

HOW SHALL WE USE COUNTY ROAD FUNDS?

By C. Dana Ward, President, Highway Materials and Equipment Association, Indianapolis

This Twentieth Annual Road School brings up for consideration one of the most important questions that has confronted it since its inception. The growing demand for year-round transportation has increased the investment in local roads in Indiana to the enormous sum of approximately \$550,000,000. This is exclusive of the investment in state highways. The problem confronting the county and city officials today is the preservation of this investment on the small amount of money given them for maintenance and needed construction. Our Auditor of State distributed last year to the 92 counties approximately \$8,300,000 to be used for the express purpose of maintaining and constructing roads and bridges. For 1934, this will be reduced to approximately \$7,500,000.

In some localities of the state, however, the officials found it expedient to use this money for purposes other than those provided by law. Some used their funds for retirement of bonds issued against roads that are purely local; others even used the money for general operating expenses. This brings the gasoline taxpayer into the spotlight as the real forgotten man. The average motorist in this way pays more than his share of governmental expense. The fellow who uses his car for commercial purposes with a probable net income of \$1,200 a year, driving 20,000 miles a year, pays four times as much for governmental expenses as the wealthy man whose chauffeur drives him to the office and picks him up in the evening, with a total car mileage of probably 5,000 miles a year.

The official charged with the wise usage of the road funds is actually on trial. The legislature meets again next January. It is not unreasonable to presume that the lawmakers will look into the stewardship of this money—whether it was used for the purpose for which it was collected. If it has not been used for that purpose, it is reasonable to presume also that someone in the legislature will get the bright idea of reducing or redistributing this revenue.

The last legislature gave full consideration to a measure which would have permitted the use of the road funds for the retirement of local bonds, but by the wisdom of the 130 men who comprise the legislature, the measure was defeated. These men realized that our local highway systems require protection just the same as any other property, and that this protection is an adequate maintenance fund. I'm sure we all know the legislature is not over-generous in matters of this kind and that this instance is no exception. They gave you barely enough money to do your job properly.

Each one of you officials is operating a big business, which is your local unit of government. I'm sure that you, as business men, will realize, as all business men will, that \$7,500,000 a year is not excessive to operate a plant investment of \$550,000,000, especially when this plant is subjected to the hard usage that our highways get throughout twelve months in the year.

Four or five years of neglect of these secondary roads will mean their complete deterioration, and they will have to be replaced at a cost far greater than \$550,000,000. But over this same period, \$30,000,000 to \$35,000,000 can be properly and scientifically used to preserve the highways to the satisfaction of the fellow who pays the bill, and he is Mr. Gas Taxpayer. And, gentlemen, it will take every red cent you get from this source to do your job well.

There is no other alternative—either a maintenance cost of \$30,000,000 for five years, or replacement at more than \$600,000,000. The responsibility lies in your hands.

A LEGAL INTERPRETATION OF THE NEW DRAINAGE DITCH LAWS

By Arthur C. Call, Attorney, Anderson, Indiana

I know of no other statute in Indiana during the last 30 years that has been discussed and cussed as much as the drainage law. Each legislature during that time has made some change in this law.

One might petition for a drain under the Acts of 1930 or 1931; it might be referred to the viewers pursuant to the Acts of 1927; and the report of commissioners might be made pursuant to the Acts of 1907; and in cleaning out and repairing the same ditch, you might pursue the Acts of 1917. So, until the legislature met in 1933, the real functioning of the drainage law was really more or less problematical.

The legislature of 1933 gave us a drainage law that I believe meets every part and phase of the drainage problem, and is, in my opinion, the best drainage law that we have had for the last quarter of a century.

The present drainage law makes quite a saving to the farmer in the way of overhead and other expenses of the drain. Under the old law, the viewers, on their regular per diem wage, worked in conjunction with the surveyor in going over the various tracts of land and in making up all of the assessments. If the drain was an unusually large one, the expenses of the viewers became a considerable item in the cost of the drain. Under the present law, the viewers, in conjunction with the surveyor, determine the practicability of the drain,