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BY-LAWS

— OF THE —

Stock Growers' Association

— OF —

NEW MEXICO.

ORGANIZED MARCH 3, 1884.

SANTA FE, NEW MEXICO :
NEW MEXICAN PRINTING CO., PRINTERS AND BINDERS

1884.

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— OF THE —

Stock Growers' Association

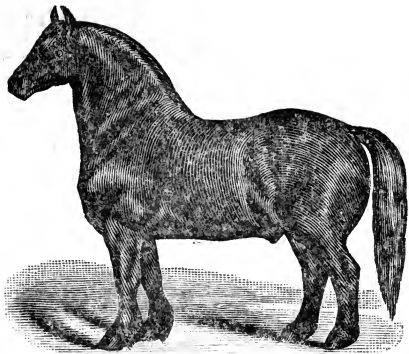
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NEW MEXICO.

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OFFICERS AND MEMBERS

— OF THE —

STOCK GROWERS' ASSOCIATION OF NEW MEXICO.

OFFICERS :

- President.....J. W. DWYER, Raton.
- Vice-PresidentW. L. RYNERSON, Las Cruces.
- Secretary and Treasurer..... MAX. FROST, Santa Fe.

EXECUTIVE COMMITTEE :

RICHARD HUDSON, *Chairman*; Russell Marcy, Raton ; James B. Watrous, Watrous ; Pedro Sanches, Taos ; J. T. McNamara, Las Vegas ; John H. Riley, Las Cruces ; J. A. LaRue, Lincoln ; Richard Hudson, Hudson ; H. M. Atkinson, Socorro ; Amado Chaves, Los Lunas ; M. S. Otero, Bernalillo ; Nicolas Pino, Santa Fe, and Thomas D. Burns, Rio Arriba.

MEMBERS :

- Colfax County*: J. W. Dwyer, S. W. Dorsey, Wm. J. Reno, Russell Marcy, J. M. Howard.
- Mora County*: Rafael Romero, J. B. Watrous, C. W. Wildenstien, A. L. Branch, Justus Smith.
- San Miguel County*: James Campbell, W. H. McBroon, Thos. H. Lawrence, C. M. Haines, James T. McNamara, Geo. W. Stoneroad.
- Lincoln County*: J. A. LaRue, Jefferson Raynolds, W. E. Anderson, John W. Poe, John S. Chisum.
- Dona Ana County*: W. L. Rynerson, John H. Riley, Benjamin E. Davies, Mariano Barela, George Lynch.
- Grant County*: Samuel P. Carpenter, A. E. Head, Richard Hudson, John Brockman, Chas. M. Shannon.

Socorro County: H. M. Atkinson, E. J. McLean, Antonio y A. Abeytia, D. F. White, W. C. Bruton.

Valencia County: Amado Chavez, Solomon Luna, Max Frost, C. W. Kennedy, J. A. Stinson.

Bernalillo County: M. S. Otero, C. W. Lewis, J. L. Perea, Jr., Jacobo Yrissarri, Mariano Perea.

Santa Fe County: M. D. Bowman, Nicolas Pino, Ambrosio Pino.

Taos County: Pedro Sanchez, Santiago Valdez, Pedro Santistevan, Anthony Joseph.

Rio Arriba County: Thos. D. Burns, Patricio Chavez, Ignacio Jaramillo, Geo. W. Thomson, H. W. Cox.



LOCAL STOCK ASSOCIATIONS.

NORTHERN NEW MEXICO STOCK GROWERS' ASSOCIATION.

OFFICERS :

President.....	O. A. HADLEY, Raton.
Vice-Presidents {T. ROMERO, Las Vegas.
S. B. WATROUS, Mora.
M. M. CHASE, Raton.
Secretary and Treasurer.....	JAMES C. LEARY, Wagon Mound.

EXECUTIVE COMMITTEE :

T. H. Lawrence, Las Vegas; J. W. Dwyer, Raton; M. Slattery, La Cinta; Oscar McCuiston, Chicago Springs; D. A. Clouthier, Springer; D. Young, Madison; J. E. Temple, Raton; Elijah Johnson, Troyburg; W. B. Stapp, Las Vegas; W. J. Parker, Raton; A. J. Streeter, —; P. J. Towner, Chico; Phlem Humphey, Catalpa; M. W. Mills, Springer; Francis Clutton, Tequesquite; John C. Hill, Chico; J. S. Holland, Tramperos; Charles Springer, Cimarron; M. M. Chase, Cimarron; Benjamin Smith, Trinidad; G. W. Stoneroad, Las Vegas; W. C. Haynes, Cabra Springs; E. Romero, Las Vegas.

MEMBERS :

Chico Springs: J. E. Temple, S. W. Dorsey, P. J. Towner, John Bates, Oscar McCuiston, Russell Marcy, F. Cady, John Love, O. C. Nelson, W. O. Temple, John C. Hill.

Las Vegas: T. H. Lawrence, W. B. Stapp, E. J. Wilcox, C. W. Haynes, Charles Ilfeld, Henry Dold, Hilario Romero, E. Romero, Trinidad Romero, Samuel Goldsmith, Frederick Althof, G. W. Stoneroad, M. B. Stoneroad, J. M. Bernard.

Springer: J. W. Keller, W. E. Corbitt, O. M. Oviatt, J. H. Clouthier, Charles Springer, G. D. Ford, L. K. Smith. Jno. Carrico, J. E. Thompkins, S. F. Valdez, N. Valdez, J. M. Valdez, J. A. Williams, Pas Valverde. C. J. Jones, T. M. Michaels, D. C. Pryor, A. J. Howell, N. F. Cooke, M. W. Mills.

