

## A NATIONAL BANK

### Bend Will Soon Have Such an Institution.

### CAPITAL STOCK FULLY PAID

#### Present Bank Will Go Out of Business and New Concern Will Take Over Assets—Open about Sept. 1.

Bend is to have a national bank. The Central Oregon Banking & Trust Company will soon be dissolved and go out of business. It will be succeeded by an institution known as the First National Bank of Bend, Oregon. The new bank will have a capitalization of \$25,000, fully paid up. The assets of the old concern will be taken over by the new organization, at a valuation fixed by and under the approval of the national bank examiner. That is, the examiner will place a valuation on all assets and no assets will be taken over except those that meet his approval. Application has been made for a national bank charter, and it is expected to have the First National Bank of Bend ready for business on or about September 1.

The personnel of the stockholders of the new banking institution assures its success. The stockholders are C. S. Hudson, cashier of the First National Bank at Canon City, Colo., who resigns to come to Bend; John Steidl, Dr. U. C. Coe, E. A. Sather, Roscoe Howard, Attorney C. S. Benson, Chas. D. Rowe, of Bend; F. F. Smith of Gist; Robert Smith of Sisters.

Mr. Hudson, who will be the cashier of the new bank and who will have the general management of the bank's business under the board of directors, is a thorough banker and has had years of experience in that business. He has held several very important positions with large concerns in the East, and each and every one of them speaks in the highest terms of him as a man and a banker. Recommendations of equal satisfactory tone have been received in response to inquiries made by local men, from business concerns in Colorado with which Mr. Hudson has been connected and from men with whom he has done business. It is quite evident that Mr. Hudson will bring to his duties at Bend a ripe experience in the business in which he is to engage.

It will mean much to Bend and vicinity to have a sound financial institution, namely, a national bank, and one that can command the respect of conservative business men. The new bank will, of course, do a general banking business, will make loans, collections, etc., and will be able to afford the usual accommodations to responsible parties. While the exact date when the new bank will open for business cannot now be told, it is expected that all arrangements for its opening will have been completed some time between the 1st and 15th of September. Before the old bank closes its affairs it will call in and redeem all outstanding "time certificates" issued at the time of the panic.

Mr. Hudson, accompanied by his wife, visited Bend several weeks ago and gave the local banking field a thorough examination. He expressed himself as highly pleased with prospects here and said an excellent banking business can certainly be worked up by the new institution. He writes that he will be in Bend about September 1.

### Bear Damages Camp.

When Claude McCall, who is tending camp for the Martin & Schroder sheep camps, was in our office a few days ago, he told us of the peculiar antics that a bear performed at one of their camps. Mr. Bruin made the visit, of course, at a time when no one was near, and being fairly hungry ate all he could find about camp that was edible including all the mutton, bacon

and dried fruit, and tore up all the other packages in the grub box, leaving a conglomeration of coffee, tea, sugar, salt, beans and rice. Not being satisfied with the havoc he had already wrought he tore into the inner confines of Claud's bed and made it a very unrepresentable sight to the owner when he returned.—Silver Lake Leader.

### Flowing Water at Three Feet.

While the ZX vaqueros were camped out by Fossil Lake on the desert they dug a hole near the lake for fresh water. When down about three feet they struck a vein of water which soon boiled out of the top and flowed like a spring, soon making a small rivulet to the lake. This goes to show that there is a great deal of water under that country and if the right kind of a well were sunk no doubt artesian water could be struck anywhere on the desert. It's up to somebody to put in a well drill and give it a fair trial, as the indications are promising.—Silver Lake Leader.

## FACES CHARGE OF ARSON

### A. B. Estebenet Bound over to Circuit Court—Failed to Raise Bond and Was Taken to Jail.

Last Friday afternoon A. B. Estebenet was arraigned on a charge of arson, and his hearing was had before Justice O'Connor of Bend. As a result he was bound over to the circuit court, with his bail placed at \$2,500. This he was unable to raise, and Sunday he was taken to jail at Prineville by Carlyle Tripiett, who had been appointed special officer by Sheriff Elkins. He is charged with having set fire to his storage cellar for the purpose of collecting insurance on his stock of liquors stored therein.

Considerable evidence was introduced at the hearing. Sheriff Elkins testified that he had asked Estebenet why he had moved part of the liquor out of the cellar into the ice house. Estebenet made no answer except to say that he just wanted it there. The sheriff also said he had examined the cellar, and could plainly see that the fire had been set by someone; also that he saw something unusual, namely, the keeping of empty bottles in the storage cellar. He finally accused Estebenet with having set the fires and said that he intended to arrest him. Whereupon Estebenet showed great signs of fright and nervousness, turning first red and then white, with great drops of perspiration standing out on his forehead.

