

FEDERAL AID ASKED IN THE COAL SITUATION

INDEPENDENT PRODUCERS OBTAIN WRIT AGAINST RAILS

Denver and Rio Grande and Oregon Short Line Are Discriminating in the Distribution of Railroad Cars, Is Complaint—Works Hardship On Certain Mine Owners.

That the representation that the Denver and Rio Grande railroad and the Oregon Short line, the main arteries in supplying coal in all sections of the intermountain territory, by unjust discrimination in the distribution of their cars for coal shipments, had brought about a condition of much suffering during this cold weather, the intervention of the United States court was sought last Friday through the medium of a petition for a writ of mandamus to compel the railroads to perform a duty they owe the public.

The petition sets forth that the discrimination complained of through a system of car distribution inflicts great hardship on certain mine owners in favor of the Utah Fuel company, a corporation owned and controlled by the Denver and Rio Grande, preventing the petitioners from supplying coal to dealers on the lines of the railroads. An order to show cause why the petition should not be granted was issued by Judge Tillman D. Johnson in the United States court Friday, returnable on January 26th. Until a hearing is had the railroads are ordered to discontinue their alleged discriminatory practices against the coal producers of Utah.

Companies Unable to Deliver.

The petitioners are the Standard Coal company, the Independent Coal and Coke company, Spring Canyon and Cameron Coal companies. Through their attorneys, A. R. Barnes and G. A. Iverson, they set forth reasons in their petition why the mandamus should be granted and made permanent. They state that while the people of Utah, Idaho, Montana and Nevada are suffering from the cold of one of the severest winters on record, the Anaconda smelter is kept running at full blast and the time is at hand when the aid of the courts must be had if the public is to be relieved. In this connection it is pointed out that American families are suffering that the big industries may be kept in operation for manufacturing munitions of war.

It is set forth in the petition that the Utah Fuel company, operating mines at Sunnyside, Cattle Gate, Clear Creek, Winter Quarters and Utah Mine, all located in Carbon county, is owned solely and entirely by the Denver and Rio Grande and has been favored by the railroad company in the distribution of cars for the shipment of its output; that by reason thereof the competing companies along the route of the Denver and Rio Grande have been unable to fill large orders for coal.

Say Monopoly is Practiced.

The complaint says further: "The petitioners heretofore built up and established an extensive business in the sale and shipment of coal to points along the railroads in the states of Utah, Idaho, Montana, Washington and Oregon, and the shipments of coal must necessarily be made over the said railroads. That they must depend for cars and equipment and facilities for transportation, including motive power, entirely on the said railroads. That for the purpose of distributing cars to your petitioners and the said Utah Fuel company and other coal companies, the Denver and Rio Grande railroad established a certain system of empty car distribution, which system the Oregon Short Line adopted for the purpose of shipments.

"That for more than a year a shortage of cars has existed from the properties of the petitioners, during which time they had large orders for coal in railroad lots to be shipped and delivered to points along the lines of the said railroad companies, but have been unable to fill same owing to the shortage; that during the time of the said shortage the railroad companies, while pretending to distribute cars to your petitioners for the purpose of the shipment of coal, under their system of car distribution have and do now discriminate against your petitioners in the distribution of said cars and are distributing and furnishing cars to the Utah Fuel company in a greater proportion than they are entitled to, sufficiently so that the Utah Fuel company has been enabled to ship approximately 100 per cent of its output of coke and coal from its Sunnyside mine, while on the other hand the petitioners are able to ship not to exceed approximately 50 per cent of the output of all their mines.

Placed at Disadvantage.

"That by reason of the undue, unreasonable and unfair discriminatory application of available cars the petitioners will continue to be prejudiced and injured and placed at a great disadvantage with reference to the competitive business with the Utah Fuel company; that their customers and patrons located at points along the said railroads have been irreparably damaged and the consumers of coal and the public generally are being deprived of their opportunity to receive coal as necessary and are thereby caused great suffering and distress."

It is further claimed that there exists an agreement between the defendant railroad companies and the Utah Fuel company in which the railroads are bound to furnish the Utah Fuel company sufficient cars at all times, regardless of the shortage, to permit the shipment of the fuel company's entire output of coke. This agreement, it is claimed, is in violation of the federal law.

The prayers concluding the petition

urge upon the court to issue a writ of mandamus, requiring and enjoining the Denver and Rio Grande and the Oregon Short line and the Utah Fuel company to discontinue their discriminatory practices in the distribution of cars and requiring them to apply the system of car distribution to all shippers of coal and coke from Carbon county, and requiring all railroads to furnish and deliver to the petitioners their pro rata of available cars, and requiring the railroads to move cars over their lines without discrimination and without partiality.

