



**THE ATTORNEY GENERAL  
OF TEXAS**

GERALD C. MANN

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

ATTORNEY GENERAL

AUSTIN, TEXAS 78711

Honorable A. C. Foster  
County Attorney  
Haskell, Texas

Dear Mr. Foster:

Opinion No. O-5331

Re: Can the county judge of Haskell County also hold the office of Area Supervisor of the Aircraft Warning Service and the Office of County Defense Coordinator.

We have given careful consideration to the question submitted by you in your letter of May 21, 1943, which reads as follows:

"The county judge of this county asked me to write you for your opinion as to whether or not he can legally hold office of Area Supervisor of the Aircraft Warning Service to which he has been appointed \* \* \* and the office of County Defense Coordinator to which he has been appointed \* \* \* while at the same time holding the office of county judge. The first two offices named pay no salary."

We have read with interest the opinion you gave Judge Ivy the county judge of Haskell county, in your letter to him of May 21, 1943. We think you have correctly answered the inquiry that the county judge may hold the office of Area Supervisor of the Aircraft Warning Service and the office of County Defense Coordinator at the same time he holds the office of County Judge of Haskell County.

As we understand the facts relative thereto, the services to be performed by the "Area Supervisor of the Aircraft Warning Service" as well as the office of "County Defense Coordinator" do not constitute either of said positions an office of honor or trust such as is prohibited by our Constitution. As we understand, membership in each of said organizations is entirely voluntary and for the purpose of rendering an unselfish and a purely patriotic service during the duration of the war.

Yours very truly

ATTORNEY GENERAL OF TEXAS

s/ Geo. W. Barcus  
Assistant

APPROVED JULY 3, 1943

s/ Grover Sellers  
FIRST ASSISTANT  
ATTORNEY GENERAL

APPROVED  
OPINION COMMITTEE  
By BWB, Chairman