LAWS ESTABLISHING AND MAINTAINING TEXAS STATE TEACHERS COLLEGES

Compiled by

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San Marcos
Southwest Texas State Teachers College
1943
GENERAL AND SPECIAL LAWS
Texas State Teachers Colleges, May 14, 1943

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Chapter CXX--An act to establish a State Normal School. V. 2648-50

Section 1. Be it enacted by the Legislature of the State of Texas, that there shall be established in this state, a state normal school, to be known as the "San Antonio Normal Institute," in honor of Gen. Sam Houston, the father of Texas; and said institute shall be located at the college formerly known as the "Austin College," at Huntsville, in Walker county; provided, that the citizens of Huntsville shall, within sixty days from the passage of this act, convey to the state for the purposes of said school a valid title to said Austin College, and the grounds belonging thereto; said conveyance to be approved by the governor and attorney general.

Section 2. The board of education shall have possession and charge of said institute on the state's receiving conveyance of the same, and on or before the first day of September next said board shall put into operation a normal school, which shall be conducted in a first-class manner, and under such rules and regulations, as to the government and discipline thereof, as may be prescribed by said board.

Section 3. Not less than two students from each senatorial district, and six from the state at large, shall be received in said institute, as state students, who shall receive tuition, board and lodging free to the extent of the appropriation that may be made, but in no case shall the current expenses of the institute exceed the sum or sums appropriated. The board of education shall make all necessary rules and regulations for the admission of students, and the tenure of their appointment or selection. No student shall be received who is not a resident of this state, and at least of the age of sixteen years, and of good moral character.

Section 4. All students attending said institute at expense of the state, as provided in the foregoing section, shall sign a written obligation, in a book to be kept at the institute for that purpose, binding said students to teach in the public free schools of their respective districts at least one year next after their discharge from the normal school, and as much longer or one year as the time of their attendance at said school shall exceed one year; for which teaching said student shall receive the same compensation allowed other teachers of said schools, and said board of education shall make rules by which students may receive certificates of qualification as teachers authorizing them to teach without further examination.

Section 5. The board of education may authorize other students to be admitted into said institute, who shall be required to pay tuition, in whole or in part, as may be prescribed by the board. Said board shall appoint the teachers of said institute and fix their salaries, not to exceed two thousand dollars for the principal and fifteen hundred dollars for assistants.

Section 6. The board of education shall appoint a local board of three directors, who shall hold frequent meetings at the institute, have general supervision of the buildings and grounds, and shall perform such other duties pertaining to the institute, and make such reports to the board of education as said board may require. Said directors shall each receive an annual salary, not to exceed one hundred dollars, to be paid out of the fund herein after appropriated.

Section 7. It shall be the duty of the comptroller of public accounts, annually, to set apart, out of the available free school fund, the sum of fourteen thousand dollars for the support of said normal school, and place the same to its credit, and which may be drawn upon by the board of education, for the current expenses of said school, on vouchers audited by said board or approved by the governor and attested by the secretary, and on filing said vouchers the comptroller shall draw his warrant on the state treasurer for the same. The board of
education is authorized to receive from the agent of the trustees of the Peabody education fund such sum as he may tender for the aid of said institute and shall disburse the same in such manner as will best subserve the interests of said institute.

Section 8. Emergency Clause.

Approved April 21, A. D., 1879. Takes effect ninety days after adjournment.

Chapter III. -- An act supplementary to "An act to establish a State Normal School, "approved April 21, 1879. V 2648-50

Whereas, The citizens of Huntsville, Walker county, have tendered to the state a warrantee title to the buildings and grounds lately known as "Austin College" located at Huntsville to which place the "Sam Houston Normal Institute" has been established by the fore-received act, but the chain of title is not perfect so as to vest a clearly legal title in the state, and further time is required to formally perfect the title; and,

Whereas, the said citizens have paid the purchase money due on said buildings and grounds, and have been placed in possession of the same and are desirous of delivering possession of the same in good reparation to the state for the establishment of said institute, and propose to guarantee to the state a perfect title to the same; and,

Whereas, it is important that said institute be opened at the earliest day practicable, which creates an emergency for the immediate passage and taking effect of this act; therefore,

Section 1. Be it enacted by the Legislature of the State of Texas, That the state board of education is authorized and required to accept possession of said buildings and grounds from the citizens of Huntsville, on receiving from them such bond or guarantee of a valid legal title to the same in the state within twelve months from the passage of this act, the bond or guarantee to be payable to the state, and in such sum, not to exceed fifty thousand dollars, and conditioned as the governor and attorney general shall prescribe; and a further guarantee from said citizens that said buildings shall be placed in such reasonable repair as the board of education may require, including a new plank fence around the grounds.

Section 2. That on receiving such guarantees and possession of said buildings and grounds, it shall be the duty of said board to establish rules and regulations, appoint a local board of directors and open said institute for students, as provided in the act approved April 21, 1879, entitled "An act to establish a state normal school."

Section 3. That this act shall be in force from its passage.

Approved June 23, A. D. 1879. Take effect from and after its passage.
Section 1. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
That there shall be established at the college heretofore known as the North Texas State Normal College, at Denton, in the county of Denton, Texas, a normal school to be known as the North Texas State Normal College; provided, that the citizens and municipal authorities of said city of Denton, shall, within sixty days after this act takes effect, convey or cause to be conveyed to the State of Texas, by a good and perfect title, the buildings, grounds and other property belonging to or used by the said North Texas Normal College, and bind the city of Denton to furnish for the use of said school an abundant supply of pure artesian water free of cost to the State, for all the purposes of said school, which said conveyance and obligation shall be approved by the Governor and Attorney-General; provided, that said college building, when tendered and accepted, shall be sufficient to accommodate at least four hundred pupils, and provided further, that if the donation and proposition mentioned herein is not fully complied with by the city of Denton to the satisfaction of the Governor, Comptroller and Superintendent of Public Instruction, then the location of such normal college shall be open to such other place as the Governor, Comptroller and Superintendent of Public Instruction may deem most satisfactory and advantageous to the State.

Section 2. When said conveyance is duly approved by the Governor and Attorney-General said building, grounds and other properties belonging to or used by said North Texas Normal College, shall pass to and be under the control of the State Board of Education, and on or before the third Monday in September, A. D. 1899, the same being the 18th day of said month, the said State Board of Education shall organize and put in operation at said location a State normal school to be known as the North Texas State Normal College, which shall be conducted for a session of not less than thirty-six weeks each year, upon approved methods and plans for first class schools designed for the special training of teachers, and said school shall be under the control and management of the State Board of Education.

Section 3. The State Board of Education shall have power to prescribe rules and regulations for the management, control and discipline of said State normal school; to prescribe courses of study and text-books for the same; to regulate the admission of pupils thereto; to select a president and such teachers as may be deemed necessary therefor, and fix their compensation, and to do and perform all other acts not inconsistent with the laws of this State, as may be necessary or proper for the successful management and conduct of said school.

Section 4. The Legislature may, after the taking effect of this act, from time to time, make such appropriation for the support of said State normal school as may be necessary, which shall be paid out upon vouchers drawn in such manner as may be provided by the State Board of Education, upon approval of the Superintendent of Public Education.

Section 5. It shall be the duty of the State Superintendent to visit said school and investigate the operations thereof at least twice during each year, and report to the State Board of Education the condition, progress and need of said school, and the said State Board may appoint other persons to visit said school and report thereon.

Section 6. The State Board of Education may appoint a local board of directors for said normal school, to be composed of three resident citizens of Denton county, to perform such duties as may be prescribed by said State Board.
Section 7. Emergency Clause.

Approved March 31, 1899 Takes effect 90 days after adjournment.

NORTH TEXAS NORMAL COLLEGE—ESTABLISHING

S. B. No. 48) Chapter X V 2657-3

Section 1. That Section 4 of an act entitled "An Act to provide for the establishment, maintenance and government of a State Normal School, to be located at Denton, Texas, and be known as The North Texas Normal College," being Chapter LIII of the General laws of the State of Texas, passed at the regular session of the Twenty-sixth Legislature, approved March 31, 1899, be amended so as hereafter to read as follows:

Tuition in said normal shall be free to all students who are at least sixteen years of age, of good moral character, and who wish to prepare themselves for the profession of teaching, and it shall be the duty of the Comptroller of Public Accounts to set apart annually, beginning September 1st, 1901, out of the general revenue, the sum of twenty thousand dollars for the maintenance of said normal school, together with such other sums as may be appropriated by the Legislature for defraying part of the expenses of the students appointed from year to year by Senators and Representatives, such sum or sums to be placed to the credit of such State normal school, and which shall be paid out upon warrants approved by the Governor and attested by the State Board of Education. The Board of Education is hereby authorized to receive from the agent of the Peabody Education Fund such sums as he may tender for the aid of the said State normal school, to be disbursed in such manner as may be prescribed by the donor. All State students attending such college shall sign a written obligation, in a book to be kept for that purpose, binding said student to teach in the public schools of this State for as long a period of time as they attend said college, for which teaching they shall receive the same compensation as other teachers, and said Board of Education shall make rules by which students may receive diplomas and certificates as qualifications as teachers, authorizing them to teach without further examinations.

Section 2. Emergency Clause.

Approved February 18, 1901 Takes effect ninety days after adjournment.
SOUTHWEST TEXAS NORMAL SCHOOL
Chapter CIII  V-2654

S. B. No. 260.)

SECTION 1. That there shall be established at San Marcos, Hays county, Texas, and on the plot of ground containing about eleven acres, and known as Chautauqua Hill, a State Normal School, to be known as the Southwest Texas Normal School, provided the said city of San Marcos and the citizens thereof shall, without charge or cost to the State, and within sixty days after this act takes effect, convey, or cause to be conveyed unto the State of Texas, a good and perfect title in and to the aforesaid eleven acres of land known as the Chatauqua Hill, situated in said city of San Marcos, together with all buildings and improvements incident or appertaining thereto. The sufficiency of said conveyance to be passed upon and determined by the Governor and Attorney-General.

That the deed of conveyance aforesaid upon being approved by the Governor and Attorney-General, shall pass said property to the State, and thereafter the same shall be under the management and control of the State Board of Education for the purpose of establishing and maintaining the aforesaid Southwest Texas Normal School, which shall be done as soon as said State Board of Education shall deem it advisable, and suitable provisions are made to carry into effect this act.

Emergency Clause. Approved May 10, 1899.

SOUTHWEST TEXAS NORMAL SCHOOL
Chapter XXIX

S. B. No. 142)

Whereas, by act of the Twenty-sixth Legislature, a school to be known as the Southwest Texas Normal School was located at San Marcos, Hays County, Texas, eleven acres of land known as Chautauqua Hill was donated to the State of Texas by the city of San Marcos for the purposes of said school and which donation has been accepted by the State by the approval of the title to said land by the Governor and Attorney General; and

Whereas, for the educational convenience and needs of Southwest Texas, said school is a pressing necessity, therefore,

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. That said Southwest Texas Normal School be and the grounds belonging to same are placed under the management, control and direction of the State Board of Public Education for the State, and that said board at the earliest practical moment proceed to have erected on the aforesaid eleven acres of land, suitable and necessary buildings for the accommodation of the pupils in said school, said buildings to be substantial and first-class in every particular, supplied with the necessary furniture, lights, water and heating apparatus, such as may be deemed proper by said board, and the grounds improved and beautified to the extent that the said board may deem necessary.

SECTION 2. The Board of Education shall have the same power and control as to admission of the pupils to the Southwest Texas Normal School as it has to the admission of the pupils to the Sam Houston Normal Institute, and the rules and regulations provided by law for the government of the Sam Houston Normal Institute shall apply in all respects so far as applicable to the government and control of the Southwest Texas Normal School.
SECTION 3. The State Board of Education shall appoint a local board of three trustees for the said Southwest Texas Normal School, who shall be residents of the city of San Marcos and who shall perform such duties as may be required by the State Board of Education and such other duties as are required by law of the local board of the Sam Houston Normal Institute and shall receive the same compensation; and the State Board of Education shall exercise all of the powers and control over the Southwest Texas Normal School that said board is authorized by law to exercise over the Sam Houston Normal Institute and the salaries of teachers shall never exceed what is allowed by law for teachers in the Sam Houston Normal.

SECTION 4. The sum of thirty-five thousand dollars is hereby appropriated out of the general revenue, twenty-five thousand dollars of which shall be for the purpose of erecting and equipping the buildings for the Southwest Texas Normal School and ten thousand for the running expenses of such institution after the completion of said buildings.

SECTION 5. The money appropriated by this act may be drawn upon for the purposes aforesaid by the State Board of Education on vouchers audited by said board and approved by the Governor and on filing such vouchers with the Comptroller he shall draw his warrant on the State Treasurer for the amount in favor of said board; provided, that this money shall not be drawn unless the Governor in his discretion thinks the conditions of the treasury will permit the use of the money for the purposes of this act.

SECTION 6. So soon as the necessary buildings for said Southwest Texas Normal School are completed or in condition for the reception and accommodation of pupils, the Board of Public Education shall make this fact known in such way as said board may deem effective and shall at once proceed to at once open and organize said school by the employment of the necessary number of teachers, and the number of teachers may be increased by the board from time to time as the increased attendance of pupils may demand; provided, at no time any debt shall be created by the board in excess of the money appropriated for the purposes of said act and for the support and maintenance of this school.

SECTION 7. Emergency Clause. Approved March 28, 1901 Takes effect 90 days after adjournment.
H. B. No. 5)  

Chapter 119

Section 1. That a State normal school for the education of white teachers is hereby established at a place in Texas and located west of the 98th meridian. The name of said normal school shall be the West Texas State Normal College.

Section 2. Immediately after the passage of this Act the Governor, the Superintendent of Public Instruction, the Lieutenant Governor of Texas, respectively, shall be and are hereby appointed a committee to locate said normal college, provided that it shall be lawful for the Governor to appoint some one to represent him on said committee in case he is unable to act as a member of same; provided, that no member of this board shall be eligible to vote for any town or city in this State for location of this normal wherein said member may have resided or owned property for as long as ten years prior to taking effect of this Act.

Section 3. In case of vacancy in the said committee on location, the Governor shall appoint one to fill it.