When called upon for a statement in connection with the charges of the petitioners, counsel for the Utah Fuel company expressed surprise at the issuance of the action in the United States courts. However, the information was volunteered that there had been no service of papers in the action, and until such time any and all statements must of necessity be withheld. "All we know about it here is what we hear from the outside," said one of the attorneys, "and until we know what we are charged with we

cannot make a statement. However, as we understand it, we have until January 26th to make answer, and in that respect we will be well prepared."

COAL MINERS STRIKES IN COLORADO ABOUT SETTLED

DENVER, Colo., Jan. 12.—A virtual settlement of threatened coal strikes in the Northern Colorado coal fields and in the mines at Colorado Springs, was announced last night by members of the Colorado industrial commission.

Under a temporary agreement the men are to continue work at a 5 per cent increase pending investigation. The northern miners demanded a 12 1/2 per cent increase while the Colorado Springs miners demanded 18 1/2 per cent increase and the abolishment of alleged discrimination against union miners. About a thousand miners are involved.

Merchants coupon books in all denominations. The Sun.

HAGENBARTH AGAIN CHOSEN HEAD OF THE NATIONAL WOOLGROWERS

Frank J. Hagenbarth of Salt Lake City was unanimously re-elected president of the National Woolgrowers' association at the concluding session of the fifty-third annual convention of the association at Salt Lake City last Saturday afternoon. When Hagenbarth's name was put to the meeting the assembly rose in a body and stamped approval on his nomination. This marks the fourth year for Mr. Hagenbarth to serve as president. The other officers were also re-elected. They are A. J. Knollin, Chicago, Eastern vice president; M. I. Power, Flagstaff, Ariz., Western vice president, and Dr. S. W. McClure, Salt Lake City, secretary.

President Hagenbarth thanked the woolgrowers for the confidence reposed in him. He paid a glowing tribute to the work done by Dr. McClure, through whose individual efforts the association has been brought up to a high state of efficiency.

Headquarters Will Remain At Salt Lake City.

Another feature was the presentation of a motion by Joseph Kinney of Wyoming that next year's meeting should be held in California. The motion was overwhelmed in defeat. Frank R. Gooding, former governor of Idaho, said that Salt Lake City was centrally located and that it would be nothing short of a calamity to move headquarters from that city. Gooding also said that before the motion could be put an amendment to the constitution of the association, carrying a two-thirds vote, would have to be submitted. Several delegates emphasized that Salt Lake City was a home from home and pleaded that that city should remain the convention city.

The other feature of the meeting involved the reports of the committee on resolutions. The chief recommendation, which carried unanimously, was that congress should be urged to make an appropriation of \$300,000 for ridding the country of predatory animals. It was said that coyotes and other animals had preyed on the sheep folds to an alarming extent and government action was necessary to protect the stock. The various states of the West were also urged to make appropriations with a view of eliminating destructive pests, many of which had conveyed rabies to stock.

Want a Definite Standard For Wool.

Another resolution recommended that the United States department of agriculture should be petitioned to fix a definite standard on which wool might be sold at American markets. It was recommended that the United States bureau of animal industry be urged to conduct experiments to determine the best and most economical way of feeding sheep.

The committee recommended that the agricultural committee of congress should be vigorously condemned for disallowing a proposed appropriation of \$20,000 for an experimental farm and that the agricultural committee of the senate should be urged to reinstate the appropriation.

Aid to the National Live Stock Shippers' Protective league was recommended to the extent that commission agents should collect five cents a car on sheep and apply the funds toward the expense of presenting a case to the interstate commerce commission regarding rates for live stock, including the concentration point questions.

Recommend Grading Wool At Shearing Sheds.

Recommendation was made that the interstate commerce commission should also be asked to determine upon a ten-car rate by railroads. Another recommendation was that the committee on resolutions urgently appealed that all stockmen should have wool graded at the shearing sheds. Two other resolutions dealt with pledging support to the secretary of the interior in the matter of laying trails and that the association favored a strong tariff on the importation of wool.

Other resolutions adopted were that the association endorse the work of the department of agriculture in aiding stockmen; that thanks be accorded to the bureau of animal industry for its co-operation; that support be given to the association's publication, the National Woolgrower; that thanks be given the Utah State Fair association for the use of the fair grounds for the recent ram sale; that colleges and other institutions be thanked for their efforts to advance agricultural and stock raising industries, and that thanks be rendered the press, to the commercial club, the railroads and the Hotel Utah for their services in connection with the convention.

Uniform Bounty Law Is Sought.

A report was presented by a special committee, charged with submitting a formula for the poisoning of sheep-destroying animals. It was decided that the formula should be printed in the association's publication. It was moved that in the list of resolutions should be included a vote of thanks to the secretary of the interior for the work he had done in safeguarding the interests of stockmen in the amendments made in the 640-acre homestead bill. It was also moved that a vote of thanks should be tendered Senator Reed Smoot for his activity in helping the stockmen in the same matter. The motions carried unanimously.

