

# Crook County Journal

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## SETTLERS HAVE VERBAL CONTRACTS

### For Water to Irrigate Excess Acreage

#### ARE THE AGREEMENTS BINDING

#### Momentous Question Now Before State Land Board—Will Make Trip to Investigate

A special from Salem to the Telegram says: One of the most serious questions with which the newly created Desert Land Board is confronted is the adjustment of a serious difficulty, concerning the status of a verbal or implied contract between the settlers and the Deschutes Irrigation Company for the reclamation of arid land in the Deschutes valley and involving the amount of water to which the settler is entitled upon his property. The question is of as much importance to the company as to the settler, and in order to arrive at a comprehensive and satisfactory conclusion the Desert Land Board voted to make a tour of inspection of the Eastern Oregon arid section within the near fu-

ture. The date of such trip has not been decided upon yet. According to at least a dozen communications received by the State Engineer Lewis since last July, the settler entered into a written contract with the irrigation company for the reclamation of an estimated area of from three acres, an extreme case, to 40 and 50 acres. It transpires that in the first instance the settler has 80 acres of irrigable land, and in the majority of cases from 10 to 20 acres exceeding the area specified in the contract. In every instance the settler claims that the agents for the irrigation company, with whom the contract was made, gave them verbal assurance that in the event the irrigable area of their land exceeded the acreage set forth in the written contract water was to be supplied to the excess acreage.

The settler wants to know, as does also the irrigation company, whether this verbal contract is binding upon the company and if it is obliged to furnish water to the excess acreage. Under its contract with the state the company is entitled to \$40 per acre as the lien price upon all irrigable land in the segregation and \$6 per year water rental per acre. The question then boils down to whether the settler has to pay an additional \$40 per acre for water rental for the land, or whether he is entitled to water for nothing. The question is a momentous one for the land board to decide and it will be given due consideration before it passes upon it. Attorney General Crawford is of the opinion that the question is one for the courts to decide, but even in that event, the settler must get an expression from the Desert Land Board before he will have any standing in court.

The Desert Land Board, which now consists of the governor, secretary of state, treasurer, attorney general and state engineer, held its first meeting last week and effected organization by the election of Governor Benson as chairman and State Engineer Lewis as secretary.

## DUFUR ROAD TO BE EXTENDED

### May Build to Tygh or Tap Timber Belt

#### HEIMRICH SURVEYORS BUSY

#### Waiting to See What Harriman Intends to Do About Line Up Deschutes Canyon

John Heimrich, the millionaire of Seattle, is now waking up and getting into print in connection with the Central Oregon railroad problem. Mr. Heimrich has made several trips of inspection into Crook county, and heretofore the most definite expression that has been made by him in regard to the building of a line into this region was: "We will wait once." Heimrich is alone financially able to build a railroad into Central Oregon if he wants to. The Oregon Journal of May 25 prints the following interview:

"While Harriman is filling and backing and tying himself up in legal knots with his proposed Deschutes railroad, the owners of the Great Southern, the

line running west of the Deschutes from The Dalles to Dufur, are preparing to go ahead extending their line south into Central Oregon.

