

## RECEIVER LAWRENCE'S COMPENSATION.

Following is the report of Referee Bache as filed in the Supreme court:

The amount of cash received by said receiver from Frank H. Dyer, late receiver, was \$256,750.44.

The receipts by Henry W. Lawrence, receiver, during the term above mentioned, were \$79,391.54, the same being income from rents of the several pieces of real estate in his hands, sale of sheep and wool, dividend on gas stock and interest allowed by the banks on the amounts deposited with them.

I find that the receiver succeeded in obtaining 3 per cent. from the banks, beginning with July, 1890, and that rate was paid until January and February, 1891, when 4 per cent. was paid. (The Deseret Savings bank paid 4 per cent. per annum during the entire term.) The Union National bank, where the receiver keeps his active account, paid interest on the average daily balance, less \$10,000, until February 27, 1891, when this amount was reduced to \$5000.

The sale of sheep and wool was properly advertised as per directions from the court, and the highest prices possible were obtained.

During the term mentioned heretofore the receiver paid out a total of \$19,053.72; showing excess of receipts over expenditures of \$60,337.82.

I have carefully examined the vouchers for the several amounts paid out and find them in due form and properly executed.

Of the total amount expended, the sum of \$7925 was paid out under order of court in that behalf, the same being the salary of the late receiver, Dyer, compensation to his counsel, reporters' and examiners' fees; leaving the sum of \$11,128.72 paid out by the receiver without order of court, of which the sum of \$6051.18 was for taxes and insurance on real estate and for plumbing in the Gardo house, the latter expense being incurred after receiving directions from the court. The taxes paid were for the year 1890, the court having ordered the same not to be paid at the time.

Of the remaining \$5,077.54 the sum of \$575 was for clerk hire; \$1,985.72 for expenses incurred by the late receiver, F.H. Dyer, and \$2,037.75 incurred by Receiver Lawrence, in sale of sheep, wool and other sundry incidental expenses, incurred in the management of the Receiver'ship.

I have found no items of disbursements that do not seem to have been reasonably necessary in the discharge of the duties of such Receiver.

The cash in the hands of the receiver, therefore, on the 12th of September, 1891, being the date of said receiver's final report, was \$317,097.26, which amount I found upon personal inquiry at the several banks where said fund was deposited to be to the credit of said receiver.

The receiver paid for a clerk the sum of \$50 per month, until August, 1891, when but \$25 was paid and charged in his account.

I find that at least a portion of the time of a competent accountant is necessary for keeping the accounts in a correct and systematic manner, and I think the charges as made for clerk hire reasonable, just and should be allowed. The Receiver made no charge for office rent in his account.

No objection to any of the items in said Receiver's accounts has been made to me.

On the matter of fixing the compensation of the Receiver and his counsel for services rendered pursuant to the order of references hereinbefore referred to, I notified the respective parties of the time and place when I should hear testimony

in relation thereto, and on the 6th of January, between the hours of 2 and 5 o'clock of said day, in the afternoon, the examination was held at my office. There were present C. S. Varian, for the plaintiff, the United States, H. W. Lawrence, the Receiver, and his counsel, John A. Marshall, appointed F. E. McGurrian as reporter, and took all the testimony offered by the respective parties in interest respecting the nature of the services rendered by the receiver and his counsel from the time of their respective appointments up to September 12, 1891, and touching the amount of compensation that should be allowed said receiver and his counsel, John A. Marshall, and I annex hereto all of said testimony and marked exhibit B. The undersigned further certifies and reports that said testimony clearly shows that there should be allowed and paid to the receiver for his said services \$300 per month, beginning with July 19, 1890; for the term covered by this report there would be thirteen months and twenty-three days, making therefor \$4130; and to John A. Marshall for his said services as counsel, \$1800 per annum. His services began September 1, 1890, and there would be due him the sum of \$1860.

Respectfully submitted.

