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CABLE ADDRESS:
"NUMMATUS"

LAW OFFICES
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44 WALL STREET
NEW YORK

November 18, 1895.

Dear Mr. Hill:

Enclosed please find a copy of a letter, dated the 14th inst. but only received today.

Please telegraph me what answer Mr. H. shall make to it.

I am very sorry to hear that Judge Kelly has given an adverse decision.

James J. Hill, Esq.

P.S. Since writing the foregoing, another letter, dated the 16th inst., has just arrived, of which I send you a copy. The Briefs have not yet been received.

*Yours sincerely,
M. H. Sterling*

M. H. Sterling

Thomas W. Pearsall vs.

The Great Northern Railway Company.

St. Paul, Minn., Nov. 14th, 1895

Jacob Halstead, Esq.

170 Broadway, New York, City.

Dear sir:-

I finished my work on the brief last Saturday and gave a manuscript copy to Mr. Grover, the same day, and the brief will be printed and finished tomorrow, and I will send you some copies.

Attorney General Childs today made a request of me to be allowed to furnish a brief in the interests of the state, which he promised to get up so as not to delay us, say within a week or ten days, and that will be the same substantially as presented to Judge Kelly in the hearing of the case of the state, which is not yet decided but probably will be decided within a week or ten days.

I do not think the questions raised by the Attorney General has anything substantially new to the points presented on my brief although he elaborated considerably the question of public policy and it may be policy to grant his request, but I did not wish to take the responsibility of doing this without your approval, and if you do so please telegraph me so that there will be no delay. I will take care that there shall be a stipulation so as to prevent him from delaying the case. I think the other side will not be ready with their brief until the end of the time which he desires.

Yours truly,

Henry J. Horn

St. Paul, Minn., Nov. 16th, 1895

Jacob Halstead, Esq.
170 Broadway, New York City.

Dear sir:-

I send you today by mail a couple of my briefs for the Supreme Court of U.S. in the Pearsall case, and have given copies of it to opposing counsel. Judge Kelly of our District Court of the state filed an opinion today in the case of the state against the Great Northern Ry. Co., granting an injunction, restraining the defendant from carrying out the proposed arrangement with the Northern Pacific Railroad Company. The questions were the same as those in the Pearsall case except that the Attorney General took a wider range on the point of public policy and some other incidental questions.

Judge Kelly however decided the case substantially upon the construction of section 17 of the charter of 1856, giving effect to the reserve power in that section to the extent of warranting the Legislature in passing the laws of 1874 and 1881 referred to in the bill and deciding that they were effective to control the defendant corporation.

I will mail you a copy of his opinion next Monday.

Yours truly,
Henry J. Horn