GOV. MORRISON TO IDAHO LAW MAKERS

(Continued from page one.)

to the university site, with power, heating, lighting, water and sewerage systems suited to serve all the requirements. Upon inquiry I do not discover that such a plan exists, even in a tentative form, in the minds of the regents. Buildings thus far constructed are placed without reference to such a scheme, and are possibly of a character out of harmony with ideas of unity and a place in the purposes of a larger plant. In consequence the wisdom of their construction, from an economic standpoint, may be in question. In point of time and utility it may well be doubted if the girl's dormitory, to which reference is made in the report, ought to have had precedence over other needed buildings. To proceed farther without plans is to leave the purpose, plan, location and time of construction of any building which the legislature is asked to authorize open largely to the influence of special pleaders, the caprice of changing boards and conditions which would be entirely different if any proper general plan were known. Idaho has advanced to that point where its ability to support the university is unquestioned. It needs a plant to which it may build in the years to follow. When it makes an appropriation for a building or for equipment it wants to feel that what it does fits into the great whole and helps to round out and make complete the idea of an university. For the good of the institution and in the interests of economy, building, and equipments in any large measure should await the adoption of such a plan.

The advantages of thoroughly articulating the university work with the high school work of the state will, I trust, engage your favorable consideration. The two should be brought into close and harmonious relationship, to the end that the standard of secondary school work throughout the state be raised and an opportunity to prepare for the university courses afforded in every place where a high school is in operation. Aside from local advantages thus afforded, the university will in time be relieved of much of its preparatory work and can devote its energies to college work proper. The inability to employ means with which to effectuate this articulation, to which reference is made in the regents' report, should be removed, and the committee of the faculty made operative.

In its report the board asks a larger appropriation than formerly for the library and maintenance funds, also seeks an appropriation for special use in the agricultural department. In view of statements set forth and the needs which are known to exist, these requests should receive your careful consideration. You are also asked to liquidate a deficiency of $4,264.25 arising upon acount of the new buildings authorized by the act of the sixth session. The expense incident to the erection and furnishing of these buildings ought to have been kept within the limits prescribed. My attention has been directed to serious criticism of the character of work done under the contract of construction and the worthiness of any deficit arising thereunder. Under the circumstances your investigation should be exhaustive.

STATE PENITENTIARY.

It will be among your duties to provide for the needs, present and immediately prospective, of the state penitentiary and to pass such laws as may serve as a guide to the present prison board. You will have for your information in this matter the reports, financial and otherwise, which exhibit the history and condition of this institution. Moreover, its proximity to the place of your sitting will enable your committee on state institutions to make a close, personal examination of its physical condition and report to you valuable suggestions. The expansion of the prison plant to proportions necessary to meet the growing needs will of necessity occasion added expense. This the state cannot hope to escape and provision must be made to meet it. There is need of new buildings, and the water and sewerage systems should be further developed and extended. A knowledge of the conditions as they obtain will suggest a house for female inmates, a hospital and a washhouse. All these buildings should be of stone, and the prison quarries, right at hand, and prison labor employed in their construction, thus lessening their cost to the state. The supply of artesian hot water is not sufficient to meet the demands, and a second well should be bored. A good sanitary condition demands an extension and enlargement of the sewerage system.

INSANE ASYLUM.

Those unfortunates for whom the state provides a home in the insane asylum at Blackfoot should be, as I have no reason to doubt they are, the objects of the sincere sympathy of all whose attention may be called to their sad condition. It is within the scope of your duties and should be regarded, as I am sure it will, as a very sacred duty to provide amply for all the needs of the asylum and its afflicted inmates. The records disclose that there are 257 patients in the institution, 94 women and 153 men. All of these but three women and three men are able to be up and around the wards and more than half of them are competent to engage in some employment. These contribute, with benefit to themselves and profit to the state, their labor in the conduct of the asylum and farm. I am pleased to report that such information as I have been able to obtain indicates in this institution a healthy condition of affairs.

HORTICULTURE.

Idaho as a fruit grower has attracted a prominence because of the quantity, variety and superior excellence of the product. It is needless to remind you of the importance of this branch of our resources as it especially demands the attention of the legislature and of all who have a proper conception of its magnitude and value. The experienced and observing orchardists and fruit growers will constitute a source of information as to existing conditions and present needs that will be a guide to legislation, if indeed any guide is needed. The report of the state board of horticultural inspection is a most valuable one and worthy of careful study. It recounts demonstrations of the greatest practical value to the fruit growers of the state in at least two important particulars, viz.: Contests with the San Jose scale and codling moth. These, when not kept under control, are probably the most dreaded scourges known to the fruit growers of the Pacific northwest, if not to the entire nation. I commend this report to your attention, and personally, am under obligations for the courtesy of advance sheets. It is a pleasure to note that while this board has been untiring and extensive in its labors it has kept its expenses within the limits of the appropriation afforded it.