Charles Brown was put on the stand and asked if it was customary for saloon men to keep empty bottles in storage with their liquors. He replied that it was not, that the empty bottles were generally stored out of doors.

Ralph Dunn testified that on the day following the Linster fire he went into Estebenet's place after a hammer that the defendant had borrowed. Going into the cellar after it he noticed that the room was quite full of smoke, and asked Estebenet if the smoke was from the Linster fire. Estebenet replied that it was not; that someone had probably dropped a match into a barrel of waste paper in the rear of the cellar, which had caught fire and partly burned. Dunn asked if anyone put out the fire and Estebenet replied that it went out itself.

Henry Whitsett testified that on the morning after the Linster fire he noticed that the hose carts were standing in the street between his place and Estebenet's. The night previous they had been left between the Pilot Butte Inn and the old Smith restaurant. Whitsett asked the defendant who had moved the carts down there, and Estebenet replied that he had, that he feared there might be a fire down town. This action, taken in connection with the fire in the cellar, is taken to indicate that the defendant knew of the fire in the cellar and had moved the carts in order to have them ready to protect

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## IMPORTANT RULING

### Of Interest to Desert Land Entryman.

### DECISION ON LOCAL CONTEST

#### Stock in Irrigation Company Is Acceptable as "Yearly Expenditure" Required by Law.

Attorney C. S. Benson of Bend has recently received advance sheets of "Decisions Relating to the Public Lands." The pamphlet contains the decision of First Assistant Secretary Pierce of the Department of the Interior, in the contest of Caldwell vs. Halvorson. The decision will be of widespread interest in this section as it establishes the precedent that the purchase of stock in an irrigation company (when said stock entitles holder to a certain amount of water for irrigation) will be accepted as a part or whole of the "annual expenditure" required by the desert land act. The decision follows in full:

### CALDWELL VS. HALVORSON.

An expenditure for stock in an irrigation company, by means of whose system a desert land entryman proposes to irrigate his land, each share of stock entitling him to a certain amount of water, is an expenditure for the "purchase of water rights" within the meaning of section 5 of the act of March 3, 1897, and he is entitled to credit therefor toward meeting the requirements of the statute with respect to annual expenditure, notwithstanding such stock may be transferable.

First Assistant Secretary Pierce to the Commissioner of the General Land Office, May 4, 1908.

Samuel C. Caldwell has appealed to the Department from your decision of December 6, 1907, reversing the action of the local officers of January 24, 1907, and dismissing his contest against desert land entry No. 556, made by Ed. Halvorson, May 20, 1905, for the NW 1/4 Sec. 10, T. 18 S., R. 12 E., W. M., 160 acres.

The contest affidavit was filed September 22, 1906, and charges failure to make the required annual expenditure of \$1.00 per acre, or to make any material expenditure whatever for the improvement, irrigation and reclamation of the said land as required by law.

There is practically no conflict of testimony. It appears from the record that claimant expended about \$55 in clearing and cutting trees upon the land, during the first year of his entry, which is the period in question, and that he bought two shares of stock in the Arnold Irrigation Company, paying therefor and thereon, in labor and cash, enough to raise his annual expenditure above the required sum of \$160.

The nearest approach of the ditch of said company to this land at the date of entry was about two miles, but is in process of further construction, and is the ditch shown upon the plat filed with claimant's application to make entry.

This stock is transferable, and the question presented in this case is whether this expenditure for stock in the irrigation company can properly be allowed as an expenditure required by the desert land law. The act of March 3, 1897, as amended by the act of March 3, 1891, section 5, provides:

That no lands shall be patented to any person under this act unless he or his assignors shall have expended in the necessary irrigation, reclamation and cultivation thereof, by means of main canals and branch ditches, and in permanent improvements upon the land, and in the purchase of water rights for the irrigation of the same, at least \$3.00 per acre of the whole tract reclaimed and patented in the manner following:

Within one year after making entry for such tract of desert land as aforesaid, the party so entering shall expend not less than \$1.00 per acre for the purpose aforesaid; and he shall in like manner expend the sum of \$1.00 per acre during the second and also during the third year thereafter, until the full sum of \$3.00 per acre is so expended.

You hold that the purchase of this stock is an expenditure "in the

purchase of water rights for the irrigation," etc., as provided for in the above quoted act.

Your decision reverses the action of the local officers.

