



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

May 13, 1939

Mr. O. J. S. Ellingson
General Manager
Texas Prison System
Huntsville, Texas

Dear Sir:

Opinion No. O-751
Re: Whether or not one J. D.
Chapman has been discharged
as gin superintendent
of the Texas Prison System.

In your letter of May 2, 1939 you requested an opinion as to whether or not Mr. J. D. Chapman is still an employee of the Texas Prison System after May 1, 1939, after the following things transpired:

A copy of a resolution by the Texas Prison Board of March 6, 1939 to accept the resignation of Mr. J. D. Chapman, gin superintendent, effective May 1, 1939, was sent to Mr. Chapman together with a letter from you containing the following statement:

"Please comply with the above motion by sending in your written resignation effective May 1, 1939."

It is our opinion that Mr. J. D. Chapman, under the circumstances recited above, was discharged as an employee and gin superintendent of the Texas Prison System, effective May 1, 1939, as it was within the power of the Texas Prison Board and you, as General Manager of the Texas Prison System, to discharge Mr. Chapman at any time. The above notice to Mr. Chapman, although sent in a courteous manner in order that it

Mr. O. J. S. Ellingson, May 13, 1939

would not embarrass him in securing other employment, clearly conveyed the intention of the Texas Prison Board and of you as the General Manager of the Texas Prison System that he be discharged effective as of May 1, 1939.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *D. D. Mahon*

D. D. Mahon
Assistant

DDM:FBP

APPROVED:

Gerard C. Mann
ATTORNEY GENERAL OF TEXAS