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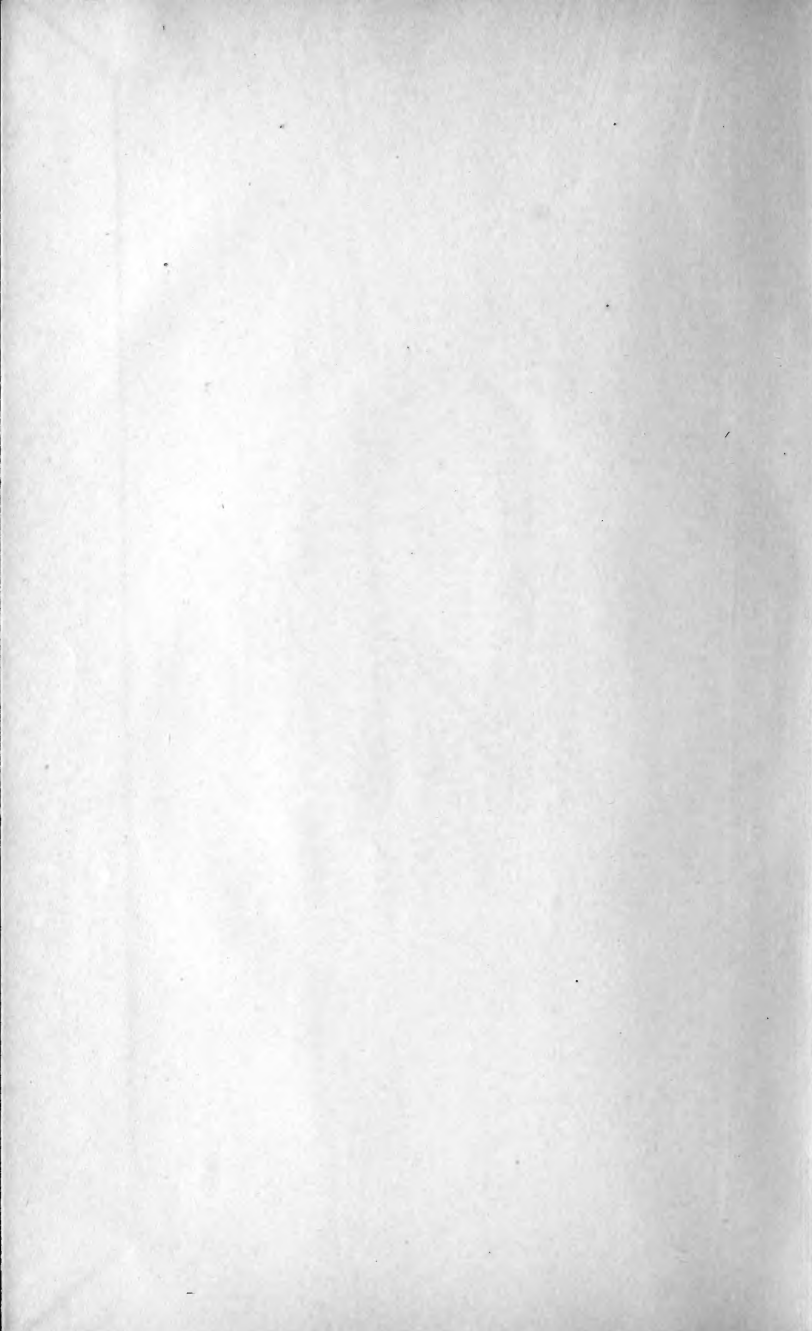


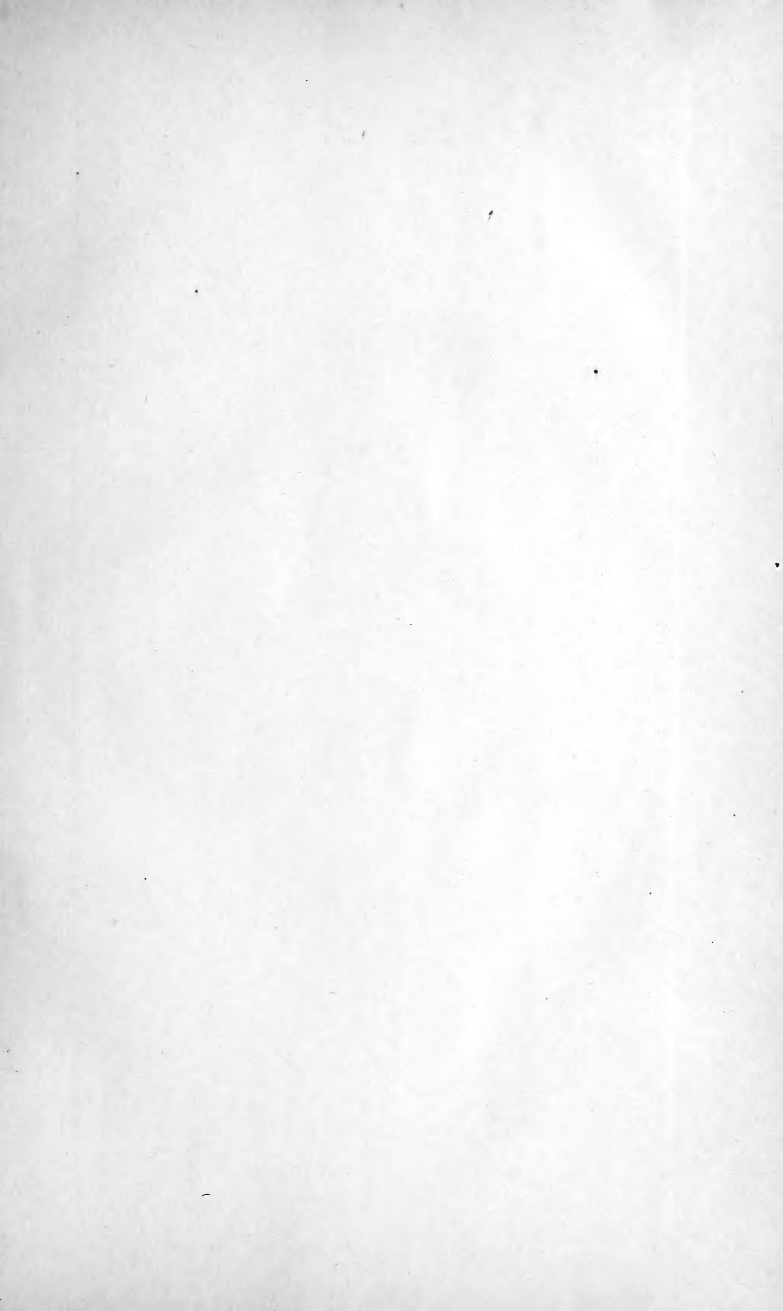
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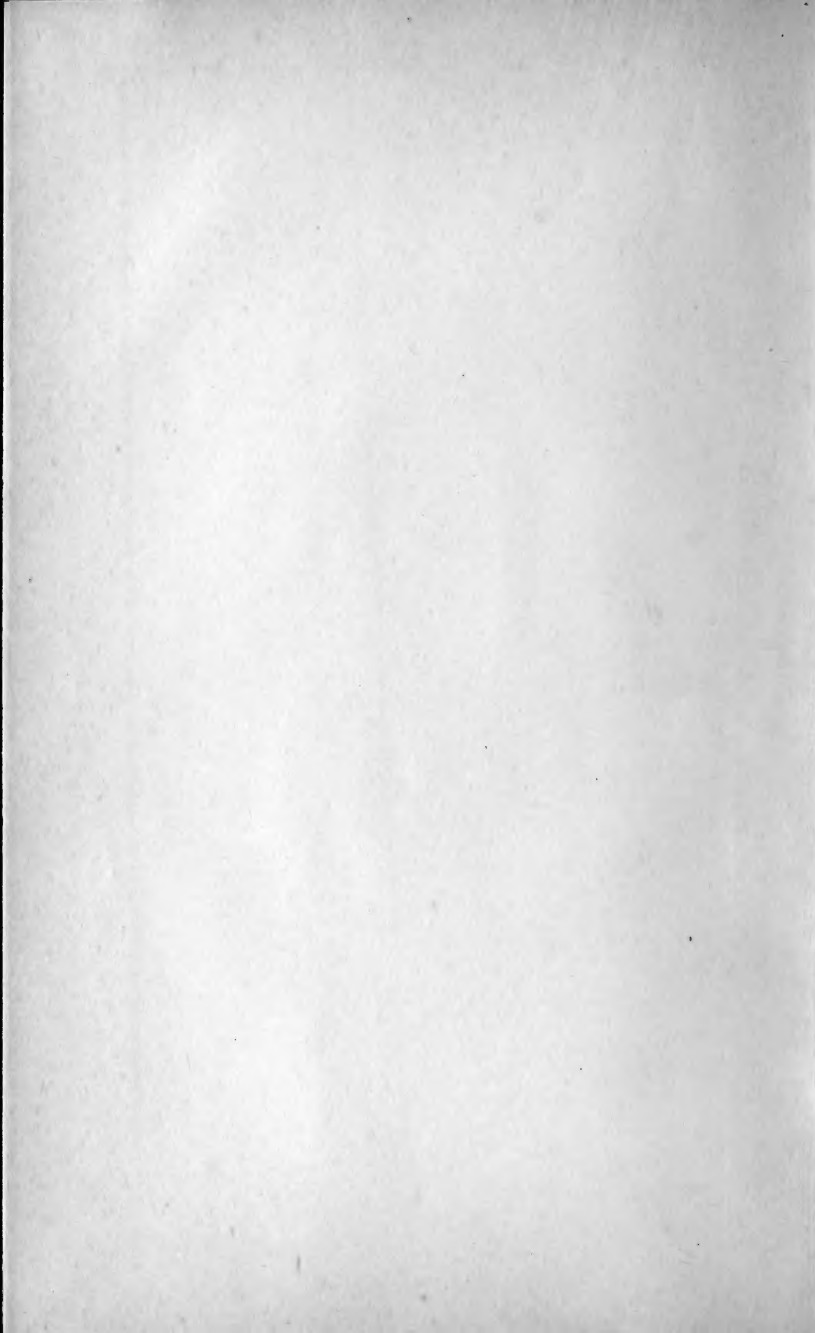
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# LIVE STOCK LAWS

OF THE

TERRITORY OF NEW MEXICO

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QUARANTINE  
REGULATIONS

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INSTRUCTIONS  
TO  
INSPECTORS

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Compiled and Issued by the  
CATTLE SANITARY BOARD  
OF NEW MEXICO

August 1st, 1905.





# LIVE STOCK LAWS

OF THE

## Territory of New Mexico

RELATING TO

### Cattle, Horses, Mules, and Asses

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*United States Regulations Governing Dipping and Handling  
of Cattle Affected With Scabies or Mange; Together  
With Rules and Other Regulations Governing  
the Importing Into the Territory of New  
Mexico of Cattle, Horses  
and Mules.*

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*List of Inspectors and Their Districts, with Rules for Govern-  
ment of Inspectors in the Performance of Their Duties.*

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Compiled and Issued by Authority of Cattle Sanitary Board of  
New Mexico, August 1, 1905.

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WILL C. BARNES, SECRETARY  
Las Vegas, New Mexico

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## MEMBERS OF THE BOARD

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E. GODWIN AUSTEN, President.....	Las Vegas
M. N. CHAFFIN.....	Las Vegas
CHAS. L. BALLARD.....	Roswell
WM. H. JACK.....	Silver City
ROBERT MARTIN.....	Cuchille
WM. C. McDONALD.....	Carrizozo
WILL C. BARNES, Secretary.....	Las Vegas

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## LIST OF INSPECTORS AND THEIR STATIONS.

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### District No. 1.

WALTER O'BRIEN—Raton to Albuquerque, Santa Fe branch. Santa Fe Central to Moriarty, Dawson branch, French to Dawson. P. O. Las Vegas.

### District No. 2.

T. A. GRAY—Union County, Colo. & So. Ry., Texline to Trinchera. P. O. Clayton.

### District No. 3.

M. McQUAID—R. I. from Pastura to state line. Dawson branch to Roy. P. O. Tucumcari.

### District No. 4.

J. V. LATHAM—Pastura south on R. I. to El Paso. Santa Fe Central to Estancia. P. O. Alamogordo.

### District No. 5.

C. L. BALLARD—Chaves and Eddy Counties, Pecos Valley road, Kenna south to Pecos. P. O. Roswell.

### District No. 6.

LAWRENCE WELCH—San Juan County. P. O. Bloomfield.

### District No. 7.

DON JOHNSON—Luna and Grant Counties, El Paso & S. W. R. R., S. Pac. R. R., Santa Fe to Rincon, Silver City branch. P. O. Deming.

### District No. 8.

T. H. TUCKER—Santa Fe R. R., Belen to El Paso, Magdalena branch. P. O. Socorro.

### District No. 9.

D. MARTINEZ—Taos. Hide Inspector.

### District No. 10.

VAN CASEY—Santa Fe Pacific R. R. west of Albuquerque, Zuni Mountain Ry., Valencia and McKinley Counties. P. O. Gallup.

### District No. 11.

WADE BRACKETT—Vermejo, Catskill and vicinity for herds crossing into Colorado. P. O. Catskill.

**District No. 12.**

VACANCY—Espanola and vicinity. P. O. Espanola.

**District No. 13.**

J. P. STONE—Portales, Pecos Valley road, Elida north. P. O. Portales.

**District No. 14.**

J. W. HILER—Hillsboro. Hide Inspector. P. O. Hillsboro.

**District No. 15.**

C. P. LEMONS—Nogal, Lincoln County and Indian Agency. Hide and Special Inspector. P. O. Nogal.

**District No. 16.**

GEO. HUTH—Chama. Hide Inspector.

**District No. 17.**

LEVI TABOR—Folsom. Hide Inspector.

**District No. 18.**

G. T. MURRAY—Special Inspector for herds crossing Arizona line. P. O. Springerville, Ariz.

**District No. 19.**

TOM MOORE—Hide Inspector Silver City and vicinity. P. O. Santa Rita.

**District No. 20.**

BAILEY HERRING—Hide and Special Inspector, Lordsburg and vicinity for herds crossing into Arizona. P. O. Lordsburg.

**District No. 21.**

VACANCY—Endee and vicinity.

**District No. 22.**

WM. W. MARTIN—Cuchillo. Hide and Special Inspector, Palomas, Fairview, Monticello and Cuchillo.

**District No. 23.**

WM. P. SANDERS—Hide Inspector, Magdalena and vicinity. P. O. Magdalena.

**District No. 24.**

VACANCY—

**District No. 25.**

CON DENNIS—Belen. New Santa Fe Cut-off, Belen to R. I. Crossing.

**District No. 26.**

G. W. KUTZ—Lumberton. Hide Inspector.

**District No. 27.**

JAMES N. ISAACKS—Las Cruces. Hide Inspector and Cattle Inspector for trail herds crossing line along Texas border.

**District No. 28.**

ED. JOHNSON—New Santa Fe Cut-off from Texico to Epris. P. O. Texico.

**District No. 29.**

ED. M. TYSON—Bronco, Texas. Line Rider, Texas border, Salt Lakes to southern line of Territory.

**District No. 30.**

JOE E. NAPIER—Texline. Line Rider, Texas border, Colorado line south to Canadian River.

# NEW AND IMPORTANT MANGE REGULATIONS

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The following regulations now in force in this Territory by the Federal authorities are published for the information of all concerned.

These regulations will of course be enforced by this Board as well as the Federal authorities.

Attention is also called to the fact that the order of April 1st allows the use of several other dips besides the single one of lime and sulphur, as heretofore.

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## INSTRUCTIONS TO INSPECTORS OF THE CATTLE SANITARY BOARD OF NEW MEXICO.

### *To All Inspectors:*

Until further orders each regular inspector of this Board, in addition to his other duties, is, under Section 4, Chapter 31, Acts of the 36th Legislative Assembly, hereby instructed to notify this Board of any outbreak or discovery of the existence of the disease known as mange or scabies in cattle.

Should any herd of cattle offered either for shipment or to be driven out of the Territory, be found infected with mange and refused permission to be moved by the Federal inspector, our inspectors must at once notify the owner or person in charge of said herd that they are under quarantine and must not be moved from the corral or yards wherein they are held, except for the purpose of dipping, and not moved even then unless an inspector or member of this Board or some duly authorized agent of the Board or a Federal inspector is present and authorizes the movement. And the corral or yards in which such

infected cattle have been held shall also be closed and declared infected until properly cleaned and disinfected under the supervision of either this Board or a Federal inspector.

Published by authority of the Cattle Sanitary Board of New Mexico.

E. GODWIN AUSTEN, *President*.

WILL C. BARNES, *Secretary*.

Las Vegas, June 1st, 1905.

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United States Department of Agriculture,  
Bureau of Animal Industry.

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**RULE 2.—TO PREVENT THE SPREAD OF SCABIES IN CATTLE.**  
**Effective on and after June 1, 1905.**

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UNITED STATES DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY.

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that a contagious, communicable disease known as scabies exists among cattle in the following named States and Territories, to-wit:.

Washington, Oregon, Montana, North Dakota, South Dakota, Nebraska, Kansas, Colorado, Wyoming, Texas, New Mexico and Oklahoma.

Now, therefore, I, James Wilson, Secretary of Agriculture, under authority conferred by Section 1 of the Act of Congress approved March 3, 1905 (Public No. 229), do hereby quarantine the following area, to-wit:

All territory situate within the boundaries of Washington, Oregon, Montana, North Dakota, South Dakota, Nebraska, Kansas, Colorado, Wyoming, Texas, New Mexico and Oklahoma.

It is ordered by this Rule, under the authority and discretion conferred upon the Secretary of Agriculture by Section 3 of the Act of Congress approved March 3, 1905 (Public No. 229), that cattle shall be moved from the area wherein quaran-

tined to any point not located in the said quarantined area only in accordance with the regulations of the Secretary of Agriculture, promulgated May 1, 1905, and effective June 1, 1905.

This Rule is subject to amendment on statutory notice.

B. A. I. Order No. 106, dated March 10, 1903, and B. A. I. Order No. 123, dated March 18, 1904, shall cease to be effective on and after June 1, 1905, on and after which date this Rule shall become and be effective until otherwise ordered.

Done at Washington this first day of May, 1905.

(SEAL)

Witness my hand and the seal of the Department of Agriculture.

JAMES WILSON,  
Secretary of Agriculture.

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#### REGULATIONS TO PREVENT THE SPREAD OF SCABIES IN CATTLE.

*Regulation 19.* No cattle which are diseased with scabies shall be shipped or traileed from one State or Territory into another State or Territory or the District of Columbia, except as hereinafter provided; and no cattle shall be traileed, shipped, otherwise removed, or allowed to drift from a State or Territory or portion thereof quarantined for the disease of scabies in cattle into another State or Territory or the District of Columbia, except as hereinafter provided, unless the cattle have been inspected by an inspector of the Bureau of Animal Industry, found free of the disease, and are accompanied by a certificate from the said inspector.

*Regulation 20.* In States or Territories or portions thereof quarantined by the Secretary of Agriculture for scabies in cattle, where satisfactory dipping is practiced, those cattle which upon inspection by an inspector of the Bureau of Animal Industry at the time of shipment are found to be free from symptoms of scabies shall be given a certificate and allowed to move to points outside the quarantined area subject only to such restrictions as may be imposed by State or Territorial officers at points of unloading and destination; but if a herd or consignment be offered for inspection and a portion thereof is found to be diseased with scabies, the diseased cattle shall be dipped twice in either the lime-and-sulphur or the tobacco-and-sulphur dip or once in Beaumont crude petroleum, in the manner here-

inafter provided, and that portion of the herd or consignment not visibly diseased shall be dipped once before shipment.

*Regulation 21.* Cattle not visibly diseased with scabies may be shipped without inspection from points in the quarantined area where the service of an inspector is not readily procurable to any recognized slaughtering center for immediate slaughter. When so shipped the cattle shall not be diverted en route, and shall be either slaughtered within two weeks after arrival at destination or shall be submitted for inspection. The further handling of the cattle shall be subject to the result of this inspection. When cattle are shipped without inspection, under the terms of this regulation, the officers of the transportation company shall affix to both sides of each car a durable, conspicuous, printed placard not less than  $5\frac{1}{2}$  inches by 8 inches in size, the letters on which shall be boldface and not less than  $1\frac{1}{2}$  inches in height. These placards shall bear the words "UNINSPECTED CATTLE" and shall not be removed until the cattle have arrived at destination and the inspector has indicated the disposition to be made of the cars.

*Regulation 22.* Cattle that are diseased with scabies and which have been dipped once in either the lime-and-sulphur or the tobacco-and-sulphur dip in the manner hereinafter provided, under the supervision of an inspector of the Bureau of Animal Industry, within ten days of date of shipment, may be shipped for immediate slaughter to a recognized slaughtering center, and when so shipped the said cattle shall not be diverted en route and shall be slaughtered within two weeks after arrival at destination. If cattle diseased with scabies are to be shipped for stockers or feeders, they shall be dipped twice in either the lime-and-sulphur or the tobacco-and-sulphur dip ten days apart or once in Beaumont crude petroleum, under supervision, and shall be submitted to inspection before shipment. However, diseased cattle may be dipped once in either the lime-and-sulphur or the tobacco-and-sulphur dip under the supervision of an inspector of the Bureau of Animal Industry at the point of origin and shipped for stocking or feeding purposes if arrangements have been made for the second dipping en route or at destination at the required time after the first dipping at a point where there is an inspector stationed, and under his supervision.

*Regulation 23.* Healthy cattle in a State or Territory not quarantined by the Secretary of Agriculture for scabies in cattle may be shipped in clean cars without inspection into any other State or Territory for slaughter or for stockers or feeders,



but if the said cattle be unloaded en route or at destination and are placed in infected premises, they shall be treated as exposed cattle, and shall not be forwarded to destination for purposes other than for immediate slaughter, until they shall have been dipped once in any dip herein approved under the supervision of an inspector of the Bureau of Animal Industry.

*Regulation 24.* When diseased cattle have been dipped once in either the lime-and-sulphur or the tobacco-and-sulphur dip and are shipped in accordance with Regulation 22, the officers of the transportation company shall affix to both sides of each car a durable, conspicuous, printed placard, not less than  $5\frac{1}{2}$  by 8 inches in size, the letters on which shall be boldface, and not less than  $1\frac{1}{2}$  inches in height. These placards shall bear the words "DIPPED SCABBY CATTLE," and shall not be removed until the cattle have arrived at destination or point of second dipping, have been unloaded, and the cars have been disinfected.

*Regulation 25.* The dips now approved by the Department are the lime-and-sulphur dip, the tobacco-and-sulphur dip, and Beaumont crude petroleum. The lime-and-sulphur dip is made in the proportion of 12 pounds of unslaked lime and 24 pounds of flowers of sulphur to 100 gallons of water. Weigh both the lime and sulphur. Place the unslaked lime in a mortar box or some suitable vessel and add enough water to slake the lime and form a lime paste or lime putty. Sift into this paste the flowers of sulphur, and stir the mixture well. To make 100 gallons of dip, place the sulphur-and-lime paste in a kettle or boiler with about 30 gallons of boiling water and boil the mixture for two hours at least, stirring the liquid and sediment; add enough water when necessary to maintain the quantity. Draw the mixture and sediment into a large tub or barrel placed near the dipping vat and provided with a bung-hole about 4 inches from the bottom, and allow ample time to settle—from two or three hours or more, if necessary. When fully settled, draw off the clear liquid into the dipping vat and add enough warm water to make 100 gallons. The same directions apply to larger quantities of dip, proportionate amounts of ingredients being used.

The tobacco-and-sulphur dip is made with sufficient extract of tobacco or nicotine solution to give a mixture containing not less than five one-hundredths of 1 per cent of nicotine and 2 per cent flowers of sulphur.

When Beaumont crude petroleum is used as a dip for cattle diseased with or exposed to scabies, one dipping only is neces-

sary in any case, and the cattle shall be submerged but once and shall not be held in the dip.

The dipping shall be done thoroughly. When either the lime-and-sulphur or the tobacco-and-sulphur dip is used, the cattle shall be held in the dip two minutes unless the diseased cattle shall have been hand-dressed previously. The cattle shall be completely submerged twice. The dip shall be maintained as nearly as possible at a temperature of 105 degrees F. while the cattle are in it. It shall be renewed as soon as it becomes filthy, regardless of the number of cattle that have been dipped in it, and in no case shall it be used when more than one week old. In emptying the dipping vat the entire contents shall be removed, including all sediment and droppings or other foreign matter. The Department assumes no responsibility for loss or damage resulting from the dipping.

*Regulation 26.* Cattle shipped under a certificate from an inspector of the Bureau of Animal Industry are not guaranteed uninterrupted transit; for, in the event of the development of scabies or exposure to the disease en route, the cattle shall then be handled as diseased or exposed cattle and shall be dipped as hereinbefore provided, and the cars or other vehicles and the chutes, alleys and pens which have been occupied by them shall be cleaned and disinfected.

*Regulation 27.* Public stock yards shall be considered infected and the cattle yarded therein as having been exposed to the disease, and no cattle shall be removed from said public stock yards, except for immediate slaughter, without dipping. Where, however, a part or all of the stock yards is reserved and set apart for the reception of uninfected shipments of cattle and is kept free of disease, cattle may be shipped from the said infected yards or portions thereof without dipping. If diseased cattle are introduced into said uninfected yards or portions thereof, they shall be immediately removed therefrom and the chutes, alleys and pens used by them thoroughly cleaned and disinfected. No cattle shall be forwarded for feeding or stocking purposes from any stock yards where an inspector of the Bureau of Animal Industry is stationed without a certificate of inspection or of dipping issued by the said inspector.

*Regulation 28.* Cars and other vehicles, yards, pens, sheds, chutes, etc., which have contained diseased cattle shall be cleaned and disinfected immediately after the cattle are removed therefrom, in the following manner: Remove all the litter and manure and then saturate the interior surfaces of the cars

and woodwork, flooring, and ground of the chutes, alleys and pens with a 5 per cent. solution of 100 per cent. carbolic acid in water, with sufficient lime to show where it has been applied.

## United States Department of Agriculture,

### Bureau of Animal Industry.

#### Local Office.

ALBUQUERQUE, N. M., April 1st, 1905.

List of dips approved by the Bureau of Animal Industry, and instructions for preparing same.

#### **NICOTINE DIPS AND TOBACCO EXTRACTS.**

Crown Nicotine Solution, mfd. by Tob. & W. Trading Co., Louisville, Ky.

