



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

February 8, 1939

Hon. Swain Burkett
County Attorney
Castro County
Dimmitt, Texas

Dear Mr. Burkett:

Opinion No. O-141

Re: Whether a County Judge serving as
ex-officio school superintendent
can employ stenographer and pay
salary from general funds or school
funds.
Whether Commissioners' Court can
employ one and pay salary from county
funds.

Your letter of January 10, 1939, requesting an
opinion, as shown above, has been given due consideration.

We enclose a copy of our opinion No. O-65, written
January 27, 1939, to Hon. Thomas L. Blanton, County Attorney
of Shackelford County. We are advised your county popula-
tion at the last preceding Federal Census was 4,720.

We have gone through the maze of special laws re-
lating to both county judges and county school superinten-
dents. We do not find where the Legislature has made any
provision for the county judge and ex-officio school super-
intendent of Castro County to employ a stenographer and
pay said stenographer from any of the sources mentioned in
your letter. See Handbook of Texas School Law, Minsley,
p. 190. Neither does the Commissioners' Court have such
authority.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

Benjamin Woodall
Assistant

BV:AV

APPROVED: