

SUPREME COURT
STATE OF COLORADO
JAMES R. KILLIAN, CLERK
DENVER

7/1
January 6th, 1916.

Mr. I. S. Smith,
Attorney at Law,
Greeley, Colorado.

Dear Mr. Smith:

In re the case of Stark v. Rogers,
No. 8765, docketed in this court Sept. 11th, last, I
beg to say that no abstract of record has been filed,
although the same was due December 13th, last. It might
be that if you filed a motion to dismiss for failure to
prosecute, plaintiff would have to comply with the rule
or confess the motion.

I have just talked with Judge Bailey about Judge
Wilkin's condition. Judge Bailey visited him last
Sunday and Monday. He found Judge Wilkin confined to
his bed and very, very thin and weak physically, though
mentally he was bright and still took interest in things,
conferring with Judge Bailey about "putting his house in
order", one might say. Every day seems to confirm the
diagnosis made of his case that it is cancer of the lungs,
which is a very unusual place for cancer to attach. His
friends have and are offered no encouragement by the attend-
ing physicians. A letter from a friend which just came to
my desk dated yesterday says: "Of course you have heard of
the very serious illness of Judge Wilkin. When I left
Florence yesterday morning his condition was reported to be
somewhat improved, but the doctors held out no hope for his
recovery". Nothing can be added or done I presume to relieve
the situation and the outcome seems to be near at hand.

Very truly yours,

Asst. White