To-Bak-Ine Nicotine Solution, mfd. by Detroit Nicotine Co., Detroit, Mich.

Derby Nicotine Solution, mfd. by Atlantic Refining Co., Cleveland, Ohio.

Scab Cura.

Laidlaw & McKill's Tobacco Extract, mfd. Richmond, Va.

Laidlaw & McKill's Tobacco Powder (Thistle Brand) 4 per cent. nicotine.

Henderson's Tobacco Extract, mfd. Henderson, Ky.

Black Leaf, mfd. by Ky. Tob. Product Co., Louisville, Ky.

Burch's Tobacco Extract, mfd. Chicago, Ill.

Nicotine or Tobacco dips must not be boiled. Heat only to the temperature of dipping, 100 degrees to 105 degrees Fahrenheit. All Nicotine and Tobacco Extracts, when diluted, must contain five one-hundredths of one per cent. nicotine. A label guaranteeing this should be on each package. Add 16 lbs. Flowers of Sulphur to each 100 gals. of diluted dip.

In preparing Nicotine or Tob. Extract dips, for each 100 gals. place 16 lbs. Flowers of Sulphur in tub; add enough hot (not boiling) water to make a putty-like paste. Stir thoroughly to break up all lumps. Then add enough Nicotine Solution or Tob. Extract to make 100 gallons, according to label on package. Again stir thoroughly and put in vat. Multiply ingredients to make any desired quantity of dip. Keep vat well stirred, top to bottom and end to end, at temperature of 100 degrees to 105 degrees.

#### **LIME AND SULPHUR.**

Rex Lime and Sulphur Dip, mfd. by Rex Stock Food Co., Omaha, Nebr.

Richard's Lime and Sulphur Dip, mfd. Crawford, Nebr.

Tillotson's Lime and Sulphur Dip, mfd. Mitchell, Nebr.

Above dips already prepared. Dilute according to directions on package and heat to a temperature of 100 degrees to 105 degrees. Keep vat stirred.

To prepare Lime and Sulphur dip for sheep, use 8 lbs. fresh unslaked lime and 24 lbs. Flowers of Sulphur for each 100 gallons of dip.

Thoroughly slake the lime, then add the sulphur. Place the mixture in boiling tank and boil between two and three hours, keeping mixture well stirred. Use only sufficient water to boil without burning. When finished, add enough water to replace that lost in boiling and allow to cool and settle. Use only the clear liquid, being careful to allow no sediment to get into the dipping vat.

To prepare Lime and Sulphur dip for cattle, use 12 lbs. fresh unslaked lime and 24 lbs. Flowers of Sulphur for each 100 gallons of dip, and prepare as indicated above.

The owner can choose any one of the above dips. No discrimination shall be made by Federal employes. All stock should be held in the dipping vat two minutes.

LOUIS METSKER, Inspector in Charge.

## Importation of Cattle into the Territory of New Mexico

*Adopted July 13th, 1905.*

The following rules and regulations will govern the movement of all cattle, horses and mules destined for points within the Territory of New Mexico, whether transported by rail or on foot:

### QUARANTINE RULES AND REGULATIONS.

1. From and after this date it shall be unlawful for cattle, horses and mules of any class to be transported by rail, shipped, driven or moved in any manner whatever into the Territory of New Mexico from any state or territory or country except upon the written permission of the Secretary of the Cattle Sanitary Board who will be governed by the following rules in issuing permits.

2. Transportation companies should see that health certificates according to Rules 3, 4, 5, 6, 7 and 8 are attached to way-bills of shipments of live stock destined to points in New Mexico.

Transportation companies, before entering the Territory with live stock, must inform the Secretary of the Cattle Sanitary Board at Las Vegas, stating:

- (a) Name of consignor and point of origin of shipment;
- (b) Name of consignee and destination of shipment;
- (c) Whether or not shipment is accompanied by a certificate of health, and if so, by whom signed, *and receive written authority for the admission of same.*

3. All persons desirous of shipping or driving live stock of any class into the Territory of New Mexico should secure at point of origin a certificate of health for the same from a Government, State or County Veterinarian, according to requirements of following rules, declaring the said animals to be free from all contagious and infectious diseases, including Scabies in Cattle and Glandus in Horses and Mules, and in the case of cattle, that each and every animal in said shipment or herd has been dipped for mange according to government requirements not more than 10 days before the date upon which they will enter the Territory of New Mexico. A copy of said health certificate should be sent to the Secretary at Las Vegas, as early as possible, and a copy should always be attached to the way-bill accompanying the shipment. (Duplicate blanks for certificates will be furnished on application.)

4. Cattle offered from said districts not accompanied by such certificate will be inspected by the Territorial Veterinarian

or some duly authorized person at point of entry to the territory, and treated or quarantined, as the exigencies of the case require, until free from infection. The expenses and salary of the Veterinarian to inspect such stock must be paid by the owner of the same.

5. A regular certificate of health for shipments of dairy cattle in addition to the dipping certificate required by Par. 4 is, all that is required for admission, but a certificate stating that they have passed the tuberculin test is preferred, and the Board reserves the right to test such shipments when not accompanied by the tuberculin test certificate, at owner's expense, on arrival at destination.

6. All importations of live stock from the Republic of Mexico, shipped or driven directly into New Mexico, will be admitted on certificate of United States Government Veterinarian, except cattle entering at points where Splenetic fever has been reported recently. At such points the Board reserves the right to inspect and place in temporary quarantine, if necessary, importations of cattle destined to points in New Mexico.

7. When application is made for the admission of live stock into the Territory, not accompanied by proper health certificate, the Territorial Veterinarian may inspect said stock at point of entry into the Territory before issuing such permit, and the owner of said stock shall pay the Territorial Veterinarian his legal mileage and salary to make such inspection.

8. Stock may be shipped through New Mexico when not unloaded, whether accompanied by a certificate of health or not, but if unloaded in the Territory, the Board reserves the right to designate what corrals shall be used for stock not accompanied by health certificate.

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#### **CATTLE ORIGINATING SOUTH OF THE UNITED STATES QUARANTINE LINE.**

9. The Cattle Sanitary Board adopts the regulations made by the U. S. Department of Agriculture governing the handling of cattle originating south of the United States quarantine line established from time to time in addition to the following Rules:

10. Cattle from below the United States quarantine line may enter New Mexico to pass through by rail without certificate or bill of health provided that such shipments are reported to the Secretary of the Cattle Sanitary Board and are not unloaded in the Territory, except in quarantine corrals for the purpose of

feeding and watering, for a period not exceeding twenty-four hours.

11. Cattle from points in the United States south of the U. S. quarantine line will be admitted by rail, for immediate slaughter, in New Mexico, provided they are consigned to parties who have built special quarantine slaughter pens immediately adjoining the railroad in accordance with the regulations of the U. S. Department of Agriculture and the special rules of the Live Stock Sanitary Board. (Special rules of Board furnished on application).

12. All cars carrying cattle from the quarantine area shall bear on both sides printed manilla placards not less than  $5\frac{1}{2}$  by 8 inches in size, the letters of which shall be plain and not less than  $1\frac{1}{2}$  inches in height to be affixed by the railroad company hauling the same, stating that said cars contain "SOUTHERN CATTLE"; and each of the way-bills, conductor's manifests, and bills of lading of said shipments by cars or boats shall have a note plainly written or stamped upon its face with a similar statement. The placards shall state the name of the place from which the shipment was made, with the date, and the name of the place of destination; said date must correspond with the date of the way-bill and other papers. Whenever any cattle have come from said area and shall be re-shipped from any point at which they have been unloaded to other points of destination, or are transferred to another transportation company, the cars carrying said animals shall bear on both sides similar placards with like statements, and the way-bills, conductor's manifests, or bills of lading of said shipment by cars, or boats shall be so marked. At whatever point these cattle are unloaded they must be placed in separate pens to which no other cattle shall be admitted without the written order of the Secretary of the Board. This applies especially to instances where cattle are unloaded in other than quarantine corral on account of accident or delay. Such instances must be reported immediately to the Secretary of the Board.

13. The cars and boats used to transport such animals, the chutes, alley-ways, and pens used during transportation and at points of destination shall be disinfected, when ordered, in the following manner:

(a) Remove all litter and manure. This litter and manure may be disinfected by mixing it with lime or saturating it with a 5 per cent. solution of 100 per cent. carbolic acid; or it may be thoroughly burned.

(b) Wash the cars and the watering and feeding troughs with water until clean.

(c) Saturate the entire interior surface of the cars, including the inner surface of the doors, and the fencing, troughs, chutes, and floors of the pens with a mixture made of  $1\frac{1}{2}$  pounds of lime and  $\frac{1}{4}$  pound of 100 per cent. carbolic acid in each gallon of water, or a solution made by dissolving 4 ounces of chloride of lime to each gallon of water may be used.

The disinfection of cars and corrals must be approved by the Secretary of the Board before the same are used.

14. Cars used within the quarantine district for the transportation of southern cattle must not be brought into the Territory of New Mexico for use in transporting either live stock or merchandise unless they have been previously disinfected according to Section "C" of Rule 13; except when loaded with cattle in course of transportation in accordance with these regulations.

Violation or evasion of any of the foregoing Rules and Regulations will be subject to penalty as provided by law.

Superintendents of railroads will report as early as possible all shipments of live stock in transit into or through the Territory, as directed herein, and they will be given proper directions as to handling the shipment; thus avoiding delays and unnecessary expense.

All inspectors at various shipping points in New Mexico are required to familiarize themselves with the foregoing Rules and Regulations, and report any violation of same.

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#### INSTRUCTIONS TO INSPECTORS.

1. Keep in touch with the railroad dispatchers. Arrange with them to give you timely notice when cars are ordered for shipping points, so that you may plan your movements accordingly.

2. If possible look through the herd before it is corralled, in order to more thoroughly satisfy yourself as to the brands of the cattle.

3. Make no inspection at night except in cases of work horses or shipments of emigrant or family outfits where cattle may be examined in cars by aid of lanterns.

4. Assure yourselves that every animal in the herd is accounted for. Allow no animals to be shipped except those for which the shipper holds bills of sale or owns the brands



upon the cattle or has the proper authority from the owners to allow him to ship them.

5. Any animals found in a herd for which the shipper can give no proper authority must be treated as estrays and either turned back upon the range or shipped as estrays.

6. In such cases inspectors must use their best judgment as to their action. If the animal is some distance from the range and the shipper will buy it at market figures sell it to him and remit proceeds to this office together with regular stray report No. 7 or 8.

7. If shipper will not purchase the animal and cattle are destined for either Kansas City or Denver, you are instructed to ship it if shipper will allow you to do so, to the Board's inspector at either of these points immediately notifying said inspector of the animal so shipped giving him full description of the animal, brands and all other necessary data that will enable the inspector to readily discover the stray.

Address your letter to Inspector New Mexico Cattle Sanitary Board, Kansas City Stock Yards, or Denver Stock Yards, as case may be.

8. In reporting strays whether Horses, Mules or Cattle, always be very careful to give all brands on every animal in order that the ownership of the animal may be decided more carefully. Never omit ear marks from reports.

9. If an inspector handling a stray knows of any claimant for the animal he should give name and address upon report in order that the secretary may correspond with them and determine the ownership fairly and justly.

10. In selling stray horses especial caution must be exercised not to allow valuable animals to be sold and shipped away as strays which the owners would not care to sell for the price. To this end inspectors are warned not to sell any broke animals either saddle or work horses unless brands have first been reported to this office and authority given to ship them.

The only horses that should be sold are wild and unbroken mares, colts and geldings. Never sell as an stray any stallion that in your opinion is one kept for breeding purposes.

For the definition of the word stray see Section 120, Page . . . . . these laws.

11. For the purposes of disposing of the many stray horses and cattle that are found by ranchmen and others at points and at times when it is not practicable to ship them out of the Territory the Board under power vested in it by Section 223, Compiled Laws, authorizes the following procedure.

12. Any inspector of this Board upon being notified by any person that they have in their possession certain horses, mules or cattle which are estrays and whose owners are not known in that vicinity, shall procure from said person a list of the brands and marks of the stray animals.

13. Upon receiving said brands and marks the Inspector shall report the matter at once to the Secretary of the Cattle Sanitary Board and if said brands are of record he, the Secretary, shall inform the owners of the brands of the facts and ask them for instructions.

14. If the owners of the brands in question do not reply within a reasonable time or the brand proves not to be a recorded brand or the animal not the property of the person owning the brand the Secretary shall then direct the Inspector to advertise said animals substantially as follows in some paper of general circulation within the County in which said animals are held paying therefor the sum of \$2.00 (see Section 137, Compiled Laws). Said advertisement to appear not less than once a week for four successive weeks.

15. Form of advertisement.

**Sale of Estray Horses (or Cattle).**

By order of the Cattle Sanitary Board of New Mexico and in accordance with Sec. 223, compiled laws of N. M., I will sell at public auction to the highest bidder, unless sooner claimed by the owner.

Sale at.....1905, at 11 o'clock a. m.  
Dist. No.....

16. Should there be no paper published in said County or should for any reason the publisher thereof decline to receive said advertisement for the amount authorized then the Inspector shall post notices in writing in at least three public places in said County to the same effect.

17. The Inspector on the day of sale shall conduct the auction and dispose of the animals to the highest bidder, but no bid shall be received that does not realize sufficient amount to equal at least twice the amount of costs of the sale including all expenses and a fee of 50 cents per head to the Inspector for each animal sold but not to exceed a total of \$5.00 to be paid the Inspector for his services for such sale.

18. The Inspector shall give a bill of sale in the name of the Cattle Sanitary Board of New Mexico to the purchasers and shall report the amount received less the costs of sale herein designated, to the Secretary of the Board upon Form No. 7 for cattle and 8 for horses, mules and asses. Attaching thereto a copy of the advertisement of the sale.

19. Inspectors must make frequent visits to the various slaughter houses and butcher shops in their districts and assure themselves that butchers have filed the bond as required in Section 84, Compiled Laws, also that they keep up properly the book required to be kept of all brands and marks of cattle slaughtered by them as provided in Section 86, Compiled Laws; and also, that the butchers can show bills of sale as required under Section 119, Compiled Laws, for each and every animal slaughtered by them except those of their own raising and bearing their own duly recorded brand.

20. If any butcher is found to be violating any of these requirements you will at once report to the Secretary for his instructions.

21. In tagging hides place the tags somewhere near the root of the tail. By always placing them where it will be easy for other inspectors looking over a bunch of hides to find those which have already been inspected and tagged.

22. Use the tags in their numerical succession as nearly as possible. Don't leave them lying around where they can be lost or stolen for each tag represents ten cents fee and is charged up against each inspector's account and he is given credit for it when the number is reported on inspection report of hides inspected. (Form No. 3).

23. Arrange with butchers and hide dealers to make your inspections as frequently as possible and to suit their business arrangements whenever you can do so and not conflict with your other duties.

It is not the Board's desire to work any more hardship upon these persons than is positively unavoidable with a just and careful enforcement of the law.

24. While the law says that butchers and others slaughtering animals for their own use or for sale shall keep the hide in their possession for 30 days unaltered and unmutilated, the Board has always held that where the hides have been duly tagged and inspected by our inspectors they may be shipped before the 30 days has expired believing that the full intent of the law has been complied with when the hides have been inspected and a record made of the brands.

25. Inspectors need not tag nor charge for inspecting calf hides but they should look them over as a matter of caution to see what brands, if any, they bear.

26. Inspectors will inspect, tag and collect fees on all other

hides found in their district whether branded or unbranded, whether the cattle were raised in this Territory or shipped in here for slaughter.

27. Inspectors will understand that their fees are a lien upon all hides they inspect and tag and that the hides cannot be moved from the place of inspection, without the fees are first paid, either by rail or other means of transportation without violating the law providing for said inspection and fee.

28. Inspectors in filling out reports will always be careful to locate the brands on the animal using "L N" for left neck, "L Sh" for left shoulder, "L R" for left ribs, "L H" or "Th" for left hip or thigh.

29. Inspectors will at the end of each month send in itemized bill for such necessary expenses as they have incurred in carrying out their duties during the month.

30. Whenever in a shipment of cattle or horses you allow the shipper to ship animals that do not belong to him and for which he has no bill of sale or other authority you will immediately after shipment is made drop a postal card Form No. 10 to the person owning the animals giving full information as to number, ages, etc., of animals shipped.

This is in cases where one responsible man is allowed to ship the animals of his neighbors the inspector knowing it is done with the approval of the absent owners.

31. The instructions of previous rule must not be construed to allow an indiscriminate shipping of cattle by persons not having the full right to do so. Inspectors must know beyond any doubt that the shipper has an unquestioned right to ship the animal. If there is the least doubt in your mind you will treat the animal as a stray and either take the proceeds and send to this Board or turn the animal loose again.

32. When there is more than one shipping or slaughtering point in any inspection district, the inspector of that district may recommend to the board a deputy inspector. The inspector, under no circumstances, is to require any deputy to make any inspection of cattle shipped out of the Territory, except when he, the regular inspector, has an inspection of cattle to attend to on the same date at another shipping point. Deputy inspectors doing work as per conditions laid down in this rule, will be paid at the rate of \$2.50 per day by the Board, but any work done contrary to these instructions, as when the regular inspector is sick, absent on his private business from the district, or could have made the inspection himself, the deputy inspectors charges must be paid by the regular inspector.

33. Bills for deputy work done under the preceding rule, must be forwarded by the regular inspector with his O K and statement as to why he was unable to do the work himself.

34. Such deputies must report direct to the regular inspector under whose jurisdiction they are employed but in cases where it is necessary for the Secretary to appoint a deputy in emergencies by wire or otherwise and they report direct to him they must report the full fees received by them with their report and attach a bill for services to the report which will be paid by warrant.

It has heretofore been a practice for such deputies to withhold their fees the amount of their per diem, and remit the balance. *This must not be done.*

35. Where ranches are located near the boundary line of New Mexico, and cattle range on both sides of the line, inspectors will be governed as to whether the cattle belong in New Mexico or not by the state or territory in which taxes are paid upon the cattle by the owners. If taxes are paid in New Mexico, the cattle will be considered as belonging in New Mexico.

36. Bills of sale are not required for hides purchased by butchers or hide dealers. The bill of sale required under Section 119, Compiled Laws, is for the animal and inspectors in checking up butchers should see that the brands on hides taken from the animal corresponds with the brands given in the bill of sale. This, however, is as far as the bill of sale follows the hide.

37. Butchers buying hides however, should for their own protection take down the brands on every hide purchased by them and keep a record of the seller's name marking the hide with some initial or number so that in case of tracing stolen cattle they can prove from whom they purchased the hide. This is not the rule of the Board but merely a suggestion for the protection of butchers who deal in hides as it enables them to prove themselves innocent when found in possession of a hide taken from some stolen animal.

38. When an inspector whether regular or a deputy is employed by the Board he is presumed to mount himself when making inspections at his regular station and no bills for horse hire will be allowed under such circumstances. When inspectors are away from their regular stations and are forced to hire saddle horses to reach the herds to be inspected, such expense will be allowed on the statement of the inspector that he could not otherwise reach the point of inspection, or that the party

desiring the inspection would not furnish some means of reaching the herd.

39. Whenever a deputy makes an inspection and has no regular form to report upon, the regular inspector to whom he reports must fill out the usual forms when sending in the deputy's report, signing it as done by a deputy, so that the books in this office will agree with your Form 9 at end of month.

40. Inspectors must make requisition on the Secretary for blanks, etc., in time so as not to be caught without the necessary forms with which to make inspections and reports.

41. Attention of inspectors is called to the provisions of the new law regarding use of unrecorded brands. Chapter 95, Laws 1905, Page . . . . .

Inspectors knowing of violations of this law should call person's attention to the law and if persisted in report facts to this office for further action.

42. Inspectors will carefully watch all importations of cattle, horses and mules into this Territory, whether driven or shipped. Such animals must all have the necessary Health Certificate required by the quarantine rules and regulations published in this book, and inspectors hearing of or knowing of any such importations in violation of these quarantine regulations will at once wire the Secretary of the Board for instructions and also notify the person in charge that they have violated the law and see that the animals are not moved until the laws have been fully complied with or are released by order of the Board.

This provision applies equally to all imported animals whether shipped in from the far eastern states or trailed across the line from neighboring states. And whether they number hundreds or only one. The object of the restriction is to assure ourselves that all such animals are free from disease at the time they enter New Mexico.

## COMPILED LAWS OF 1897

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Section 64. 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. 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 nor more than three hundred dollars, at the discretion of the court.

Sec. 66. 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 marking the animal cut off more than one-half of the ear so marked, neither shall anyone 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. 67. For the purposes of this act and in the prosecutions arising under the same, or in the prosecution of any offense arising under the laws of this Territory in regard to the unlawful taking, handling, killing, driving or other unlawful disposition of animals of the bovine kind, the description "neat cattle" in any indictment shall be deemed sufficient, and the proof of the brand by a certified copy of the registration thereof in the territorial brand book, under the seal of the Cattle Sanitary Board, certified to by the Secretary of said Board, shall be sufficient to identify all horses, mules, asses or neat cattle, and shall be prima facie proof that the person owning the recorded brand is the owner of the animal branded with such brand.

Sec. 68. 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 animals shall be surrendered to the proper owner.

Sec. 69. When the stock of any resident shall intermiz 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 dollars for every offense and shall be liable to indictment for larceny.

Sec. 70. 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 persons or persons may be arrested by any constable, officer, or other person specially 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 willfully, 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. 71. Whenever 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 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. 72. Any person, persons, company or corporation or their or either of their agents or employes, having charge of any drove of bovine cattle, horses or other animals for the purpose of driving the same into or through any county of this territory, of which the owner or person having exclusive right of possession or control by lease or otherwise of any such drove is not at the time a resident or land owner, and where land in any such county is occupied by actual settlers or ranchers, it shall be the duty of the person or persons in charge of any such drove to prevent the same from mixing with the cattle, horses or other animals belonging to such actual settlers or ranchers and also to prevent such drove or any of the animals therein from trespassing upon any such lands as may be the property or in the possession of any such actual settlers or ranchers and used by them for the grazing of domestic animals or the growing of hay or other crops or from doing injury to ditches. It shall also be the duty of the owner or person in charge of any such drove, for the purpose of driving the same into or through any such county, to close-herd the same in such manner as to prevent the animals therein from scattering and being left along the route traveled before reaching their destination, and to procure and have a sufficient number of men and saddle horses for that purpose. And it shall also be the duty of any such owner or person in charge of any such drove for the purpose aforesaid to prevent the same from drinking at any watering place in any such county while in transit, where the water at such place shall be owned by another, without first having acquired permission so to do by such owner. It shall be unlawful for the owner or person in charge of any such drove for the purpose aforesaid while driving the same into or through any such county and before reaching their destination to delay said drove at any places along the route of transit less than six miles apart and not to exceed twenty-four hours at any one place. If the owner or person in charge of any such drove for the purpose aforesaid shall willfully injure any resident of the territory by driving such drove or permitting it to be driven from the public highway and by herding the same on lands oc-

cupied and improved by settlers or ranchers or shall knowingly violate any of the provisions of this act, it shall, in either case, constitute a misdemeanor and on conviction the accused shall be punished by a fine not less than fifty dollars nor more than five hundred dollars, in the discretion of the court, and render the owner of such drove liable for all damages and losses incurred or suffered thereby by anyone, which said losses or damages from and after the time they shall accrue shall be and constitute a lien upon the animals in such drove and shall be sufficient grounds for attachment to secure the payment of any judgment that may be obtained therefor; such attachment may issue and be in force upon an affidavit showing the facts constituting such lien and damages as herein provided and filing a bond as in other cases of attachment and in manner as now provided by law.

Sec. 73. Hereafter it shall be unlawful for any person or persons, company or corporation to turn loose upon any common or public range in this Territory any she or female cattle unspayed and over the age of nine months without at the same time turning loose and keeping herded with the same, at the rate of at least one good bull, not less than nine months nor more than eight years old, of at least one-half pedigree stock, to every twenty head of such she or female cattle; Provided, that any person or persons, company or corporation, now owning such she or female cattle upon any common or public range in this Territory, and not having with said cattle such bull or bulls of number and kind as herein described, shall procure the same and turn them loose with said cattle on or before the 1st day of January, 1892; and any person or persons, company or corporation, violating the provisions of this act shall, upon conviction thereof, be punished by a fine of not less than twenty-five nor more than five hundred dollars and be liable to the person or persons injured or damaged by such violation in an action at law for the amount of the injury or damage sustained; Provided, further, that the words "pedigree bull", shall not be construed to mean a Texas or Mexican bull.

Sec. 74. 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. 75. 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, or 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 unenclosed 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. 76. 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. 77. 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. 78. 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. 79. 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, lead 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 anyone 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 dollars, nor more than five thousand dollars at the discretion of the court.

Sec. 80. 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 to, 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. 81. 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 proved 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. 82. Hereafter it shall be unlawful for any person to take up from any range, ranch, farm, corral, yard or stable, any horse, mule or other animal, and use the same without the consent of the owner of any such animal or of the person having the same in charge.

Sec. 83. Any violation of the foregoing section shall be deemed a misdemeanor, and the punishment therefor shall be a fine of not less than twenty-five dollars nor more than one hundred dollars, one-half of which shall go to the school fund of the county in which the offense may have been committed, and the other half to the owner of any such animal used or taken up, as aforesaid, or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment in the discretion of the court.

Sec. 84. Every person before he shall set up and carry on the trade 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 the sum of not less than one thousand dollars nor more than five thousand 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 description of the animal, including marks, brands, age, weight, and from whom purchased, and the date thereof, and to keep the hides and horns of such animals free to the inspection of all persons for the period of thirty days after it is slaughtered.

Sec. 85. Every person who shall be found carrying on the business of butcher or slaughterer in this Territory without having filed the bond provided in the eighty-fourth section 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. 86. 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 preceding section.

Sec. 87. 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 the preceding sections.

Sec. 88. All fines and penalties so recovered under this act shall be paid into the county treasury of the proper county, and the offender and his sureties shall be liable on the bond provided for in the eighty-fourth section 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. 89. Any person killing or causing to be killed any bo-

vine cattle or sheep for his own use, or for the use of others, or for the purpose in whole or in part of sale or exchange, is hereby required to keep in his own possession, unchanged and un-mutilated, and in condition to be easily inspected and examined, all hides and pelts of such bovine animals, including the ears, for the period of thirty days after the killing, and of sheep ten days after the killing, and shall at any time while such hides or pelts remain in his possession, permit the same to be inspected and examined by any sheriff, deputy sheriff, or constable, or by any board, or inspector or other officer authorized by law to inspect any hides and pelts or animals, whether dead or alive; Provided, however, That the provisions of this act shall also apply to the killing by persons engaged in any public roundup of animals for the use in connection with the making of such roundup.

