

St. Paul and Pacific R.R.- Lawsuits

W.P.Clough to Hill, Nov. 4, 1896.

After the foreclosure of the mortgage on the Minnesota and Pacific Railroad Co. in 1860 [?], "all the property and franchises, including the franchise to be a corporation, of the Minnesota and Pacific Railroad Company were sold. The purchasers at foreclosure sale, and their successors in interest, claimed to have acquired ownership, not only of all the properties, but of all the franchises, including the franchise to be a corporation. This claim was disputed by the

taxing officers of the State of Minnesota. The controversy became a suit in the Minnesota courts, under the title of 'Parcher vs. The First Division of the Saint Paul and Pacific Railroad Company.' The litigation ended in the year 1868, by a decision of the Supreme Court of the State of Minnesota reported in 14 Minnesota Reports, beginning at page 297. In its decision, the Supreme Court adjudged that the language of its charter had empowered the Minnesota and Pacific Company to mortgage every franchise it had, and that the foreclosure sale, made under mortgage, would confer upon the purchasers the power to reorganize themselves into a corporation, and proceed under the original

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