

CIRCUMVENTING HIGHER COSTS

The advertising that appears in The Sun is news. It is vital news that affects the pocketbooks of every reader. Readers of The Sun who scan the advertisements regularly usually know how to make a dollar go the farthest. They don't read the advertisements to kill time, but to gain information on how to circumvent the high cost of living.

The advertising columns of The Sun are like the articles in a rambling showcase. No merchant puts anything in a show window that doesn't appeal to the passerby. And no merchant in Price would think of advertising anything in The Sun that he doesn't think would hit the spot.

The Sun is the catalogue of local merchants. It costs them little and saves Sun readers money.

LOSES IN ACTION AGAINST THE RAILROADS

PETITION DENIED IN FEDERAL COURT LAST SATURDAY.

Court Holds That Interstate Commerce Commission Alone Has Jurisdiction—Federal Tribunal Passes the Ball Throwing Out of the Shortage of Cars—Mandamus Asked.

On the ground that the court is without jurisdiction or authority to grant the relief prayed—for the reason that the interstate commerce commission alone is authorized to make rules in such matters—Judge Thomas D. Johnson in the federal court last Saturday denied the petition of several Utah coal companies for a writ of mandamus against the Denver and Rio Grande and the Utah Fuel companies regarding them to equitably distribute cars for the transportation of coal. The petitioners invoking the aid of the federal court were the Standard Coal company, Independent Coal and Coke company, Spring Canyon Coal company and the Cameron Coal company.

In their petition filed in the federal court a few weeks ago, they prayed for the writ of mandamus against the railroad companies and the fuel company for the equitable distribution of cars in accordance with the terms of a rule which, it is alleged, the defendant companies had heretofore promulgated. The petitioners alleged that they are the owners of certain coal mines situated in Carbon county; that the Denver and Rio Grande operates a railroad and is engaged as a common carrier in interstate commerce; that the coal mines of the petitioners are located on the lines of the Denver and Rio Grande and the coal companies are dependent upon the Denver and Rio Grande for transportation of the coal mined and shipped by them.

Short Line Included.

The Oregon Short Line was mentioned in the petition as a connecting carrier of the Denver and Rio Grande. The Utah Fuel company was mentioned as a corporation engaged in operating certain coal mines in Carbon county and shipping its product in competition with the petitioners, and also engaged in the manufacture of coke. It was further alleged that the purpose of distributing cars to such petitioners and the said Utah Fuel company and other coal companies the Denver and Rio Grande heretofore established a certain system of empty car distribution, which said system the Oregon Short Line had adopted in so far as cars are furnished from its railroad to the Denver and Rio Grande for the purpose of shipment of coal from the said mining properties herein mentioned.

The petitioners allege that for more than a year past, and up to the time of the filing of the petition, there existed a shortage of cars, as well as a lack of motive power for the shipment of coal, and that during the period of the shortage the railroad companies, in violation of the rule heretofore adopted, discriminated in the distribution of cars against the petitioners and have, in violation of the rule, furnished the Utah Fuel company more cars than it was entitled to receive and to the petitioners a fewer number of cars than they were severally entitled to.

Prayer of Petitioners.

The petitioners prayed the court that the defendants be required to distribute their said discriminatory practices in the distribution of cars and to apply the system of car distribution according to a rule promulgated by them. In his decision Judge Johnson said:

It is apparent from the petition that the Oregon Short Line does and can do no more than deliver cars to the Denver and Rio Grande Railroad company, and under no view of the circumstances would the petitioners be entitled to a writ of mandamus against the Oregon Short Line railroad. This court will not require by writ of mandamus that companies do what it is powerless to perform, and the same reason applies with equal or greater force to the defendant Utah Fuel company.

It may be true that by reason of the alleged contract relations between the Oregon Short Line and the Denver and Rio Grande with respect to the distribution of cars, and by reason of the alleged ownership of the corporate stock of the Utah Fuel company by the Denver and Rio Grande that these defendants may be jointly parties in this litigation and that by reason of their interest in the result thereof the court might be jus-

tified in permitting them to appear and defend in the cause. They certainly are not necessary parties to the determination of the matter at issue, or in securing to the petitioners the full relief against the practice concerning which they complain.