Sec. 90. Each violation of the provisions of this act shall be punished in the discretion of the court in which a conviction is had, by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment not exceeding three months, or by both such fine and imprisonment.

Sec. 91. Inability or refusal to show such hide or pelt to any proper authority within said period of thirty days, or a refusal to show it at any time thereafter while remaining in the possession of the person by or for whom the animal was killed, shall be prima facie evidence of a violation of the provisions of this act, and shall be competent evidence to go to the jury upon the trial of any indictment against such person or persons for the larceny of any animal or animals, or for the receiving of stolen property.

(Note: Section 92 Repealed.)

Sec. 93. All laws and parts of laws in conflict with this act are hereby repealed, and this act shall be in force from and after its passage; but this act shall not be construed as repealing or in any manner changing the provisions of sections eighty-four to eighty-eight, both inclusive.

Sec. 94. Hereafter it shall not be lawful for any person to carry firearms or deadly weapons at any cattle roundup in this Territory, and any person violating the provisions 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 shall have jurisdiction in all cases arising under this section.

Sec. 95. Copies of all contracts heretofore made or hereafter made by the owner of any animals, such as sheep, bo-

vine, cattle, horses and of any other class or kind, with any other person, for the herding or caring for the same, for pay or on shares, or in any other manner, may be filed with the clerk of the probate court of the county where the owners, or either of them reside, if he resides in the Territory, and if the owners, nor either of them, do not reside in the Territory then the said copies may be filed with the clerk of the probate court of the county in which the contract may be made; and when such copies are so filed, they shall be notice to every one of the contents of such contracts, and of the legal effect thereof, and of the usages and customs relating thereto.

Sec. 96. When any one has or shall receive from the owner thereof any sheep, bovine cattle, horses or other animals under written contract, for the herding or caring for the same for pay or on shares, or in any other manner, except by absolute purchase, such as sheep, bovine, cattle, horses or other animals, together with the increase and product thereof at all times, and until the full completion of such contract according to the terms thereof, shall be and remain the property of the said owner or owners, so letting them out to be herded or cared for; and the person or persons so receiving the same for such purpose shall have no authority or right to sell, transfer, mortgage, or dispose of the same, or any part thereof, in any manner whatever without the express consent of the owner or owners thereof, and when a copy of any such contract shall be filed with the clerk of the probate court, as provided in the preceding section of this act, it shall be notice to every one that the person or persons in charge of such animals, sheep, cattle or horses, has no right to sell or dispose of the same in any manner.

Sec. 97. If any person who may receive from any owner or owners thereof, any animals, sheep, cattle or horses, for the purpose of herding or caring for the same, or any person who may be employed in any manner about the herding or caring for any animals, sheep, cattle or horses, and shall sell, give away, kill, dispose of, or convert the same in any manner to his own use, he shall be deemed guilty of embezzlement and be punished for each offense, on conviction thereof, the same as persons convicted for stealing sheep, cattle or horses, under the laws of the Territory. (See also Chapter 38, Laws 1905.)

Sec. 101. All persons, owners of animals of the description mentioned in the foregoing section, are hereby required and obligated to keep them at all times at a distance of three leagues



from all settlements, houses or ranches, as provided in the foregoing section; and any person, who is not an owner or mayordomo of herds, who shall violate the provisions of this act, shall be considered as a transgressor of the law, and tried in a summary manner by any justice of the peace, after having been duly required to withdraw from the points by any person interested in the matter; and the accused being guilty, he shall be fined in a sum of not more than five dollars nor less than one dollar, in addition to the costs of the cause, said fine being applied to the use of the county where such offense was committed.

Sec. 102. The provisions of this act shall not prevent any person of this Territory from taking care of and maintaining all kinds of animals on their own property, nor impede the taking care of all those animals of frequent service within said limits, such as mules, horses, oxen, jacks, cows, goats and sheep for milking, but at all times, subject to the established rules of, or custom in the different counties of this Territory; Provided, also, that all travelers who have to touch at any of the reserved points mentioned in this act, shall be exempted. It shall not be lawful for any person in this Territory to pasture any kind of the lesser animals, such as milch goats and sheep, sheep for sale, etc., in any quantity whatever near the settlements or cultivated lands either public or individual, of any person or persons except at a distance of two miles from all cultivated lands of settlements. Any person or persons who shall violate the provisions of this act, may be accused before any justice of the peace, and upon conviction thereof shall be fined in a sum not exceeding ten dollars.

Sec. 103. All damage or injury done to any fields sown with grain, shall be paid for by the owner of the animals committing said damage or injury, after the damage shall have been appraised or valued by the parties interested, or in case of dispute by two appraisers appointed for the purpose by said interested parties.

Sec. 104. Every justice of the peace, in his precinct, shall have jurisdiction in cases of damages and injuries done to crops when the damage or injury claimed does not exceed one hundred dollars. Any person or persons having committed any damage with one or more animals to any cultivated field, upon proof thereof, they shall pay the damage according to the provisions of this act, and shall also be fined, on conviction thereof, in any sum not exceeding one dollar, which may be

collected by any constable on a warrant from the proper justice of the peace. All fines provided under this law shall be paid into the treasury of the proper county; Provided, That if any person or persons shall plant in any places distant from the settlements, at watering places or in common pasture grounds and neglecting their fields, shall receive thereby any damage, the justice of the peace shall investigate the case in order to try the same according to evidence, and upon proof of neglect no damage shall be paid, and consequently no fine shall be imposed.

Sec. 105. When under the provisions of this act any justice shall give sentence against any person for damage or injury done to any cultivated fields, the justice of the peace who gave the sentence, in case it be necessary in order to carry it into due effect, shall issue an execution, which shall be served in the same manner and under the same restrictions as they are served in other cases.

Sec. 106. Every person, company or corporation owning horses, mules, asses or neat cattle which are allowed to range at large in this Territory without an enclosure and to mingle with other stock of the same kind, shall have and adopt a mark and brand for such animals, by which they shall be marked and branded after such brand shall have been recorded as required by this act.

Sec. 107. No brand except such as are recorded under the provisions of this act shall be recognized in law as any evidence of ownership of the horses, mules, asses or neat cattle upon which such brand may be used.

Sec. 108. Any brand recorded in accordance with the requirements of this act shall be considered as the property of the person causing such record to be made, and shall be subject to sale, assignment, transfer, devise and descent, the same as other personal property.

Sec. 109. That from and after the passage of this act the Cattle Sanitary Board of the Territory of New Mexico shall be and constitute a board for the registration of brands on horses, mules, asses and neat cattle in this Territory.

Sec. 110. Immediately upon the passage of this act it shall be the duty of the Cattle Sanitary Board to procure a suitable book, to be known as the Territorial Brand Book, in which shall be recorded the brands used for the branding of horses, mules, asses and neat cattle in this Territory.

Sec. 111. It shall be and it is hereby made the duty of the county commissioners of the several counties of this Territory, on or before the first day of July, A. D. 1895, to cause and require the probate clerk and ex-officio recorder of their respective counties to transcribe a list of all recorded marks and brands in their respective counties, setting opposite to each brand the marks corresponding thereto the name of the owner of said brand, his place of residence, the date of registration, and, if the brand be sold, the name of the person to whom sold and his residence, and shall allow to the probate clerk making such transcript a reasonable compensation, not to exceed thirty dollars. And it is hereby made the duty of each probate clerk in this Territory, on or before the first day of July, 1895, to transmit the said transcript of recorded brands in his county to the Secretary of the Cattle Sanitary Board.

Sec. 112. It is hereby made the duty of the Cattle Sanitary Board, on or before the first day of August, A. D. 1895, to cause and require the Secretary of said Board to transcribe in the territorial brand book all the transcripts of marks and brands received by said Board from the several probate clerks of the respective counties of this Territory, and thereupon all of said marks and brands shall be deemed to have been duly recorded in the territorial brand book by the owners of said marks and brands.

Sec. 113. From and after the first day of August after the passage of this act, any person, association or corporation desiring to adopt any brand to be used for the branding of horses, mules, asses or neat cattle in this Territory shall, before using the same, forward to the Secretary of the Cattle Sanitary Board a fac simile of such brand, together with a fee of fifty cents to pay for recording the same. Upon the receipt of such fac simile and fee the Secretary of said Board shall immediately record the same in the territorial brand book, unless such brand has already been recorded in behalf of some other person, association or corporation, or is of such character as to conflict with such prior recorded brand, in which case the Secretary of said Board shall not record such later brand, and shall return such fac simile and fee to the party by whom the same was forwarded to him. See Chapter 95, Laws 1905.

Sec. 114. Upon the recording of any such brand or brands, as provided by the preceding sections of this act, the owner thereof shall procure from the Secretary of the Cattle Sanitary

Board a certified copy of such brand or brands, under the seal of said board, paying therefor the sum of fifty cents. See Chapter 30, Laws 1905.

Sec. 115. From and after the first day of August after the passage of this act, it shall be unlawful for any probate clerk and ex-officio recorder in this Territory to record any brand unless the application to record the same is accompanied with a certificate from the Secretary of the Cattle Sanitary Board to the effect that said brand has been recorded in the territorial brand book.

Sec. 116. It shall be the duty of the Secretary of the Cattle Sanitary Board, within ninety days after the first day of August, A. D. 1895, to publish a brand book, in which shall be given a fac-simile or copy of all brands recorded in his office on the said first day of August, together with the owner's name and the county wherein he resides; such name and brands shall be arranged in the most convenient form for reference, and the following may be the form of said brand book:

DATE	NAME	RESIDENCE	DESCRIPTION OF BRAND	REMARKS

Such book shall be bound in a good and substantial binding and in such manner that additional leaves may be added thereafter; one copy of such book shall be forwarded to the probate clerk of each county, in whose office it shall be kept open for the inspection of all persons interested. It shall be the duty of the Secretary of the Cattle Sanitary Board quarterly, after the publication of said brand book, to furnish each probate clerk with a list of the brands recorded in his office during the preceding three months, which list shall be printed in uniform style with the pages of such brand book and shall be pasted in and become a part of such brand book, when received by the probate clerks of the respective counties. The Cattle Sanitary Board is authorized to publish, if they deem best to do so, a limited number of such brand books in addition to the number required by the provisions of this section, and to sell the same for such price as said board shall consider reasonable and proper, which price shall not be less than the actual cost of the same, and from time to time revise said territorial record of brands by the cancellation of obsolete and unused

brands, and to provide by regulation for due notice of such revision.

Sec. 117. No person owning or claiming shall, in originally marking or branding horses, mules asses or neat cattle, make use of or keep up more than one mark or brand; Provided, That any person may own and possess such animals in many marks and brands, the same having been by him acquired by purchase or in any other lawful manner, and bills of sale in writing, properly acknowledged from the previous owner or owners of the animals having such brands, or from their heirs, executors, administrators or legal representatives of such owner or owners shall be sufficient evidence of such purchase, but the increase of such animals or of any animals so acquired by such person from other stocks of cattle owned by him shall be branded by and with the recorded brand and mark of the person acquiring such animals:

Provided, That in cases where neat cattle having upon them a duly recorded brand may have had established against them a mortgage or other lien, it shall be lawful for either of the parties interested in such lien, for the purpose of identification of the animals covered by such lien, upon filing with the Secretary of the Cattle Sanitary Board a duly certified copy of such mortgage or other lien, to adopt and record in the same manner as an original brand a special brand to be placed upon the animals subject to such lien and their increase for the identification of such animals during the pendency of such lien.

Sec. 118. Minors owning horses, mules, asses or neat cattle, separate from that of the parent or guardian may have a mark and brand, which shall be recorded in accordance with the requirements of this act, but the parent or guardian shall be responsible for the proper use of such mark and brand by any such minor.

Sec. 119. Upon the sale, alienation or transfer of any horses, mules, asses or neat cattle by any person in this Territory, the actual delivery of such animals shall be accompanied by a written bill of sale from the vender or the party selling to the party purchasing, giving the number, kind, marks and brand of each animal sold and delivered, which bill of sale shall be signed by the party giving the same, and shall be acknowledged by him as his act and deed before some officer authorized under the laws of the Territory of New Mexico to take acknowledgments to deeds of conveyance; and upon the trial of any person charged with the theft, unlawful possession,

handling, driving or killing of any such animal as is mentioned in this section, the possession of such animal by the accused without his having a duly written and acknowledged bill of sale therefor, such as is required by the provisions of this section, shall be prima facie evidence against the accused that such possession was illegal; and no officer acknowledging any bill of sale or other written instrument required to be acknowledged under the provisions of this act shall be authorized to exact or receive a larger fee than twenty-five cents for acknowledging, certifying to and affixing his seal to such instrument.

Sec. 120. For the purposes of this act an estray shall be any animal of the neat cattle kind being driven from this Territory or any county thereof for shipment, sale or slaughter, not branded with the duly recorded brand of the person, company or corporation driving such animal or causing the same to be driven, or not accompanied by a duly executed and acknowledged bill of sale or transfer in writing from the owner of the recorded brand on such animal, or not accompanied by a duly executed authority in writing, duly acknowledged by the owner of the recorded brand on such animal, authorizing the driving and handling of such animal by the person or persons found driving the same; and upon the inspection of any such herd by any duly authorized inspector, if he shall find in or with said herd any such estray as is specified in this section, it shall be his duty and he is hereby empowered to seize and sequester the same and to hold and dispose of said estray in the manner now provided by law for the disposition of unclaimed cattle by inspectors; and the person or persons having charge of and found driving such estray shall, in addition to any criminal prosecution to which such driving may make him or them liable, forfeit, as damages, to the owner of the brand on such estray the sum of twenty-five dollars for each and every estray found in his or their possession, to be recovered by such owner in an action of debt before any justice of the peace in the county in which such animal is found or the county in which the owner thereof resides, and all reports of inspection made by any duly authorized inspector and verified by his oath, or a duly certified copy of the same by the Secretary of the Cattle Sanitary Board and under his seal, shall be taken as prima facie proof of the matters therein contained in any of the courts of this Territory; Provided, That cattle being driven from this Territory for sale or shipment shall be inspected, if driven, at the territorial line, and if shipped, at the place of shipment.

Sec. 121. Whenever any neat cattle branded with any brand not duly recorded as required by the provisions of this act shall be found at large upon any range in this Territory, the same may be reported to the Cattle Sanitary Board by any duly authorized inspector therefor, and shall be considered as unclaimed cattle, and shall be disposed of as now provided by law for the disposition of unclaimed cattle.

Sec. 122. Any person, company or corporation owning a recorded mark and brand and being the owner or owners of animals of the horse, mule, ass or neat cattle kind branded with such recorded brand, or who shall be the lawful owner of such animal having other brands, who may wish to authorize any other person or persons to gather, drive or otherwise handle any of said animals by their mark and brand, shall furnish to such person or persons an authority in writing, duly executed and acknowledged by the person, company or corporation giving the same, containing a list of the marks and brands authorized to be handled and authorizing the person or persons therein named to gather, drive or otherwise handle the stock therein described, and the possession of such written authority shall be deemed sufficient to authorize the person or persons therein named to gather, drive or otherwise handle any of such animals in the marks and brands set forth and described in said written authority; Provided, That if any person, company or corporation, in giving any such written authority as is provided in this section, shall insert therein a mark or brand of which said person, company or corporation is not the lawful owner, and any animal having any such mark or brand shall be unlawfully taken, gathered, driven, or otherwise unlawfully handled by the person or persons having such written authority and by virtue thereof, then the person, company or corporation giving such written authority shall be deemed principals to the unlawful taking, gathering, driving, or handling of such animal.

Sec. 123. The owner or owners of horses, mules asses or neat cattle running at large upon any range in this Territory, may dispose of such animals by range delivery, while on the range and ungathered, by the sale and delivery of the marks and brands on such animals, but in every such case the purchaser, in order to acquire title to such animals, must have his conveyance or written transfer of such animals duly acknowledged by the vendor and then recorded in the office of the probate clerk and recorder of the county in which such animals range, in a book kept for such purpose, and such sale or trans-

fer shall be noted on the record of original marks and brands in the name of the purchaser.

Sec. 124. Any person who shall mark or brand any unmarked or unbranded horse, mule, ass or neat cattle found running at large upon any range in this Territory with a mark or brand that has not been recorded under the provisions of this act, shall be deemed guilty of larceny of said animal.

(Sec. 125—As Amended).

Sec. 125. Any person, firm or corporation who shall kill or cause to be killed for sale or use any unbranded neat cattle, or any cattle on which the brand has not peeled off and fully healed, unless such cattle shall have an older and duly recorded brand; or shall purchase and kill or cause to be killed for sale or use any neat cattle, having a brand not legally owned by such person, firm or corporation, without having taken a duly acknowledged bill of sale for the same from the owner thereof, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined any sum not less than fifty nor more than two hundred dollars for each offense. All amounts collected under this section shall go one-half into the court fund and one-half into the school fund of the county in which such conviction is had.

Sec. 126. This act shall take effect and be in force from and after its passage, and all acts and parts of acts in conflict with the provisions of this act are hereby repealed, but nothing in this act shall be construed to repeal any existing law imposing penalties for the unlawful taking, driving, killing, branding, defacing of brands or other unlawful handling of any of the kind of animals mentioned in this act.

Sec. 127. Hereafter in the Territory of New Mexico any person, company or corporation that may appropriate and stock a range upon the public domain of the United States, or otherwise, with cattle, shall be deemed to be in possession thereof; Provided, That such person, company or corporation shall lawfully possess or occupy, or be the lawful owner or possessor of sufficient living, permanent water upon such range for the proper maintenance of such cattle.

Sec. 128. Whenever any person, company or corporation turns loose on any range in this Territory, already occupied or in the possession of another or others by virtue of their having complied with the provisions of section one hundred and twenty-seven, he or they must be the owner or owners of, or must be lawfully entitled to the possession of some other liv-



ing, permanent water upon such range, sufficient for the proper maintenance of all such additional cattle so turned loose, other than that owned by or lawfully possessed or lawfully in the possession of any other person, company or corporation that may have previously appropriated, stocked or taken possession of such range in accordance with the provisions of this act; and such person, company or corporation so turning loose cattle upon such range must at all times, furnish, supply and maintain upon such range such other permanent living water free and unfenced and upon the surface of the ground.

Sec. 129. Any person, company or corporation violating the provisions of section one hundred and twenty-eight shall be guilty of a misdemeanor and punishable by imprisonment in the county jail, wherein the offense was committed, for a period not to exceed six months, or by a fine of not less than one hundred dollars nor more than one thousand dollars, which fine shall be applied to the school fund of the county wherein the offense is committed; and such person, company or corporation violating such provisions as aforesaid shall further be liable to any party or parties injured for all damages which such party or parties may sustain; the same to be recoverable by a civil suit. All fines and costs so assessed and all damages which may at any time be awarded shall be and constitute a lien upon such herd of cattle.

Sec. 130. Each day's violation of the provisions of this act shall be and constitute a separate cause of action against any person, company or corporation violating the same.

Sec. 131. That if any person or persons shall take up any cow or cows for the purpose of milking the same and detain them for the space of two hours in any enclosure, or shall hold or detain in any herd of cattle for like purpose, any cow or cows, her calf or their calves, not the property of the person so taking and detaining the same without the written consent of the owner, he shall be guilty of a misdemeanor.

Sec. 132. The taking up and detention of each and every cow or calf as specified in the preceding section of this act shall constitute a separate offense.

Sec. 133. The penalty for the violation of the above shall be a fine of not less than fifteen nor more than fifty dollars, and may be prosecuted before a justice of the peace or by indictment.

Sec. 134. If any person or persons shall take up or detain for any time in any enclosure any bull, for the purpose of im-

proving his stock, not the property of the person so taking and detaining it, and without the written consent of the owner or owners thereof, he shall be deemed guilty of a misdemeanor and be punished by a fine of not less than twenty dollars, and not more than one hundred dollars, or by imprisonment in the county jail for not less than fifteen days, and not more than three months, or both.

Sec. 135. Any resident householder in any county of this Territory on finding any broken, tame or domesticated estray animal or animals in the vicinity of his premises, may, at any time after twenty days from the time of finding the same, or after six months from the time of finding any unbroken, untamed or undomesticated estray animal or animals in the vicinity of his premises, go to the justice of the peace for the precinct in which such estray animal or animals were found and make affidavit that such estray animal or animals, giving a full and complete description thereof, with marks and brands, if any, and stating whether broken, tamed, domesticated or otherwise, have remained in the vicinity of his premises for the time or times above specified, as the case may be, that he has made diligent inquiry throughout the neighborhood of said premises and precinct to ascertain the ownership of said estray animal or animals, and has been unable to ascertain such ownership and does not know to whom the same belong; which affidavit, when so made, shall be forthwith delivered by affiant to the assessor of the county in which said estray animal or animals are taken up, and by him recorded as hereinafter provided; Provided, That in no case shall any person take up any estray animal or animals except in the vicinity of his premises and in the county wherein he or she resides, and is a householder.

Sec. 136. It shall be the duty of the assessor of each county in this Territory, to keep a book called an Estray Book, which shall be properly ruled and indexed, and said affidavits, when received by him shall be marked "filed" on the back thereof, and recorded in said book; and when so recorded, the records thereof shall be preserved by him in his office. He shall be allowed a fee of fifty cents for each affidavit so filed and recorded and an additional sum of ten cents per head for each additional number more than one animal contained in said affidavit, said fee or fees to be paid by affiant for filing and recording the same.

Sec. 137. In addition to making said affidavit and having the same recorded, as hereinbefore provided, the party taking

up said estray animal or animals, shall, within ten days after recording the same, cause to be published in some newspaper published in the county which shall be designated by the assessor, and which shall be published at the county seat of said county, or if there be any county seat in this Territory in which no newspaper is published, then in some newspaper published in the county, notice of the time and place of taking up such estray animal or animals with a description thereof, as set out in said affidavit and that the owners thereof will forfeit the same at the end of seven months from date of the first publication, unless he or his agent claim the same, prove ownership of such property and pays the legal charges thereon, within that time. Such publication shall be continued for a period of six consecutive weeks and any newspaper publishing such notice shall be allowed a sum not to exceed two dollars for the entire time of the publication of such notice, so published, the same to be paid by affiant; Provided, That if there be any county in this Territory in which no newspaper is published, then it shall be lawful to give such notice by at least five printed handbills or written notices, posted in conspicuous places in each precinct in said county.

Sec. 138. If the owner, or his legally authorized agent, of any estray animal or animals advertised as aforesaid, shall, within seven months from the time that the same was first advertised, appear and make affidavit of his right and proof of ownership thereto before the justice of the peace of the precinct in which said estray animal or animals were taken up and shall pay to the party taking up the same, the cost of making said affidavit, not to exceed one dollar, of filing and recording the same, the cost of publishing said notice and the further additional sum of fifty cents per month excepting in all cases, unweaned young animals following their dams, for each and every animal and for each and every month said animal or animals have been in his possession from the date of said publication, then the owner shall be entitled to the possession of the same and it shall be delivered to him or his lawfully authorized agent, but in event he or his agent does not appear and make good and pay said cost or costs, within seven months from date of the said publication, then the assessor in said county shall order the same to be sold at public auction to the highest bidder, for cash in hand, after first having caused ten days' notice to be given, of the terms, time and place, of such sale, with the description of the animal or animals to be sold, by at least five written or printed hand bills, posted in conspic-

uous places throughout the precinct wherein such taker-up resides. All orders for such sale or sales shall be directed to the constable of said precinct, and for each and every order so issued, the assessor shall be allowed as a fee, the sum of fifty cents, and the constable shall be allowed as a fee for such sale, a commission of ten per cent. of the gross proceeds of such sale on all sums up to and including fifty dollars, and a commission of five per cent. on all sums over fifty dollars, out of the proceeds of such sale. Such said constable shall first pay such costs as may have accrued under the provisions of this act in taking up and selling such estray animal or animals; the remainder, if any such there be, he shall forthwith deposit with the county treasurer of the county wherein such sale took place, subject to the order of the owner of such estray animal or animals. If such sum or sums be not reclaimed by said owner within twelve months from date of said deposit then said county treasurer shall apply the same to the school fund of said county, and the owner thereof shall be forever barred from recovering the same by an action at law.

Sec. 139. If any person shall conceal or attempt to conceal any estray animal or animals taken up by such person, or shall efface or change, or attempt to efface or change any mark or marks, or brand or brands, thereon, or shall carry or attempt to carry the same outside of the limits of the county where found, or knowingly permit the same to be done, or shall sell, transfer or bargain away such estray animal or animals, or shall attempt to sell, transfer or bargain away the same, before lawful title thereto has been obtained in accordance with the provisions of this act, he shall be deemed guilty of larceny and shall be punished for the same as in other cases of larceny.

Sec. 140. The owner, or his lawfully authorized agent of any estray animal or animals which have been taken up according to the provisions of this act, shall not be permitted to take, lead or drive away, the same from the premises or possession of the person having taken the same up under the provisions of this act, until he has proved his ownership thereto, and paid the legal charges due thereon as herein required, and any person knowingly or wilfully violating the provisions of this section shall be subject to all the penalties to which he would be subject under the statutes, had he no claim to said animal or animals.

Sec. 141. If any animal, after having been taken up by any person under the provisions of this act, shall escape, or be taken from the possession or custody of such person before the same shall have been reclaimed by the owner thereof, or his agent,

then such person shall have the right to recover the same wherever the same may be found, to be held by him until disposed of as provided for in this act.

Sec. 142. It shall be unlawful in this Territory for any person to take up, work or use in any manner whatsoever any animal or animals, estray or otherwise, without the consent of such owner thereof unless having proceeded as required by this act, and any person or persons guilty of any violation of this act, shall, on complaint being made thereof, be tried before any justice of the peace in the precinct in which said animal or animals were taken up, and if found guilty shall be fined a sum of not more than fifty dollars and not less than ten dollars, or imprisonment in the county jail not more than sixty days and not less than ten days, or both, with costs, and be subject to a civil suit for damages at the hands of the party or parties injured.

Sec. 143. Nothing in this act shall amend, alter, change or interfere with the rights of any incorporated town or city in this Territory to prevent the running at large of any stock within the corporate limits of said city or town, and the impounding of the same as is now provided by law.