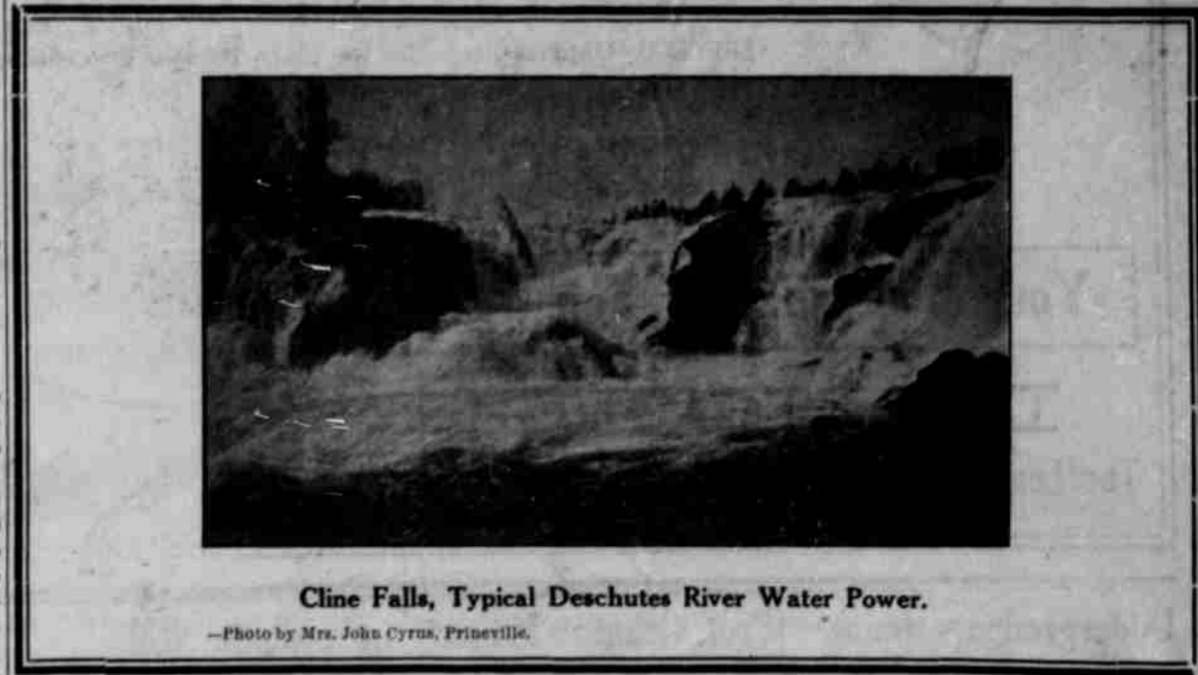
"President Heimrich of the Great Southern has returned from an inspection trip over its route taken with E. E. Spaulding and M. P. Smith, two capitalists of Spokane, during which they drove over a considerable portion of the country. As a result of this trip a crew of surveyors will be started out at once surveying routes into Tygh valley and into the timber towards Mount Hood.

"We have two propositions up to us," said Mr. Heimrich, "one to extend the line to Tygh, as was the original intention, and the other to build into the rich timber belt to the west.

"The Tygh valley extension would carry us directly toward the Deschutes and give us a very good start for a line into Central Oregon. It would have the great advantage over the proposed Harriman line of running through a productive country the entire distance. The Deschutes road would have the handicap of running through a rocky canyon for a long distance. I do not think that Harriman could expect to secure interest on his money in that line for some time to come. It will cost him all of \$45,000 a mile to construct, while ours has not cost us more than \$20,000, with proper equipment. Of course the value of the Deschutes road to Harriman would be the fact that it would prove a feeder to the O. R. & N. Standing as a road by itself, it would not pay.

"We can't say definitely what we will do about extending our line southeast of

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Cline Falls, Typical Deschutes River Water Power.

—Photo by Mrs. John Cyrus, Prineville.

## COUNCIL HOLDS WORDY SESSION

### Employ of Detective Causes Jar

#### LIPPMANGAVE DETECTIVE BEER

#### City's \$10,000 Bond Issue Does Not Come Due Until Five Years from July 1.

Councilmen Lippman and Clifton on the one hand and Marshal Huston on the other jawed each other right freely at the council meeting last Tuesday evening. The cause belli was the employment of A. P. Scott, as night watchman during the race meeting, which action the councilmen declare had been taken by the marshal without the direction of a majority of the council. Scott was employed as detective by the Law and Order League, so the marshal stated at the meeting, and feeling the need of a man to help him in his duties he spoke to the mayor and some of the council, and understood that he was to go ahead and get a man to help, which he did by employing the detective.

