

[Hillsborough, December, 1891.]

ELLIOTT & a. v. THE PUBLIC GRAIN & STOCK EXCHANGE.

ASSUMPSIT, founded upon s. 13, c. 272, Gen. Laws. Verdict for the plaintiffs. No exception was taken by the defendants at the trial.

*George W. Prescott and Burnham & Brown*, for the plaintiffs.

*Sulloway & Topliff*, for the defendants.

CHASE, J. No question of law is presented in the case.

*Judgment on the verdict.*

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

[Sullivan, December, 1891.]

JACOBS v. CROYDON.

CASE, for injuries from a defective highway. Verdict for the plaintiff. The plaintiff testified on cross-examination that he had previously been injured by a defective highway in another town, and had brought an action for the injury. After examining him at length in regard to the extent and character of the injury, the defendants asked him whether he recovered of the town. The question was excluded.

*Shepherd L. Bowers and Hosea W. Parker*, for the plaintiff.

*George R. Brown*, for the defendants.

CHASE, J. The evidence called for was irrelevant.

*Exception overruled.*

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

[Grafton, December, 1891.]

DAVIS, Adm'r, v. RUMNEY.

CASE, for injuries to the plaintiff's intestate upon a highway. Verdict for the plaintiff. The statement of claim filed by the plaintiff represented that the deceased and his horse and carriage