

**WITTMER OIL & GAS PROPERTIES V. VESELY, 1937-NMSC-075, 41 N.M. 546, 72
P.2d 9 (S. Ct. 1937)**

**WITTMER OIL & GAS PROPERTIES, Appellee,
vs.
Frank VESELY, Commissioner of Public Lands of the State of
New Mexico, Appellant**

No. 4227

SUPREME COURT OF NEW MEXICO

1937-NMSC-075, 41 N.M. 546, 72 P.2d 9

September 29, 1937

Appeal from District Court, Santa Fe County; Otero, Judge.

COUNSEL

Carl B. Livingston, of Santa Fe, for appellant.

Mariot Murphy, of Santa Fe, for appellee.

JUDGES

Brice, Justice. Hudspeth, C. J., and Sadler, Bickley, and Zinn, JJ., concur.

AUTHOR: BRICE

OPINION

{*546} {1} This is a companion case to Staplin v. Vesely, Commissioner, 41 N.M. 543, 72 P.2d 7, this day decided; the issues are identical, and it is reversed and remanded, {*547} with instructions to dismiss for the reasons stated in our opinion in said cause.

{2} It is so ordered.