- Tequesquite* : C. C. Shepherd, Luis A. C. de Baca, Francis Clutton, Richard Steele, Andrew Morton.
- Raton* : Charles de Forresta, J. W. Dwyer, T. B. Lane, A. W. Knox, A. P. Rogers, J. R. Stuyvesant, Charles Wheeler, Frank S. Noyse, Ralph Whistler, P. B. Craig, M. B. Stockton, Hugh T. Woods, E. C. Griffith, A. G. Shaw. J. E. McKown. O. A. Hadley, Arthur Marsland, George Miller, William J. Parker, Garret Lee, Charles Thacker, G. W. Geere.
- Troysburg* : F. M. Darling, J. L. Smythe, E. Johnson, T. Meloche, A. D. Thompson,.
- Cimarron* : James Stepp, M. H. Heck M. M. Chase.
- San Hilario*; Louis Hommel, Hilario Gonzales, J. M. Gallegos.
- Kansas City, Mo.*: J. A. Forbes, E. E. Holmes.
- Watrous*: C. W. Wildenstein, J. B. Watrous, Wm. McCartney, James P. Campbell.
- Capulin*: Daniel E. Young, W. H. Jack.
- Catalpa*: A. H. Warren, Henry Jones, Phlem Humphrey.
- Vermejo*: Marion Littrell.
- Denver, Colo.*: D. C. Holcomb, H. M. Porter.
- Elizabethtown*: John S. Irwin.
- Ute Creek*: W. K. Irwin.
- Liberty, Mo.*: J. R. Timberlake.
- Tascosa, Texas*: Edward McAllister.
- Tramperos*: John S. Woolford, J. S. Holland.
- Boulder, Colo.*: E. J. Temple.
- Weed, Calfa.*: J. S. Taylor.
- Burton, Kansas*: W. O. Van Arsdale.
- Liberty*: E. Fritzlen, David Fritzlen.
- Red River Springer*: Fred. J. Hooper.
- Carlisle*: J. H. Bosler.
- Fort Bascom*: Raymond Jenkins, W. E. Ewing, L. S. Rogers.
- Trinidad, Colo.*: G. W. Thompson R. G. Head. F. Putnam, B. F. Smith, W. A. Burnett. W. R. Greene.
- Wagon Mound*: T. F. Maulding, W. H. Wilcox, Edward Watkins, Price Lane, O. K. Chittenden, J. S. Elsea, P. H. Harsel, John B. Garth, James C. Leary.
- La Cinta*: L. Walker, Robert L. M. Ross, Michael Slattery. H. S. Wells, Jr., Frank Huntington, Howard Kohn.

CENTRAL NEW MEXCO CATTLE GROWERS' ASSOCIATION.

OFFICERS :

- President,.....D. F. WHITE, Socorro.
 Vice-President,EDWARD FEST, Cuchillo Negro.
 Secretary,.....G. L. BROOKS, Socorro.

EXECUTIVE COMMITTEE :

D. F. White, Socorro; Edward Fest, Engle; G. L. Brooks, Socorro; Alexander Rogers, Engle; N. Grayson, Palomas; W. C. Bruton, Socorro; J. A. Stinson, Manzano; G. Smith, Socorro; D. C. Cantwell, Crafton.

MEMBERS :

Socorro: John W. Terry, S. F. Laderer, G. L. Brooks, W. C. Bruton, M. W. Browne, T. J. Terry, E. J. McLean, H. Johns, J. B. Roseboom. Samuel N. Dedrick, R. J. Bishop, George, Smith, John Alley, Antonio y A. Abeytia.

Albuquerque: Wray & Irwin, T. J. Trask, John J. Snyder, M. B. Bowman, A. W. Coddington, J. K. Bayse, R. P. Brown, W. S. Moore, Charles Zeiger, Santiago Baca, Henry Dold, W. H. McClellan, Charles Lewis.

Weatherford, Texas: W. B. Slaughter, D. C. Kyle, John Slaughter.

Santa Fe: H. M. Atkinson, Max Frost.

Laguna: Walter G. Marmon, George H. Pradt.

Alma: H. B. White, G. M. Mansell, Edwyn F. Upcher.

San Marcial: J. W. Virgin, J. C. Tiffany, C. S. Roberts.

Coolidge: W. H. Hulvey, C. W. Kennedy.

Fort Wingate: L. P. Bradley.

Fort Craig: J. W. Crawford.

Manzano: J. A. Stinson.

Engle: Alex Rogers.

Grafton: D. C. Cantwell, Floyd Jarrett.

Palomas: N. Grayson, W. S. Hopewell.

Fort Worth, Texas: W. W. Tuttle.

San Antonio: E. Montoya & Sons.

SOUTHWESTERN STOCK ASSOCIATION OF GRANT COUNTY, NEW MEXICO.

OFFICERS ;

President.....RICHARD HUDSON, Hudson.
 Vice-President.....WILLIAM BRAHM, Silver City.
 Treasurer.....JOHN BROCKMAN, Hudson.
 Secretary.....ISRAEL KING, Hudson.

EXECUTIVE COMMITTEE:

S. Lindauer, Deming; James Van Dyke, Whitewater; James M.

Hicks, Georgetown; James P. Howlett, Hudson; Richard Hudson, Hudson.

MEMBERS :

Hudson: C. M. Shannon, C. F. Bottom, Lyons & Campbell, E. Vamage and T. W. Holson, R. H. Speed, A. M. Little, George Williams, Ilario Pino and Howlett Bros.

Deming: A. E. Head, P. Baca and S. S. Birchfield.

Georgetown: John Perry, James A. Lucas, David Bunu, E. H. Trevis, W. J. Mitchell, John McKinn and B. Rosenfield.