Sec. 144. That any person or persons owning or having in his, her or their possession or charge any horses, mules, cattle, burros, sheep, goats, hogs or any such animals which shall break over or under or through or into any lawful enclosure belonging to any person or persons other than the owners or person or persons having possession or charge of such animal or animals, or which shall trespass upon the cultivated fields or land or lands sown in domestic grasses or clovers for hay or pasture, or orchards or vineyard lands of any such person or persons other than the owner or owners or person or persons having in charge such animal or animals when no enclosure of such cultivated fields or land or lands sown in domestic grasses or clovers for hay, pasture or orchard or vineyard lands is required by law, shall be liable to the party or parties sustaining injury by such breach or trespass for all damages, she or they may have sustained by reason of such breaching or trespassing as aforesaid, to be recovered in a civil action by the owner or tenant of such enclosure or such described lands or fields before any competent tribunal, or by arbitration, each party to select a property owner and the arbitrators to select a third.

(Sections 145, 146, 147, 148, 149, 150, 151—Repealed.)

Sec. 152. Before damages for the breach mentioned in the

preceding sections can be collected it must be proved that the enclosure was a legal fence, which is hereby defined to be within the meaning of this act, a strong, substantial enclosure, ordinarily sufficient to turn animals; said enclosure to be not less than four feet in height and to be constructed of posts and planks, posts and wire, rails, poles, pickets, stone, adobe or any other substantial material, or of one or more of the materials specified; Provided, The above described fences shall be lawful fences in all counties in this Territory.

Sec. 153. Nothing in this act shall be construed to prevent the right of appeal by either party from the award of arbitration or finding of the justice of the peace; Provided, Said appeal is taken within ten days from the time of such finding or the return of such award; And Provided, Further, That appeal from the award of said arbitration shall be taken to the district court of the county from the office of the justice of the peace as other appeals are taken. (See also Chapter 92, Laws of 1901.)

(Sections 154 and 154-a, Rêpealed.)

(Sections 155 to 169, Inclusive, Relate to Sheep.)

Sec. 170. Every person having or possessing, taking care of or managing cattle, whether he be the owner, agent or manager of any herd of cattle or stock, of whatever number there may be, he shall be subject to make roundups of said herd at his own ranch or grazing place on being ordered by the justice of the peace of his own precinct, as hereinafter provided, in order to enable every person interested in taking care of or raising cattle to record said herd or herds, and to separate any cattle that may be legally claimed, if the same belongs to said person or persons. Should there be any co-operating in said rounding of said herd which is to be thus rounded up, together with the owner or owners or herders in charge thereof, all and every one of the persons presenting themselves asking the recording of said herd thus gathered to permit any interested party the necessary time to record and separate as many of the above described animals as he may legally prove, as hereinafter provided, belonging to each person.

Sec. 171. For the purpose and intents of the present act the county commissioners in the several counties of this Territory are authorized and empowered to divide their respective counties in as many roundup districts as the number of precincts comprised in the counties may permit, not to exceed three precincts to every roundup district, taking in consideration the situation, distance and all other circumstances that may lead

them to apportion said districts to the best advantage and convenience possible of its inhabitants, and within which district all justices of the peace in the respective precincts shall constitute, when assembled, a board of inspectors for rounding purposes in said district, and thus assembled shall determine and fix, through public notices, posting the same in conspicuous places in their precincts, fixing the day in which said roundups will take place in any of the neighboring ranches, according to the location thereof, so as to enable every owner of herds to attend said roundups at their proper time, and as the general interests of interested parties within the district may require, in proportion to the neighborhood. Said public notices shall be posted up by the board of inspectors at least one month before each rounding takes place. The time to have said annual roundups shall be in the months of June and September of each year. Said justices of the peace thus constituting the board of inspectors of the roundups shall act in their official capacity under the same official oath and qualification of justice of the peace in and for his precinct and the county which elected them, as now provided by law.

Sec. 172. Any person presenting himself with a view of taking animals, from any roundups, before separating any of said animals, shall show to the owner thereof, or herder in charge of said herd, the letter of his brand, marks and signs under which he claims to separate said animals, should there be any of those described in said herd, and any person failing to show said marks, as materially represented, whether made by a blacksmith, or certificate to that effect signed by a recording officer stating that said marks have been recorded and are recognized as the marks of such person for the purpose of branding his animals, together with the signs under which he claims.

Sec. 173. Whenever any person may claim in such roundups for another, as his agent, he shall show a power of attorney authorizing him as such, showing the mark or brand, as required in the foregoing section, so that he may legally separate and drive cattle, or any other animals herein described from said roundups. Any person or persons who should voluntarily permit the taking off of animals from his herd without having had proof as to the rights thereof, or any person separating or driving maliciously, or under pretext that he could not separate the animals, shall be fined before any justice of the peace in a sum of not less than twenty-five dollars, and shall furthermore be responsible for damages to the injured party.

Sec. 174. Whenever there shall be found in any of said roundups, animals or cattle whose owner shall not appear, it shall be the duty of the owner of said herd, should the same be cows with calves, whose calves are not branded or marked, to mark said calves, marking the same in the ears or head, the same marks in the ears or head which are found in the cow, or mother. It shall also be the duty of the owner or owners, agent or herder in charge of said herd or herds, after the second roundup is over to make written report before the corresponding justice of the peace within his district stating the color of the animals and their marks or signs, which are found in said herd without having been claimed. The justice of the peace, before whom said report is made, shall have a book provided for the purpose of recording the color and marks of said animals, the date and the name of the person reporting them, which book shall be furnished by the county under the direction of the board of county commissioners of his respective county, and in which book the said justice of the peace shall write the heading, "Animals without owner." Said justice of the peace shall authorize the person reporting said animal or animals to keep the same under his care for the term of one year, or until the owner may appear, and the person in charge of said animal or animals shall be entitled to receive a recompense of fifty cents per head (not including young calves) each month from the date of the recording, payable out of the proceeds of the sale of the same, which have been taken care of for one year, or by the owner, if he should appear before the end of the year, which person in charge of said animals shall be held liable for said animal or animals until the disposition of the same is made by said justice of the peace, and in case the said person in charge of said animals, as aforesaid, should claim that the same, or a portion thereof have died, or strayed, or been stolen, he shall prove the same to the full satisfaction of said justice who, on being convinced of the truth of the report, shall discharge such person of the responsibility, but he shall not be entitled to pay for such animals.

Sec. 175. Any person having strayed animals can go before any justice of the peace in order to examine his record, and if he proves to the satisfaction of said justice of the peace that animals such as those described in such record belong to him, after each owner of animals paying fifty cents to the justice of the peace, then the said justice shall order the person in charge thereof to deliver said animal or animals describing properly the colors and marks to the person having before him,



proved his right thereto, on such person paying the fees for the keeping of the animals as provided in the foregoing section.

Sec. 176. Whenever any of the above described animals have remained under the charge of any person by the authority of any justice of the peace for the term of one year without any person claiming them, the said justice of the peace, after being informed by the person or persons in charge of said animals, that the same exist, then and in such case he shall, through public notices, fix the day in which said animal or animals are to be sold at public auction for cash to the highest bidder, by the constable of his precinct, the expenses of herding to be paid from the proceeds of such sale as above stated, fifty cents to the justice of the peace for each record, and twenty-five cents for the order to sell the same and the recording of his file, and one dollar to the constable effecting such sale; the surplus of such sale shall be paid into the school fund by said constable for the use of the same upon a certified list of said justice of the peace.

Sec. 177. There shall be allowed to each justice of the peace for his services as required in section one hundred and seventy-one, the sum of three dollars for each one of said meetings or consultations held for the purpose of making roundups and the publication of the notices relative to the time and mode in which said roundups are to be conducted, and also to give certificates of sale in favor of any person who may buy animals as hereinbefore determined to be sold at public auction by his constable, which shall be paid from the funds of his respective county, and the commissioners of said county are hereby authorized, and it is made their duty to issue their warrants in favor of said justice of the peace so entitled respectively as herein provided.

Sec. 178. Any person or persons who on being required by the justice of the peace of his precinct, and being a district as heretofore provided, and having or being the owner, agent, herder or overseer of any number of ten or more cattle should fail to co-operate in the roundups and gathering of herds in his vicinity, in the manner and time as determined by the board of inspectors of said district, as provided in section one hundred and seventyone, upon conviction thereof before said justice of the peace, shall be fined in any sum not less than ten dollars, and shall be subject for the damages to the party or parties injured.

Sec. 179. Whenever two or more persons having their herds so close the one to the other that it may result in a mixture thereof, and any owner or owners being compelled to gather the same in order to separate cattle, outside of the time of general roundups, as hereinbefore provided, it shall be lawful for such person being thus obliged, to notify and request of his neighbors that he is compelled to do so because of his necessity, and that he desires that such herd be gathered up, giving his reasons to ask such partial roundups, and said owners or herders in charge of said herds shall co-operate in said roundup in order to enable said neighbor to separate herds or cattle without suffering any further damage. The person or persons, owners of herds as above said, refusing to comply with the request, shall be liable to damages to the party injured thereby, and to pay a fine before any justice of the peace of not less than five dollars, or as the amount of damages originated may be.

Sec. 180. Whenever dangerous bulls of bad breed are found in any herd and remain there doing damage to the owner of said herd for the term of fifteen days, driving off or horning his own bulls, it shall be lawful for the owner or person in charge of said herd to geld any such dangerous bull or bulls, vicious or of low grade, in order to avoid the damage which may follow to the owner of said herd; Provided, That if the owner of said bull or bulls above mentioned is known, and it is within the power of the owner or herder of said herd, he shall notify the owner of said bull or bulls to take out or separate the same in order to avoid such damage.

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## CHAPTER V.

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### DISEASED CATTLE—PROVISIONS CONCERNING.

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Whereas, The fact has become well established that cattle imported into the Territory of New Mexico from ranges in any part of the State of Texas, south and east of a line commencing at the northwest corner of the County of Wichita; thence running due south along the western line of Wichita and Archer counties to the northeast corner of Throckmorton county; thence due west to the northwest corner of said county; thence due south to the southwest corner of Throckmorton county; thence due west to the northwest corner of Sheckelford county; thence due south to the southwest corner of said

county; thence due west to the northwest corner of Taylor county; thence along the north line of Nolan and Mitchell counties to the northwest corner of Mitchell county; thence due south to the southwest corner of said Mitchell county; thence due west along the south lines of the counties of Howard, Martin and Andrews, to a point where the southeast corner of the Territory of New Mexico and the southwest corner of the County of Andrews, in the State of Texas, meet; thence due west along the south boundary line of the Territory of New Mexico, to a point where the monuments marking the boundaries between the State of Texas and the Territory of New Mexico, and in the State of Chihuahua in the Republic of Mexico, and erected by the boundary commission, stand and are in place at the date of enactment of this law, and more particularly the Counties of El Paso, Presido, Pecos, Tom Green, Crockett, Mitchell, Sheckelford, Throckmorton, Archer and Wichita, in the State of Texas, and all the counties east and south of the counties hereinbefore mentioned and situated in the aforesaid State of Texas; also that part of the Republic of Mexico lying north and east of the Mexican Central Railway to the twenty-sixth degree of latitude; thence on said line to the Rio Grande, at any time from the fifteenth day of March to the fifteenth day of November of each year, will communicate to and infect cattle then grazing or living on ranges in said territory upon or through which such imported cattle shall then stray or be driven with a certain fatal disease, commonly known as Texas, or splenic fever;

And Whereas, The fact has become well established that such imported cattle, so as aforesaid communicating such Texas or splenic fever, never show any symptoms of the disease from which the same may be determined by an inspector thereof;

And Whereas, Certain other contagious and infectious diseases, and particularly contagious pleuro-pneumonia, have been and are existing an epidemic among the cattle in certain localities within the United States and beyond the limits of said territory; therefore for sanitary purposes only;

*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Sec. 181. The word "cattle" used in the preamble of this act and wherever used in any of the sections or provisions of such act, shall be understood and construed as bovine cattle

only, and shall not relate to or include any other kind of domestic animals.

(Sec. 182—Amended and Repealed. See Chapter 49, Laws 1905.)

Sec. 183. A majority of the members of said sanitary board shall constitute a quorum, authorized to transact all business properly coming before them under the provisions of this act.

Sec. 184. Said sanitary board is hereby authorized, empowered and required to prevent the introduction into this Territory, or the spreading therein of Texas or splenic fever, contagious pleuro-pneumonia, tuberculosis, or any other contagious or infectious diseases affecting cattle wherever the same may be found to exist in the Territory, and to adopt, publish and enforce such quarantine rules and regulations as may be necessary to carry into effect the provisions of this act and not inconsistent therewith, and to make and enforce such rules and regulations as may be necessary to provide for the inspection of cattle for sale and slaughter.

Sec. 185. It may be the duty of said board and they are authorized to employ some competent veterinary surgeon, who shall be a graduate in good standing of some recognized college of veterinary surgery and science, and when necessary, to bring him to their aid for the inspection of live cattle, having or suspected of having some contagious or infectious disease, or for the examination of any cattle that shall have died or shall be suspected of having died of some such disease, as well as for consultation as to the most practical and effective method of stamping out or preventing the spread of any such disease among cattle within said Territory, and for the performance of any other service within the line of their duties or of his profession as said board shall determine and when and where they shall direct.

The said board shall fix the compensation to be paid to said veterinary surgeon at a salary not to exceed the rate of one thousand five hundred dollars per annum and his actual and necessary traveling expenses in the performance of his duties.

Such compensation shall be paid by said board out of the fund hereinafter provided for and at such times as shall be specified in the contract therefor with said veterinary surgeon.

Sec. 186. It shall be the duty of said board to provide suitable books, in which they shall cause to be entered true and

itemized accounts of all receipts and expenditures by them or under their direction and specifying what for; also an entry therein of all cattle (if any) imported into the Territory in violation of any of the provisions of this act, so far as the same shall come under their supervision or to their knowledge, and to this end said board shall require said veterinarian, or they may employ a secretary to perform such work, who shall act as its secretary and make the proper entries in said books and to write out its reports required as hereinafter provided. Said books and all entries therein, shall constitute a public record, and at all reasonable times shall be open for examination by any and all parties interested.

Sec. 187. It is and shall be unlawful for any person, persons, company or corporation to drive, convey, transport or aid therein or to cause or procure to be driven, conveyed or transported into the Territory of New Mexico, during any time in each year between the fifth day of March and the first day of November, any cattle from any part of the State of Texas south and east of a line commencing at the northwest corner of the County of Wichita; thence running due south along the western line of Wichita and Archer counties to the northeastern corner of Throckmorton county; thence due west to the northwest corner of said county; thence due south to the southwest corner of Throckmorton county; thence due west to the northwest corner of Shackelford county; thence due south to the southwest corner of said county; thence due west to the northwest corner of Taylor county; thence along the north line of Nolan and Mitchell counties to the northwest corner of said Mitchell county; thence due south to the southwest corner of said Mitchell county; thence due west along the south line of the Counties of Howard, Martin and Andrews to a point where the southeast corner of the Territory of New Mexico and the southwest corner of Andrews county, in the State of Texas, meet; thence due west along the south boundary line of the Territory of New Mexico to a point where the monuments marking the boundaries between the State of Texas, the State of Chihuahua, in the Republic of Mexico, and the Territory of New Mexico, and erected by the United States boundary commission, stand and are in place at the date of the enactment of this law, and more particularly the Counties of El Paso, Presidio, Pecos, Tom Green, Crockett, Mitchell, Shackelford, Throckmorton, Archer and Wichita, in the State of Texas, and all counties east and south of the coun-

ties hereinbefore mentioned, and situated in the aforesaid State of Texas, and that part of the Republic of Mexico lying north and east of the Mexican Central railway to the twenty-sixth degree of latitude; thence east with said line to the Rio Grande.

This section is designated to operate only as a quarantine regulation against the introduction of Texas and splenic fever, and shall not be operative against any railroad company or corporation in transporting cattle from the aforesaid prohibited district, in the State of Texas and the Republic of Mexico, entirely through and beyond the limits of this Territory by rail; Provided, That such cattle are not unloaded while in transit through the Territory, except into secure quarantine stock yards, provided by such company or corporation, and used exclusively for that purpose; And Provided, Further, That during such transit through the Territory, while such prohibition is in force, such cattle shall be so securely confined that none of them shall get loose either from the cars or any such quarantine stock yards and go upon the grounds outside thereof.

That so much of section one hundred and eighty-seven which applies as a quarantine regulation against the Counties of El Paso, Reeves and Jeff Davis, in the State of Texas, is hereby repealed, and said quarantine line shall be the south boundaries of said counties.

Sec. 188. Whenever it shall come to the knowledge of said board or of said veterinarian that any contagious or infectious disease, other than fever covered by this act, and the nature of which is known to be fatal to cattle, has become epidemic or exists in any locality or localities, in any state or territory beyond the limits of this Territory, they or either of them shall immediately communicate the fact to the governor of the Territory in writing, and thereupon or when the governor shall have otherwise good reason to believe that any such fatal disease other than Texas fever so exists or has become epidemic, the governor shall immediately issue and publish by a general proclamation, such rules and regulations as the board may adopt, specifying such localities and thereby prohibit the importation therefrom into this Territory of any cattle except under such restrictions and safeguards as the board may deem proper and shall specify for the protection of cattle in this Territory. Any person, persons, company or corporation, who after the publication of such proclamation shall knowing-

ly receive in charge any cattle, the importation of which into this Territory shall have been so prohibited, or shall drive, transport or in any manner convey the same to and within the limits of this Territory, or shall knowingly cause or procure the same to be driven, transported or conveyed into such Territory, in violation of such proclamation, or shall violate any of the provisions of section one hundred and eighty-seven of this act, by driving, conveying or transporting or aiding therein, or causing or procuring to be driven, conveyed or transported into this Territory any cattle which are thereby declared to be unlawful, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars nor more than five thousand dollars for each and every offense, and shall also become liable in civil action for any and all damages and loss sustained by any person, persons, company or corporation by reason of such importation of such cattle.

Sec. 189. After the issuance and publication of any proclamation by the governor, as provided by this act, and while such proclamation shall continue in force, or while the prohibition against the importation of cattle from certain parts of Texas and Mexico, as specified in section one hundred and eighty-seven of this act, shall be in force, or either of them, it is and shall be lawful for any person, persons, company or corporation to drive or transport or cause to procure to be driven or transported into this Territory any cattle that by any direct or circuitous route might have come from any place or district covered by such prohibitions, or either of them, without first having obtained a certificate of health from said veterinarian or a permit in writing from said board through any of its employes, under such rules and regulations as such board shall prescribe and publish for the information of the public. Any person failing to comply with this provision after due notice, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five hundred dollars nor more than five thousand dollars, and shall also be personally liable for all loss and damages sustained by any person or persons by reason of the introduction of any contagious or infectious disease from the cattle so unlawfully imported into this Territory, and during the issuance of said proclamation and the enforcement of this law, all cattle desiring to enter the Territory must submit to an inspection, nor shall they be permitted to enter the Territory until a written

or printed permit is issued by a member of the board, the veterinary surgeon, or an inspector appointed by said board. Any person may require the person in charge of the cattle to produce for his inspection the permit and any person refusing to produce said permit at any time within a year from the time the cattle were driven in, shall be held to be guilty of the violation of this law and shall be subject to all the penalties provided by this section.

Sec. 190. To aid in the enforcement of the quarantine provisions of this act, for the sanitary protection of cattle in this Territory and in ferreting out and detecting any violations thereof, it shall be the duty of said board, and they are hereby authorized to employ for that service, in addition to said veterinarian, as many other competent and discreet persons from time to time as emergencies may arise, as in their judgment they shall deem necessary for that purpose, and shall fix their compensation, which shall not exceed two dollars and fifty cents per day each, while in actual service and in their actual and necessary expenses while in performance of their duties as may be agreed upon, and to direct them as to what duties they are to perform, as well as to when, where, and how such duties shall be performed. All such persons respectively so employed shall make true reports in writing to said board of their doings under such directions.

Sec. 191. Whenever said board, during the continuance in force of any prohibition against the importation into this Territory of cattle under any of the provisions of this act, shall have good reasons to believe or suspect that any such cattle against the importation of which such prohibition then exists, have been or are about to be driven, conveyed or transported into this Territory, in violation of any such prohibition, then existing and then in force, it shall be the duty of said board, either by its own members or through said veterinarian or through one or more of such persons then in their employ, as provided by this act, or through any or either of them, as circumstances shall seem to require, to thoroughly investigate the same, and to this end they may examine, under oath or affirmation, any person or persons in charge of such cattle or any person or persons cognizant of any facts or circumstances material to such investigation, as to any and all facts connected with the driving or transportation of such cattle, including the place or places from which said cattle or any of them have been driven or transported; the places or districts through



which they or any of them have been driven or transported; the length of time, and where they or any of them have remained, fed or grazed at any designated place or district; what contagious or infectious disease of cattle, if any, they or any of them, have been exposed to, and when and where, and as to any other facts or circumstances material to such investigation and reduce such testimony to writing in all cases, where the certificate of health or the permit in writing herein provided for shall be refused. To this end the members of said board, said veterinarian, and all other persons as aforesaid so in the employ of said board through whom any such investigation shall be made, hereby are, and each of them is, authorized to administer all oaths and affirmations required in any such investigation. If any such investigation is made by such veterinarian and thereupon he is satisfied that such cattle are free from all contagious and infectious diseases specified in this act and will not communicate any such disease to any cattle in this Territory, he shall deliver to the person in charge of such cattle a certificate of health to the effect that such cattle are healthy and entitled to pass into the Territory, otherwise he shall refuse the same; and if such investigation shall be made by any other person or persons authorized as herein specified to make the same and thereupon he or they shall be satisfied that such cattle will not transmit to the cattle in this Territory any cattle disease specified in this act, and that the facts and circumstances attending their transportation warrant the presumption that such cattle are not from that part of the State of Texas, or the Republic of Mexico, the importation of cattle shall then be prohibited under this act, then he or they shall give the person in charge of such cattle a written permit to pass the same into the Territory, otherwise such permit shall be refused.

Sec. 192. It shall be the duty of said board to make all useful rules and regulations respecting examinations and investigations for the granting or refusing of certificates of health and permits provided for in the next succeeding section of this act, and give ample publicity thereto, so that all persons, companies and corporations who may desire to drive or transport any cattle into the Territory may be conveniently advised of what will be required to obtain any such certificate or permit during the existence of any prohibition to the importation of cattle into the Territory under this act, and of when, where and to whom applications therefor may be made.

Sec. 193. Every person, company, corporation, or their or either of their agents or employes, having in charge cattle destined for introduction into this Territory during the existence of any prohibition against such importation, under this act, of cattle, may make application for said certificate of health or permit to the proper person designated at the place nearest to the proposed point of entrance into the Territory, specifying in such application, the time and place, where and when such cattle will be ready for inspection and the circumstances of the importation investigated, which place shall be beyond the boundary lines of the Territory. Such application shall be made at least ten days before the time specified for such inspection. Any person, corporation, or their or either of their agents having cattle in charge to be driven or transported into this Territory from any place in another state or territory, may have such inspection and examination at such place before starting with such cattle, as he shall so elect; provided he shall pay all expenses of such inspection and investigation including per diem and traveling expenses for the person or officer making the same and designated for that purpose by said board.

Sec. 194. Whenever any cattle shall be driven or transported into the Territory without obtaining a certificate of health or permit by the person in charge thereof, in any case where such certificate or permit is required by the provisions of this act, and if such cattle shall have been inspected and an investigation had in relation thereto and such certificate or permit refused, as required by this act, then such cattle may be seized and securely held in quarantine under such reasonable rules and regulations as shall be prescribed therefor by said board, and as they may deem necessary to guard against other cattle becoming affected with any cattle disease covered by this act; and they shall be held in quarantine for such length of time as such board shall in their opinion deem necessary for the sanitary protection of cattle in this Territory. And if such cattle shall not have been so inspected and an investigation had, then the same shall take place wherever the cattle may be found, and they may be seized and held for that purpose and a certificate of health or permit granted or refused, as the case may require, and if refused, the cattle may in like manner be held for quarantine. All the necessary expenses of quarantine and inspection under the provisions of this section shall be paid by the owner or owners of such cattle.

Sec. 195. All expenses incurred in and by the inspection and quarantine of cattle under the preceding section, shall be a lien on such cattle to secure the payment thereof in favor of said board, as an indemnity, for the expenses so incurred; and all loss and damages incurred and suffered by any person, company or corporation, by reason of any cattle disease covered by this act, disseminated among or communicated to, cattle in this Territory by cattle driven or transported into such Territory in violation of any of the provisions of this act, shall be a lien on the cattle so unlawfully imported in favor of the person, company or corporation so incurring or suffering such loss or damage thereby. All liens covered by this section shall take precedence and priority over any other lien or encumbrance on any such cattle existing at the time of their unlawful importation as aforesaid, or at any time subsequent thereto. All such liens shall subsist and become effective as security for ultimate payment without any other act or proceeding whatever, and after judgment any such lien may be foreclosed by sale of the cattle on execution.

Sec. 196. In order to enforce the one hundred and ninety-fourth and one hundred and ninety-fifth sections, the board or any member thereof, or any one they may authorize, shall seize any cattle that may come into this Territory during the enforcement of this law without first having obtained a permit. After the seizure such cattle shall be held in close quarantine until the board is satisfied all danger has passed, and either of the parties above named and empowered to make the arrest may call on any party within a reasonable distance to assist in making the seizure of said cattle, and any one refusing to so assist shall upon complaint and proof of such an officer to the justice of the peace, be fined not less than twenty-five nor more than one hundred dollars or to be imprisoned in the county jail not to exceed three months. When the board is satisfied that there is no further danger from the seized cattle, they may render a bill of costs to the owner or claimant, and upon the payment of the sum, release such cattle, or they may advertise such cattle in a public newspaper for at least two weeks, and then sell them to the highest bidder, retaining only enough to satisfy all expenses incurred, or they may turn loose such cattle on the range or return them to the place of entry. All persons who are summoned to assist in seizing said cattle shall be allowed a reasonable compensation for such service, not to exceed two dollars per day for man and horse, or four

dollars per day for a man and team of two horses, nor shall any person be required to assist in the seizure for more than ten consecutive days.

