

Great Northern Road - Lawsuits Sept. 3, 1895

Hill to E. D. Adams

As I wired you, it is unquestionably the intention of Judge Hanford to take charge of the Northern Pacific property in his circuit. Counsel here believe he will not change the Receivers but will make them responsible to him as far as he can. They also think that Judge Caldwell, who is the senior Judge of the Court of Appeals in this jurisdiction and who has special charge of the Northern Pacific, will resent any attempt to take the control out of his hands. This may result in two sets of Receivers, and in two separate jurisdictions, which would be unfortunate. Last year the N.P. receivership was removed from Judge Hanford

during the strike, the most courageous support & aid. He even went so far as to induce men whom he knew to give up their jobs and take position on the road as engineers &c & when the strike was settled, these men were all dismissed though he asked to have their claims considered. Would it not be quite feasible for the Trust Co. which has brought the suit, to dismiss the present suits and begin de novo in St. Paul, asking for an appointment of new Receivers, or would it not be equally feasible for the Receivers to give possession of the road to the trustee, and allow the trustee to operate the road through its own officers, as trustees in possession?

That is the course which was pursued with the old St. Paul & Pacific prior to its reorgani-

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zation into the Manitoba Company. The pears all injunction suit was fought out bitterly to the end, the argument taking nearly four days. The time was short for preparing the defence, but our counsel feel that they have made the law plain, & are confident that the Judge will hold that our Charter confers abundant authority to do what has been contemplated. If Northern Pacific matters are allowed to go on in the courts as they have been going, and the Western Court attempts to assume the control of the whole property, & this is resented by Judge Caldwell, who has jurisdiction of the Eastern end, the re-organization may be definitely delayed.

JJH LetterBook, 7/9/95 - 6/8/98. n. 149