In considering the claims of each place that may ask for said school, the committee shall consider its healthfulness, accessibility, and the general intelligence and social conditions of its people. The committee shall also consider the bonus or donations offered, whether in houses, money, land or other valuable consideration which the respective places bidding for the location of said normal college may offer, and shall take into account all the facts and circumstances of each place that may bid and shall locate said normal college where it will most efficiently serve the State; provided, that the committee shall not sacrifice the permanent advantages of any location to the donations offered by any other place.

Section 4. It shall be the duty of the Attorney General of the State of Texas to examine and approve the abstract of the title to any and all real estate that may be donated by the people of the town or city that may be selected as the location of said normal college, before the location shall be finally made. And any cash that may be offered and accepted as a bonus to secure the location of said college shall be used in the construction of suitable buildings herein provided, in lieu of an equal amount that may have been appropriated by the Thirty-first Legislature with which to construct and equip the necessary buildings or buildings; provided, that the town or city or people securing the location of said college shall furnish sufficient lands upon which to locate it without cost to the State of Texas; provided, the grounds upon which said college shall be erected shall not be less than five acres.

Sec. 5. The said committee on location may employ a clerk at a salary not to exceed one hundred ($100.00) dollars per month and traveling and office expenses and shall make a full report to the State Board of Education of all their deliberations setting forth the donations and inducements offered by such town or city, that bid for the location, and their decision, locating said West Texas State Normal College.

Sec. 6. Immediately after receiving the report of said committee on location the State Board of Education shall name a local board of three citizens resident in the city or county in which said West Texas State Normal College is located who shall perform such service as the State Board of Education may prescribe.

Sec. 7. The State Board of Education shall immediately after receiving the report of said location committee proceed at once to secure plans and specifications for the building or buildings of said West Texas State Normal College, and to let the contract to the lowest responsible bidder for the erection of said building or buildings. Provided, that said building or buildings shall
be ready for use by September 1, 1910; provided further that it shall be lawful for the State Board of Education to accept any desirable building or buildings offered by the people of any city or town securing the location of said West Texas State Normal College, upon the recommendation of the committee on location.

Sec. 8. The State Board of Education shall name the departments to be established in said West Texas State Normal College, and shall elect the president, professors, instructors and other employees necessary for the organization and management of the same, and shall fix the salaries and compensation of those employed; provided, that the said West Texas State Normal College shall be strictly first-class in every particular and not below the standards set for the other normal schools of this State; provided further that the State Board of Education shall have authority to regulate the fees required of students and the salaries allowed all persons in any manner employed in connection with the normal school established by this Act.

Sec. 9. The State Board of Education shall name the fees, if any are to be paid by students, and shall fix the requirements for entrance into said normal college and shall prescribe the conditions of certification and graduation of students of said normal college; provided, that the requirements to obtain certificates, the length of time they shall be valid and the conditions of cancellation of same shall be those prescribed for other certificates of the same grades issued by the State.

Sec. 10. It shall be the duty of the State Board of Education to elect a President of said normal school at any time after the location of said normal college shall have been made; provided, that he shall be elected at least six months before the date fixed for the opening of said normal college; and he shall draw his salary from the date of his acceptance of said election.

Sec. 11. The said West Texas State Normal College shall be opened for the reception of students not later than the 1st day of October, 1910. The sum of fifteen hundred ($1500.00) dollars or so much thereof as may be needed is hereby appropriated out of any fund in the Treasury not otherwise appropriated to pay the traveling expense of the of the committee and for doing any other work necessary in locating said West Texas State Normal College and making the report required. All accounts against this fund shall be paid upon warrants issued by the Comptroller upon the approval of the Governor.

Sec. 12. The sum of fifty thousand ($50,000) dollars is hereby appropriated out of any funds in the State Treasury not otherwise appropriated to purchase and equip a building or buildings establishing said West Texas State Normal College to be paid upon warrants issued by the Comptroller after the accounts shall have been audited and approved by the State Board of Education. The sum of twenty-seven thousand five hundred ($27,500.00) dollars to be paid out of any funds not otherwise appropriated, is hereby appropriated, to pay the salary of the president, professors and other employees of said West Texas State Normal College for the year beginning September 1, 1910.

Sec. 13. Students shall be appointed to said West Texas State Normal College by the same authorities and in the same way that students are appointed to other normal schools in this State; and such students shall share equally with students appointed to other normal schools, in any scholarship funds that may be appropriated to the normal schools of this State, for the year 1910-11 and any subsequent year or years.

Sec. 14 On or about the first day of June, 1910, the State Board of Education shall, after consultation with the President of said West Texas State Normal College, meet and decide what departments shall be established in said normal college. They shall elect professors, instructors, and other employees, and
fix the compensation of same. They shall fix the day for opening said normal school, not later than October 1, 1910, and shall make all necessary arrangements for opening and managing said West Texas State Normal College; provided, that said board shall not create a deficiency debt against the State in establishing, equipping and running said school for the first year of its existence.

Sec. 15. The provisions of this Act and the appropriations herein provided for, shall not become effective unless and until such city or town wherein said West Texas State Normal College is to be located shall donate to the State of Texas such sum or sums as in the opinion of the committee herein appointed may be necessary to purchase the grounds for the establishment of said West Texas State Normal College, and in the event of their failure so to do, this Act and the provisions hereof shall be of no further force or effect and shall be void except the appropriation to pay the expenses of the committee herein provided for to locate said college.


Establishing Three State Normal Colleges
Providing for Location and Control of Same
Thirty-Fourth Legislature, Regular Session
January 12 - March 20, 1915
Chapter 66.

Section 1. That three State Schools for the education of white teachers are hereby established at places in Texas located as follows: One in the territory composed of all that part of the State lying south of the twenty-ninth parallel of latitude with the counties of Kinney, Uvalde and Medina added, and the name of said normal school shall be the "South Texas State Normal College;" one east of the ninety-sixth meridian, and the name of said normal school shall be the "Stephen F. Austin State Normal College;" one in Central West Texas within the limits of the territory composed of the Twenty-sixth Senatorial District and the Twenty-eighth Senatorial District, and Coke, Tom Green, Hamilton and Coryell counties, and the name of said normal school shall be the "Central West Texas Normal College."

Section 2. One of said normal schools shall be created and ready for the reception of students on October 1, 1917; another open and ready for the reception of students on October 1, 1918; and another open and ready for the reception of students on October 1, 1919; and it is provided that the locating committee provided for in Section 3 of this Act shall determine which of said normal colleges shall open in 1917; which shall open in 1918; and which shall open in 1919. In determining which college shall open first, which shall open second and which shall open third, said committee shall take into consideration the needs and demands for such colleges in the three sections named in Section 1 of this Act, and shall award the first date of opening of said normal colleges to the section which appears to need a normal college most, and the date for opening said second normal college shall likewise be fixed by said committee, and the third college shall be established in the remaining said district.

Section 3. There is hereby appointed as a committee to locate said normal colleges, the Governor, Lieutenant Governor, Attorney General and two citizens to be appointed on or before July 1st, 1915, by the Supreme Court or a majority of said court, and in the event any one or more of said locating committee of five shall fail or refuse to act or serve on said committee, the Supreme Court or a majority thereof shall fill said vacancy within a reasonable time. A majority of said committee shall constitute a quorum for the transaction of business and no member of said committee who has material or pecuniary interests of any kind in any town or place offering for the location of said college shall be qualified or authorized to act on said committee.

Section 4. In considering the claims of any places that may apply for the location of said colleges, said committee shall consider the healthfulness, accessibility, general physical conditions and environments, together with the general moral tone, educational sentiment and social qualities of the people of said places. No donation or bonus of any kind or character shall be considered by said locating committee in determining the locations of said colleges, except such donations of land as may be offered by any place as a site for the building or buildings of said college, and such buildings as may be located in the land donated, and in no event shall a building site of less than fifty acres be considered or accepted.

Section 5. After the passage of this Act, any city or town within either of the said normal school districts named in Section 1 of this Act desiring the location of one of said colleges may file its application with the chairman of said committee, together with the land it has to offer requesting the
committee to view the site said city or town has to offer; and it shall be the
duty of said committee to visit all cities and towns making such requests, and
to view the sites they have to offer, and as soon as practicable after said
committee shall have viewed all sites offered, such locating committee shall
meet and select locations for such normal colleges; provided that said locating
committee shall meet and select locations for such normal colleges; provided that
said locating committee shall locate said normal colleges not later than
October 1, 1915; and for the purpose of paying traveling expenses and other
expenses of said board, including clerk hire, there is hereby appropriated
out of the funds of the treasury not otherwise appropriated the sum of twenty-
five hundred ($2,500.00) dollars. Such committee may employ a clerk at a salary
not to exceed one hundred ($100.00) dollars per month for such services as may
be needed.

Section 6. It shall be the duty of the Attorney General of the State of Texas
to examine and approve all abstracts of title (to be furnished by the owner)
to any and all real estate that may be donated either for the site for buildings
of said colleges or for any other purpose, and the abstracts of the title
of the real estate of the building sites of such colleges which may be selected
by such committee shall be so examined by the Attorney General, and approved
by him before any location is finally made; provided, however, that nothing
herein shall prevent said committee from selecting locations and announcing same
conditional upon the approval of the title by the Attorney General. After
examination and approval of the title to the lands donated for each of said
normal colleges, the Attorney General shall cause to be prepared and duly
executed proper deeds of conveyance to said lands selected, which deeds shall be
held in escrow by the State Treasurer conditioned upon the erection and opening
of the respective colleges.

Section 7. Said committee, as soon as locations are made, shall make a full
report to the Governor of all actions in carrying out the provisions of this
Act in regard to locations, including an itemized statement of all moneys paid
out, and also an itemized descriptive list of all donations of lands made and
accepted for said normal colleges.

Section 8. As soon as funds are made available under proper appropriation, the
State Normal School Board of Regents shall proceed to secure plans and
specifications for a building or buildings and equipments of said State Normal
Colleges, and to let the contract for such building or buildings and equipments
to the lowest responsible bidders.

Section 9. The control and regulation of said State Normal Colleges is hereby
vested in the State Normal School Board of Regents under the laws now in force
governing said board, or which may hereafter be enacted, and such Board of Regents
shall meet as soon as practicable after the first day of January next preceding
the date of opening in October, and make rules and regulations for the organization
and maintenance of the said colleges; and as soon after the selection
of the location of said colleges as practicable, in no event to be later than
May 1st preceding date of opening of each college, to elect such officers and
teachers and instructors and employees as may be necessary for properly carrying
out the work of said college.

Section 10. Emergency clause.

Approved March 22, 1915 Takes effect 90 days after adjournment.

Not located—Supreme Court refuses to act.
Whereas, there is in existence and being maintained and operated at Commerce within this state an independent and privately owned normal college known as the "East Texas Normal College" which has been in existence some 23 years and has educated many thousand young men and young women of the State and particularly during said period of time has had in attendance upon it many thousand young men and young women who have taken the examinations provided for teachers of the State in obtaining certificates, and among others, 7,463 who, during the last ten years have attended the summer sessions of this school alone, and taken the examinations for teachers' certificates, which said record in the education of teachers compares favorably with the various normal schools of the State for the same period of time jointly and severally, and,

Whereas, said school is one already equipped for educational purposes having, among other properties, the following to-wit: 30 acres of land for campus and school purposes of the reasonable value of $15,000.00; a 3 story brick administration building with concrete foundations and basement of the reasonable value of $50,000.00; a 3 story girl's dormitory of similar construction of the reasonable value of $50,000.00, containing 120 outside rooms, together with a dining hall capacity, and which has furnished a dining capacity of 600 students at one time; a 3 story boy's dormitory of similar construction with 116, outside rooms, of the reasonable value of $30,000.00; a 3 story frame dormitory furnishing sufficient room occupancy for 60 students valued at $5000.00; said three dormitories having a capacity of care for 560 students; a 3 story brick science hall commodious and ample for instruction and experiments in the natural sciences sufficient to accommodate an average student body of 1000 students, of the reasonable value of $10,000.00; a library of 10,000 well selected volumes, well housed and accessible in the administration building, and physical and chemical laboratory furnishings and apparatus, which with the library aforesaid is of the reasonable value of $15,000.00; making a total valuation of said educational plant in the sum of $175,000.00, and, the citizens of Commerce, Texas, further obligate themselves to purchase and present to the State ten (10) acres of land either joining said campus of said East Texas Normal College, or of such proximity to the said campus, as to be of use to the said institution as a part of the campus, making forty acres as the total amount of land in said campus, and,

Whereas, the growth and success of said school has demonstrated the necessity for its existence and the utility of its location, and,

Whereas, the citizens of Commerce have proposed to the Legislature, the donation of said school to the State as a normal school, provided, the Legislature will pay therefor, the sum of $80,000.00 to the founder of said school who has his life savings invested therein, and,

Whereas, the citizens of said town of Commerce own a plot of ground consisting of about five acres on which there is a three-story brick dormitory, also owned by the citizens of said town of Commerce which they propose to donate to the State for use by the Normal College hereinafter referred to as the campus of said institution, and,

Whereas, said town of Commerce have proposed to the Legislature, a donation of said property herein above described; provided, that the state will pay therefor the sum of $80,000.00 to the founder of said school, and who is now owner thereof, except the said five acres of land and the brick dormitory thereon, now therefore,
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That the State Normal School Board of Regents is hereby authorized and empowered to purchase the aforesaid property of said East Texas Normal College insofar as the appropriations herein provides for a purchase, in the event said Board shall find the facts stated herein substantially true, and that said property including said five acres of land and brick dormitory thereon, is reasonably worth the said sum of $175,000.00. But if in the opinion of said Board said property is not reasonably worth said sum of $175,000.00, then they are authorized in their discretion to purchase said property by paying therefor such pro rata part of $80,000.00 as the value of said property, as they may determine it, shall bear to said sum of $175,000.00, provided, that said citizens of Commerce shall donate to the state of Texas, for and as part of said Normal school said five acres of ground and the city of Commerce shall enter into a valid contract to furnish free of charge to the state for said Normal school all water used by said institution. In the event said purchase of said property, said Board shall cause the title thereto to be examined by the Attorney General, and if approved, then shall take deeds and bills of sale, said property shall be conveyed to the Governor of the State of Texas, and his successors in office for the use and benefit of the State of Texas, and said school.

