

THE BEND BULLETIN.

Vol. XIII.

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BEND, OREGON, WEDNESDAY AFTERNOON, JULY 14, 1915.

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NO. 10.

MUCH BUILDING IS IN PROGRESS

DEVELOPMENT IMPETUS IS FELT

Dragich Building Completed—Shriner & Huey Build Bakery Addition—Residences Under Construction in Park and Deschutes.

A revival of building activity hardly equalled in the past two years has been started in Bend by the beginning of the Shevlin-Hixon development work. New houses are being built and improvements and additions are being made in almost every quarter of town. In addition plans are under consideration which will mean still greater activity in the near future.

The largest pieces of construction and those on which the most men are employed, are, of course, the dam across the Deschutes at the mill site and the railroad bridge just below. Both have given employment to large numbers of men, at one time nearly 100 being employed, and a big part of the total cost, estimated at nearly \$25,000, is for labor.

In the business district there was recently completed a one story brick building on Bond street occupied by M. Dragich for saloon purposes, O. W. Tansy doing the brick work and Ed Brosterhouse the carpentering. Nearby, the Thorbjornson building received extensive repairs following the fire which caught from the burning blacksmith shop adjoining, and is now in use again.

On Wall street, in the rear of the present store, the American Bakery is now building a modern bakery and kitchen of brick and concrete. The rear of the adjoining store room has been partitioned off and will be used by the bakery, also. Later it is expected that a door way will be cut through to connect the front parts of the two rooms and a connection.

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BRIDGE PIERS ARE DONE

Shevlin-Hixon Dam is Two Thirds Completed—Officials Here.

The concrete piers for the railroad bridge to the Shevlin-Hixon mill were completed on Saturday and the big concrete mixer which had been used on the job hauled away. The timber bents are now being put in place above the piers, the work being finished from the west end out to the span. On the east side the approach to the bridge is practically completed, and it now seems certain that the date set last week, July 25, will see trains running over the bridge.

The dam is two thirds finished and the water is now passing through the spillways on the completed portion. Today the river will be turned from the east side and the remaining coffer work started. On the logging road grading continues.

President Gilman of the Oregon Trunk and several other officials spent last Friday here in inspecting the newly completed spur and the bridge work.

WALLACE ASKS FUNDS TO FINISH CRATER CREEK WORK

Seeks to Finish Work Begun by Laurgaard to Give Tumalo Project Ample Water Supply.

In the expectation of securing funds from the State Land Board to complete the diversion of the waters of Crater Creek into Tumalo creek for the uses of the Tumalo project, Fred N. Wallace, manager of the project, spent a few days in Salem last week.

A portion of the work of diversion was done under the management of Project Engineer O. Laurgaard last year and in his report he recommended that funds be set aside from the sale of lands to complete the work. The reason for the diversion was to make doubly sure of an ample supply of water for the project and the plan has always been regarded as desirable.

Now, with the extreme low water of the present year and the difficulties which have been encountered in the reservoir, the water of Crater creek is especially desired, not so much for use in irrigation at present, as Tumalo creek is understood to be ample for all the sold lands, but for use in the reservoir in connection with the work of closing the leaks that have developed there.

According to engineering authorities the leaks can be controlled, several which at first seemed serious already having been fully stopped. For the future the only necessity is to discover such leaks as remain and

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DOG MUZZLING ORDINANCE REPEALED BY CITY COUNCIL

Picture Show Ordinance is Ended. Also—John E. Ryan Makes Gift of Watering Trough to City.

The dog muzzling ordinance was repealed at the meeting of the city council on Friday night and last night a section of another ordinance limiting the number of picture shows was repealed. An ordinance providing for the impounding of stock was passed last week, the purpose being among other things to put an end to the annoyance caused by grazing stock in the residence districts.

The council voted on Friday to accept the new drinking trough presented to the city by John E. Ryan, vice-president of the Bend Water Light & Power Co. The trough is a fine looking piece of concrete work situated on Bond street near Minnesota. It is designed especially for horses and fills a need felt for a long time.

Other business transacted at the regular meeting was to grant Shriner & Huey a permit for the construction of an oven in the rear of their store and to order a cement side walk at the corner of Wall and Minnesota streets and a board walk in front of a lot on Jefferson drive in Park addition.

Outstanding May and June warrants were ordered taken up and bills were ordered paid as follows:

Owl Pharmacy	40
V. A. Forbes	42.50
R. B. Gould	14.99
Bend Hardware	10.32
H. C. Ellis	30.28
S. E. Roberts	100.00
M. E. Coleman	26.00
H. W. L. & P. Co.	297.90
Bend Bulletin	5.00
H. H. De Armond	30.00
A. Aune	3.30
Colver & Shannon	118.00
Bend Band	25.00

JEFFERSON AND CROOK SETTLE

FINANCIAL ADJUSTMENT MADE

Debt and Value of County Property Offset Each Other—Two Courts in Joint Session Find Jefferson Taxes Collected are \$44,000.

