

Cheshire, }
Dec. 6, 1938. }

STATE *v.* JOHN PROCTOR.

Thomas P. Cheney, Attorney-General, *Frank R. Kenison*, Assistant Attorney-General, and *Walter A. Calderwood* (by brief), for the State.

Faulkner & Bell, for the defendant, furnished no brief.

Per Curiam. The case is governed by *Hazen v. Corporation*, ante, 522. In the case at bar as in the case cited the challenges are not for principal cause but are to the favor (*State v. Howard*, 17 N. H. 171, 190 *et seq.*), and as such present no question of law for this court but one of fact for the court below as to whether or not, in any particular instance, a juror objected to is indifferent.

Case discharged.