PUBLIC HEALTH.

During the past few years, in various sections of the state, there have been almost endless annoyance and conflict in attempted enforcement of health laws. It has been clearly demonstrated that the statutes are not adequate to meet the necessities of rapidly developing communities having related responsibilities in the matter of quarantining and controlling dangerous and infectious diseases. The system of county regulation without responsibility to state authority and supervision is inadequate and likely to beget unnecessary conflict. The schools and public institutions within the state should be subjected to a closer supervision by health officers and principles of good sanitation made imperative. A system of collecting and preserving vital statistics and data in relation to marriages authorized and performed within the state is needed and should be embraced in law revising and expanding the scope of the public health laws of the state. This subject is worthy of your careful consideration.

"OLD SOLDIERS."

The state through the assistance of general government provides a home, in Ada county, for those patriots, usually and affectionately called the "Old Soldiers," whose years and services devoted to their country have made them objects of patriotic affection and compensatory reward. This institution is intended to appproximate the comforts and expectancies of a home for those who seek and are admitted within its hospitable walls. It meets an obligation incurred by the government and for which full compensation is presumed to have passed. In other words, the inmate is provided a home as a reward for past services. Under the state constitution, as interpreted by our supreme court, a very important right of a home to which attaches the idea of retributive and voluntary residence is denied to him who enters and takes up his residence at the Idaho Soldiers' Home. He cannot vote in the precinct of his residence, if that residence depends upon his presecne in or at the home. This injustice invites your attention to the end that it be overcome.

IRRIGATION.

No subject, touching the welfare of our state deserves, at your hands, more careful consideration and comprehensive inquiry than does irrigation. That its importance may not be underestimated, I beg to invite your attention to the fact that 77 per cent of the area of the state comes within the arid belt. Of this vast territory, comprising 65,000 square miles, approximately 10,000,000 acres may be made highly productive by the application of water, and, excluding that already cultivated, not less than 2,000,000 acres can be reclaimed at a moderate cost per acre. If you estimate the products of these 2,000,000 acres at $10 per acre per annum, which is certainly low enough, it will be seen that the yearly output will vastly exceed in value the annual product of all the mines of Alaska. It is impracticable for me to enter upon an elaboration of the importance of this subject at this time.

After years of doubt and hesitancy the general government has come to a realizing sense of the magnitude of the interests involved and has made irrigation a question of national concern. Your first consideration, then, should be to put the state in line with the policy of the general government in relation to this subject. As a state, we must be prepared to co-operate with it by such an adjustment of legislation as will invite aid and remove, as far as possible, every cause of friction or delay. In this the people of the state must join, making concessions where concessions are advantageous, and heartily uniting with the officers of the general government whenever unity of action is desirable.

The fundamental principle upon which the district irrigation law of this state is founded is that the people who till the soil should own and operate the irrigation systems which supply the water. Thi principle, as demonstrated by long experience, is sound, and I am gratified to know that the general government has adopted it as an essential element in shaping its policy. The secretary of the interior in his last annual report, speaking to this point, says: "The ultimate operation and control of the water must be left to the people who are depending upon the use of this water for their livelihood." In view of this I would here venture a word of warning to the end that in undertaking any change or amendment of the district law, such as may seem to you advantageous or such as I may suggest, you should carefully avoid any alteration that may tend to pervert or disturb the fundamental idea of the law. While it is yet too early to forecast the action of the general government in particular instances, yet it is evident that a national irrigation policy will be pursued that promises incalculable benefit to our state. Our situation is exceptionally happy in that within our boundaries is found the most inviting arid region in the world. The natural water supply is equal to all demands which are likely to be made upon it in the next half century. Idaho is known to be the best watered state in the west. It only remains to construct reservoirs and irrigation canals capable of conserving the natural supply and conducting it upon the lands. At this time it is very important to lay a foundation for future operations which will be broad enough for the superstructure and meet all the requirements of expanding conditions.

