

# SUIT MAY DECIDE NORMAL TANGLE

## School Site Body Is Unable to Determine Meaning of "Establish."

Frankfort, Ky., Aug. 7.—A friendly suit probably will be instituted to determine how far the powers and duties of the Normal School Commission extend in the establishment of the two new schools, Judge W. T. Fowler, law partner of Judge Ed C. O'Rear, chairman of the commission, said tonight.

The question was presented to Judge O'Rear following a statement given out by W. S. Wallen of Prestonsburg, secretary of the commission, in which he said that the new schools might not be established until the mooted point of "powers and duties" of the commission was cleared up by the 1924 session of the General Assembly.

Both Judge O'Rear and Judge Fowler said the suggested suit reflected no dissension between the commission and the State Board of Education. Judge O'Rear said that the commission "has no ambition to infringe upon the authority of the State Board of Education and no desire to take responsibility beyond the duties imposed upon it."

Judge Fowler said that it had not been decided definitely to file a test suit, but that this seemed the only way of clearing up the situation.

The question is whether the word "establish" in the law means the commission is merely to select the sites take title to whatever real estate is given, accept the money contributed, and then turn the property over to the State Board of Education, or whether the commission must erect buildings, equip them, employ faculty and adopt a course of study before turning them over to the board.

### Dawson Gives View.

Attorney General Charles I. Dawson, who is now out of the city, said a few days ago that in his opinion a fair construction of the law would be that the commission should locate the schools accept the property and erect the buildings, but that the employment of a faculty, the adoption of a course of study and such matters rather would fall under the head of management, which is the function of the State Board of Education.

Nothing was given out as to the probable time for the next meeting of the commission. At a meeting held in Lexington last week fifteen ballots were taken without any decision being reached as to the location of the new schools.

### Wallen Sees Delay.

Ashland, Ky., Aug. 7.—W. S. Wallen, Prestonsburg, secretary of the Normal School Commission, said here today that unless the question of what the Legislature meant by the word "establish" was cleared up that nothing further might be done toward establishing the schools until after the 1924 session of the General Assembly.