

LOCAL BITS.

C. A. Spainhour was in from his homestead west of Bend Thursday.

E. C. Park of Redmond was attending to business matters in Bend today.

Nick Weider left for Prineville Tuesday where he has engaged work for a short time.

The P. B. D. Co. sawmill started operations last Monday and will run for two or three weeks.

W. E. Guerin, jr., and H. C. left Monday for Silver Lake to attend to business matters.

Mrs. F. F. Smith and her sister Miss Pearl Hightower, drove over to Bend from Tumalo Saturday.

One more short week and the school bell will ring and the happy boy will hasten to school with lagging steps.

Mr. and Mrs. A. C. Lucas gave a pleasant trout dinner to a few friends last evening at the Pilot Butte Inn.

The Linster sawmill has been running for the last week or 10 days and are turning out a good grade of lumber.

Henry Tweet is building a two-story addition to his house on his homestead two miles west of Bend, dimensions 12x15 feet.

Mrs. R. A. Young, who has been visiting in Bend for the past two or three weeks, will return to her home in Salt Lake City about Sept. 1.

Christian Endeavor subject for Aug. 26th: "Home Missions Among our Island Possessions." Text, Isa. 42: 1-12. Leader, Miss Nola Kever.

The Ladies' aid of the M. E. church will meet with Mrs. S. C. Caldwell Wednesday afternoon, the 26th of August. Work. All members and friends are invited.

Joe Buckholz is building a large storage cellar for vegetables, etc. on his place about two miles east of Bend, using between 5,000 and 6,000 feet of lumber in building it.

Millard Triplett exhibited some of the finest onions at The Bulletin office recently that were ever grown. An average one measured 1 1/4 inches in circumference. They were well formed, firm and solid and hot.

The board of equalization for Crook county will meet at Prineville next Monday, the 27th, when they will examine the assessment rolls and hear the complaints of those who have a kick to register against the assessments.

Mr. and Mrs. H. P. Lees of Portland, Oregon, were in Bend yesterday visiting friends and attending to business matters. This morning Mr. and Mrs. C. A. Chapman

drove as far as Redmond with them on their return trip to Portland.

Born this morning to Mr. and Mrs. Tom Triplett an eight pound girl.

All the magazines and the Saturday Evening Post at the postoffice news-stand. 19-1f.

The Crook county fair association will hold the county fair at Prineville on Oct. 10-11-12-13. A new pavillion 30x60 feet will be built, the mile tract put in good condition and the grounds overhauled in readiness for this event.

Monday afternoon and evening the air in Bend was filled with smoke, so dense to the west that the usual beautiful mountain view was entirely obscured. It is reported that there was quite a large fire in the vicinity of Black Butte near Sisters.

J. Vaughn returned Wednesday from his trip to the Rogue river valley with a large load of apples. Mrs. Vaughn and the children remained in the valley, where they are drying and canning fruit. He will return there in a few days and later will return to Bend with more fruit.

Mrs. H. C. Ellis gave a very pleasant informal party to several of her friends last Monday afternoon. They made a trip to the Rowlee ranch, procure a supply of roasting ears and then returned to Mrs. Ellis' home, where they feasted on roast corn and other good things.

L. H. McCann has met with great success in his garden this year, and especially so with peas. His vines are loaded with pods that measure on an average four inches and contain from eight to nine large peas to each pod. He has two varieties, the Telephone and Champions of England.

The band boys have recently ordered three fine new instruments from the C. G. Conn Co. of Elkhart, Ind.—a \$90 bass, a \$72.50 baritone trombone and case, and a \$60 B flat coronet solo. Charles Brown will handle the bass, H. J. P. McDonald the trombone and Creed Triplett the coronet. The are silver plated and, exceptin the trombone, have gold bells.

The Rev. Jinnct of Prineville, who has frequently preached to congregations at Bend, recently had an experience with the forest fires in the Canyon Creek country. He and several others were camping in that neighborhood when the fire broke out and were pressed in to service to fight the fires by the forest rangers. During three, hot tiresome days these gentlemen fought valiantly against the flames.

C. A. Chapman has some extra fine samples of oats, wheat and barley in his store window that were grown on the F. C. Rowlee ranch a mile and a half east of Bend. All this grain stands in very heavy stools, an average stool containing 50 stalks. Each stalk is topped with a very heavy head well filled with fine large kernels. The samples are the Little Club and Velvet Chaff wheat, beardless barley and Whiteside oats. This grain volunteered from seed dropped at different places on the ranch and received no care or cultivation whatever.

THE READING ROOM MOVED.

New Quarters Provided for It in The Bulletin Building.

Following out the plans recently adopted by the Bend Library Association, the library, and reading room will soon be moved into the room now occupied by Mrs. C. A. Jones as an office in The Bulletin building and will occupy the south half of that room. A partition will be built through the middle of the present room, the library quarters newly papered and a window probably cut in the south wall of the building. This will furnish very pleasant quarters for this institution.

After the installation in the new quarters, it is planned to have the library and reading room open to the public during both the day and evening.

ABOUT NEW IRRIGATION LAW

An Article Written by State Engineer Lewis on This Important Matter.

