

**Opinion No. 116.**

**Counties—Public Welfare—Contracts,  
with Federal Government.**

Held: Counties may not enter into a contract with the federal government or any of its agencies under which the county obligates itself to make expenditures of county funds on obligations of the federal government, even though the county is reimbursed for such expenditure. Such act would be in contraversion of Section 1 of Article XIII of the State Constitution.

August 28, 1943.

Mr. J. B. Convery, Administrator  
Department of Public Welfare  
Helena, Montana

Dear Mr. Convery:

You have submitted for my consideration a request for an opinion as to the legality of a proposed plan of distribution of relief payment to the Indians of the Fort Belknap Reservation in Blaine County, Montana.

any individual, association or corporation.

An enactment of the legislature attempting to loan the credit of the county has been condemned by our Supreme Court as being in violation of this constitutional provision. (State ex rel. Evans v. Stewart, 53 Mont. 18, 161 Pac. 309.)

Therefore, the proposed plan, insofar as it contemplates the use of the funds of Blaine County in payment of public assistance to Indians under a plan for reimbursement as proposed, or any similar plan whereby the funds of Blaine County are used to pay the obligations of others, is lacking in statutory authority and in violation of the direct prohibition of the Constitution of the State of Montana.

Sincerely yours,  
R. V. BOTTOMLY  
Attorney General