



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable Esco Walter  
County Attorney  
Taylor County  
Abilene, Texas

Dear Sir:

Opinion No. 9-1278  
Re: Fees Required to secure  
names on official ballot  
in primary elections of  
District Judge and Dis-  
trict Attorney in dis-  
tricts composed of more  
than one and less than  
four counties.

We are in receipt of your letter of January  
19, 1940, making the following request of this depart-  
ment:

"The 42nd Judicial District of  
Texas is composed of Callahan,  
Shackelford and Taylor Counties, and  
the 104th Judicial District of Texas  
is composed of Fisher, Jones and  
Taylor Counties. What is the fee  
required by a candidate for District  
Judge or District Attorney for either  
district to have his name placed on  
the official ballot for a general  
primary."

This question was directly involved in the  
case of Lane v. Sanders et al, 95 S. W. (2) 1327, and  
after reviewing the statutes and cases involving the  
question, held that such candidates are required to  
pay only \$1.00 in each of the counties of the dis-  
trict in order to secure their names to be placed  
upon the official primary ballot.

Honorable Esco Walter - page 2

We have been unable to find any case in conflict with this holding, and therefore you are advised that the fee for securing the name of a candidate for the offices of District Judge or District Attorney in the 42d and 104th Judicial Districts on the official ballot in a general primary election is the sum of \$1.00 in each county of the district.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Grover Sellers*  
Grover Sellers  
Assistant

GS-MR

APPROVED JAN 30, 1940  
*Gen. B. Mann*  
ATTORNEY GENERAL OF TEXAS

