

**SEWARD V. COUNTY OF BERNALILLO, 1956-NMSC-032, 61 N.M. 52, 294 P.2d 625
(S. Ct. 1956)**

**Lewis Burnham SEWARD, Claimant-Appellant,
vs.
COUNTY OF BERNALILLO (DISTRICT COURT), Employer, Central
Insurance and Surety Corporation, Insurer,
Defendants-Appellees.**

No. 6016

SUPREME COURT OF NEW MEXICO

1956-NMSC-032, 61 N.M. 52, 294 P.2d 625

March 05, 1956

Juror who suffered accidental injury while in performance of his duties as juror brought compensation proceeding against the County of Bernalillo (District Court), employer, and its insurer. The District Court of Bernalillo County, John B. McManus, Jr., D.J., entered judgment adverse to the juror, and he appealed. The Supreme Court, Sadler, J., held that juror was not entitled to award of compensation for his injury under the Workmen's Compensation Law.

COUNSEL

Joseph L. Smith, Henry A. Kiker, Jr., Albuquerque, Robert H. Sprecher, Roswell, for appellant.

Rodey, Dickason, Sloan, Mims & Akin, Charles Larrabee, Albuquerque, for appellees.

JUDGES

Sadler, Justice. Compton, C.J., Lujan and McGhee, JJ., and E. T. Hensley, Jr. District Judge, concur.

AUTHOR: SADLER

OPINION

{*53} {1} The question for decision: Is a juror who suffers an accidental injury while in the performance of his duties as such entitled to an award of compensation for his injury under the provisions of our Workmen's Compensation Law, 1953 Comp. 59-10-1 et seq.?

{2} The learned trial judge said nay. So say we. Board of Commissioners of Eagle County v. Evans, 99 Colo. 83, 60 P.2d 225.

{3} The judgement will be affirmed.

{4} It is so ordered.