veniences and savings in transportation costs afforded to us by improving our highways, fail to see the economic value of this law? The farmer saves in cost of transporting his produce to market as well as in being able to market his produce when prices are best. Unimproved roads are usually at their worst when marketing conditions are best. The manufacturers and merchants save on the transportation of their products. It can easily be determined that each owner of an automobile saves considerable in the operating cost of his car.

Some speak of taking a moratorium or a holiday on road building and this is just what we will do, without anyone worrying a bit about it or repealing the law under which we now improve roads. It will all come about in this very simple manner. This spring real estate will be appraised for taxation, and when the assessors arrive at the total you can figure 2 per cent of the assessed valuation, subtract the present bonded indebtedness, and the balance will be the amount you are allowed to use to improve roads under the Three-Mile Road Law. You, no doubt, will have a minus quantity for some time to come—so there is your holiday, right there.

Let us think about all the blessings this good law has given to Hoosiers, and thank our lucky stars that we rank first in all these United States of America in the percentage of our roads which are now improved. Let us resolve right here and now to acquaint the taxpayers and the legislators with the many beneficial and praiseworthy merits of this, the Three-Mile Road Law.

THE THREE-MILE ROAD LAW—ITS USES AND ABUSES

By H. A. Blunk, Morgan County Surveyor

The Three-Mile Road Law was enacted by the state legislature of 1905. Like most other laws, it was enacted in answer to a demand for something better, that is, more expedient and inexpensive in the way of preliminary procedure in road building.

Before its enactment we had in this state two laws under which those townships desiring to improve highways might proceed. One was known as the Assessment Law, which levied an assessment on the properties on either side of the proposed improvement for a certain distance, two miles, I believe. The other provided a means for building by a general tax levied on the whole township or townships in which the improvements were to be made. This latter provided that after preliminary viewing, surveys, plans, profiles, and specifications, and an estimate of the costs of construction had been made, the proposal should be submitted to the legal voters of
the township at a special election for their approval or disapproval.

We must remember that this was about fourteen years before we had any system of state highways, or even a state highway commission. The majority of the public highways were simply township earth roads, many of which were mud holes for several months of each year. However, some old toll roads had been purchased by the counties and there had been some construction of gravel and macadam roads under one or the other of the above-mentioned laws.

The automobile was just barely coming upon the scene at that time, and its operations were confined almost solely to city streets or the few so-called improved roads mentioned above. It was looked upon as a luxury pure and simple, and the day when it would have any practical value as a vehicle of travel or transportation was thought to be in the far distant future. Horse-drawn vehicles, such as wagons, buggies, and, in winter, sleighs and sleds, accounted for more than 99 per cent of the highway traffic at that time.

Dissatisfaction with the slow, expensive operation of the old statutes under which highway improvements had been made was one factor that helped to bring about the Three-Mile Law. The proceedings brought under the Assessment Law were sure to meet with objections and often remonstrances from those who were compelled to pay the bill, and many were defeated by these remonstrances. The Election Law was slow and entailed the additional cost of advertising and holding the election, the costs of which would fall upon the petitioners if the project failed at the polls.

Other contributing factors which helped to create a demand for more efficient and workable road legislation were the advent of rural free delivery by the Postal Department and the consolidation of public schools, which made it necessary to transport children for many miles to the central building or neighboring town school.

The daily paper and rural telephone, both of which came to the rural districts a little while before, helped to keep the farmer informed as to market conditions, and thus stimulated his desire for better roads in order to be able to market his products at all times of the year.

PROVISIONS OF THE THREE-MILE ROAD LAW

The original Three-Mile Road Law will be found in the Acts of 1905, pages 554-555. It differed from the older law of building by taxation in the following essential provisions: (1) The petition for the improvement must represent and show to the board of county commissioners that the improvement sought was less than three miles in length. (2) It must set up and show that the proposed improved road would connect at each end with a road already improved. (3) When the
above-listed provisions had been established, it gave the board of county commissioners discretionary power to establish the improvement without submitting the proposal to the voters of the township at a special election.

