



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**JOHN BEN SHEPPERD  
ATTORNEY GENERAL**

April 11, 1955

Hon. Dorsey B. Hardeman  
Chairman, State Affairs Committee  
Fifty-fourth Legislature  
Austin, Texas

Letter Opinion No. MS-195

Re: Constitutionality of S.B.269,  
54th Legislature, validating  
certain deeds.

Dear Senator Hardeman:

Your recent letter inquires as to the constitutionality of Senate Bill 269 validating all deeds of acquittance issued on lands lying across or partly across water courses or navigable streams or the beds or abandoned beds thereof. The bill contains, also, certain other related matters.

A comparison of Senate Bill 269 with Chapter 138, page 298, Acts of the 41st Legislature, Regular Session, 1929 (S.B. 150), codified as Article 5414a, Vernon's Civil Statutes, and commonly known as the "Small Bill," will disclose that the caption, the first three sections, and the emergency clause of Senate Bill 269 are almost identical with those of Chapter 138, aforesaid. The principal difference is the substitution of "deeds of acquittance" in Senate Bill 269 for "patents and awards" in Chapter 138. Section 4 contains the related matters which appear to be consistent with the caption.


Chapter 138 (the Small Bill) was held to be constitutional in State v. Bradford, 121 Tex.515, 50 S.W.2d 1065 (1932).

Hon. Dorsey B. Hardeman, page 2 (MS-195)

Senate Bill 269, obviously patterned after Chapter 138, both in form and substance, is constitutional.

Yours very truly,

JOHN BEN SHEPPERD  
Attorney General

By   
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