

to determine disproportionality. *Freedman v. Exeter*, 107 N.H. 163, 219 A.2d 275 (1966).

The board's opinion does not concern itself with this question but is based wholly on the question of market value of the property in issue. We cannot tell therefore whether this formed the basis for its opinion, and it is not our function to search the records to determine matters not disclosed. *Company v. State*, 95 N.H. 353, 360, 64 A.2d 9, 16 (1949).

We therefore also remand this case for additional findings and clarification.

In Vickerry Realty Company, appeal dismissed; in the other cases, remanded.

GRIFFITH, J., did not sit; the other concurred.

Original
No. 7253

LEO F. FEELEY IV

v.

GEORGE SAMPSON, SHERIFF,
ROCKINGHAM COUNTY, & a.

September 30, 1976

Leo F. Feeley IV, pro se, by brief, for the plaintiff.

David H. Souther, attorney general, and *Richard B. McNamara*, attorney, by brief, for the defendants.

MEMORANDUM OPINION

Petition for habeas corpus filed by the plaintiff alleging that his bail was excessive. Plaintiff was indicted for attempted murder. Due to adverse publicity at the trial the court ordered a mistrial and continued his original bail of \$10,000 while awaiting his second trial. At his second trial in October of 1975, he was convicted of aggravated assault and sentenced to the New Hampshire State Prison.

At the hearing on bail the Court, *Cann, J.*, heard conflicting evidence and statements of counsel on the necessity and the amount of bail.

An examination of the record discloses evidence to support the trial court's ruling. *Moses v. Helgemoe*, 115 N.H. 672, 348 A.2d 354, 355 (1975); *Moses v. Helgemoe*, 116 N.H. 190, 355 A.2d 428 (1976). There being no evidence indicating there was an abuse of discretion (*State v. Seeley*, 116 N.H. 57, 357 A.2d 870 (1976)), the order is

Petition denied.

Original
No. 7295

MACK M. MUSSMAN'S CASE

September 30, 1976

Walter D. Hinkley, by brief and orally, for Mack M. Mussman.

Thomas H. Richards, bar counsel, by brief and orally, for New Hampshire Bar Association.