

(198-204)

IN THE DISTRICT COURT IN AND FOR THE FIRST JUDICIAL DISTRICT
OF UTAH TERRITORY, COUNTY OF UTAH

Salt Lake City, et al.,
Plaintiffs,
vs.
Joseph H. Collage, et al.,
Defendants.

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NOTICE OF APPEAL

To the Defendants above named, and to their Attorneys, Evans & Rogers, Saxey & Edwards, Ira W. Kenward, Charles DeMoisey, D.D. Houtz, Robert Anderson, and Thurman & Wedgwood:

You are notified that the plaintiffs in the above entitled action appeal to the Supreme Court of the State of Utah from those certain portions of the judgment and decree made and entered therein, on the 3rd day of January, 1896, which are in the words and figures following, to-wit:

"It is further ordered, adjudged and decreed, that the plaintiffs are entitled to at all times keep and maintain planks or other obstructions on the floor or sill of the new dam erected by them in the Jordan River, to the height of Fourteen (14) inches above the floor or sill of the new dam, and no more. x x x x

"If the said Commissioners order the removal of said planks or other obstructions after the first day of October in any year, the plaintiffs shall not have leave to replace the same until the fifteenth day of March of the following year, nor at that time unless the commission shall so decide. xxxxxx But then at any time, on or after the first day of October, in any year, the said commissioners shall have ordered the plaintiffs to remove said planks or obstructions from said dams, the said plaintiffs shall remove the same, and the waters of said river shall be permitted to run free and unobstructed from such obstructions until on or after the fifteenth day of March, of the following year, and until the said commission shall decide that obstructions may be placed in said dams or until the said waters shall have receded to the elevation hereinbefore designated."

Signed RICHARDS AND RICHARDS
Attorneys for Plaintiffs.

We hereby acknowledge service upon us of the foregoing notice of appeal and a copy thereof, this 29 day of February, 1896.

EVANS AND ROGERS
SAXEY AND EDWARDS
THURMAN AND WEDGEWOOD
DeMOISEY AND KENWARD
By H.C. EDWARDS
Attorneys for defendants.