



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Hon. R.T. Burns
County Attorney
Walker County
Huntsville, Texas

Dear Sir:

Opinion No. 0-1137

Re: Do the provisions of Art. 1646a, R.C.S., 1925, allow an audit of county affairs and finances in a county under 25,000 population upon an order of the district judge or grand jury regardless of whether or not such audit is desired by the Commissioners' Court?

Your request for an opinion upon the above stated question has been received by this department.

Article 1646a, Revised Civil Statutes of Texas, reads as follows:

"County auditors.- The Commissioners' Court of any county under twenty-five thousand population according to the last United States census may make an arrangement or agreement with one or more other counties whereby all counties, parties to the arrangement, may jointly employ and compensate a special auditor or auditors for the purposes specified in Articles 1645 and 1646. The county commissioners' court of every county affected by this article may have an audit made of all the books of the county, or any of them, at any time they may desire whether such arrangements can be made with other counties or not; provided the district judge or grand jury may order said audit if either so desires." (Acts 1925, p. 220.) (39th Leg. ch. 67, § 1). (Underlining ours).

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You are respectfully advised that it is the opinion of this department that your question should be answered in the affirmative.

Trusting that this satisfactorily answers your inquiry, we are

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Wm. J. Fanning*

Wm. J. Fanning
Assistant

WmJF:ob
APPROVED JUL 22, 1939

[Signature]
FIRST ASSISTANT
ATTORNEY GENERAL

