

Kenwood School Yule Program Set for Friday

Pupils of Kenwood school, under direction of Miss Marie Evers, Miss Corlee Munson and Miss Merilyn Taintor, will present their annual Christmas program Friday at 10:30 a. m. in the new Kenwood auditorium.

The program will open with two numbers by the Kenwood band, "Christmas Medley" and "O Little Town of Bethlehem." Patty Stipe will extend the welcome, and the first grade chorus will sing, "I'll Hang My Stocking" and "Christmas Bells."

A recitation, "Getting Ready for Santa," by Jim Curi, will be followed by a song, "Away in the Manger," by the second grade chorus.

Numbers by the third and fourth grade chorus (sections 4 and 6) will be, "Christmas Surprises," "Up On the Housetop" and "A Child's Evensong."

The fifth grade chorus (sections 10 and 11) will sing, "In the Still of the Evening," and sections 5 and 7 (fourth grade) will sing, "Christmas Shopping," "Light Our Candle" and "Merry Christmas."

Songs Listed

Songs to follow will be "O Infant Sweet," by the chorus from sections 8 and 12 (fifth grade) and "The Friendly Beasts" by section 9 (fifth grade).

A Christmas pageant by the sixth and seventh grades will follow. Final numbers will be "O Come All Ye Faithful" and "Silent Night" by the Kenwood violin sextet, composed of Joan Reeves, Margaret Mellus, Karen Gregg, David Dunn, Dean Martin and Gerald Turner.

Ruth Anderson will play the part of Mary, and Jack Reeves, that of Joseph, in the Christmas pageant. The three kings will be portrayed by David Hodge, Jim Burchleigh and Gerald Copenhaver. Ronald Anderson, Don Brown and Lyle Seal will be shepherds, and Elaine Lowery and Sandra Shumway will be angels.

Will Portray Children

Children of many lands will be portrayed by the following: Kathy Gates, Judy Cale, Joe Shull, Tommy Agan, Margaret Ann Williamson, Beverly Rogers, Dorothy Myers, Andrea Hunnell, Dorothy McKay, Sue Martin, Rodney Lehto, Sharon Hirtz, Kathleen O'Grady, Lynn Chase, Kate Barton, Judy Taylor, Joanne Briggs, Anzonteta Longley and Rosalie Perry.

Members of the verse choir are Marilyn Rainey, Joyce Edgar, Kay Fisk, Judy McInter, Carolyn Gall, Betty Barber, Joyce Perry, Peggy Lowery, Juanita Hilgers, Sharon Jensen, Nancy Denman, Gary Hollen, Tony Stacy, Roland Coleman, Don Ham, Billy Coburn, Jarvis Pryor, Bob Whitman, Ronald Myers and Gordon Lehto.

The following pupils are members of the sixth and seventh grades pageant singing chorus: Sally Summers, Kathy Holly, Allison Van Woyen, Sandra Evers, Lorraine Evers, Sally Nielsen, Jim Nolan, Hardy Myers, Richard Cannon, Donald Moss, Dewayne Dietrick, Davis Smith, Gerald Turner, Karen Gregg, Jean Davis, Donna Richards, Susan Thomas, Vivian Tendollen, Carol Howard, Tommy Luna, Ronald Carnagey, Bob Foster.

Nancy Coyner, Sharon McConnell, Dean Martin, Jane Goddard, Judy Williams, Maurice Falk, Evelyn Anglesey, Richard Hemingway, Dick Staples, Jane Carter, Elaine Lowery, Barbara Kiel, Beverly Martin, John Jensen, Margaret Mellus, Kenneth Cruickshank.

Lewis Adkisson, Glenda Ward, Ann Mackey, Carol Mosen, Grace Wolfe, Carolyn Courter, Bobbie Lee Erickson, Evelyn Jones, Imogene Smith, Diane Gabriel, Ronald Badger, Sherrill Page, Janet Sutton, Kay Johnson, Ruth Loken, Barbara Slack, Peggy Connor, Carolyn Smith, Glennis Dietz, Gary Winslow, Lowell Mastud.