Sec. 197. (See also Amendment in Chap. 1, Laws 1903). In all cases of contagious and infectious disease covered by this act, including Texas or splenic fever, existing or becoming epidemic on premises previously quarantined, as provided by this act, said board is authorized and empowered to cause the slaughter of cattle upon such premises which are known to be so diseased or have been exposed to such disease, when said veterinarian shall decide that same is necessary for the sanitary protection of other cattle and shall so advise such board, and said board shall be of the same opinion and shall order such slaughter to be done; Provided, however, That no such cattle shall be slaughtered that have no disease nor have been exposed to any disease, including Texas or splenic fever. Such slaughter of cattle shall be done under the superintendence of said veterinarian or board, who prior thereto, shall notify the nearest justice of the peace and deliver to him the order therefor; such justice shall thereupon select and summon before him three cattlemen of the neighborhood, who shall have no interest in the cattle to be slaughtered, to act as appraisers of the value of such cattle, and administer to each of them an oath to make a true, faithful and impartial appraisal of the value of the cattle to be slaughtered, without prejudice against or favor to anyone. Thereupon said appraisers shall inspect such cattle and make such appraisal thereof. They shall also return to each justice certificates of their valuation of each animal so appraised, containing an accurate description thereof, with brands, ear marks, wattles, age, sex, color and class, as near as may be. One of such certificates to be filed with the justice, one to be delivered to the owner of the cattle to be slaughtered and one to be transmitted to the said board by said justice. The fees of justices of the peace for services herein provided, shall be the same as for similar services as fixed by law, and said appraisers and all necessary employes for the slaughter of animals and destruction of their carcasses, as provided by this act, shall receive three dollars per day and their necessary expenses while engaged therein, all of which shall be paid by said board upon their order. Such veterinary surgeon shall also superintend the destruction of the carcasses of each animal and each part thereof which shall be by burning the same to ashes.

Sec. 198. In making such appraisement said appraisers shall consider the effect of the disease on the value of each animal and the certificate of such veterinarian or board as to the probable fatality of the same. All claims for indemnity to owners of cattle slaughtered, as provided by this act, shall be presented to said board and passed upon by said board and allowed and paid upon its order to the extent of the appraised value of the animals slaughtered, as herein provided, and owned by such claimant; Provided, Such animals are such as the slaughtering of which an indemnity is allowed under this act, and the proceedings in regard to such slaughter and appraisement have been regular. Such application shall be accompanied with the certificate of appraisement delivered to such owner.

Sec. 199. Owners of cattle appraised and slaughtered as herein provided shall be entitled to indemnity therefor to the extent of such appraised value except in the following cases:

First. For animals belonging to the United States.

Second. For cattle brought into the Territory in violation of any of the provisions of this act.

Third. For cattle that had the disease for which they were slaughtered or had been destroyed by reason of exposure to the disease at the time of their arrival into the Territory.

Fourth. For cattle which the owner or claimant knew to be diseased or had notice thereof at the time they came into his possession.

Sec. 200. In case of epidemic or contagious disease (including Texas or splenic fever) may become known to the board to exist or shall be likely to exist or shall be threatened within the Territory, and the board may deem it necessary to use more money than the present assessment (one-half of one mill on each dollar) may yield, then they may summon the governor, treasurer and auditor of the Territory to meet as a Territorial Cattle Sanitary Board, at the governor's, treasurer's or auditor's office, in the City of Santa Fe, and if this board upon meeting, shall determine it to be to the best interests of the cattlemen of the Territory to do so, they may order a levy not to exceed one-fourth of one per cent of the assessable value of cattle within the Territory, or they may issue bonds in the denomination of one hundred dollars, bearing interest not to exceed eight per cent., payable annually; interest and bonds are payable at the First National Bank of Santa Fe, N. M. Said bonds shall run from five to eight years and are payable

at any time after five years. The bonds will be signed by the president of the Cattle Sanitary Board and by the treasurer of the Territory, and by the latter registered in a book to be provided by the Cattle Sanitary Board, which book shall be continued in the possession of the treasurer of the Territory and his successors. The governor of the Territory will preside at all meetings of the Territorial Cattle Sanitary Board, and a record of each meeting will be made by the treasurer of the Territory, and also by the secretary of the Cattle Sanitary Board. The bonds shall be sold at the highest obtainable price. Whenever the Territorial Cattle Sanitary Board may think best, they may order a levy not to exceed one-eighth of one per cent of the assessed value of cattle within the Territory, and continue said levy yearly until a sufficient sum is realized to pay said bonds with the yearly accruing interest. Said levy shall constitute a sinking fund for the payment of said bonds and for no other purpose. Said sinking fund shall be deposited with the territorial treasurer, who shall give a good and sufficient bond, to be approved by the governor, for a sum equal to the bonds and interest. The levies provided for by this act shall be made by the several county commissioners of the different counties at the expense of such counties making such levies. The territorial treasurer shall pay said bonds in their numerical order. Notice of payment will be posted in the First National Bank, of Santa Fe, N. M., sixty days before payment. The bonds when paid shall be destroyed by the treasurer and auditor of the Territory and a record of the same by the treasurer. It shall be the duty of the governor to demand of and cause to be executed a bond by each of the members of the Cattle Sanitary Board to the Territory of New Mexico with two or more sufficient securities, and in such sum as will cover the amount, which may be raised and collected by the aforesaid levies, condition for the faithful disbursement of said moneys. In the event that either of said members do not execute said bonds within twenty days, his or their office will be vacant, and the governor will at once fill such vacancy and require the two bonds provided for in this act.

Sec. 201. The compensation of said veterinary surgeon and of all other employes by or under said board, and in the first instance, all other expenses incurred by or under said board, as provided by this act, shall be paid by said board or upon its order out of the funds hereinafter provided for; such

board taking or causing to be taken proper vouchers for all moneys so expended by them.

Sec. 202. In the aggregate amount of money to be expended by said board in any one year, they are hereby limited to the amount actually provided for that year under this act, as near as they can estimate.

Sec. 203. Hereafter, each year, it shall be the duty of the county commissioners of each county in the Territory, at their first meeting after the return of the assessment of the property for taxation by the county assessors respectively, to levy a special tax of one-half (1-2) of one (1) mill on each dollar of the appraised value of all cattle in their county, to be known as the cattle indemnity fund.

Such special tax shall be collected in the several counties and paid to the territorial treasurer in the manner provided by law for the collection and payment to such treasurer of other territorial taxes. Such fund shall be kept separately by such treasurer, and shall be used exclusively for the payment of indemnity claims for cattle that shall be slaughtered, and for fees, salaries, wages, costs and expenses provided under the provisions of this act, and shall be paid out by such treasurer on the order of said board. All moneys shall be assessed, levied and collected at the expense of the several counties, and where the commissioners of any county shall neglect or fail to make said levy they shall become personally responsible to the cattle indemnity fund in an amount equal to twenty-five per cent of the levy.

Sec. 204. Said veterinary surgeon before entering upon the discharge of his duties shall take and subscribe an oath, before some officer authorized to administer oaths, to well and impartially perform all professional duties assigned him, and each member of said board before entering upon the discharge of his duties shall take and subscribe an oath to faithfully and impartially discharge his duties to the best of his ability, and execute a bond in the penal sum of five thousand dollars to the Territory of New Mexico, with two or more sufficient sureties, conditioned for the faithful disbursement of all moneys. Such bond shall be approved by the governor, and each of said oaths and bonds shall be filed with the territorial auditor.

Sec. 205. The members of said board shall receive no compensation for their actual and necessary expenses while in the performance of their duties, and for such expenses they may be reimbursed out of said indemnity fund.

Sec. 206. It shall be the duty of such Board and they are hereby required during the first week in December of each year, to transmit to the governor a report of their doings under this act, containing a detailed account of all the receipts and expenditures of money by them, together with such other facts within the line of their duties as may be of public interest. Any such report shall be transmitted by the governor to the next legislative assembly.

Sec. 207. That in addition to the powers and duties now conferred and prescribed by law to be exercised and performed by the Cattle Sanitary Board created by an act of the legislative assembly of this Territory, entitled "An act to prevent the introduction of diseased cattle into New Mexico," which became a law on the twenty-eighth day of February, 1889, the said sanitary board shall have and exercise the powers and perform the duties prescribed by this act.

Sec. 208. In the exercise of the powers and performances of the duties conferred and prescribed by this act, the said sanitary board shall and may make all necessary rules and regulations respecting the inspection of cattle intended for shipment or to be driven beyond the limits of this Territory; and also respecting the inspection of hides and slaughter houses in this Territory, and for the government of all employes of the said sanitary board.

Sec. 209. It shall be the duty of the said sanitary board to cause to be inspected the brands and ear marks upon the cattle shipped or driven out of this Territory, and to cause to be kept and preserved a true and correct record of the result of such inspections, in the office of the secretary of said sanitary board, which record shall set forth the date of the inspection, the place where, and the person by whom made, the name and postoffice addresses of the owner, shipper or claimant of the cattle so inspected, and the names and postoffice addresses of all persons in charge of such cattle at the time of the inspection, the destination of such cattle, as well as a list of all brands and ear marks upon the cattle so inspected, and the number and classification of such cattle.

Sec. 210. It shall be the duty of every person shipping or driving cattle out of this Territory to hold the same at some convenient place for inspection, as provided by this act, and it shall be unlawful for any person to ship, drive or in any manner remove beyond the boundaries of this Territory any herd



or band of cattle until they shall have been inspected as provided by this act.

(Sec. 211—Repealed.)

Sec. 212. Every person, company or corporation, or their or either of their agents, servants, or employes, having in charge cattle destined for transportation by rail or to be driven beyond the limits of this Territory, may make application to the proper inspector to inspect the brands and ear marks of any such cattle, stating in such application the time and place, when and where said cattle will be ready for inspection, and it shall be the duty of such inspector, or of some other inspector to be designated by the said sanitary board, to attend at the time and place designated in such application and inspect the said cattle, make the record and give the certificate required by the provisions of this act, free of charge, to the owner of said cattle; Provided, however, That in the case of cattle transported out of this Territory by rail, the place of inspection shall be at some stock yards, or other convenient place near the proposed point of shipment of said cattle from the Territory; and Provided, Further, That if the owner or person in charge of said cattle shall cause any reasonable delay or loss of time to such inspector, such owner or person in charge of any such cattle shall pay the expenses and salary of such inspector during such delay or loss of time. (Amended by Chapter 53, Laws '90, Sec. 2.)

Sec. 213. Every inspector employed by the sanitary board under the provisions of section one hundred and ninety shall in addition to the duties prescribed by the said act, be an inspector of brands and ear-marks and also the inspector of hides and slaughter houses under the provisions of this act, and it shall be the duty of some one of such inspectors to inspect the brands and ear marks of all cattle transported or driven out of this Territory, and to make a sworn report to the secretary of the said sanitary board of the result of such inspection at least once in every thirty days and oftener if, in the opinion of the sanitary board, it shall be necessary to do so; every slaughter house in this Territory shall be carefully inspected by some one of the inspectors aforesaid, and all hides found in such slaughter houses shall be carefully compared with the records of such slaughter houses and a report in writing setting forth the number of cattle killed at any such slaughter house since the last inspection (or since the passage of this act, as the case may be), the names of the persons from

whom each of said cattle was bought, the brands and marks upon each, and any information that may be obtained touching the violation by the owner of any such slaughter house, or any person, of the provisions of an act entitled "An act for the protection of stock, and for other purposes," approved April 1, 1884. (See section eighty-four.) For the purpose of making the inspection authorized by this act, any inspector employed by the said sanitary board shall have the right to enter in the day or night time any slaughter house or other place where cattle are killed in this Territory, and to carefully examine the same, and all books and records required by law to be kept therein, and to compare the hides found therein with such records. Any person who hinders or obstructs, or attempts to hinder or obstruct any inspector employed by the said sanitary board in the performance of any of the duties required of him under the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one hundred dollars, at the discretion of the court trying the case.

Sec. 215. The records required to be kept by the secretary of the said sanitary board shall be kept in a well bound book, to be provided by the board for that purpose, and a certified copy of any such record under the hand and seal of the secretary of the board shall be "prima facie" evidence in all courts of this Territory of the truth of any fact required to be recorded therein by this act.

Sec. 216. Any inspector employed by the said sanitary board who shall knowingly make any false certificate under the provisions of this act, or who shall knowingly swear falsely as to the truth of any report made by him to the secretary of said sanitary board or who shall accept any bribe or compensation for the performance or failure to perform any of the duties prescribed by this act, except such compensation as may be paid him by the said sanitary board, shall upon conviction thereof be fined in any sum not exceeding one thousand dollars, or imprisoned in the territorial prison not exceeding five years at the discretion of the court.

Sec. 217. The secretary of the said sanitary board shall receive such compensation as shall be fixed by the said board, not exceeding one thousand dollars per annum. (Amended by Chap. 30, Sec. 2, Laws of 1905). He shall keep a record of all inspections of brands and ear marks in well bound books to be provided for that purpose, and shall perform such other

duties as shall be prescribed by the board. He shall take and subscribe an oath faithfully to perform all of his duties of secretary of such board, and shall enter in bond in the penalty of five thousand dollars, with good and sufficient sureties, to be approved by the said sanitary board, conditioned for the faithful performance of his duties. Any person injured by any misfeasance, malfeasance or nonfeasance of said secretary may institute an action on said bond in the name of the Territory of New Mexico, for his use and benefit, in any court of competent jurisdiction, and recover thereon such damages, not exceeding the penalty of the bond, as he shall have sustained by such misfeasance, malfeasance or nonfeasance.

Sec. 218. The salaries of all employes and all other expenses incurred by the said sanitary board shall be paid as now provided by law, except that in addition to moneys hereafter to be raised by taxation all surplus moneys now in the treasury arising from the special tax known as the cattle indemnity fund, shall be available for that purpose.

Sec. 219. Any person, firm or corporation who shall violate any of the provisions of this act, or who shall remove any cattle beyond the limits of this Territory, without having the same inspected as required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred dollars and not more than five thousand dollars, in the discretion of the court; but nothing in this act contained shall be construed as in any manner affecting the laws now in force respecting the larceny of cattle.

Sec. 220. In order to provide the necessary moneys for the payment of the expenses incurred by the Cattle Sanitary Board of New Mexico in the execution of the provisions of an act entitled "An act in relation to live stock," approved February 14, 1891, the said board shall have power to borrow money and to issue negotiable paper therefor; but the indebtedness so created shall not at any time exceed the sum of five thousand dollars, and any indebtedness so created shall be paid out of the revenue accruing to the cattle indemnity fund from taxes levied and assessed or to be levied and assessed upon cattle only, and from fees arising from the inspection of cattle and hides as hereinafter provided, and not otherwise.

(Note: Sec. 221—Repealed.)

Sec. 222. All inspection fees and charges shall be paid to the secretary of the said board, who shall transmit the same to

the territorial treasurer to be placed to the credit of the cattle indemnity fund.

Sec. 223. (As Amended by Laws 1903). Said board shall have power to sell all unclaimed cattle, horses, mules and asses which may come into its possession and to make all necessary rules and regulations for the government for such sale as well as for the disposition of the proceeds thereof, but all moneys arising from the sale of unclaimed cattle shall be paid into the territorial treasury to the credit of the cattle indemnity fund and paid out as other moneys in the said fund.

Sec. 224. All moneys arising from the sale of unclaimed cattle remaining in the treasury for the period of twelve months, shall be deemed forfeited to the said fund by the owner or owners thereof; Provided, That the said board shall be required to make reasonable rules and regulations to enable the owners thereof by the use of reasonable diligence to know of the existence of such moneys and to claim the same.

Sec. 225. All acts and parts of acts in conflict with this act are hereby repealed, and this act shall take effect and be in force from and after its passage; but nothing in this act shall be construed to repeal the provisions of any existing act authorizing the levy of a special tax upon cattle for the benefit of the cattle indemnity fund.

AN ACT FOR THE PREVENTION OF CONTAGIOUS DISEASES  
AMONG CATTLE. *H. B. 61; Approved March 18, 1897.*

Sec. 226. Whenever the Cattle Sanitary Board of this Territory shall have reason to believe that contagious pleuropneumonia, tuberculosis, or any other contagious or infectious disease fatal to cattle, exists or has become epidemic upon any premises or in any locality in this Territory, it shall be the duty of said board to employ a competent veterinarian, who shall examine, and if deemed necessary, quarantine, under such rules and regulations as the said board may prescribe, all cattle suspected of being diseased or that have been exposed to such disease.

Sec. 227. Whenever it shall be necessary, in the opinion of said veterinarian, in order to stamp out and prevent the spread of such disease, that the diseased cattle and those that have been exposed thereto, should be slaughtered, he shall report the same to said sanitary board, and if the said board be satisfied of the correctness of said report and the necessity therefor, they shall cause such cattle to be slaughtered under the direction

of the board or said veterinarian, and the carcasses to be disposed of as the board may direct.

Sec. 228. Prior to such slaughtering the board shall appoint one disinterested person, resident of the county wherein such cattle are to be slaughtered, who shall act with a like disinterested person to be appointed by the owner of such cattle, and fix the price to be paid out of the cattle indemnity fund or the funds realized from the special tax provided for in section twenty of chapter one hundred and six, Session Acts of 1889, as an indemnity for the slaughter of such animals, and in event said two appraisers are unable to agree, they shall choose a third disinterested resident of said county to act with them in such appraisement.

Sec. 229. All claims for indemnity for cattle slaughtered under the provisions of this act shall be presented to the board, with the sworn certificate of such appraisers and shall be paid out of any funds at the disposal of said board not otherwise appropriated; Provided, That no indemnity shall be paid for cattle which were diseased when brought into this Territory or which the owner thereof knew or had reason to believe were so diseased when they came into his possession, nor for any cattle brought into the Territory contrary to law. Any person aggrieved by such appraisement and award may appeal to the district court for the county in which said cattle were slaughtered, but such appeal shall not delay the slaughtering of such cattle; and such appeal shall be docketed and tried as appeals from justices of the peace are docketed and tried.

Sec. 230. Any person or persons, or the agent or employee of any firm or corporation, who shall refuse to permit animals suspected of being diseased to be inspected, quarantined or slaughtered, as provided in this act, or who shall willfully interfere with said veterinarian or the sanitary board, or any of its officers or employees in the discharge of their duties in relation to the inspection, quarantine or slaughter of such animals, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for such offense in a sum of not less than fifty nor more than one hundred dollars, or imprisoned in the county jail for not less than thirty nor more than sixty days, or both such fine and imprisonment in the discretion of the court or justice trying the case.

Sec. 231. The Cattle Sanitary Board of New Mexico shall have authority to employ a competent attorney to give advice and counsel in regard to any matter connected with the duties

of the board, to represent the board in any legal proceedings, and to aid in the enforcement of the laws in relation to live stock, and to fix the compensation to be paid to such attorney.

For the purpose of providing funds therefor and for the employment of additional inspectors, and other necessary expenses incurred by said board, a special tax shall be levied upon all cattle in the several counties of this Territory in the manner and according to the provisions of section twenty, of chapter one hundred and six, of the Acts of the Twenty-eighth Session of the Legislative Assembly of the Territory of New Mexico, which levy shall be within the limit provided for in said section. Upon the order of the governor, auditor and treasurer, as provided in said section, the county commissioners of the several counties shall cause such levy to be made upon the assessed valuation of all cattle of the bovine species within their respective counties and shall cause such tax to be collected and paid over to the territorial treasurer to the credit of the cattle indemnity fund.

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## CHAPTER VI.

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### INDIAN STOCK—PROVISIONS CONCERNING.

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Sec. 232. It shall not be lawful for any Indian, belonging to any savage tribe, to permit any mule or horse, under his control or in his possession, to be loose or grazing, from the first day of April to the first day of December, within one league of any cultivated field or ranch, in the possession of any civilized inhabitant of this Territory.

Sec. 233. Whenever any mule, or horse, the property of, or in the possession of any Indian, as aforesaid, shall be found loose, in violation of the above section, it shall be lawful to seize and take such mule or horse, by any force that shall be sufficient, and immediately convey such mule or horse to the nearest justice of the peace within the Territory.

Sec. 234. Upon such animals being taken before the justice of the peace, proof shall be made of the finding of the same, and thereupon the justice of the peace shall summon three disinterested residents of the precinct, who shall then be duly sworn by the justice to truly assess any damages which

the said mule or horse had done to any cultivated field or ranch, while loose; contrary to the provisions of this act.

Sec. 235. Upon the report of the appraisers so sworn, the justice shall render his judgment for the amount assessed in favor of him who received the damage by reason of said mule or horse being loose, as also, in all cases, the sum of two dollars, to be paid to the person taking up such animal, and carrying the same to the justice. The justice shall also give judgment for all reasonable costs and charges properly attending the prosecution of the cause.

Sec. 236. If, within ten days of the rendition of the judgment any Indian of the tribe to whom the horse or mule belongs shall appear before the justice and claim the horse or mule, and shall satisfy the justice that the claim is made in good faith, and shall pay into the office of the justice the full amount of the judgment and costs, the justice shall cause such horse or mule to be delivered into the hands of such Indian.

Sec. 237. If the mule or horse shall not be so redeemed within ten days, the justice shall issue his execution to the constable to sell the mule or horse, and the same shall be sold in the same manner as other property by virtue of execution; Provided, The said mule or horse may be redeemed, as aforesaid at any time before sale.

Sec. 238. Out of the proceeds of said sale, the full amount of the judgment and costs shall be paid into the office of the justice, and the justice shall, within one month, report the overplus to the county treasurer, and pay the same into the county treasury, and take the treasurer's receipt therefor.

Sec. 239. Whenever any horse or mule, the property of any savage Indian, shall be found injuring the property of any citizen of this Territory, or any animal, it shall be presented as already indicated in this law; and if there is an Indian agent or sub-agent in the place, it shall be the duty of the person injured to advise the agent or sub-agent of the damage done him by the animal or animals of the Indian or Indians; and if the agent or sub-agent does not have said damage paid, then the justice of the peace, where the complaint is made, shall proceed as provided in this act.

Sec. 240. An Act approved January 13, 1860, shall be declared as embracing and to be applicable in all its provisions to the several pueblos of Indians who reside within the limits of the organized counties of this Territory, for the purpose of preventing equally the damages and injuries that said communities of Indians commit upon our citizens, with all classes of animals.

## CHAPTER VII.

## ANIMALS INJURED BY RAILROADS.

Sec. 241. (Sec. 241 as amended by Chap. 86, Laws of 1901.) Hereafter every railroad corporation whose lines of road, or any part thereof, are open for use, shall, within six months after the passage of this act, and every railroad company formed or to be formed, but whose lines are not now open for use, shall, within six months after the lines of such railroad or any part thereof are open, erect and thereafter maintain fences on the sides of their said railroad, or the part thereof so open for use, suitable and amply sufficient to prevent cattle, horses, sheep, mules, burros and hogs from getting on the said railroad, except at the crossings of public roads and highways and within the limits of towns, cities and villages, and shall also construct, where the same has not already been done, and hereafter maintain at all public road crossings, now existing or hereafter established, cattle guards suitable and sufficient to prevent cattle, horses, sheep, burros, mules and hogs from getting onto said railroad. If any railroad corporation shall fail to construct such fences and cattle guards as herein directed, each and every one of said railroad corporations so failing to comply with the directions of this act, shall be liable in damages in the manner and to the extent hereinafter limited, and provided. And any railroad corporation which has so failed to fence its line, in addition to the penalties above described shall be and hereby is required to post a notice in a conspicuous place upon its depot building at the county seat of the county through which its line or lines may run, every ninety (90) days fixing therein a full description of the brands and marks of every animal killed or damaged during the ninety days next preceding the posting of said notice.

Sec. 242. Whenever any cattle, horses, sheep, mules, burros, or hogs shall be killed, injured or destroyed by any railroad company operating a railroad in this Territory or by its agents, trains, cars or locomotives, at any point on its line of road, where by law such railroad is required to be fenced, and the owner of any such animal, so killed, injured or destroyed,



shall make affidavit of his ownership and of the injury or destruction of said property, and of the value of the same or of the amount of injury done thereto, and file the same with and give ninety days' notice in writing to any station agent, employed in the management of the business of such railroad company, in the county where the killing, injury or destruction complained of shall have been committed, such killing, injury or destruction is hereby made prima facie evidence of the negligence on the part of such railroad company; and if such railroad company, at the expiration of said ninety days shall not have paid for the animal killed the fair market value thereof, or if the animal has not been killed, the actual amount of damage done by reason of the injury inflicted by such railroad company, upon suit brought for the recovery of damages for such killing, injury or destruction, judgment shall be rendered against said railroad company for the actual value of the animal or for the damage inflicted, if the animal has not been killed, unless said company shall be able to overcome the presumption of negligence based upon the fact of the killing, injury or destruction as herein provided and establish that such killing, injury or destruction was not the result of negligence on the part of said railroad company or its agents in the management of its trains, cars or locomotives; Provided, That if the owner make claim for a greater sum than the actual market value of the property killed or destroyed, or for greater damage than was sustained by him on account of any injury to any such animal or animals, then and in such event, in case judgment shall be rendered against the railroad company for a sum not exceeding or for a less sum than, the amount offered and for which voucher was tendered by such railroad company in settlement and satisfaction of such claim, the costs of the action shall be taxed against such owner; And Provided, Further, The provisions of this act shall apply to railroad corporations in the hands of receivers and in order to sue such receiver it shall not be necessary to obtain permission of the court by whom such receivers were appointed.

Sec. 243. That for the purpose of this act a sufficient and suitable fence is defined and declared to be a fence at least four and one-half feet high, constructed of posts and wire, the top wire to be four and one-half feet above the ground and shall have at least four wires upon posts not exceeding twenty feet apart.

## LAWS OF 1899

## CHAPTER XVI.

AN ACT IN RELATION TO BRANDS. *Approved February 16, 1899.*

See also Chapter 95, Laws 1905.

Whereas, There are now on record in the territorial brand book sixteen thousand brands, many of which are known to be obsolete and out of use; and,

Whereas, The finding of any brand for neat cattle which does not so cover and damage the hide as to greatly diminish the value of the animal so branded, is very difficult, and for the purpose of correcting the record of brands and the elimination of those brands known to have been abandoned and which are now obsolete;

*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. The Cattle Sanitary Board of New Mexico shall have the power and shall cause all brands now in actual use to be re-recorded. For this purpose the Cattle Sanitary Board shall issue its circular letter to the owner or owners of any brand now appearing upon the brand record in the office of the secretary of the board, requiring the owners of said brand to furnish the secretary with an exact fac simile of any brand or brands now being used by such owners. In addition to the above notices the Cattle Sanitary Board shall cause such circular letter and blank applications for re-recording to be filed with all inspectors of the board, postmasters, or in some public place in each town or village in the Territory, and shall also cause the publication in either Spanish or English or both, in at least one paper in each county, of the requirements of this act, such publication to continue for not less than four weekly issues.