The second provision shows that the intent of the legislature was eventually to build up a system of improved roads in the several counties, and from county to county across the state, that would promote rural free delivery, the transportation of school children, and public travel in general.

That the law has been often abused by making it subservient to private rather than public interests I frankly admit. Petty politics and log-rolling have, no doubt, played very important parts in establishing improvements under this law. In some instances contractors and material men have been accused of promoting such improvements for the sole purpose of providing opportunity of bidding for their construction. No doubt such abuses brought the constitutionality of the law before the supreme court in the latter part of the year 1909 or early in 1910. This resulted in an adverse decision, declaring the law unconstitutional. But, by the concerted efforts of all parties interested in retaining the law, a rehearing was had early in 1910, and the supreme court reversed its former decision by upholding the constitutionality of the act. Since then, by far the greater number of road improvements have been made under the Three-Mile Road Law.

SHOULD THE LAW BE RETAINED OR REPEALED?

Have the highway systems of Indiana grown to such an extent that the Three-Mile Law is of no further use? Do the abuses of the law outweigh all the benefits that are derived from it? I realize that the answers to these questions will be very largely influenced by conditions in the various communities. From what I have observed, particularly in my section and to some extent in various other parts of the state, I believe there is still a public need for the Three-Mile Road Law.

I know personally of U. S. mail routes that are veritable trenches of mud for long periods almost every year. I know of school routes that are operated with extreme difficulty much of the time during the winter months. I still hear complaints from farmers who are unable to get their products to market on account of the impassable condition of the roads. Country churches are also handicapped in many localities by the condition of the roads of the community, especially in winter. Then there are the doctor, the undertaker, and perhaps other professional or business men who are occasionally called to minister to these rural communities, the efficiency of whose work is greatly impaired by the condition of the roads.

I would say that if the abuse of the law outweighs its usefulness, the taxpayers of the township are themselves respon-
sible for the abuse. The law itself provides them with two very important safeguards. In the first place, two disinterested viewers are appointed by the board of commissioners to pass upon the question of public utility. Secondly, if the viewers pass it as a public utility, any ten dissatisfied taxpayers of the township may petition for a hearing before the state tax board, where both sides of the controversy will have a right to appear and be heard. If the taxpayers themselves remain awake, as they evidently have during the past two or three years, there is very little probability of their being forced to pay for the construction of roads that are not for the best interests of the general public.

The law has been in force for more than a quarter of a century, and since most, if not all, of the townships of the state have availed themselves of its provisions for a speedy and inexpensive method of road building, and since those communities that still are so unfortunate as to have no improved roads have been helping to pay for the construction and maintenance of roads in other parts of their townships, both by direct and indirect taxation, it seems to me to be a breach of equity and common justice to repeal the law at this time and compel those still in need of improved roads to make use of the more hazardous and inexpensive election method.

THE VICISSITUDES OF AN ENGINEER’S WORK

By A. W. Karstetter, Dearborn County Surveyor

In the section where I practice, an engineer’s work is composed largely of construction of roads, streets, and bridges. We have very little tile or open ditch work, only three or four small jobs of this nature having been done within the last fifteen years. Unquestionably, in certain parts of the county, the productivity of the soil would be materially enhanced if drainage ditches were constructed, but the farmers have never organized for the purpose.

The engineer who practices his profession outside of the large centers of population is compelled to know something at least about a great many branches of the profession. In the small cities and towns we are called upon to handle street paving, curb and gutter construction, an occasional storm water or sanitary sewer, sidewalks, subdivisions, cemeteries, property lines, layouts of premises for attorneys in court actions, assessment rolls, abstracts of title, and a multitude of other matters.

To this should be added farm land surveys. I understand that in a few Indiana counties this type of work takes no small part of the surveyor's time. Fortunately for me, this happens very infrequently in my county. I say “fortunately” for the