Denial is Ordered.

"As both the Oregon Short Line and the Utah Fuel company have appeared and defended to the petition, praying that they be dismissed from the action, I can see no sufficient reason why they should be retained in the cause against their will. The action, therefore, will be dismissed as to each of said defendants unless petitioner, within a reasonable time, applies to the court for leave to amend.

The defendant, the Denver and Rio Grande, has filed its answer hereto, denying in the material allegations of the petition and alleging affirmatively that it has at all times carried out the rule adopted, promulgated and filed with the interstate commerce commission with respect to the distribution of cars to the petitioners, the Utah Fuel company and other coal companies.

"In the guidance of the parties in the conduct of this proceeding in view of the fact that I am of the opinion that where a railroad company adopts, promulgates and files with the interstate commerce commission of its own volition a rule or system of car distribution this court has authority to require such railroad company to carry out its rule according to its terms so long as such rule remains unrevoked and in force.

"Such rule, however, should be clear and unequivocal and its meaning apparent to the subject matter without the necessity of construction. If the reasonableness of the rule is attacked this court is without authority to grant the relief prayed for, as the interstate commerce commission has sole jurisdiction in such cases.

Without Jurisdiction.

"If, as intimated at the argument, in order for the rule to be equitable, fair and just to the petitioners, cars furnished by the Utah Fuel company for the shipment of coke should be included in the distribution of cars to the several users, and the rule promulgated by the railroad company does not include such coke cars by its terms, this court would be equally without jurisdiction or authority to grant the relief prayed for, for the reason that the interstate commerce commission alone is authorized to make rules in such matters.

"The sole power of this court is and would be to require the Denver and Rio Grande Railroad company to carry out a rule already made and the terms of which are clear and explicit."

NO COAL AVAILABLE ON THE WEST COAST OF OLD MEXICO

MEXICO CITY, MARCH 2.—With regard to reports that Frank Dopp, German German consul general at San Francisco, was paymaster for German agents who were buying coal in Mexican west coast ports for German vessels, officials here say that no coal is available in that portion of the country and that there is an extreme shortage elsewhere. Any coal bought for German vessels, they declare, must have been purchased in other countries.

Former Consul Dopp, who is under sentence in San Francisco after conviction for conspiring against neutrality of the United States, has denied reports originating in San Diego that he acted as paymaster of German coal buying agents in Mexican west coast ports.

Raymond H. Ryan of Hollywood, Calif., has brought suit in the United States court in which he seeks to recover claims held against the James Coal and Ice company of Ogden amounting to more than ten thousand dollars. It is also asked that the company be placed in the hands of receivers. Institutions supporting the company also are made defendants.

INTEREST IN GROWING IN COMING LIVE STOCK SHOW

Such interest is being manifested in the coming live stock show, April 2d, 4th and 5th that the management of the Intermountain Live Stock show has deemed it advisable to increase the amount devoted to prizes from seven hundred to fifteen hundred dollars. This has been decided upon largely because of the interest which the live stock growers of Idaho and Colorado are taking in the show, and because there is every reason to believe that the Salt Lake City market will develop into one which will offer the top prices for beef, mutton and pork.

It is said that stockgrowers of Idaho and Colorado will be more extensively represented at the coming show than the stockgrowers of Utah and this is crossing a great amount of rivalry. There are those who predict, however, that when the show opens on the morning of April 2d the stockmen of Utah will be well represented and will outclass in number and quality those of any other state.

Merchants coupon books in all denominations. The Sun.

The Sun

POLITICALLY REPUBLICAN

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EVERY FRIDAY

MARCH 9, 1917

VOLUNTARY MOBILIZATION.



NOTICE TO TAXPAYERS

Salt Lake City, March 7, 1917.