Section 2. There is hereby created a normal school to be one of the State Normals of this state to be located at Commerce, in Hunt County, Texas, and to consist in original equipment of the properties and buildings, and furnishings and equipment to be purchased as hereinafore provided from the owners of the East Texas Normal College heretofore referred to.

Section 3. Said normal college shall be conducted as the other State Normals of this State are conducted; shall be under the management and control of the State Normal School Board of Regents and all laws of this state applicable to State Normal schools, both in creating rights and prescribing limitations, and in all other respects shall be applicable to the said East Texas Normal College.

Section 4. The appropriation herein provided shall not be paid over in the consummation of the purchase of the properties here referred to become the property of the State until the deeds are received after the date above named and the money paid therefor. It is further provided, that the said Board, after the purchase of said property as aforesaid, shall have authority to permit the school to continue under its present management and as a private institution under the direction of the State Normal School Board of Regents; and the citizens of Commerce obligate themselves to pay for the maintenance of said institution under its present management until the 36th Legislature makes an appropriation for its support and maintenance, at which time the Board of Regents shall then take complete charge and operate the same as the State's school.

Section 5. The sum of $80,000.00, or so much thereof as may be necessary, is hereby appropriated out of any funds in the treasury not already appropriated, for the purpose of carrying into effect the provisions hereof in the purchase of the property aforesaid.

Section 6. Emergency clause.

Approved April 4, 1917 Takes effect 90 days after adjournment.
Establishment of "Sul Ross Normal College."
Chapter 197
(S. L. No. 397)

Section 1. That there shall be established at Alpine, in Brewster County, Texas, a normal school to be known as "Sul Ross Normal College," provided, that citizens of Brewster County shall, within sixty days after this Act takes effect, convey or cause to be conveyed to the State of Texas, by an immediate and perfect title, a building site, to be located somewhere within three miles of the county court house of said county, which tract of land shall be located and designated by the State Normal School Board of Regents, except such donations of land as may be offered as a site for the buildings or building of said college, and such buildings as may be located on the land donated, and in no event shall a building site of less than one hundred (100) acres be considered or accepted, provided, that if the donation and proposition mentioned herein is not fully complied with by the citizens of Brewster County to the satisfaction of the State Normal School Board shall be open to such other places in the Twenty-fifth Senatorial District as the State Normal School Board of Regents may deem satisfactory and advantageous to the State.

Section 2. It shall be the duty of the Attorney General of the State of Texas, to examine and approve all abstracts of title, to be furnished by the owner of any and all real estate that may be donated, either for a site for the buildings of said college or for any other purpose in connection with the establishment of said school, the abstracts of title to the real estate of the building site of said college which may be selected by said State Normal School Board of Regents shall be so examined by the Attorney General and approved by him before any location is finally made; provided, however, that nothing herein shall prevent said State Normal School Board of Regents from selecting a location and announcing same conditioned upon the approval of the title thereto, by the Attorney General. After examination and approval of the title to the lands donated for said college, the Attorney General shall cause to be prepared and duly executed proper deed or deeds of conveyance to said lands selected, which deed or deeds shall be held in escrow by the State Treasurer conditioned upon the erection and opening of said college.

Section 3. As soon as funds are available under proper appropriations, the State Normal School Board of Regents shall proceed to secure plans and specifications for a buildings or buildings and equipment of said State Normal College, which building or buildings and equipment shall be sufficient to accommodate at least five hundred pupils, and to let the contract for such building or buildings and equipments to the lowest responsible bidder or bidders; said State Normal School Board or Regents shall meet October 1, 1917, or as soon thereafter as practical for the purpose of receiving said plans and specifications for said building or buildings and equipments to be completed on or before October 1, 1918, on which date the said Sul Ross Normal College shall be opened and ready for the reception of Students.

Section 4. The control and regulation of said Sul Ross Normal College is hereby vested in the State Normal School Board of Regents under the laws now in force governing said Board, or which may hereafter be enacted, and such Board of Regents shall meet as soon as practical after the first day of January, 1918, and make rules and regulations for the organization and maintenance of said college, and to elect such officers and teachers and instructors and employees as may be necessary for properly, carrying out the work of said college.

Section 5. It shall be the duty of the State Normal School Board of Regents
to elect a president of the Sul Ross Normal College at any time after sixty days after the location of such Normal College shall have been made; provided, that he shall be elected at least six months before the date fixed for the opening of said Normal College; and he shall draw his salary from the date of his acceptance of said election.

Section 6. The sum of two hundred thousand ($200,000) dollars is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, to be expended in the payment of accounts legally contracted in constructing and equipping the building or buildings of the Sul Ross Normal College; said accounts to be paid upon warrants issued by the Comptroller of Public Accounts after the accounts shall have been audited and approved by the State Normal School Board of Regents, and the sum of forty thousand ($40,000) dollars is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, for the maintenance of said Sul Ross Normal College for the fiscal year ending August 31, 1919, and for the payment of the president's salary for the year August 31, 1918; and the Legislature shall, after the taking effect of this Act, from time to time after the fiscal year ending August 31, A. D. 1919, make such appropriations for the maintenance and government of said Sul Ross Normal College as may be necessary which shall be paid out upon vouchers drawn in such manner as may be approved by the laws now in force governing the State Normal School Board of Regents, or which may hereafter be enacted.

Section 7. Emergency Clause. Approved April 4, 1917 Takes effect 90 days after adjournment.

WEST TEXAS A & M COLLEGE
Chapter 29

General Law, Regular Session, 35th Legislature, February 20, 1917.
Governor J. E. Ferguson, Lieut. Governor, W. F. Hobby, Commissioner of Agriculture
Fred W. Davis, Supt. W. F. Doughty, Speaker F. O. Fuller, the locating committee, located the College at Abilene. $500,000 for buildings etc.

Chapter 15
Acts 2nd called session, 35th Legislature, October 11, 1917, repeals Act establishing West Texas A & M College.

H. B. 154
Bill to establish branch A & M College in West Texas, west of 98th meridian and north of 30th parallel passed House March 12, 1921, 55 by 34 votes—Senate 21 by 3 votes. Vetoed by Governor Pat M. Neff.

Texas Technological College
Chapter 20

Acts of Regular Session, 35th Legislature, March 1923, established Texas Technological College, to be located North of 29th parallel and west of 98th meridian. Co-educational—agricultural and industrial—appropriation $1,000,000 for buildings. Located at Lubbock by chairman S. B. Cowell, of State Board of Control, State Supt. S. M. W. Kars, President R. E. Vinson, of University of Texas, President W. B. Bazzell, of A & M College, and President F. M. Bralley of College of Industrial Arts.
ESTABLISHMENT OF TWO NORMAL SCHOOLS

H. B. No. 72)

Section 1. That two State Normal Schools for the education of white teachers are hereby established at places in Texas located as follows: One in the territory composed of all of that part of the State of Texas lying south of the twenty-ninth parallel of latitude with the counties of Kinney, Uvalde and Medina added, and the name of said Normal School shall be "South Texas State Normal College;" the other in the territory composed of all that part of the State of Texas lying east of the ninety-sixth meridian, and the name of said Normal College shall be "Stephen F. Austin State Normal College."

Section 2. Said two Normal Schools shall be created and ready for reception of students on October 1st, 1918.

Section 3. The Governor of Texas, the State Superintendent of Public Instruction and the State Normal School Board of Regents are hereby designated a locating committee to locate the said two normal colleges; provided that if any one member of this said committee resides within the territory in which either of these normals is to be located that member shall not take part in the locating of said normal in the territory in which he lives. The majority of said committee shall constitute a quorum for the transaction of business, and no member of said committee who has material or pecuniary interest of any kind in any town or place offered for the location of said normals shall be qualified or authorized to act on said committee. Provided that if any member of said locating board shall die, resign, or refuse to act before both of said Normal Colleges are located the Governor shall be, and is hereby authorized and empowered to appoint any person or persons on said committee, who shall become members thereof, and are hereby authorized and empowered to assist the remaining members of said committee in the locating of said Normal Schools.

In considering the claims of any place that may apply for the location of either of said colleges, said committee shall consider the healthfulness, accessibility, general physical conditions and environments, together with the general moral tone, educational system and social qualities of the people of said place. No donation or bonus of any kind or character shall be considered by said locating committee of either of said colleges, except such donations of land as may be offered by any place as a site for the building or buildings of said colleges, and in no event shall a building site of less than fifty (50) acres be considered or accepted. After the passage of this Act, any city or town within either of said Normal School Districts named in Section One of this Act, desiring the location of said college in that respective district, may file its application with the chairman of said locating committee, together with the description of the land it has to offer, requesting the committee to view the site said city or town has to offer; and it shall be the duty of said committee to visit said cities or towns making such requests, and to view the sites they have to offer, and as soon as practicable after said committee shall have viewed all sites offered, such locating committee shall meet and select a location for each of said normal colleges; provided that said locating committee shall locate said normal colleges not later than August 1st, 1917, and for the purpose of traveling expenses and other expenses of said Board, including clerk hire, there is hereby appropriated out of the funds of the treasury, not otherwise appropriated, the sum of one thousand ($1,000.00) dollars. Such committee may employ a clerk at a salary not to exceed one hundred ($100.00) dollars per month, for such services as may be needed. Said Committee, as soon as the locations are made for said colleges, shall make a full report of all of its actions in carrying out the provisions of this Act in regard to location, including an itemized statement of all money paid out, and also an itemized descriptive list of all donations of land made and accepted for said normal
colleges.

Section 4. It shall be the duty of the Attorney General of the State of Texas, to examine and approve all abstracts of title, to be furnished by the owner, to any and all real estate, that may be donated either for the site for the buildings of said colleges or for any other purpose, and the abstracts of title to the real estate of the building sites of such colleges which may be selected by said locating committee shall be so examined by the said Attorney General, and approved by him before any location is finally made; provided, however, that nothing herein shall prevent said locating committee from selecting a location and announcing same conditioned upon the approval of the title thereto, by the Attorney General. After examination and approval of the title to the lands donated for said colleges the Attorney General shall cause to be prepared and duly executed proper deed or deeds of conveyance to said land selected, which deed or deeds shall be held in escrow by the State Treasurer conditioned upon the erection and opening of said colleges.

Section 5. As soon as funds are available under proper appropriation, the State Normal School Board of Regents shall proceed to secure plans and specifications for a building or buildings and equipment of each of said colleges, which building or buildings and equipment of each college shall be sufficient to accommodate at least four hundred pupils, and to let the contract for such building or buildings and equipment to the lowest responsible bidder or bidders; said State Normal School Board of Regents shall meet October 1st, 1917, or as soon thereafter as practical for the purpose of receiving said plans and specifications for said building or buildings and equipments to be completed on or before October 1st, 1918, on which date the said colleges shall be opened and ready for the reception of students.

Section 6. The control and regulations of said colleges is hereby vested in the State Normal School Board of Regents under the law now in force governing said Board, or which may hereafter be enacted, and such Board of Regents shall meet as soon as practical after the first day of January, 1918, and make rules and regulations for the organization and maintenance of said colleges, and to elect such officers and teachers and instructors and employees as may be necessary for properly carrying out the work of said colleges.

Section 7. The sum of one hundred and fifty thousand ($150,000.00) dollars is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, to be expended in the payment of accounts legally contracted in constructing and equipping the building or buildings of said South Texas State Normal College; and the sum of one hundred and fifty thousand (150,000.00) dollars is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, for the maintenance of said South Texas State Normal College for the fiscal year ending August 31st, A. D. 1919, make such appropriation for the maintenance and government of said colleges as may be necessary, which shall be paid out upon vouchers drawn in such manner as may be approved by the laws now in force governing the State Normal School Board of Regents, or which may hereafter be enacted.


Section 1. Creation of College. There is hereby established in Texas, in the City of Kingsville, Kleberg County, a co-educational institution of learning for the white youth of this State, which shall be known as the Texas College of Arts and Industries, and the South Texas State Teachers College is hereby merged into said institution, the same to be conducted operated and maintained under a new Board of Directors as herein provided.

Section 2. Organization, Control and Management. The organization, control and management of such College shall be vested in a Board of nine Directors who shall be appointed by the Governor of Texas and confirmed by the Senate. The term of office of each director shall be six years; provided that in making the first appointment the Governor shall appoint three members for two years, three members for four years and three members for six years. Any vacancy that occurs on the Board shall be filled for the unexpired term by the Governor. The members of said Board shall be removable by the Governor for inefficiency or in-attention to the duties of his office. Each member of the Board shall take the constitutional oath of office. The said board of directors shall meet for the first time after the passing of this act at the time and place designated by the Governor, as soon after their appointments as possible. They shall select a President for the College as soon as possible after the organization of the said Board of Directors. They shall fix his term of office, name his salary and define his duties. The President of the College shall be the executive officer for the board of directors and shall work under their directions. He shall recommend the plan organization, and the appointment of employees of said College; and shall have the cooperation of said Board of Directors and shall be responsible to said Board for the general management and success of said college.

Section 3. The Work of the College. The general purpose of the Texas College of Arts and Industries shall be to prepare people for better living, through the application of science to the every day affairs of life. The work of the said college, its materials, or subject matter, and courses of study shall be divided into four divisions, to-wit:

1. Liberal Arts. The liberal arts division shall embrace the fine arts, languages, literature, mathematics, the natural sciences, the social sciences including history, civics, and sociology. These shall be taught as such subjects are presented in the universities and the better class of senior colleges of the country, and as the board of directors may order.

2. Industrial Arts and Commerce. The college of Arts and Industries shall provide instruction of the best class in:

   (a) Agriculture, and associated subjects, as agronomy, horticulture, fruit and grape culture, and farm management.

   (b) Animal Husbandry and allied forms shall have intelligent and persistent attention, as stock breeding, feeding, "packing" and marketing. Dairying and its by-products shall be promoted by the work of the said college.
(c) Engineering in its appropriate and practical applications to the problems of industrial development shall be taught with efficiency in said Texas College of Arts and Industries, to-wit: Civil, electrical, textile, mechanical, agricultural and architectural.

(d) Instruction shall be given in geology in its relation to its mineral products, their mining, refining and uses to man. The mechanical arts in their lowest forms as they appear in blacksmith and carpenter shop, and in their higher forms of complicated machinery shall be taught well in the said Texas College of Arts and Industries, to the end that the college may lend itself to the development of the mechanical genius of the youth that may attend the college that they "better support themselves and those dependent upon them" through improved skills in these every day arts by which men may earn a living.

