

**Opinion No. [30-38]**

June 11, 1930

**BY:** J. A. MILLER, Assistant Attorney General

**TO:** Mr. John Curry, 405 Sansome Street, San Francisco, California.

LIVESTOCK -- Protection of property in.

**OPINION**

I have before me yours of the 5th inst. in which you ask to be informed whether New Mexico has any laws that are designed to curb sheep and wool stealing.

New Mexico has an old statute enacted as Chapter 47 of the Laws of 1884, subsequently amended, containing many sections. The object of this act was to specially protect ownership in a particular class of property rather than to prevent larceny in general. It is entitled "An Act For The Protection of Livestock And Other Purposes."

Property in livestock is protected by the penalizing of selling animals without recorded brand, the unlawful using of animals, disposing of animals held under partido contracts as well as the purchasing of animals held under such contracts and without the consent of the owner, the killing of unbranded animals, the larceny of hides, driving of animals from their usual range and the larceny of animals.

We have no statute protecting ownership in wool other than the general criminal statutes against larceny, embezzlement, etc.