

Court supports tuition, integration; alumni will file appeal of decision

The ruling that Rice University may charge tuition and admit Negro students has been upheld again in court, in the most recent legal clash between the Board of Trustees and two Rice alumni.

The first court of civil appeals ruled Thursday that these actions, although contrary to the terms of William Marsh Rice's will, are necessary if the University is to maintain its status as a "first class institution."

The court released its unanimous verdict in a 30 page opinion written by Associate Justice Tom F. Coleman, which included:

"The judgment entered by the trial court is supported by our construction of the trust instruments, the evidence, the facts found by the jury and the applicable rules of law. It is, therefore, affirmed."

Interpretation

This is the most recent court action taken in a dispute which has dated back to a 1964 decision by District Judge William M. Hollan. The two alumni,

John B. Coffee and Val T. Bilups, have objected to integration and tuition because Rice's will contains clauses which say that the school should be open to "white inhabitants of Houston and Texas" with "free tuition."

In 1965 an appeal by the two men was dismissed by the first civil court of appeals. They then appealed the decision to the Texas Supreme Court, which ordered last spring that the case should be heard by the first court of civil appeals.

Appeal

William K. Wilde, the attorney for the alumni, will file a motion for a rehearing of the trial to the latter court. If this is denied, an appeal will be made to the Texas Supreme Court.

The verdict handed down this week noted that Rice "intended that the funds given the institute be used for the instruction and improvement of white inhabitants only, but that it is impossible or impracticable under present conditions to carry out said intent."