

Foreclosure suit

February 25, 1878

Hill to J.S.Kennedy & Co.

To your telegram we replied, "Your being unable to reach Stephen you have our authority to cabl [Dutch] Committee accepting amount assented and extending time." "A friend of mine who has access to the counsels of the enemy tells me that Becker and Bigelow base there[sic] defense of the foreclosure suit as follows, 1st That the bonds held by the Committee had all assented to the agreement of Aug. 1875 and were deposited and stamped as provided in article 21 of the agreement. 2nd That they hold Mr Geo. S. Oses[?] written acknowledgment at they had tendered the requisite assurances or satisfactory sec-

urity that would represent the non-assenting stockholders with case in the event of sale is provided in article 26 of said agreement 3rd That in the affidavit of Mr Barnes of Nov 22nd last... Mr B says that on the 14th day of Aug. 1876 both demand marked Ex[hibit] K and the notice of recission marked ex L is dated Amsterdam Aug 14th ... & Aug 15th... and they claim [it was antedated and executed and is consequently void and the agreement has never been rescinded] I wired you requesting [you] wire me whether De Graff & Co settled in full with W.G. Morrheads estate. This will be of greatest service to us in passing our bill."

JJH LetterBook, 2/22/78 - 11/9/78, p. 20