



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

*See opinion  
0-3955*

Hon. R. S. Wyche  
County Auditor  
Gregg County  
Longview, Texas

Dear Sir :

Opinion No. 0-2045

Re: Does Article 2326b, Vernon's Civil Annotated Statutes, apply to Gregg County's court reporters serving in the One Hundred and Twenty-fourth Judicial District Court and the Special District Court?

Your recent request for an opinion of this department on the above stated question has been received.

Your letter reads as follows:

"Gregg County has the 124th Judicial District Court and there is a Special District Court which will terminate January, 1945. In addition to these courts there is a 71st Judicial District Court which is composed of Gregg and Harrison Counties.

"Article 2326-c is the basis of pay for our present court reporters, viz \$225.00 per month.

"Does Article 2326-B apply to Gregg County's court reporters serving in the 124th Judicial District Court and the Special District Court?"

Article 2326b, Vernon's Civil Annotated Statutes reads as follows:

"The salary of the official shorthand reporter in each Judicial District in any

county of this State which alone constitutes two or more Judicial Districts, in addition to the compensation for transcript fees as provided by law shall be \$3,000.00 per annum, to be paid as the salary of other court reporters are paid, out of the general fund of the county."

House Bill No. 226, Chapter 4, Acts of the 44th Legislature, amending Section 124 of Article 199, Revised Civil Statutes, created the One Hundred and Twenty-fourth Judicial District to be constituted of Gregg County, Texas, only. It also created a district court to be held in Gregg County, Texas, to be called "the Special District Court of Gregg County, Texas."

The above mentioned act creating the Special District Court for Gregg County, Texas, conferred upon said Special District Court, and upon the judge thereof, all of the rights, powers, privileges and duties that are given by law to the district courts and the district judges of this State, and all laws of the State of Texas with reference to the district courts and district judges were deemed equally applicable to the said Special District Court of Gregg County, Texas, and the judge thereof. The act creating the above mentioned Special District Court did not limit its jurisdiction so as to prevent it from doing anything which any other district court could do.

You are respectfully advised that it is the opinion of this department that Gregg County alone constitutes two judicial districts within the meaning of Article 2326b, supra, and that said article applies to Gregg County's court reporters serving in the One Hundred and Twenty-fourth Judicial District Court and in the Special District Court of said county and the official shorthand reporter of each court is entitled to the compensation provided in Article 2326b, supra.

Trusting that the foregoing fully answers your inquiry, we remain

Very truly yours

ATTORNEY GENERAL OF TEXAS

APPROVED: MAR. 18, 1940  
Gerald C. Mann  
Attorney General of Texas

By (signed)  
Ardeell Williams  
Assistant

AW:AW

Approved:  
Opinion Committee