

321  
*Lexington and Eastern Railway Company,*

*Samuel M. Wilson*  
*Samuel M. Wilson*  
*General Counsel.*

*Legal Department*

*Lexington, Ky.*

*Winchester, Ky.*

July 14, 1913.

Messrs. Wootton & Morgan, Attorneys at law,

Hazard, Ky.

Gentlemen:-

Answering your favor of the 12th instant, in regard to suit of Jesse Combs, Administrator of Jake Whitlock v. Mason & Hurst Company and L. & E. Railway Company, I enclose herewith round trip pass for Dr. Taylor Hurst and a one-way pass for the colored man which it is proposed to take from Lexington to Hazard. Both passes are good until August 31st.

From my file in this case, it does not appear that we have ever prepared or filed any Answer, but when that is done we ought, of course, to be careful to deny that Whitlock has ever died. In the event this action should be defeated, to prevent the institution of any second action for the death of the negro actually killed, I think we ought, if possible, put off a trial of the case until after the middle of October next, though this may not be absolutely indispensable in order to make a plea of limitation available to us in defending any future action. Be sure, however, not to overlook making a direct issue as to the death of Whitlock himself.

Very truly yours,

Encs.  
SMW/A

Counsel.