The following pupils are in the Kenwood band: Diana Gabriel, Sandra Elder, Susan Thomas, John Jensen, Ann Mackey, Barbara Slack, Evelyn Anglesey, Carolyn Smith, Tom O'Grady, Nancy Coyner, Keith Trent, Tommy Mickel, Grace Wolfe, Lelia Chase, Sharon McConnell, Sally Nielsen, Fred Steinhauser, Lorraine Evers, Hardy Myers, Sally Summers, Aileen Alm, Mary Kay Rice, Sybil Rothkoff.

Gary Winslow, Kenneth Cruickshank, Franklin Phelps, Donald Moss, Donald Dawley, Hugh Glasow, Davis Smith, Dick Staples, Donald Welcome, Peter Bevans, Gary Hollen, Gary Smith, Sammy Shaver, Gary Cox, Richard Hemingway, Ralph Towner, Jim Nolan, Richard Cannon, Dewayne Dietrick, Dennis Thompson, Jim Farmer, Sherrill Page and Barbara Kiel.

Names of other pupils appearing on the program will appear in tomorrow's paper.

CITY NOTES FATALITY
Springfield, Ore., Dec. 21 (AP)—Springfield today recorded its first traffic fatality in six years. James A. Tower, 76, died last night of injuries suffered when he was struck by an automobile driven by Earl E. Gandy of Eugene.

PORTLAND MOTORIST DIES
Portland, Dec. 21 (AP)—Frank I. Freshall, 32, Portland, was killed early today when his car struck a pole, throwing him out of the automobile.

Brothers Home for Short Visit



Leo, 22 (left) and Milton, 19, sons of Mr. and Mrs. E. G. Bowman, 557 Norton avenue, had Christmas early this week with their parents. Leo joined the air force in 1946. Milton, who entered the army this past August, is in the 11th airborne division. He was to leave today for Camp Campbell, Kentucky. Leo will leave for his base Christmas day.

Heated Talks

(Continued from Page 1)

December 20 at 9:55 a. m., follow:

Bend, Oregon
December 19, 1950
Honorable Mayor and City Commission
Bend, Oregon
Gentlemen:

The writer of this letter was employed by Mr. M. A. Percy in regard to his transactions with Mr. Goodrich and Mr. Foley concerning the

Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄) and the Southwest Quarter of the Southwest Quarter (SW¹/₄ SW¹/₄) of Section Sixteen (16), Township Sixteen (16), S. R. Twelve (12), E. W. M.

In the past there had been some misunderstanding but after the negotiations conducted today there has been agreed that Mr. A. C. Goodrich and Robert Foley are the absolute owners of:

The Northern 30 acres of the NW¹/₄ NW¹/₄, Section 16, Township 16, South Range 12, E. W. M., with an apartment 30 acre water right from the Deschutes County Municipal Improvement District System.

Mr. Percy is the owner of the Southwest Quarter of the Southwest Quarter (SW¹/₄ SW¹/₄) of Section 16, Township 16, South Range 12, E. W. M., with not to exceed a 25 acre water right appurtenant thereto.

It has been agreed between the parties that appropriate conveyances will be executed to put this agreement into effect. Mr. Percy is perfectly satisfied with this arrangement and agreeable to his grantees, Mr. Goodrich and Mr. Foley, selling the 30 acre water right to the City or anyone else.

Mr. Percy will agree that the City shall have the refusal of the Southern 10 acres of the NW¹/₄ NW¹/₄ and the 40 acres comprising the SW¹/₄ NW¹/₄ of Section 16, Township 16, South Range 12, before he sells said tract to any other person and at any time Mr. Percy desires to sell said property he will advise the City and give the City the opportunity to purchase said land at the price that he can obtain from any other purchaser. Mr. Percy wants it understood that he has been treated fairly by Mr. Foley and Mr. Goodrich and has no complaint whatever to make.

Very Truly Yours,
Geo. H. Brewster

QUITCLAIM DEED
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KNOW ALL MEN BY THESE PRESENTS, That A. C. Goodrich and Grace B. Goodrich, husband and wife and Robert H. Foley and Irene J. Foley, husband and wife in consideration of One dollar and other considerations dollars to them paid by M. A. Percy do hereby remise, release and forever QUITCLAIM unto the said M. A. Percy and unto his heirs and assigns all our right, title and interest in and to the following described parcel of real estate, situate in county of Deschutes State of Oregon, to-wit:

The Southern Ten (10) acres in the Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄), together with the Southwest Quarter of the north-west Quarter (SW¹/₄ NW¹/₄), Section Sixteen (16), Township 16 South, Range 12 East W. M., together with all water rights appurtenant thereto.

