

Opinion No. 502**Poor—County Commissioners—Poor
Funds—Relief.**

HELD: The County Commissioners may use poor funds to pay for truck and team rentals, gas and oil, blacksmiths' repairs, and maintenance of equipment in connection with employment under C. W. A. Relief if the Commissioners find the same necessary for relief of the poor.

March 26, 1934.

You have asked my opinion whether the board of county commissioners would be justified and legally entitled to transfer money from the poor fund to the road fund for the following purposes:

"1st. To pay for truck and team rentals to carry on C. W. A. and Relief Labor Employment and transportation of men to work projects.

"2nd. To pay for gas and oil for trucks and equipment used in the employment of the Relief of C. W. A. workers, and

"3rd. To pay for blacksmith repairs and maintenance of equipment necessary to the employment of Relief and C. W. A. workers."

This office has had occasion to give consideration to similar questions. I call your attention to the following opinions: No. 423, No. 378 and No. 439, this volume.

This office may not determine the facts, as that is within the province

of the county commissioners. If the expenditure of the money for the purposes above mentioned is necessary, as set forth in the opinions above referred to, then it would seem that the county commissioners have authority to use for these purposes money in the county poor fund. If the expenditure of money for these purposes is necessary for the relief of the poor through employment, it is my opinion that no transfer of the fund would be necessary.

I call your attention, however, to Chapter 43, Laws of 1933.