



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable G. J. S. Ellingson  
General Manager  
Texas Prison System  
Huntsville, Texas

Dear Mr. Ellingson:

Opinion No. 0-3423

Re: Is the Texas Prison System  
entitled to free textbooks?

Your letter of April 15, 1941, requesting our opinion on the question "whether the Texas Prison System is entitled to be furnished by the State Textbook Division of the Department of Education current adoption free textbooks, dictionaries, and other supplementary reading texts" has been given our careful consideration.

The only law relative to the matter inquired about is Article 6203b, Vernon's Annotated Civil Statutes passed in 1930, which provides for the Prison Board to arrange to teach the inmates of the penitentiary reading, writing, spelling and arithmetic.

Section 4 of said Act provides that:

"The Texas Prison Board shall arrange with the State Superintendent of Public Instruction for a sufficient number of secondhand textbooks for said purpose."

Under this Act you are not, as a matter of right, entitled to new textbooks, but you are entitled to secondhand books. The method and manner in which the secondhand books are to be furnished has been left to the State Superintendent of Public Instruction and the Texas Prison Board to work out.

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In order to accomplish this laudable purpose, the Act should be liberally construed, and rules and regulations looking toward this desired result should be worked out without difficulty between your Board and the State Superintendent of Public Instruction.

APPROVED APR 24, 1941

*George Allen*  
FIRST ASSISTANT  
ATTORNEY GENERAL

Very truly yours

ATTORNEY GENERAL OF TEXAS

By

*George V. Barcus*  
Geo. V. Barcus  
Assistant

GVB-MR

