

WILLIAMS STATES HIS CASE

Attorney-Settler Attacks Land Board and Company.

To the Editor of The Bulletin:
I note that in the last issue of your paper you print excerpts from a communication from Gov. West relative to the proposed action against the Desert Land Board to compel it to force the Company (the C. O. I. Co.) to fulfill its contract with the State to the end that lands now unpatented under the Central Oregon Canal can be patented. The extracts from the Governor's letter being to the effect that any pressure brought on the Company at this time would be suicidal.

Now this is a matter of most vital importance, not only to the settlers, but the county at large, and I desire to suggest that if your space permits you print some of the essential facts concerning the present status of affairs.

On June 17th, 1907, the Company and the State entered into a contract, one of the essential terms of which was that the Central Oregon Canal should be enlarged so as to have a safe carrying capacity of one cubic foot of water for every seventy acres lying under the respective portions of the canal. According to the terms of the contract this work should have been completed within four years from the date of the contract, or by June 17th, 1911. But in 1910 a supplemental contract gave the Company until the fore part of 1913 to complete the work.

On Feb. 5th, 1912, the Company and State entered into another contract whereby the Company put up a \$25,000 bond to guarantee the enlargement of the Central Oregon Canal according to the contract of 1907 above referred to. The time during which this canal should have been enlarged has expired. The Company is in default on both the contract and bond. As a result approximately 5000 acres of land in the Powell Buttes is unpatented, and unpatentable, besides a large area east of Bend.

The question now to decide is, should the Desert Land Board be compelled to declare a forfeiture of contract and bond and use the money accruing from the bond for the enlargement of the Central Oregon Canal, as required by the laws of Oregon and the terms of the contract of 1912, or should the company be given additional time in which to endeavor to raise money to complete the North Canal, the completion of which to the Stave Pipe flume would relieve the Powell Buttes though not the settlers east of Bend receiving water from laterals diverting from the Central Oregon Canal east of the 5 mile station.

The Company claims that the required enlargement of the Central Oregon Canal would cost only \$11,500. I submit that it is unreasonable for the Desert Land Board to compel the settlers in the Powell Buttes and east of Bend to submit to the inconvenience and jeopardy of holding unpatented land, in order to relieve the C. O. I. Co. from the expenditure of \$11,500. I say jeopardy, because if the unpatented land in question is not so reclaimed by the completion of the North Canal or the enlargement of the Central Oregon Canal within a period ending Feb. 12, 1913, then the segregation dissolves, and the land will be subject to public entry. I refer skeptics on this point to the amendment to the Carey Act extending the time in which states can reclaim land segregated under the Carey Act and approved by Congress March 3rd, 1901.

Will some one answer the very pertinent inquiry, is it unreasonable to ask the Board to compel the Company to perform its contract with the State when such performance is necessary to enable settlers to procure patents to their lands. Settlers buy this land relying on the performance of the contract between the Company and the State providing for its reclamation. If the Desert Land Board can change, alter and modify these contracts with the Company, it can abrogate them altogether and thereby make it impossible for the settlers to ever get a patent.

In assuming the attitude that it does, the Desert Land Board is making itself a party to a conspiracy to obtain money from settlers under false pretenses. If private individuals would resort to the misrepresentations that the Desert Land Board does in inducing settlers to purchase land on this segregation, they would be punished criminally. The Board weakly justifies its action in granting promiscuous extensions to the Company, regardless of the effect on the settlers, by asserting that what it is doing is, in its judgment, for the best interests of the completion of the project. Would it not be better to make a completed project out of what we have, than to go ahead complicating an already embarrassing situation by inducing settlers to purchase more land to which patents may be long over due in arriving.

It is well known that the absence of patents on this project makes the land unsalable, unavailable as security for loans, and generally retards the development and prosperity of the country.

An association has already been formed in the Powell Buttes for the purpose of bringing appropriate proceedings against the Desert Land Board to compel it to enforce the contract with the Company, and proceed in accordance with the laws of Oregon relative to Carey Act Construction Companies failing to comply with contracts with states.

Trusting that we may have your

co-operation in this effort to secure what we are entitled to by virtue of our contracts with the Company, and its contracts with the State, I remain, Yours very truly,
EDW. D. WILLIAMS.
Redmond, May 31.

LESS BOWEL TROUBLE IN BEND.
Bend people have found out that A SINGLE DOSE of simple buckthorn bark, glycerine, etc., as compounded in Adler-I-ka, the German appendicitis remedy, relieves constipation, sour stomach or gas on the stomach INSTANTLY. This simple mixture antiseptizes the digestive organs and draws off the impurities and it is surprising how quickly it helps. The Patterson Drug Co.
(Advertisement)

Hot rolls and bread at the American Bakery every afternoon at 5 o'clock. New store on Wall street, 1011

NOTICE FOR PUBLICATION.
Department of the Interior, U. S. Land Office at The Dalles, Oregon, May 29th, 1913.

