

U.S. Letter
P.O. Box 25
Cincinnati, O.

Nov 2, 1914

Mr. Peter Flint,
Eagle Lake, N.Y.

Dear Flint:-

Today there came a letter from the American Steel & Wire Co? addressed to me in answer to your communication to them, with advice that a copy of their letter was transmitted to you, as well. Inclosed was a voucher for \$20.00, drawn in my favor as Secty-treas of the Eagle Lake Property Assn., which naturally, would have to be indorsed by me as drawn and credited on the books of our Assn.

Too bad you did not request them to make their check payable to Edward Runge, the plaintiff, to prevent same from passing thro the Assn books, as you well know that this action vs Newton & Ferris is not an Assn matter as yet and until it is made such, the Secty has no authority to use any of the Assn funds for this litigation.

While I personally favor enlisting the aid and co-operation, both financially and otherwise, of the land-owners who are not members of our Assn., I cannot see how, under the duties and powers prescribed to the Secty in the By-Laws, I could, without specific authority, draw money from the treasury fund to be used for this litigation, which is a personal matter.

However, the fact, that non-member land-owners, such as the Farmers Loan & Trust Co. and the American Wire & Steel Co., are contributors toward this litigation, may have a good effect in inducing our members who have not contributed, to do so.

You may remember my saying to you "that until the action is taken by the assn, out of the hands of the few individual members who are now bearing the expense, I would deem it unwise for you to solicit financial aid from our members," but understand me, "see no objection to your invoking the financial aid from land-owners who are not members, but their remittances ought to be made payable to the plaintiff and not to the Assn or its officers.

You can readily see that in the latter case the contribution becomes an Assn matter and must remain in the Assn until paid out by action of the assn. It was to avoid just such a complication that I lately suggested to Albert Runge, that all disbursements hereafter in this action be made by the plaintiff, thus keeping it a personal matter and not one of the Assn, which has not yet assumed the litigation as rightly it should have done.

The contribution of the Farm L & Tr Co., having been handed to you as an individual, for the plaintiff, is regular and beyond question of the Assn, but how can I, as Secty, indorse and collect checks made out in the name of the Assn without entering same on the books and how can I pay out any funds from the treasury without prescribed or specific authority? I trust you readily appreciate my position in the matter. believe me I am not disposed to be obtrusive, in fact my past action shows that I want to assist you and co-operate with you in every way, but I can't lay myself open to criticism of having overstepped my authority as Secty-treasr.

I will deposit the remittance of the Amer W. & S. Co. and enter it to the credit of the Assn assessment fund and have acknowledged receipt of same with out thanks.

Will you kindly send me copy of your letter to the Amer W & S Co. for my files also advise me whom else you have written, invoking the financial aid in this litigation?

Copies of this letter went forward to Mess Runge, Hurd & Fitzgerald. Mr Fitzgerald wrote me he would add \$10 to his contribution of \$10 which he paid you at the lake and that he would send this \$10 to Mr Runge, who will transmit it to you thereby making up the deficit of \$25 due to the refusal of the Farm L & T, Co., to pay their share of the second contribution of \$100 which was determined upon between us at Runge's this summer. You will then have received the total sum of \$200.00, as agreed to carry the case ~~to~~ to a decision as soon as this decision is rendered on Nov 7th and the date you advised me in your post card, kindly advise Mr Runge, the plaintiff, who will advise Mess Hurd and Fitzgerald and me.

Wishing you success and trusting you may get a favorable decision when the hearing comes up, I am, with regards from Mrs Luthy and myself to you and Mrs Flint, sincerely yours,

E. Luthy