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EVERY FRIDAY

NOVEMBER 9, 1917

BIG ENOUGH FOR ALL TO READ; ALSO TO DEFEND THE STRANGER

Friends of Seymour V. Prows, Soldier, Represent An Uncalled For and Vicious Attack On That Young Man.

Such indignation has been stirred by the last week in Price—in fact, throughout Carbon county—by an article which appeared in a local publication on Thursday of last week...

It appears that Prows filed claim for exemption on the ground that he had a wife to support, it being apparent in the affidavit he filed that he had married after the draft law became operative...

Resentment Is Voiced. A. W. Horsley, mayor of Price and president of Carbon county at the Mormon church, was the first to voice resentment against the article in the local publication...

Students Are Indignant. An indignation meeting was also held at the high school Tuesday morning, students and teachers participating. Prows was one of the graduates of last year, and was student body president...

Gabler Makes Defense. At the meeting of students and faculty referred to previously, J. G. Gabler, principal, was the sole defender of the article and its author.

Dr. H. W. Hoggan, state veterinarian, is out in the Nine Mile section today vaccinating a number of head of horses at the convict camp for pneumonia and distemper.

Penn Olsen brought to The Sun of late a week a freak carrot which was raised in his father's garden at Price. It is quite a curiosity to those who have seen it.

Over forty boys will leave Saturday for American lake as Carbon county's last contribution to the first draft quota. No official list of the boys rejected by the army surgeons has been received by the local board...

George C. Whitmore died yesterday in California. He was a prominent figure in the affairs of the territory and state during all that time. He was a leader in democratic politics, banking and the cattle business.

Deceased with his wife and a daughter had been at Pasadena and that section of California for more than a year for the benefit of his health. Deceased was about 44 years of age and passed away from Bright's disease...

George C. Whitmore came to this state with his parents from Texas at an early date and had been prominent in the affairs of the territory and state during all that time. He was a leader in democratic politics, banking and the cattle business.

To the Editor of The Sun: WINTER QUARTERS, Utah, Nov. 6.—There appeared in the News-Advocate of November 1, 1917, an article branding a man drafted into the United States army as entirely lacking in patriotism and as having "a streak of yellow as wide as a barn door."

This about a man in the army, a man not sneaking off to the hills or escaping to Mexico, but a man who believed he had cause for exemption and was asking for it. If these are the methods of his "friends" in Price what can you expect from his enemies? Was it at any time the intention of the draft boards, local or otherwise, that it was dishonorable for a man to ask for and receive exemption?

Is it the intention of the president to see his boys about to wear his uniform and please God, see the standard we all love reared to victory on German soil branded as cowards and possessors of yellow streaks because they ask and perhaps ask again for exemption which he and his provost marshal general so clearly define and issue cards for?

No, Mr. Editor, it is only in minds low in ideals, warped as to intellect and wasted by disease that such a dastardly, cruel article could be conceived. Only in minds inflamed with hate, seeking vengeance and crazed with the idea of currying popular favor that such an article could be born.

Where is the crime that deserves an article such as the one to which I refer? Is it a crime to ask and ask again for exemption? Is it a crime when that exemption is refused for reasons known to the exemption board, to have your private heartbreaks, to accept your service with misgivings perhaps, but still accepting it, and leaving with the contingent to which you are assigned?

Is it patriotism to make harder the way for those left behind? Are the partings, the lonely times not enough, but that there be added to them the stigma of cowardice, yellowness, lack of patriotism. Is this the time of the Spanish Inquisition, or is Price another Salem? The refinement of cruelty was not exceeded neither in Salem nor in Rome at the time of Nero.

What about the man who wrote the article or the man who inspired it? What heartbreaks have they had? What war sacrifices have they made? Have they enlisted or attempted to enlist? How many liberty bonds have they bought? Are they free from the sin of unpatriotism?

HE IS IN THE ARMY. HE WAS IN THE ARMY WHEN THE ARTICLE WAS PUBLISHED. HE OBEYED ORDERS. Can the cur who published the article obey orders? Can or is he man enough to make retraction—to make the way easier for those who love the man he slandered? Are the officials of Price or Carbon county big enough to make him do that which justice demands?

"Your dear lad, and my dear lad are on their way to France." This strikes you and me, Mr. Citizen. It is a war for fathers and mothers, for sons and daughters. If it was your son, Mr. Father, what would happen to the man who accused him of being a traitor, branded him as yellow? Open up the recesses of your hearts some of you fathers of Price and think of the claims for exemption you made for your sons.