Fort Bayard: C. V. Hugo and W. J. Hutchinson.

Fort Cummings: S. P. Carpenter.

Santa Rita: William Courtney.

LINCOLN COUNTY STOCK ASSOCIATION.

OFFICERS:

President,..... W. E. ANDERSON, Lincoln,

Vice-President,..... JOHN W. POE, Lincoln.

Secretary,..... M. CRONIN, Lincoln.

MEMBERS:

White Oaks : James Alcock and Samuel Wells.

Las Vegas ; W. W. Brazil, J. J. Cox, J. A. La Rue, Louis Lutz, J. & J. S. Reynolds.

Fort Stanton : Pat F. Garrett, A. K. Eakers, J. B. Eakers, James Rainboldt, S. S. Terrell, E. Terrell, Melvin Richardson.

Lincoln : John W. Poe, Florencio Gonzales, Jose Montañó, B. J. Baca, J. J. Dolan, M. Cronin.

Seven Rivers : George W. Larremore, Eddy Bros., R. P. Segrest.

Roswell : W. E. Anderson, J. C. Lea, Henry Miln, John Chisum, C. S. McCarty, T. B. Powell,

Fort Sumner : Hernandez Bros.

Black River : R. C. Allison.

Carlos Armijo, J. H. Blazer, A. W. Bryan, T. A. Cody, Wm. H. Hudgens, Allen Henley, John W. Hudgens, S. W. Lloyd, Frank Lesnet, G. W. Littlefield, W. H. H. Llewellyn, J. B. Mathews, S. H. Miller, M. L. Pearce, E. W. Parker, E. W. Richards, Jacob Slover, William Slane, William White, George W. Williams.

DONA ANA STOCK ASSOCIATION.

OFFICERS :

President.....Benjamin E. Davies, San Agustin.
 Vice-President.....D. H. Halleck, Las Palomos.
 Secretary.....J. W. Evans, Las Cruces.
 District Secretaries {Thomas B. Lynch, Colorado.
 J. H. Riley, Las Cruces.
 A. J. Fountain, Mesilla.

MEMBERS :

Las Cruces: Charles Coleman, S. B. Newcomb, W. L. Pierce, John
 Riley, W. L. Rynerson.
Lake Valley: A. Colin, Fred Shaw, Powell & McLeod.
Las Palomas: D. H. Halleck, W. S. Hopewell.
Colorado: Lynch Bros.
Hillsboro: —Dugan.
Tularosa: Pat. Coghlan.
Mesilla: Mariano Barela.

WAGON MOUND LOCAL ASSOCIATION.

OFFICERS :

President.....J. S. ELSEA, Wagon Mound.
 Secretary.....PRICE LANE, Wagon Mound.
 Treasurer.....J. C. LEARY, Wagon Mound.

EXECUTIVE COMMITTEE :

J. S. Elsea, J. C. Leary, Price Lane, W. H. Wilcox, W. Ecton, O.
 K. Chittenden and H. T. Sinclair, all of Wagon Mound.

AGUA CALIENTE CATTLE ASSOCIATION,

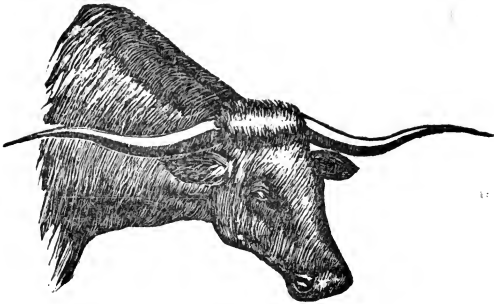
OFFICERS:

President.....J. A. HUNT, Raton.

Secretary.....I. N. WOODWORTH, Raton.
Captain.....Z. A. CURTIS, Elkins.

EXECUTIVE COMMITTEE:

J. W. Woolf, Elkins; A. G. Dawson, Cimarron and Charles Hunt, Raton.



ARTICLES OF ASSOCIATION AND BY - LAWS.

SECTION 1—This association shall be known as the **STOCK GROWERS' ASSOCIATION OF NEW MEXICO.**

SEC. 2. The object of this association is to advance the interests of cattle and stock growers and dealers within the said Territory, and protection of the same against frauds and swindlers, and to prevent the stealing taking and driving away stock bearing the brands of the members of this association, and enforce the stock laws of New Mexico.

SEC. 3. This association shall consist of the accredited delegates from the different local stock associations of this Territory, not to exceed five from any one association, said delegates to be appointed at a general meeting of each stock association or by the respective executive committees of said association, and must bear a certificate of membership and election duly authenticated by the proper officers of their association. Each delegate is entitled to one vote and no proxies are to be recognized.

OFFICERS AND ELECTIONS.

SEC. 4. The affairs of this association shall be conducted and managed by a president, vice-president, secretary, who shall act as treasurer, and an executive committee consisting of one person for each local association of this Territory.

SEC. 5. These officers shall be elected by ballot at the annual meeting, the candidates receiving the largest number of votes shall be declared elected, and shall serve until their successors are duly elected.

SEC. 6. The executive committee is empowered to fill any vacancies that may occur in their own body, or "among" the officers of this association, and persons so appointed shall hold office until the next regular meeting.

DUTIES OF OFFICERS.

SEC. 7. The president shall preside at all meetings of the association. He shall see that all the laws and regulations thereof are faithfully executed, and perform such other duties as may be required of him in these laws, as well as such as may be necessary to secure the objects and best interests of this association not herein otherwise provided for.

SEC. 8. The vice-president in the absence of the president shall

perform the duties of the latter, and if both be absent at any meeting a president *pro tem.* may be elected.

SEC. 9. The secretary shall keep accurate minutes of the transactions of this association. He shall keep a roll of members and a correct account of all moneys received.