There is one branch of the irrigation question which may properly engage your attention but which, at this point, I do not feel warranted in more than merely suggesting to you. I refer to the question of water rights. Under the constitution you are prohibited from the enactment of laws which may disturb or vitiate priorities. The adjudication of existing priorities must be left to the courts. It is possible, however, to enact a law that will contemplate the perfection of a record of the present status of appropriations. If such a record could be made and given the authority of other public records relating to real property, it would fix a time back of which it would be unnecessary to go in the settlement of future controversies. The compilation of facts necessary to the completion of such a record would probably require the creation of a commission, and it is this feature of the proposition which inclines me to refrain from making any specific recommendation. You will perceive, however, that the interests involved are so important and of a character so intimately connected with the welfare of the agricultural population that the end to be attained may outweigh any consideration of present economy. During the next few years there will be a great influx of people into our state, and unavoidably new complications relating to water rights will arise. It is the history of irrigation that readjustments of water rights are made with costly and exasperating frequency, and with every such readjustment it has been found necessary to virtually go over the entire ground from the time of the first appropriation made by the earliest settler. As time goes on these controversies will increase in number and be attended by increasing perplexities. The result will be endless and almost hopeless litigation involving expenses which the poorer classes cannot meet and which, sooner or later, may result in vesting priorities in people whose ability to litigate constitutes their only claim to title. In order to escape many of the threatened evils all that is necessary is an authoritative record of actual conditions at a specific time. I leave further consideration of this phase of the subject in your hands with full confidence in your ability to find a correct solution of the problem it presents.

In actual experience it has been discovered that the operation of the district law would be improved by changing some of its features. My attention has been directed to certain sections which seem to require amendment, and, after investigation and such careful consideration as I have been able to give to the matter, I earnestly recommend to you the following: In the first place the biennial elections are fixed to take place too near the opening of the irirgation season. The objection to this is that an entirely new and inexperienced directory may be elected to take charge of a large irrigation district at a most critical time and without sufficient opportunity to study the requirements of the undertaking which they are called upon to administer. The election should be held at least three months earlier. It has been found that the power of the board of directors is so restricted that they are unable to meet the contingencies which must be met, without violating the letter of the statue. Restrictions which hamper should certainly be removed, and the powers of the directors could wisely be enlarged.

The law, as it now exists, fails to make any provision for the cancellation of bonds which may have been authorized and their sale found unnecessary or impossible. I recommend a provision which will empower the board of directors of a district to cancel authorized bonds whenever, in their judgment, the best interests of the district require it.

I believe that the directors of an irrigation district should be authorized by direct statute to impose adequate penalties for violation of the by-laws of the district.

In my judgment, the division of irrigation districts into directors' precincts is conducive of evil. The people of every district should be brought together at least once in two years for the purpose of discussing their affairs among themselves and for the purpose of electing their officers.

Under the law as it now exists there is provided no specific reason for an assemblage of the people of an irrigation district and the result is that different precincts naturally divide themselves into different communities, and thus is engendered a species of antagonism which, to say the least, is productive of no good.

The provision of the law which passes the district delinquent tax list into the hands of the county assessor causes needless trouble and expense without any corresponding advantage. If it be necessary to have a record of delinquent tax sales in any of the county offices, the secretary or the treasurer of the district could certify such a record to the proper officer of the county and thus make it a matter of public record at the county seat. I recommend such a change in the law as will place the entire matter of assessment and tax collection within the district itself. A similar complication arises with respect to additions made to a district after its first organization. It will be found that, under the law, whenever an acre of new territory is taken into a district the entire boundary of the district must be retraced, and the order of the board admitting new land must be filed for record in the county recorder's office of each county within which is found any of the lands of the district. I am unable to see that there is any advantage whatever in re-describing the entire boundaries of a district every time a bit of new land is admitted. I recommend the simplification of this provision.

You will, I am sure, find many valuable suggestions in the report of the state engineer touching such other modifications of the law as experience has shown necessary and advantageous, and I earnestly recommend to you a careful examination of that report.

There is one other matter in this connection to which I would invite your serious consideration. It appears that within some of the organized irrigation districts there is considerable state land. This land will necessarily depreciate in value unless provision is made for securing to it all the benefits of the district law. These benefits cannot be secued unless the state lands bear their proportion of the cost involved in the perfection of the plan made for the irrigation of contiguous lands. Without entering into an argument upon this subject, I recommend that provision be made for paying out of the stae treasury the assessment levied upon state lands included within all legally organized irrigation districts.

If our irrigation enterprises are to prosper as they should and develop as rapidly as the conditions of the people require, the state must recognize them in every important particular. It must be prepared to promptly meet its portion of he expenses incurred in the reclamation of its lands; and, it seems to me, that it should give the same standing to the bonds and other securities of irrigation districts that it now gives or may give to similar obligations of school districts, municipal corporations, county and state organizations.