(e) The Texas College of Arts and Industries shall provide courses and give instruction in domestic science and art that shall equip the young women students to become efficient home makers. This department shall offer courses in the chemistry of cooking, canning, preserving, and other forms of culinary arts. Apple courses shall be offered in the care of health, home nursing, the care of children, and other domestic duties that may devolve upon the housewife. Apple and abundant courses shall be offered in making cloth, clothing, planning and decorating homes, and such other forms of domestic service as are usually found in colleges of the first rank in this field in Texas and other sections of the country. Home economics and its sub-divisions and allied subjects shall be provided for the young women who desire to become teachers, in such a way as to enable them to meet the standard requirements of the laws of the State and of the Federal Government for teachers of this subject.

3. Education. When the board of directors of the Texas College of Arts and Industries shall by law assume the duties of the Regents of the Teachers Colleges, they shall continue the Teachers College permanently, and for the first year shall continue it just as they find it, in no case shall they weaken the organization of the Teachers College, nor diminish its efficiency. But they shall control, manage and equip said Teachers College so that it may continue to grow and expend in every way to meet the needs of South Texas for a strong college to care for the training of the teachers of the public schools of this section, from the kindergarten to the high school including both, provided only that the name shall be changed, and the South Texas State Teachers College as at present constituted shall become a permanent and an important part of the greater Texas College of Arts and Industries.

4. Military Training. The art and science of military training shall be offered and male students of the Texas College of Arts and Industries as shall be provided by the board of directors of said college of Arts and Industries, and under such rules and regulations as the said board may prescribe, provided that all rules and regulations made to govern such military training shall comply with the laws of Texas and of the United States.

Section 4. Courses and Degrees. Such courses of study shall be offered in the Texas College of Arts and Industries as are found in senior colleges of the first rank in similar fields in Texas, or elsewhere, as the board of directors may order, provided that any bachelor's degree shall be based on four years of college work, and any higher degree may be offered with appropriate courses, when in the judgment of the board of directors the educational welfare of the people served by the college demands such advanced courses and degrees, and provided that all work done and all credits, certificates and diplomas given to students shall conform to standard college requirements as proposed by the accrediting agencies of Texas, of the South, and of the other sections of the country. Short courses, long courses and special courses of intense practical value shall be given from time to time by the Texas College of Arts and Industries in the subjects of health, home economics, agriculture and industry,
and such other subjects of practical value to the people as the board of directors shall order and direct.

Section 5. Changing the Management of the South Texas State Teachers College,

At the beginning of the school year, September first after the passage of this bill, the control and management of the South Texas State Teachers College shall be divested out of the Board of Regents of the Texas State Teachers College and invested in the Board of Directors of the Texas College of Arts and Industries as provided in this Act, who shall administer the affairs of the college according to the laws of Texas and the provisions of the Act. The corporeal property of the South Texas State Teachers College at the time of the passage of this Act, the control of which shall pass into the hands of the Board of Directors of the Texas College of Arts and Industries, consists of the following items:

<table>
<thead>
<tr>
<th>Property Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>A College campus of Fifty (50) acres. Estimated value</td>
<td>$12,500</td>
</tr>
<tr>
<td>A Farm and pasture, One Hundred Six (106) acres, barn, rent house equipment and live stock</td>
<td>10,000</td>
</tr>
<tr>
<td>Pasture Land Two hundred twenty-five (225) acres</td>
<td>9,000</td>
</tr>
<tr>
<td>Main Building and Equipment</td>
<td>400,000</td>
</tr>
<tr>
<td>Boiler House and shop</td>
<td>1,000</td>
</tr>
<tr>
<td>Garage</td>
<td>950</td>
</tr>
<tr>
<td>President's home</td>
<td>16,000</td>
</tr>
</tbody>
</table>

Total properties $449,450

Should the future development of the said Texas College of Arts and Industries ever require additional land for the accomplishment of its purposes as an industrial college, it shall have the right of eminent domain to acquire such land for its own use, and shall have the right to proceed under condemnation proceedings the same as is now enjoyed by Railroad Companies under the laws of Texas.

Section 6. Additional Courses. The specifications of courses of study written in this Act shall not prohibit the board of directors from adding other courses, subjects or groups of subjects necessary to enable the Texas College of Arts and Industries to perform its functions as college of arts and applied science in the most practical and efficient way. The Board of Directors are required and directed to build and control a State College of the first rank that shall compare favorably with the splendid college of Texas in the preparation of teachers for the schools, and artists and artisans for the varied interests and industries possible in the section in which the Texas College is located. This college shall be equipped adequately to do its work well, as the other State colleges perform their functions. To this end the President of the said college and the Directors of the same shall biennially place before the Legislature fully and frankly the growing needs of this college which is placed in the midst of a rapidly developing section of this State, to the end that it may stimulate and guide as well as possible the citizens and people generally into prosperity, moral righteousness, peace and happiness.

Section 7. All power, duties and functions of the Board of Regents of the State Teachers Colleges under the law shall vest in the Board of Directors herein created in connection with the State Teachers College work of the institution herein provided for except where in conflict with this Act.

Section 8. Any unexpended balance of any appropriation available for the South Texas State Teachers College shall still be available to the board herein created for the same purposes.
Section 9. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 10. Emergency Clause.

(Note. - S. B. No. 292 passed the Senate, 25 ayes, 5 nays; passed the House 61 ayes, 53 nays.)

Approved March 27, 1929 Effective 90 days after adjournment.

(Forty-First Legislature—Regular Session)

**Act Creating State Normal School Board of Regents**

General Laws. Thirty-Second Legislature
First Called Session
July 31 - August 29, 1911 2647-1-11

**Chapter 5.**

Section 5. The Board of Regents shall be charged with the responsibility of the general control and management of all State Normal Schools for white teachers now established or that may be established in the future in Texas, and shall have authority to erect, equip and repair buildings; to purchase libraries, furniture, apparatus, fuel, and other necessary supplies; to employ and discharge presidents or principals, teachers, treasurers and other employees; and to fix the salaries of the persons so employed, it being made the duty of the principal of each of the State Normal Schools to nominate annually to the Board of Regents such professors, teachers, officials and assistants as in his opinion will promote the best interests of the institution; provided, that no obligations may at any time be incurred that can not be discharged by the amount of money appropriated by the Legislature for such purposes, except as provided in Section 7 of this act.

Sec. 7. The Board of Regents herein provided for shall have authority to determine what departments of instruction shall be maintained in the State Normal Schools for white teachers, and what subjects of study shall be pursued in each department; provided, that said board shall not change departments of instruction provided by law; provided, that no department shall be established for the support of which no provision has been made by the Legislature. The Board shall also have authority to fix the rate of incidental fees to be paid by students attending the State Normal Schools for white teachers, and to prescribe rules for the collection of such fees and for the disbursement of such funds.

Sec. 11. All appropriations made by the Legislature for the support and maintenance of State Normal Schools for white teachers, for the purchase of land or buildings for the use of such schools, for the erection or repair of buildings, for the purchase of apparatus, libraries or equipment of any kind or for any other improvement of any kind, shall be disbursed under the direction and authority of the Board of Regents; and said board shall have power to formulate and establish such rules for the general control and management of the State Normal Schools for white teachers, for the auditing and approving of accounts, and for the issuance of vouchers, and warrants as in their opinion may be necessary for the efficient administration of such schools; provided, that such board shall file in each House of the Legislature at each of its regular biennial sessions, a statement of the receipts and expenditures of each of said Normal Schools, showing the amount of salaries paid to the various teachers, contingent expenses, expenditures for improvements, etc., together with such recommendations as the board may see proper to submit relative to the appropriation for said schools to be made by the Legislature.
STATE NORMAL COLLEGES—CHANGING NAME OF
General Laws, Thirty-eighth Legislature, Regular Session, 1923

Chapter 160.

Section 1. Hereafter the name of the Sam Houston Normal Institute shall be
"The Sam Houston State Teachers College, at Huntsville;" the North Texas State
Normal College shall be "The North Texas State Teachers College, at Denton;" the
Southwest Texas State Normal School shall be "The Southwest Texas State Teachers
College, at San Marcos;" the West Texas State Normal College shall be "The
West Texas State Teachers College, at Canyon;" the South Texas State Normal
College shall be "The South Texas State Teachers College, at Kingsville;" the
Stephen F. Austin State Normal College shall be "The Stephen F. Austin State
Teachers College, at Nacogdoches;" the East Texas Normal College shall be "The
East Texas State Teachers College, at Commerce;" the Sul Ross Normal College
shall be "The Sul Ross State Teachers College, at Alpine." All laws heretofore
or hereafter enacted applicable to these schools under their old names shall be
likewise applicable to such schools under their new names.

Section 2. Emergency Clause.

SIX YEAR TERMS FOR REGENTS

Constitutional Amendment

(H. J. R. No. 9)

Section 1. That Article 16 of the Constitution be amended by adding a new
section thereto, to be known and designated as "Section 30a," and to read as
follows:

Section 30a. The Legislature may provide by law that the members of the Board
Of Regents of the State University and Boards of Trustees or Managers of the
educational, eleemosynary, and penal institutions of the State, and such boards
as have been, or may hereafter be established by law, may hold their respective
offices for the term of six (6) years, one-third of the members of such
boards to be elected or appointed every two (2) years in such manner as the
Legislature may determine; vacancies in such offices to be filled as may be
provided by law, and the Legislature shall enact suitable laws to give effect
to this section.

Sec. 2. The foregoing Constitutional amendment shall be submitted to a vote
of the qualified electors for the members of the Legislature, at the next general
election to be held in this State, at which election all voters favoring said
proposed amendment shall have printed or written on their ballots: "For the
amendment of Article 16 of the Constitution of the State of Texas, regulating the
term of office of the Board of Regents of the State University, and other
Boards of Trustees, or Managers, heretofore or hereafter established by law."
And all voters opposed to said amendment shall have printed or written on their
ballots the words: "Against the amendment of Article 16 of the Constitution
of the State of Texas, regulating the term of office of the Board of Regents
of the State University, and other Boards of Trustees, or Managers, heretofore
or hereafter established by law."

Sec. 3. The Governor of this State is hereby directed to issue the necessary
proclamation for said election, and have the same published, as required by the
law of this State.

Sec. 4. The sum of five thousand dollars ($5,000.00), or so much thereof as
may be necessary, is hereby appropriated out of any funds in the State Treasury,
not otherwise appropriated, to defray the expenses of said proclamation,
pubishation and election.
SIX YEAR TERMS FOR REGENTS
Legislative Act

(S. B. No. 203)
Sec. 1. Specified Board of Regents of the University of Texas, A. and M. College, Normal Colleges, C.I.A., and the Board of Managers of Eleemosynary and other State institutions.

Sec. 2. The members of the governing board of each of the State institutions of higher education mentioned in Section 1 shall be selected from different portions of the State, and shall be nominated by the Governor, and appointed by and with the advice and consent of the Senate. In event of a vacancy on said board, the Governor shall fill said vacancy until the convening of the Legislature and the ratification by the Senate. The members of each of said boards who shall be in office at the time of this Act takes effect shall continue to exercise their duties until the expiration of their respective terms, as shall be determined according to requirements of Section 3 of this Act, and additional members shall be appointed in the manner prescribed herein to fill out the membership herein provided for.

Sec. 3. The following members of the several governing boards shall be divided into equal classes, numbered one, two and three, as determined by each board at its first meeting after this Act shall become a law, these classes shall hold their offices two, four and six years respectively, from the time of their appointment. And one-third of the membership of each board shall hereafter be appointed at each regular session of the Legislature to supply the vacancies made by the provisions of this Act and in the manner provided for in Section 2, who shall hold their offices for six years, respectively. The duties of the several governing boards shall be determined by law heretofore enacted or that may hereafter be enacted, no changes in the said duties being made by this Act.

Sec. 4. Emergency Clause. Approved April 2, 1913

INCREASING MEMBERSHIP OF BOARD OF REGENTS
OF STATE TEACHERS COLLEGES TO NINE

(S. B. No. 130)
Chapter 135
Sec. 1. Hereafter the Board of Regents of the State Teachers Colleges of this State shall be composed of nine persons to be appointed by the Governor of the State of Texas. Immediately upon the taking effect of this Act the Governor shall appoint three new members, so that the term of one of said three members shall expire simultaneously with the expiration of two of the present members of the Board, one to expire simultaneously with the remaining two members of the Board, and the term of office of each shall be six years. The Board thus constituted shall be charged with the powers, duties and functions of the present Board of Regents of the State Teachers Colleges and all laws applicable to said Board of Regents and the members thereof shall be likewise applicable to the new board as herein constituted and the members thereof.

Sec. 2. Emergency Clause.

Approved March 2, 1929 Effective March 2, 1929 (Forty-First Legislature - Regular Session)
Section 1. No State educational institution shall collect from the student thereof any tuition, fee or charge of any kind whatever except as permitted by this Act, and no student shall be refused admission to or discharged from any such institution for the non-payment of any tuition, fee or charge except as permitted in this Act.

Section 2. Any such educational institution may collect from each student a matriculation fee of not to exceed thirty ($30) dollars for any term of nine months, and laboratory charges to cover actual laboratory materials and supplies used by such student not to exceed in any event four ($4.00) dollars for any one year from any one student in any one laboratory course. Matriculation fees for any six weeks may not exceed five dollars, or for any ten weeks term, not to exceed ten dollars. Provided, however said educational institutions may collect reasonable deposits from students each year to insure said institutions against losses, breakage etc. in libraries and laboratories, said deposits to be returned at the end of each school year minus such damage, loss or breakage as may have been done by each individual student who has put up a deposit.

Section 3. The words "State educational institutions" as used in this Act shall include the following and any branch thereof: The University of Texas; the Agricultural and Mechanical College of Texas; the various State Teachers' Colleges of Texas; the College of Industrial Arts of Texas; the John Tarleton Agricultural College of Texas; the North Texas Agricultural College; the Prairie View State Normal and Industrial College; the Texas Technological College; and any other State educational institutions either heretofore provided for or hereafter to be provided for under the laws of this State.

