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"We have also read a synopsis of your Opinion No. 0-1354, addressed to Hon. Jack Welch, County Attorney of Cameron County, Texas under date of October 2, 1939, either on a similar and/or identical question. If that opinion will answer the inquiries hereinafter propounded we will appreciate your sending us a copy of the same.

"Taking into consideration the above-stated facts, we respectfully submit for your consideration and opinion the following questions:

1. Would the Commissioners' Court during the year 1940 have the power and authority to reduce the salary of the County Treasurer of Hidalgo County, Texas from \$2,700.00 per year to \$600.00 per year?

2. Will the newly elected Commissioners' Court, after properly qualifying on January 1, 1941, have the power to reduce the salary of the County Treasurer of Hidalgo County, Texas, from \$2,700.00 per year to \$600.00 per year?"

Section 13 of Article 3912e, Vernon's Annotated Civil Statutes reads in part as follows:

"The Commissioners' Court in counties having a population of twenty thousand (20,000) inhabitants or more, and less than one hundred and ninety thousand (190,000) inhabitants according to the last preceding Federal Census, is hereby authorized and it shall be its duty to fix the salaries of all the following named officers, to-wit:....treasurer.... Each of said officers shall be paid in money an annual salary in twelve (12) equal installments of not less than the total sum earned as compensation by him in his official capacity for the fiscal year 1935, and not more than the maximum amount allowed such officer under laws existing on August 24, 1935;...."

We believe that our Opinions Nos. 0-1354 and 0-2973 are relative to the questions you propound in your inquiry. We are enclosing copies of these opinions for your information.

Under the above-stated facts and in view of Section 13, Article 3912e, supra, and the authorities cited in the above-mentioned opinions, you are respectfully advised that it is the opinion of this Department that the Commissioners' Court of Hidalgo County must fix the salary of the County Treasurer at a sum not less

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than the total sum earned as compensation by the County Treasurer in his official capacity for the fiscal year 1935, and not more than the maximum amount allowed such officer under laws existing on August 24, 1935. Therefore, your questions as above stated are answered in the negative.

Trusting that the foregoing fully answers your inquiry,
we are

Very truly yours

ATTORNEY GENERAL OF TEXAS

By (signed)
Ardell Williams
Assistant

AW:AW/JCP

APPROVED JAN 13, 1941
(signed) Gerald C. Mann
ATTORNEY GENERAL OF TEXAS

APPROVED:
Opinion Committee
By B.W.B., Chairman

W.J.F.