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sive, dealing with "Licensed Land Surveyors". We quote from opinion No. 0-3719 of this department which construes said Senate Bill, as follows:

"Senate Bill 351 does not operate to make unlawful the practice of Surveying by those who have not obtained a license. It, and the statute it amends, simply deny to those not having a license the particular privileges granted by the act to licensed land surveyors."

We enclose herewith a copy of said opinion for your information.

Articles 5283 - 5298, inclusive, Section 2 of Chapter 2, Title 86, Vernon's Annotated Texas Civil Statutes, deal with County Surveyors. These statutes provide for the election, duties, etc. of the County Surveyor but do not prescribe any particular qualifications for County Surveyors. Nor do the statutes prescribe that the County Surveyors must be licensed or must be licensed land surveyors.

Article 5299, Vernon's Annotated Texas Civil Statutes, provides:

"All surveys of public land shall be made by authority of law and by a surveyor duly appointed, elected or licensed, and qualified."

We assume from your letter that there is a vacancy in the office of County Surveyor and the Commissioners' Court desires to fill that vacancy by appointment.

It is our opinion that a County Surveyor is not required to be licensed nor is he required to be a licensed land surveyor.

Very truly yours

ATTORNEY GENERAL OF TEXAS

Wm. J. Fanning

FIRST ASSISTANT
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By

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ENCLOSURE