Councilman Clifton took the stand that the marshal had exceeded his authority, in that the matter had not been put before the council and when the bill came up for payment everybody had a great deal to say at the same time. "I do not want the marshal to lose his \$7.50," said Mr. Clifton, "but I do want the marshal to understand that the council is in charge of the affairs of the city."

"That is not the reason you are opposing this bill," said the marshal. "It is your ambition that I lose the money and nothing more."

"Not on your life," said Clifton. Then Councilman Lippman caused a big laugh by saying "Yes, Mr. Mayor, and this same Scott, while working as detective for the Law and Order League came to my house and asked me for a bottle of beer and gave it to him. Then he offered me fifty cents for it, and if it had not been in my own home I would have kicked him out. If another man comes he will get a shotgun," said Lippman, who was angered by this attempt to trick him into a violation of the local option laws.

"What is the use," said Mr. Lippman, "of having a man sneaking around the back alleys to find what is going on. Anything I do in this town is open and above board. I would not stoop so low as this."

Finally it was decided that the marshal had taken the action he did with the impression that he was doing so with the consent of the council, and the council unanimously voted to pay the bill for the night watch.

The mayor and all the councilmen, Recorder Powell and Marshal Huston were present at the meeting. The minutes of the previous meeting were read and approved.

Under the reports of the standing committees the finance committee reported that the only matter pending before that committee was the settlement with the ex-marshal. Councilman Lippman urged that the matter be taken up then and there and settled, but it was decided that it would take too much time, so the committee is to take the matter up together and ferret out the discrepancies between now and the next meeting. The whole trouble seems to have arisen through the careless manner in which the records of the receipts from water users have been kept and the long delays in turning over the moneys to the city treasurer. Ex-Marshal Joe Crooks last month paid to the city \$14.50 shortage under protest, this amount being shown to be due from the report of Max Crandall who experted the city accounts. The finance committee is unable to get their records to balance and this is the task that is now before them.

Marshal Huston's report was read,

filed and accepted. He reported that 37 residents were using water from the city's irrigation ditches. During the month he had made eight arrests, six of whom had broke jail. Three of these were afterward captured. Two had been convicted of selling liquor and were fined \$60 each. Two dogs were disposed of. The marshal called attention to the fact that the jail needed repairing. Councilman Shipp is to see that it is made secure.

A petition was presented by James Dyer asking for an order to build a sidewalk on the south side of eighth street, north from Main, the petition being signed by a number of property owners along that street. The question was asked if the signers constituted a majority of the property affected, whereupon the Mayor stated that this was not necessary. The petition was granted and the marshal was directed to see that the walk was built in conformity to the established grades of the city.

The following bills were allowed:

Demaris & Son, lumber.....	\$94 77
Wade Huston, marshal's salary...	50 00
" " caring for city water	25 00
" " cash paid watchman	7 50
" " disposing of two dogs	2 00
Journal, printing supplies.....	14 20
John Zeek, labor on water mains	20 00
Estee Short, " " "	16 25

The present city administration has been under the impression, and so has a majority of our citizens, that the \$10,000 bond issue of the city, which draws interest at 6 per cent, would fall due on July 1 of this year. About two months ago the council directed the finance committee to look up the matter of floating the bonds and to prepare for a re-issue. Now it develops that this bond issue does not become due until five years from the first of next July.

This fact only goes to show how little has been generally known about city affairs heretofore, and that those who have been in a position to know have been either ignorant of matters they should have known or tried to bamboozle the present administration.

The city marshal was directed to make contracts for irrigation water from users of the city system. No user is to get service for less than \$5 for the season, and the rate is to be in proportion to the area of the yards irrigated. The basis is to be the same as that charged by the Prineville Light & Water Co., with a 20 per cent reduction.

#### New Pastor Arrives.

The new pastor of the Presbyterian Church of Prineville, the Rev. C. C. Babbidge, accompanied by his wife, arrived here yesterday from Portland, to assume his duties. On Friday evening from 8 to 10 o'clock a reception will be held in honor of the new pastor and his wife at the home of Mr. and Mrs. C. I. Winnek, to which the public is cordially invited to make the acquaintance of the new arrivals and welcome them to Prineville.