Considered less than \$50.00.
TO HAVE AND TO HOLD, the same, together with all singular and hereditaments and appurtenances thereto belonging or in anywise appertaining to the said M. A. Percy and to his heirs and assigns forever, IN WITNESS WHEREOF, We have hereunto set our hands and seals this 19th day of December, A. D. 1950.

A. C. Goodrich (Seal)
Grace B. Goodrich (Seal)
Robert H. Foley (Seal)
Irene J. Foley (Seal)

Also introduced at the meeting, but not in sequence, was the report by the city attorney. It also follows, in full:

Commission of the City of Bend:
Gentlemen—

Pursuant to your direction that I examine the county records pertaining to the four parcels of land in the Tumalo district now under option to the City of Bend and ascertain and report to you when the persons optioning such tracts took title thereto and what was paid by them for the land I have completed such examination and have the following to report:

Parcel No. 1 SE¹/₄ of SE¹/₄ Sec. 1 T. 6

SYNOPSIS OF ANNUAL STATEMENT
For the year ended December 31, 1949
Of the
United States Branch of London and Scottish Assurance Corporation, Limited,
London, England

Net premiums received	\$ 613,912.86
Total interest, dividends and real estate income	31,550.23
Income from other sources	8,573.48
Total income	653,936.57
Net amount paid for losses	206,325.96
Loss adjustment expenses	22,252.87
Underwriting expenses	322,387.73
Total disbursements (including investment expenses \$1,034,071)	751,966.56
Net income	653,936.57
ADMITTED ASSETS	
Value of bonds owned (market value)	1,250,304.22
Value of stocks owned (market value)	378,111.60
Cash in banks and on hand	283,900.91
Premiums in course of collection written since September 30, 1949	220,826.00
Interest and rents due and accrued	4,488.01
Other assets (net)	1,220.15
Total admitted assets	3,112,949.14
Total liabilities, surplus and other funds	91,852.82
Estimated loss adjustment expense for unadmitted claims	5,024.84
Total unearned premiums	843,429.88
All other liabilities, except capital	1,462.30
Total liabilities, except capital	941,412.04
Capital paid up (not in the U. S. State)	\$250,000.00
Overvalued funds (surplus)	921,520.50
Surplus as regards policyholders	1,171,520.50
Total	3,112,949.14
Business in Oregon for the year	72,346.18
Net income received	32,117.18
Net losses paid	22,117.18

S. R. 11 E. W. M. 40 acres, Optioned by O. D. Kirby at \$5000. Title is vested in the State of Oregon. I find nothing of record to indicate what interest Mr. Kirby may have therein when such interest was acquired or what it cost.

Parcel No. 2 W¹/₂ of SW¹/₄ Sec. 6 T. S. R. 12 E. W. M. 80 acres, Optioned by Harley Harms at \$15000. Title is vested in Harley Harms and Kathleen Harms by deed from Catherine Herb and Leo Herb dated Oct. 20, 1947, reciting consideration of "\$10 and other good considerations" subject to mortgage of \$618.35 and taxes for year 1947-48. Internal Revenue Stamps \$9.35 annexed to deed indicate consideration above encumbrances of \$8500.

Parcel No. 3 N¹/₂ of NE¹/₄ of Sec. 2 T. 17 S. R. 11 E. W. M. SE¹/₄ of SE¹/₄ and E¹/₂ of SW¹/₄ of SE¹/₄ Sec. 2 T. 17 S. R. 11 E. W. M. of N¹/₂ of NW¹/₄ of NW¹/₄ Sec. 1 T. 17 S. R. 11 E. W. M. 180 acres in all Optioned by Robert F. Foley at \$20000. Title to N¹/₂ of NE¹/₄ Sec. 2 is vested in Robert F. Foley and wife by deed from W. E. Sandel, a widower, dated March 2, 1942, reciting consideration of \$2203.65 subject to taxes for years 1931, '2, '4 and '5. Internal Revenue Stamps \$3.25 annexed to deed indicate consideration above encumbrances of \$3000. Title to remainder of tract is vested in Deschutes County Municipal Improvement District and I find nothing of record to indicate what interest the Allos may have therein, when acquired, or cost thereof.

