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# The Burkburnett Star

**FRED BROOKMAN, Publisher.**



istrict Atty.-

Continued from page 1)  
 the legislature in 1927 by law abolished the office of district attorney for the 2nd judicial district effective at a subsequent date. During the same session of the same legislature, an act was passed amending article 322 providing for the election of district attorneys in certain districts, including the 2nd judicial district, which office had previously been abolished by the legislature. The supreme court held in that case that the act controlled and that by article 322, the legislature recreated the office of district attorney in the 2nd judicial district.

ed in the act of the 43rd legislature amending article 322 which appears in section 2 of said act stating that the sole purpose of said amendment was to leave out the 40th judicial district and not to affect any other district. It seems to the writer that since the purpose of the act amending article 322 as passed by the 43rd legislature was to abolish the office of district attorney in the 40th judicial district that the expression of the legislature contained in section 2 of the bill can only logically be construed to mean that it was not the purpose of the legislature creating the office of district attorney in any other district named therein save to abolish that office in the 40th judicial district, and that the effect of the said amendment was to recreate said office in the 40th judicial district. The act amending article 322 provided clearly and expressly for the election of a district attorney in the 30th judicial district, the recital of intention to provide for the election of district attorneys named therein, including the 30th judicial district.

ct is general in its terms, it will not be held to repeal another act which is specific in its terms. However, the court in that case went on to say in effect that both the statutes involved were specific with respect to the office of district attorney for the 2nd judicial district, for in both acts the particular office was expressly mentioned—the first act abolished it and the second act recreated it and that both acts were thoroughly inconsistent and irreconcilable and that both acts could not be valid at the same time. The court holding that the latter act re-creating the office of district attorney for the 2nd judicial district prevailed.

"Therefore, you are respectfully advised that in the opinion of this department a vacancy exists in the office of district attorney for the 30th judicial district of Texas and that such office has been vacant since the effective date of the amendment to article 322 as passed by the 43rd legislature, regular session, 1933. There being a vacancy in the office of district attorney for the 30th judicial district, it is your duty as governor under the constitution and the statutes of this state to fill such vacancy by appointment. (Section 12, article 4, constitution of Texas; article 328, revised civil statutes of Texas, 1925.)"

Statutory Construction

"It is a well established rule of statutory construction that repeals by implication are not favored and that all acts and parts of act in pari materia are to be construed as a whole and interpreted in such manner as that all may stand where such may reasonably be done, and that only where two acts are so inconsistent as to be irreconcilable that a repeal by implication will be indulged. As stated by the supreme court in the case of Townsend vs. Terrell, supra, that where an

Year In Burk-

(Continued from page 1)  
 tracts attention in four races. Brookshier elected head of Legion. Hill announces opening of football season.

August

Red river bridge opened at Illinois, family crosses first. Burkburnett delegation goes to Centennial. Game department warns oil operators against pollution. Warren well started by Phillips.

First bale of cotton brought in by W. E. Riddle. Star completes volume 27. Four new businesses in one week. Light plant makes first test runs.

Gulf company starts pipe line to Altus. Schools announce opening.

September

First day of school attracts over 1,000 students. Magnolia and Bank enter softball finals.

Designation of Harold-Vernon highway asked. First rain in more than 67 days. Football meeting held.

Road delegations visit Austin and Oklahoma City. Teachers entertained by service clubs. Oil sand near Clara open new depth. Newcastle game rained out. School starts penalty for delinquent taxes.

October

Randlett school dedicated. Bulldogs win from Throckmorton. Randlett wins Valley title.

Work started on tennis courts. Bulldogs defeat Chillicothe. Edna Smith, injured in June cyclone, dies from injuries.

Westerfield resigns as superintendent to accept presidency of Wichita Post. Duncan elected. Bulldogs defeat Crowell.

November

Legion plans memorial services. Fillmore speaks. Social security blanks mailed.

Oil City News Stand raided. County executive adopts double round robin for basket ball. Archer City defeated by Bulldogs.

Christmas party planned for community tree. Bulldogs win championship defeating the Seymour team.

Red Cross drive gets started. Leonard Mattingly elected head of chamber of commerce.

December

Bulldogs win bi-district championship. Annual chamber of commerce banquet attracts large crowd.

Central Ward school presents operetta. Chamber of Commerce starts annual drive.

Santa Claus visits Burkburnett. Community Christmas tree held at high school. Happy New Year.

Reed-James

Announcement was made this week of the marriage of Miss Leona Reed, daughter of Mr. and Mrs. W. E. Reed of Burkburnett and Wesley James, son of Mr. and Mrs. Bud James of Clara. The nuptials were read Thursday morning, December 24, at Grandfield, Okla. Each of the young couple are well known in Burkburnett.

Card of Thanks

We wish to express our appreciation to the many friends and neighbors who offered assistance and expressed sympathy during our recent bereavement. The many thoughtful deeds on your part was a comfort and strength to us in a time of real need of friendship.  
 Mr. and Mrs. H. R. Hayes,  
 Ed Hayes.

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 from common colds  
 that Hang On

Whether how many medicines you tried for your cough, chest or bronchial irritation, you can get relief now with Creomulsion. It is a natural remedy that does not afford to take a chance on anything less than Creomulsion. It goes right to the seat of the trouble to aid nature to heal the inflamed membrane as the germ-laden phlegm is expelled. If other remedies have not been discouraged, your doctor is authorized to guarantee a refund if you are not satisfied with the results from the very first bottle. Creomulsion right now. (Adv.)



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