Honorable Mayor and City Council, Price City, Utah.

Gentlemen:— On behalf of myself and associates I desire to withdraw the offer heretofore made to transport and deliver to your city and its inhabitants reasonably pure water as provided in an ordinance heretofore passed and adopted.

When I made the offer I was informed that the people of Price were practically unanimous in their desire to secure a supply of pure water and that there would be no opposition to the proposal I made. Since then I have learned that certain individuals—taxpayers of Price—have objected to the proposed contract, and have claimed that they and their associates are able and willing to supply your city with pure water at a much less cost than in the proposal made by me and my associates.

In view of this objection and the views expressed by a number of your prominent citizens, I do not desire to ask the people of Price to make a contract with me—a non-resident of your city—when your own townsmen claim they can supply you with water at a much less cost than I can.

Should opportunity offer in the future where I can be of service in assisting Price in securing a much needed supply of good water, I hope you will not hesitate to call upon me, and I will render such service as I can, willingly and freely.

Yours respectfully,
A. C. ELLIS, JR.

In view of the acceptance of the foregoing withdrawal, and a resolution duly made and adopted by the city council on this day and date, the election called for Saturday, the tenth day of March, A. D. 1917, is hereby withdrawn.

(Signed) A. W. HORSLEY,
Mayor.

Dated at Price, Utah, this 8th day of March, A. D. 1917.

Attest: L. A. LAUBER,
City Recorder.

MAKES GOOD SHOWING

Principal A. C. Hoover of the Academy to Remain Another Year.

If ever there were those who have not believed in the future of Price academy they should have attended the meeting of the board of trustees of that institution and heard the principal's report together with the expression of the highest degree of satisfaction with the year's work as declared by the retiring superintendent, Dr. E. J. Mills, and his successor, Dr. John J. Lane. The present school year has been the only one of its kind and reflects an unimpeachable courage on the part of those who have been in charge and directing the school. Persistence coupled with sincere effort has saved the day for the educational work of the Methodist Episcopal church in the state of Utah. The local community has watched with interest the new birth of the academy has had within the last six months and The Sun is glad to see the present policy so heartily endorsed and continued for at least another year, for Prof. A. C. Hoover has committed to remain. He is a worthy man and came to the academy after three years in a similar institution in Montana.

Professor Hoover's report will be found on page two of this impression of The Sun.

WRECK AT SEANARDVILLE SPELLS CONSIDERABLE COAL

Quite a bad wreck occurred up near Seanardville Monday when twenty-three cars of coal from the Carbon Fuel company at Hales got away from the engine and were badly piled up. Seventeen cars went into the ditch with hundreds of tons of coal, just missing a Greek coffee house and several tents which are being used on account of the large number of workmen in the camp. The grade is steep and the curves dangerous and the new engineer, unfamiliar with the road, lost control, it is said. No one was hurt. The wrecker was sent out from Helper and soon had the tracks cleared.

McKINNON AND GILMOUR BUY PRICE COMMISSION COMPANY

A deal was made during the week whereby A. W. McKinnon and Mat Gilmour become the owners of the Price Commission company, buying the same from H. B. Robinson. Both McKinnon and Gilmour have resigned their positions, the former as cashier of the First National bank and the latter as bookkeeper for the Stevenson Lumber company. They will devote their time in the future to the business. H. B. Robinson, the former owner, has not given out his plans for the future, but will probably remain in Price and engage in some other business.

Cashier Joseph T. Farret of the First Commercial and Savings bank and James McThorn of Green River are in the East this week buying some purchased Hereford bulls for their big cattle ranch on the Green river. The best stock to be had is to be brought to Eastern Utah.

Local stockgrowers are planning on a stock show to be held in Vernal during the month of March. In that the Utah Basin has some very fine registered animals of all kinds, it is believed this show will be of great value to the local stockraisers.

PRICE HAS THREE FIRES WITHIN THE WEEK

Early Morning Blaze Destroys the Walter Bass Home.

