

THE KOOSHAREM WATER DISPUTE.

Editor Deseret News:

As a conclusion to what I previously wrote you about our water case, I will now add that a temporary decision was rendered by Judge Blackburn, giving the Koosharem Irrigation company (plaintiffs) three-tenths and the defendants seven-tenths of the waters at the mouth of Otter Creek canyon. The Koosharem Irrigation company has, for a period of ten to thirteen years, been using at least one half of the waters of Otter Creek and the defendant ranchmen (some of them) have only used a portion of the waters from four to five years; still the judge put them on an equal footing with us. The judge promised, however, either to come himself or send some one to examine into the localities, etc., next summer and thereupon to render a final decision.

The people here are in very straitened circumstances, caused by being deprived of the water supply, which they, by very hard labor, thought they had secured to themselves.

The people here are a peace-loving community and this, to a great extent, is the reason why they have not applied to the courts for protection in their water rights at an earlier date. This has also given the defendants a kind of outward appearance of better rights than they would have had a few years ago. Nevertheless, everybody acquainted with the circumstances considers the decision an outrage upon the people of Koosharem.

The new year shows up with fine weather. The health of the people is good, and but for the water question they would be feeling first rate.

L. G. LONG.

RECEIVER LAWRENCE'S COMPENSATION.

At five o'clock Wednesday, Jan. 6th Clerk Bache, of the Territorial Supreme Court, sat in his office, as Special Examiner, to take testimony in regard to the amount of compensation to be paid Receiver Lawrence and his attorney for services rendered in the matter of the escheat proceedings in connection with the Church of Jesus Christ of Latter-day Saints.

District Attorney Varian represented the Government, and Judge Marshall appeared on behalf of the Receiver. The hearing was originally fixed for Saturday last, but had to be postponed in consequence of Judge Marshall being engaged in the mining suit in Judge Anderson's court.

Receiver Lawrence was first examined and testified that he was appointed to that office on July 19th, 1890. He had had charge of the fund since that time, his duties being the care of a number of sheep, the collection of rents from real estate, etc. The several bands of sheep were largely scattered, and he had experienced some trouble, therefore, in getting them together and disposing of them. The real estate had been carefully looked after. About \$250,000 in cash was turned over to him, and the 24,000 head of sheep sold for \$40,000. The money in hand—which was drawing interest when it came into his possession—had been banked, and the

revenue derived from it amounted to something like \$12,000 a year. Last year the gross revenue was from \$22,000 to \$23,000. The care of these interests had required more or less time and attention, and there had been much responsibility connected therewith. In his opinion \$300 per month would be a reasonable amount of compensation for the services he had rendered. He had to furnish a bond in the sum of \$300,000, and that, he considered, would not be in excess of a reasonable compensation. Witness declared that he had made nothing whatever out of the fund on his own account, and had given credit for every item received.

In reply to District Attorney Varian, the Receiver said the money was loaned but at interest, but the court did not so instruct him. The property in his hands had been realizing from the time he took possession of it. When he was appointed Receiver the real property was leased; he had, however, effected new leases. At the present time there was \$320,000 on hand, drawing 4 per cent. interest, less \$5000 to meet current expenses. He based his claim for compensation simply on the care of the property. This work did not occupy all his time, but there was, nevertheless, a great deal to see after.

Judge Marshall was the next witness. He stated that he began his duties as counsel for Receiver Lawrence on or about September 1st, 1891. Since that time he had been more or less occupied with the work. He commenced one suit in this city on behalf of the Receiver; he had also defended one suit brought against the Receiver; in Ogden he argued in three suits and several minor cases. In addition to this, he had held consultations with Receiver Lawrence as well as the law officers of the Government with regard to the management of the fund, and given legal advice and assistance whenever sought from him. He felt some delicacy in making a claim as to any specific amount of compensation, but he thought that \$150 per month—which was the sum allowed to his predecessor, Mr. Dyer's attorney—would be a fair compensation for his services. Thus far he had received nothing in the matter of compensation. The amount he had mentioned would therefore include a retainer.

Attorney Waldemar Van Cott was the last witness. He has been practicing here, he said, for upwards of six years, and was acquainted with the fees usually charged by attorneys in cases similar to the present. His judgment was that \$150 per month would be a fair and reasonable compensation for Judge Marshall's services.

The Receiver was interrogated by Judge Marshall as to the filing of his reports, which he said he did monthly, and they were correct in every detail.

District Attorney Varian then, on the part of the Government, said he should not contest the Receiver's claim for \$300 per month, nor that of Judge Marshall for \$150. The Referee, however, would have to determine the matter according to his own judgment.

Mr. Bache will file his report on the evidence adduced before him when the Territorial Supreme court meets on Monday next.

BRIEF BIOGRAPHICAL SKETCHES OF OUR LAWMAKERS.

THE COUNCIL.

JOSEPH MORRELL,

Democrat, is a native of London, England, and has seen but 37 years of this life. He came to Utah in 1861, and after spending a short season here took up his abode at Logan, where he has remained since. He is a leading business man of that thriving city. His vote for his present position showed him to be 575 votes ahead of his Republican competitor, Mr. Maughn.

DAVID EVANS,

Democrat, has been for a few years past a resident of Ogden, but was born in Lehi and has spent the greater part of his life there and in Provo. He early engaged in mining, but was not very successful from a financial point of view. Studied law and was admitted to the bar in 1880. He has held the office of Assistant U. S. Attorney, but we believe this is his first elective office. He is 40 years of age. His plurality over Hulaniski (Rep.) and Kiesel (Liberal) was only 10.

JOHN D. PETERS,

Democrat, is a native of this city, where he was born in 1850, but for many years past Box Elder county has claimed him for her own. He has held the office of Probate Judge and several business positions of responsibility. He carried his district by 395 plurality over Lowe (Rep.) and Guthrie (Liberal).

ROBERT N. BASKIN,

Liberal, does not need much of a biographical sketch so far as making him acquainted with the majority of our readers goes. He was born in Ohio and is about fifty-nine years old. His plurality over Williams (Dem.) and Harkness (Rep.) was 1125.

JAMES GLENDINNING,

Liberal, was born in Dumfriesshire, Scotland, and is forty-eight years of age. He was, however, educated in the United States, and shortly after the war came to the western country, passing several years in the mining districts north of us. He came to Salt Lake in 1882 and engaged in the hardware business, which he still follows. He defeated Benson (Dem.) and Lowe (Rep.) by 1180 plurality.

P. J. MORAN,

Liberal, is an Anglo-Irishman, his parents being Irish and his birthplace Yorkshire, England. He has little, if any political experience but is well known among laborers' societies here. His plurality over Young (Dem.) and Sharp (Rep.) was 1120.

A. J. MCCUITION,

Democrat, who represents the Fifth Council district, is 36 years of age and was born in Carson City, Nevada. He is a thoroughbred American by heredity and otherwise. He resides in Tooele City, where he has held the offices of county clerk, county recorder, and is now prosecuting attorney. He has a retiring disposition but not to the extent of permitting those whom he represents to be unrepresented, and is studious, painstaking and capable. His plurality is one of the largest of any of his Democratic associates, being 660, and his clear majority 112 over Hague (Rep.) and Gallagher (Liberal.)