He shall write and send all communications as directed by the association, correspond and transmit to the secretaries of the local stock associations all matters of interest to stock-growers. He shall also act as secretary of the executive committee, and shall make a full report of all transactions of his office at each annual meeting.

SEC. 11. He shall deliver to his successor all books, papers, moneys, and other property in his possession belonging to the association, and shall perform such other duties as may be required by the laws and regulations or by the association.

SEC. 12. The secretary and treasurer of the association shall receive all moneys belonging to the same and pay the same out only upon the order of the chairman of the executive committee.

SEC. 13. He shall keep a correct account of all such moneys received and paid out. He shall make a report at each annual meeting of the association, and at such other times as the association may direct, of all the transactions of his office, producing, therewith, vouchers for all moneys paid out.

SEC. 14. He shall deliver all books, papers, moneys and other property in his possession belonging to the association to his successor in office, and shall give bond to the association in such sum and with such sureties as may be required by motion or otherwise, conditioned that he will faithfully perform all acts and things required of him in this section.

SEC. 15. The executive committee shall meet immediately after their election, and appoint a chairman of said committee.

SEC. 16. This committee shall have entire control of all the business of the association during its adjournment.

SEC. 17. It shall audit all accounts, and its chairman shall order vouchers for proper payments to be drawn by the secretary and treasurer of the association.

SEC. 18. They shall represent this association before the Legislature and other similar positions during the adjournment of the association.

SEC. 19. A majority of the members of the executive committee shall constitute a quorum.

MEETINGS.

SEC. 20. Annual meetings of this association shall be held at Santa Fe, at such time as may be appointed by the executive committee, of which proper notice shall be given.

SEC. 21. Special meetings may be called at any time by the president, or in his absence by the vice-president, upon the request of five members in writing.

SEC. 22. Nine members shall constitute a quorum for business at all meetings.

SEC. 23. In view of the fact that the proposed incidental expenses of this association are limited to the payment of stationary, printing and publication of a pamphlet containing revised stock laws of the territory, the assessment against each local association shall be limited to amount not exceeding \$100, the actual necessary expenses thereof to be fixed pro rata and assessed against each local association by the executive committee.

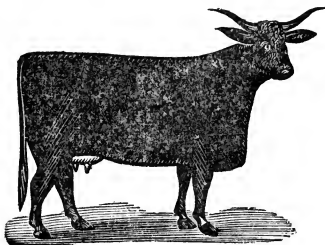
SEC. 24. The foregoing articles of association to be submitted to each local stock association through their executive committees for their respective approval and ratification. The representation of accredited delegates from the respective local associations on the 3rd day of March next, at which time these articles are to be submitted for adoption, shall be considered a sufficient ratification and approval by such local associations.

SEC. 25. These laws, regulations and resolutions shall not be annulled or amended except at an annual meeting; then they may be annulled or amended by a vote of two-thirds of the members present.

ORDER OF BUSINESS.

1. Calling the roll.
2. Reading the minutes of last meeting.
3. Unfinished business and reports of committees.
4. Reports of officers.
5. Payment of dues and signing articles of association.
6. Election of officers.
7. Election of executive committee.
8. General business.

Adopted March 4, 1884.



LAWS CONCERNING AND AFFECTING STOCK INTERESTS, IN FORCE JUNE 1st, 1884.

AN ACT FOR THE PROTECTION OF STOCK AND FOR OTHER PURPOSES.
Approved April 1, 1884.

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SEC. 2. Certificate of brand; how recorded; preferences.
SEC. 3. Ear marks, how made and recorded.
SEC. 4. Brands *prima facie* evidence. when.
SEC. 5. Changing or defacing brands; penalty.
SEC. 6. Intermixed herds to be separated, how; liability.
SEC. 7. Liability of persons having stock in possession not their own.
SEC. 8. Liability of drovers.
SEC. 9. Trespass on settlers and ranchers; penalty.
SEC. 10. Removal of hides from dead cattle; penalty.
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SEC. 12. Penalty for violating preceding section.
SEC. 13. Bill of sale to be exhibited on demand; penalty.
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SEC. 17. Illegal sales defined, penalty.
SEC. 18. Butchers to give bond and keep records.
SEC. 19. Penalty, how recovered.
SEC. 20. Penalty for failing to keep record.
SEC. 21. Record, hides and horns subject to inspection; penalty.
SEC. 22. Liability of sureties on bonds.
SEC. 23. Carrying fire-arms at round-up prohibited; penalty.

Be it enacted by the Legislative Assembly of the Territory of New Mexico.

SECTION 1. Animals such as are usually branded may be branded on either side with the owner's brand. All brands shall be recorded in the county where the owners reside. No evidence of ownership by brands shall be permitted in any court in this Territory unless the brands shall have been recorded as provided in this act. Each drove of cattle or sheep which may be driven into or through any county of this Territory shall be plainly branded or marked with one uniform brand or mark. The cattle shall be so branded with

the distinguishing ranch or road brand of the owner as to show distinctly in such place or places as the owner may adopt. Sheep shall be marked distinctly with such mark or device as may be sufficient to distinguish the same readily should they become intermixed with other flocks of sheep owned in the Territory. Any such owner or owners, or person in charge of such drove, which may be driven into or through the Territory, who shall fail to comply with the provisions of this act, shall be fined not less than fifty (50) nor more than three hundred (300) dollars, at the discretion of the court.