Sec. 2. Within six months from the date of the first publication it shall be the duty of all owners of brands now of

records in the office of the Cattle Sanitary Board to have filed with the secretary of said board a fac simile of the brands now in actual use and owned by them. By actual use is meant brands kept up, and which must be so marked as kept up, or brands not kept up on increase, but which are holding brands on cattle or horses now actually owned by them. All brands re-recorded under the provisions of this act shall be recorded free of cost to the owner of said brands, except for the internal revenue stamp required by the United States internal revenue laws of 1898, if filed within six months, as hereinafter provided, otherwise the owner shall pay the usual fee and shall be subject to the restrictions for recording brands as now provided by law.

Sec. 3. Any person, company or corporation who shall cause to be recorded a brand not the property of such person, company or corporation, or who shall cause any brand to be recorded under the provisions of the preceding sections, in which there are no cattle of which such brand is the holding brand, or any probate clerk or ex-officio recorder who shall record a brand unless accompanied by a certificate of the secretary of the Cattle Sanitary Board, as now provided by law, or any person who shall use a brand cancelled, as hereinafter provided, shall be guilty of a misdemeanor, and shall upon conviction, be fined in a sum not less than twenty-five dollars, and not more than one hundred dollars for each and every offense; said fine to go to the school fund of the county where the offense is committed.

Sec. 4. All brands now of record in the office of the Cattle Sanitary Board and not re-filed within six months hereinbefore provided, shall be declared unnecessary, obsolete, useless, cancelled, expunged, and not of record; provided, that it shall be proven to the satisfaction of the Cattle Sanitary Board that any brand now of record, was, either by omission or error, not re-recorded, as herein provided, the Cattle Sanitary Board shall cause the same to be re-recorded.

Sec. 5. Any brand offered for record under the provisions of this act, the Cattle Sanitary Board shall have the power to reject, if upon satisfactory evidence it is shown to the said board that the same is offered for, or is of such character that it is likely to be used for malicious or deceptive purposes, or not in conformity with the provisions of section 2 of this act.

Sec. 6. This act shall be in force from and after its pas-

sage, and all acts and parts of acts in conflict herewith are hereby repealed.

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NOTE—Section 2 of this act contains amendment as passed by laws of 1905, Chapter 14.

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## CHAPTER 44.

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AN ACT FOR THE PROTECTION OF STOCK RAISERS, AND TO PREVENT THE SALE OF DRESSED MEATS FROM ANIMALS THAT HAVE BEEN STOLEN IN THE TERRITORY OF NEW MEXICO. *S. H. B. 67; Approved March 15, 1899.*

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### Contents.

- Sec. 1. Persons offering dressed meat for sale shall exhibit the hide with such meat. Duty of butcher or dealer to keep record of brands, etc.
  - Sec. 2. Such record of brands, etc., open at any time to inspection. Proviso.
  - Sec. 3. Butcher or dealer failing to inspect hide and make record, guilty of felony. Proviso.
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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That hereafter persons engaged in the business of butchers or of buying or selling dressed meats in the Territory of New Mexico, shall not after the passage of this act buy from any person or persons any dressed beef, or the carcasses or portions thereof of any sheep or goat, unless the person offering such meats or any of them for sale, shall at the same time exhibit to such butcher or dealer in such meats, the hide or hides of the animal or animals from which said meat was taken and until such butcher or dealer in dressed meats shall have entered in a book, to be kept by him for that purpose, a full and complete description of such hides, giving the ear marks, brands of each hide so exhibited separately, also the color, character and age of the animal from which each of said hides was taken, as nearly as possible at the time.

Sec. 2. That the record of marks and brands and description of hides of animals, the meat of which is purchased by butchers or dealers in fresh meats, as provided for in Section 1 of this Act, shall be preserved by him and at all times kept in a convenient place for the inspection of the inspectors appointed by the sanitary board, of the cattle owners and of any

other persons who may be interested in such hides, or the animals from which the same were taken to the officers of the law.

Provided, Any person selling or offering for sale any fresh meats as prescribed in this bill the same having been killed within the Territory, shall produce at the time of said sale or offer for sale is made, the hide of the animal or animals, the meat of which he sells or offers to sell. And if such person shall upon the demand of any hide or cattle inspector of the Cattle Sanitary Board, or any peace officer or any other person, fail to produce and exhibit the hide or hides of such animal or animals, at the time such sale or offer for sale is made, they shall be deemed guilty of a felony and upon conviction thereof in any of the courts of this Territory having jurisdiction of such cause, shall be fined in any sum not less than twenty-five nor more than three hundred dollars or by imprisonment for a term of not less than six months nor more than two years or both in the discretion of the court trying said cause.

This proviso shall not apply to nor be in force against persons who may have purchased meat from any person or persons who have displayed to the purchaser the hide or hides of the animal or animals from which said meat was taken.

Sec. 3. That any butcher or dealer in dressed meats in the Territory of New Mexico, either at wholesale or retail, who shall purchase the carcasses of any cattle, sheep or goats, or shall buy any portion of the carcasses of any such animal or animals, without having first inspected the hide or hides of such animals and making the record of the marks and brands of such sheep or goats, if any, and without having made the record, the marks, brands, color, and character of each hide as hereinbefore provided shall be deemed guilty of a felony, and upon conviction thereof in any of the courts of this Territory, having jurisdiction of such cause, shall be fined in any sum not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment for a term not less than six months nor more than three years, or both in the discretion of the court trying said cause.

Provided, That this act shall in nowise apply to dressed meats of any and all kinds which may or shall be shipped into this Territory from any other state or territory, nor to meats purchased by one dealer from another authorized butcher or

dealer in dressed meats, who has complied with the requirements of this act and the laws now in force relating to butchers.

Sec. 4. All acts and parts of acts in conflict with this act are hereby repealed, and this act shall take effect and be in full force and effect from and after its passage.

(This Act Amended by Chapter 14, Acts of 1905.)

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## CHAPTER 53.

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### **COUNCIL SUBSTITUTE FOR HOUSE SUBSTITUTE FOR COUNCIL BILL NO. 45.**

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AN ACT IN RELATION TO THE SHIPMENT OF CATTLE, TO PROVIDE FOR THE INSPECTION OF SAME, AND TO REPEAL SECTIONS 211 AND 221 OF THE COMPILED LAWS OF NEW MEXICO OF 1897.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That hereafter it shall be unlawful for any person, firm or corporation to offer, and for any railroad company or other common carrier to receive for purpose of shipment and transportation from points within to other points within or beyond the limits of the Territory, any herd, band or consignment of cattle unless the same shall have been duly inspected by a duly authorized inspector, and a certificate of such inspection issued by such inspector as required by the laws of this Territory.

Sec. 2. That there shall be a fee, or charge, for the inspection of cattle hereafter inspected under the provisions of this act of three cents per head, and such fee, or charge, shall be a lien upon the cattle inspected under the provisions of this act until the same shall be paid. Each inspector of cattle shall keep a complete record in a proper book of all cattle inspected by him, giving all brands and marks and the name or names of the shipper or shippers of the same, and a copy of said record shall be filed with and preserved by the Cattle Sanitary Board of the Territory.

Sec. 3. That any person, firm, corporation, common carrier, railroad company or agent thereof violating any of the provisions of this act, or refusing to permit the inspection of

any cattle as by this act provided, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding one thousand dollars for each violation of this act.

Sec. 4. That sections 211 and 221 of the Compiled Laws of New Mexico of 1897, be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

Approved the 16th day of March, A. D. 1899.

(Signed)

MIGUEL A. OTERO,  
Governor of the Territory of New Mexico.

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## CHAPTER 23.

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AN ACT TO PREVENT THE LARCENY OF LIVE STOCK IN THE  
TERRITORY OF NEW MEXICO. *H. B. No. III; Ap-  
proved March 12, 1901.*

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### Contents.

- Section 1. Calves and Colts not to be separated from mothers. Pro-  
viso.  
Sec. 2. Freshly Branded Live Stock not to be Confined in Any Man-  
ner nor Offered for Sale. Exceptions. Term "Freshly  
Branded" Defined.  
Sec. 4. Penalties for Violations.  
Sec. 5. Animals to be Held as Estrays. Duties of Inspectors. Dis-  
position of Money Received from Sales.
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*Be It Enacted by the Legislative Assembly of the Territory of  
New Mexico:*

Section 1. That hereafter it shall be unlawful for any person, firm or corporation to hold under herd, confine in any pasture, building, corral or other enclosure, or to picket out, hobble, tie together or in any manner interfere with the freedom of calves of neat cattle or colts of horses, asses and burros which are less than seven months old except such young animals be accompanied by their mothers.

This provision shall not apply to the calves of milch cows when such cows are actually used to furnish milk for household purposes or for carrying on a dairy; but in every such case the person, firm or corporation separating calves from their mothers for either of these purposes, shall, upon the de-

mand of any cattle owner, sheriff, inspector or any other officer, produce, in a reasonable time, the mother of each one of such calves so that interested parties may ascertain if the cow does or does not claim and suckle such calf.

Sec. 2. That hereafter it shall be unlawful for any person, firm or corporation to hold under herd, confine in any pasture, building, corral or other enclosure, or to picket out, hobble, tie together or in any manner interfere with the freedom of, or to sell, offer to sell any freshly branded neat cattle, horses, mules, asses or burros.

This provision shall not apply to any freshly branded animal which may have been previously branded with an older and duly recorded brand, and for which animal the claimant has a legally executed bill of sale from the owner of the older brand; nor to young animals under the age of ten months which are accompanied by their mothers; nor to the calves of milch cows when such cows are actually used to furnish milk for household purposes, or for carrying on a dairy; but in every such case the person, firm or corporation, separating calves from their mothers for either of these purposes shall, upon the demand of any cattle owner, sheriff, inspector or other officer, produce, in a reasonable time, the mother of each of such calves so that interested parties may ascertain if the cow does or does not claim and suckle such calf.

The term "Freshly Branded" shall be construed to include any animal on which there is a brand that has not peeled off and fully healed.

Sec. 3. That whenever the plural form of the name of any kind of animal is used in this act, it shall be considered to mean one or more of such animals.

Sec. 4. That any violation of this act shall be considered a misdemeanor and any person violating the provisions thereof or any of them, either as principal or when acting for, or as manager of the business of any firm or corporation shall, upon conviction, be punished by a fine of not less than two hundred nor more than one thousand dollars or by imprisonment in the county jail, for not less than six months nor more than eleven months, or by both such fine and imprisonment, at the discretion of the court trying the same. The fines assessed and collected under this act shall go one-half into the Court Fund, and one-half into the Wild Animal Bounty Fund of the county in which the case is tried.



Sec. 5. That all animals held in violation of this act shall be considered estrays, and it shall be the duty of any inspector, appointed by the Cattle Sanitary Board of the Territory of New Mexico, who shall receive notice of such violation, to take into his possession as estrays or unclaimed live stock all such animals and hold them for proof of ownership. If the ownership of such estrays be not proved within ten days, they shall be sold by the inspector having them in charge at the highest price obtainable; the funds received from such sale, after the costs of keeping and sale have been deducted, shall be turned over to the cattle board to be kept and disposed of in the same manner as is now provided by law for funds arising from the sale of estrays.

Sec. 6. That all acts and parts of acts in conflict herewith are repealed and this act shall be in force from and after thirty days from its passage.

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## LAWS OF 1901

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NOTE—Section 2 of this Act Repealed Laws 1905, Chapter 130.

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### CHAPTER 28.

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AN ACT TO PREVENT DROVES, HERDS OR FLOCKS OF ANIMALS FROM TRESPASSING UPON PRIVATE LANDS AND WATER.  
*C. B. No. 60; Approved March 16, 1901.*

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#### Contents.

Section 1. Animals must not be permitted to trespass upon Private Lands and Water Rights. Notices to be Posted or Served.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That after the passage of this act it shall be unlawful for any person, persons, company or corporation, or their or either of their agents or employes having charge of any drove of bovine cattle, horses, sheep goats or other animals to permit or allow such herd of animals to go upon the lands of others in this Territory for the purpose of grazing or watering upon any waters upon such lands, without the permission of the owner or legal claimant, or his or their agent. The

provisions of this act shall apply not only to titled lands in this Territory, but to any lands upon which any person may have a valid existing filing under the laws of the United States, or any lands which may be leased by any person from the Territory of New Mexico. (Sec. 2—Repealed.)

Any person, persons, company or corporation who may claim the benefits of the protection of this act, shall carefully and conspicuously mark the line or lines of his or its lands, so that such mark may be easily seen by persons handling such droves, flocks or herds of animals, and shall post a notice upon such land conspicuously, warning against trespassing thereon, or shall serve personal written notice giving description of such land by government surveys or by metes and bounds.

Sec. 3. This act shall take effect and be in force from and after its passage.

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## CHAPTER 31.

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AN ACT GRANTING POWER TO MUNICIPAL CORPORATIONS TO PROHIBIT THE RUNNING AT LARGE OF ANIMALS AND AUTHORIZING THE IMPOUNDING AND SUMMARY SALE OF SAME. *H. B. No. 43; Approved March 19, 1901.*

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### Contents.

Section 1. Municipal Corporations Empowered to Prohibit the Running at Large of Animals.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That every municipal corporation or incorporated city or town in the Territory of New Mexico, incorporated under any general or special act, shall have power by ordinance to regulate, restrain and prohibit the running at large within the limits of such corporation, of horses, cattle, burros, swine, sheep and goats, and to provide for the impounding and the sale of said animals so found running at large.

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

## CHAPTER 42.

AN ACT IN RELATION TO THE INSPECTION OF ANIMALS AND FOR OTHER PURPOSES. *C. B. No. 42; Approved March 18, 1901.*

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**Contents.**

Section 1. Live Stock Must be Inspected Before Removal from Territory. Fees. Penalties.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section. 1. Hereafter no horses, mules or asses, except those in actual use as work, draft, driving or saddle animals, or for use on round ups, shall be removed from this Territory without having first been duly inspected and released by a regularly authorized inspector of the Cattle Sanitary Board of New Mexico. The manner of the inspection herein required, the procedure, duties and records pertaining thereto of the Cattle Sanitary Board of New Mexico, and of the official inspectors of said board shall be the same as is now provided by law for the inspectors of cattle. The fee for such inspection of both horses and cattle, shall be three cents per head for every animal either shipped or driven, and for any violation of the provisions of this act, the same punishment shall be inflicted and the same penalties shall accrue as provided in Section 219 of the Compiled Laws of this Territory for the year 1897.

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

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CHAPTER 45.

AN ACT RELATIVE TO THE PEDDLING OF MEATS, AND FOR OTHER PURPOSES. *C. B. No. 47; Approved March 19, 1901.*

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**Contents.**

Section 1. License must be Procured.

Sec. 2. Penalty.

Sec. 3. Hides must be Inspected Before Shipment. Fee for Inspection.

Sec 4. Penalty.

Sec 5. Section 92, Compiled Laws of 1897, Repealed.

*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. Any person or persons hereafter engaging in the business of peddling beef in this Territory, shall first obtain from the authority provided by law for the issue thereof a peddler's license to carry on such business, and shall pay therefor the sum of Two Hundred and Fifty Dollars, said payment to be made annually in advance, and which said license fee when collected, shall be covered into the Wild Animal Bounty Fund of the county, wherein said sum shall be paid and collected. This act shall not apply to any person who may sell or otherwise dispose of any beef killed in good faith, for his own use, and this act is intended to apply only to persons as make a business of peddling.

Sec. 2. Any person found peddling beef without first having obtained the license provided for in Section 1 of this act, shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for not less than three months nor more than six months, or, by both such fine and imprisonment and the violation of any of the provisions of this act shall constitute a separate offense for each day that such provisions are violated.

Sec. 3. Hereafter it shall be unlawful for any person, firm or corporation to offer, or for any railroad company, or other common carrier to receive, for the purpose of shipment or transportation beyond the limits of this Territory, any hides that have not been inspected and tagged by a duly authorized inspector of the Cattle Sanitary Board of New Mexico, for the district in which such hides originate. For each hide thus inspected there shall be paid by the owner or holder thereof, a fee or charge of ten cents, and such fee or charge shall be a lien upon the hides thus inspected, until the same shall have been paid. Each inspector of hides shall keep a complete record of all inspections made by him, and shall at once forward to the secretary of the Cattle Sanitary Board, on blanks furnished him for that purpose, a complete report of each inspection, giving the names of the purchaser and shipper of the hides, as well as all the brands thereon, which said report shall be preserved by the secretary as a part of the records of his office.

Sec. 4. Any person, firm or corporation, common carrier, railroad company or agent thereof, violating any of the pro-

visions of this act, or refusing to permit the inspection of any hides as herein provided, shall upon conviction thereof, be deemed guilty of a misdemeanor and shall be fined in any sum not exceeding One Thousand Dollars for each and every violation of the provisions of this act.

Sec. 5. Section 92 of the Compiled Laws of 1897 is hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

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NOTE—Sections 1, 2, 3, 4, 5 and 6 of the following Chapter have no reference whatever to cattle. Sections 7, 8, 9 and 10 which relate to cattle follow:

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## CHAPTER 47.

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AN ACT TO PROVIDE FOR THE APPOINTMENT OF A POLICE FORCE IN UNINCORPORATED COUNTY SEATS HAVING A POPULATION OF MORE THAN THREE THOUSAND, AND FOR OTHER PURPOSES. *C. S. for C. B. No. 25; Approved March 19, 1901.*

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### Contents.

Section 7. Live Stock to be Impounded.

Sec. 8. May Maintain Public Pound. Estrays to be Sold. Proviso.

Sec. 9. Private Citizen May Impound Stray Animals.

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(Section 7, Amended by Chapter 25, Laws 1903.)

Section 7. That it shall be unlawful for the owner of any horse, cattle, sheep, goat, swine, burro, or other domestic animal to allow any such animal to enter within any public park, street, alley, avenue, or any other public thoroughfare, in any unincorporated county seat in this Territory and it shall be the duty of the Chief of Police of any such unincorporated county seat to impound any such animal found within any such park, street, alley, avenue or any other public thoroughfare.

Sec. 8. The county commissioners of the several counties of this Territory shall have full power and authority to construct and maintain a public pound within such unincorporated county seat, the expense of which shall be paid out of the special fund aforesaid and the chief of police upon impounding any animal as herein provided shall sell the same to the highest bidder for cash after giving notice of the time and place of such

sale by three hand bills posted in public places in such county seat for a period of five days prior to such sale, and the proceeds of such sale up to the amount of Five Dollars shall be retained by such chief of police to cover the expenses which he may have incurred, and any balance he shall pay to the county treasurer of such county to be credited to the general county school fund; Provided, That the owner of any such animal shall have the right to redeem the same at any time prior to such sale by paying to said chief of police One Dollar for each and every day, or portion of a day, that such animal may have been in his custody.

Sec. 9. That any citizen shall have the same right to impound any such animal as is herein granted to said chief of police, and shall at once report such impounding to said chief of police, who shall proceed in the manner herein provided.

Sec. 10. This act shall be in full force and effect from and after its passage.

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## CHAPTER 66.

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AN ACT TO AMEND AN ACT OF THE 34TH LEGISLATIVE ASSEMBLY, ENTITLED "AN ACT TO PREVENT THE LARCENY OF LIVE STOCK IN THE TERRITORY OF NEW MEXICO," APPROVED MARCH 12, 1901. *H. B. No. 237; Approved March 20, 1901.*

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### Contents.

Section 1. Provisions of Section 2, Chapter 23, Session Laws of 1901, not to Apply to Certain Animals.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section 2, of "An Act to Prevent the Larceny of Live Stock in the Territory of New Mexico," approved March 12th, 1901, be and the same is hereby amended by changing the second paragraph in said section to read as follows:

This provision shall not apply to any freshly branded animal which may have been previously branded with an older and duly recorded brand, and for which animal the claimant has

a legally executed bill of sale from the owner of the older brand; nor to young animals under the age of ten months which are accompanied by their mothers; nor to the calves of milch cows when such cows are actually used to furnish milk for household purposes, or for carrying on a dairy; but in every such case the person, firm or corporation, separating calves from their mothers for either of these purposes shall, upon the demand of any cattle owner, sheriff, inspector or other officer, produce, in a reasonable time, the mother of each of such calves so that interested parties may ascertain if the cow does or does not claim and suckle such calf.

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

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## CHAPTER 75.

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AN ACT TO AMEND SECTIONS 1 AND 2 OF AN ACT ENTITLED "AN ACT TO PREVENT DROVES, HERDS OR FLOCKS OF ANIMALS FROM TRESSPASSING UPON PRIVATE LANDS AND WATER," HERETOFORE PASSED BY THE 35TH LEGISLATIVE ASSEMBLY, BEING COUNCIL BILL NO. 60. *H. B. No. 233; Approved March 21, 1901.*

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### Contents.

Section 1. Written Notice May be Served Personally.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section One (1) of An Act Entitled An Act "To Prevent Drovers, Herds or Flocks of Animals from Trespassing Upon Private Lands and Water," heretofore passed by the 24th Legislative Assembly, being Council Bill No. 60, be amended by adding at the end of said Section the following: "Or shall serve personal written notice giving description of such land by government surveys or by metes and bounds."

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

## CHAPTER 86.

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AN ACT TO AMEND SECTION 241 OF THE COMPILED LAWS OF 1897, RELATIVE TO THE KILLING OF CATTLE BY RAILROAD CORPORATIONS · C. B. No. 113; *Approved March 21, 1901.*

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**Contents.**

Section 1. Liability of Railroads for Cattle Killed. Notice, Giving Brands and Marks, to be Posted.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That all of that part of Section 241, Compiled Laws of 1897, beginning with the word "until," in the fifth line from the bottom of said Section to the end thereof, be and the same is hereby stricken out and the following inserted in place thereof. "If any railroad corporation shall fail to construct such fences and cattle guards as herein directed, each and every one of said railroad corporations so failing to comply with the directions of this act, shall be liable in damages in the manner and to the extent hereinafter limited and provided. And any railroad corporation which has so failed to fence its line, in addition to the penalties above described, shall be and hereby is required to post a notice in a conspicuous place upon its depot building at the county seat of the county through which its line or lines may run, every ninety (90) days, giving therein a full description of the brands and marks of every animal killed or damaged during the ninety days next preceding the posting of said notice.

Sec. 2. This act shall take effect and be in force from and after its passage, and all acts and parts of acts in conflict therewith are hereby repealed.



## CHAPTER 92.

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AN ACT IN REGARD TO DAMAGES AND OTHER PURPOSES. C.  
*B. No. 109; Approved March 21, 1901.*

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**Contents.**

Section 1. Repealing Sections of Compiled Laws of 1897, Regarding Damages to Fields.

Sec. 2. Owners of Animals Damaging Fields Liable      Proviso.

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*Be It Enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. Sections 145, 146, 147, 148, 149, 150, 151, Compiled Laws, 1897, are hereby repealed.

Sec. 2. All damage or injury done to any fields sown with grain shall be paid for by the owner of the animals committing the said damage or injury after the damage shall have been appraised or valued by the parties interested, or in case of dispute, by two appraisers appointed for the purpose by said interested parties. Provided, However, if the owners are unknown, before the Justice of the Peace shall be authorized to proceed in having the damages assessed or costs incurred further than as may be with respect to costs for due care of the live stock, if the same be turned over to his custody, he shall communicate with the Secretary of the Cattle Sanitary Board of New Mexico, giving all brands and marks on said animals and the parts of the animals on which the same are placed for the purpose of ascertaining if the said brands are on record, and if so, in whose name they stand recorded, in order that information of the trespass and damages may be made known to their owner or owners, and an opportunity be given them to adjust and pay the same.

Sec. 3. All acts and parts of acts in conflict herewith are repealed; and this act shall be in force from and after its passage.

## CHAPTER 102.

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AN ACT TO AMEND SECTION 125 OF THE COMPILED LAWS OF  
OF 1897. *H. B. No. 164; Approved March 21, 1901.*

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**Contents.**

Section 1. Killing of Unbranded or Freshly Branded Cattle a Mis-  
demeanor. Penalty.

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*Be It Enacted by the Legislative Assembly of the Territory of  
New Mexico:*

Section 1. That Section 125 of the Compiled Laws of 1897  
of New Mexico, be amended to read as follows:

Section 125. Any person, firm or corporation who shall  
kill or cause to be killed for sale or use any unbranded neat  
cattle, or any cattle on which the brand has not peeled off and  
fully healed, unless such cattle shall have an older and duly re-  
corded brand; or shall purchase and kill or cause to be killed  
for sale or use any neat cattle, having a brand not legally  
owned by such person, firm or corporation, without having  
taken a duly acknowledged bill of sale for the same from the  
owner thereof, shall be deemed guilty of a misdemeanor, and,  
upon conviction thereof, shall be fined any sum not less than  
Fifty nor more than Two Hundred Dollars for each offense.  
All amounts collected under this Section shall go one-half into  
the Court fund and one-half into the School fund of the county  
in which such conviction is had."

Sec. 2. This act shall take effect and be in full force from  
and after thirty days from its passage.

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# LAWS OF 1903

## CHAPTER I.

AN ACT RELATIVE TO THE DUTIES OF THE CATTLE SANITARY BOARD. H. S. FOR H. B. NO. 75. *Approved February 12, 1903.*

### Contents.

- Section 1. Section 197, Compiled Laws of 1897, Regarding Diseases of Cattle and Powers of Cattle Sanitary Board, Amended.  
Sec. 2. Section 200, Compiled Laws of 1897, Regarding Bond Issue and Tax Levy by Cattle Sanitary Board, Amended.

*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section 197 of the Compiled Laws of the Territory of New Mexico for the year 1897, be, and the same is hereby amended by striking therefrom the words "other than" contained in the second line of said section, and by inserting the word "including" in place thereof; and by striking therefrom the word "except" at the end of the twelfth line of said section and by inserting the word "including" in place thereof.

Sec. 2. That Section 200 of the Compiled Laws of the Territory of New Mexico for the year 1897, be, and the same is hereby amended by striking therefrom the word "not" at the end of first line of said section, and by inserting the word "including" in place thereof; and by inserting the words "or shall be likely to exist or shall be threatened" after the word "exist" in the third line of said section.

Sec. 3. This act shall be in force from and after its passage.

CHAPTER 25.

