

SHIPP V. EL PASO & S. W. CO., 1916-NMSC-068, 22 N.M. 210, 160 P. 354 (S. Ct. 1916)

**SHIPP
vs.
EL PASO & S. W. CO.**

No. 1906

SUPREME COURT OF NEW MEXICO

1916-NMSC-068, 22 N.M. 210, 160 P. 354

September 12, 1916

Appeal from District Court, Guadalupe County; D. J. Leahy, Judge.

Action by R. R. Shipp, against the El Paso & Southwestern Company. From a judgment for plaintiff, defendant appeals.

SYLLABUS

SYLLABUS BY THE COURT

The decision of this case is controlled by the decision in *Simon v. El Paso & Southwestern Co.* (No. 1907) 22 N.M. 211, 160 P. 352, just decided.

COUNSEL

Hawkins & Franklin of El Paso, Texas, and Edwin Mechem of Alamogordo, for appellant.

F. Faircloth of Santa Rosa, for appellee.

JUDGES

Parker, J. Roberts, C.J., and Hanna, J., concur.

AUTHOR: PARKER

OPINION

OPINION OF THE COURT.

{1} The facts in this case and the record of the proceedings in the courts below are identical with the case of Simon v. El Paso & Southwestern Co. (No. 1907) 22 N.M. 211, 160 P. 352, and for the reasons therein stated, the appeal will be dismissed; and it is so ordered.