SEC. 2. Any person desiring to use any brand shall make and sign a certificate, setting forth a *fac simile* and description of the brand which he desires to use, and shall file the same for record in the office of the county clerk of the county wherein he resides, which clerk shall record the same in a book kept by him for that purpose, and from after the filing of such certificate the person filing the same shall have the exclusive right to use such brand within such county for the purpose aforesaid. And any person or persons so desiring may in the manner and with like effect, as herein provided, record his brand or mark in any county in the Territory into which his stock are liable to stray; *Provided*, that such mark or brand has not been heretofore recorded in such county by some other person; and if the clerk and recorder of any county shall for any persons record any mark or brand, there being at the time of such recording a similar living mark or brand upon the records of his county, such clerk and recorder shall be liable to pay a fine of not less than twenty (20) nor more than one hundred (100) dollars; *And provided further*, when two or more similar marks or brands have been heretofore recorded in any county, the oldest record shall entitle the owner to the exclusive use thereof in such county.

SEC. 3. Any stock grower of this Territory may adopt and use an ear mark, and such ear mark shall be taken in evidence in connection with the owner's recorded brand in all suits at law or in equity in which the title to stock is involved. Such ear mark shall be made by cutting and shaping the ear or ears of the animal so marked but in no case shall the person so marked the animal cut off more than one-half of the ear so marked, neither shall any one mark by cutting an ear on both sides to a point. No county clerk or recorder shall record the same ear mark to more than one person.

SEC. 4. In all suits at law or in equity, or in any criminal proceedings, when the title of any stock is involved, the brand on an animal shall be *prima facie* evidence of the ownership of the person whose brand it may be; *Provided*, that such brand has been duly recorded as provided by law. Proof of the right of any person to use such brand shall be made by a copy of the record of the same, certified to by the county clerk of that county or any county in which the same is recorded under the hand and seal of office of such clerk.

SEC. 5. If any person shall brand or mark, or cause to be branded or marked, with his, her, or their brand, or any other not the recorded brand of the owner, any animal being the property of

another, or shall efface, deface, or obliterate any brand or mark upon any animal, any such person so offending shall be deemed guilty of larceny, and on conviction thereof shall be confined in the penitentiary not less than one year nor more than five, as the court may direct, and shall also be liable to the owner thereof for three times the value of the animal so branded or marked, or upon which the brand or mark shall have been so effaced, defaced, or obliterated, and in no case shall the payment of the forfeiture herein mentioned entitle the person so branding, effacing, defacing, or obliterating a brand to the property in the animal so branded, or upon which the brand was effaced, defaced, or obliterated, but such animal shall be surrendered to the proper owner.

SEC. 6. When the stock of any resident shall intermix with any drove of animals, it shall be the duty of any drovers or persons in charge to cut out and separate such stock from said drove immediately, except in case of sheep or horses, when they shall be driven to the nearest suitable corral to be separated. Any person, either owner or drover, or otherwise connected with the management of such drove, who shall neglect to comply with the provisions of this section shall be fined in any sum not exceeding five hundred (500) dollars for every offense, and shall be liable to indictment for larceny.

SEC. 7. Any person or persons not being the owner or owners, or having the right of possession of any animal or animals, who shall be found driving or leading any such animal or animals from its or their usual range, such person or persons may be arrested by any constable, officer, or other person especially deputed for such purpose by a judge or justice of the peace, and such person or persons may be taken before any court of competent jurisdiction for examination and trial, and if found guilty shall be punished as for larceny. In prosecutions for a violation of the provisions of this section it shall not be necessary, in order to warrant a conviction, for the people to prove that the offense was committed knowingly or wilfully, or to show an intent, purpose, or motive on the part of the accused; but if it shall be shown that the accused had in his possession or under his control or supervision any animal so being led or wrongfully driven from its usual range as aforesaid, or that the accused assisted in so leading or driving away any such animal without having the right of possession thereof, as aforesaid, such showing shall be sufficient to warrant a conviction, unless the accused shall by testimony in his behalf explain the case made against him in such manner as to show good faith and an innocent purpose on his part.

SEC. 8. When the stock of any person in New Mexico shall be driven off its range without the owner's consent by the drover of any herd or drove, every person engaged as drover of such stock, or otherwise engaged in the care and management thereof, shall be liable to indictment and punishment as for larceny, and shall be liable for damages to the amount of two thousand (2,000) dollars together with all costs accruing in the trial of said cause, and said

herd of stock or a sufficient number to cover all damages and costs shall be held liable for the same.

SEC. 9. Any person owning or having charge of any drove of cattle, horses, or sheep, who shall drive the same into or through any county of New Mexico, of which the owner is not a resident or land owner, and where the land in such county is occupied by settlers and ranchers, it shall be the duty of such owner or person in charge of such cattle, horses, or sheep to prevent the same from mixing with the cattle, horses, or sheep belonging to the actual settlers, and also to prevent said drove of cattle, horses, or sheep from trespassing on such lands as may be the property or be in the possession of the actual settler and used by him for the grazing of animals or the growing of hay or other crops, or from doing injury to ditches. If any owner or person in charge of any such drove of stock shall wilfully injure any resident of the Territory, by driving such drove of stock from the public highway and herding the same on lands occupied and improved by settlers in possession of the same, it shall constitute a misdemeanor, and shall be punished by a fine of not less than twenty-five or more than one hundred dollars, at the discretion of the court, and render the owner or person in charge of the drove so trespassing liable for the damages done to such settler.

SEC. 10. Any person or persons who may skin, or remove from the carcass, any part of the hide of any neat cattle found dead, without permission from the owner, shall be deemed guilty of larceny, and on conviction thereof shall be punished in the manner provided by law for the punishment of larceny; *Provided*, nothing herein shall be deemed to prevent the skinning of animals killed by railroad companies, by the employes of any railroad company by which such stock may have been killed.