Notice is hereby given that Albert Harryman, of Bend, Oregon, who, on June 24th, 1909, made Desert Land Entry, No. 05016, for SE 1/4 SE 1/4, Section 6, Township 17 South, Range 12 East, Willamette Meridian, has filed notice of intention to make final proof, to establish claim to the land above described, before H. C. Ellis, U. S. Commissioner, at his office at Bend, Oregon, on the 15th day of July, 1913.

Claimant names as witnesses: John F. Young, William Alt, William Peck and John I. Moore, all of Bend, Oregon.
C. W. MOORE, Register.

NOTICE OF CONTEST.

Department of the Interior, United States Land Office, The Dalles, Oregon, May 9, 1913.
To the heir of James A. Mitchell, deceased, of Prineville, Oregon, Contestee:

You are hereby notified that Elmer L. Gardner, who gives Bend, Oregon, as his postoffice address, did on May 5th, 1913, file in this office his duly corroborated application to contest and secure the cancellation of your homestead, entry No. 15261, serial No. 04009, made October 17, 1906, for SW 1/4 SW 1/4, sec. 17, NE 1/4 NE 1/4, sec. 19, N 1/4 NW 1/4, section 20, township 19 south, range 11 east, Willamette Meridian, and as grounds for his contest he alleges that James A. Mitchell died on or about the month of July, 1911, that the heirs of said James A. Mitchell have not cultivated or improved said land or any part thereof as required by law or otherwise or at all nor have either of them, that the heirs of said James A. Mitchell and all and each of them have neglected and deserted said land and failed and neglected to improve or cultivate the same or any part thereof for a period of more than one and one-half years last past.

You are, therefore, further notified that the said allegations will be taken by this office as having been confessed by you, and your said entry will be canceled thereunder without your further right to be heard therein, either before this office or on appeal, if you fail to file in this office within twenty days after the FOURTH publication of this notice, as shown below, your answer, under oath, specifically meeting and responding to these allegations of contest, or if you fail within that time to file in this office due proof that you have served a copy of your answer on the said contestant either in person or by registered mail. If this service is made by the delivery of a copy of your answer to the contestant in person, proof of such service must be either the said contestant's written acknowledgement of his receipt of the copy, showing the date of its receipt, or the affidavit of the person by whom the delivery was made stating when and where the copy was delivered; if made by registered mail, proof of such service must consist of the affidavit of the person by whom the copy was mailed stating when and the postoffice to which it was mailed, and this affidavit must be accompanied by the postmaster's receipt for the letter.

You should state in your answer the name of the postoffice to which you desire future notices to be sent to you.
C. W. MOORE, Register.
Date of first publication May 14, 1913.
Date of second publication May 21, 1913.
Date of third publication May 28, 1913.
Date of fourth publication June 4, 1913.

NOTICE OF CONTEST.

Department of the Interior, United States Land Office, The Dalles, Oregon May 9, 1913.

To Charles M. Davis of Bend, Oregon, Contestee:

You are hereby notified that Louis A. Hill, who gives Bend, Crook county, Oregon, as his postoffice address, did on April 23, 1913, file in this office his duly corroborated application to contest and secure the cancellation of your homestead, Entry No. Serial No. 05323, made March 13th, 1911, for North East Quarter (NE 1/4) sec. 10 and North West Quarter (NW 1/4) section 11, township 20 south, range 15 east, Willamette Meridian, and as grounds for his contest he alleges that said Charles M. Davis has never established his residence upon said tract; that he has not resided upon or cultivated said tract and that he has utterly abandoned said homestead for upwards of six months last past, as I am informed and verily believe; that said absence is not due to employment in

the army, navy or marine corps of the U. S. in time of war.

You are, therefore, further notified that the said allegations will be taken by this office as having been confessed by you, and your said entry will be canceled thereunder without your further right to be heard therein, either before this office or on appeal, if you fail to file in this office within twenty days after the FOURTH publication of this notice, as shown below, your answer, under oath, specifically meeting and responding to these allegations of contest, or if you fail within that time to file in this office due proof that you have served a copy of your answer on the said contestant either in person or by registered mail. If this service is made by the delivery of a copy of your answer to the contestant in person, proof of such service must be either the said contestant's written acknowledgement of his receipt of the copy, showing the date of its receipt, or the affidavit of the person by whom the delivery was made stating when and where the copy was delivered; if made by registered mail, proof of such service must consist of the affidavit of the person by whom the copy was mailed stating when and the postoffice to which it was mailed, and this affidavit must be accompanied by the postmaster's receipt for the letter.

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C. W. MOORE, Register.
Date of first publication May 14, 1913.
Date of second publication May 21, 1913.
Date of third publication May 28, 1913.
Date of fourth publication June 4, 1913.

NOTICE FOR PUBLICATION.
Department of the Interior, U. S. Land Office at The Dalles, Oregon, April 28th, 1913.

