



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable W. J. McConnell, President
North Texas State Teachers College
Teachers College Station
Denton, Texas

Dear Sir:

Opinion No. O-3126
Re: Authority to purchase auto-
mobile and pay for same out
of appropriation to "Replace
Equipment in Science Building."

Your letter of February 4, 1941, asked the opinion of this department upon the question whether the appropriation provided by the Forty-sixth Legislature for the North Texas State Teachers College for the sum of Five Thousand Dollars, to be used to "Replace Equipment in Science Building", is available for use for the purchase of a vehicle to replace a 1929 Buick Sedan which is used in the transportation of biology students out to lakes and places in the country for biological field work.

The appropriation referred to is provided by the Legislature for the use of the College in the purchase of equipment to replace that "in" the Science Building. When the word "in" is used with reference to place, it means "inside of", "surrounded by", "within", or "within the bounds or limits of". 31 C.J. p. 354. It seems clear that the word in was used by the Legislature in this item of appropriation with reference to place, that is, the Legislature intended to authorize the replacing of equipment inside of or within the Science Building of your Institution. The automobile which you propose to purchase is obviously not a piece of equipment intended for use inside of or with the Science Building. Your question is therefore answered in the negative.

Yours very truly

APPROVED FEB 15, 1941
s/ Gerald C. Mann
ATTORNEY GENERAL OF TEXAS

ATTORNEY GENERAL OF TEXAS

By

R. W. Fairchild
Assistant

RWF:IM