

ance was provided for wagon roads.<sup>39</sup> In most cases the township road commissioner ex-

During the last quarter of the nineteenth century the roads of the country were unbelievably poor. This situation was largely due to certain outmoded characteristics of American highway policy; namely, a decentralized system of road management, an almost universal dependence upon untrained personnel in the construction and maintenance of roads, and the widespread use of statute labor in the payment of road taxes.

As noted, when the states ceased to appropriate money for the construction of roads in the 1840's and 1850's, complete control of the road system passed to the county and township units of government.<sup>40</sup> In New England and most of the other northern states, which were influenced by the New England plan of prior location, the township was the governmental unit which had charge of road policy. The township, in turn, was divided into several road districts which were often semi-autonomous in character. A township commissioner of highways was elected or appointed, usually annually, and road overseers were chosen or elected to take charge of the various districts. The road overseer had charge of the roads in his

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<sup>39</sup> Jenks, "Road Legislation for the American State," American Economic Association Publications, IV (May, 1889), 154.

<sup>40</sup> The two exceptions to this statement in 1889 were South Carolina, where the state had charge of the Saluda Mountain Road, and West Virginia, which controlled that portion of the Cumberland Road which was within its boundaries. Ibid., Appendix II.

district, which was often only about one square mile in area. In most cases the township road commissioner exercised some control over the district overseers, but in practice, a unified system of highway management did not emerge from this administrative pattern.

Roads were frequently built and maintained according to the personal judgment of the district overseer. This official seldom possessed the broader knowledge and ability which would have enabled him to design a highway system benefiting a larger area, such as the county of which his district was a part. Indeed, one writer observed that roads in this period were built not so much on mathematical as on social principles.<sup>41</sup>

In the Southern states the county was the government unit which controlled the road system, but there was little difference between North and South in so far as actual control of road policy was concerned. The county of the South, like the township of the North, was divided into numerous road districts, and it was the latter which exercised control over the roads.

A concomitant of the decentralized system of road administration was the absence of any classification of roads according to their use or relative importance. No distinction was made in most states between main roads connecting the large towns of a county or counties, and

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<sup>41</sup>Ibid., 169-171; Dearing, American Highway Policy, 41; P. Hodgeman, "Country Roads," Michigan Farmer, Sept. 11, 1897; MacGill et al., History of Transportation in the United States to 1860, 53.

local roads, such as those leading from two or three farms to a main road. As a consequence, the township generally had complete control of all roads within its boundaries as well as the financial responsibility for maintaining these roads. This arrangement had many disadvantages. For example, a sparsely populated township often had to bear the burden of maintaining a principal road which merely passed through its boundaries in connecting an outlying farm district to a market city in an adjoining township. Although the market city and the farm district received greater benefits from the road than the township, through whose boundaries most of the road passed, the latter had the primary responsibility for maintaining the road. In other cases, a section of a main road was often impassable because a township road official had neglected the route within his area of supervision. Thus, travel along the whole road was jeopardized.<sup>42</sup>

Another result of the decentralized system of road management was the inability of most townships to purchase machinery. Although many advances were made in the design and manufacture of road machinery in the 1890's which simplified the task of road building and maintenance, most of the machines were expensive and often beyond the resources of a single township. If townships had been able to pool their funds, they could have purchased some

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<sup>42</sup>Jenks, "Road Legislation for the American State," American Economic Association Publications, IV(May, 1889), 168-176.

of this equipment, but under a local system of road management such action usually proved impossible.<sup>43</sup>

A second characteristic of American road policy during the century which retarded road development was the almost nationwide dependence of public authorities upon amateur direction of road construction and maintenance. The myth prevailed that anyone could build and maintain roads. No training or experience was necessary according to this common view; in order to qualify for the position of road supervisor or overseer all one had to know was how to use a plow or some form of crude scraper.<sup>44</sup> In fact, amateur efforts at road repair often left roads in worse condition than before such "repair work" had been initiated. Nathaniel Shaler, a Harvard geologist, described the prevailing situation when he observed:

The experienced traveller who finds himself at the beginning of a newly mended road will betake himself to the nearest house and learn how far the improvement extends; if for the distance of ten miles, he will then inquire by what circuit, not exceeding fifteen miles in length, he can escape from the danger of repairs. After a time nature mends the damage done by the process of reconstruction, and the journeyer may find once again a way tolerable...<sup>45</sup>

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<sup>43</sup> Ibid., 189-191; Public Roads Administration, Highway Practices in the United States (Washington, 1949), 7.

<sup>44</sup> W. J. Beal, "Hints on Roads," Michigan Board of Agriculture, Report for 1895, 814-5.

<sup>45</sup> N. S. Shaler, "The Common Roads," Scribner's Magazine, VI (Oct., 1889), 477.

Office of Road Inquiry, Office of Road Inquiry, District No. 1, Washington, 1941, 7.

