

THE BEND BULLETIN.

VOL. IV

BEND, OREGON, FRIDAY, AUGUST 10, 1906.

NO. 21

PROFESSIONAL CARDS

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Real Estate Bought and Sold.
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INSURANCE.
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R. B. GARMAN,
Barber
HOTEL REDMOND—Call and see
me.
REDMOND, - OREGON.

Desert Land, Final Proof.
NOTICE FOR PUBLICATION.
U. S. Land Office, The Dalles, Oregon,
July 12, 1906.

Notice is hereby given that Temperance O. Reed, formerly temperance O. Harshman, of Bend, Oregon, has filed notice of intention to make proof on her desert land claim No. 127 for the W. 1/4, sec. 3, T. 12 S., R. 11 E., S. 31, P. 12 S., W. 1/4, before H. C. Ellis, U. S. Commissioner, at his office in Bend, Oregon, on the 13th day of August, 1906.

Who names the following witnesses to prove the complete irrigation and reclamation of said land:
Ed Johnson, John White, H. W. Reed and Thomas Triplett, all of Bend, Oregon.
July 12-10-1906 MICHAEL T. NOLAN, Register.

CONTEST NOTICE.
DEPARTMENT OF THE INTERIOR,
U. S. Land Office, The Dalles, Oregon,
June 25, 1906.

A sufficient contest affidavit having been filed in this office by Lydia A. Smith, contestant, against homestead entry No. 12601, made October 15, 1902 for 20 acres, sec. 19, T. 12 S., R. 11 E., S. 31, by Martha Morris, contestee, in which it is alleged that said Martha Morris has wholly abandoned said tract, and that final hearing will be held at 10 o'clock a. m. on August 15, 1906, before H. C. Ellis, U. S. Commissioner, at his office in Bend, Oregon, and that final hearing will be held at 10 o'clock a. m. on August 15, 1906, before the Register and Receiver at the United States Land Office in The Dalles, Oregon.

The said contestant having, in a proper affidavit, filed June 21, 1906, set forth facts which show that after due diligence personal service of this notice can not be made, it is hereby ordered and directed that such notice be given by due and proper publication.

IRRIGATED LAND—I have a few choice tracts from 40 to 160 acres each that can be bought at a bargain.—P. L. TOMPKINS, Bank Building. 43tf

Because we are selling the same and better quality at a closer margin is a very good reason why you will find our store the best place to buy anything in the line of
Groceries, Drygoods, Furnishings, Shoes, Hardware, Sash and Doors, Paints and Oils

The PINE TREE STORE
E. A. SATHER, PROPRIETOR

A Complete Stock of
DRY
Rough, Surfaced and Moulded
LUMBER
At Bend, Oregon. At Bend, Oregon.
All Widths, Lengths and Thicknesses

Reasonable Prices Good Grades Dry Stock
Lumber Delivered at Low Cost Anywhere on The D. I. & P. Co., or The C. S. I. Co.
INCH COMMON DIMENSION SHIPLAP RUSTIC T. & G. FLOORING BEADED CEILING WINDOW CASING HEAD BLOCKS O. G. BASEBOARD STAIR TREADS WATER TABLE O. G. BATTINS MOULDINGS P. B. D. PATENT ROOFING FENCE PICKETS SHINGLES ETC., ETC.

CUSTOM FEED MILL IN CONNECTION.

The Pilot Butte Development Company
BEND, - OREGON

Timber Land, Act June 7, 1906.
NOTICE FOR PUBLICATION.
U. S. Land Office, Lakeview, Oregon,
June 7, 1906.

Notice is hereby given that in compliance with the provisions of the Act of Congress of June 7, 1906, entitled, "An act for the sale of timberlands in the States of California, Oregon, Nevada, and Washington Territory," as extended to all the public land states by Act of August 4, 1904,

Harry L. Gibbs, of Portland, county of Multnomah, state of Oregon, has filed in this office his sworn statement No. 234, for the purchase of the S. 1/4 of sec. 9, T. 21 S., R. 14 E., S. 21, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the Register and Receiver at Lakeview, Oregon, on Friday, the 7th day of August, 1906.

Who names as witnesses: Ora Poundexter, of Prineville, Oregon, and James D. Honeyman, of Bend, Oregon.
Any and all persons claiming adversely any of the above described lands are requested to file their claims in this office on or before the said 7th day of August, 1906.

CONTEST NOTICE.
DEPARTMENT OF THE INTERIOR,
U. S. Land Office, The Dalles, Oregon,
June 7, 1906.

A sufficient contest affidavit having been filed in this office by Melissa C. Coons, contestant, against homestead entry No. 12590, made October 7, 1902, for the S. 1/4, sec. 19, T. 12 S., R. 11 E., S. 31, by Eugene I. Ashline, contestee, in which it is alleged that said Eugene I. Ashline, has changed his residence therefrom for more than six months last past, that said tract is not settled upon and cultivated by said party as required by law and that said tract is still in existence, that said alleged absence was not due to his employment in the army, navy or marine corps of the United States in time of war, and that final hearing will be held at 10 o'clock a. m. on July 28, 1906, before H. C. Ellis, U. S. Commissioner, at his office in Bend, Oregon, and that final hearing will be held at 10 o'clock a. m. on July 28, 1906, before the Register and Receiver at the United States Land Office in The Dalles, Oregon.

