

**AYERS V. VILLAGE OF GREEN TREE, 1955-NMSC-031, 59 N.M. 262, 282 P.2d 1105
(S. Ct. 1955)**

**Jim AYERS, Plaintiff-Appellee,
vs.
VILLAGE OF GREEN TREE, etc., Defendant-Appellant**

No. 5845

SUPREME COURT OF NEW MEXICO

1955-NMSC-031, 59 N.M. 262, 282 P.2d 1105

April 21, 1955

Appeal from District Court, Lincoln County; W. T. Scoggin, District Judge.

COUNSEL

J. Benson Newell, Las Cruces, for appellant.

Frazier, Cusack & Snead, Roswell, for appellee.

JUDGES

Sadler and McGhee, JJ., dissent.

AUTHOR: PER CURIAM

OPINION

{*262} {1} The same questions are presented in this case as in the case of Campbell v. Village of Green Tree, 59 N.M. 255, 282 P.2d 1101, with which it has been consolidated for submission. Accordingly, on authority of the pronouncement made in the opinion in the latter case, the judgment in this case is erroneous and should be reversed and the cause remanded to the District Court with a direction to set aside its judgment and to proceed in a manner not inconsistent with the views expressed in the opinion Campbell v. Village of Green Tree, supra.

{2} It is so ordered.