The matter with regard to road building was reflected in the method of electing or appointing highway officials. In the North the road overseer or pathmaster, who was the individual in charge of road construction and maintenance in the road district, was appointed by the township road commissioner or elected by the voters of a township. In the South the road overseer was usually appointed by the county court or the county board of supervisors. In a great number of cases the office of road overseer was a sinecure, filled by faithful party workers or by influential citizens. Often, the position was rotated among the citizens of a township or county, thereby giving everyone a turn at the job. In some cases, on the other hand, townships had trouble filling the position, for the compensation was usually negligible and the responsibilities were numerous.<sup>46</sup> There is considerable evidence to indicate that corruption and fraud were widespread among overseers and other road officials.<sup>47</sup> The incompetence of the road overseers and the inefficient use of money voted for road repairs made any long-range program of road improvement impossible.

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<sup>46</sup>Jenks, "Road Legislation for the American State," American Economic Association Publications, IV (May, 1899), 171; Edward Burroughs, State Aid to Road Building in New Jersey (U.S. Dept. of Agriculture, Office of Road Inquiry, Bulletin No. 9, Washington, 1894), 7; Dearing, American Highway Policy, 220.

<sup>47</sup>Dearing, American Highway Policy, 20; Burroughs, State Aid to Road Building in New Jersey (Office of Road Inquiry, Bulletin No. 9, Washington, 1894), 7.

The duties of the road overseer varied slightly in different parts of the country, but there were several common features. At certain times of the year, usually in the spring and fall when there was little to do on the farm, the road overseer would notify all eligible citizens of his district to meet at a certain place to work on a section of the road. He often did this on orders from the highway board, if one existed. The time chosen to summon the workers did not necessarily have any relationship to the condition of the roads. The road overseer supervised the repair of the roads, such as the clearing of the bushes and weeds from the sides of the road, digging trenches to allow water to run off, and scraping ruts and bumps. During the rest of the year the overseer might keep the road in shape by removing boulders, draining mud holes, or by making other minor repairs. In some cases he would do this work personally, although he often assigned the work to others. One of the factors which made this system especially inefficient in many states was the lack of supervision of the overseer's work. Although road laws in nine states provided for a township or county highway commissioner or road board to supervise the district overseer, and about a dozen states placed county or township civil officials in charge of road supervision, a score of states made no provision whatsoever for the supervision of dis-

48 were largely designed to meet the strict overseers.

The prevalence of the belief that road building was not a science and that one did not require training to construct and repair roads is further seen in the provisions of state road laws with respect to the appointment of road superintendents. In 1889 not one state in the country required the use of trained men in road construction. Thirty-five states made no provision whatsoever for the use of skilled help. Only seven states gave townships the option of employing a surveyor in the laying out and the building of roads.<sup>49</sup> Public apathy as regards the need for trained road builders was not the only reason for this situation. It should also be noted that there were very few trained road engineers in the United States in 1890. Indeed, one authority claimed that in that year there was not even one engineer in the United States trained especially for road construction.<sup>50</sup> In 1889 there were only about thirty schools in the country which gave courses in road building, and only one of these, the Lawrence Technical School at Harvard, combined practical experience and theory in its curriculum.

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<sup>48</sup> Dearing, American Highway Policy, 43; Jenks, "Road Legislation For the American State," American Economic Association Publications, IV(May, 1889), Appendix II.

<sup>50</sup> H. S. Shaler, "Common Roads," Scribner's Magazine, VI(Oct., 1889), 478.

<sup>49</sup> Jenks, "Road Legislation for the American State," American Economic Association Publications, IV(May, 1889), 139.

Other training programs were hardly designed to meet the needs of the time. All of the schools gave instruction only in the construction and maintenance of the macadam road, which was not a practical type of road in many sections of the country because of its relatively high cost. Virtually no instruction was given in the methods of construction and repair of dirt roads, which carried the greatest burden of travel at that time.<sup>51</sup>

Even had there been a sufficient number of trained road engineers in the United States during the last half of the nineteenth century, it is doubtful that the extremely localized system of road management would have permitted the use of their talents. Many states required that the road commissioner be chosen from among the citizens of the county or township in which he was to serve, a restriction which prevented the hiring of skilled engineers from other sections of the country.<sup>52</sup>

A third deplorable characteristic of American road policy in the last part of the nineteenth century was the widespread use of statute labor. Under this system a taxpayer generally had a choice of paying his road tax in cash or "working it off" by appearing on a designated day and helping to repair a certain section of the road. In

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<sup>51</sup>Jenks, "Road Legislation for the American State," American Economic Association Publications, IV(May, 1889), 191; Shaler, "Improvement of Highways," Independent, XLVIII(Feb., 1898), 169.

<sup>52</sup>Jenks, "Road Legislation for the American State," American Economic Association Publications, IV(May, 1889), 186.