STATE AND COUNTY FUNDS.

The proper disposition of state and county funds, pending their disbursement, is a practical question, and, as population and wealth increase, grows in importance. A practice now prevails which, in the interest of the state and of good business and political morals, should be arrested. Treasurers generally in the matter of the deposit of public moneys violate the law. Authority is given for "special deposit" only, yet the funds are invariably placed on general deposit subject to check in the ordinary way. The funds ought to be thus available, but under very different conditions and safeguards than those which obtain under the present law and practice. The business and industrial interests of the state have a right to expect that those funds will not be withdrawn from circulation, but that they will, under proper safeguards and restrictions, be available as are other funds for the use of commerce and industry. The most objectionable feature of the present system, or rather lack of system, is that it creates a bad moral tone in the handling of these funds. I find upon inquiry that many of the county treasurers and invariably the stae treasurer, demand from the depository banks interest upon balances which they appropriate to their own use. Moreover, in many of the counties the depository bank not only pays the premium but assumes the duties of the office as well while the officer draws the salary. Banks which are financially strong and naturally would attract the deposit, other influences being equal, induce a commercial competition in the weaker institutions, they finding it necessary and expedient to offer greater inducements for the deposit. It is said by those who are in a position to know that the state treasurer's office is now worth for the term of two years, $10,000 outside of the salary. Anyone who is familiar with the principles of banking can easily demonstrate how this is possible under the present system of handling the state funds. In proportion to the balances carried the same facts obtain in the various counties of the state. Neither the state nor any county receives benefit from this use of its money, on the contrary there are many disadvantages and dangers pending.

Avoiding all other objections there still remain two serious ones to the assumption of the duties of a county treasurer by a bank, viz: First. The business is conducted behind the counters of a private and peculiarly exclusive business where nine-tenths of the people hesitate to pursue their rights of access to and investigation of public records. Second. The public funds are controlled by parties who may be vitally interested in delaying and marshalling calls for warrants.

In view of these facts and others which obtain, and in order that the state and the several counties may receive the income from their deposits, I strongly recommend a law providing: First, that the county treasurer be required to conduct the affairs of his office at the county court house, and second, that the public moneys, both county and state, under the control of the various treasurers, be awarded for general deposit, under established securities, to those banks within the state which will pay therefor the greatest, equal or in excess of a minimum, interest on balances.

STATE BANKING LAW.

Idaho is one of the few states which do not have a state banking law. The commercial and banking interests of the state are so rapidly developing, and bear such vital relationship to our affairs, public and private, that there is urgent need of greater safeguards with respect to the banks. In the older states experience has demonstrated the wisdom of state supervision and examination, with requirements for published, certified reports showing the conditions, at stated periods, of all State banks. In more than one instance in this state serious loss to our citizens in both public and private ways might have been arrested had such a law obtained. The interests involved are such as, in my judgment, will warrant your active interest in this subject. Many of the older states have laws which, in point of aptness to fit our needs, will commend themselves to your favorable attention. It may be added that any law fitted to meet the needs will require either a new office or added duties to some one which now exists. In my consideration of the subject I have thought that a new office to which might be atached, in addition to the duties under the banking law proper, the further duty of expert traveling accountant for the state, would be the better provision. Such an officer would be in constant demand and would be a valuable addition to the executive department.

INSURANCE COMMISSIONER.

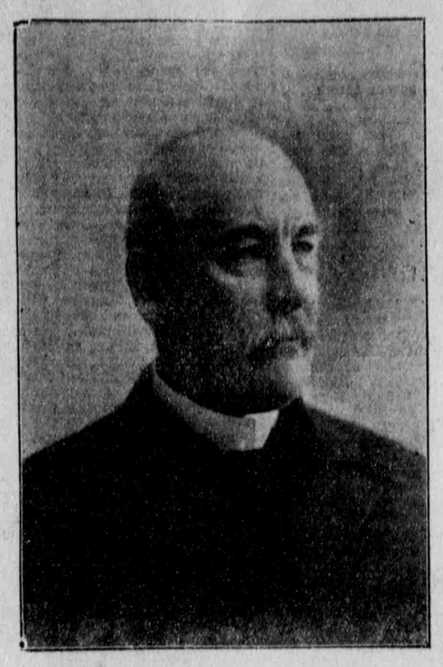
A law of the sixth session of the state legislature creates the office of insurance commissioner and provides his duties. This office should be abolished and the duties thereof attached either to that of the state trasurer, or, if a banking law is enacted, to the office thereby created. Experience has demonstrated that the office is a sinecure, requiring little more than moderate clerical attention.

