

[Cheshire, June, 1885.]

KENDRICK, *Adm'r*, v. PIERCE.

ASSUMPSIT, for money paid by a surety of the defendant. Judgment was ordered for the plaintiff, and a bill of exceptions was allowed.

*E. M. Forbes and Batchelder & Faulkner*, for the plaintiff.

*H. W. Brigham and Haskins & Stoddard*, for the defendant.

DOE, C. J. It is not claimed by either party that the bill of exceptions raises any question of law.

*Exceptions overruled.*

BLODGETT, J., did not sit: the others concurred.

[Grafton, June, 1885.]

EATON &amp; a. v. LEHAN.

*E. C. Stevens*, for the plaintiffs.

*Bingham, Mitchells & Batchellor*, for the defendant.

CARPENTER, J. This case cannot be distinguished from *Brown v. Latham*, 58 N. H. 30.

*Judgment for the defendant.*

SMITH, J., did not sit; the others concurred.

[Coös, June, 1885.]

BARRON &amp; a. v. BARTLETT.

ASSUMPSIT, for drawing logs, and to secure a lien under Gen. Laws, c. 139, s. 13. The defendant was defaulted, and the issue was between the plaintiffs and Gardner & a., claimants. Facts found by a referee.

*Drew, Jordan & Carpenter*, for the plaintiffs.

*Aldrich & Remick*, for the claimants.

DOE, C. J. Against the claimants' objection, hearsay evidence of their declarations having been admitted on the question of the