SEC. 11. No person or persons, whether as principal or agent, shall hereafter sell or otherwise dispose of any neat stock, nor shall any person, whether as principal or agent, buy, purchase, or otherwise receive any such stock, unless the person or persons so selling or disposing of any such stock shall give, and the person or persons buying, purchasing, or otherwise receiving any such stock, shall take a bill of sale in writing of the stock so sold, or disposed of, or so bought, purchased, or otherwise received, as the case may be, which bill of sale shall be witnessed by two witnesses residents of the county where sale is made.

First—When such stock or any part thereof is to be shipped from the Territory, or slaughtered by the purchaser, or when the said stock or any part thereof is to be, by such purchaser, sold to any other person or persons for shipment or slaughtering, or is to be by any such other person or persons offered for sale for shipment or slaughtering.

Second—When any such stock is to be driven, led, taken, or shipped to any market, range, or other place more than ten miles distant from the place of delivery thereof, upon any such sale or purchase, or when any such stock is to be led, driven, taken, or

shipped to any market, range, or other place more than ten miles distant from the place where such stock may be herded, kept, or permitted to range, at the time of the sale or purchase thereof, or to any market, range, or other place more than ten miles distant from the place where such stock may have been herded, kept, or permitted to range, for any portion of the three months next preceding such sale or purchase.

Third—When any such stock so sold or purchased is at the time of such sale or purchase, or for any part of the sixty days next prior thereto, has been running at large upon an uninclosed range; but this provision shall not apply to sales of stock when the persons who sell are selling stock of which they have had actual and personal control and supervision daily for the said period of sixty days next prior to the sale thereof, and are rightfully entitled either as principal or agent to sell and dispose of the same.

SEC. 12. Any person who shall violate or fail to comply with any of the provisions of the last foregoing section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum of not less than twenty-five dollars nor more than five hundred dollars, or imprisoned in the county jail not less than thirty days nor exceeding six months, or may be punished by both fine and imprisonment, in the discretion of the court.

SEC. 13. It shall be the duty of any person who may have purchased or received, or have in his possession any such stock, either for himself or for another, to exhibit, on reasonable request to any person inquiring therefor, the bill of sale of such stock, if in his power so to do, and if not in his power so to do, to state and give the reason therefor; and any person violating or failing to comply with the provisions of this section shall be deemed guilty and liable to punishment, as provided in the next preceding section.

SEC. 14. The provisions of the last three sections shall be liberally construed in favor of the people, and in order to convict of any offense made punishable in any of the said sections it shall not be necessary for the prosecution to prove knowledge, intent, purpose, or motive on the part of the accused but such knowledge, intent, purpose, and motive may be presumed when the wrongful act of the accused has been shown, and shall justify a conviction, unless the testimony in the case shall satisfactorily show the good faith and innocent purpose of the accused.

SEC. 15. Any person who shall steal, embezzle, or knowingly kill, sell, drive, lead, or ride away, or in any manner deprive the owner of the immediate possession of any neat cattle, horse, mule, sheep, goat, swine, or ass; or any person who shall steal, embezzle, or knowingly kill, sell, drive, led, or ride away, or in any manner apply to his own use any neat cattle, horse, mule, goat, sheep, ass, or swine, the owner of which is unknown; or any person who shall knowingly purchase from any one not having the lawful right to sell and dispose of the same, any neat cattle, horse, mule, sheep, swine, or ass, shall be deemed guilty of a felony, and on conviction thereof in any court of competent jurisdiction shall be punished

by imprisonment not less than one year nor more than five years, and by a fine not less than five hundred (500) dollars, nor more than five thousand (5,000) dollars, at the discretion of the court.

SEC. 16. All cases which are by this act declared to be larceny, and in all cases of felonious taking, stealing, riding, driving, leading, and carrying away of any animal or animals herein referred, the same shall be deemed and taken to be, and the courts of this Territory shall construe the same to be grand larceny, subjecting the offender or offenders to be condemned to the penitentiary for a term of not less than one year nor more than ten years, except as otherwise provided for in this act, notwithstanding the value of such animal or animals may be less than twenty dollars.

SEC. 17. Any person or persons who may sell or offer for sale or trade any neat stock upon which such persons have not their recorded mark or brand, or for which the person so offering has neither bill of sale nor power of attorney from the owner of such stock authorizing such sale, every person so offering shall be deemed guilty of larceny, unless such person upon trial shall establish and prove that he was at the time the actual owner of the stock so sold or traded, or offered for sale or trade, or that he acted by the direction of one shown and proven to be the actual owner of such stock; and in prosecutions for a violation of this section it shall not be necessary in order to warrant a conviction for the people to prove motive, intent, or purpose on the part of the accused, or that the accused knew that the stock sold or traded or offered for sale or trade, was so sold, traded, or offered in violation hereof; but the fact of such selling, trading, or offering for sale or trade contrary to the provisions hereof, when proved, shall be sufficient to authorize a conviction, unless the accused shall by testimony explain the case made by the people in a manner consistent with good faith and innocent purpose.

SEC. 18. Every person before he shall set up and carry on the trader of a butcher or slaughterer of horned cattle in this Territory, shall file a bond, approved by the county commissioners, with the clerk of the county in which he desires to carry on the business, in a sum of not less than one thousand (1,000) dollars nor more than (5,000) dollars running to the people of the Territory of New Mexico, conditioned that he shall keep a true and faithful record, in a book kept for the purpose, of all cattle purchased or slaughtered by him, with a description of the animal, including marks, brands, age, weight, and from whom purchased, and the date thereof, and to keep the hide and horns of such animal free to the inspection of all persons for the period of thirty days after it is slaughtered.

