

**ESCHLIMAN V. VERNON, 1918-NMSC-043, 24 N.M. 332, 171 P. 503 (S. Ct. 1918)**

**ESCHLIMAN  
vs.  
VERNON et al.**

No. 2050

SUPREME COURT OF NEW MEXICO

1918-NMSC-043, 24 N.M. 332, 171 P. 503

March 06, 1918, Decided

Appeal from District Court, Quay County; Leib, Judge.

Action by D. R. Eschliman against W. R. Vernon and others. Judgment for plaintiff, and defendants appeal. Affirmed.

### **SYLLABUS**

SYLLABUS BY THE COURT.

Chapter 94, Laws 1909, known as the "Herd Law," was a constitutional enactment. Scarbrough v. Wooten, 23 N.M. 616, 170 P. 743, adhered to.

### **COUNSEL**

CATRON & CATRON, of Santa Fe, for appellants.

H. H. McELROY, of Tucumcari, for appellee.

### **JUDGES**

HANNA, C. J. PARKER and ROBERTS, JJ., concur.

**AUTHOR: HANNA**

### **OPINION**

{\*332} {1} OPINION OF THE COURT. HANNA, C. J. This case involves the constitutionality of chapter 94, Laws 1909, known as the "Herd Law." {\*333} The trial court held the act valid, and entered judgment for appellee. The objections urged to the act were fully considered by this court in the recent case of Scarbrough v. Wooten, 23

N.M. 616, 170 P. 743, decided at the present term. Adhering to that opinion, the judgment in this case will be affirmed; and it is so ordered.

PARKER and ROBERTS, JJ., concur.