Notice is hereby given that Wilbur X. Hunnell, of Laidlaw, Oregon, who, on December 3rd, 1909, made Homestead entry No. 06554, for SE 1/4 SE 1/4, Sec. 32 and SW 1/4 NW 1/4, W 1/2 SW 1/4, Section 33, Township 16 South, Range 12 East, Willamette Meridian, has filed notice of intention to make final three year proof, to establish claim to the land above described, before H. C. Ellis, U. S. Commissioner, at his office at Bend, Oregon, on the 9th day of June, 1913.

Claimant names as witnesses: James R. Benham, of Laidlaw, Oregon, Fred N. VanMatre, and Lavern O. Reed, of Bend, Oregon, and Lemuel A. Brandenburg, of Deschutes, Oregon.
9-13p C. W. MOORE, Register.

NOTICE FOR PUBLICATION.

Department of the Interior, U. S. Land Office at The Dalles, Oregon, May 15, 1913.

Notice is hereby given that Ezekiel H. Hallah, of Deschutes, Oregon, who, on December 18th, 1909, made homestead entry No. 05721, for SW 1/4 SE 1/4, SE 1/4 SW 1/4, sec. 22, and NE 1/4 NW 1/4, NW 1/4 NE 1/4, section 27, township 16 south, range 12 east, Willamette Meridian, has filed notice of intention to make final three-year proof, to establish claim to the land above described, before H. C. Ellis, U. S. Commissioner, at his office at Bend, Oregon, on the 30th day of June, 1913.

Claimant names as witnesses: George R. Butts, Lemuel A. Brandenburg, Fred A. Hunnell, Minnie C. Low, James R. Low, all of Deschutes, Oregon.
11-15p C. W. MOORE, Register.

Newcomers should get the habit of going to Innes & Davidson's barber shop.—Adv.

Bend's Best Barber Shop, as well as the oldest, is Innes & Davidson's, on Oregon street.—Adv.

LOOK

We added 300 new customers to our already long list of users of the **BLUESTEM BLEND FLOUR**, in May. We pleased these, let us please you. We are headquarters for steam rolled barley, oats, wheat and millstuff. Come and see us and get our prices before you buy.

The Purest and Best Always at
Bend Milling & Warehouse Co.

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Excursions East

DAILY, MAY 28 TO SEPTEMBER 30. RETURN LIMIT OCTOBER 31. CHOICE OF ROUTES AND STOP OVERS IN EACH DIRECTION---VIA

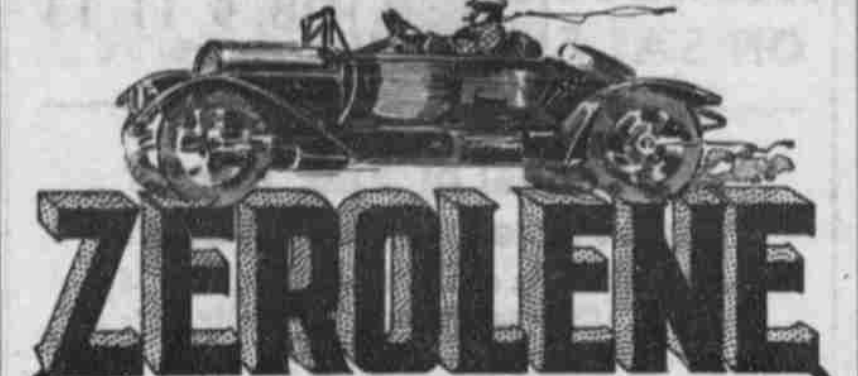


LOW ROUND TRIP FARES

Baltimore	\$107.50	Milwaukee	\$ 72.50
Boston	110.00	Minneapolis	60.00
Buffalo	92.00	New York	108.50
Chicago	72.50	Omaha	60.00
Colorado Springs	55.00	Philadelphia	108.50
Denver	55.00	Pittsburgh	91.50
Des Moines	65.70	St. Louis	70.00
Detroit	83.50	St. Paul	60.00
Duluth	60.00	Toronto	92.00
Indianapolis	79.90	Washington	107.50
Kansas City	60.00	Winnipeg	60.00

LIMITED TRAINS EAST
The train leaving Bend 6:45 A. M., Redmond 7:24 A. M., Terrebonne 7:36 A. M., Culver 8:09 A. M., Metolius 8:30 A. M., Madras 8:40 A. M., Maupin 10:48 A. M., makes direct connection at Fallbridge with limited train East via Spokane, Portland & Seattle Ry.
Train schedules and other details will be furnished on request. Baggage checked and sleeping car accommodations arranged through to destination if desired.
J. H. CORBETT, Agt., Bend, Ore.
R. H. CROZIER, Asst. Gen'l Pass. Agt. W. C. WILKES
Portland, Ore. Asst. Gen'l Frt. & Pass. Agt., Portland, Ore.

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