SEC. 19. Every person who shall be found carrying on the business of butcher or slaughterer in the Territory without having filed the bond provided in the eighteenth section of this act, shall be deemed guilty of a misdemeanor, and be fined in a sum not less than fifty nor more than one hundred dollars for every day he shall carry on such business, to be recovered before any justice of the peace of the proper county or by indictment in the District Court.

SEC. 20. Every person who shall carry on the business of butcher or slaughterer of horned cattle, and shall fail to keep a true and faithful record, in a book kept for the purpose, of all cattle purchased or slaughtered by him, together with a description of each animal, including marks, brands, age, weight, and from whom purchased, and the date thereof, or fail to keep the hide and horns of such animal or animals for thirty days after such animal is slaughtered, shall be deemed guilty of a misdemeanor, and for each offense fined in a sum not less than ten nor more than one hundred dollars, to be recovered as provided in the nineteenth section of this act.

SEC. 21. The record provided for in this act shall be open to the inspection of all persons, and also the hide and horns, for the period of thirty days, and any butcher or slaughterer refusing to permit such inspection or examination shall be subject to a fine of not less than ten nor more than twenty-five dollars for each offense, to be recovered as provided in section nineteen of this act.

SEC. 22. All fines and penalties so recovered under this act shall be paid into the county treasurer of the proper county, and the offender and his sureties shall be liable on the bond provided for in the eighteenth section of this act for all fines, penalties, and costs adjudged against him under the provisions of this act. Said bond may be sued on in the name of the people in any court of competent jurisdiction.

SEC. 23. Hereafter it shall not be lawful for any person to carry any fire-arms or deadly weapons at any cattle round-up in this Territory, and any person violating the provision of this section shall be fined in any sum not less than twenty-five dollars nor more than one hundred dollars. Justices of the peace, as well as the District Court, shall have jurisdiction in all cases arising under this section.

SEC. 24. All laws and parts of laws in conflict with this [act] are hereby repealed.

SEC. 25. That this act shall take effect and be in force from and after the first day of May, A. D., 1884.

AN ACT TO PROTECT THE HERDS OF SHEEP AND THOSE TAKING CARE OF THE SAME. *Approved March 27, 1884.*

CONTENTS.

SECTION 1. Disturbing or interfering with herds of sheep unlawful when.

SEC. 2. Liability for damages; penalty.

SEC. 3. Joint liability of employers.

SEC. 4. Liability when person is injured or killed.

SEC. 5. Damages, how recovered.

WHEREAS, heretofore in many instances the owners of sheep have been injured and suffered from the owners of cattle who claimed the control of the public domain, to the exclusion of such sheep owners; and,

WHEREAS, for such purposes they employed, in many instances, irresponsible and desperate persons to carry out their unlawful designs, and inoffensive herders were in many instances killed by such employes, therefore,

Be it enacted by the Legislative Assembly of the Territory of New Mexico.

SECTION 1. That it shall be unlawful for any person or persons in the Territory of New Mexico to disturb or interfere with any herd or herds of sheep, or to drive them or cause them to be driven away from any place where such sheep may be pastured or herded upon any lands, except such person be the owner of such lands, and provided he shall have distinctly marked out the boundaries of the same so that the same can be distinguished and known to be private land.

SEC. 2. Any person who shall violate the provisions of the foregoing section shall be guilty of a misdemeanor, and upon conviction before any justice of the peace or District Court be fined in the sum of one hundred dollars and imprisoned in the county jail for thirty days; and such person shall also be liable to the person or persons whose sheep were disturbed, interfered with, and driven away, for the damages which he or they may have sustained, and in addition to such damages which he or they may have sustained, he shall also pay the sum of five hundred dollars as exemplary damages, and such damages to be recovered in an action of trespass brought in the District Court of any county of the judicial district in which such offense has been committed.

SEC. 3. In case any violation of any of the provisions of this act shall have been committed by any employé or herder of any person or persons, company or corporation, he, they, or it shall be liable for the acts of their said employé or herder to the person or persons injured in the same damages as provided in section two of this act.

SEC. 4. Any person who, in violating any of the provisions of this act, shall injure any person, herder or employé, in charge of any herd, or employed in the same shall be liable to the party injured in such damages as the jury trying such cause may assess, and if any such person, herder, or employé, should be killed by any person in violating any of the provisions of this act, or who shall die in consequence of having received an injury as aforesaid, such person shall be liable to the executor, administrator, or widow of such deceased person, in the sum of five thousand dollars [as fixed and liquidated damages, and provided also, that if such person committing such injury causing such death shall at the time be in the employ of or acting for any person or persons, company or corporation, he, they, or it, shall be liable jointly with, or separately, the person and wrongdoer to the party injured, his executors, administrators, or widow, in the damages as above provided.

SEC. 5. That the damages to be recovered under the foregoing section (4) shall be by an action on the case in any county of the judicial district in which the cause of action accrues.

SEC. 6. This act shall take effect and be in force from and after the date of its passage.

AN ACT TO PREVENT THE INTRODUCTION OF DISEASED CATTLE INTO THE TERRITORY OF NEW MEXICO. *Approved March 19, 1884.*

CONTENTS.

SECTION 1. Driving and transporting diseased cattle unlawful.

SEC. 2. Inspectors to be appointed, and duties.

SEC. 3. Certificate to be given, when.

SEC. 4. Term of office, fees and mileage.

SEC. 5. Power to administer oaths.

SEC. 6. Shippers and carriers liable.

SEC. 7. Inspector may appoint deputy.

SEC. 8. Notification to inspector.

SEC. 9. Penalty for giving false certificate.

SEC. 10. Penalty for violations of act.

Be it enacted by the Legislative Assembly of the Territory of New Mexico.

