



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

**JOHN BEN SHEPPERD
ATTORNEY GENERAL**

August 28, 1953

Hon. Jesse James
State Treasurer
Capitol Station
Austin, Texas

Letter Opinion MS-90

Re: Status of funds represented by
outstanding and unpaid warrants
in the treasury.

Dear Mr. James:

You request our opinion upon the following question:

"Legally, are the funds represented by outstanding
and unpaid warrants in the Treasury, or do they cease to
be in the Treasury when the warrant is written?"

You are advised that the issuance of a warrant against
funds in the State Treasury does not have the legal effect of withdraw-
ing the funds from the Treasury. The funds remain in the Treasury
until the warrant is actually paid.

It is our further opinion that our answer as above stated,
does not have any bearing upon our opinion MS-84.

Yours very truly,

JOHN BEN SHEPPERD
Attorney General

By

W. V. Geppert
Assistant

WVG:mg:da