



October 31, 1963

Honorable Bill D. Burlison
Prosecuting Attorney
Cape Girardeau County
708 Broadway
Cape Girardeau, Missouri

Dear Mr. Burlison:

We have your opinion request of August 20, 1963, in which you asked the question as to whether the County Court has the power to set a general policy with respect to vacations and sick leave of county officials, their deputies and assistants which, when promulgated, would be applicable to and mandatorily binding upon all such officials of the county?

With respect to the power of a County Court, the Supreme Court of Missouri set forth as follows the following principle in the case of King v. Maries County, 249 SW 418, 420:

"It has been held uniformly that county courts are not the general agents of the counties or of the state. Their powers are limited and defined by law. They have only such authority as is expressly granted them by statute. * * * This is qualified by the rule that the express grant of power carries with it such implied powers as are necessary to carry out or make effectual the purposes of the authority expressly granted."

We have examined the statutes and do not find any which expressly or impliedly would grant authority to the County Court to establish such a policy.

Yours very truly,

THOMAS F. EAGLETON
Attorney General

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