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Title: **Autobiography of Edward B. Clark-042**

Provenance: **Owned by Alisha Clark**

Category: **Volume**

Person:

Date:

Autobiography of Edward B. Clark. Original copy given to Antone Clark.

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You will note that instead of transferring all the water of the Creek, he just signs all the water to those forty shares of water. Of those shares, twenty were lot shares and twenty field shares. They were used on different parcels of land under different ditches.

When in Court as a witness in the water suit, in answer to a question by defendant attorney, I testified that E.T. Clark did not sign all his water, but only a certain amount pertaining to the number of shares specified. I was called a liar. I knew, however, I was telling the truth for I remember so well of my fathers answer, and the making out a special assignment paper by me for him to sign, and so far as I know it was the only one different from the others.

When the case was in court, we tried hard to find the assignment paper that father had signed. I knew there was one somewhere for I had had possession of all the papers for quite awhile. After the case was all over, this paper containing the assignment was found in a private lock-box in the bank. It was largely on the content of this paper signed by my father that the suit hinged, as the water company held out that my father had turned all his water into the company. I had no way of proving my assertions, while others testified he had turned over all of his water and they presented as evidence assignment papers which they testified all water users had signed. This form is as follows: "For and in consideration of the issuance to me of _____ fully paid up of the capital stock of the North Cottonwood Irrigation and Water Co., I hereby sell, as-

sign, and transfer to said company all my right, title and interest in and to the water of the North Cottonwood Creek as heretofore used and owned by me." Note the difference in the two notes. Ezra T. Clark would not sign this assignment, but did sign all the water pertaining to the 40 shares as specified.

In trying to settle the dispute over the water out of court, I talked with the president