

**Opinion No. 21-2906**

April 11, 1921

**BY:** A. M. EDWARDS, Assistant Attorney General

**TO:** Mr. William F. Meyer, Costilla, New Mexico.

**Interpretation of Gambling Law.**

**OPINION**

{\*45} Your letter of April 6th addressed to Mr. Bowman received.

The recently enacted gambling law provides that the playing of certain specified games is prohibited. These are games of chance, and there is an additional proviso that any other game of chance played with dice, cards, punch boards, slot machines or any other game device shall be prohibited. Penalties are imposed on both the owner of a place where such games are conducted and upon the players in the games.

We do not believe that pool or billiards come within the list of prohibited games. They are not specifically included among the games named, and as such games are generally considered games of skill rather than of chance, there would seem to be no objection to players playing such games where the loser either pays for the games or buys candy, cigars, etc.

A pool or billiard parlor, therefore, where there is no playing for money, would not come within the prohibited list under the Gambling Act.