

NO CAUSE VERDICT IN NEGLIGENCE SUIT AGAINST FREDONIAN

Case Grew Out of Killing of Mayville Youth in Auto Crash on West Main Road.

Mayville, May 16—A verdict of no cause of action was returned by a supreme court jury late yesterday afternoon in the case of Mary Hunt, as administratrix of the estate of her 21-year-old son, Charles Hunt of Mayville, against William Shaver of Mayville.

The case was the outgrowth of an automobile accident between two cars one of which young Hunt was driving, which occurred between Westfield and Fredonia in the town of Portland on February 7, 1926.

Harry M. Young, Mayville for the plaintiff and Kenneth W. Glines and William S. Stearns represented Mr. Shaver.

A verdict in another negligence case was returned earlier in the day. Einar Erickson, Celoron, and his son, Warner Erickson, plaintiffs in negligence actions against Fred Hunt, also of Celoron, were awarded verdicts of \$2,000 each against the defendant. The plaintiffs were represented by Samuel C. Alessi and Grant E. Neil represented the defendant.

The Erickson case was one of the most pitiful negligence actions to be tried in supreme court in a long time. Warner Erickson, 8-year-old son of Mr. and Mrs. Einar Erickson, Celoron, was shot in the back on July 3, 1927 in the back yard of Fred Hunt, Celoron. The shooting was with a .32 calibre rifle owned by the defendant Hunt and which was being used at the time by Johanna Ottinger, of Ohio. The defendant Hunt was showing the children how to shoot at a target. The Erickson boy had gone to the Hunt home to get a small granddaughter to go to the store with him.

The plaintiff alleged he was lying on the ground when shot and the defendant declared that he got up and ran in front of the levelled gun as the little Ottinger girl pulled the trigger. The boy was shot in the back and the bullet severed the spinal cord and lodged above the heart. The severing of the spinal cord crippled the boy for life and left him permanently paralyzed from the hips down.