And you, Carbon county officials, place the gag of decency on the man's mouth who so crucifies a man in the service of Uncle Sam. Do not add your mite to the fire of condemnation in the Salemlike witch burning, you citizens of Price. Oh, the refinement of cruelty that could hand a lonely, weeping woman a copy of the News-Advocate as the train was taking away the one she loved the best, and that paper branding that one as a traitor. And that one in the service of Uncle Sam. Don't you see why any decent minded citizen, not of his "friends" of Price, but almost a total stranger, would condemn that article, and condemn it without discussion of its merits.

Big Enough For All to Read, and Big Enough to Defend a Stranger.

OFFENSIVE ARTICLE OF THE LOCAL PUBLICATION.

Over forty boys will leave Saturday for American lake as Carbon county's last contribution to the first draft quota. No official list of the boys rejected by the army surgeons has been received by the local board, but they have been notified that sentences failed to pass the examination. With the thirty-seven yet needed to fill the quota, sentences more will be sent to take the place of those coming home.

GEORGE C. WHITMORE DIES YESTERDAY IN CALIFORNIA

Relative in this city yesterday received telegrams announcing the death of George C. Whitmore of Nephi at Pasadena, Calif., shortly after midnight Wednesday. Previously through the week his son, J. W. Whitmore of Nephi, who was in Price attending district court on matters in which his father was a litigant, received messages that his condition was very critical.

Deceased with his wife and a daughter had been at Pasadena and that section of California for more than a year for the benefit of his health. Deceased was about 44 years of age and passed away from Bright's disease, which had bothered him for a long time.

George C. Whitmore came to this state with his parents from Texas at an early date and had been prominent in the affairs of the territory and state during all that time. He was a leader in democratic politics, banking and the cattle business.

Deceased was about 44 years of age and passed away from Bright's disease, which had bothered him for a long time. J. W. Whitmore of Nephi, who was in Price attending district court on matters in which his father was a litigant, received messages that his condition was very critical.

He was interested locally in banking, however, but of recent years had given this but little attention. He had many friends hereabouts who will grieve with those nearer to him at his death. As far as is known this (Friday) morning, the funeral and burial will be at Nephi next Sunday.

THE STUDENTS AND FACULTY OF THE CARBON COUNTY HIGH SCHOOL. W. Glenn Harniss, Meriam H. Thurman, J. Elwood Gatherman and Inez Scott, Committee.

DEATH OF DEFENDANT HALTS CASE IN COURT

Van Waggoner and Whitmore Litigation Over Land Near Sunnyside Brought to Very Sudden Close.

Since the article below was put in type, a telegram was yesterday morning received by attorneys in the case announcing the death of George C. Whitmore, defendant. The trial was stopped until an administrator, executor or representative is substituted in the case. In the meantime two days had been consumed in the litigation.

Judge George Christensen returned to Price last Monday evening, after adjourning district court here Friday, and resumed the session Tuesday morning. Taking of testimony in a suit involving the question of "squatter" rights to title to public lands of the state, and directly affecting ownership to all the unsold school lands of Utah, was the first case to come on. The litigation is that known locally as the Whitmore case, an action that has been in the courts of the state for a very long time on various legal points, and which is considered one of the most far reaching and important land cases in which the state has ever been interested or likely ever will be.

The Case In Brief.

In brief the issue is as to whether or not a squatter may settle upon public school lands in Utah and acquire title to the property under squatter rights without purchasing the property from the state. Whitmore contends that such is the case, while the state contends that a squatter cannot legally acquire title to school lands without the regular process of purchase and that in squatter cases the state has the right to remove the squatter and sell the property to a bona fide purchaser.

Before the board could issue title to Van Waggoner, the Whitmore interests instituted injunction proceedings in the district court to prevent issuance of title to the purchaser. The district court granted the injunction, but on appeal to the supreme court the injunction was dissolved and the supreme court held that the adverse possession of Whitmore was invalid.

Refused to Vacate.

But Whitmore refused to vacate the land. Then action was commenced by the state land board and Van Waggoner to oust Whitmore. It is this issue that is now up. Now the state must produce evidence to show that it legitimately sold the land to Van Waggoner and support his right to receive title to the property in question. If this issue is settled in favor of the state, then Van Waggoner may proceed with his claim for damages against Whitmore for adverse possession since the time of purchase by Van Waggoner.

