

THE BEND BULLETIN

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WEDNESDAY, JUNE 1, 1910.

HOMESTEADS NOT THREATENED.

April 23 of last year Secretary Ballinger instructed the Director of the Geological Survey to examine into and report upon the question of withdrawing certain lands in the Upper Deschutes valley for water power sites. In accordance with such instructions Director Smith, under date of November 18, recommended the temporary withdrawal of 3,262 acres along the Deschutes river between Clime Falls at the north and Pringle Falls at the south. Two days after receiving the recommendation Secretary Ballinger approved it and sent it to the General Land Office, where it was received and registered on the last day of last year.

Of the 3,262 acres thus withdrawn from all forms of entry, selection, disposal, settlement or location 2,391 acres had previously been entered at the land office, leaving only 871 acres of vacant Government land in the withdrawal—three-fourths of the area withdrawn was already in private hands. However, settlers do not relish the following clause found in the withdrawal order:

All valid entries heretofore made may proceed up to and including the submission of final proof, but no purchase money will be received or final certificate of entry issued until further orders.

A number of the settlers interpret this to mean that their final proofs will be held up indefinitely and may finally be rejected and the entries cancelled for slight or technical cause.

We do not think this fear is justified. The Department has decided time and again that the relation between a land entryman and the Government is contractual, and if the validity of a legal contract may not be impaired by legislation certainly the act of an administrative officer will not impair it. So long as the entryman keeps faithfully his part of the contract the Government is bound to fulfill its obligation. True, the decision as to whether the settler has complied with the law rests with the land officers of the Government, but it is hardly to be assumed that they will abuse their discretion to make trouble for homesteaders when the only result of the homesteaders' failure would be that the Government would keep the land. And if they should abuse discretion the courts would then get jurisdiction to interfere.

It should be observed that the withdrawal is but temporary, "in aid of proposed legislation affecting the disposal of water power sites on the public domain." If Congress shall take no action on the subject at this session it is probable that these lands will be restored to entry.

Incidentally, one must wonder at the seriousness with which Government officers set about "protecting the water powers" when it has repeatedly been decided by the courts that such powers are the exclusive property of the state and do not belong to the Federal Government at all. The site for utilizing the power is sometimes important, sometimes not; but it is the site only that the Government can control, when it is on the public domain.

The "ethics" of Stenographer Kerby in telling what he knew touching the Glavis-Ballinger matter is sagely discussed by the heavy editorial writers of the machine press. We thought they had taken a position upon the impregnable rock of the law, not ethics—the strict, sacred and unbending law wherein Secretary Ballinger found no warrant for preserving for all the people certain public property desired by a select few. Also, by reference to the oath of Stenographer Kerby filed in the department when he entered upon his duties it will be found that he swore to serve the United States faithfully, not the Secretary of the Interior or any other boss personally. Whether he did wisely or not may be questioned, but if he thought he was serving his country under his oath of office his course was amply justifiable. Many high functionaries have been protected in careers of crookedness by that peculiar code of "ethics" which prevented subordinates from telling what they knew. Those who cannot afford to let the light shine on their acts are much given to prating about the "loyalty" of government employees to their superiors. Little do they care for the public interest; it is their special and private interests which concern them most.

For the next eighteen months, and perhaps longer, Bend will be

crowded with railroad constructionists, stores busy as never before in meeting the demands of the many adjacent camps, as well as those of the growing town. To supply fresh foods for the vastly enlarged market is no small problem. Meat, butter, eggs, milk, potatoes and all vegetables, and fodder, will be in demand in great quantities. Everyone who has land can make money by putting it under cultivation, and aside from the highly satisfactory financial end of the situation, it is well to realize that the better the local market is supplied with local produce, at reasonable rates, the more will it be patronized by the railroaders and others.

No worthier movement ever has been launched in Bend than that to establish a trout hatchery here. It is a matter deserving the fullest attention of the state officials, for certainly the claims of the Deschutes are well founded and of real importance, not only locally but for all Oregon. "Taxation without representation" is a phrase which perhaps not inaptly comes to mind when considering the project; for of the several thousand dollars collected in Crook County in fish and game licenses during the last five years how much has been expended in this region and how much west of the mountains?