It is contended upon this appeal that because this stock in this irrigation company, concerning whose solvency and ability to deliver the water within the required time no question is raised, is transferable, and may be sold before water is actually used upon this land, the expenditure therefor cannot be properly allowed to this entryman. The same argument can be made as to allowance for fences, which can be sold and removed, also as to all ditches off the land, the water from which can be sold and diverted to other land; also as to windmills, towers and other movable machinery, even if the same are actually in use upon the land.

The Department is of the opinion that this expenditure for stock in the irrigation company is an expenditure for the purchase of water rights, and properly allowed to this entryman under the statute.

Your decision is accordingly affirmed.

It will be remembered that in this case Mr. Caldwell claimed that the purchase of stock in the Arnold Irrigation Company could not entitle Mr. Halvorson to credit on his yearly expenditure for the reason that the stock could be sold and the water transferred to other land. Mr. Caldwell won in the land office at The Dalles. Mr. Halvorson thereupon appealed to the Commissioner of the General Land Office, who reversed the decision of The Dalles officials. Mr. Caldwell in turn appealed to the Department of the Interior, with the result that the decision of the Commissioner of the General Land office was affirmed. Mr. Caldwell, through his attorney, W. P. Myers of Laidlaw, has applied for a review of the case. Attorney Benson of Bend has handled the case for Mr. Halvorson.

### Pleasant Ridge Items.

Lots of beautiful warm sunshine now-days.

Haying is all over now and put up in a first class condition, exceptionally so.

The railroad is still coming.

C. M. Redfield was in our vicinity Tuesday on business.

Civil Engineer Page and crew are at Hall's station this week running survey lines on which to build laterals for the late David Miller.

Mrs. G. W. Hall entertained a few of her friends last Sunday at dinner in honor of Mrs. Samuel Ward and daughter Laura of Spokane, Wash. All reported a delightful time.

J. Alton Thompson is irrigating Wm. Burell's crop during his absence.

Born to Mr. and Mrs. Clint Woods on the 2nd, a 10-lb. baby girl. Mother and babe doing well.

Henry Hewins is making some extra exertions in shoving the water over his place this week and last.

Rev. Harrader filled the pulpit at Pleasant Ridge last Sunday. His discourse was good.

Sherwood Bros. are contemplating buying a binder, a Milwaukee. Crops are looking extremely promising. They will cut oats for those who wish cutting done.

Chad Irvin was at our Sunday school last Sunday with pleasure and surprise to all. However, we are glad to see this Chad, and there is the most of welcome. May the good work go on. Come right along.

### Powell Buttes Items.

Good crops are being harvested.

The settlers in the old river bed expect to have school next winter.

J. I. Jones has come home from the ditch camp to irrigate.

Perry Iams and wife have returned home after an extended visit to Portland.

Cliff Ellis, who has been carpentering in Prineville during the summer, has returned home to irrigate and harvest his crop.

No one is immune from kidney trouble, so just remember that Foley's Kidney Remedy will stop the irregularities and cure any case of kidney or bladder trouble that is not beyond the reach of medicine.—C. W. Merrill, Druggist.

There's NRWS in The Bulletin.

## DAMAGE FROM FIRES

### Burning in Timber South of Bend.

### HARD TO GET UNDER CONTROL.

#### A Stubborn One in 19-10 Is Causing the Most Damage—Two Others in 22-9 and on Paulina Mts.

For the last week or 10 days a number of fires have been burning in the timber south of Bend, and are doing more or less damage. The largest one and the one causing the greatest loss is burning about five miles west of Frank West's place on the upper river, in township 19, ranges 9 and 10. This fire is now burning within the reserve, and is a very stubborn one. Reports from the fire Tuesday stated that it had then burned over four sections, and it has been burning constantly since that time. A phone special to The Bulletin Thursday reported that one of the fire fighters had just been at the Frank West place and he brought the news that it is doubtful if the fire can be put out by tomorrow, Saturday.

J. N. Hunter has gone with eight or 10 men from Bend to fight this fire. In all there are some 15 or 20 men, including the rangers, working hard to get it under control. There is a large amount of snow brush, jack pine, and young fir in that region, which makes the fire very hot and very difficult to get under control.

Another fire of no mean proportions is burning west of the Rosland sawmill and some six or seven miles south of the "fish trap," or in township 22, range 9. This has been burning for several days and reports from it state that quite a number of large trees are falling. A crew of fighters are likewise trying to get it under control.

Still another one is burning on the Paulina mountains. Inquiries made at Rosland by The Bulletin discloses the information that this one is not doing much damage, as it is running chiefly through the grass and pine needles. A crew of eight or 10 men are at work on it.