Rev. Babbidge will preach his first sermon from the Presbyterian pulpit next Sunday morning. The Presbyterian church has purchased for a manse the residence property of C. A. Lytle, located just east of the church building, and will take possession of the property on August 5. The price paid was \$1500. W. W. Brown of Paulins, assisted the church with a liberal donation toward the purchase.

Pending the time before possession of the Lytle property, Rev. and Mrs. Babbidge will occupy the Hugh Lister residence.

#### A Ram With Four Horns.

A four-horned ram, the possession of John Silvertooth of Antelope, attracted considerable interest in Prineville last Monday evening, when Mr. Silvertooth stopped over here that night on his way home from a trip to the Silver Lake country, where he acquired this freak of nature. The ram has two orthodox ramshorns and just below them a pair of smooth curved antlers extend down along the jaws, one tip touching the sheep's lower jaw when he wags it to chew.

## PRINEVILLE WINS BASEBALL SERIES

### Three Hotly Contested Games

#### REDMOND JUST ONE BEHIND

#### Friday's Score, 3 to 2; Saturday's Score, 3 to 2; Sunday's Score, 4 to 3.

Prineville beat Redmond in two hotly contested games for the \$100 purse offered by the Race Association, the score in each game being 3 to 2. These games occurred on Friday and Saturday mornings, and last Sunday afternoon a match game was played for the gate receipts between the same teams, resulting in another victory for Prineville with a score of 4 to 3.

These games were the most interesting exhibitions of baseball that have been seen in Prineville for several years, and the fact that at any moment a good hit or an error would decide the victory, held interest up to high tension until the last man had been put out in each game. Both teams done snappy playing, remarkably free from errors, and every man was up on his toes from start to finish.

In Friday's game Immelee twirled for Redmond, and was backed up at home by Tetherow. Bailey officiated in the box for Prineville, with Hinkle behind the plate. The line-up was as follows:

Redmond	Position	Prineville
Roy Covert	cf	Jordan
Tetherow	c	Hinkle
Debolt	lf	Storkmann
Vannmeter	rf	Mitchell
Rannels	1b	H. Belknap
McKinney	2b	Ketchum
Armstrong	3b	B. Barnes
McKay	ss	Peg Belknap
Immelee	p	Balley

Prineville got 8 hits off Immelee; bases on balls, 1. Redmond got 11 hits; nobody walked by Balley. Umpire Dr. H. G. Davis.

The score by innings:

	1	2	3	4	5	6	7	8	9
Redmond	1	1	0	0	0	0	0	0	0
Prineville	0	1	0	0	0	0	0	2	0

Saturday's line-up was practically the same with the exception of a change in pitchers for both teams. Dan Ketchum pitched for the home team, and Sylvester Staats slabbled for Redmond. In the latter part of the game Tetherow went in the box for the visitors, after Staats who is a bend player, had demonstrated that he wasn't the real dope. McCauley played first for Redmond.

Peg Belknap the first man to bat for Prineville in Saturday's game, galloped home on Hinkle's hit, and in the fourth and fifth innings Horace Belknap and Jordan made the rounds safely, giving Prineville her three runs. For the visitors Debolt scored in the fourth and Staats in the fifth inning, while in other innings it was one, two, three and out for both sides.

Prineville got eight hits off Staats and none off Tetherow. Jordan was walked to first three times. Ketchum held Redmond down to 7 hits, but walked five to first. Umpire, C. A. Riddle.

Sunday afternoon the game was a sort of love feast. The big money had been gathered in by Prineville and with the spoils of war divided before the game, the sport did not seem to start off with the nip of the previous days. This impression was strengthened in the second inning when Prineville scored 3 runs and Redmond 2. In the third chapter Redmond got another runner

Continued on page 4.

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## SHIRT WAISTS

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