Parcel No. 4 W¹/₂ of NW¹/₄ Sec. 16 T. S. R. 12 E. W. M. 30 acres, Optioned by Robert H. Foley and Mrs. C. Goodrich and their wives, at \$10000. Title to SW¹/₄ of NW¹/₄ and S. 70 acres of NW¹/₄ of NW¹/₄ is vested in A. C. Goodrich and Robert H. Foley by deed from M. A. Percy, single, dated Dec. 22, 1949, and recorded on said date, in which deed a life estate in said real property is reserved in the grantor. Consideration stated is "\$1 and other valuable considerations". Internal Revenue Stamps \$1.10 annexed to the deed indicate consideration of \$1000. Title to northerly 30 acres of NW¹/₄ of NW¹/₄ is vested in A. C. Goodrich and Robert H. Foley by deed from M. A. Percy, single, dated Dec. 22, 1949, and recorded on said date. Consideration stated is "\$1 and other valuable considerations". Internal Revenue Stamps \$1.10 annexed to deed indicate consideration of \$1000.

Dated Dec. 19, 1950.
Respectfully submitted,
Ross Farnham
City Attorney.

In explaining the quitclaim

deed to Percy, Goodrich told the commission:

"At the time the city option was taken, about the middle of August, we were in active operation of the Tumalo tract. Don Waddle, our lessee under a five-year lease, had put in crested wheat grass and was preparing to plant alfalfa. He suspended operations after the option was taken.

"I must confess a mistake in judgment. I felt that Percy would agree to transfer of the water rights to the city. He is not willing now to make such a transfer."

Obligation Released

Goodrich explained further that "we have been released from paying taxes and water rent" on the 50-acre tract for the rest of Percy's life, adding:

"We have your \$500; you may have it back. We have 30 acres of water. You may have it at the regular price. He (Percy) has 50 acres. He will give the city first refusal if he decides to sell this water."

"How much did you pay down," Commissioner Baer demanded, referring to the Goodrich and Foley purchase of the Percy property.

"None of your damn business," Goodrich retorted, almost immediately apologizing to Mayor T. D. Sexton for losing his temper.

"You know yourself it's a crooked deal," Baer next charged. Then, referring to an editorial in Wednesday's Bend Bulletin, Baer said:

"You and Bob Foley are the Bulletin's fair-haired boys, and the paper is trying to protect you."

Mayor Expostulates

After Mayor Sexton had expostulated over the injection of personalities into the discussion, Baer again charged that a "shake-

down" was being attempted.

"If you buy this water (Goodrich-Foley option) I'll get an injunction and take the case into court," he threatened.

E. L. Nielsen, new city commissioner, asked that the minutes of an August 4 commission meeting, at which the commission decided to take the Tumalo water options, be read. The minutes showed that all commissioners were present, and that the option vote was unanimous.

Baer admitted that he had voted to take the options, stating that "I didn't know then that the people were facing a shake-down."

"You were willing then. Apparently your only objection now concerns the people involved; not the price," Nielsen observed. "I don't see how the city can afford to toss away \$1300 in option money."

"You actually paid Percy \$200. You gave it to him in June," Baer next charged, addressing his remarks directly to Goodrich.

Sexton again remonstrated that any such transaction was "none of the city's business."

"It is our business to see that the city is not shaken down," Baer retorted.

Bailey Comments

Commissioner Ralph Bailey, remarking: "Let's be sensible," next charged that Baer, while professing solicitude for the interests of taxpayers, on several occasions had voted for unbudgeted expenditures. He cited Baer's demand that the city clear sidewalks of snow last winter, although no money had been budgeted for that purpose, as an example in point.

"I feel that it would be silly to pass up the water options, if we

can't get water from any other source," Bailey declared.

"There is nothing more we can do," W. O. Cuthbertson, city manager remarked, apropos water from other sources.

Goodrich at this point offered to show the complete records of his Tumalo water district transactions "to any member of the city government but Commissioner Baer."