The Bend Schools have finished their year's work. That the citizens of Bend are interested in the activity of their schools was evidenced in no uncertain way by the large attendance at the various commencement exercises, and assuredly the people of Bend have good reason to be proud of what the town offers its children and its newcomers in educational advantages. No community of twice Bend's population boasts a better institution; a splendidly equipped and well conducted public and high school, housed in modern quarters, is an incomparable asset for any town.

"Pinchotised Patriots," "Pinchot's Charges Fall," "Pinchotites a Lying Lot," "Complete Failure of the Charges Against the Secretary of the Interior"—these are some of the headings appearing on the editorial page of one number of the Portland Oregonian, that of May 24. And it was not a Pinchot number either. It was the ordinary rot inspired by a Cunningham claimant. Silly as such an exhibition is, it has its humorous side.

For the second time premature opening of something has brought trouble to the name of Dewey. After our late lamented squabble with the Dons, George was sunk, politically, by prematurely and over-often opening his mouth. This time the floating dry dock Dewey went to the bottom because someone opened its valves.

The long-suffering individual who sent six old collars to Portland and had them returned by express—cost \$1.20—will rejoice in the promised arrival of a Bend steam laundry.

Great credit is due to the high

school pupils who participated in last week's play. Its successful presentation evidenced a lot of hard work, on the part of players and coach—work which the audience appreciated.

PETITION FOR FISH HATCHERY

Ideal Situation is Here. Would Keep Deschutes Perfectly Stocked.

A movement is on foot for the establishment of a trout hatchery on the Deschutes at Bend by the state. A petition requesting such action has been circulated by S. G. Dorris, the deputy fish warden who has been here for two months, and, signed by some 150 Bend business men and taxpayers, has been forwarded by him to H. C. McAllister, master fish warden of Oregon. According to Mr. Dorris and to all others familiar with hatchery work who have investigated the situation, Bend is ideally situated as a location for a trout-raising plant. Many hatcheries are maintained by the state throughout Oregon, but thus far the Deschutes Valley has been entirely neglected. The cost of installing and maintaining a hatchery is slight, and usually, it is said, the returns from sale of fish for stocking purposes is sufficient to maintain the plant. A hatchery here would insure good Deschutes fishing for all time, say piscatorial experts.

The petition, whose text appears below, outlines some of the pertinent reasons for establishing a hatchery at Bend.

BEND, OR., May 26, 1910.—TO THE HONORABLE H. C. McALLISTER, MASTER FISH WARDEN, SALEM, OREGON.—Sir: Believing that the Deschutes River at or near Bend, Or. offers exceptional advantages for the establishment of a Trout Hatchery, because—

- (1) The stage of the water of the river at this point seldom if ever varies to exceed 12 inches.
 - (2) A site can be obtained adjacent to the city on the Deschutes for the establishment of such a hatchery.
 - (3) The cost involved in securing a favorable location as well as lumber and all supplies would be the minimum.
- And inasmuch as we believe a hatchery would be a benefit to the entire country and that its installation is justified because—

- (1) The Deschutes, for long one of Oregon's finest fishing streams, and as such a great attraction to visitors etc., is being depleted of its stock rapidly.
- (2) The considerable amounts collected in this city and section in licenses has never been devoted to the benefit of the locality.

We, the undersigned residents of Bend, Oregon, and vicinity, respectfully petition that a Trout Hatchery be established here by the State and that you personally investigate the advisability of the object.

Visitors Continue to Come.

"Jack" Edwards, of the famous Hay Creek Ranch, with Mr. and Mrs. Honeyman of Portland autoed in to Bend last week, spending several days fishing and taking excursions from the town. Zera Snow, W. B. Ayer and Carl Spuhn, of Portland, also are guests at the Pilot Butte Inn.

Entertainment at West Home.

On Tuesday evening Miss Wiest entertained a large number of friends at her home. The warm summer's evening was spent on the lawn in playing games and informally chatting, with the comet a background of strong interest. Refreshments were served on the piazza.

Seattle Man is Enthusiastic.

