

CALIFORNIA HISTORICAL Courier

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be the remains of the Latta adobe. I tunneled under, but was unable to complete the total effort by myself due to a lack of time, and a fear of rattlesnakes.

If Mr. Callison wishes to make a historically significant contribution to the Murreleta story, let him not ride upon and distract from the fine report put together by Frank Latta.

Very truly yours,
Sig Christopherson
"Mexican Sign"

4-713

Wright Act

Dear Editor,

The article on the centennial of the Wright Act in your April/May 1987 issue pinpoints an act that transformed California and "was of infinitely greater value to California than the discovery of gold," according to some.

Dr. Lee's article was informative and welcome. I would like to expand on the economics of the act to help explain its extraordinary impact.

In the late 1860s farmers and miners were without water because cattlemen like Henry Miller who owned 1,000,000 acres were able to monopolize it. In 1886 Miller won the full rights to the water of the Kern River in the California Supreme Court.

C.C. Wright, a school teacher from La Grange, who knew his water law, wrote the act which broke the hold of the cattle ranchers and the land speculators. He went to the legislature for one term in 1887 to pass his water legislation.

The legal device was simple and democratic. It enabled the farmers to "borrow" the sovereignty of the State to organize their water supply as a municipal type function. The irrigation district could be established by the vote of local citizens. Dams, canals, reservoirs, etc. would be paid by a tax on land values within the district boundaries. All trees, vines, structures etc. on the land were exempt.

No longer could anyone appropriate the rivers and ground water as private property. The water of the district could be used by everyone. It was not just for the people who owned the land nearest the rivers. It made water available to thousands of farmers.

During the next ten years a significant land reform took place. The Act brought prosperity and local development to the valleys of California once recorded as deserts on the map. Writer Harlan I. Pratt in *Frontier Magazine* (1956, "Doing it the Wright Way") said "The Wright Act transformed Modesto and Tullock and surrounding Stanislaus county from a vast semi-arid, treeless tract of 81 played out wheat farms into a flourishing green plain with over 7,000 independently owned family-size farms."

So successful were the districts that the Don Pedro dam (the world's largest at the time) was built solely with the taxes on increased land values. The farmers, not the general public, paid for this benefit from the increased value of their own land.

Edward Treadwell, Henry Miller's biographer in the *Cattle King* wrote, "the irrigation districts compelled development... they transferred control from the large landholder to the populace. They invaded the liberty of action on which the land barons prospered."

The Wright Act was intended to aid the small farmer. Small farms resulted because the land owners were assessed for water development whether they used it or not. The votes for the Modesto Irrigation District in 1887 were 700-156. Of the 156 votes cast against, 150 were cast by landowners controlling 70,000 out of the 108,000 acres in the district.

It is significant that this Act which is so democratic in its impulse enjoys its centennial in the same year that we are celebrating the bicentennial of the Constitution. For the Wright Act was challenged in a landmark Supreme Court case.

"If is communism and confiscation under the guise of law," argued George H. Maxwell as counsel for an English estate with land in San Diego County.

In sweeping language in 1896 ("Fallbrook I.D. v. Bradley, 164, US 112"), the U.S. Supreme Court declared the Wright Act to be constitutional; the irrigation districts a "public use," and validated the use of the tax on land values as a legitimate way to raise revenues for the districts.

A centennial of this magnitude is worthy of our attention in this year of the Constitution and we are grateful to Dr. Lee and the *Courier* for bringing our attention to it.

E. Robert Scrofani
Executive Director
Henry George School of Northern California

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