der the grass on that side of the furrow as the device is dragged in the furrow behind the plow, to which the chain A is attached. The device is wide enough to slide the furrow slice over about 4 inches. This tucks the grass under the other side of it and pushes it firmly against the last furrow slice. It leaves the furrow about 4 inches wider than the next furrow slice to leave room for that to be pushed up against the last one.

B is the furrow before it has been pushed over. C shows the projecting grass. At D none of the grass is visible. It is not even between the furrow slices. It is well tucked in beneath them.

This device is not patented. It is yours to make use of. If any member of this association finds it as successful as I have, I shall be very glad.

THE COMMON LAW OF DRAINAGE.

JUDGE JOHN ALEXANDER GAYNOR*.

"The common law had grown up and become fixed and settled long before there was any legislation affecting it. It is the outgrowth of the customs of the times. The underlying principle of common law is, or should be, very similar to that underlying the Bill of Rights in our Federal Constitution—namely, that equal privileges should be granted to all and special privileges to none. This principle has perhaps been carried too far, since the common law gives the landowner almost exclusive right and sovereignty over his own land, to the disadvantage of his neighbor.

A good way to get at what the common law in regard to drainage is, is to put one’s self alternately in the places of the parties concerned. It is easy to see that a neighbor, or corporation, has no right to obstruct a natural waterway to the detriment of the landowner above. It is also very easy to see that if the landowner collects superfluous water in tile drains, or otherwise, and discharges it at a place on his neighbor’s land, the neighbor can recover damages unless it empties into a waterway or stream.

* See page 176.
For the purpose of drainage under the Common Law, as already stated, it is necessary that the landowner should conduct the surface water to a stream on his own lands; so it becomes important to know what constitutes a stream. Decisions on this point are by no means uniform, and the best rule I can give you now is that if the eye of the casual observer is able to see a channel through which water frequently flows during the year in its ordinary course of drainage, it is a stream within the meaning of the law, and he has a right to turn water into it and the lower owner has no right to put a dam across it that would cause the water to back up onto the lands of the adjoining owner. It is not necessary that the channel be continuous, but the casual observer must be able to glance over the ground and see that there is a water course down the slope, in order to give him the right to treat it as a stream and turn water into it.”

EXTENSION WORK IN DRAINAGE
OF THE
COLLEGE OF AGRICULTURE.

DEMONSTRATIONS IN FARM DRAINAGE.

Where an individual has a drainage problem that is of interest to no one but himself the department gives him general advice by correspondence, but advises him to secure the services of a practicing drainage engineer for detailed plans. Where the individual agrees to interest ten or more land-owners in his drainage problem, the department makes demonstrations in the field as far as its time permits. The demonstration consists of laying out one farm drainage system in the community, holding a meeting at a school house for a general discussion of land drainage, and making general examinations of several farms in the community having marsh land. Communities applying for such service will be handled as far as possible in the order of their application, and the college makes no charge, except for traveling expenses.