THE ATTORNEY GENERAL OF TEXAS

Gerald C. Mann
ATTORNEY GENERAL

AUSTIN, TEXAS
January 13, 1939

Mr. J. L. Massie
County Auditor
Vernon, Texas

Dear Mr. Massie:

Opinion No. O-56
Re: Constable fees in misdemeanor cases under Article 1055 C.C.P.

Your letter of January 5, 1939 requesting an opinion construing Article 1055 C.C.P. has been received.

The Legislature attempted to amend Article 1055 to provide payment of one half costs to officers in misdemeanor cases where acquittals resulted. This attempted amendment, however, has been declared unconstitutional by a conference opinion delivered January 11. We enclose a copy of this opinion for your consideration.

Your letter seeks our opinion on other matters and these will receive our attention as soon as possible.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By /s/
Assistant

WWS:jrb

ENCLOSURE

APPROVED:
/s/ Gerald C. Mann
ATTORNEY GENERAL OF TEXAS