



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Mrs. C. A. Teagle, Secretary,  
Texas Prison Board  
Huntsville, Texas

Dear Mrs. Teagle:

Opinion No. 0-1559  
Re: Definition of secondhand  
textbooks, and whether  
the prison schools should  
be included in the list  
of schools receiving free  
textbooks.

Your inquiry of the 3rd inst. received. You quote from what is now included in Vernon's Texas Civil Statutes, Article 6803b, Section 4, the following:

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

The term "secondhand" is a general one and refers to articles that have been before sold and used, whether one or many times, and means not new; whole and impaired; rebuilt; or used and worn. (55 C. J. 1267). The statute directs the Prison Board to arrange with the State Superintendent for a sufficient number of secondhand textbooks. That term is a general one. If it is to be given a restricted definition the Legislature should so provide. The matter is one for negotiation between the Texas Prison Board and the State Superintendent. It should be assumed that those authorities will be able to satisfactorily work out the proposition and to agree upon textbooks which may be satisfactorily used.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

*A. S. Hillins*

A. S. Hillins  
Assistant

ASR:IN APPROVED OCT 23, 1939

*Gerald C. Mann*

ATTORNEY GENERAL OF TEXAS