STATE GAME WARDEN.

A knowledge of the conditions as they obtain in the state with reference to the duties of this office suggests its abolition. As a means to effectuate the ends of the fish and game law, the wardenship with its system of deputies is a failure, and fixes upon the state a burden for salary and expenses without giving any compensating results. Eliminating this feature, the law for the protection of fish and game is a wise and needed statute, and with some slight amendments should stand. Our general statutes provide for officers in each county whose peculiar and special duty it is to see that laws are obeyed and enforced, and one of these officers, the sheriff, has numerous deputies throughout his county, or, at least, is in close relationship with the kindred office of constable in each precinct. These officers afford the natural and proper means of policing every part of the state, and, in connection with the office of county attorney, ought to be especially empowered and directed with the duty of enforcing, within their respective jurisdictions, the provisions of the fish and game law. In any event, under any proper conception of their general duties, and under the law as it now stands, it is the duty of these officers to have an interest in its enforcement, but the specializing of an officer, as is done by the appointment of a warden to have charge of this particular work, dulls their interest and they await his initiative. It would be much better to place the duty directly

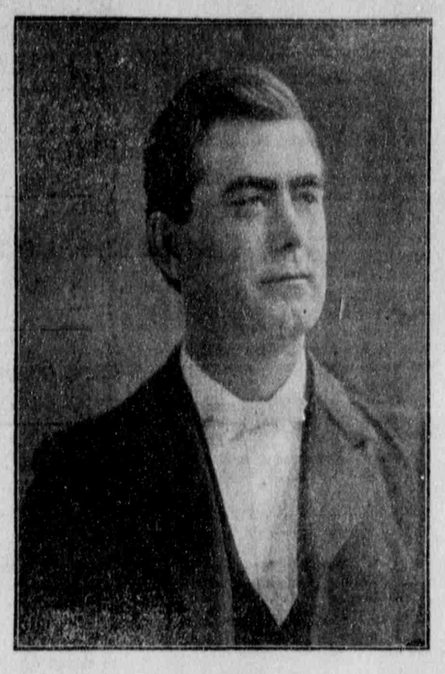
(Continued on page six.)

WHICH OF THESE WILL BE IDAHO'S NEW SENATOR?



SENATOR GEORGE L. SHOUP.

JUDGE W. B. HEYBURN.



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It is free from sediment and pleasant to take. (Beware of so-called kidney cures full of sediment and of bad odor—they are dangerous.) It does not constipate. It is prescribed and used by doctors themselves in the leading hospitals as the only absolute cure for all forms of disease of the kidneys, bladder and blood.

WARNER'S SAFE PILLS move the bowels gently and aid a speedy cure.

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Refuse Substitutes and Imitations

There is no kidney cure "just as good" as Warner's. Insist on the genuine. Substitutes contain harmful drugs.

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Is it turning gray? .....

Have you dry or oily dandruff? .....

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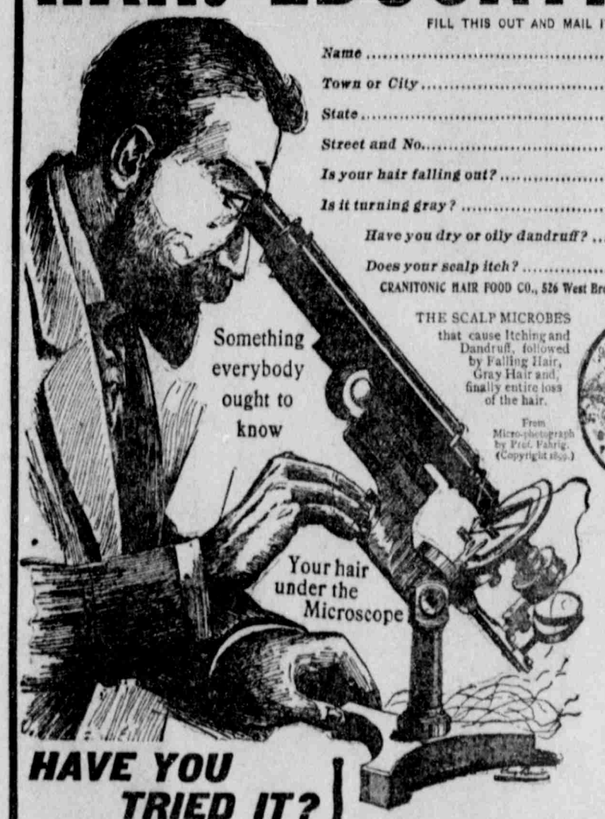

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