Commissioner Bert White reminded Baer that it was only good business to buy and sell at a profit, and remarked that "you would do the same" if an opportunity offered.

Goodrich also pointed out, at one stage of the discussion, that under a 1949 water right adjudication the 80-acre Tumalo tract had 42.8 acres of water. As of July 1, 1950 determination, improvements made by himself and Foley had increased this water to 55.2 acres, he said.

Cuthbertson introduced figures showing acres of water involved in the various options. The Robert F. Foley option would afford 84.6 acres of water, at a total cost to the city of \$20,000 or \$237 per acre of water. This place has improvements with a possible salvage value of four or five thousand dollars, Cuthbertson said.

Tracts Listed

The Goodrich-Foley tract (original 80-acre option) 55.2 acres of water at a price of \$10,000 or \$181 per acre of water.

The Harley Harms tract, 58.4 acres of water at a price of \$15,000, or \$257 per acre of water. The Harms tract has several thousand acres of contiguous Taylor grazing land, which has considerable value, Cuthbertson explained.

The O. C. Kirby tract, 34.1 acres of water, at a price of \$5,

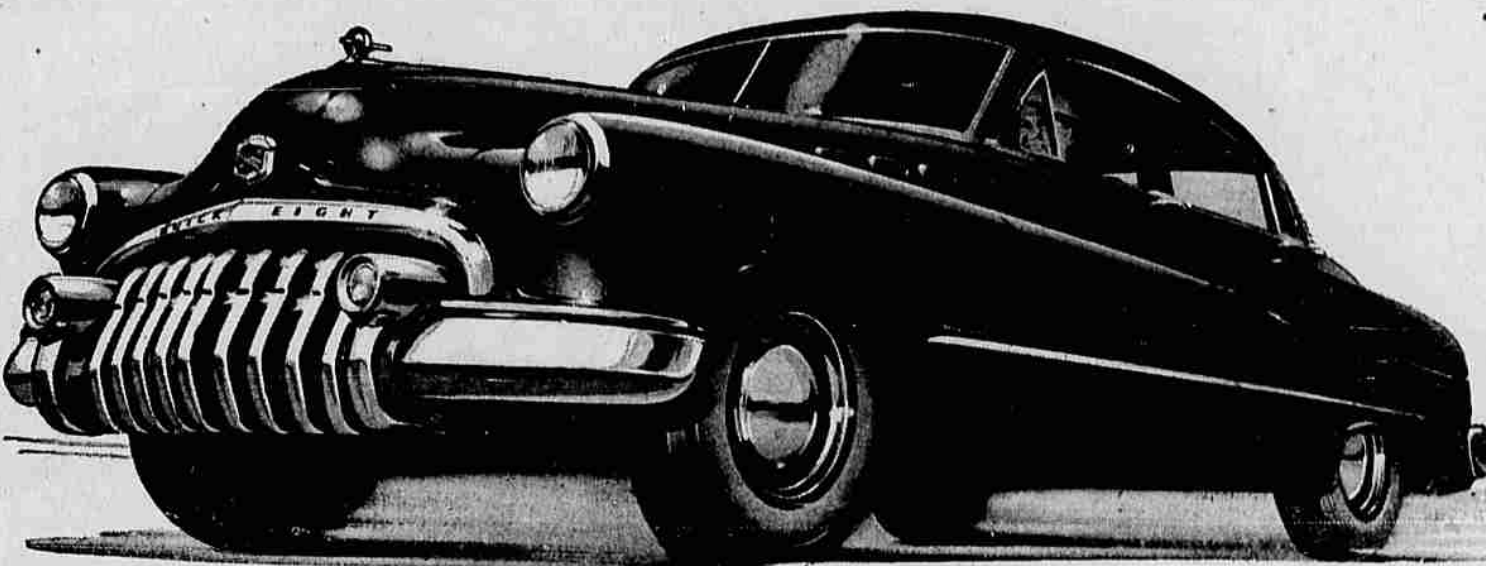
000, or \$147 per acre in value. Most instances the difference price per acre of water equals the difference in salvage values, Cuthbertson explained.

Baer, although insisting "the whole affair should be put in the hands of the people," instead through outright purchase funds raised by increased water rates, ended his phase of the discussion with the remark: "Let the next commission try it."

The meeting adjourned on note.

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