Final proceedings in the separation of Jefferson county from Crook were held at Prineville last week and the divorce is now complete. Crook pays alimony amounting to \$25,616.06. Jefferson gets the money as a nest egg with which to start in business for itself.

The courts of the two counties met in joint session on Thursday to make the final adjustments as provided by the county division statute. Committees from the two bodies have been busy for several months past in collecting the data necessary for the settlement and Max Crandall has audited the books of Crook county so that to a large extent Thursday's meeting was merely formal. Reports were received, there was a little work with paper and pencil, the amount due was ascertained and the terms of the settlement was embodied in a resolution.

The \$25,000 odd which is paid to Jefferson in the settlement represents wholly taxes from Jefferson county collected by Crook county since the division occurred. A still larger sum has been collected but various sums owed the parent county reduced the amount paid to the figure given.

On the adjustment between county debt and county property no payment was made by Jefferson, the value of the property having been found to be in excess of the debt. Under the division law, if the debt had exceeded the value of the property Jefferson would assume its share, the amount being proportioned on its assessed valuation. The debt being less than the value of the property no payment is made.

County Property Values.

The actual figures on the county property were, real estate \$12,600, court house \$54,000, high school \$15,000, old high school \$3,000, industrial building \$15,000, warehouse \$40, total \$88,500. The county debt on January 1, 1915, as ascertained by Mr. Crandall, was \$4,000. The total collections from Jefferson county since January 1, 1915, were found to be \$44,649.46 and amounts paid for Jefferson are: to school districts, \$6,258, half state tax, \$7,610.14, for Crook county high school, \$2,790.46. In addition Crook has sold Jefferson road machinery at an appraised value of \$2,374.67. The difference between the total collected and the sum of these various items represents the \$25,616.06 paid the new county.

On two features of the adjustment the two courts reached a compromise, these being the question of delinquent taxes collected, and high school taxes paid. These two items, amounting to a few thousand dollars, were left to Crook county, although the best legal opinions were to the effect that Jefferson was entitled to them. Jefferson gets all uncollected delinquent taxes.

EXCESS PUZZLE REVIVED AGAIN

GENERAL LAND OFFICE HEARD FROM

Declares Patents Cannot Issue to Carey Act Lands Unless All Irrigable Acreage Watered—Supreme Court Decision Opposed

(Special to The Bulletin.)

SALEM, July 13.—The Desert Land Board has received a letter from the General Land Office in which the old excess acreage question on Carey Act projects is revived. In effect the Washington authorities declare that patents cannot be issued to tracts involving irrigable acreage not provided with water, and the five cornered puzzle involving the company, settlers, courts and land office is resumed.

The predecessor of the Central Oregon Irrigation Company sold water rights to settlers before it was determined how much of the land could be irrigated. The settler assumed he could irrigate all the land in his tract. When water rights became more valuable the company declined to deliver water to all the irrigable land and sought to make delivery according to the relative price paid for each tract. The settlers appealed to the Desert Land Board for relief. The board dodged the issue and shouldered the responsibility on the courts by entering an order to the effect that in its opinion the Courts would decide in favor of the settlers.

State Engineer Lewis contended that the law was not being complied with and that all irrigable lands was entitled to water. This additional acreage requiring water further aggravated the question of the adequacy of water supply arising on account of the excess seepage. Lewis declined to certify lists No. 9 and 10 for patent, which resulted in a deluge of printer's ink and the passing of the lists for patent without the State Engineer's signature.

Now comes the General Land Office warning the State against passing defensible title to the settlers, saying:

"It does not seem necessary at the present time, however, to request a reconveyance or to take other steps looking toward the reversion in the United States of the legal title to such tracts, since it well may be that the entire matter can be adjusted, an adequate water supply for the entire irrigable area of every patented legal subdivision assured, and ultimately the settlement and reclamation of the land secured, and thus the object of the Carey Act be accomplished. In which event, of course, no steps looking towards the vacation of the erroneously issued patent would be necessary. The matter is called to your attention, however, so that the State may not transfer the defensible legal title, unless and until an adequate water supply for the particular subdivisions in question shall have been secured."

What action the Desert Land Board will take or can take is uncertain. According to the official intimation every settler on the project who has a State deed to a tract

Involving the excess acreage question has a patent which might be revoked unless arrangements are made to irrigate the entire irrigable area.

The Desert Land Board will also be confronted with the problem of outlining a policy in regard to the issuance of deeds in the future on tracts of this character. To add further complication to the question, the Supreme Court recently held against one of the excess acreage settlers in the case of C. O. I. Co. v. Whitted. In other words, Washington officials, interpreting the Carey Act, take a stand exactly opposed to the recent finding of the Oregon Supreme court.

