

## Opinion No. 13-1082

July 21, 1913

**BY:** FRANK W. CLANCY, Attorney General

**TO:** G. L. Brooks, President, Board of Regents, University of New Mexico, Albuquerque, N. M.

### UNIVERSITY OF NEW MEXICO.

Any money received by University of New Mexico can be used for purchase of lands for use of that institution.

### OPINION

{\*252} Upon my return from El Paso I find your letter of the 19th inst. relative to the use of University funds for the possession of additional lands, in which you ask "whether the funds for such purpose could be taken from the proceeds from sales of other lands, and if not, if the funds can be taken from income derived from U. N.M. lands that are leased for grazing or timber cutting purposes."

I am not quite sure of what you mean when you speak of "sales of other lands," and think that the word "other" is superfluous, or perhaps should have been "our." No money derived from the sales of any other than University lands could be used for any University purposes, but have no doubt that any money received from sales of University lands, or any money received from lands leased for grazing, or for the price of timber cut, can be used for the purchase of lands for the use of the University. I do not find that there is any limitation in the Constitution on this subject. Section 12 of Article XII of the Constitution provides that the lands granted by Congress for the purposes of various institutions, are accepted and confirmed to said institutions and shall be exclusively used for the purposes for which they were granted. The land granted for the University, both in the Act of 1898 and the later Act of 1910, were granted "for university purposes," without any other limitations and the acquisition of {\*253} necessary lands for either present or future use of the University must be considered as among University purposes.