

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 55

H. P. 127

House of Representatives, Jan. 24, 1929.

Referred to Committee on Claims and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mrs. Gay of Waldoboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

RESOLVE, in Favor of Charles E. Merry, for Damage to a
Cow Shot by a Hunter.

Resolved: That the state of Maine pay to Charles E.
2 Merry, of Waldoboro in the county of Lincoln, the sum
3 of seventy dollars to compensate him for damage done to
4 a cow by a hunter on the twenty-third day of November,
5 in the hunting season, of the year one thousand nine hun-
6 dred and twenty-seven.

STATEMENT OF FACTS

On the twenty-third day of November, 1927, at about ten o'clock in the forenoon, Charles E. Merry turned his cows out from his barn to go to a spring in his pasture to drink. The spring is between 600 and 800 feet from his barn and a short distance from woods. There are bushes in places along the route from the barn to the spring. While the cows were at the spring, or traveling between the barn and spring, Mr. Merry heard the discharge of a rifle. When he went after the animals he found that a Guernsey cow, three years of age, had been hit by a bullet from a rifle, the bullet having entered the left hind leg and passed through the leg and the right hind quarter of the udder. The result is that the injured quarter of the udder has been ruined and the teat of that quarter cannot be milked. The market value of the cow before the injury was one hundred and ten dollars, but now it does not exceed forty dollars, and probably she cannot be sold for even that sum.

Mr. Merry has not been able to ascertain the person who fired the rifle or what persons were in the nearby woods at the time, but at that time and for a considerable time before hunters were numerous in that vicinity.

Mr. Merry is a poor man with a family.