Section 4. Nothing in this Act shall prevent the collection of fees or charges voluntarily paid by the students to cover the expense of student activities; provided, however, that the same shall never be made compulsory or required by the educational institution as a condition precedent to a student entering or continuing at said institution.

Section 5. Emergency Clause.

PELLARD FEE BILL

March 30, 1927
Section 1. The governing boards of the several institutions of collegiate rank supported in whole or in part by public funds appropriated from the State Treasury shall cause to be collected from students registering in the said schools after September 1, 1933, tuition at the following rates:

1. From each resident student, who registers for twelve (12) or more semester hours of work per semester of four and one-half (4½) months, Twenty-five Dollars ($25.00) per semester; or, who registers for twelve (12) or more term hours of work per term of three (3) months, Sixteen Dollars and Sixty-seven Cents ($16.67) per term.

2. From each non-resident students, who registers for twelve (12) or more semester or term hours of work an amount equivalent to the amount charged students from Texas by similar schools in the State of which the said non-resident student shall be a resident, said amount to be determined and fixed by the governing boards of the several institutions in which said students may register, but in no event shall such amount be less than that charged to students resident in Texas. Provided, however, that if this paragraph shall be held to be unconstitutional or void for any cause, there shall be collected from each non-resident student the sum of One Hundred Dollars ($100.00) for each semester or Sixty-six Dollars and Sixty-seven cents ($66.67 for each term. A non-resident student is hereby defined to be a student of less than twenty-one (21) years of age, living away from his family and whose family resides in another State, or whose family has resided within this State for a period of time less than twelve (12) months prior to the date of registration, or a student of twenty-one (21) years of age or over who resides out of the State or who has resided within the State for a period of less than twelve (12) months prior to the date of registration.

3. From each resident or non-resident student who registers for less than twelve (12) semester or term hours of work, a sum proportionately less than that herein above prescribed therefor, provided each student registered shall pay no less than Seven Dollars and Fifty Cents ($7.50) per semester nor less than Five Dollars ($5.00) per term.

4. From each student registering for a summer session such amount as shall be fixed by the governing board of such institution, but in no event less than Twenty Dollars ($20.00) for a twelve (12) weeks term nor more than Thirty-five Dollars ($35.00) for a twelve (12) weeks term.

5. The foregoing provisions, requiring the governing boards to collect tuition, shall not be interpreted as depriving the said boards of the right to collect such library, laboratory, and other fees as they are nor permitted by law to collect.

Section 2. All tuition, local funds and fees collected by such institutions shall be retained and expended by such institutions and accounted for annually as provided in the General Appropriation Bill. Provided that laboratory fees or charges shall only cover actual materials and supplies used by a student.

Section 3. All laws and parts of laws in conflict with the provisions herein are hereby repealed.

Section 4. Emergency Clause.

June 3, 1933
Section 1. The governing boards of the Agricultural and Mechanical College of Texas, including Experiment Station System, and Extension Service and Rodent Control Service, and (naming fifteen other State Institutions), may retain control respectively of the following sums of money collected at each of said several institutions in carrying out the functions of an educational institution, such as funds collected from student fees of all kinds; charges for use of rooms and dormitories; receipts from meals, cafes and cafeterias; fees on deposit refundable to students under certain conditions; receipts from school athletic activities; income from student publications or other student activities; receipts from sale of publication products and miscellaneous supplies and equipment; students' voluntary deposits of money with said schools for safe keeping; all other fees and local institutional income of a strictly local nature arising out of and by virtue of the educational activities, or research or demonstration carried on by each and all of said several schools.

Section 2. The governing boards of the respective institutions named in Section One above are authorized to select depository banks in places of deposit of all funds of the kind and character named in Section One, which are collected by said institutions, and said boards shall require adequate surety bonds or securities to be posted to secure said deposits, and may require additional security at any time any of said boards deem any said deposit inadequately secured. All funds of the character named in Section One hereof, which are so collected shall be deposited in said depository bank or banks within five days from the date of collection. Depository banks so selected are hereby authorized to pledge their securities to protect such funds. All depositories so designated shall pay interest on said deposits at a rate to be agreed upon by said depositories and said governing boards. Any surety bond furnished under the provisions of this act shall be payable to the Governor of the State and his successors in office, and venue of suit to recover any amount claimed by the State to be due on any of said bonds is hereby fixed in Travis County, Texas.

Section 3. Separate accounts shall be kept on the books of the respective institutions showing the sources of all sums collected, and the purposes for which expended. All trust funds handled by the governing bodies of such institutions shall be deposited in separate accounts and shall not be commingled with the general income from student fees or other local institutional income, and all such trust funds shall be secured by separate bonds or securities.

Section 4. True and full accounts shall be kept by the governing boards and by the employees of the said several institutions hereinabove mentioned of all funds collected from all sources by said institutions, and all the sums paid out by said several institutions and the persons to whom the purposes for which said sums are paid, and the governing board of each of said institutions named shall biennially, and more often, if the governing boards of any of said institutions shall so order, print a complete report of all sums collected, all expenditures, and of the sums remaining on hand; said report to be printed in even numbered years after the first day of September and before the first day of the following January, and shall show the true condition of all of said funds as of the 31st day of August preceding; and shall show all collections and expenditures for the preceding two years. The governing board of each of said several institutions, shall, upon the printing of said report, furnish copies thereof to the Governor, State Treasurer, State Comptroller of Public Accounts, State Auditor, Attorney General, not less than three copies of the Board of
Control, and shall, within a week after the selection of said committee, furnish a copy of each of said reports for the preceding biennium to each member of the House Appropriations Committee, the Senate Finance Committee, and the House and Senate Committees on Education of each Regular Biennial Session of the Legislature of Texas.

Section 5. The provisions of this Act shall not apply to any income derived from the Permanent Fund of the University of Texas, but all income derived from the Permanent Fund of the University of Texas and all income from the two million acres of land set apart to the University of Texas by the Constitution and by the Act of 1883, shall be deposited in the State Treasury and paid out on Comptroller's warrants as is now provided by law. All income to the Available University Fund shall be deposited with the State Treasurer within five days after receipt thereof by any State officer, agent or employee and shall be expended in accordance with Chapter 42, General Laws, Regular Session, Forty-second Legislature, 1931.

Section 6. The provisions of this Act shall apply only to the funds hereinabove specifically enumerated and other local institutional income or donations or gifts to said schools.

Section 7. Any State officer, agent, employee or member of a governing board of any of the above named institutions, or any other person who violates any provision of this Act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than Fifty ($50.00) Dollars, nor more than Five Hundred ($500.00) Dollars, and in addition may be sentenced to not less than fifteen (15) days nor more than three (3) months in the county jail. Failure to print and furnish to the officers above named, the reports above specified, shall subject all of the members of the governing board of the institutions above mentioned to the penalties provided for in this Section of the Act. Every day in excess of the number of days hereinabove provided for that any sum of money belonging to any of the funds enumerated in this Act, whether depositable in special depositories or whether those that should be deposited in the State Treasury, shall be withheld from deposit at its proper place of deposit, shall constitute a separate offense and each day of such withholding shall subject the officer, agent, employee or person so withholding said sum to the penalties herein provided for.

Section 8. If any Section, part or sentence of this Act shall be held unconstitutional, such holding shall not affect the remaining portions of this Act, and it is hereby declared that the Legislature would have enacted that part which is constitutional without having enacted the unconstitutional part, if any; and provided that all laws, or parts of laws, in conflict herewith, or contrary to this Act, be and they are hereby repealed.

Section 8a. No part of any of these funds shall ever be used to increase any salary beyond the sum fixed by the Legislature in the appropriations bill, and this law shall be subordinate and subservient to the biennial appropriation bills for the support of the several institutions herein mentioned.

Section 9. Emergency Clause.
DORMITORIES FOR STATE TEACHERS COLLEGES

Chapter 206

H. B. No. 503)  2647-a

Section 1. The Board of Regents of the Teachers Colleges of Texas is hereby authorized to enter into contracts with persons, firms, or corporations for the erection of dormitories at any Teachers College, and to purchase or lease lands and other appurtenances for the construction of such dormitories, provided that the State of Texas incurs no liability for the buildings or the sites.

Section 2. The said Board of Regents is hereby authorized to make contracts with reference to the collection and disposition of the revenue derived therefrom in the acquisition, management, and maintenance of said buildings.

Section 3. The Board of Regents is hereby authorized and empowered to adopt such rules and regulations requiring any class or classes of students to reside in such dormitories, or other buildings, as they may deem advisable. Absolute management and control of dormitories constructed under the provisions of this Act are vested in said Board of Regents.

Section 4. Emergency Clause.

Approved March 18, 1929    Effective March 18, 1929.
GOVERNING BOARDS OF VARIOUS EDUCATIONAL
INSTITUTIONS AUTHORIZED TO BORROW MONEY FROM
FEDERAL AGENCIES
Chapter 5

S. B. No. 9)

Section 1. That the Board of Regents of the University of Texas and its
branches, and the Board of Directors of the Agricultural and Mechanical College,
and its branches and the Board of Directors of Texas Technological College, and
the Board of Regents of the State Teachers Colleges, and the Board of Regents
of the College of Industrial Arts, and the Board of Directors of the College of
Arts and Industries are hereby severally authorized and empowered to construct
or acquire through, and only through, funds or loans to be obtained from the
Government of the United States, or any agency or agencies thereof, created
under the National Recovery Act or otherwise created by the Federal Government,
such funds to be acquired only through the Federal Government or such agencies,
and not otherwise, without cost to the State of Texas, and accept title, subject
to such conditions and limitations as may be prescribed by each of said boards,
dormitories, kitchens and dining halls, hospitals, and such other buildings
as may be needed for the good of the institutions and the moral welfare and
social conduct of the students of such institutions when the total cost, type
of construction, capacity of such buildings, as well as the other plans and
specifications have been approved by the respective governing boards.

Section 2. That said Boards are further authorized to make any contract with
reference to the collection and disposition of the revenues derived from any
building so constructed in the acquisition of construction, management, and
maintenance of any building or buildings acquired hereunder, and in anticipa­
tion of the collection of such revenues, and for the purpose of paying the
cost of the construction or acquisition of said building or buildings and
grounds said boards are severally empowered by resolution to authorize, sell,
and deliver its negotiable bonds or notes from time to time and in such amount
or amounts as it may consider necessary. Any bonds or notes issued hereunder
shall bear interest at not to exceed six per cent per annum, and shall finally
mature not more than forty years from date.

Section 3. Subject to the above restrictions each of said boards is given
complete discretion in fixing the form, conditions, and details of such bonds
or notes. Any bonds or notes issued hereunder shall not be an indebtedness
of the State of Texas, but shall be payable solely from the revenues to be
derived from the operation of said buildings.

Section 4. Each of said boards is authorized and empowered to pledge all or
a part of such revenues to the payment of such bonds or notes, and to enter
into such agreements regarding the imposition of sufficient charges and the
collection, pledge and disposition of such revenues as it may deem proper.

Section 5. Each of said boards is authorized to enter into agreements relat­
ing to the maintenance of a maximum percentage of occupancy of such
dormitories.

Section 6. Upon the acquisition, construction, or erection of such building
or buildings, absolute control and management shall vest in the respective
board of the institution of the building so constructed or acquired, subject
to any condition that may be provided in the grant.

Section 7. It is further provided that land owned by the State or any of
said institutions may be used as building sites and ground for such buildings
acquired under the provisions of this Act.
Section 8. Provided further that each of said boards is hereby authorized to acquire by gift or by purchase out of funds derived by pledging the revenues as herein provided such tracts of land, without cost to the State of Texas as may be necessary as building sites and grounds for the erection of such buildings.

Section 9. Provided further that each of said boards may make such contracts as may be necessary to properly carry out the provisions of this Act.

Section 10. Should any part or section of this Act be held to be unconstitutional, it shall not affect any other section or part hereof.

Section 11. This Act shall not repeal any statute now in effect, but shall be accumulative of all other statutes affecting the educational institutions of higher learning in Texas.

Section 12. It is provided further that any contract or agreement heretofore entered into, or any application now pending for the acquisition, erection, construction, or equipment of any building by either of said boards is hereby authorized, ratified, validated, and confirmed.

Section 13. Emergency Clause.

Approved February 16, 1934
Effective February 16, 1934

RELATING TO PLEDGING REVENUES OF EXISTING STRUCTURES AND BUILDINGS OF INSTITUTIONS OF HIGHER LEARNING FOR CONSTRUCTION OF NEW BUILDINGS

Chapter 204
2603-c Sec. 4

H. B. No. 946)

Section 1. That Section 4, Senate Bill Number 9, Chapter 5, Acts, Second Called Session, Forty-third Legislature and amended by Senate Bill Number 118, Regular Session, Forty-fourth Legislature, be and the same is hereby amended so that it will hereafter read as follows:

"Section 4. Each of said Boards is authorized and empowered to pledge all or a part of such revenues to the payment of such bonds or notes, and to enter such agreements regarding the imposition of sufficient charges and the collection pledge and disposition of such revenues as it may deem proper. In all cases where existing buildings or structures are repaired or enlarged or to which additions are constructed, the Board shall also have the power and are hereby authorized to pledge, incumber and/or dispose of the net revenues and/or dispose of the revenue derived from the additions or improvements to such structures.

"Each of said Boards is hereby authorized and empowered to enter into contracts with municipalities or school districts for the joint construction of museum, library buildings, or such other buildings as may be deemed necessary.

"Each of said Boards is hereby authorized and empowered to pledge the unused part of any revenues from self-liquidating buildings for the construction of any other buildings such Board may deem necessary. Each of said Boards is authorized and empowered to pledge the rentals of dormitories, cottages, or other income bearing property for the repair, enlargement, or construction of any other buildings such Board may deem necessary."

