

PETER FLINT  
ATTORNEY AND COUNSELLOR AT LAW

*Ans June 11/14*

Runge,  
vs  
Newton & ano.

NEW YORK, May 30/14.

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Edmund O. Luby, Esq.,  
Secy-Treas Eagle Lake Property Owners' Association,  
Box 232 Cincinnati, Ohio.

My dear Luby:-

Your letter of May 26/14 is at hand. I note your suggestion that Mr. Hurd and you will guarantee to me the payment of a fee of \$100. in case that I succeed in getting an order of the Supreme Court compelling Mr. Newton to restore conditions at Eagle Lake as they were prior to September, 1913.

You also suggest that I again see the Farmers Loan & Trust company in this city with a view of getting them to bear a portion of the expenses of this suit. This I have done, and am preparing at their suggestion a statement in writing to lay before the president of that company for such action as he may deem best.

You say that Mr. Runge or this company should advance me a portion of my retaining fee for preparing and serving the complaint in this action, obtaining an order in Essex County to show cause why a temporary injunction should not be granted for a restoration of the former water level at Eagle Lake, and arguing the motion on a second necessary visit up there, I ought to be able to proceed.

As I have written to you all along in response to your inquiries, I shall charge a fee of one hundred dollars in advance for the work in this cause down to and including the argument for the motion for a temporary injunction order for client's relief. As I have also informed you, I cannot agree to do this work on any conditional or contingent basis.

My retainer fee I placed at the lowest living sum for this important work. Most lawyers would have charged, at least \$300. for said services, as you can readily ascertain from any reputable member of the bar. I need not mention here the many days of time and labor and immense correspondence that this work has already entailed upon me as chairman. (also on the as Secy)

Mr. Runge informed me yesterday that he would send me \$25. on account. If the trust company should remit me \$25.

(K)

XX  
*Runge*

XX

*to be sent in*

X

as you suggested they might do, I will inform you.  
In the meantime, send me \$50. at least, toward my retainer.  
You informed me that Mr. Hurd and Mr. Lodge had promised to contribute about \$25. each toward this suit. I cannot see, therefore, how you will have much trouble in getting it.

There will necessarily be considerable expense, time and labor connected with this matter, as well as a great responsibility, and I have already spent a week in the preparation of my papers in this suit, and the greater part of the next few weeks will have to be occupied in this matter.

Mr. Runge's damages for the rebuilding of his bathhouses alone, he informs me, will be at least \$1,500.

I will prepare a form of affidavit for you to look over, sign and verify before a notary public and send back to me. I will also send one to Mr. Hurd and also to Mr. Lodge. These will be necessary to accompany Mr. Runge's complaint and will be read in support of the motion.

Trusting that I may hear from you soon, I am  
faithfully yours,

*Peter Flint*

cannot count on Lodge.

My dear Mr. Hurd:-  
I received letter just received from Flint.  
Runge evidently is willing to advance \$2500 toward the fee of \$10000 as I requested of him in my last letter & if H & Co will pay Flint \$2500 he will have one half of the fee in advance.  
We cannot depend on Lodge, but may get him to contribute when we have taken action.  
It seems that Flint cannot write not proceed without the \$10000 fee in advance & if you will send him \$2500 I will do the same & that will complete his fee of \$10000 under our guarantee. If either of us contribute toward this expense, we can rebate in pro rata proportion the contribution of each such as Runge, H & Co & myself.  
Advise me what you think of the above or write to Flint. Any thing you conclude to do, I will be with you but I fear unless we give Flint his fee in advance, he cannot proceed.  
Yours in haste  
Peter Flint

Please return this with your reply as I cannot answer Flint.