. 2d 1084; 11 Tex. Jur.
564.)

We have carefully considered the provisions of the Hatti-
son County Special Road Law (H.B. 812, ch. 156, Special Laws of
Texas, Regular Session, 42nd Legislature, 1931) as well as the pro-
visions of the general road law, and we are unable to find any
provision which authorizes the Commissioners' Court of Harrison
County to expend county funds in payment of a claim for traveling
expenses of the character mentioned in your letter.

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In view of the above and foregoing, it is our opinion that you cannot legally approve the claim covering the County Engineer's expenses in attending the meeting referred to in your letter.

Yours very truly

ATTORNEY GENERAL OF TEXAS

APPROVED MAY 6, 1946

W. W. Bell
ATTORNEY GENERAL OF TEXAS

By

J. A. Ellis
J. A. Ellis
Assistant

JAE:djm