Section 2, Emergency Clause.
Section 1. Amend Section 1 of Chapter 5 of the Acts of the Second Called Session of the Forty-third Legislature, as amended by Chapter 23 of the Acts of the Regular Session of the Forty-fourth Legislature, and by Chapter 204 of the Acts of the Regular Session of the Forty-fourth Legislature, so that said Section shall hereafter be and read as follows:

Section 1. That the Board of Regents of the University of Texas and its branches, and the Board of Directors of the Agricultural and Mechanical College, and its branches, and the Board of Directors of Texas Technological College, and the Board of Regents of the College of Industrial Arts, and the Board of Directors of the College of Arts and Industries are hereby severally authorized and empowered to construct or acquire through, and only through, funds or loans to be obtained from the Government of the United States, or any agency or agencies thereof, created under the National Recovery Act, or otherwise created by the Federal Government, such funds to be acquired only through the Federal Government or such agencies, and not otherwise, without cost to the State of Texas, and accept title, subject to such conditions and limitations as may be prescribed by each of said Boards, dormitories, kitchens and dining halls, hospitals, libraries, student activity buildings, gymnasiums, athletic buildings and stadiums, and such other buildings as may be needed for the good of the institution and the moral welfare and social conduct of the students of such institutions when the total cost, type of construction, capacity of such buildings, as well as the other plans and specifications have been approved by the respective Governing Boards.

Section 2. Amend Section 2 of Chapter 5 of the Acts of the Second Called Session of the Forty-third Legislature, as amended by Chapter 23 of the Acts of the Regular Session of the Forty-fourth Legislature, and by Chapter 204 of the Acts of the Regular Session of the Forty-fourth Legislature, so that said Section shall hereafter be and read as follows:

Section 2. That said Boards are further authorized to fix fees and charges for the use of the buildings erected under authority of the law amended by this Act. The charges to be made and the fees to be assessed against students using said buildings shall be in amounts deemed to be reasonable by the respective Boards, taking into consideration the cost of providing said facilities, the use to be made of them and the advantages to be derived therefrom by the students of the respective institutions; provided that the fee to be assessed against a student for the use of a library, or for the use of a student activity building, or for the use of a hospital, or for the use of a gymnasium, shall not exceed Four ($4.00) Dollars for any one of said purposes for any one semester or for any one summer session. The fees and charges thus fixed along with all other income therefrom shall be considered as revenue derived from the operation of the buildings thus constructed.

That said Boards are further authorized to make any contract with reference to the collection and disposition of the revenues derived from any building so constructed in the acquisition or construction, management, and maintenance of any building or buildings acquired hereunder. In reference to the acquisition of student activity buildings, stadiums, gymnasiums, and all character of athletic
buildings, said Boards are authorized also to make contracts with reference to the collection and disposition of revenues to accrue to such respective institutions from activities, athletic events, and games in which said respective institutions participate away from said institutions, as well as at said institutions; and in anticipation of the collection of such revenues, and for the purpose of paying the cost of the construction or acquisition of said building or buildings and grounds, said Boards are severally empowered by resolution to authorize, sell and deliver its negotiable bonds or notes from time to time and in such amount or amounts as it may consider necessary. The fees and charges so fixed for the use of such building or buildings shall not be collected after payment in full shall have been completed for the building or buildings for which said fees shall be pledged. Thereafter the right of said respective Boards to fix charges and fees shall depend on laws other than this Act as hereby amended. Any bonds or notes issued hereunder shall bear interest at not to exceed six (6%) per cent per annum, and shall finally mature not more than forty years from date.

Section 3. Amend Section 11 of Chapter 5 of the Acts of the Second Called Session of the Forty-third Legislature, as amended by Chapter 23 of the Acts of the Regular Session of the Forty-fourth Legislature, and by Chapter 204 of the Acts of the Regular Session of the forty-fourth Legislature, so that said section shall hereafter be read as follows:

Sec. 11. To the extent that this Act specified the inclusion of the power to build libraries, student activities buildings, gymnasium, athletic buildings and stadia, it shall be considered as declaratory of the existing law which by the use of general terms already included the power to acquire said buildings. This Act shall not repeal any statute now in effect but shall be cumulative of all other statutes affecting said institutions, and shall not modify or abridge any powers now held by any of said institutions to control or pledge its funds, provided, however, that to the extent that the provisions of this Act may be in conflict with the provisions of any other law, including those of Chapter 237, Acts of the Fortieth Legislature, Chapter 196, Acts of the Forty-third Legislature, and Chapter 221, Acts of the Regular Session of the Forty-third Legislature, the provisions of this Act shall take precedence and prevail, it being the intention of the Legislature to confer authority on the governing boards of said institutions to establish fees and charges to be made for the use of the buildings to be constructed under the law amended hereby, and to pledge said revenues as herein provided.

Sec. 4. All actions heretofore taken by said Boards in reference to the fixing of fees and charges for the use of such buildings, and all actions taken by said Boards in making contracts for the collection and disposition of such revenues and in reference to the pledging of such revenues, and all actions taken by said Boards in issuing bonds and notes to evidence the obligation to collect such revenues and apply same to the payment of such bonds and notes are hereby ratified and confirmed.

Section 5. Should any section or part of a section of this Act be held to be unconstitutional, the remaining sections and parts of sections shall not be affected by such holding.

Section 6. Emergency Clause.
REFINANCING STATE COLLEGE BONDS

Forty-sixth Legislature, Regular Session, May, 1939
S. B. 160

"Section 3. Subject to the above restrictions each of said Boards is given complete discretion in fixing the form, conditions and details of such bonds or notes. Any bonds or notes issued hereunder shall not be an indebtedness of the State of Texas, but shall be payable solely from the revenue to be derived from the operation of said buildings; provided that such bonds may be refinanced by the Boards whenever such action is found by the Board to be necessary."

VALIDATING STATE COLLEGE BONDS

Forty-sixth Legislature, Regular Session, May, 1939
S. B. 455. 2603-C-1

Section 1. That severally all the acts of the Board of Regents of the University of Texas, the Board of Directors of the Agricultural and Mechanical College of Texas, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the Texas State College for Women and the Board of Directors of the Texas College of Arts and Industries, heretofore had in the authorization, issuance, and delivery of bonds, notes or warrants, evidencing loans made to accomplish purposes authorized under the provisions of Chapter 5, Acts of the Second Called Session of the Forty-third Legislature, and amendments thereto, and all laws of the State of Texas, relating to such bonds, notes or warrants, including the construction, acquisition and equipping of dormitories, kitchens and dining halls, hospitals, libraries, student activity buildings, gymnasiums, athletic buildings and stadia, and other buildings, are hereby in all things validated. Any such bonds, notes or warrants heretofore issued, or that may be issued hereafter, pursuant to any order or resolution of any such Board of Directors or Board of Regents heretofore adopted, are in all things fully validated, and such bonds, notes or warrants, the pledge of the revenues by any such Board of Directors or such Board of Regents to secure and assure the payment of such obligations, and the provisions and covenants as to rates and charges supporting such pledges, are in all things ratified, and such bonds, notes or warrants are hereby declared to be the valid and binding special obligations to such Board of Directors or such Board of Regents, to be paid out of revenues pledge and not otherwise obligations of such respective institutions. It is hereby made the duty of said Boards of Directors and of said Board of Regents to fix, maintain and collect charges and rates, sufficient for a reasonable reserve and to pay the interest as it accrues and the principal as it mature of any such bonds, notes or warrants heretofore or hereafter authorized by such Boards.

GOVERNING BOARDS OF STATE COLLEGES AUTHORIZED TO OBTAIN FUNDS OF LOANS FROM PRIVATE OR PUBLIC SOURCES.

Forty-Sixty Legislature, Regular Session, May, 1939
S. B. 393.

"Section 1. That the Board of Regents of the University of Texas and its
branches, and the Board of Directors of the Agricultural and Mechanical College, and its branches, and the Board of Directors of Texas Technological College, and the Board of Regents of the State Teachers Colleges, and the Board of Regents of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries are hereby severally authorized and empowered to construct or acquire through funds or loans to be obtained from the Government of the United States, or any agency or agencies thereof, created under the National Recovery Act, or otherwise created by the Federal Government or from any other source private or public, without cost to the State of Texas, and accept title, subject to such conditions and limitations as may be prescribed by each of said Boards, dormitories, kitchens and dining halls, hospitals, libraries, student activity buildings, gymnasium, athletic buildings and stadia, and such other buildings as may be needed for the good of the institution when the total cost, type of construction, capacity of such buildings, as well as the other plans and specifications have been approved by the respective Governing Boards."

"Provided, however, that the Legislature shall never make an appropriation out of the General Fund of this State, either in the regular appropriation bill or in a supplemental or emergency appropriation bill, for the purpose of equipping or for the purpose of purchasing and installing any utility connections in any of the buildings erected under and by virtue of the provisions of this Act."

GOVERNING BOARDS OF VARIOUS EDUCATIONAL INSTITUTIONS AUTHORIZED TO BORROW MONEY FROM FEDERAL AGENCIES AND OTHER PUBLIC OR PRIVATE SOURCES

General Laws, Forty-third Legislature, Second called Session, February, 1934
Chapter 5
(Includes Amended Sections) 2603-c

Amended Section S. B. 393, Regular Session, Forty-Sixth Legislature, May, 1939

Section 1. That the Board of Regents of the University of Texas and its branches, and the Board of Directors of the Agricultural and Mechanical College, and its branches, and the Board of Directors of Texas Technological College, and the Board of Regents of the State Teachers Colleges, and the Board of Regents of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries are hereby severally authorized and empowered to construct or acquire through funds or loans to be obtained from the Government of the United States, or any agency or agencies thereof, created under the National Recovery Act, or otherwise created by the Federal Government or from any other source private or public, without cost to the State of Texas, and accept title, subject to such conditions and limitations as may be prescribed by each of said Boards, dormitories, kitchens, and dining halls, hospitals, libraries, student activity buildings, gymnasium, athletic buildings and stadia, and such other buildings as may be needed for the good of the institution and the moral welfare and social conduct of the students of such institutions when the total cost, type of construction, capacity of such buildings, as well as the other plans and specifications have been approved by the respective Governing Boards; provided, however, that the Legislature shall never make an appropriation out of the General Fund of this State, either in the regular appropriation bill or in a supplemental or emergency appropriation bill, for the purpose of equipping...
or for the purpose of purchasing and installing any utility connections in any of the buildings erected under and by virtue of the provisions of this Act.

Amended Section Chapter 459, Second Called Session, Forty-Fourth Legislature, November 1935. 2603-c Sec 2 Amended 1935

Sec. 2. That said Boards are further authorized to fix fees and charges for the use of the buildings erected under authority of the law amended by this Act. The charges to be made and the fees to be assessed against student using said buildings, shall be in amounts deemed to be reasonable by the respective Boards, taking into consideration the cost of providing said facilities, the use to be made of them and the advantages to be derived therefrom by the students of the respective institutions; provided that the fee to be assessed against a student for the use of a library, or for the use of a student activity building, or for the use of a hospital, or for the use of a gymnasium, shall not exceed Four ($4.00) dollars for any one of said purposes for any one semester or for any one summer session. The fees and charges thus fixed along with all other income therefrom shall be considered as revenue derived from the operation of the buildings thus constructed.

That said Boards are further authorized to make any contract with reference to the collection and disposition of the revenues derived from any building so constructed in the acquisition or construction, management, and maintenance of any building or buildings acquired heretofore. In reference to the acquisition of student activity buildings, stadia, gymnasium, and all character or athletic buildings, said Boards are authorized also to make contracts with reference to the collection and disposition of revenues to accrue to such respective institutions from activities, athletic events, and games in which said respective institutions participate away from said institutions, as well as at said institutions; and in anticipation of the collection of such revenues, and for the purpose of paying the cost of the construction or acquisition of said building or buildings and grounds, said Boards are severally empowered by resolution to authorize, sell, and deliver its negotiable bonds or notes from time to time and in such amount or amounts as it may consider necessary. The fees and charges so fixed for the use of any such building or buildings shall not be collected after payment in full shall have been completed for the building or buildings for which said fees shall be pledged. Thereafter the right of said respective Boards to fix charges and fees shall depend on laws other than this Act as hereby amended. Any bonds or notes issued hereunder shall bear interest at not to exceed six (6%) per cent per annum, and shall finally mature not more than forty years from date.

Sec. 3. Subject to the above restrictions each of said boards is given complete discretion in fixing the form, conditions, and details of such bonds or notes. Any bonds or notes issued hereunder shall not be an indebtedness of the State of Texas, but shall be payable solely from the revenues to be derived from the operation of said buildings.

Amended Section Chapter 204, Regular Session, Forty-Fourth Legislature, May, 1935 2603-C Sec. 4 Amended

Sec. 4. Each of said Boards is authorized and empowered to pledge all or a part of such revenues to the payment of such bonds or notes, and to enter such agreements regarding the imposition of sufficient charges and the collection, pledge and disposition of such revenue as it may deem proper. In all cases where existing buildings or structure are repaired or enlarged or to which additions
are constructed, the Board shall also have the power and are hereby authorized to pledge, incumber and/or dispose of the net revenues of such existing buildings or structures as well as to pledge, incumber and/or dispose of the revenue derived from the additions or improvements to such structures.

Each of said Boards is hereby authorized and empowered to enter into contracts with municipalities or school districts for the joint construction of museum, library buildings, or such other buildings as may be deemed necessary.

Each of said Boards is hereby authorized and empowered to pledge the unused part of any revenue from self-liquidating buildings for the construction of any other buildings such Board may deem necessary. Each of said Boards is authorized and empowered to pledge the rentals of dormitories, cottages, or other income bearing property for the repair, enlargement, or construction of any other buildings such Board may deem necessary."

Sec. 5. Each of said boards is authorized to enter into agreements relating to the maintenance of a maximum percentage of occupancy of such dormitories.

Sec. 6. Upon the acquisition, construction, or erection of such building or buildings, absolute control and management shall vest in the respective board of the institution of the building so constructed or acquired, subject to any condition that may be provided in the grant.

Sec. 7. It is further provided that land owned by the State or any of said institutions may be used as building sites and ground for such buildings acquired under the provisions of this Act.

Sec. 8. Provided further that each of said boards is hereby authorized to acquire by gift or by purchase out of funds derived by pledging the revenues as herein provided such tracts of land, without cost to the State of Texas as may be necessary as building sites and grounds for the erection of such buildings.

Sec. 9. Provided further that each of said boards may make such contracts as may be necessary to properly carry out the provisions of this Act.

Sec. 10. Should any part or section of this Act be held to be unconstitutioanal, it shall not affect any other section or part hereof.

