

Section 63-219, Burns' R. S. 1933, being Sec. 19, Ch. 93, Acts of 1931, is as follows:

"No amateur boxing, sparring or wrestling match or exhibition which is hereby defined to be one in which the participants receive no compensation, gifts, emoluments or percentage of the gate receipts, either directly or indirectly, shall be subject to the provisions of this act and such matches are permitted."

In my opinion the facts stated in your letter clearly come within the provisions of the last quoted section of the statute, and such benefit boxing show would be an amateur match, as therein defined, and not subject to the provisions of the Act. Therefore, the same is not subject to the State tax set forth in section 63-223, Burns 1933, *supra*.

INDIANA STATE TEACHERS' COLLEGE: Regarding free tuition of war veterans, etc., in certain State colleges or universities.

January 26, 1944.

Opinion No. 6

Mrs. Mary Jo Kramer,
Assistant Registrar,
Indiana State Teachers College,
Terre Haute, Indiana.

Dear Mrs. Kramer:

Your letter of January 18, 1944, received as follows:

"Our office is responsible for the administration of the act passed in the 82nd regular session of the General Assembly relative to the rights of children of disabled veterans to enter the four state institutions without the payment of any tuition or matriculation fees. This act has been interpreted by some applicants to include children whose fathers are 'suffering from a service-connected disability as evidenced by the veterans' administration records' even though this disability resulted from services in the Spanish-American War. It is our opinion that the act relates only to

veterans who served in the armed forces 'between the sixth day of April, 1917, and the second day of July, 1921.'

The statute referred to in your letter is Section 1, Chapter 117, Acts of 1941, same being Section 28-5732, Burns' 1943 Supplement, the pertinent part of which is as follows:

"Any person who is a pupil of the Soldiers' and Sailors' Children's Home, or any person who for five (5) years preceding application therefor, shall have had his domicil in the state of Indiana and whose father served in the armed forces of the United States between the sixth day of April, 1917, and the second day of July, 1921, and who was wounded, gassed or disabled as evidenced by the United States War or Navy Department records, or who is suffering from a service-connected disability as evidenced by the veterans' administration records, and who possesses the requisite academic qualifications, shall be entitled to enter, remain and receive instruction in Indiana University, Purdue University, Indiana State Teachers College at Terre Haute and Ball State Teachers College at Muncie, upon the same conditions, qualifications and regulations prescribed for other applicants for admission to, or scholars in, such educational institutions, without the payment of any tuition or matriculation fees, for a period of four (4) years while pursuing any prescribed course of education therein. * * *"

It is an established principle of law that where a statute is free from any ambiguity, there is no room for judicial construction by courts.

State v. Squibb (1908), 170 Ind. 488, 492;

State v. Mutual Life Ins. Co. (1910), 175 Ind. 59, 79.

Applying this well recognized rule of construction, it is apparent that the above section of the statute qualifies for entrance without tuition or matriculation fees (1) any person who was a pupil of the Soldiers' and Sailors' Children's Home, which might include a child of a veteran of the Spanish-American War, or (2) any person whose father served in the armed

forces of the United States between the sixth day of April, 1917, and the second day of July, 1921, and who was wounded, gassed or disabled or is suffering from a service-connected disability as defined by the Act.

In conclusion, I wish to call your attention to Section 1, Chapter 254, Acts of 1943, Section 59-1007a, Burns' 1943 Supplement, which extends to children of persons of the armed forces of World War II similar rights to those held by children of veterans of World War I. This Act provides as follows:

"All persons who have served, or who are now serving, or who may hereafter serve as a part of the armed forces of the United States in the present war with Germany, Italy or Japan, or any of their allies, and the wives, widows and children of such persons, who are residents of the state of Indiana, shall have and are hereby given all of the rights and privileges now held and enjoyed by soldiers, sailors, nurses and/or other veterans, their wives, widows and children, of the first world war, under existing statutes or under any statute which may hereafter be enacted."

STATE BOARD OF ACCOUNTS: Publication of legal notices of budget controlled by budget act rather than by general legal advertising act.

TOWNSHIPS: In certain cases only one newspaper publication is necessary.

January 26, 1944.

Opinion No. 7

Hon. Otto K. Jensen, State Examiner,
Department of Inspection and Supervision
of Public Offices,
State House,
Indianapolis, Indiana.

Dear Sir:

Your letter of January 18, 1944, received in which you request an opinion on the following question:

"Confusion exists in certain municipalities as to whether the provisions of the budget law shall be fol-