State Engineer J. H. Lewis is doing much good work to educate the people in the requirements and to the need of a new irrigation law for Oregon, with the hope that a practical measure will be passed by the next legislature. He recently prepared an article for publication that touches on irrigation conditions in the Willamette valley, but the principles that he proposes for a new law are, of course, applicable to the whole state. The article is as follows:

The recent discussion before the commercial bodies of Portland on the development of Oregon's irrigation and water power resources, and especially the application of irrigation to the Willamette valley, which was unanimously urged by the Portland board of trade, has raised the question of legislation for its encouragement. The law proposed by the governor's commission, which failed to be passed by the last legislature, has been strongly urged as a basis for discussion, as in line with the policy of the government and in harmony with the federal laws. The commission was assisted in its preparation by Morris Rien, the legal adviser of the reclamation service, who is considered a leading authority on irrigation law. It is founded upon the experience of other states where the fundamental principles have been tried and found successful. Substantially the same law was recently passed by North Dakota, South Dakota and Oklahoma, and, with the addition of a few details, was adopted by Utah. This law is chiefly administrative. A systematic method of establishing and recording vested rights in accordance with the established laws and decisions of the courts was provided, also for the acquiring and recording of new rights, with the necessary proof of completion of works and determination by a qualified officer of the amount of water put to beneficial use. Titles to water would then be as definite as titles to land and an abstract of the water records, showing definite title, made possible.

A plain statement of existing conditions of state legislation is found in a message of President Roosevelt of December, 1901, where he says:

"The security and values of the homes created depend largely on the stability of titles to water, but the majority of these rest on the uncertain foundation of court decisions rendered in ordinary suits at law. With a few creditable exceptions, the arid states have failed to provide for the certain and just division of streams in times of scarcity. Law and uncertain laws have made it possible to establish rights to water in excess of actual use or necessities, and many streams have already passed into private ownership, or control equivalent to ownership. 'Whoever controls a stream practically controls the land it renders productive, and the doctrine of private ownership of water apart from land cannot prevail without causing enduring wrong. The recognition of such ownership which has been permitted to grow up in the arid regions, should give way to a more enlightened and larger recognition of the rights of the public in the control and disposal of the public water supplies. Laws founded upon conditions obtaining in humid regions, where water is too abundant to justify hoarding it, have no proper application in a dry country. 'In the arid states the only right to water which should be recognized is that of use. In irrigation this right should attach to the land reclaimed and be inseparable therefrom. Granting perpetual water rights to others than users, without compensation to the public, is open to all the objections which apply to giving away perpetual franchises to the public utilities of cities. A few of the Western states have already recognized this, and have incorporated in their constitutions the doctrine of perpetual state ownership of water."

The criticisms and suggestions of the president are applicable to Oregon as a whole, as the Willamette valley is now admitted to need irrigation for its highest development. If Oregon is not yet ready for a modern code of water laws, when will she be more ready? The great of the upholder of speculative and questionable state rights claimed, the more opposition to the passage of such a law will be had.

WORDS OF A MODERN ADMINISTRATIVE WISDOM:
"When but a few rights exist on a stream no difficulty over the division of the available water is had, but as soon as the appropriations exceed the supply trouble begins. Numerous ditches are now being constructed to utilize the flood flows for so-called winter irrigation. Constant measurement of the wa-

ters and police control will be necessary to indicate when these canals should be closed and the regular flow go by to satisfy prior vested rights. With the construction of storage reservoirs, the question is still further complicated. This question will soon arise on the Umatilla river as to how late in the spring the government will be permitted to take water for its storage reservoir. David Eckles reports a troublesome case in the Grande Ronde valley, which is typical of nearly all storage projects on the natural channel of a stream, and must be relieved by legislation if irrigation by storage is to be encouraged. The stored waters were turned from the reservoir into the stream channel when needed, with the expectation of recovering the same, with due allowance for loss, at his ditch diversion, but the regular flow and increased supply was taken by the ditches with earlier rights taking water at points above his headgate. The difficulty was temporarily overcome by turning out the stored water at night and irrigating at a disadvantage. These difficulties are and have been successfully met in other states, whose laws provide for a careful administrative system over its waters. The stored water is measured each year, and each owner protected by the state in its use at any distance down the stream, with due allowance for loss by evaporation and seepage, regardless as to the number of ditch diversions between the reservoir and place of use.

DEVELOPMENT DISCOURAGED.

Before an individual, corporation, state or government can with any degree of certainty enter into the construction of works involving the use of waters, two things must be known. First, the amount of flow at different seasons at the proposed point of diversion, and, second, the amount of water which is necessary to satisfy the vested rights below the proposed point of diversion. The state, in co-operation with the government, has undertaken to secure records as to stream discharge, which to be of much value must extend over a period of two to five years. At present it is impossible to determine what amount of water is necessary to satisfy vested rights, which information is necessary, to know if any surplus water exists in a stream to be put to beneficial use.

Capital seeking investment in this line is, therefore discouraged, and the value of legitimate rights very much lessened because of this uncertainty. Even where a court decree has been rendered, it may be upset at a later date unless all who claim the right to the use of waters were made parties to the suit, including the state, as trustee of the surplus waters, if any, for future users.

All present vested rights will ultimately come before the courts as water becomes more valuable as a matter of self preservation. As already experienced on certain Oregon streams, considerable areas have been in the courts having their rights adjudicated for the second or third time, and perhaps again in the future as new ditches are built. If a new law will provide a systematic method of determining these rights, also the recording and protection forever on the part of the state, it is believed the increased value would justify the expense. The certainty of a new right, if permitted, would greatly encourage new development up to the limit of the beneficial use to which each stream could be put.

With the water rights of the Western states uniform, the troublesome question of interstate rights would be eliminated. As the future of a larger part of this state will depend largely on irrigation, which in turn is dependent upon laws providing a careful administration over the waters to eliminate the uncertainties of supply and expensive litigation, it is believed that this subject will receive careful consideration by the next legislative assembly.

The Soil and Nature:
All my hurts
My garden spade can heal: A woodland walk,
A haunt of river grapes, a mocking thrush,
A wild rose, a rock-loving columbine,
Salve my worst wounds.
—RALPH WALDO EMERSON.

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