JOSEPH P. BACHE, Special Master.

The judges took the matter under consideration, and after consulting for some time reduced the compensation of the receiver from \$300 to \$250 per month.

As examiner Mr. Bache was allowed \$50, and Mr. McGurrian \$15.40 for reporting.

## CURRENT COMMENTS.

The gripe still maintains its hold and spreads in European countries, but has somewhat diminished in the United States. There are a good many cases in this city, but, thus far, the disease has assumed a much milder form than last winter.

Notwithstanding assertions from some quarters to the contrary, the revolutionary spirit is spreading in Mexico, a fact that ought to be greatly regretted. The other day the town of Ascension was seized by the rebel party, after a bloody fight. Now it is stated that Casa Grande is also in the hands of the revolutionists. These are equally times.

It is asserted that Dr. Keely, of Dwight, Ill., in a letter to a friend, suggested a treatment for an ailment exceedingly common in these days, thus: "I would like to suggest a treatment for the gripe, which I know is nearly as specific as well as innocent. It is simply assafoetida, given in four grain pills, one pill four times a day. No man need be sick of the gripe these days who will take it. For the past two years, with all the patients here subject, of course, to such an epidemic, I have not had one man to go to bed from the disease. I break it up very quickly, and, in fact, cure it. If this treatment was generally known it would save sufferers much expense and wretchedness and many useful and valuable lives."

It looks as if the monks of Benedictine Abbey, at Freamp, France, must have been in the habit of having gay times. At least they were well stocked with the means of becoming elated. When the building was burned 200,000

bottles of liquor and 1500 hectolitres helped to augment the flames. Sir Walter Scott evidently knew what he was doing when he introduced "Friar Tuck" as a character in one of his enchanting tales.

The Chinese cultivated wheat 2,700 years before the beginning of the Christian era, always considering it as a gift direct from heaven. Scientific agriculturalists are of the opinion that it was widely known and cultivated by prehistoric men. At the present time it is the principal bread corn of the leading European nations, and is fast supplanting the use of maize, or Indian corn, in the American States.

The South Dakota wheat crop will average at present prices \$1,000,000 to each county. Some eastern people holding mortgages on Dakota land, will be agreeably surprised by having them paid off this fall. With another favorable crop next year, this State will be loaning her own money.

A statue of Washington Irving has just been completed by John Marchant Mundy, a blind sculptor living in Tarrytown. The model is one-third larger than life, and represents Mr. Irving seated in an easy chair, with one leg crossed over the other. Mr. Mundy went to New York at the age of twenty-two, at which time he still retained his sight, and worked for a short time in an ordinary marble-yard. From that time, 1854, he produced a number of works, although his sight was steadily failing. He is now totally blind, and this last statue has been modeled with only the sense of touch to guide him.

The following appears in the *Mil-lennial Star* of January 4th: "Writing from Paisley, Scotland, Brother William Service relates an incident which recently occurred in the branch of the Church at that place. In the latter part of November, Mr. John Black and wife became interested in the Gospel. The husband was an invalid; he had been given up by the doctors, and for three months had not been able to go downstairs. He was visited by the Elders, received their testimony, and desired baptism before he should pass from mortality. As he was not in a physical condition to go to a place where the ordinance could be administered, the members of the Paisley branch united their faith in beseeching the Lord to strengthen him for that purpose, and observed Saturday, December 5, as a fastday. The prayers of the Saints were answered, so that on the date named Mr. Black felt better than he had done for a long time, and he and his wife went and were baptized. The following Wednesday evening he was enabled to attend the branch meeting. On Sunday, December 13, eight days after his baptism, he passed quietly away. Before doing so, however, he blessed his wife and enjoined her to be faithful and go to the House of the Lord for the blessings to be received there. Brother Black heard the Gospel, and when he had chosen the better part the power of God was manifested in his behalf, and the way was opened for him to come into the Church of Christ before he passed to the spirit world."