"EXCESS ACREAGE QUESTION INVOLVES 4139 ACRES

Table Shows Contract and Irrigable Acreage Under Each C. O. I. Patent List—Detailed List to Come

SALEM, July 13.—The following table, showing the acreage involved in the "excess acreage" question, has been secured from the office of the State Engineer. No list 6 lands under the Pilot Butte canal are involved.

List 8, Central Oregon, contract acreage, 480, actual irrigable acreage, 709, "excess acreage" 229.

List 9, Pilot Butte Canal, contract acreage, 125, actual irrigable acreage, 147, "excess acreage" 22.

List 10, Central Oregon, contract acreage, 1471, actual irrigable acreage, 2002, "excess acreage" 531.

Patent lists 2 and 3, Pilot Butte canal, contract acreage, 4606, Central Oregon canal, contract acreage, 3267, total contract acreage, 7873; actual irrigable acreage, Pilot Butte canal, 6332, Central Oregon canal, 4845, total actual irrigable acreage, 11,177; "excess acreage" Pilot Butte canal 1726, Central Oregon canal, 1578, total "excess acreage" 3304.

Not listed Central Oregon, contract acreage, 110, actual irrigable acreage 163, "excess acreage" 53.

Total contract acreage, 10,059, actual irrigable acreage, 14,138, "excess acreage" 4,139.

Next week The Bulletin will publish a complete list of all tracts on the C. O. I. segregation in the Bend and Powell Butte country involved in this question.

HIGHWAY OFFICIALS COMING

State Highway Advisory Board on Trip Over State.

PORTLAND, July 13.—S. Benson, well-known good roads enthusiast and chairman of the Advisory Board of the State Highway Commission, will leave this morning at 8 o'clock, accompanied by a small party including J. H. Albert and Leslie Butler, other members of the Board, for a trip of inspection over the Pacific Highway to the state line.

Mr. Benson and party will continue to the California line, visiting Klamath Falls and Crater Lake, and will return north through Central Oregon by way of Bend. Mr. Benson will consult with citizens of the various sections of the state as to the needs of the several districts along good roads lines.

The highway party is expected to arrive here on Saturday. A local delegation will meet the board at some point south and escort them to town.

FLOWER SHOW DATE SET.

Saturday, August 21, was set as the date of the flower show at a meeting of the Ladies Library Club held at the library yesterday afternoon. Other business transacted was the adoption of a new constitution for the club.

SINNOT TALKS OF RAILROADS

TELLS OF KLAMATH APPEAL

Congressman Returning From Fourth of July Celebration Reports Desire of People of Southern City to Have Line Extended On.

Still more of the agitation for an extension of the railroad south from Bend reported recently from Klamath Falls is found in an interview given by Congressman "Nick" Sinnott, of The Dalles, on his return from the southern city recently.

According to the Journal Mr. Sinnott brought with him an appeal from the people of Klamath county to the people of Portland to co-operate in bringing the north and the south of the state into closer touch—physically, commercially and socially.

He said in part: "Klamath county is tired of transacting business in San Francisco. The people live in Oregon and yet they are nearer San Francisco than Portland. Everyone who visits Klamath by rail must first go outside the state to West, California, then return north over the mountain railway.

Portland has promised to help

(Continued on last page.)

ROYAL ARCH LODGE OPENS

Installation Ceremonies are Held Here Saturday Night.

With delegates present from Prineville and Redmond, Bend chapter No. 59, Royal Arch Masons was installed on Saturday night and its charter received from the grand lodge of the state. In the absence of grand lodge officials who had been expected from Portland, T. M. Baldwin, of Prineville, conducted the ceremonies and opened the lodge. Following the installation the ladies of the Eastern Star provided an elaborate banquet.

The officials who were installed were C. M. McKay, high priest, J. D. Davidson, king, O. Laurgaard, scribe, J. H. Corbett, captain of the host, A. O. Walker, principal sojourner, H. A. Miller, royal arch captain, H. J. Overturf, master of the first veil, U. C. Coe, master of the second veil, P. C. Garrison, master of the third veil, J. C. Rhodes, secretary and L. A. W. Nixon, sentinel. The visitors included A. A. Anderson, of Redmond and T. M. Baldwin, M. B. Brink, G. W. Noble, J. W. Carlson, Dr. E. O. Hyde and E. J. Wilson of Prineville.

ELIMINATION COMING SOON.

WASHINGTON, D. C., July 8.—Senator Lane's office was notified today by the interior department that a presidential proclamation to open 120,000 acres of land in the Paulina forest reserve for public settlement will be issued within a week.

Of this land, 113,000 acres lies south of La Pine and the rest in the Silver Lake district, near the town of Silver Lake. The land has been eliminated on account of the poor timber.

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