

**Opinion No. 37-1646**

May 18, 1937

**BY:** FRANK H. PATTON, Attorney General

**TO:** Dr. H. C. Gossard, President New Mexico Normal University Las Vegas, New Mexico

{\*101} In answer to your inquiry as to whether the provisions of law with reference to tuition have been changed so as to permit the granting of scholarships, Section 130-1314 of the 1929 Codification is still in force. This statute requires tuition "for each and every student."

Further, such scholarships would probably be in violation of Section 14 of Article 9 of the State Constitution.

This does not mean, however, that scholarships may not be granted by the school when endowment therefor is made by private persons such as that given to the New Mexico State Teachers College by Allan Sigler about which you have no doubt read in the papers recently. In such cases the tuition would be paid from the endowment fund and not from public monies.

Since we have had other inquiries, I am sending a copy of this letter to the other state institutions.

By: A. M. FERNANDEZ,

Asst. Atty. Gen.