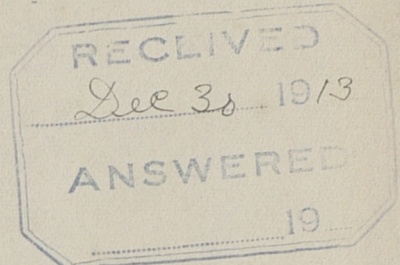


SMITH HAYS
LAWYER
WINCHESTER, KY.

13
December 29th, 1913.

Judge S.M. Wilson,
Lexington, Ky.

My dear Judge: Re: Bush Case.



Yours of the 26th received and contents noted.

I am sorry that I could not have you with me in Louisville, altho I anticipate the result was the same it would have been if you had been present. On consultation with Judge Warfield we agreed that the order written by Mr. Shelby would not now be entered. This seems to me to be the proper conclusion and I so expressed myself to Judge Warfield. I regret that I had to do so in view of the agreement of Mr. Shelby and Mr. Pendleton to the contrary.

My reasons for objecting to the order are, that we were forced to trial before the work was completed by the unrelenting insistence of the plaintiff, and further, the proposition of the defendant to the City Council was made by the law firm of which two of the plaintiff's sons were members, and again with the error of the Court, in sustaining the demurrer, out of the record, we might not be able to reverse the judgment of \$4,000.00 against the defendant. After suggesting these things to Mr. Warfield and further that he could in the future withdraw these pleas if the plaintiffs would settle on a fair basis, he agreed with me that the withdrawal ought not now be made. This is all that has occurred since I wrote you. Wishing you a happy and prosperous New Year, I am,

Yours truly,

J. Smith Hays