It is pointed out that the case is of vital importance to the state and especially to the school funds of the state because if the courts should hold that a squatter had the right to hold school property simply by settlement process, every acre of unsold school lands in the state would be open to the squatter, the state would receive nothing from such lands, and the perpetuity of the school funds would be obliterated with disastrous results to the schools.

There are many thousands of acres of unsold school lands and it is estimated that they are, and will be in the future, worth millions of dollars to the schools of Utah. Hence the utmost importance of settling the point at issue in the present case favorably for the state.

Mayors and other municipal officials of cities and towns throughout Ohio were charged with "wholesale robbery" of coal by the fuel administration at Washington, D. C., last Tuesday. Discovery of the "thefts" involving the unlawful confiscation of thousands of loaded coal cars, was officially announced by Fuel Administrator Garfield following a conference with Homer Johnson, newly appointed fuel administrator for Ohio.

bonafide purchaser, if the squatter fails to refuse to avoid himself of the right to purchase the land. In the case of Van Waggoner the claimant purchaser of the land in question. The state is fighting the case to establish its right to oust Whitmore as a squatter and to sell the property to Van Waggoner as a legitimate purchaser at private sale. Van Waggoner is suing to establish his title to the land and for damages because of adverse possession by Whitmore. Whitmore, on the other hand, is fighting both the state and Van Waggoner in an effort to establish his squatter title to the land and to avoid giving title or damages to Van Waggoner.

Army of Lawyers.

Quite an array of legal talent is represented in the case and the suit will be one of the most stubbornly contested land cases that has been tried in years. Attorney Herbert E. Smith, who for a number of years past was in charge of the land department of the state land board, has been employed by the land board as special attorney to represent the board and the state in the case at bar. So far as their interests are in common he will also co-operate with the attorneys representing Van Waggoner personally. Representing the Whitmore interests are A. H. Barnes, former attorney general of Utah; D. N. Straup, former chief justice of the supreme court of Utah; Thomas Martineaux and others, while Thomas L. Mitchell, Ferdinand Erickson and M. P. Harrel are acting for the Van Waggoner interests.

The property involved in this action was through open to sale by the land board of Utah some ten years ago, at public auction, but there was no bidder for it. Later it was placed on the list open to private sale at the office of the land board. In the meantime, it is alleged, Whitmore squatted on the property and for seven years, unknown to the land board, occupied the fifty-six acres in question. Then Van Waggoner came along and applied for purchase of this particular property and about thirty acres additional of the quarter section. The land board accepted Van Waggoner's offer and sold the property to him. There is where the trouble commenced. Van Waggoner found Whitmore in possession of the property and the squatter refused to turn over the property. In fact, his interests have held the property in adverse possession ever since.

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STUDENTS AND FACULTY DENOUNCE UNPROVOKED ATTACK ON SOLDIER

PRICE, Utah, Nov. 8, 1917.—Mr. Seymour V. Prows, Camp Lewis, American Lake, Wash. Dear Mr. Prows: It was with the deepest consternation and pain that the students and faculty of the Carbon County High school read the article appearing in the November 1st issue of the News-Advocate, so libelously attacking your character, and we want you to know that as your former classmates and associates we resent it. We feel that a soldier's parting from his loved ones in time of stress is hard enough without having to live down an unprovoked and vicious attack such as you received. It is not the first time that similar articles have appeared, and we are writing this not only to let you know that our good opinion of you is unaltered, but to show that as students and teachers we will vigorously resist such assaults in the future. We feel that you have rendered to this community a service that places it in your debt. Whenever you have been called upon, no matter what the occasion of the service requested, you have responded. As former president of our student body you had the reputation of being a most progressive and promising officer, and you carried that reputation into private life. You were responsible in a large measure for the success of our concert band and choir, and you were everywhere looked up to as one who always did your duty with a smile and a cheery word. Men with such qualities cannot be "unpatriotic" men of such qualities cannot be "yellow." As teachers and future citizens of this community we are too far in your debt to pay you off in such debased coin, and we want to do all in our power to make just amends. We have taken the liberty to send a copy of this letter to your commanding officer and to the Carbon county boys who left before you did. We hope to have you back among us some day. We hope that when this war is ended you will return to us, physically and mentally as sound as when you left, for if such persons as you are "unpatriotic" and "yellow" we cannot get too many of them. They are the kind that made Price the "Biggest Little City On Earth," and they are the kind that will plant the Stars and Stripes over Berlin. Believe us, Mr. Prows, we remain as ever your friends and well-wishers.