



OFFICE OF THE ATTORNEY GENERAL OF TEXAS

AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Hon. J.A. Hill, President
The West Texas State Teachers College
Canyon, Texas

Dear Sir:

Opinion No. 0-954

Re: Authority of the West Texas State
Teachers college to control the use
of an artificial lake located on the
college farm.

Your request for an opinion, concerning the legal authority of the West Texas State Teachers College to prevent the general public from fishing in an artificial lake situated on the college farm, has been received by this department.

It is true that the land occupied by the West Texas State Teachers College is public property, but it has been dedicated to a specific purpose. The West Texas State Teachers College being the custodian of the buildings and the land, it is entitled to establish reasonable rules and regulations governing the use of such property, consistent with the purpose to which it was dedicated. Trespassing by the general public contrary to such rules and regulations is in violation of the law governing trespass on private property. The fact that there is an artificial lake located on the land does not alter the situation in any respect, and certainly fishing could not be termed a use consistent with the purposes for which the college is maintained.

It is the privilege and the duty of the college, through its officials, to see that the land and the buildings which it occupies are restricted to uses conforming with or incidental to the purpose for which they were dedicated. If the reasonable rules and regulations established by the college are wilfully violated

Hon. J.A. Hill, Page 2

it would be proper for the officials to institute prosecutions for trespassing.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By *Ross Carlton*

Ross Carlton
Assistant

RC:omb

APPROVED JUN 21, 1939

Gracie B. Mann

ATTORNEY GENERAL OF TEXAS