At the morning session a special committee reported on the advisability of a uniform bounty law for the killing of coyotes and other predatory animals. It recommended that the following bounties should be paid in all Western States: For coyotes, wild cats, wild kittens and wolf pups, \$25.00 a head; for wolves, \$15.00 a head; mountain lions and cougars, \$25.00 a head; bears, \$25.00 a head.

At present the amount of bounty varies in the different states. By having a uniform law it was thought that fraud would be eliminated. It was believed that some hunters and trappers who killed coyotes in other states moved across the border and sold them in states where the bounty was higher. By doing this there were states which had to pay bounties unjustly.

It was reported that the bounty laws last year resulted in the destruction of 250,000 wild animals and that biological survey workers had destroyed an additional 25,000 to 30,000 at an average cost of ten dollars a head.

COAL IS PRODUCED UNDER DIFFICULTIES

What is termed "the varied career" of the coal mining industry in Utah for the fiscal year ending November 30, 1916, is set forth in detail in the annual report made by J. E. Pettit, state coal mine inspector, filed with Gov. Simon Bamberger Saturday. The inspector says in part:

"For the past two years during the summer months our coal mines have not averaged more than half working time and, fearing that the same condition would prevail during the past summer, many of our miners quit the coal mines and secured employment in the metal mines of this and adjoining states, which promised them steady and, consequently, more lucrative employment. Others went to the coal mines of the Eastern and Middle Western States which offered them steady work.

"Those remaining were compensated in the fact that the reduced force worked more steadily during the summer months. As the fall of the year came the question among the mine operators was: Where to secure miners for the fall and winter run? Agents were sent out into the farming districts and into the towns and cities of the state and a number of men, many of whom had never worked in a coal mine, were hired.

Alarming Shortage of Railroad Cars.

"When every possible effort had been made to secure miners and orders for coal had been received from old customers, and many unheard of before new customers, making the outlook for the year brighter than for the past two years, the coal mining companies awoke to the fact that there was a very alarming shortage of railroad cars and that the railroad could not, for various reasons, supply them with sufficient cars to take care of the output of the mines. This condition became so acute that the railroad company doled out the cars to the mines on an average of the mine's producing capacity.

"In consequence of this shortage of cars the coal mines during October worked 54 per cent of the month, and during November approximately 66 per cent, but with these handicaps and which, in our opinion, shows the preparedness of the coal mines to supply any demand that may be made upon them for coal, the output for the fiscal year ending November 30th was 3,621,935 tons, an increase of 538,259 tons or 17 per cent over 1915, and an increase of 332,680 tons over the record of any previous year. The coke production at Sunnyside ovens was 424,294 tons, an increase of 66,722 tons or 18 per cent.

Increased Production In Hydro-Carbons.

"The production of hydro-carbons was, gilsonite, 26,580 tons, an increase of 2464 tons; elaterite, 200 tons, an increase of 100 tons; ozokerite, 1600 pounds, refined. This is the first production of this variety in the state.

"A demand for increased wages was made at three of the mines, which resulted in an amicable settlement by the operators which covered practically all of the coal mines of the state, in which an approximately uniform wage for miners, loaders and day men was established and an advance of 6 1/2 per cent given at some of the mines whose average rate of wages was below the general rate of the coal mines of the state.

"An average of 3511 men at the mines and 225 men at the coke ovens were employed during the year, a decrease of 308 men as compared with 1915.

"There were twenty-two fatal accidents during the year, or 5.88 per cent per 1000, an increase of eleven over the previous year. There were also thirty-seven serious and 202 non-serious accidents.

"The average working time at seven of the largest producing mines for the fiscal year was 214 days."

Quaint Design From Stageland



Permission of Triangle Film Corporation.

THIS taupe colored broadcloth costume, worn by Gloria Swanson, is built on panner lines. The elaborate coat has an empire waist trimmed with moleskin, and the triple skirt is also edged with this same fur. Taupe velvet gives the hat of mushroom brain, bordered to match the buff, the frills being taupe taffeta plinked.

Despite the coming vogue of high shoes for evening wear, stockings are faithful in color and design. To wear

with the low dance slipper there is an attractive stocking of plain color with a dainty little motif of forget-me-nots in the center of the instep. One pair of white silk hose has black butterflies placed on the instep, where they give interesting charm to pretty feet.

Veils are attached to some of the motor hats. One is a small velvet toque, with a fine meshed veil attached by the trimming around the crown.

ANNA MAY.

He Had Nothing to Wear

So he missed an important meeting. He also missed a stroke of business. He had several fairly good suits, but they all needed cleaning and pressing. Don't be caught in that predicament. When your clothes become soiled and wrinkled from wear bring them to us. We make them look like new. We give them new life. We prolong their usefulness. New spring suitings being shown.