Amended Section 11, Chapter 459, Second Called Session, Forty-Fourth Legislature, November, 1935 2603-c Sec. 11 Amended 1935

Sec. 11. To the extent that this Act specifies the inclusion of the power to build libraries, student activities buildings, gymnasiums, athletic buildings and stadia, it shall be considered as declaratory of the existing law which by the use of general terms already included the power to acquire said buildings. This Act shall not repeal any statute now in effect but shall be cumulative of all other statutes affecting said institutions, and shall not modify or abridge any powers now held by any of said institutions to control or pledge its funds, provided, however, that to the extent that the provisions of this Act may be in conflict with the provisions of any other law, including those of Chapter 237, Acts of the Fortieth Legislature, Chapter 195, Acts of the Forty-third Legislature, and Chapter 221, Acts of the Regular Session of the Forty-third Legislature, the provisions of this Act shall take precedence and prevail, it being the intention of the Legislature to confer authority on the governing boards of said institutions to establish fees and charges to be made for the use of the buildings to be constructed under the law amended hereby, and to pledge said revenues as herein provided.

Sec. 12. It is provided further that any contract or agreement heretofore entered into, or any application now pending for the acquisition, erection,
construction, or equipment of any building by either of said boards is hereby authorized, ratified, validated, and confirmed.

See Section 4, Chapter 459, Second Called Session, Forty-fourth Legislature, November, 1935. (Validating Section).
See S. B. 455, Regular Session, Forty-Sixth Legislature, 1939.
(General Law validating all College bonds.) 2603-c Sec.11 amended 1935

AUTHORIZING BOARDS OF DIRECTORS OF STATE COLLEGES TO PLEDGE REVENUES, FEES AND TWENTY-FIVE PER CENT OF SCHOOL FUNDS FOR CERTAIN BUILDINGS.

General Laws, Regular Session, Forty-Sixth Legislature, May 1939 S. B. 28 2909-a

"Section 1. The Board of Directors of Texas Technological College, the Board of Directors of the Texas Agricultural and Mechanical College, the Board of Regents of the University of Texas, the Board of Directors of the State Teachers' College of Texas, the Board of Directors of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries, are hereby authorized and empowered to erect and equip, and to contract with any person, firm or corporation, for the erection, completion and equipping of dormitories, cottages or stadiums, to be erected either on the campus or real estate then owned by said college, or on other real estate purchased or leased for the purpose, and the said Boards of Directors are hereby expressly authorized to purchase, or lease, additional real estate for such purposes, provided said Institutions have sufficient surplus from local funds, but not exceeding twenty-five (25%) per cent of the total for any fiscal year, to pay cash for any purchase of land; or the purchase of land is made from funds derived from the sale of revenue bonds or notes. The bonds or notes authorized herein are to be paid solely from the revenues of the dormitories, cottage and stadium, and shall never be charged against the State nor any appropriation made by the State nor shall any portion of said appropriation ever be used for the payment of said notes or bonds; nor shall any local or institutional funds in excess of twenty-five (25%) per cent of the total for any calendar year ever be used for the payment of said notes or bonds. It being the intention of the Legislature to authorized the payment of said notes and bonds solely from revenues derived from the improvements authorized herein and any emergency to be supplemented from local funds not exceeding twenty-five (25%) per cent for any fiscal year,

Section 2. The Boards aforesaid are hereby authorized and empowered to enter into contracts with municipalities or school districts for the joint construction of museums, library buildings, or such other buildings as may be deemed necessary.

Section 3. In payment for the erection, completion and equipping of such dormitories, cottages and stadiums, and the purchase of the necessary sites thereto, the Boards of aforesaid are further authorized and empowered to issue their obligations in such sum or sums and upon such terms and conditions as to said directors may seem advisable, and as security for the payment thereof to pledge the not rents, fees, revenues and incomes from the improvements to be erected hereunder. Any bonds or notes issued hereunder shall bear interest at the rate not to exceed six (6%) per cent per annum and shall finally mature not more than twenty years from date.

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Section 4. The aforesaid Boards are hereby authorized and empowered to pledge the unused part of any revenues from self-liquidating buildings for the construction of additions to said buildings or the construction of any other buildings and the purchase of the necessary sites thereto such Boards may deem necessary, provided that any subsequent issue of revenue bonds or notes shall be a second lien on said net revenues, rents, fees and incomes and shall be inferior to any outstanding revenues, bonds, or notes which are secured by a pledge of said net revenues, rents, fees and incomes.

Section 5. The Boards aforesaid are hereby authorized and directed to establish and maintain such schedule of rates, fees, and charges for the use of the facilities afforded by the dormitories, cottages and stadiums, and the revenue from the athletic fields and stadiums, which rates, fees and charges shall be in an amount at least sufficient to pay the operating and maintenance charges thereof and the pay the principal and interest representing the indebtedness against said revenue, rents, fees and incomes.

Provided that the fees to be charged for the use of any buildings shall not exceed the maximum fee per semester specified in Chapter 459, Acts of the Second Called Session of the Forty-third Legislature, 1935, or Acts Amended thereto.

Section 6. In payment for the erection, completion and equipping of such dormitories, cottages and stadium, and the purchase of the necessary sites thereto, the Boards aforesaid shall not in any manner nor to any extent incur indebtedness against themselves or the State of Texas, and the obligation or obligations authorized by this Act shall never be a personal obligation of the colleges above named, or the State of Texas; but such obligations shall be discharged solely from the revenues herein authorized to be pledge for the purpose.

Section 7. All revenue bonds shall be examined and approved by the Attorney General of the State of Texas; and the State Auditor shall approve such revenue bonds or revenue notes after an examination of revenue which show a reasonable prospect of adequate rents, income, fees or charges to pay principal and interest, and all approved bonds shall be registered in the office of the Comptroller of Public Accounts of the State of Texas.

Section 8. The aforesaid Boards are hereby empowered to do any and all things necessary and convenient to carry out the purpose and intent of this law.

Section 9. It is the intention of the Legislature that the State of Texas shall never be called upon to supplement, by emergency or general appropriation, any of the local funds of any institution which takes advantage of the provisions of this Act. The governing boards of such institutions are directed not to make any appropriation from the local funds of such institutions when in so doing it will necessitate the Legislature supplementing such local funds. It is further provided that the Legislature shall never make an appropriation for the purpose of equipping (including utility connections) or maintaining any buildings erected under the provisions of this Acts.
Section 1. The Board of Regents of the University of Texas and its branches, the Board of Directors of the Agricultural and Mechanical College and its branches, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Directors of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries, are hereby severally authorized and empowered to charge each student enrolled in such institution a building use fee of not exceeding Five Dollars ($5) per semester, provided, however, this fee shall be a part of the fees now collected and no additional fees shall be collected for any purpose, all or a portion of which may be pledged for the retirement of bonds for the construction and equipment of buildings and power plants, the paving of streets, the purchase of land, and for such other capital improvements as may be needed from time to time for the efficient functioning of the aforesaid institutions, subject to the provisions of this Act, provided, however that the building use fee herein authorized to be collected shall be included as a part of the fees authorized to be collected by Article 2654c of the Revised Civil Statutes of the State of Texas, Acts of the Forty-third Legislature, page 596, Chapter 196, and the governing boards of the several institutions of higher learning herein enumerated shall not increase tuition at said institutions in excess of the amounts authorized by said Article 2654c.

Section 2. The acquisition and the construction of the capital improvements contemplated in this Act shall be made without cost to the State of Texas, and no bonds issued for such improvements shall constitute a debt of the State of Texas in any manner whatsoever, but shall be a charge only against those revenues specifically pledged for their payment, provided, however, that the Legislature shall never make an appropriation out of the General Fund of the State, either in the Regular Appropriation Bill or in a Supplemental or Emergency Appropriation Bill, for the purpose of equipping or furnishing or for the purpose of purchasing or installing any utility connections in any of the buildings erected or improved by virtue of the provisions of this Act.

Section 3. The building use fee authorized by this Act, when collected, shall be deposited in the depository bank of the institution collecting the tax or in such other depository as may be designated by such Board. The funds accruing from the building use fee shall be deposited in a special account definitely describing the purpose for which the fee was collected and the object or objects for which it is to be applied, and all funds deposited in such special accounts shall be accorded the same protection by the pledging of assets of the depository as is now required or may hereafter be required by law for the protection of public funds.

Section 4. Such fees shall be collected at the time the regular registration fees are collected and by the same officials collecting the registration fees.

Section 5. Students taking less than twelve (12) credit hours of work shall pay such fractional part of the fee fixed for those taking twelve (12) or more credit hours as the ratio of the hours actually taken bears to twelve (12). The fee for students in the summer session shall be computed on the same basis as for students enrolling for twelve (12) hours or less in the long session.

Section 6. For the purpose of constructing or otherwise acquiring, improving, or equipping any one or more of the buildings, power plants, or streets, or acquiring lands authorized by Section 1 of this Act, the governing body of each of said institutions is authorized to issue, sell, and deliver its negotiable revenue bonds from time to time in such amount or amounts as it may consider
necessary. Bonds issued under this Act shall mature serially or otherwise in not exceeding thirty (30) years from their date, bear interest at not exceeding four (4) per cent per annum, shall be payable at such place or places, may contain option of payment prior to maturity and such provisions for registration as to ownership, as shall be determined by said Board. To assure the prompt payment of the principal and interest of said bonds, such Boards is authorized to pledge all or any portion of the proceeds of the building use fee authorized in Section 1 of this Act, and said bonds may be additionally secured by a pledge of the net revenue from buildings and facilities to be constructed, acquired, or improved with the proceeds of such bonds and from other buildings or facilities heretofore or hereafter constructed or acquired. When such bonds are secured solely by the building use fees authorized in this Act, it shall be the duty of such governing body to fix the amount of such fees (within the maximum rate of Five Dollars ($5) per semester) so that the proceeds therefrom will be sufficient to pay the interest and principal on said bonds as they mature and accrue and to provide a reasonable reserve in the interest and sinking fund of the bonds. When such bonds are secured in whole or in part by a pledge of the net revenues from buildings or facilities, it shall be the duty of such governing body to fix rentals and charges for the buildings and facilities whose net revenues are thus pledge, at rates sufficient to pay the maintenance and operation expense of such buildings and facilities and to produce net revenues which, together with the building use fee authorized in Section 1 of this Act, will be sufficient to pay the interest and principal of such bonds as they accrue and mature.

Section 7. The governing Boards of the aforesaid institutions shall not be permitted to contract bonded indebtedness under the terms of this Act in excess of eighty (80) per cent of the amount which can be amortized with the revenues from said building use fee estimated at the time of the authorization of such revenue bonds. Revenues accruing from said fee in excess of the amount normally required for the orderly retirement of said bonds shall be held as surplus in the special bond account designated in Section 3 of this Act as a contingent fund for use when necessary in the event of a reduction of income from a decrease of enrollment.

Section 8. Bonds issued under the provisions of this Act shall be eligible investments for the Permanent School Fund of Texas.

Section 9. Before any such bonds are delivered to the purchaser the record pertaining thereto shall have been examined by the Attorney General and said record and bonds shall be approved by the Attorney General. After such approval the bonds shall be registered in the office of the Comptroller of Public Accounts. Such bonds, having been approved by the Attorney General, registered in the Comptroller's office, shall be held in every action, suit, or proceeding in which their validity is or may be brought into question, valid and binding obligations. In every action brought to enforce collection of such bonds or any rights incident thereto, the certificate of approval by the Attorney General, or a duly certified copy thereof, shall be admitted and received in evidence of its validity. The only defense which can be offered against the validity of such bonds shall be forgery or fraud.

Section 10. Emergency Clause.
NORMAL SCHOOLS - AUTHORIZES STATE NORMAL SCHOOLS
TO ACQUIRE BY PURCHASE OR OTHERWISE, OTHER NECESSARY
LANDS.

Thirty-third Legislature, Regular Session, 1913. Chapter 164

Section 1. Power and authority is hereby conferred upon the State Normal School Board of Regents of the State of Texas, to acquire by purchase or condemnation for the use and benefit of any of the State Normal Schools which now are or may hereafter be, under the control and management of said Board, such lands within the counties where any of such schools are now, or may hereafter be located, as said Board of Regents may deem expedient for sites on which to erect buildings for the use of any of said State Normal Schools, and for the extension of the campus, and for other purposes necessary in the conduct of any of said Normal Schools of the State of Texas.

Sec. 2. If the said Board of Regents, in seeking to acquire any lands for any of the purposes aforesaid, and the owner or owners of said land cannot agree for the sale and purchase thereof, the said Board of Regents shall request the Attorney General to file a petition in the district court of the county in which the land sought to be condemned is situated, describing the land and stating the purposes for which it is desired by said Board of Regents, and praying that the value of such land be ascertained judicially and a decree be entered vesting title thereto in the State of Texas for the use and benefit of said State Normal School, for whose benefit the land is sought to be acquired, upon the payment of the value so ascertained.

Sec. 3. Upon the filing of any such petition by the Attorney-General, the clerk of the court shall issue a citation to the owner or owners of the land as in other civil cases, which citation shall be served and returned as in civil cases, and the cause shall be entered on the civil docket in the name of the State Normal School Board of Regents of the State of Texas as a plaintiff, and the owner or owners of the land, as defendant.

Sec. 4. At the first term of court after service of citation (citation) upon the owner, as provided in the preceding Section, the cause, unless continued on motion thereof, shall be tried by a jury upon a single issue as to the value of the land, and the decision of such jury shall in all cases be final; provided the parties to said proceeding shall have the right to appeal as in other civil cases.

Sec. 5. Nothing in the preceding section contained shall be construed to prevent the parties from waiving a jury and submitting to the court the issue as to the value of the land in question, or from selecting by agreement three persons to ascertain the value of such land, under their oaths and the direction of the court; and the finding and decision of the court or of any such persons shall be in all cases be final; provided the parties of said proceedings shall have the right to appeal as in civil cases.

Sec. 6. When the value of the land has been ascertained in either of the modes above prescribed, and the court is satisfied with such valuation it shall enter a decree vesting the title of such lands in the State of Texas for the use and benefit of the State Normal School for whose benefit the land is sought to be acquired, to be held, owned, possessed and enjoyed by the State of Texas, for the purposes hereinbefore stated. No such decree shall be entered until the value of the land so ascertained, together with all reasonable cost and expense of the owner in attending such proceeding, shall be paid to him or into
court for his benefit and subject to his order, such costs and expenses to be assessed by the court in which such proceeding is had including reasonable attorney fee to be fixed by the court.