A claim belonging to W. F. King of Prineville and located on Sugar Pine mountain has been totally destroyed. J. N. Hunter passed over the claim and reports it a total loss.

While the cause of the fires is not known, they are supposed to have been started by lightning. There has been practically no rain for several weeks and the timber is in prime condition to burn.

### Redmond Items.

REDMOND, Aug. 3.—Another one of the popular Ladies' Aid socials is on for next Thursday afternoon from 3 o'clock on. Ice cream and cake will be served at the school house.

W. L. Gibson has had some horses stolen again. Saturday morning he was looking for them and presume he has found them by this time.

Born to Mr. and Mrs. D. W. C. Woods, Saturday, a girl. Ten pounds, and Mrs. McClay says its no doctor's baby either.

J. E. Lamb has bought A. R. Anderson's three town lots, east of the Redfield property. He says they may come handy to have when the railroad gets here. Mr. Anderson has been talking for some time of leaving and expects to do so before long.

More new arrivals whose names we did not learn are camped near the school house. Twelve children are in the number. They are folks who bought some time ago, but seem to have trouble finding their land.

The latest word received from Miss Olive Smith at Spokane is that she is out of danger. Friends of the family will be pleased to learn this.

The C. O. surveying crew was spending Sunday evening in Madras, having moved their camp to that place.

E. C. PARK.

### Library for Prineville.

The P. A. A. C. is putting forth considerable effort to increase the

membership of the club. Besides the shower baths, the new tennis court and the skating rink, a new library room is to be partitioned off next to the billiard parlors. The ladies of the Annex will furnish the library. This auxiliary society is already to do more than its share of the work of making the club better and more attractive.—Journal.

### Porcupines Damage Fruit Trees.

Porcupines are proving to be a pest at the Cove orchard, and a number have been killed there in the past week or so. Fred Fulgham, who works at the Cove, killed three of them Thursday night. The porcupines are attracted by the tender berry sprouts and the leaves on the fruit trees, especially the pear trees, several of which they nearly stripped of foliage. They do not eat the fruit but pull off the leaves and the young sprouts from the berry vines, and one of them can do a good deal of damage in one night.—Madras Pioneer.

## STRIKES A VEIN OF COAL

### Madras Oil & Gas Company's Drill Pierces Fine Stratum of Coal in Well on Grizzly Mountain.

Although the news was not made public at the time, the Madras Oil & Gas Company drilled into a vein of good looking coal in the hole which they were sinking on the west slope of Grizzly. The coal was encountered at a depth of 150 feet and appears to be of a fine quality, but the extent of it is not known as the work was suspended just after the coal was struck, the machinery being too light to carry the hole to a much greater depth. When the work was suspended, Frank Forest, president of the company, left for California to buy heavier machinery. He did not buy in California, however, but placed an order with an Eastern firm through their Portland representatives, for a standard drilling outfit and other machinery, making up a car-load lot, and this will be received within the next six weeks.

In the mean time the drill on the ground will be used in prospecting the coal discovery, to ascertain the thickness of the vein, and it is probable that further investigation of the coal prospect will prove it to be of sufficient extent to be of great importance. The discovery of a good quality of coal in Crook county would be of immense importance in the development of this section, measurable by the extent of the coal deposits uncovered, and the exploration of their discovery by the local prospecting company will be watched with much interest.

As soon as the heavier machinery arrives work will be resumed on the deep well being drilled to prospect for oil. Mr. Forest bought casing and other material necessary to continue the work, and also employed another drill operator, who will have charge of the work. It is expected that this work will not be resumed within six weeks or two months, as it will take that long to get the machinery here and on the ground.—Madras Pioneer.

### Tumalo Items.

TUMALO, Aug. 4.—Hot days and smoky weather.

I. E. Wimer and C. H. Spangh were at Tumalo one evening last week.

F. F. Smith of Gist and Mr. Tucker of Seattle, Wash., stopped here Sunday on business.

A number of our farmers are busy cutting and putting up hay, and crops are making a good yield.

O. Kelley of Hay Creek states that he will be up in this country this fall with a steam thrasher and his own cook wagon to do the threshing for farmers in this section.

P. H. Conley of Planean, Oregon, was in Tumalo Sunday. Mr. Conley has two bands of sheep on the reserve at the head of McKenzie river.

Fred Wallace and Mr. Shumons of Laidlaw passed through here yesterday.

Now that the Laidlaw Chronicle has fallen back into Mr. Myers' hands we hope to get some good, reliable, sensible news again from it.