THE HOME OF FINE CLOTHING
Frank L. Buckio
Price, Utah
LAMB & COMPANY, CHICAGO

NOTICE TO WATER USERS.—State Engineer's Office, Salt Lake City, Utah, Dec. 19, 1916. Notice is hereby given that the Utah Valley Irrigation company, whose postoffice address is Salt Lake City, Utah, has made application in accordance with the requirements of the Compiled Laws of Utah, 1907, as amended by the Session Laws of Utah, 1909, 1911 and 1915, to appropriate (10) cubic-feet of water per second from Dugout and Paces Creek, Carbon county, Utah. The water from Dugout Creek will be diverted at a point which lies 1000 feet north of the northeast corner of the northwest quarter of Sec. 2, Twp. 14 South, Range 12 East, and the water from Paces Creek will be diverted at a point which lies 300 feet east of the northeast corner of the northwest quarter of Sec. 36, Twp. 13 South, Range 12 East. Salt Lake base and meridian. The water so diverted will be conveyed by means of ditches an aggregate distance of 1800 feet and there used from April 1st to September 30th, inclusive, of each year, to irrigate one thousand acres of land embraced in Secs. 2 and 11, Twp. 14 South, Range 12 East. In addition the applicant wishes to appropriate one thousand (1000) acre-feet of water and store it from January 1st to December 31st, inclusive, of each year in a reservoir embraced in the southwest quarter of Sec. 35, Twp. 13 South, Range 12 East. The center of the impounding dam will bear north 22 deg. 50 min. east 1494 feet from the northwest corner of Sec. 2, Twp. 14 South, Range 12 East, at which point the water will be released and used as a supplementary supply, to irrigate the land above described. This application is designated in the state engineer's office as No. 6787. All protests against the granting of said application, stating the reasons therefor, must be made by affidavit in duplicate, accompanied by a fee of \$2.50, and filed in this office within thirty (30) days after the completion of the publication of this notice. W. D. BEERS, State Engineer.

Date of first pub. Dec. 28, 1916 date of completion of pub. Jan. 23 1917.

NOTICE—UNITED STATES LAND Office, Salt Lake City, Utah, Dec. 3, 1916. To Whom It May Concern: Notice is hereby given that the state of Utah has filed in this office lists of lands, selected by the said state under Section 8 of the act of congress approved July 16, 1894, as indemnity school lands, viz: Serial 018597 NW 1/4 NE 1/4, Sec. 17, Twp. 12 South, Range 15 East; NE 1/4 NE 1/4, Sec. 17, Twp. 12 South, Range 8 East; and NE 1/4 NW 1/4, Sec. 11, Twp. 15 South, Range 8 East, Salt Lake meridian. Copies of said lists, so far as they relate to said tracts by descriptive subdivisions, have been conspicuously posted in this office for inspection by any person interested and by the public generally. During the period of publication of this notice, or any time thereafter, and before final approval and certification, under departmental regulations of April 25, 1907, protests or contests against the claim of the state to any of the tracts or subdivisions hereinafter described, on the ground that the same are more valuable for mineral than for agricultural purposes, will be received and notes for report to the general land office at Washington, D. C. Failure so to protest or contest, within the time specified, will be considered sufficient evidence of the non-mineral character of the tracts and the selections thereof being otherwise free from objection, will be approved to the state. GOULD E. BRACKLEY, Register.

First pub. Dec. 22 last Jan. 19, 1917.

NOTICE OF FORECLOSURE.—Notice is hereby given that whereas default has occurred in the payment of storage due the undersigned, from Noel Bros. Brewing company, a corporation of Denver, Colo., on the heretofore described property, from April 18, 1916, to December 21, 1916 and whereas there is now due and unpaid on said indebtedness to the undersigned, the sum of forty-five (\$45.00) dollars. Now, therefore, the said property, to-wit: One counter with bar drain; one No. 2 brass foot rail and bracket; one back bar; one twenty-foot mirror; three leaden compartments; one copper lined work-board; one No. 1, colliox and bar drain; two drop handle beer faucets; two black tin coils; one ice water coil; one ice water faucet; one solder union, or so much thereof as may be necessary, will be sold, pursuant to the law applicable to foreclosures of warehousemen's liens, a public sale, to the highest bidder, in cash, on the 23d day of January, 1917, at Price, Carbon county, Utah at the corner of 1 and Ninth streets, 2 o'clock p. m., to satisfy the debt described above and the costs and expenses of these foreclosure proceedings. PEACOCK BROS., Liquidator.

Dated at Price, Utah, Jan. 5, 1917. L. A. McGee, Attorney for Lienor First pub. Jan. 5 last Jan. 19, 1917

Smoke Elk Pride Cigar. Tel. 155.