The said contestant having, in a proper affidavit, filed June 7, 1906, set forth facts which show after due diligence personal service of this notice can not be made, it is hereby ordered and directed that such notice be given by due and proper publication.

July 12-10-1906 MICHAEL T. NOLAN, Register.

Everyone should subscribe for his home paper, in order to get all the local news, but to keep in touch with the world's daily events should also read

The Evening Telegram, Portland, Oregon,

The leading evening newspaper of the Pacific Coast, which has complete Associated Press reports and special leased-wire service, with correspondents in important news centers and in all the cities and principal towns of the Northwest. Portland and suburbs are covered by a bright staff of reporters, and editorial, dramatic, society and special writers. Saturday's edition consists of 26 to 28 pages, and has colored comic pages, as well as a department for children, colored fashion page, an interesting serial story and other attractive features in addition to all the news of the day.

Subscription Rates: One month, 50 cents; three months, \$1.50; six months, \$2.50; twelve months, \$5. Sample copies mailed free.

Ice cream sodas can now be obtained at the postoffice store. 14-4f

500 ACRES OF APPLES

Many Trees to be Planted on Johnston Ranch.

NOTHING BUT EXPORT FRUIT

One of the Largest Orchards in the State Will be Set Out Next Spring 18 Miles East of Bend.

The latest improvement decided upon by J. O. Johnston for his large ranch east of Bend is the planting of 500 acres to apple trees next spring. Mr. Johnston has been making a study of fruit growing during the last few months, with the result that he will plant what will be one of the largest orchards in the state. No varieties but those that command the highest price as export apples will be planted. These varieties have not yet been chosen, but inasmuch as the Yellow Newtown Pippins and the Spitzenburgs are very popular commercial apples at present, they will probably comprise a large per cent of the trees. Particular attention will be paid to the growing of apples of exceptional keeping qualities.

The Bend country is destined to be a great fruit country. Many hundreds of fruit trees, berry bushes, and strawberry plants were planted last spring and Mr. Johnston will cap the climax next spring with his large orchard. Young berry bushes and strawberry plants have yielded abundantly this season when their age is considered. They have done remarkably well. Fruit trees, though too young to bear, have made a fine growth, are entirely free from any pest and disease, and look healthy and strong. J. I. West reports that his plum trees have made a growth of 3 1/2 feet this year.

Two miles north of Bend there is an orchard on the S. Collins place that has been literally loaded with apples each year for several seasons and there will also be a fine yield this year.

About a mile east of Bend is the Henry Hedges homestead. Mr. Hedges is much given to experimenting with fruits and vegetables. Early this spring he planted quite a variety of fruit trees and bushes, which included peach and walnut trees. They have made a fine growth.

Indications now predict that the upper Deschutes valley will be a great producer of fruit in a very few years, and that Mr. Johnston will make no mistake in planting many acres to fruit.

BEND TAKE NOTICE.

A Chance for the Muscle and Brawn of Bend to Show Its Worth.

REDMOND, Aug. 8.—Since our last notes fair matters have progressed rapidly. The premium list is nearing completion and will be sent to all who request it. Entries should be made early. If there is any difference in accommodations it will be in favor of the earlier entries. Books open September 1. Address E. C. Park, Secretary, Redmond Fair Association.

We will have the best kite-shaped track in Central Oregon. Good races, sports, running water and camping privileges for those who desire.

In the premium list the following departments are well represented, single premiums running as high as \$25: Horses, cattle, sheep, swine, poultry, dairy, farm products, fine arts, textile and culinary. Ladies take notice.

We expect to have novelty races, baby show, popcorn and peanuts.

Now Bend, sit up and take notice. We expect you to send down a tug-of-war team to pull off your share of the glory and gold.

We especially invite exhibits other than those provided for in the

premium list and will offer all facilities possible for their proper exhibition.

The officers of the association are B. A. Kendall, president; E. C. Park, secretary; C. N. Ehret, treasurer. These, with Messrs. H. F. Jones and F. L. Ricker, make up the board of directors.

CROPS DO WELL.

Land under the Swalley Ditch Produces Much Grain.

James R. Benham was in Bend Tuesday from his ranch on the Swalley ditch and reports that crops are in fine condition in his neighborhood—never looked better. Oats stand 3 1/2 feet high and the grain is filling out into fine, large kernels. Another field of oats sowed a little later is about two feet high and is just beginning to head. Mr. Benham expects to thresh this crop and says he will get a fine yield.

His field of alfalfa is making an excellent record this year. He has cut one crop of hay from it, cutting about a ton to the acre. The second growth looks extra well and will cut much more than a ton per acre.