See Chapter 409 47th Regular Session, 1941
See Section 2, Article 3268, Revised Civil Statutes, 1925

COLLEGE OF INDUSTRIAL ARTS DORMITORY LAW
AMENDED Chapter 38
(S. B. No. 90) 2628-b

Section 1. That the act passes at and during the second called session of the Forty First Legislature of the State of Texas, known as Senate Bill No. 138, filed in the office of the Secretary of State on June 24, 1929, and being Chapter 73 of the General Laws of the State of Texas, passed by the Forty First Legislature of the State of Texas at its second and third called sessions, be amended so as to hereafter read as follows:

Section 2. The Board of Regents of the College of Industrial Arts at Denton, Texas, is hereby authorized and empowered to erect and equip, and/or to contract with any person, firm or corporation, for the erection, completion and equipping of such dormitories and/or other improvements as said Board of Regents may deem advisable, such improvements to be erected either on the campus or real estate then owned by said college, or on other real estate purchased or leased for the purpose, and the said Board of Regents is hereby expressly authorized to purchase, or lease, additional real estate for such purpose, or to exchange or sell real estate now or hereafter owned for such purpose.

Section 3. In payment for the erection, completion and equipping of such dormitories and/or other improvements, the Board of Regents of such colleges is further authorized and empowered to issue its obligations in such sum or sums and upon such terms and/or conditions as to said Board may seem advisable, and as security for the payment thereof to pledge the rents, revenues and income of and from the improvements to be erected hereunder, and/or the rents, revenues and income from such other dormitories erected and owned by said college at the time of the making of such contract, as well as all other revenues derived by said college from any and all other sources, save and except the revenues derived by means of appropriations made for any particular or specific purpose by the legislature of the State of Texas.

Section 4. Said Board of Regents is further authorized and empowered to sell and/or encumber any part of the campus or real estate owned by said college as may be deemed advisable by said Board of Regents, for the purpose of obtaining funds with which to erect and/or equip such improvements, or for the purpose of further securing the payment of its obligations issued to any person, firm or corporation, for the erection and/or equipping of such improvements; and said Board of Regents shall have and is hereby given full and complete power to adopt such rules and regulations as to said Board of Regents may be deemed reasonable, requiring any class or classes of students to reside in such dormitories, and/or other buildings, and absolute and sole management and control of such dormitories and other improvements is vested in said Board of Regents.

Section 5. On the completion, and acceptance by the Board of Regents, of any of such improvements, the Board of Regents is hereby authorized and empowered, if it so desires, to make requisition to the Board of Control of the State of Texas, for any and all furniture, furnishings, equipment and appointments that
may be required for the proper use and enjoyment of such improvements; and the Board of Control of the State of Texas is hereby authorized upon requisition to purchase and pay for such furnishings, equipment and appointments.

Section 6. In the erection of such improvements, or in contracting therefore, the Board of Regents shall not in any manner nor to any extent incur any indebtedness against the College of Industrial Arts or the State of Texas, except as herein otherwise provided; that is to say, the obligation or obligations authorized by this act shall never be a personal obligation of the College of Industrial Arts or the State of Texas; but such obligation shall be discharged solely from the revenues and/or the property herein authorized to be pledged for that purpose.

Section 7. The Board of Regents is hereby empowered to do any and all things necessary and/or convenient to carry out the purpose and intent of this Law.

Section 8. All laws or part of laws in conflict herewith are hereby expressly repealed.

Section 9. Should any section or any provision or any part of this act be held invalid, it is hereby declared to be the legislative intent that the remaining sections, provisions and/or portions shall not be affected thereby, but will remain effective after omitting such invalid provisions or parts.

Section 10. Emergency Clause.

AUTHORIZING A. & M. TO ACQUIRE PERMANENT IMPROVEMENTS

Chapter 82.

S. B. No. 173) 2613-a

Section 1. The Board of Directors of the Agricultural and Mechanical College of Texas is hereby authorized to contract with persons, firms, or corporations for the purchase of, or the acquisition of, or the erection of permanent improvements on or conveniently located in reference to the campus of said College, and to purchase, sell or lease lands and other appurtenances for the construction of such permanent improvements provided that the State of Texas incurs no indebtedness under the contracts.

Section 2. Said Board of Directors is especially authorized to contract for the acquisition, purchase or erection of dormitories, athletic fields and stadiums, and in reference to the collection, control and disposition of the revenues derived from the operation or control of such dormitories, athletic fields and stadiums. The Board is authorized and directed to establish and maintain such schedule of rates, fees, and charges for the use of the facilities afforded by its dormitories, and revenues from the athletic fields and stadiums, which rates, fees and charges shall be in an amount at least sufficient to pay the operating and maintenance charges thereof and to pay the principal and interest representing the indebtedness against said property and/or the revenues therefrom. The Board is authorized to pledge said revenues to the payment of revenue notes or revenue bonds and interest thereon, in the acquisition of such dormitory or dormitories and/or athletic fields or stadiums.

Section 3. The Board of Directors is especially authorized to make such contract or contracts in reference to the erection or acquisition of a stadium or improvements to or enlargement of the present stadium owned by the College, and in reference to the collection and disposition of the revenues received by the Department of Physical Education, and/or the Athletic Council of the College, including receipts from the sale of coupon books, gate receipts, and such other revenues as may accrue to such Athletic Council and/or Department of Physical Education. The Board of Directors shall be empowered and is hereby directed to see that rates, fees and charges are maintained
by the Department of Physical Education and/or the Athletic Council of the College for Coupon books, gate receipts and in all other revenues accruing to the Department of Physical Education and/or the Athletic Council of the College, which will be in an amount sufficient to pay the operating and maintenance charge of the Department of Physical Education and/or the Athletic Council, and to pay the principal and interest represented by the contract or contracts for the erection or acquisition of said permanent improvements thereto. The Board is authorized to pledge said revenue to the payment of revenue notes or revenue bonds, and interest thereon, represented by the contract for the erection or acquisition of said stadium or the erection of said permanent improvements thereto; provided, however, no indebtedness shall be incurred by or in behalf of the State of Texas, but only the revenues indicated in this section shall be pledged.

Section 4. Said Board of Directors is further authorized to sell, encumber or contract with reference to the divesting or encumbering of the title to any part of the campus or other property of said College as may be necessary in the construction of acquisition of dormitories except that no debt shall be created against said institution or the State of Texas.

Section 5. Said revenue notes or revenue bonds shall be examined and approved by the Attorney General of the State of Texas, and shall be registered in the office of the Comptroller of the State of Texas.

Section 6. On the acquisition of said dormitory or dormitories by the College, the Board of Directors is hereby expressly authorized and empowered to make requisition for all furniture, furnishings, equipment and appointments that may be necessary for the proper use and enjoyment of said building or buildings, which in no event, however, will become permanent fixtures. The Board of Control of the State of Texas is hereby authorized to purchase and pay for the furnishings and the equipment authorized to be purchased in this Section, but only after said building or buildings are accepted by the Board of Directors.

Section 7. The Board of Directors is hereby empowered to do any and all things necessary and/or convenient to carry out the purpose and intent of this law.

Section 8. All laws and parts of laws in conflict herewith are hereby repealed to the extent that they are in conflict with provisions of this Act. Should any part or parts of this Act be declared invalid, it is hereby declared to be the legislative intent that the remaining portions will be effective without said invalid parts.
No officer of this State or any officer of any district, county, city, precinct, school district, or other municipal subdivision of this State, or any officer or member of any State, district, county, city, school district or other municipal board, or judge of any court, created by or under authority of any general or special law of this State, or any member of the Legislature, shall appoint, or vote for, or confirm the appointment to any office, position, clerkship, employment or duty, or any person related within the second degree by affinity or within the third degree by consanguinity to the person so appointing or so voting, or to any other member of any such board, the Legislature, or court of which such person so appointing or voting may be a member, when the salary, fees or compensation of such appointee is to be paid for, directly or indirectly, out of or from public funds or fees of office of any kind or character whatsoever.

(Acts 1915, 34th Legislature, Regular Session, Chapter 95, Section 1, p. 149)

SAFEGUARDS FOR PUBLIC EDUCATION FUNDS
S. B. No. 38) Chapter 617

Section 1. That on and after the date this Act becomes effective, no public funds may be paid to any person as a teacher, instructor, visiting instructor, or other employee in, for or connected with any tax-supported school, college, university or other tax-supported institution of learning in this State, unless and until such person shall have taken the oath of office required to be taken by members of the Legislature and all other officers, as provided in Article XVI, Section 1, as amended by amendment adopted November 8, 1939.

Section 2. Exempting foreign visiting instructors, refugees and political refugees from conquered countries from the provisions set out in Section 1 of this Act, and providing that such foreign visiting instructors, refugees and political refugees from conquered countries shall file an affidavit, on form to be prescribed by the Attorney General of the State of Texas, stating, among other things, that they are not members of any fund, or any un-American activities, nor teach any doctrines contrary to the Constitution and Laws of the United States of America or of the State of Texas.

Section 3. That any teacher or instructor of any tax-supported school, college, university or other institution of learning in this State who shall have been found guilty of openly advocating doctrines which seek to undermine or overthrow by force or violence the republican and democratic forms of government in the United States, or which in any way seek to establish a government that does not rest upon the fundamental principle of the consent of the governed, upon and after a full hearing by the employing or appointing authority of such teacher or instructor, shall be dismissed from such service.

Section 4. Emergency Clause.
Court Decisions

Bonds, Fees, Rentals, for buildings.

1. Issuance of bonds by Regents of State University for construction of dormitory payable from Special Fund made up of rentals held not in violation of Constitutional provision for debt limitation.
   McLean vs. Board of Regents, Oregon, 265 Pacific 412

2. Statutory bonds issued by University of New Mexico held not on obligations of State.
   State vs. Regents of University of New Mexico, 258 Pacific 571.

3. Regents authorized to purchase land for college purposes, to construct Dormitories, Gymnasia, and other buildings necessary to usefulness of institutions in system and to require students to pay reasonable fees for their use. State vs. Regents of University System of Georgia, 175 S. E. 567

4. Statute authorizing University Regents to issue bonds over 30 year period financed by revenues from project not violative of Constitutional limitations on indebtedness of subdivisions, Board of Regents not within scope of Constitutional limitations.
   State-Miller vs. State Board of Education 52 P. (2d) 141 Idaho

5. Bonds issued by State University to finance construction of buildings could be sold to private individuals, provision that State educational institution may borrow money from P. W. A. or other agency of Federal Government not being mandatory. Van Hooser and Co. vs. University of Kentucky, 90 S. W. (2d) 1029.

6. Alabama College, a State institution, could issue bonds to erect Dormitory and pledge fees (students) and other moneys not derived from appropriations by State to College for repayment of bonds under statute authorizing State institutions to borrow from federal agencies for erection of buildings since debt created by the loan would not be a debt created by the State or its authority within the inhibition of Constitution against the creation of a new debt by the State or its authority.
   Harman vs. Alabama College, 177 So. 747

7. Under statute giving authority to Board of Trustees Clemson College to obtain a loan and erect a barracks building, a section of the Act providing for the pledging of the net income from the rents and uses of the property for the payment of the revenue bonds and interest agreed upon was ample authority for pledging the rentals of the barracks for the repayment of the loan.
   Brown vs. Sikes - 198 S. E. 854, South Carolina.

8. Under statutes fixing powers of Board of Regents, Board had authority to construct dormitories at the State College of Agriculture without express authorization of construction by Legislature.
   State College Development Association vs. Nissen, 281 N. W. 907, South Dakota.

9. Fee of $2.50 per S. M. for Student Union Building Constitutional and legal.
10. Student fee of $1.00 per quarter for P. W. A. loan for Union Building. Board established fee of $5.00 per year, enrollment fee. Court held Constitutional.

11. Net income of Infirmary pledged to P. W. A. loan held Constitutional.

12. A State College may make reasonable rules and regulations governing use of its property consistent with purpose to which such property is dedicated. If rules are violated, officials may prosecute for trespass.

13. A person may serve as postmaster and on Board of Regents of State College without compensation for board service. Oo 1422 September 23, 1939.

14. The Board of Regents of A. & I. may not lawfully pay the Secretary-Member any salary or compensation for his services for Secretary.

15. The Legislature may appropriate money from general revenue for equipping buildings at A & M College, but not for buildings, A & M being, constitutionally a branch of University. Oo 551 April 15, 1939.

16. The courts have with great unanimity throughout the country declared that all officers who have the appointive power are disqualified for appointment to the offices to which they may appoint. Ehliger vs. Clerk 85 S. W. (2nd) 661

17. Nor can any appointing board appoint one of its members to an office, even though his vote is not essential to a majority in favor of his appointment and although he was not present when the appointment was made, and notwithstanding his term was about to expire; nor can the result be accomplished indirectly by his resignation with the intention that his successor shall cast his vote for him. Thus remaining in office by the suffrance of the appointing board will not cure such disability. Corpus Juris 46:940 Sect. 14

18. An agent cannot buy what he is employed to sell. If employed to procure a service to be done he cannot hire himself to do it. Atty. Gen. 1918:458

19. Under H. B. 255, Acts 1939, 46th Leg., no accumulated balances out of appropriations to pay the salaries of teachers or other employees for the regular nine months session may be used to pay the salaries of employees in the summer school. Oo 3826 August 7, 1941

20. H. B. 349, Acts 1941, 47th Leg. R. S. which provides that state institutions of higher learning may charge students a "building use fee" is constitutional and valid. Oo 3304 May 5, 1941

21. Practice school declared to be legal and constitutional. White vs. Silver City, New Mexico. 75 P (2nd) 712 New Mexico Laws, 1937, Chapt. 36
## Recapitulation

### Years Ending:

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<tr>
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<td>T. S. C. W.</td>
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<td>Commerce</td>
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<td>Cotton Research</td>
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<td>Combined Grand Total—$10,178,864.</td>
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The totals of 1941-43 include $200,000 buildings for Huntsville, $250,000 for Denton, $170,000 for Canyon, $150,000 for A & I, $100,000 for T. S. C. W., $100,000 for college of Mines, $100,000 for North Tex. Ag. and $100,000 for John Tarleton.