SECTION 1. It shall be unlawful for any person or corporation to drive or transport, or cause or procure to be driven or transported into the Territory of New Mexico, any cattle which are, or within twelve months prior to their introduction into this Territory, have been affected with or exposed to any contagious or infectious disease; or which within such period have been driven or transported from or through any district of country where such disease was known to exist at the time of such driving or transporting; or without the certificate of the inspector of cattle, as hereinafter provided, being first obtained.

SEC. 2. The Governor shall appoint, at such convenient points as he may deem proper within the Territory and as near as possible to the frontier, inspectors of cattle, whose duty it shall be to inspect all cattle destined for introduction into the Territory, and to ascertain whether any of such cattle are, or have been infected with, or exposed to any contagious or infectious disease, or have been driven or transported from or through any district of country where such disease was known to exist as mentioned in section one of this act, and for this purpose he may require affidavits of the persons in charge of such cattle, as to all the facts connected with their driving or transporting.

SEC. 3. If upon such inspection and investigation such inspector shall be satisfied that such cattle are free from contagious or infectious disease, and are otherwise proper to be admitted under the provisions of section one of this act, he shall give to the person in charge of such cattle a certificate to this effect, and if not so satisfied he shall refuse to give such certificate.

SEC. 4. The said inspectors shall hold their offices during the

pleasure of the Governor and shall be entitled to receive one dollar per head for all high-grade or thoroughbred cattle inspected, and twenty cents per head for all other cattle inspected, not exceeding 1,000 head at one time, and for any excess above 1,000 in the same herd or lot, ten cents per head. and ten cents per mile for the distance necessarily traveled in going from their usual place of abode to the place of inspection; such fees and mileage to be paid by the owner of the cattle before the delivery of the certificate of inspection, and in case a certificate is not given they may be recovered by the inspector from the owner in a civil action.

SEC. 5. For the purpose of taking the affidavits mentioned in section two of this act, the inspector shall have power to administer oaths, and any person who shall swear falsely in such affidavit shall be deemed guilty of perjury.

SEC. 6. The provisions of this act shall apply to shippers and carriers as well as owners of cattle, and the certificate of the inspector shall not relieve them from liability, either criminal or civil, for the introduction of cattle contrary to the provisions of section one of this act.

SEC. 7. The inspector may appoint a deputy, who may act in his absence.

SEC. 8. Every person having in charge cattle destined for introduction into this Territory, whether as owner or carrier, or as agent of either, shall, at least ten days beforehand, notify the inspector nearest the proposed point of entrance to the Territory of the time and place, when and where such cattle will be ready for inspection, which place shall be beyond the boundary line of the Territory, and he shall hold the cattle at the place so designated until inspected.

SEC. 9. Any inspector who shall knowingly give a false certificate, or shall, without good cause under this act, refuse to give a certificate of inspection, or shall wilfully delay in making inspection when notified, shall be deemed guilty of a misdemeanor, and shall be liable to the injured party for damages arising from such refusal or delay.

SEC. 10. Any person or corporation who shall violate the provisions of section one of this act, shall be punished by a fine of \$5,000 for each offense, to be imposed by the court on conviction upon indictment or information, or to be recovered as a penalty by the Territory in a civil action; and shall also be liable for all damages resulting therefrom. Each lot or herd of cattle unlawfully brought into the Territory shall constitute a separate offense.

SEC. 11. This act shall take effect from and after its passage.

AN ACT FIXING A BOND FOR THE INSPECTORS OF CATTLE. *Approved*
April 1, 1884.

Be it enacted by the Legislative Assembly of the Territory of New Mexico.

SECTION 1. That the inspectors appointed under the provisions

of an act entitled an act to prevent the introduction of diseased cattle into the Territory of New Mexico, shall and hereby are required to give a bond to the Territory, to be approved by the Governor, in the penal sum of five thousand dollars, for the faithful discharge of the duties pertaining to such office; *Provided*, any person damaged by any improper or malicious action of any one of said inspectors may bring an action therefor in the name of the Territory against said inspector and his sureties on his official bond, and shall recover thereon the amount of such damage not exceeding the penalty of said bond.

SEC. 2. This act shall take effect and be in force from and after its passage.

AN ACT WITH REFERENCE TO AN ACT ENTITLED, "AN ACT TO PREVENT THE INTRODUCTION OF DISEASED CATTLE IN THE TERRITORY OF NEW MEXICO," [SUSPENDS OPERATION OF SAID ACT] APPROVED MARCH 19, 1884. *Approved April 3, 1884.*

Be it enacted by the Legislative Assembly of the Territory of New Mexico.

That the Governor of the Territory of New Mexico is hereby authorized, whenever in his judgment the circumstances and public interest warrants and requires him to do so, from time to time, to suspend by proclamation the operation of an act entitled "An act to prevent the introduction of diseased cattle in the Territory of New Mexico," approved March 19, 1884, or by proclamation to put the same in force at any time when suspended that he may believe the circumstances or public interest require said act to be in force. Said act is hereby suspended in its operation and effect from this date until the same may by the Governor be placed in operation and effect by his proclamation to that end.

This act shall be in full force and effect from and after its passage.

AN ACT TO REPEAL AN ACT ENTITLED AN ACT TO PROHIBIT THE INTRODUCTION OF ANIMALS WITHIN CERTAIN LIMITS, APPROVED FEBRUARY 2, 1860. *Approved April 1, 1884.*

Be it enacted by the Legislative Assembly of the Territory of New Mexico.

SECTION 1. That sections thirty, thirty-one and thirty-two of the above act be and the same are hereby repealed, but such repeal shall not apply to the counties of Santa Miguel and Santa Fe.

SEC. 2. This act shall take effect and be in force and from after its passage.







