

Strafford, }  
Dec., 1897. }

## STATE v. GALE.

COMPLAINT, under P. S., c. 271, s. 5, for keeping a shop open on the Lord's day for the reception of company. The defendant requested instructions to the jury which were not given. After the verdict was returned, the defendant excepted in general terms.

*William F. Nason*, solicitor, for the state.

*William S. Pierce*, for the defendant.

CHASE, J. The defendant's exception was taken too late. Rule of Court No. 54,—56 N. H. 590; *Paine v. Railway*, 58 N. H. 611, 615.

*Exception overruled.*

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

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## TRASK &amp; a. v. ROCHESTER.

APPEAL, from a sewer location and assessment of damages made by the city council.

*Worcester, Gafney & Snow*, for the plaintiffs.

*George E. Cochrane*, for the defendants.

PARSONS, J. The case presents no question of law. The only question of law that might have been raised upon the facts stated is settled in *Campbell v. Windham*, 63 N. H. 465.

*Case discharged.*

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