None of Mr. Benham's land has received any fertilizer of any description. He took the virgin soil, cleared, plowed and seeded it, and is reaping very satisfactory crops. Mr. Benham says much improvement can be noticed on all crops grown on the second plowing and prophesies that Deschutes valley land will improve with each year's cultivation. He has much faith in this country.

MORE SURVEYORS AT WORK.

Southern Pacific Has Many Men Working in the Mountains.

The Eugene Guard has interesting news to report regarding another crew of surveyors that has been put to work by the Southern Pacific on the surveys over the Cascades into Eastern Oregon. This makes five crews working in the mountains on surveys running toward the east: Rankin, who started with the first crew on the west side about a year ago; Buck, who is working across the mountains toward Rosland; Miller, who outfitted at Bend and is working east from Hazledell probably along a branch of the Willamette river; Shaw, who is now camped 20 miles south of Bend running a line due south toward Odell, and this last crew mentioned by the Guard. The Guard says:

A party of Southern Pacific railroad surveyors arrived in Eugene from San Francisco on this morning's train and left by private conveyance about 9 o'clock for the Herbert ranch about 30 miles from Eugene and a considerable distance from Hazledell postoffice on the upper Willamette. The headquarters for the several crews of surveyors who have been working on the proposed line across the mountains into Eastern Oregon is at the Herbert place, over 60 men being camped there.

The surveyors who left Eugene this morning did not know their ultimate destination. Until they arrived here on the train they did not even know which direction from Eugene they were to go, their orders having preceded them by mail. They will go to the Waldo Lake vicinity, but do not know how much further or in which direction from there they will be ordered.

With the 50 or 60 engineers in the field the Southern Pacific company is making thorough surveys of the proposed line across the mountains and of the several proposed laterals, extended north and south from the Natron-Ontario line.

It will be remembered that the first crew of surveyors under Carl Rankin began work on the line nearly a year ago and the force has been increased from time to time and divided into several different crews until almost an army of engineers is now engaged at the work.

It is expected that the announcement of the letting of contracts for construction will be made within the next few weeks.

BETTER LAW NEEDED

Statutes Covering Water Rights Are Deficient.

STATE ENGINEER IS AT WORK

An Effort Will be Made to Secure the Passage of a Good Irrigation Measure by Next Legislature.

A matter of much importance to all irrigated countries is the necessity for good and sufficient laws covering the diversion of water from streams and settling beyond dispute the right to the use of that water. In this regard the law of Oregon are wonderfully lacking and a movement is now started to secure the passage of an adequate irrigation law. State Engineer Lewis has made arrangements for a meeting at Portland in September at which delegates from different sections of the state will formulate an outline of a new law and endeavor to secure its passage by the next legislature.

Recently settlers living along Three-Mile, Gate and Rock creeks in Wasco county submitted a petition to Governor Chamberlain for redress from damages caused them by an irrigation company that had diverted all the water from these creeks for irrigation purposes. This left the settlers without water for stock and domestic purposes. Both Governor Chamberlain and State Engineer Lewis are of the opinion that the state has no authority in such cases and the only relief for the settlers was through action in the courts.

This matter has quickened the discussion relative to a new irrigation law and is arousing more interest in Mr. Lewis' plan for the meeting at Portland. Referring to the trouble of the above-named settlers, Mr. Lewis said:

"The laws in this state are very indefinite, and the rights acquired are uncertain, there being no state administration or control over the diversion of waters from the streams of this state, as there is in Utah, Wyoming, etc. An effort has been made to secure the passage in this state of a law similar to that in Utah without success, and another attempt will be made at next session of the legislature.

"This matter should receive the support of all water-users in the state, and I would suggest as a remedy for the conditions mentioned that you look into the subject of the irrigation laws of other states and organize your community for the support of such legislation as you think will assist in the solution of your difficulties.

"All water rights are uncertain in this state, however, as there is no record of them. They conflict and are worthless because only a part of the users have filed, some of those claim more than they can use, and some never build ditches. The police power of the state does not extend to the protection of water-users for lack of definite record as to specified rights. A certificate of appropriation, under the remedy suggested, issued by the state is the foundation of right to the use of power, as is the fundamental patent to the title to land.

Speaking of the great importance of adequate laws governing irrigation questions, Elwood Mead, in his book, "Irrigation Institutions," discusses this matter with great force. Mr. Mead is chief of irrigation investigations in the United States department of agriculture, and has made a study of irrigation questions for years. He says:

"The essence of the problem to be met at the outset is the control and distribution of the water supply, since not only the enduring prosperity but the very existence of the homes created will be conditioned upon the ability to use the rivers of the region for irrigation. The diverse interests of individuals and communities, and even of different states, will all depend on streams flowing from a common source. To reclaim all the land possible will involve the spreading of water over a surface as large as New England with New York added. Standing now at the beginning of things and looking down the vista of the future, we can see in the course of these rivers the dim outlines of a mighty civilization, blessed with peace and crowned with a remarkable degree of prosperity, in case wise laws and just policies shall prevail in the years of the immediate future while institutions are forming. But if it

(Continued on page 5.)