

**Opinion No. 14-1345**

September 30, 1914

**BY:** H. S. CLANCY, Assistant Attorney General

**TO:** Messrs. Askren & Gilbert, Attorneys at Law, Roswell, New Mexico.

**FISH.**

Carp and buffalo fish may be taken and sold at any time of the year.

**OPINION**

{\*206} I have your letter of the 28th instant in which you ask for the opinion of this office as to whether it is a violation of law to catch and sell carp and buffalo fish taken from the public or private waters [Illegible Word] this state.

Carp and buffalo are not game fish as defined by Section 6 of Chapter 85 of the Laws of 1912, and I can see no reason why they may not be taken and sold at any time of the year. In my opinion, as a sportsman, the destruction of these fish should be encouraged, as they prey upon the spawn of game fish, especially the carp.