



OFFICE OF THE ATTORNEY GENERAL OF TEXAS

AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

January 5, 1939

Mr. James W. Witherspoon
District Attorney
69th District
Hereford, Texas

Dear Mr. Witherspoon:

Opinion No. O-25
Re: Whether or not property
purchased from proceeds
of a War Risk Insurance
Policy is taxable.

Your request for an opinion on the question of whether or not property purchased from proceeds of a War Risk Insurance Policy is taxable has been received by this office.

Mr. A. J. Lewis, County Attorney of Milam County, Cameron, Texas, presented almost the identical question to this department and the opinion was rendered by Honorable F. O. McKinsey, Assistant Attorney General, March 17, 1931, which opinion evidences much research and with the conclusions of which I entirely concur.

The land purchased by beneficiary with funds received from the United States Government as compensation and insurance granted by reason of the service and death of a World War Soldier, is not exempt from taxation. The recipient of such funds being sui juris the Federal Government will not trace such funds through subsequent mutations so as to protect and preserve them to the beneficiary.

I am enclosing herewith a copy of the above mentioned opinion rendered by F. O. McKinsey.

Trusting that this answers your inquiry, I remain

Yours very truly

ATTORNEY GENERAL OF TEXAS
(Signed)
Ardell Williams

By

Assistant

AW:AW
ENCLOSURE
APPROVED:
ATTORNEY GENERAL OF TEXAS