

THOMAS G. SHEARMAN
JOHN W. STERLING
JOHN A. GARVER
CABLE ADDRESS:
"NUK ATUS"

LAW OFFICES
SHEARMAN & STERLING
44 WALL STREET
NEW YORK

November 21, 1895.

Dear Mr. Hill:

I wrote you on the 18th inst., enclosing a copy of two letters, and now enclose you a copy of another, dated the 18th inst., and a copy of the answer sent today.

Yours sincerely
John W. Sterling
ACB.

James J. Hill, Esq.

ack to Thomson

St. Paul, Minn., Nov. 18th, 1895.

Jacob Halstead, Esq.

Attorney & Counsellor,

170 Broadway, New York City, N.Y.

Dear Sir:-

I enclose you a copy as reported in the newspapers, which I believe to be substantially correct, of the opinion of Judge Kelly, in the case of the State ex rel H.W. Childs, Attorney General vs. Great Northern Railway Company. I have seen the opposing counsel today and signed stipulations for the submission of our Pearsall case to the Supreme Court on Briefs. I am to furnish them with a copy of my brief which has already been done and they are to furnish me by the 25th, inst., copies of their reply. I have their consent to attach Judge Kelly's opinion by way of supplement to my brief so as to have the benefit more specially of one of his points which was not dilated upon by myself, that is to say the provisions in the charter and amendments which it relies on for authority to make the proposed arrangement, which Judge Kelly decided in effect were insufficient for that purpose or for the purposes of consolidation.

We all agreed that it was best to allow the Attorney General to file a brief in our case in the interests of the state, say during the present week, so as to allow time to reply.

In my letter of the 16th, inst., I have written you upon this point asking you to telegraph me, but as the counsel for the defendant are more interested in that matter than our side and to avoid delay it had better be understood that I will agree to this desire of the Attorney General unless you telegraph me to the contrary.

It is desirable that all the important questions shall be determined speedily by the Supreme Court of the United States and this result will be more certainly accomplished by allowing the Attorney General to file a brief as he desires, besides showing an intention on the part of counsel all around to treat the subject with the utmost fairness.

Yours truly,

Henry J. Horn

N.Y., November 21, 1895.

Henry J. Horn, Esq.,

Dear Sir:

On account of my absence and other engagements, your letters of the 14th & 16th inst. have remained unanswered, until today, when I have received your letter of the 18th.

I see no objection to allowing the Attorney General to file in our case the Brief on behalf of the State, so long as the application to the Supreme Court is not very much delayed thereby.

Yours very truly
Jacob W. Halstead