There is an old saying that one fire will call for three. This has certainly held good in Price during the past week. The first one was that of the shoe shining parlor, Saturday morning, and the second at the residence of Roland Carroll Tuesday afternoon. The third and last one occurred this (Friday) morning about 2 o'clock at the home of Walter Bass, near the city park on North Sixth street. Bass got up about 4 o'clock to start a fire in the stove and had gone back to bed for a short nap when he was awakened by the smell of smoke. On investigation he found the house on fire, having only time to get his wife and babies out with only their night clothes on. The building and contents were a total loss, not a thing being saved.

The house, a one-story structure, had only been recently finished and was insured for eight hundred dollars. The fire truck was a little late getting to the scene and when it arrived the building was too far gone to be saved.

FIRE SATURDAY MORNING DESTROYS SHINE PARLORS

Fire Saturday morning about 2:15 o'clock destroyed the bootblack stand and confectionery at the corner of Main and Ninth streets adjoining the First National bank building, and by the time the truck arrived on the scene the flames were beyond control. How the blaze started is a mystery, but it is supposed to have started from the stovepipe. The contents and building was a total loss. Considerable damage resulted to the wall of the bank as well as to the plate glass in front and an upper story window. The business was owned by Chris Pappas, who conducted a shoe shining parlor and confectionery. The building and contents were insured for eight hundred dollars, which fully covers the loss.

MARRIED AT CASTLE DALE

Tom Averill and Miss Theima Fouts Surprise Their Friends.

Tom Averill and Miss Theima Fouts, two popular young people of Price, surprised their friends last Saturday afternoon by slipping away quietly to Castle Dale, where they were married, being accompanied by Miss Jane Christopherson and James Wade. So quiet were the young people about it that their own folks did not know of it until the bridegroom broke the news gently by telephone to the bride's father. They returned in the evening and are stopping at the home of the groom's parents on North Ninth street, where they are receiving the congratulations of numerous friends. Mrs. Averill resumed her place as teacher in the public schools Monday morning.

The bride is the youngest daughter of Mr. and Mrs. Thomas Fouts of Price and has practically grown to womanhood here, while the groom is the oldest son of Mr. and Mrs. Charles Averill of this city and a ballplayer of some reputation, having been with the Salt Lake team a part of last season.

JURY SAYS NO CAUSE FOR ACTION IN MANSON-HARRIS CASE

The first three days of this week in district court were taken up in the hearing of the case of J. H. Manson against C. R. Harris, the case being tried before a jury. This was an action to recover on a note for four hundred dollars, given by the defendant, Harris, to H. J. Turner, alleged by the latter as being given to him for personal services performed in connection with the sidewalk paving contract entered into between the city and Harris and Silvington contractors. The note in question came into possession of Manson through a real estate deal between himself and Turner, the former accepting the note as part payment on the transaction. Harris refused to honor the note on the grounds of extortion, claiming Turner was not lawfully entitled to extra compensation for the work he performed. The trial attracted considerable attention and was fought hard by both sides.

Evidently the minds of the jurors were clouded by the mass of testimony presented and the array of arguments by counsel, and after only a brief interval returned into court with a verdict of "no cause for action."

Arrangements have been made with state live stock authorities for two Salt Lake City and Ogden packing companies to carry out plans of importing pigs for the establishment of prize pig raising contests among the boys and girls of the state. Dr. A. C. Young, state live stock inspector, says that no objection to importations of stock will be made if they are accompanied by certificates from state or federal authorities that the animals were taken from districts uninfected by cholera.

HOW TO DO IT.

Some deluded folks in and near Price seem to imagine that they cannot get anything as cheaply here as they can by sending their money afar off. Those who do this should make a practice of watching the advertisements in The Sun closely.

That's where the bargains are to be found. When a merchant has confidence that the price he has set on an article is a "puller" he invariably has the business courage to announce it. Otherwise the advantage to him would be small—it would be like doing business in the dark.

Watch The Sun and prove that you can buy as cheaply here, all things considered, as anywhere.