

MERCER QUARTERLY COURT.

VARDEMAN SALLEE,

PLFF.

VS.

~~Plaintiff.~~ Statement.

I.W.SCOTT,

DFT.

The plaintiff, Vardeman Sallee, states that the defendant, I.W.Scott, owns, has in his possession, operates and controls a farm in Mercer County, Ky., bordering on the Lexington Pike for about a quarter of a mile and located near Stringtown. He states that the said defendant, about two or three weeks ago, removed all of a long string of fence next to the said pike and dug post holes preparatory to building a line of wire fence, and at the end of the said line of post holes there were dug two large deep holes for end post, said holes being about two feet square and about 4 1/2 or 5 feet deep. He says that the defendant carelessly and negligently left said end post holes open for about two or three weeks and that by the said carelessness and negligence in leaving the said holes open a sorrel mare belonging to this plaintiff fell into one of the said holes and was thereby killed. He says that said mare was reasonably of the fair cash market value of \$40.00, and by the said carelessness and negligence afore said the said mare was killed and that the plaintiff has been damaged by the said killing as aforesaid in the sum of \$40.00 and that the said defendant is now indebted to him in said sum and that no part of same has been paid.

Wherefore plaintiff prays judgment against the defendant in the sum of \$40.00 and for all costs expended in this action. He prays for all relief to which he is or may appear to be entitled.

Subscribed and sworn to before me by Vardeman Sallee, Apr., 23, '7

T. L. Black

Examiner Mercer County Ky.