

Opinion No. 23-3667

February 2, 1923

BY: JOHN W. ARMSTRONG, Assistant Attorney General

TO: Requested by: Hon. A. M. Edwards, Assistant District Attorney, Santa Fe, New Mexico.

Solo or Pitch is Game Prohibited by Statute.

OPINION

{*12} We have your letter under date of January 25, 1923 containing the following statement and question:

"A certain amusement place in this town conducts a game of cards under the following circumstances: A game such as solo or pitch is played by two or more persons; at the close of the game each of the players purchases a trade check from the proprietor, which is good for twelve and one-half cents in trade, such as cigars, candy, soft drinks, etc. The winner at the game is given all of the checks purchased by the other players.

"Will you please advise whether in your opinion such a game is unlawful, as defined in Section 1 of said Chapter 86?"

In our opinion, such a game is unlawful.