

Frankfort, August 3rd. 1849

Dear Sir:

I am disinclined to embrace the proposition contained in your last letter. Two days before the death of Robert S. Todd, I received a message from him; that he had heard from Mr. January, who recollected distinctly the contents of the will, as set forth in the copy, of which Mrs. Neely spoke. Cholera prevails so fatally and extensively in the vicinity of Lexington, that it would be imprudent to attempt to take depositions there; and in consequence the testimony cannot be completed in all probability until next winter. As soon as it may be convenient and suitable to proceed in the full preparation of the suit, I will appraise you; and we will bring it to a close.

Sincerely your friend,

John M. Hewitt

To

Levi L. Todd Esquire

Greenwood,

Johnson County,

Indiana