L. F. Swift, a Seattle investor in Bend, has a good word to say for us in the following letter. Mr. Swift is one of the big drug merchants in Seattle.

SEATTLE, WASH., May 24, 1910.—EDITOR OF THE BULLETIN, BEND, ORE.—Dear Sir: I am more than delighted with the progress you are making down there and cannot but feel that Bend has a great future before it.

Every foot of your business property is worth at least a hundred dollars per front foot. This estimate is conservative and based upon a systematic investigation of business property in small towns.

Yours truly,
L. F. SWIFT.

"Jimmy" Merrill's Birthday Party.

On Thursday afternoon Mrs. and Dr. Merrill gave a birthday party for their son James, whose eighth birthday it was. Among the other features of "Jimmy's" good time was a gold watch presented to him by his parents. A lot of boys and girls were present, as well as "grown-ups" and all voted the party "the best ever." The following were guests:

Charles Triplett, Eddy Brosterhaus, Haze Grant, Ronald Sather, Harold Sather, Francis Redfield, Charles Merrill, Louis Triplett, Miss Riel, Miss Markel, Miss Sandeaver, Miss Young, Miss Wiest, Miss Richardson, Miss Hall, Miss Williams, Mrs. Bunters and daughter.

Notice.

We beg to announce to the public that we have purchased from Mr. Floyd De-ment his entire stock of electric wire and fixtures, and are now prepared to take contracts for the wiring of all buildings, both old and new.
BEND WATER, LIGHT & POWER CO.

WINCHESTER



401 CALIBER MODEL 1910 Self-Loading Rifle

It Strikes A Blow of 2038 lbs.

This new Winchester shoots a heavier bullet and hits a harder blow than any other recoil operated rifle made. It is more powerful than the .30 Army, of big-game hunting fame. The loading and firing of this rifle are controlled by the trigger finger. It HITS LIKE THE HAMMER OF THOR

Send for illustrated circular fully describing this new rifle which has strength and power plus.
WINCHESTER REPEATING ARMS CO., New Haven, Conn., U. S. A.

The best investment a man can make is in a

HOME

LOTS IN

PARK ADDITION

offer most desirable locations. Make your selections early as the best sites are selling fast. Liberal Discounts to parties building this year.

Lots in NORTH ADDITION, CENTER ADDITION and LAVA ROAD ADDITION

Will be on sale at attractive prices Monday, June 6th.

Bend Townsite Company

BEND, OREGON.
Office corner Wall and Ohio streets.

320-ACRE HOMESTEADS

WE HAVE THE

Best Wheat Land IN CENTRAL OREGON.

FREE AUTOMOBILE TRIP from Bend to the lands and return for all who locate.

LIST YOUR CITY PROPERTY WITH US IF YOU WANT A QUICK SALE.

Write for Particulars, to

Merrill & Wilkinson Company

BEND, OREGON.

320 ACRES OF FREE GOVERNMENT LAND

Homestead Locations In the Big Sage Brush Country to the southeast of Bend.

WE LOCATE NEAR THE LINE OF THE BEND-ONTARIO RAILROAD

AUTOMOBILE SERVICE City Property--General Real Estate.

W. N. Brown Co.

BEND, OREGON

Radcliffe Bros. Auto Co.

DAILY TRIPS

Between Shaniko and Bend and All Interior Points of Central Oregon.

Address: RADCLIFFE BROS. AUTO CO., Bend, Oregon.

New Cars 40 Horsepower Velie Reliable Drivers

A. A. DICKEY J. W. MCCLURE J. GOODFELLOW

CROOK COUNTY REALTY COMPANY

We have farm lands and city property for sale. If you wish to purchase, see us. If you have anything for sale, see us. We are here for business and will treat you right.

C. C. R. CO.

Hotelling Building, Wall Street, Bend

REMEMBER

The Oklahoma Restaurant

Will open for business in the White Market building, on Wall street, about June first. For further particulars WATCH THIS SPACE.

Carr & Wheeler, Props.

Hotel Bend

Corner Bond and Oregon Sts.

AMERICAN PLAN

Rates \$2 and \$2.50 a Day

HUGH O'KANE, Manager