



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable Joseph H. Nims
County Attorney
Midland County
Midland, Texas

Dear Sir:

Opinion Number 0-5534
Re: Can the Commissioners'
Court of Midland County
legally call for payment
the courthouse improve-
ment warrants in question?

We are in receipt of your letter of recent date read-
ing as follows:

"The Commissioners' Court of Midland County wishes to know whether or not it can call for payment the following warrants, and whether or not it can issue new warrants at a lower interest rate:

"Court House Improvement Warrants dated June 10, 1930; bearing 6% interest annually; the total issue being \$80,000; each warrant in sum of \$1000, and four of them maturing serially annually, beginning June 10, 1931; \$38,000 now outstanding.

"The county is calling for payment its court-house improvement bonds issued at the same time the warrants were. And the opinion of the Supreme Court, handed down on June 16, 1943, in Cochran County, Petitioner, v. Gerald C. Mann, Attorney General of Texas, et al, raises the further question whether the warrants, as well as the bonds, may not be redeemed."

Honorable Joseph E. Sims, page #2

Replying to the foregoing it is our opinion that the warrants described by you are not affected by the opinion of the Supreme Court in the Cochran County case. The court confined the opinion to bonds issued under Chapter 1, Title 18, Revised Statutes, 1911 (Now Chapter 2, Title 22, Revised Statutes, 1925). The Midland County Court House Warrants were issued pursuant to authority conferred by Chapter 163, Acts 1931, 42nd Legislature, being Article 2362a, Revised Statutes, 1925.

We enclose herewith a copy of Opinion O-5483, which opinion enumerates the bonds mentioned in Chapter 1, Title 18, and which are affected by the opinion of the court in the Cochran County case.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *C. F. Gibson*
C. F. Gibson
Assistant

WFO-s
incl.

APPROVED AUG 25, 1943

Gerald E. Mann

ATTORNEY GENERAL OF TEXAS

APPROVED