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THE BEND BULLETIN.

WE think this is a pretty good BULLETIN today. After looking it over, what do you think about it?

VOL. VI

BEND, OREGON, WEDNESDAY, MARCH 10, 1909.

NO. 52

SELF DEFENSE WILL BE HIS EXCUSE

Edwards Shot Hotel Keeper to Save His Own Life.

TRIAL IS SET FOR APRIL 5

Claims That McGalliard Attacked Him and That He Did Not Shoot Until After He Had Been Brutally Beaten and Knocked Down.

The trial of Osborne Edwards, charged with murder, has been postponed to April 5. This was done because of the failure of a number of affidavits to reach Portland from the East which are regarded as of vital importance to the defense. Edwards is well known in Bend, having lived in and about the town for the past two years.

When all the facts are known in connection with this affair, said Attorney Logan, counsel for the defense, it will appear in an entirely different light, and the young man now charged with murder will be shown to have acted merely in defense of his own life when he shot McGalliard at the Richelieu House the night of January 5.

His Reputation Good.

The Telegram states that investigation has made it plain that Edwards is nothing but a raw country youth, who left North Carolina three years ago for the Northwest, coming first to Washington, where he worked in lumber camps. From Washington he came to Oregon and took up a timber claim in Crook county. This was about two years ago. His reputation in his native state is said to be of the best and among those reported to speak the highest of him is the lieutenant-governor of North Carolina. This reputation is said to have adhered to him during his residence in Washington and Oregon.

After selling the Crook county timber claim, the young man bought a relinquishment on a homestead in the same district. He proved up on this property last October, and on receiving his papers went to Creswell, where he spent some time with an uncle, deciding finally to go to Hoquiam, Wash., and again work in a lumber camp. With his 19-year-old cousin, Wheeler Caudill, Edwards came to Portland January 5.

Being an honest, hard-working boy, Edwards is said to have had no use for any weapon but a revolver, which he kept at his homestead as a means of protection against beasts of prey. He is said to have loaded this weapon and carried it on coming to Portland, though he was not accustomed to do so, because of the accounts he read in the newspapers of so many holdups in Portland about that time. The weapon is reported to belong to a man in Washington, having been loaned to Edwards, and his intention was to return it. He thought he might as well carry it back loaded, for the reasons given. Persons coming to Portland from the country districts are in the habit of carrying arms because of a fear of being held up, and Edwards' action in this respect is said to have been merely that of the average country man.

Went to the North End. It is another common practice for

youths and men coming to Portland from lumber camps and timber claims to go into the North End, seeking the society of women. In this regard the two boys are admitted merely to have followed the usual custom. The defense asserts that it expects to prove the boys were directed to the Richelieu House by a barkeeper and told they could secure rooms there and also meet women of the character sought.

Both Edwards and Caudill have informed their lawyer that when McGalliard was directing them to a room young Caudill asked if there were "any girls around," whereupon McGalliard uttered a curse and knocked Edwards, who was nearest him, down. While he was prostrate, according to the version of the defense, Edwards was kicked twice by McGalliard and then young Caudill was also knocked down. They assert that, realizing the character of the house, they managed to get down the stairway to the lower floor when McGalliard again attacked Edwards, and while on his knees, with his 250-pound adversary leaning over, ready to strike him again, Edwards fired the shots that killed McGalliard and made it necessary for him to defend his own life in court.

Redmond Items.

REDMOND, March 7.—Last week after our notes were in we received a well written account of the Elliott-Hegardt wedding, signed "A Guest." We are very glad to receive such items, but would suggest that they always be accompanied by the writer's name, not necessarily for publication, but to take them out of the list of anonymous communications.

Surprises at J. E. Lamb's and Carl Khret's on Tuesday and Saturday nights furnished entertainment for a large number of guests at each place.

Mr. and Mrs. Sturdevant, Sr., are among the late arrivals. They are quartered with the younger couple during building operations on their adjoining property.

It is reported that there will be a change of teachers in the public school tomorrow morning. Mr. Chapman beginning clearing and spring work and Mrs. Chapman taking his place. Members of the school board last night did not confirm the rumor, but admitted that Mr. Chapman had asked for the change. It is also definitely settled that we are to have the full nine months of school.

McLellan, Young & Company are at home just at present from their clearing.

Orval Spencer is a new Modern Woodman in the local camp since last night. Orval is pretty good on bronches, so had no difficulty in subduing the goat.

John Trisler leaves tomorrow morning again for his other home in Ottumwa, Iowa. His many friends wish him a pleasant and safe journey.