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AN ACT TO AMEND SECTION 7 OF CHAPTER 47 OF THE SESSION LAWS OF NEW MEXICO, 1901, BEING AN ACT "ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF A POLICE FORCE IN UNINCORPORATED COUNTY SEATS HAVING A POPULATION OF MORE THAN THREE THOUSAND, AND FOR OTHER PURPOSES." *Approved March 19, 1901. C. B. No. 65; Approved March 10, 1903.*

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**Contents.**

Section 1. Section 7, Chapter 47, Laws of 1901, Regarding Impounding of Live Stock, Amended.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section 7 of an act entitled "An Act to Provide for the Appointment of a Police Force in Unincorporated County Seats Having a Population of Over Three Thousand, and for Other Purposes," approved March 19th, 1901, be amended by inserting in the fourth line of said Section, immediately following the word "park," the words "street, alley, avenue, or any other public thoroughfare," and by inserting immediately following the word "park" at the end of the seventh line of said Section, the words, "street, alley, avenue, or any other public thoroughfare."

Sec. 2. This act shall be in full force and effect from and after its passage.

## CHAPTER 80.

AN ACT RELATIVE TO BOUNTIES ON WILD ANIMALS.    *H. B.*  
*No. 94; Approved March 17, 1903.*

(Amended by Chapter 77, Laws 19005.)

**Contents.**

- Section 1. Chapter 10, Laws of 1901, Regarding Bounty on Wild  
Animals. Amended.  
Sec. 2. Application for Payment of Bounty. Affidavit. Proviso.  
Sec. 3. False Affidavit. Penalty.

*Be it enacted by the Legislative Assembly of the Territory of  
New Mexico:*

Section 1. That Section 1 of Chapter 80, of the Laws of 1903, be, and the same is hereby repealed, and the following substituted in lieu thereof:

The several Boards of County Commissioners are hereby authorized and directed to levy annually a special tax on all horses, burros, mules, bovine cattle, sheep and goats that may be found in their respective counties to any amount not exceeding eight mills on the dollar on the assessed value thereof, for the purpose of raising money with which to pay bounties for the killing of wild animals. Such special tax shall be levied only for the years 1905 and 1906 and thereafter not to exceed four mills for any one year shall be levied and collected, in the manner provided by law for the collection of other county taxes and paid into the County Treasury as a "Wild Animal Bounty Fund," to be used exclusively for the payment of bounties for the killing of wild animals, at the following rates:

For each coyote, wild cat or lynx, one dollar; for each gray wolf or lobo and bear, twenty dollars; panther or mountain lion, ten dollars: Provided, However, That no application for wild animal bounty shall be approved or paid under the provisions of this Act unless there are funds in the "Wild Animal Bounty Fund" with which to pay the same: Provided, Further, That each applicant must present the entire skin of each gray wolf, lobo, panther, bear or mountain lion to the Probate Clerk and ex-Officio Clerk of the Board of County Commissioners, as now provided by law, to be properly cancelled, before his claim will be filed.

Said skins to be cancelled in such manner as not to destroy their marketable value, and when cancelled to be returned to the owner.

Sec. 2. That each party presenting an application for the payment of the bounties provided for in Section 1 of this act, shall make affidavit before the Probate Clerk and ex-Officio Clerk of the Board of County Commissioners that he killed the said wild animals in the county wherein he applies for bounty, setting forth the location and the date of said killing, and wherever possible, furnishing witnesses to verify his statement: Provided, That no bounty shall be paid under this act for any wild animal where claim is not presented within ninety days from the date it was killed.

Sec. 3. Any person who shall make application for payment of bounty as provided in this act, for any wild animal killed outside of the county wherein he makes the application or who makes a false affidavit to any facts stated in his application shall be deemed guilty of a misdemeanor and upon conviction may be fined in any sum not to exceed fifty dollars (\$50.00) for each offense, and all such fines, when collected, shall be paid into the "Wild Animal Bounty Fund," of the county wherein the case occurred.

Sec. 4. All acts and parts of acts in conflict with this act are hereby repealed and this act shall take effect and be in force from and after its passage.

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## CHAPTER 121.

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AN ACT TO AMEND SECTION 223 OF THE COMPILED LAWS OF 1897. *H. B. No. 216; Approved March 19, 1903.*

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### Contents.

Section 1. Section 223, Compiled Laws of 1897, Regarding Power of Cattle Sanitary Board to Sell Cattle. Amended.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section 223 of the Compiled Laws of 1897 be, and is hereby amended by adding after the word "cattle" in the second line of said Section the following words, to-wit: "horses, mules and asses."

Sec. 2. This act shall be in full force and effect from and after its passage.

# LAWS OF 1905

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## CHAPTER 14.

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AN ACT ENTITLED "AN ACT TO AMEND SECTION 2, OF CHAPTER 44, OF THE LAWS OF THE 33RD LEGISLATIVE ASSEMBLY APPROVED MARCH 15, 1899," THE SAME BEING AN ACT FOR THE PROTECTION OF THE STOCK RAISERS AND TO PREVENT THE SALE OF DRESSED MEATS THAT HAVE BEEN STOLEN IN THE TERRITORY OF NEW MEXICO. C. B. No. 27; *Approved February 22, 1905.*

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### Contents.

Section 1. Section 2, Chapter 44, Laws of 1899, Relating to the Record of Brands, Amended.  
Sec. 2. Preservation of Brand Records Proviso.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section 2 of Chapter 44 of the Laws of the 33rd Legislative Assembly of the Territory of New Mexico, entitled, "An Act for the Protection of Stock Raisers and to Prevent the Sale of Dressed Meats from Animals That Have Been Stolen in the Territory of New Mexico, Approved March 15, 1899," be amended to read as follows:

Sec. 2. That the record of marks and brands and description of hides of animals, the meat of which is purchased by butchers or dealers in fresh meats, as provided for in Section 1 of this act, shall be preserved by him and at all times kept in a convenient place for the inspection of the inspectors appointed by the Sanitary Board, of the cattle owners and of any other persons who may be interested in such hides, or the animals from which the same were taken by the officers of the law.

Provided: Any person selling or offering for sale any fresh meats as prescribed in this bill, the same having been killed within the Territory, shall produce at the time of said sale or offer for sale is made, the hide of the animal or animals, the meat of which he sells or offers to sell. And if such person shall, upon the demand of any hide or cattle inspector of the Cattle Sanitary Board, or any peace officer or any other person, fail to produce and exhibit the hide or hides of such animal

or animals, at the time such sale or offer for sale is made, they shall be deemed guilty of a felony, and upon conviction thereof in any of the Courts of this Territory, having jurisdiction of such cause, shall be fined in any sum not less than Twenty-five nor more than Three Hundred Dollars or by imprisonment for a term of not less than six months nor more than two years or both, in the discretion of the Court trying said cause.

This proviso shall not apply to or be in force against persons who may have purchased meat from any person or persons who have displayed to the purchaser the hide or hides of the animal or animals from which said meat was taken.

Sec. 3. All acts and parts of acts in conflict herewith are hereby repealed and this act shall be in force and effect from and after its passage.

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## CHAPTER 30.

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AN ACT RELATING TO THE FEES TO BE PAID FOR RECORDING BRANDS; TO FIX THE SALARY OF THE SECRETARY OF THE CATTLE SANITARY BOARD, AND FOR OTHER PURPOSES.  
*C. B. No. 49; Approved March 3, 1905.*

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### Contents.

Section 1. Fees for Recording Brands.

Sec. 2. Compensation of Secretary of Cattle Sanitary Board.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Sec. 1. The fees to be paid to the Secretary of the Cattle Sanitary Board for recording brands, and for furnishing certified copies thereof, shall remain as now fixed by law; but said fees when received by said Secretary shall be transmitted the first of every month to the Territorial Treasurer, together with all inspection fees and other moneys received by said Secretary on the account of the Cattle Sanitary Board, to be placed to the credit of the Cattle Indemnity Fund.

Sec. 2. The Secretary of said Cattle Sanitary Board shall receive such compensation for his services as shall be fixed by said Board, not to exceed \$1,800.00 per annum.

Sec. 3. This act shall take effect and be in force from and after its passage.



## CHAPTER 31.

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AN ACT TO PROVIDE FOR THE PREVENTION AND ERADICATION OF MANGE OR SCABIES AMONG HORSES, MULES, ASSES AND CATTLE. *A. C. B. No. 29; Approved March 3, 1905.*

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**Contents.**

- Section 1. Cattle Sanitary Board to Regulate the Treatment of Infectious Diseases Among Live Stock. Proviso.
- Sec. 2. Board to Create Infected Districts. Infected Live Stock to be Dipped.
- Sec. 3. Duty of Cattle Sanitary Board to Seize and Dip Infected Live Stock.
- Sec. 4. Cattle Sanitary Board to Employ Inspectors. Compensation. Duties.
- Sec. 5. Inspectors of Agricultural Department May be Appointed Inspector by Board.
- Sec. 6. Direction of Dipping to be Under Agricultural Department Supervisor or Member of Board. Certificate of Dipping. Dipping Fee.
- Sec. 7. Lien on Live Stock Account of Dipping. Records to be Kept in Office of Secretary of the Board.
- Sec. 8. Penalty for Violations of Provisions of Act.
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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. In addition to the powers now conferred upon it by law the Cattle Sanitary Board of this Territory shall have the power and it shall be its duty to determine the existence of, and employ the most efficient and practical means to prevent, suppress, control and eradicate the disease known as mange or scabies, or any contagious or infectious disease, among horses, mules, asses and cattle; and to direct and regulate the handling, dipping or treating of any of the aforesaid classes of live stock when infected with or exposed to the said disease; to make and adopt such quarantine and sanitary regulations to that end as may be by it deemed expedient: Provided, That all such regulations shall, so far as practicable, conform to the regulations in that regard of the Department of Agriculture of the United States, as they shall be from time to time promulgated; and to create and define districts within which such disease exists; Provided, Further, That in determining the district or districts within this Territory in which such disease from time to time exists; such Board shall co-operate with said Department of Agriculture.

A majority of said Board shall constitute a quorum, and the said Board may exercise any of the powers conferred upon it by this act through committees of its own members thereto specially empowered by resolution.

Sec. 2. Whenever the said Board shall, from time to time, have determined that such disease exists in any such district or districts and created and defined the same, the same shall be known as an infected district or districts, and the Board shall, as soon as possible, after creating such infected district, cause notice of the creation and of the limits thereof to be given by publication once a week for three successive weeks, in some newspaper published within and of general circulation within said district, and if no newspaper be published therein, then in some newspaper published at a point nearest thereto; and thereupon it shall be the duty of all persons owning or having the control of any of the aforesaid classes of live stock within the boundaries of said district, to dip or treat said live stock within said district or so much of said live stock as the regulations of said Board applicable to said district may require; the dipping of all such live stock to be in strict compliance with the regulations of said Board, and within such reasonable time after the completion of the publication of the notice of the creation of said district, as said Board may prescribe. The said Board shall, before publishing said notice, as to any created district, prescribe the dipping regulations applicable thereto; and shall publish said regulations with said notice.

Sec. 3. It shall be the duty of the said Cattle Sanitary Board, promptly upon the expiration of 40 days after the completion of the publication of the notice of the creation of any such infected district, to cause to be seized and gathered and dipped and treated any undipped or untreated live stock of the classes named within said district: Provided, However, That no obligation shall exist or be created by or against said Board on account of the dipping or treating of any live stock by it: but such expenses shall be a charge and shall be paid by said Board out of any sums realized out of the lien of liability by this act created.

Sec. 4. To aid in the enforcement of the provisions of this act, it shall be the duty of the Board, and they are hereby authorized to employ for that service, and to be known as inspector, as many competent and discreet persons from time to time as emergencies may arise, as in their judgment they may deem

necessary for the purpose, and shall fix their compensation, which shall not exceed Two Dollars and Fifty Cents per day, each, while in actual service, and in their actual and necessary expenses, while in performance of their duties, as may be agreed upon. And also to direct them as to their duties and as to where, when and how to perform them. Such persons to make full reports to said Board in writing of all their acts and doings under said instructions. And in the performance of their duties, whenever necessary, they may enter upon and examine any car, yard, stable, corral, or any building or premises to examine any said live stock therein or thereon, and otherwise do whatever may be necessary and proper therein or thereon to the effectual discharge of their said powers and duties.

Sec. 5. Subject to the approval of the Department of Agriculture of the United States, the inspectors appointed by it, may also be appointed by the said Board, for the services set forth in Section 4 of this act, and they shall hold said appointment at the pleasure of said Board so long as they remain inspectors of said Department and as such are stationed in this Territory, and they shall act as such inspectors without bond or compensation from the Territory, and shall possess all the powers and duties of Territorial Inspector, as needed for the purpose of this act.

Sec. 6. All dipping shall be under the supervision of the Department of Agriculture, through its regular inspectors, or a duly authorized member of this Board, and every person within the district who shall own or control any of said live stock required to be dipped or treated therein, shall as soon as the same shall have been dipped or treated in conformity with the regulations of said Board, be entitled to receive, and shall receive from the said Board, a certificate in writing to that effect. The said Board is hereby empowered and required by regulation to impose and collect a dipping inspection fee to cover the estimated cost of dipping or treating supervision incurred under its regulations.

Sec. 7. For all sums paid out by the said Board pursuant to the provisions of this Section, and in addition thereto such further sum per head of live stock dipped or treated as in this act provided as may be fixed by the said Board by regulations as a penalty, and for all amounts due on account of dipping or treating supervision, it shall have a lien upon all such live stock so dipped or treated and any other live stock of the person owning the same, which lien shall be a first lien and superior to any

other lien, claim or demand against said live stock, which said lien the said Board shall have power to enforce by appropriate action, and it may further maintain an action to recover from the owner of such live stock the amount of said lien.

The Board shall cause to be kept in the office of the Secretary thereof a record of all sums due to it on account of payments made or expenditures incurred on account of the dipping of any such live stock, or on account of dipping or treating supervision, together with the brand of all live stock affected by the lien aforesaid, and the name of the owner thereof, if known, which record shall be deemed to impart notice of such lien.

Sec. 8. Any owner or person having control of any of said live stock or any other person whether an officer or employe of said Board or a private person who shall wilfully violate any provisions of this act or regulations or orders lawfully made in conformity therewith, or who shall in any manner hinder or obstruct the execution of any such regulation or order, or hinder, resist, or obstruct any officer or employe of said Board or the Territorial Veterinarian or any inspector in the discharge of his duty or in the exercise of his lawful powers or who shall willfully or negligently break any quarantine or willfully or negligently suffer any quarantined animal or animals to escape from any quarantine shall be deemed guilty of a misdemeanor.

Sec. 9. All acts or parts of acts in conflict with this act are hereby repealed.

Sec. 10 This act shall be in effect from any after its passage.

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## CHAPTER 32.

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AN ACT TO PROHIBIT THE GIVING OF AND PARTICIPATING IN CATTLE ROPING EXHIBITIONS. *C. B. No. 23; Approved March 3, 1905.*

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### Contents.

Section 1. Cattle Roping Exhibitions Prohibited.

Sec. 2. Penalty.

Sec. 3. Jurisdiction of Justices of Peace.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. It shall be unlawful for any association, person or persons to give or participate in any cattle roping exhibition in this Territory.

Sec. 2. Any association or persons who shall give any public exhibition of cattle roping, or who shall in any way be interested in, or participate in the giving of any such exhibitions as manager, ropers, or in any other manner, shall be deemed guilty of misdemeanor; and upon conviction shall be fined in the sum not exceeding Five Hundred (\$500.00) Dollars, or imprisonment in the County Jail not exceeding Sixty Days, or both such fine and imprisonment, in the discretion of the Court.

Sec. 3. Justices of the Peace in their respective precincts shall have concurrent jurisdiction with the District Courts to hear and determine all cases arising under the provisions of this act.

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## CHAPTER 38.

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AN ACT TO PREVENT THE SALE OF ANIMALS ON SHARES, WITHOUT THE CONSENT OF THE OWNER, AND FOR OTHER PURPOSES. *H. B. No. 107; Approved March 8, 1905.*

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### Contents.

Section 1. Penalty for Sale of Animals on Shares, Without the Consent of the Owner.

Sec. 2. Penalty for Buying or Receiving Animals Without the Consent of the Owner.

Sec. 3. Evidentiary Value of Recorded Contracts.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That hereafter, if any person having in his possession, or under his control on shares, or under contract any horses, cattle or sheep, and shall contract, sell or otherwise dispose of the same, or any part thereof to another, without the consent of such owner, the person so offending shall be deemed guilty of a felony, and on indictment and conviction shall be imprisoned in the Penitentiary not less than six months or more than three years, or shall be fined not less than \$50.00 nor more than \$500.00, or shall suffer both fine and imprisonment, in the discretion of the Court trying the case.

Sec. 2. Any person who shall knowingly buy of, take or re-

ceive from any person having in his possession, or under his control, any horses, cattle, or sheep on shares, or under contract, without the consent of the owner of such animals, shall be deemed guilty of a felony, and shall, on indictment and conviction, be punished as provided for in Section 1 of this act.

Sec. 3. Any contract, now of record in the office of the Probate Clerk and ex-Officio Recorder, or any contract which may hereafter be recorded in said office for animals on shares, or other contract regarding the possession, or control of any animals in the county, in which any such animals may be bought, contracted for, or received, shall be considered a notice and knowledge of all persons of the ownership of such animals, and on trial of any one for the violation of this act, or any part thereof, such recorded contract, or a certified copy thereof, shall be sufficient evidence to prove the notice and knowledge of ownership aforesaid.

Sec. 4. This act shall take effect and be in force thirty days after its passage.

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## CHAPTER 49.

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AN ACT AMENDING SECTION 182, OF THE COMPILED LAWS OF NEW MEXICO, OF 1897. C. B. No. 91; *Approved March 10, 1905.*

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### Contents.

Section 1. Section 182, Compiled Laws of 1897, Creating the Cattle Sanitary Board, Amended. Cattle Sanitary Board Reorganized. Term. Appointment. Vacancies.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section 182 of the Compiled Laws of 1897 be amended so as to read as follows:

“Sec. 182. A Sanitary Board consisting of six persons, each of whom shall be a practical raiser and owner of neat cattle in this Territory, is hereby created, to be known as the Cattle Sanitary Board of New Mexico. The term of office of each member of the said Board shall be two years from and

after his appointment and until his successor shall have been appointed and qualified; each of the members of said Board shall be nominated by the Governor of the Territory and confirmed by the Legislative Council. In case of any vacancy in the membership of said Board by reason of death, resignation or otherwise, the Governor shall fill such vacancy by appointment, and the appointee shall hold such office until his successor shall have been appointed and qualified."

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

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## CHAPTER 77.

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AN ACT RELATIVE TO BOUNTIES ON WILD ANIMALS. A. B.  
C. No. 68; *Approved March 15, 1905.*

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(Repealing Sec. 1, Chap. 80, Laws 1903.)

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### Contents.

Section 1. Section 1, Chapter 80, Laws of 1903, Regarding Tax on Certain Domestic Animals to Raise Money to Pay Bounty on Wild Animals, Repealed. Amount of Tax Levy. Bounties to be Paid. Provisos.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. That Section 1 of Chapter 80 of the Laws of 1903 be, and the same is hereby repealed and the following substituted in lieu thereof:

"The several Boards of County Commissioners are hereby authorized and directed to levy annually a special tax on all horses, burros, mules, bovine cattle, sheep and goats that may be found in their respective counties, to any amount not exceeding eight mills on the dollar on the assessed value thereof, for the purpose of raising money with which to pay bounties for the killing of wild animals. Such special tax shall be levied only for the years 1905 and 1906, and thereafter not to exceed four mills for any one year shall be levied and collected, in the manner provided by law for the collection of other county

taxes, and paid into the County Treasury as a "Wild Animal Bounty Fund" to be used exclusively for the payment of bounties for the killing of wild animals, at the following rates:

"For each coyote, wild cat or lynx, one dollar; for each gray wolf or lobo and bear, twenty dollars; panther or mountain lion, ten dollars: Provided, However, That no application for wild animal bounty shall be approved or paid under the provisions of this act unless there are funds in the "Wild Animal Bounty Fund" with which to pay the same: Provided, Further, that each applicant must present the entire skin of each gray wolf, lobo, panther, bear or mountain lion to the Probate Clerk and ex-Officio Clerk of the Board of County Commissioners, as now provided by law, to be properly cancelled before his claim will be filed.

"Said skins to be cancelled in such manner as not to destroy their marketable value, and when cancelled to be returned to the owner."

Sec. 2. All acts and parts of acts in conflict with this act are hereby repealed, and this act shall take effect and be in full force from and after its passage.

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## CHAPTER 94.

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AN ACT PROVIDING FOR THE ARREST OF PERSONS WHO MAY VIOLATE THE PROVISIONS OF SECTIONS 1133 AND 1134 OF THE COMPILED LAWS OF 1897. *C. B. No. 134; Approved March 16, 1905.*

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### Contents.

Section 1. Arrest of Persons Violating Sections 1133 and 1134, Compiled Laws of 1897, Regarding Cruelty to Animals.

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*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. Any person who may be found in the act of violating any of the provisions of Section 1133 or of Section 1134 of the Compiled Laws of 1897, may be arrested by any other person who may find or see them in the act of committing such violation and the person so arresting the person committing such violation shall be authorized to immediately take him before the nearest Justice of the Peace and make complaint of such violation, and such Justice of the Peace shall immediately



investigate the said cause and either place the party under bail to await the action of the Grand Jury, or try said cause, as in his judgment would be most proper, unless upon such investigation, he shall find the party against whom the complaint will be made, not guilty, in which case, he shall discharge him.

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

(Sections 1133 and 1134 relate to maliciously maiming, disfiguring or killing any animal, or administering poison to any animal.)

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## CHAPTER 95.

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AN ACT TO PREVENT AND PUNISH THE RUNNING AND THE USE UPON HORSES, CATTLE, MULES AND ASSES OF ANY BRAND THAT IS NOT RECORDED IN THE TERRITORIAL BRAND BOOK, IN THE OFFICE OF THE CATTLE SANITARY BOARD. *H. S. for C. B. No. 28; Approved March 16, 1905.*

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### Contents.

- Section 1. Unlawful to Use Unrecorded Brand.  
Sec. 2. Seizure of Animals With Unrecorded Brands.  
Sec. 3. Secretary Cattle Sanitary Board to be Notified of Seizure of Animals. Proviso.  
Sec. 4. Notice of Sale of Stock to be Published.  
Sec. 5. Violation of Act, a Misdemeanor. Penalty. Proviso.  
Sec. 6. What to be Deemed Evidence of Guilt.
- 

*Be it enacted by the Legislative Assembly of the Territory of New Mexico:*

Section 1. It shall be unlawful for any person, firm or corporation, after the first day of September, 1905, to use any brand for branding any horses, cattle, mules or asses, unless said brand shall have been duly recorded in the office of the Cattle Sanitary Board of New Mexico, and the person, firm, or corporation using such brands holds a certificate from the said Cattle Sanitary Board certifying to the fact of such record.

Sec. 2. Any horses, cattle, mules or asses, found branded with any brands not duly recorded as provided for in Section 1 of this act, shall be subject to seizure by any peace officer or duly authorized hide or cattle inspector appointed by the Cattle Sanitary Board of New Mexico.

Sec. 3. The person seizing such animal or animals shall at

once notify the Secretary of the Cattle Sanitary Board of New Mexico, giving the number, age and sex of said animals, together with the brands appearing on them. And if said brands shall prove not to be of record in the Territorial Brand Book, the said Secretary shall direct the seized animals to be sold as unclaimed cattle, as provided in Section 223 of the Compiled Laws of New Mexico of 1897: Provided, The Cattle Sanitary Board shall cause such animal or animals to be returned to the owner on payment of the expenses for keeping them upon such owner recording said brands in the Territorial Brand Book within 30 days from the date of seizure by the peace officer or cattle inspector appointed by said Cattle Sanitary Board.

Sec. 4. When any stock shall be seized as provided in this act, and sold as provided in Section 223, the Secretary of said Board, before offering such stock for sale, shall publish a notice of the sale as in case of sales of personal property under chattel mortgages, as provided by statute in the county where the same were seized.

Sec. 5. Any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, in any of the courts of this Territory, having jurisdiction of such cause, shall be fined in a sum of not more than Five Hundred Dollars or imprisonment for a term not exceeding One Year: Provided, No such sentence shall be imposed or conviction had in case the owner shall have within thirty days from the seizure of such animal or animals, caused such brands to be recorded, or when such person shall prove that such brands have been used by him for more than one year, and in such case he shall be required to record his brand immediately.

Sec. 6. It shall be deemed evidence of guilt that the person or persons violating this act, shall have been seen placing said brand upon animal or animals, whether those seized or others, or shall have claimed to any person or persons that he or they owned or claimed such unrecorded brand, or that the person or persons so violating Section 1 of this act, were found or seen handling, driving or holding in an enclosure of any kind any animal or animals bearing said unrecorded brand, except for the purpose of roundup.

Sec. 7. All acts or parts of acts in conflict herewith are hereby repealed, and this act shall be in full force and effect from and after the first day of September, 1905.

## COMPILER'S NOTES

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The great necessity for having the Stock Laws of New Mexico, in so far as they relate to cattle, horses and mules, gathered together into one compact volume where they can be easily referred to and studied, has led the Cattle Sanitary Board to undertake the work.

It is published for the information and benefit of the stockmen of the Territory, and copies may be had by application to the office of the board.

