

Hillsborough, }  
 Oct. 3, 1905. }

ATTORNEY-GENERAL (*ex rel.* PUTNAM) v. FOGARTY.

INFORMATION, in the nature of *quo warranto*, filed by the attorney-general and prosecuted by the relator. Facts agreed. Transferred from the January term, 1905, of the superior court by *Chamberlin, J.*

*Hamblett & Spring* and *Charles W. Hoitt*, for the plaintiff.

*Doyle & Lucier*, for the defendant.

*Per Curiam.* The agreed case contains no provision for judgment and presents merely a moot question. Such questions are not considered in the absence of special reason therefor. *Conn. Valley Lumber Co. v. Monroe*, 71 N. H. 473. No reason for an exception to the general rule is perceived in this case.

*Case discharged.*

Rockingham, }  
 Dec. 5, 1905. }

ROCKINGHAM COUNTY LIGHT & POWER CO. v. BATCHELDER & a.

PETITION, under chapter 195, Laws 1901, for the assessment of damages occasioned by the taking of the right to maintain a line of poles upon the defendants' premises. The plaintiffs excepted to certain instructions given the jury. Transferred from the April term, 1905, of the superior court by *Stone, J.*

*Samuel W. Emery*, for the plaintiffs.

*Page & Bartlett*, for the defendants.

YOUNG, J. The plaintiffs have not attempted to sustain their exception in this court. The record does not appear to present any question of law which requires consideration.

*Exception overruled.*

All concurred.