

**BRYANT V. STATE OFFICE BLDG. COMM'N, 1941-NMSC-052, 46 N.M. 58, 120 P.2d
452 (S. Ct. 1941)**

**R. G. BRYANT and J. H. Mullis, Plaintiffs and Appellants,
vs.
STATE OFFICE BLDG. COMMISSION, consisting of Governor John
E. Miles, Chairman, Lieutenant Governor Ceferino Quintana;
Commissioner of Public Lands H. R. Rodgers; Commissioner of
Bureau of Revenue J. O. Gallegos; and P. J. Vidal, Chairman
of State Highway Commission; and Rex French, State
Treasurer, H. R. Rodgers, Commissioner of Public Lands, J.
O. Gallegos, Commissioner of Bureau of Revenue; P. J.
Vidal, Chairman of State Highway Commission; and State
Board of Finance, consisting of Governor John E. Miles,
Chairman, E. D. Trujillo, Auditor, J. O. Seth, W. A.
Keleher, and Fred L. Luthy, Defendants and Appellees**

No. 4643

SUPREME COURT OF NEW MEXICO

1941-NMSC-052, 46 N.M. 58, 120 P.2d 452

October 17, 1941

Appeal from District Court, Santa Fe County; David Chavez, Jr., Judge.

Rehearing Denied January 12, 1942.

COUNSEL

O. O. Askren, of Roswell, and T. E. Mears, Jr., of Portales, for appellants.

Edward P. Chase, Atty. Gen., George H. Hunker, Jr., and A. M. Fernandez, Asst. Attys.
Gen., C. R. McIntosh and Reed Holloman, both of Santa Fe, and Merritt C. Mechem, of
Albuquerque, for appellees.

JUDGES

Frenger, District Judge. Brice, C. J., and Sadler, Mabry, and Bickley, JJ., concur.

AUTHOR: FRENGER

OPINION

{1} This is a companion case to that of State Office Building Commission of the State of New Mexico v. Trujillo, 46 N.M. 29, 120 P.2d 434, this day decided. They were submitted together. The judgment under review is one rendered by the same district court as that involved on the other appeal. Although some points are presented on this appeal not involved in the other, there is one contention common to both, viz., the Act's claimed violation of Art. 9, Sec. 8, of the State Constitution. Since we have sustained said contention in the Trujillo case, it becomes decisive on this appeal, rendering unnecessary the disposition of other points here argued.

{2} Accordingly, the judgment of the trial court herein will be reversed and the cause remanded with directions to the district court to set aside its judgment and for further proceedings in conformity with the views expressed in the opinion this day filed in the Trujillo case.

{3} It is so ordered.