1889 all but five states had provisions in their road laws permitting taxpayers to work off their road tax, and in four of these five states the labor tax could be employed if approved by a majority vote of the township. In six states there was no provision whatsoever for a money tax.<sup>53</sup>

The statute labor laws in the different states varied slightly, but they had certain features in common. Usually the amount of the labor tax was limited to from one to fifteen days' work. In many states all able-bodied males, ranging in age from eighteen or twenty-one to fifty-five or seventy-five years, were required to participate. If a person provided a team of horses, a wagon, and a plow with a driver, he was given credit for several days' work, thereby reducing the total days he was required to labor on the roads.<sup>54</sup>

Contemporary descriptions indicate that very little constructive work was accomplished by the statute labor system. It afforded an opportunity for "socializing" more than anything else. In fact, it was often called the "road working holiday." The event provided one of the few opportunities for all farmers in a

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<sup>53</sup> Ibid., Appendix II.

<sup>54</sup> Ibid. In many states clergymen and the incapacitated were exempt from paying the road tax. Ira O. Baker, "Maintenance of Earth Roads," Engineering News, ILW (Jan., 1901), 85-87; Dearing, American Highway Policy, 220.

district to get together, and, according to many accounts, more time was spent in telling stories than in working on the roads. An observant contemporary has left us a vivid description of the statute labor system in action:

Arriving on the ground long after the usual time of beginning work, the road-makers proceed to discuss the general question of road-making and other matters of public concern, until slow-acting conscience convinces them that they should be about their task. They then with much deliberation take the mud out of the road-side ditches, if, indeed, the way is ditched at all, and plaster the same on the center of the road. A plough is brought into requisition, which destroys the best part of the road, that which is partly overgrassed and bushgrown, and the soft mass is heaped up in the central parts of the way.... An hour or two is consumed at noon-day lunch and a further discussion of public and private affairs. A little work is done in the afternoon, and at the end of the day the road-making is abandoned until the next year.<sup>55</sup>

The use of the statute labor system resulted in a shortage of money for road construction and maintenance. Road materials, machinery, and expert supervision were costly, but because of the widespread use of statute labor, very little money was available for their purchase. This situation was aggravated by the wasteful and inefficient methods of road construction, which quickly depleted the meager resources that were available.<sup>56</sup>

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<sup>55</sup> N. S. Shaler, "Common Roads," Scribner's Magazine, VI(Oct., 1889), 477.

<sup>56</sup> Jenks, "Road Legislation for the American State," American Economic Association Publications, IV(May, 1889), 477.

U. S. Industrial Commission, Reports on Agriculture and Agricultural History, I(1901), House Document No. 472, 27 Cong., 1 Sess., 187.

The statute labor system received widespread criticism from newspapers, public officials and other groups during the late nineteenth and early twentieth centuries. The rural elements in the United States, however, stubbornly resisted the attempts to change the tax laws.<sup>57</sup> They maintained that the labor tax was basically sound and was preferable to the cash system. The farmers declared that it was the abuses of the system, particularly the incompetence of the road overseers, which were to blame, and not the system itself. Perhaps the basic objection on the part of the farmers to a change in the existing arrangements was their fear of increased taxes, which, they argued, would place an additional burden upon this already depressed segment of American society.<sup>58</sup> Not only did the farmers support the statute labor system, but they also defended the local system of highway administration and, in effect, the use of unskilled men to supervise road construction and road maintenance.

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<sup>57</sup> The attitude of Michigan farmers, whose views on road building were not unlike those of farmers in other sections of the country, are reflected in the Michigan Farmer between 1875 and 1900 and in the accounts of Farmers' Institutes published in the Annual Reports of the State Board of Agriculture. The prevalent agrarian view was expressed by Professor R. C. Carpenter of Michigan State College when he maintained that the statute labor system was not to blame for the poor roads. On the contrary, Carpenter argued that the contract-cash system of road construction was inefficient and costly. "Notes on Road Construction," Michigan Farmer, March 9, 16, 1889.

<sup>58</sup> U.S. Industrial Commission, Report on Agriculture and Agricultural History, X(1901), House Document No. 179, 37 Cong., 1 Sess., 197.

The method of calculating the road tax was also sharply criticized by road reformers during the period. In many states the road tax had no relationship to the money available or to the needs of a particular area. Furthermore, most states placed a limit on the amount of tax to be levied for road purposes.<sup>59</sup> In some states, such as Ohio and Indiana, all costs were levied on the adjacent land benefited by a road. This method was particularly unjust because it failed to take account of the broader area which derived benefit from a new or improved road.<sup>60</sup>

The three unfortunate characteristics of American road policy which have been noted were sharply attacked by the leaders of the good-roads movement. The League of American Wheelmen and other organizations and persons interested in good roads concentrated their efforts on the reform of these features of the American highway system. To a large degree, their program of reform had met with success by 1905. The League's strength and influence far greater than its limited membership might suggest. These activities took the League into the political arena, acquainted it with the techniques of lobbying and political action, and gave it public recognition, thus paving

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<sup>59</sup> Jenks, "Road Legislation for the American State," American Economic Association Publications, IV (May, 1889), Appendix II.

<sup>60</sup> Ibid., 174.