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LAW AND EQUITY OF IRRIGATION

(Continued.)

ing since its adoption. While numerous changes and additions should be made, this will especially be found true in reference to irrigation. The calling of the constitutional convention will prove necessary before the state can fully receive and enjoy the benefits to be derived from the governmental aid which will naturally fall to our state.

Behind Other States.

That on the question of irrigation we have not quite kept pace with our neighboring states we more fully realize when we take into consideration, that the constitution of Oregon went forty-five years without an amendment, and that even the people of our great state, on election day, less than four years ago, voted down an amendment in reference to irrigation merely because a great daily paper of Portland at that time said "Vote 'No' on All Amendments," without giving a reason therefor.

Our constitution, although it was great for the time in which it was adopted, does not meet the many new and unforeseen conditions which have arisen a half a century later. At the time of its adoption the settled portion of Oregon consisted of that part of the state where ditches were constructed to drain swamps and to run water off the land, in place of being constructed for the purpose of running the water into it; hence it is not surprising that these questions were entirely overlooked.

The state of Idaho adopted its constitution forty years later and at a time and in a state when and where all agricultural crops depended upon irrigation; hence their constitution, upon that question at least, is far ahead of ours, and one which it would be well to follow on this particular question.

Irrigation Districts Needed.

In the state of Idaho, as well as in California we find that in large communities depending upon irrigation they have organized and are working under the irrigation district system. A community of, say, fifty people, more or less, owning an entire valley, obtaining its water supply from a common source, organize a district, elect their directors, similar in some respects to our school districts but on a larger scale and under a more extensive and complete system, who have the general control and management of the district. The district, and all the people in its boundaries, become the owners of the water supply in common. The water is distributed pro rata among its farmers. One man can not have an abundance of water and another have none. If there is a shortage each suffers his proportion of the loss and each pays his proportion of the tax. The directors appoint the engineers and water superintendents whose business and duty is to see that no man receives more than his share and that every man receives his proportion.

A Law That Should Be Applied.

We have a similar law in the state of Oregon, although it has never been taken advantage of. In 1895, while I had the honor of being a member of the State Senate of this state, I introduced and secured the passage of an irrigation district law very similar to the one now in force in the state of Idaho. In fact, I borrowed the law principally from the statutes of that state. It, in some respects, I think, is an improvement over the irrigation district law of California. It provides that only the property owners within the district may have a right to vote on the organization and questions affecting the district; it provides also that the taxes shall be upon the land, as nearly as practicable in proportion to the value of the land, and the benefits derived from the system of irrigation.

On account of this I was accused by some of being a single taxer. However, as to that question I know but little and care less. It is not a question as to what we may call it or of what party or associations of principles we may be placing into effect, as the only question we should consider is, will it be the best for the people of the community?

Speculators Discouraged.

With none being permitted to vote except those owning land within the district we eliminate the objection which has sometimes been raised against the California district law referred to, such as colonization for the purpose of forcing a district upon an unwilling people. With the tax upon the land within the district it makes it necessary for the owner of every foot of tillable soil within its limits to place it into cultivation and make it productive, and if not prepared to do so to convey it to others who will do so. This would discourage land speculation by preventing speculators from holding large tracts of land until homes were built around it and lands around it made productive, thereby enhancing its value without any effort or expenditure on the part of such speculator.

While the irrigation district law has not been taken advantage of in this state, I think it is due to the fact that it has not been fully understood and when once fully tried will be taken advantage of in nearly every valley in the arid portion of Oregon. I am informed that it was with much difficulty that the people of Idaho and California could at first be induced to try the experiment, but since having fully experimented in that direction, the irrigation districts have become popular and have proved to be very feasible, and in these states districts are gradually being organized throughout the arid regions.

Will Harmonize Interests.

The irrigation district law, I think, is the only solution of the very dif-

BIG SALE CONTINUED

Owing to the late delivery of our bills advertising our Big Reduction Sale last week, we have concluded to continue the sale one week longer. The bills you now have, give the prices that will hold through this week, until Saturday night November 14th. This is a great opportunity to buy goods just in the proper season at greatly reduced prices.

NEW MILLINERY ALSO

A nice lot of new hats arrived Monday morning, and those who are in need of a Fall Hat are invited to call and see ours. The styles are the latest and prices right.

THE FAIR

McCALL'S PATTERNS HERE.

fault question of the conflicting interests between prior appropriators of the streams and its riparian proprietors. Let us assume, for example, that a valley of from twenty to one hundred farmers, as the case may be, should organize into an irrigation district. It may be true that some of those farmers have vested rights in the waters of the stream until they have abundance of water for their respective farms. There may be others with none. The man who has the vested right sees that if a district is organized he must divide with his neighbor; but he overlooks the fact that if he does so and he is damaged by any loss that damage is assessed and he is paid in proportion to his damage and if necessary, through condemnation proceedings, it is condemned and he is paid for his rights and therefore loses nothing, but receives full compensation for his property.

After its organization the water can be distributed and every farmer within the boundaries of that district, as I have before stated, will receive his full proportion. If there is a shortage, all lose pro rata; if there is an abundance, all are supplied to the same extent, in proportion to the land he may own, and to the amount of water which may be necessary for the proper irrigation of his soil. With the district formed, money can be easily raised, if need be, for the construction of small reservoirs, or even large ones, depending upon the size and financial strength of the district.

Head of the Speculators.

While the government is taking steps looking towards the construction of reservoirs in our own state and other western states, it must be re-

(Concluded on page 6.)

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