H. M. Smith, Alex Brown and J. E. Lamb have all been clearing or having clearing done.

Mr. Atkinson is at home at present from ditch work.

E. C. Park made a business trip to Prineville Friday.

M. E. Landes and B. J. Henninger went to the Grizzly mill Friday and Saturday, while DeWitt Lamb and Mr. Lauderback will go to Prineville for lumber for Mr. Whited Monday and Tuesday.

The Lamb Feed Co. reports that there will be a great deal of clover and alfalfa sowed this spring, judging from the amount of seed sold and the advance orders on hand.

Mrs. McGuffie is quite sick again. She was out to church last Sunday for the first time in eight weeks. The trip and excitement proved rather too much for her nerves, with the result as above. Many friends are hoping for her speedy and full recovery. E. C. PARK.

Foley's Kidney Remedy will cure any case of kidney or bladder trouble that is not beyond the reach of medicine. Cures backache and irregularities that if neglected might result in Bright's disease or diabetes.—Bend Drug Co.

Alfalfa Field, 16 Days After First Cutting, Near Bend—1908



CROOK COUNTY COURT TRANSACTS BUSINESS

Approves Two New Roads, Buys Furniture for New Court House and Attends to Many Other Matters of Importance.

Following is a report of the more important business transacted by the county court at its March session, including a statement regarding the progress of work on the new court house, and also in regard to the engaging of teachers for the county high school for next year.

Report of road viewers on Harold Baldwin road approved and road declared a public highway.

Report of road viewers, recommending Lyle Gap road, approved.

County clerk requested to determine total amount of taxable property in each road district, the total amount of road tax and also the 50 per cent thereof which the statute prescribes must be spent upon work within the district in which it is collected, and it was ordered that a tabulated statement thereof be published in the official county paper for the benefit of the several road supervisors and the tax payers of Crook county.

It was further ordered that County Commissioner R. H. Bayley take charge, under the direction of the court, of the expenditure of the 50 per cent of the road tax that is to be devoted to the general maintenance of roads all over the county wherever most needed, as provided by statute. Nearly all of the large bridges in the county are in urgent need of repairs or rebuilding, and Mr. Bayley's experience in lumbering, dam and bridge work will mean a great saving to the tax payers in the long run.

The bid of Glass & Prudhomme Company for hardwood office furniture and sectional steel vault fixtures was accepted, their bid being approximately \$4,000 therefor. By the terms of this bid the county is given until nearly the middle of 1910 before any part of this bill becomes due, in order that next year's taxes may be available for the payment thereof. Only such furniture as seemed necessary was ordered. The sheriff's office and county clerk's office, in which the bulk of the county's business is transacted, were provided with necessities, and only so much of the steel vault furniture was ordered as to conveniently accommodate the present

records, documents and files. A small amount of furniture was ordered for the assessor, county school superintendent and surveyor. Aside from two judge's chairs no furniture was ordered for the court-rooms. Both the hardwood and steel office furniture is of the standard type and finish and may be added to at any time as the needs and finances of the county may warrant.

Contractor Shimp expects the plastering to be finished on Saturday of this week, and already has a large force of carpenters finishing the woodwork and expects to have the building practically completed and ready to turn over by May 1, 1909. He is cleaning and grading the yard. The heating plant, which is being used by the plasterers, is giving good satisfaction and is very economical in the consumption of fuel. Only necessary electric lights and chandeliers for the circuit court rooms and halls have been ordered and these are all ready for installation, as is also the large tower clock.

At a meeting of the Crook county high school board all of the present high school teachers were re-employed at the same salaries. This speaks well for the efficiency of the old teachers and with the addition of a thoroughly competent normal teacher the attendance of the Crook county high school should be doubled during the ensuing year.

Inklings From Gist.

GIST, March 8.—Everybody busy in this neighborhood these days. Alex Levenenz went to Bend Saturday on business.

Grandpa Graham and wife stopped over night at Gist last Tuesday on their way to Redmond to visit their daughter, Mrs. Zumwalt.

Mr. and Mrs. Fuller of the Cloverdale country were visitors at Gist Sunday.

W. E. Burkhard is clearing more ground to put in crop this spring.

Walter Graham will go to work for the forest service on the 12th inst.

C. S. Hudson of Bend made a pleasant call at Gist Sunday.

Dr. M. V. Turley, who has been away for some months, returned one day last week to attend to business matters here. He is doing some improvement work on his desert claim.

You can hear the buzz of the saw up at the Smith mill these days. Something doing up there.

You will hear of a new postmaster at Gist in the near future. Mr. Gist will resign on account of other business that will take up his time.

For Sale.

