

PARKER V. LUCAS

HARRY McADAMS

Lucas and McAdams

ATTORNEYS & COUNSELORS

NEW MEADOWS, IDAHO

October 23rd, 1914.

Dave Lewis,
Edwardsburg, Idaho.

My Dear Sir;-

I have your favor of the 19th inst at hand and note what you say relative to the Walter Rinehart vs Eagle Mining Company and Mrs. Edwards case.

Who ever informed you that we had taken snap judgment against the defendants was wrong in their statement. The checks have been in attorneys hands for over a year for collection. All parties have had repeated notice of that fact. When they were brought to us we wrote Mrs. Edwards attorney and asked him if he desired to voluntarily appear in the case and save trouble and expense. This they did not do, hence we were forced to proceed as the law provides. Papers were served in Edwardsburg on October 1st, I believe with the matter set for October 5th at Pollock. We realized that the time was short for them to get here, and having no desire to take a snap judgment we waited until after their legal time was out and then wrote their attorney, Mr. Varian, and asked him what his pleasure was and what he wanted to do. THIS WAS BEFORE JUDGMENT WAS ENTERED, YOU WILL UNDERSTAND. We have at every stage of the proceeding went far out of our way to accomodate the defendants and have treated them honorably and with great consideration, which is more than can be said of the defendant herself in her treatment of us.

I note your decision to fight the recovery of the horses. I cannot advise you in the matter for I do not know the circumstances. Had the bill of sale for the stock been of record at Grangeville Mr. Mc Rae would not have taken them. Now that he has taken them as an officer of the law the great state of Idaho will stand back of him to keep them until Mrs. Edwards shows that he had no right to them. You will not be fighting us (Walter Rinehart), but you will be fighting the law and the State of Idaho. If Mr. Mc Rae left the horses with you for care and feed and you refuse to re-deliver them to him when he demands them you will be guilty of larceny. And this will be the case no matter what Mrs. Edwards rights may be or may not be. The fact would be that Dan gave them to you to keep and you refused to return them. On the other hand if someone got them from Mc Raes real or technical possession without his knowledge or consent the law deals with the matter as with the theft of any other property of like kind. You will do as you like, of course, but I tell you these things in friendship and I suggest that you let Mrs. Edwards fight her own battles, and that you all act reasonably and legally if the property was wrongfully taken.

Sincerely yours,

Parker V. Lucas