



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable D. W. Stakes  
General Manager  
Texas Prison System  
Huntsville, Texas

Dear Mr. Stakes:

Opinion No. 0-4993

Re: Authority of the Manager of  
the Texas Prison System to  
sell 600-ton hydraulic press  
owned by the Texas Prison  
System.

We beg to acknowledge receipt of your letter asking for an opinion from this Department, as follows:

"We are in receipt of a communication from the War Production Board requesting us to either sell or lease to the Pittsburg Coke & Iron Company, Pittsburg, Pa. a 600-ton hydraulic press owned by the Texas Prison System.

"They also advise that this press is needed on a very important war contract.

"Please advise whether or not the General Manager of the Texas Prison System, with the consent of the Prison Board, has the authority to negotiate a sale or lease of this press."

Article 61660, Vernon's Revised Civil Statutes, is as follows:

"The Board shall have power to authorize the manager to sell and dispose of all products of all farms and industries con-

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nected with the prison system and all personal and moveable property, at such prices and on such terms and render such rules as it may deem best and adopt; and it may lease any real estate for agricultural or grazing purposes or lease other fixed property and appurtenances belonging thereto upon such terms as it may deem advantageous to the interests of the prison system."

The language "all personal and moveable property" in the above grant of power, is sufficient, we think, to authorize the manager of the Texas Prison System upon being authorized by the Board so to do, to "sell and dispose" of the property described by you.

Of course, the action of the Board will be governed by the consideration whether or not such sale and disposition of the property will be advantageous to the interests of the Prison System.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By

*Ocie Speer*  
Ocie Speer,  
Assistant

OS-MR

RECEIVED 30 1942  
*Gerard E. Thomas*