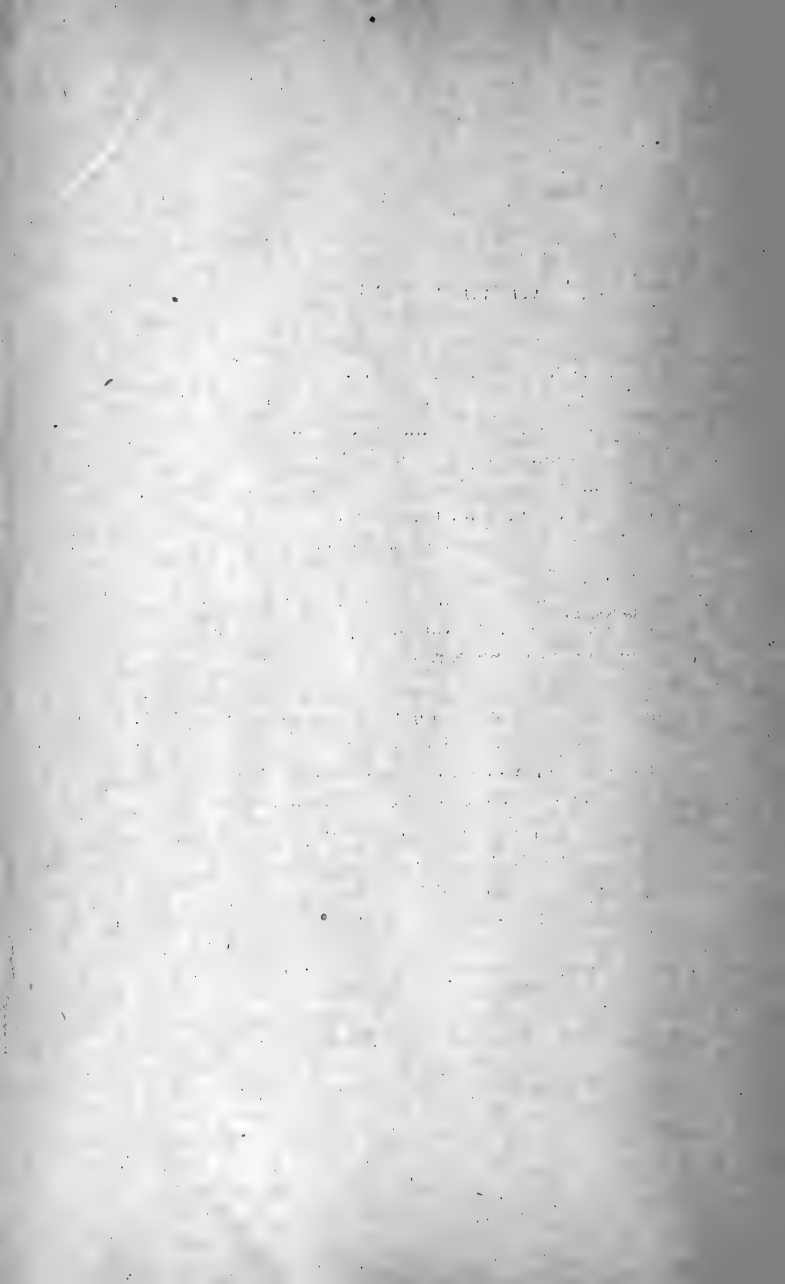
We have endeavored to omit all laws that have been repealed, and have indexed the various topics as thoroughly and carefully as possible so that any desired point may be readily found.

Incidentally, the work of compilation has unearthed many peculiar and obsolete laws, that are interesting from their ancient structure, and which are in some ways a menace to the industry and should be repealed. See, for example, the powers given justices of the peace, pages 46, *et seq.*

Compiled and arranged in the office of the Cattle Sanitary Board.

WILL C. BARNES,  
*Secretary.*

Las Vegas, N. M., August, 1905.



## SUPPLEMENT

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The following important modifications of the United States Regulations having been published, since this book went to press, they are hereby issued as a supplement. Also modification of the Regulations concerning the entry of cattle and horses into this Territory intended for immediate shipment, and other matters overlooked when compiling the work.

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Amendment No. 1 to the Regulations of the Secretary of Agriculture governing the inspection, disinfection, certification, treatment, handling, and method and manner of delivery and shipment of live stock which is the subject of Interstate Commerce.

*Effective on and after September 15, 1905.*

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### MODIFICATION OF REGULATIONS 10, 19, 20, 21, 22, AND 24.

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U. S. DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
*Washington, D. C., August 30, 1905.*

The regulations of the Secretary of Agriculture governing the inspection, disinfection, certification, treatment, handling, and method and manner of delivery and shipment of live stock which is the subject of interstate commerce, issued under date of May 1, 1905, and effective on and after June 1, 1905, are hereby modified by the revocation of Regulations 10, 19, 20, 21, 22, and 24, and the substitution therefor of the following regulations, which revocation shall take effect on September 15, 1905, on and after which date the regulations given below shall become and be effective until otherwise ordered.

*Regulation 10.*—Live stock shipped from a quarantined area, not accompanied by a certificate of an inspector of the Bureau of Animal Industry showing freedom from disease or from exposure thereto, shall not be diverted en route to feed lots or to other States for feeding, stocking, or breeding purposes unless inspected and certified by an inspector of the Bureau of Animal Industry.

*Regulation 19.*—No cattle which are diseased with scabies

shall be shipped or traileed from one State or Territory into another State or Territory or the District of Columbia, except as hereinafter provided; and no cattle shall be traileed, shipped, otherwise removed, or allowed to drift from one State or Territory or portion thereof quarantined for the disease of scabies in cattle, into another State or Territory or the District of Columbia, except as hereinafter provided, unless the cattle have been inspected by an inspector of the Bureau of Animal Industry and found free from disease and are accompanied by a certificate from the said inspector.

The removal of cattle unaccompanied by a certificate of inspection from an inspector of the State or Territory or the District of Columbia, or an inspector of the Bureau of Animal Industry, from a quarantined portion of a State or Territory or the District of Columbia, into a portion of the same State or Territory or the District of Columbia, not quarantined, will subject the unquarantined portion of the State or Territory or the District of Columbia to quarantine.

*Regulation 20.*—In States or Territories or portions thereof quarantined by the Secretary of Agriculture for scabies in cattle, those cattle which upon inspection by an inspector of the Bureau of Animal Industry, at the time of shipment, are found to be free from symptoms of scabies, shall be given a certificate and allowed to move to points outside the quarantined area for any purpose subject only to such restrictions as may be imposed by the State or Territorial officers at points of unloading and destination; but if a herd or consignment, intended for feeding, breeding, or stocking purposes, be offered for inspection and shipment and a portion thereof is found to be diseased with scabies, or if the cattle offered for inspection and shipment are part of a herd that is known to be so diseased, the diseased cattle offered for shipment shall be dipped twice in either the lime-and-sulphur or the tobacco-and-sulphur dip, or once in Beaumont crude petroleum, in the manner hereinafter provided, and the cattle offered for shipment which are not visibly diseased shall be dipped once before shipment.

*Regulation 21.*—Cattle not visibly diseased with scabies may be shipped without inspection from points in the quarantined area to any of the following-named recognized live-stock centers: Buffalo, N. Y., Chicago, Ill., Cincinnati, Ohio, Cleveland, Ohio, Denver, Colo., Fort Worth, Tex., Indianapolis, Ind., Kansas City, Mo., Kansas City, Kans., Louisville, Ky., Milwaukee, Wis., National Stock Yards, Ill., Omaha, Nebr., Sioux City, Iowa, St. Joseph, Mo., St. Louis, Mo., St. Paul, Minn.

When so shipped the cattle shall be submitted for inspection at destination, and when found upon such inspection to be free from disease and from exposure thereto en route, no further restrictions shall be placed upon them. If found upon inspection to be infected they shall not be permitted further shipment until treated as heretofore prescribed for diseased cattle.

When cattle are shipped without inspection to live-stock centers under the terms of this regulation the employes of the transportation company shall affix to both sides of each car a durable, conspicuous, printed placard not less than  $5\frac{1}{2}$  by 8 inches in size, the letters of which shall be boldface and not less than  $1\frac{1}{2}$  inches in height. These placards shall bear the words "UNINSPECTED CATTLE," and *shall not be removed until the cattle have arrived at destination and the inspector has indicated the disposition to be made of the cars: The waybills, conductors' manifests, memoranda, and bills of lading of said shipment shall also bear the notation, "UNINSPECTED CATTLE."*

*Regulation 22.*—Cattle diseased with scabies which have been dipped once in either the lime-and-sulphur or the tobacco-and-sulphur dip in the manner hereinafter provided, under the supervision of an inspector of the Bureau of Animal Industry, within ten days of date of shipment, and cattle not visibly diseased, but which are known to be a part of a diseased herd, may be shipped for immediate slaughter to a recognized slaughtering center, and when so shipped the said cattle shall not be diverted en route and shall be slaughtered within two weeks after arrival at destination. If cattle diseased with scabies are to be shipped for stockers or feeders, they shall be dipped twice in either the lime-and-sulphur or the tobacco-and-sulphur dip ten days apart, or once in Beaumont crude petroleum, under supervision, and shall be submitted to inspection before shipment. Cattle not visibly diseased, but which are known to be part of a diseased herd, intended for stockers or feeders, shall be dipped once before shipment. However, diseased cattle may be dipped once in either the lime-and-sulphur or the tobacco-and-sulphur dip under the supervision of an inspector of the Bureau of Animal Industry at the point of origin and shipped for stocking or feeding purposes, if arrangements have been made for the second dipping en route or at destination at the required time after the first dipping at a point where there is an inspector stationed, and under his supervision. Cattle not visibly diseased, but which are known to be part of a diseased herd, shipped to another State or Territory for feeding or stocking purposes, may be dipped en route instead of at point

of origin by special permission first had and obtained from the Chief of the Bureau of Animal Industry.

*Regulation 24.*—When either diseased cattle that have been dipped once in the lime-and-sulphur or the tobacco-and-sulphur dip, or cattle not visibly diseased, but which are known to be a part of a diseased herd, are shipped in accordance with Regulation 22, the employes of the transportation company shall affix to both sides of each car a durable, conspicuous, printed placard, not less than  $5\frac{1}{2}$  by 8 inches in size, the letters on which shall be in boldface, and not less than  $1\frac{1}{2}$  inches in height. These placards shall bear the words "DIPPED SCABBY CATTLE," or "CATTLE EXPOSED TO SCABBIES," and shall not be removed until the cattle have arrived at destination or point of dipping, have been unloaded, and the cars have been disinfected. The waybills, conductors' manifests, memoranda, and bills of lading of said shipment shall also bear the notation, to be affixed by the transportation company, "DIPPED SCABBY CATTLE," or "CATTLE EXPOSED TO SCABBIES."

JAMES WILSON,  
*Secretary of Agriculture.*

Amendment No. 1 to Rule 2.—To prevent the spread of scabies in cattle.

*Amendment effective on and after September 15, 1905.*

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UNITED STATES DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY.

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that the contagious and communicable disease known as scabies is not now known to exist, or exists to a slight extent only, among cattle in certain States and parts of States and Territories quarantined by Rule 2, dated May 1, 1905, and effective June 1, 1905.

Now, therefore, I, JAMES WILSON, SECRETARY OF AGRICULTURE, do hereby remove and revoke the quarantine placed by Rule 2 upon the following area, to wit:

The States of WASHINGTON AND OREGON; all that part of the State of KANSAS lying east of the western boundary lines of the counties of Smith, Osborne, Russell, Barton, Stafford, Pratt, and Barber; all that part of the State of COLORADO lying west of the summit of the Medicine Bow Range of mountains in Larimer County, the west line of Boulder, Gilpin, Jefferson, Teller, Custer, Huerfano, and Las Animas counties; and also that part of COLORADO lying west of the Ninth Guide Meridian West in Fremont County; the counties of Big Horn, Fremont,

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Sweetwater, and Uinta in the State of WYOMING; all that part of the State of TEXAS lying east of the 100th meridian of longitude west of Greenwich and north of the 29th parallel of north latitude; the counties of San Juan, Rio Arriba, Taos, McKinley, Bernalillo, Santa Fe, Valencia, Socorro, Lincoln, Grant, Sierra, Luna, Dona Ana, and Otero in the Territory of NEW MEXICO, and all of the Territory of OKLAHOMA except the counties of Woodward and Beaver.

The quarantine placed by Rule 2 upon the above-described territory shall cease to be effective on and after September 15, 1905, on and after which date this Rule shall become and be effective until otherwise ordered.

Done at Washington this thirtieth day of August, 1905.

Witness my hand and the seal of the Department of Agriculture.

[SEAL]                      JAMES WILSON, *Secretary of Agriculture.*

Amendment to Paragraphs 3 and 4, Page 13, concerning importation of cattle into the Territory of New Mexico; the following proviso is attached to Paragraph 4, Page 13:

Provided, however, that cattle or horses coming into this Territory for immediate shipment at either of the following shipping points, viz: Portales, Nara Visa, Clayton and Folsom, be allowed to enter without the required certificate of health or dipping with the distinct understanding that said animals shall be shipped within fifteen days after entry and that if refused shipment on account of being diseased, they will be placed in quarantine by the inspectors of this board and not released until they have been dipped under the board's supervision. All expenses of said quarantine and dipping to be paid by the owner of the animals.

Line inspectors are directed to act in accordance with these instructions and when allowing such animals entry for immediate shipment, to endorse across the certificate of inspection the words "For immediate shipment at \_\_\_\_\_" giving the shipping point for which they were destined.

#### BUTCHERS.

*What constitutes a butcher.*

The following is published for guidance of inspectors and others.

There are three classes of persons in New Mexico who can be called butchers.

The first is the regular butcher who has a permanent slaughter house and place of business. Such persons are required to

file a bond with the County Commissioners in the sum of \$1,000 as provided in Section 84, Page 29 of these laws.

They must keep a brand book (Page 19, Section 19) showing brands of all animals slaughtered by them, from whom purchased and the date of purchase and slaughter. This book must be open to the inspection of any person desiring to see it.

They must take and keep a bill of sale for every animal they purchase for slaughter (Page 19, Section 19, also page 90) which bills of sale must agree with the brand book kept by them.

They must keep all hides taken from animals by them for thirty days unchanged and unmutilated.

Failure to do any of these things subjects the person so found guilty to fine and imprisonment.

The next class of butchers are the meat peddlers, covered by Chapter 45, Pages 84-85.

This is aimed at persons who make a business of peddling beef in wagons or otherwise, who are not regular bonded butchers. Such persons must have a peddler's license, paying the sum of \$250 per annum for it.

The third class is the ranchman who kills an animal for his own use and sells a portion of it to his neighbors or other persons.

The person so selling the meat must have with him at the time of offering for sale the hide of the animal killed which hide shall be open to the inspection of any and all persons who may care to examine it.

Any regular butcher buying any beef from such a person must enter in his brand book a copy of the brands on the hides so accompanying the meat, together with name of seller, with a notation that the brands were upon the hide accompanying the meat so purchased.

This class is not required to give bond, but failure to have the hide with them subjects them to heavy fine and imprisonment. Pages 95-96.

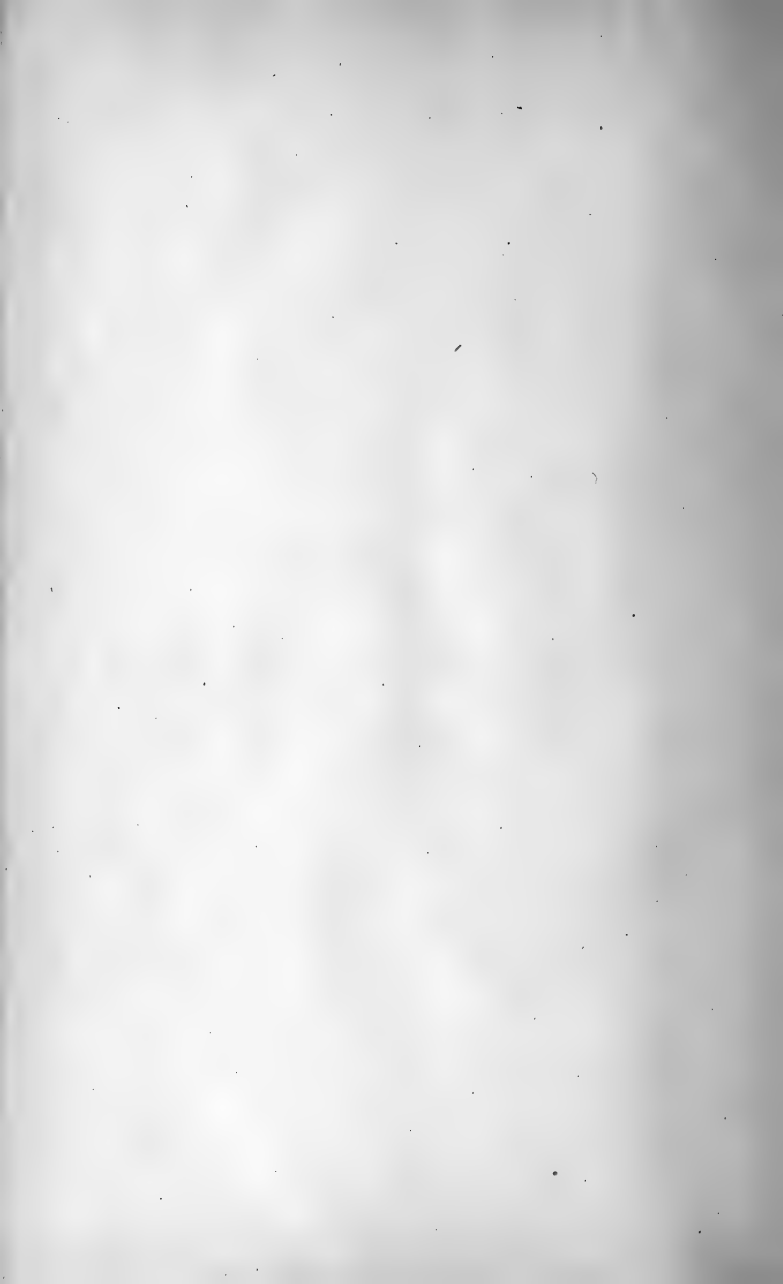
#### HIDE TAGS.

Inspectors are advised when opening a bunch of hide tags to string them upon a piece of baling wire in their regular numerical order so they will not get mixed. By this means they can always use the tags in regular order and the numbers on the tags will follow each other regularly in their reports.

#### POINTS TO PRESSES.

If the point to a seal press should be broken, new ones can be obtained by applying to the office of the board.





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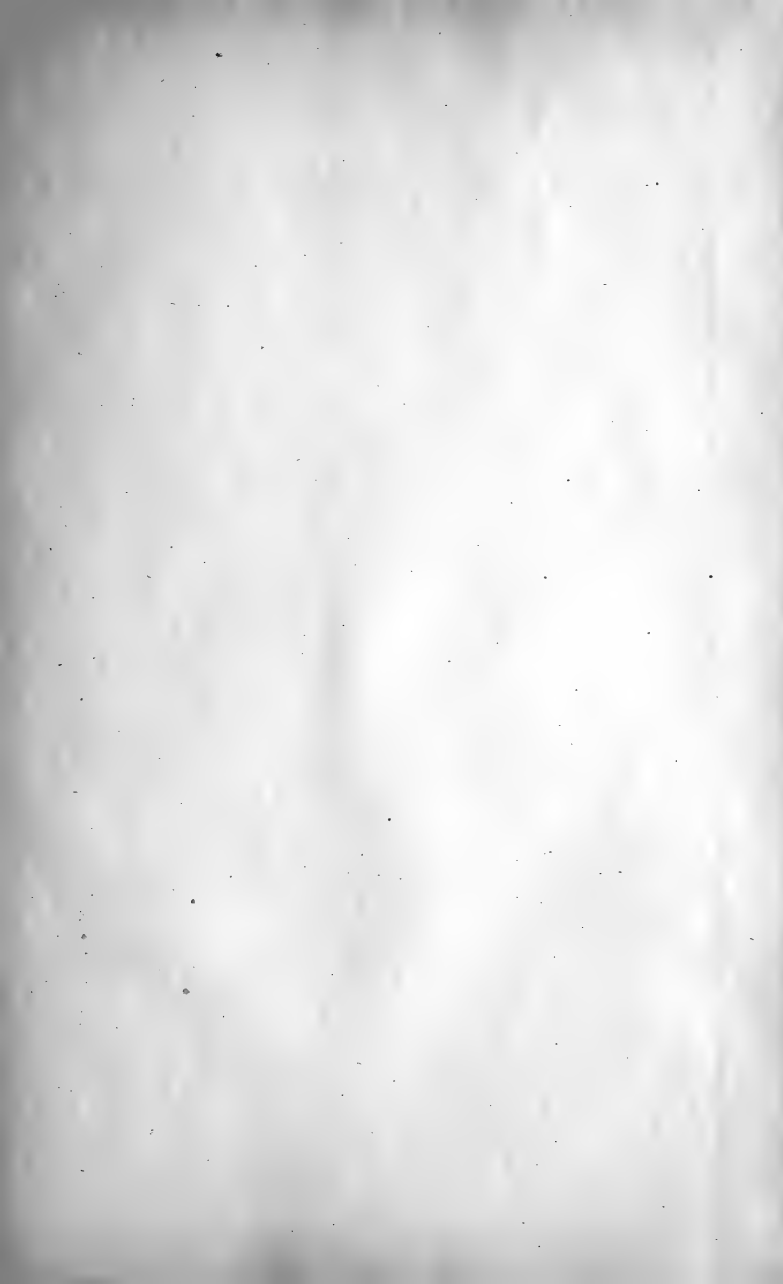
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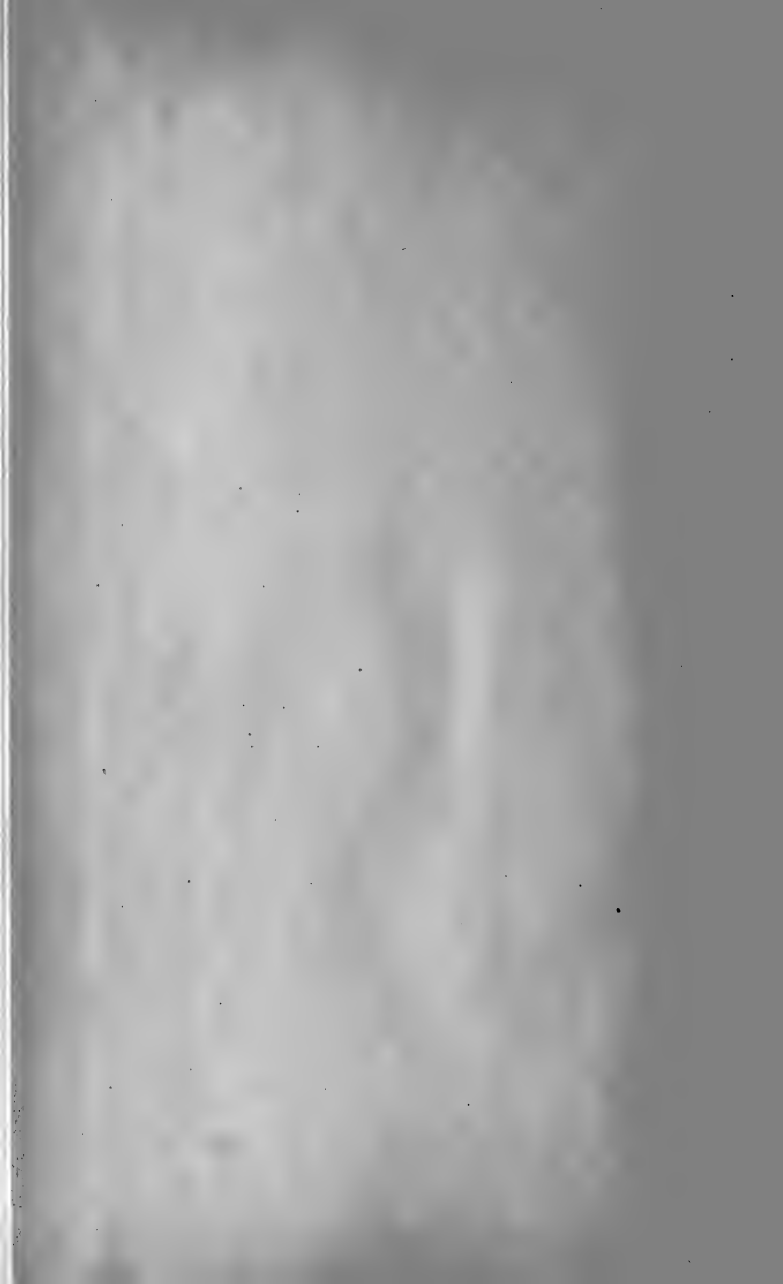
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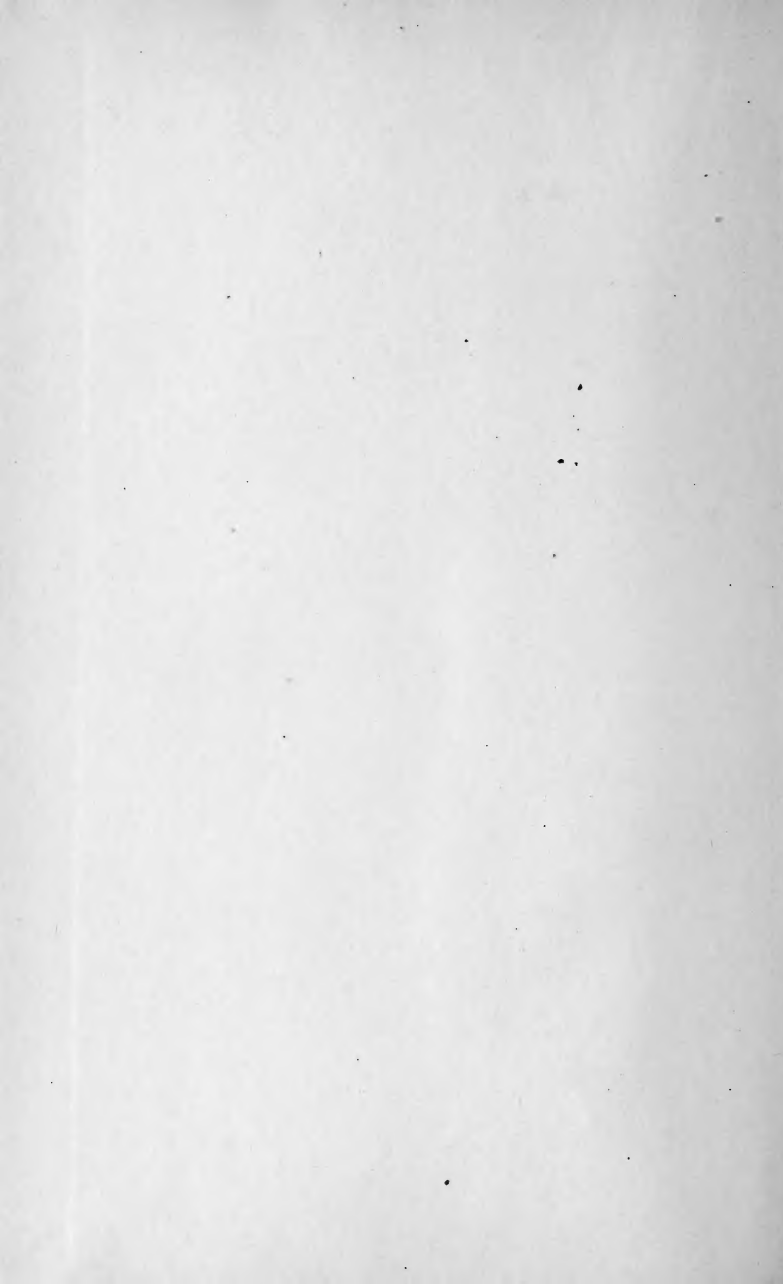














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