Second-hand, leather-top baby buggy; also 5-gallon barrel churn. Call on MRS. O. H. BRICKSON.

IS THE BEST WATER LAW NOW EXISTING

New Water Code Thus Described by Those Who Favor It—Two Good Men Appointed by Governor as Division Superintendents.

A law that eventually will mean much to the entire state of Oregon, and especially to the Bend country, is the new water code adopted by the legislature at its recent session. The water code is said to stand head and shoulders—in importance—above any other legislation enacted by the 25th legislature. It was forced through the senate, after having been adopted by the house, mainly through the efforts of Senator Frank Miller of Linn and Lane. To Senator Miller is due much credit for the passage of the irrigation code, but had he not had a concerted public sentiment on his side he would have failed to get the measure through the senate at this session.

Two strong men have been selected by Governor Chamberlain in T. M. Saxton of Baker City and H. T. Holgate of Bonanza, for places on the irrigation commission. They are perhaps the two best men in the state for the position. Holgate will represent the western water district, or all that part of the state west of the Cascade range, and Saxton the eastern district, or all that part east of the mountains.

The Best Code Extant.

Under the provisions of the law, which is regarded as absolutely the best now existent, this commission is authorized to make preliminary adjudications of water rights on any stream in the state upon the application of one or more water users from the stream. Such adjudication is subject to review by the courts and also to appeal.

An administrative system is provided, the superintendents being the administrative officers, and the waters of a stream are to be distributed by water masters, under the direction of the superintendent, to the various water users, in accordance with the rights as adjudicated.

The state engineer's office is made an office of record for all rights initiated or adjudicated after the passage of the bill and no rights can be initiated without compliance with this law, which requires a filing in the state engineer's office.

Revenue From Water Powers.

Other meritorious legislation pertaining to land and water rights was enacted, including Representative Eaton's measure providing for

(Continued on last page.)

APPROVAL OF MAPS IS POSTPONED

Secretary Garfield Orders Engineers to Investigate.

A DELAY OF SEVERAL WEEKS

Wants to Learn if Railroad Through the Deschutes Canyon Would Interfere with a Contemplated Irrigation Project.

Secretary Garfield failed to approve the right-of-way maps of the Deschutes railroad, as it was announced he would do before retiring from office on March 4; and Central Oregon is again subjected to a disappointing delay of several weeks. A. A. Hoehling, a Harri-man attorney at Washington, telegraphed the following to Portland:

"The secretary says that after a full conference with Director Newell, he has decided to refer the Deschutes river railroad situation to special agents of the reclamation service for examination in the field as to the matter of conservation of water resources at that place, and ask for a speedy report, thus passing the matter over to the next administration."

News dispatches from Washington state that it has been decided to withhold action on these maps until Engineer Schlect of the reclamation service, recently detailed to the Klamath project, can investigate conditions on the Deschutes river and determine the level at which a railroad can be built so that it will not interfere with power development along the Deschutes, either by the government or private interests. Mr. Schlect is now on the way to the Deschutes.

The department has hopes that the railroad will seek some other route into the interior and abandon its intention of building up the Deschutes, for it is said there are more attractive power sites on this river than anywhere else on the Pacific coast, and Mr. Garfield inclines to the opinion that power development is more desirable and in the end more beneficial to the state than running a railroad through this particular canyon if another route can be found. It will be several weeks before the engineer's report can be submitted. It is true that there are several other routes available for a railroad into this section, but the Deschutes route gives much better grades than any other and is the logical one over which to build.

J. N. Hunter and W. H. Staats of Bend have started out a petition addressed to the Oregon delegation in congress and asking that they do all in their power to secure the early approval of these right-of-way maps. The petitions are being liberally signed, and read as follows:

"To the Honorable Members of the Oregon Delegation in Congress:

"We, the undersigned, citizens of Central Oregon, respectfully urge that you use your best efforts with the secretary of the interior to expedite approval of the railway right-of-way surveys up the Deschutes canyon to enable early construction of a railroad to the interior of the state.

"We urge this believing your efforts will facilitate action if you can show to the honorable secretary that technical objections and doubtful irrigation projects ought not to be allowed to obstruct and delay approval of surveys in a matter of such vital interest and importance to the entire state of Oregon."

Portland commercial organizations also are going to get behind the Deschutes railroad and do all they can to remove the obstacles before the project. Influence will be brought to bear with the department at Washington to secure favorable action on the matter. It is hoped this may facilitate matters and leave the way clear for the construction of the road.

For Sale.

Good work horse, weight about 1250; good heavy harness and good strong 3/4-inch wagon. Also new steel harrow, plow, and some small tools and implements.

ANDREW T. MOORE.