

# A BILL

FOR AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE STATE OF IOWA, DEFINING THE POWERS AND DUTIES OF THE SAME, AND TO PROVIDE FOR A SYSTEM OF STATE CO-OPERATION WITH TOWNSHIPS AND COUNTIES IN THE IMPROVEMENT OF THE PUBLIC WAGON ROADS, AND TO MAKE AN APPROPRIATION THEREFOR.

*Be it Enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Iowa State College of Agriculture and Mechanic Arts, at Ames, shall  
2 act as a Highway Commission for Iowa, which commission shall be charged with the giving  
3 of instruction in the art of building, improving and preparing public wagon roads and bridges,  
4 collecting reports from township trustees, boards of supervisors, superintendents and street  
5 commissioners in cities and towns, and with the distribution of any State reward for improv-  
6 ing the public wagon roads that may be provided by the Legislature and any funds that may be  
7 given to the State for such purposes by the United States government.

SEC. 2. Said Commission, with the approval of the Governor, may appoint a highway en-  
2 gineer, and may revoke such appointment at pleasure. Such highway engineer shall take and  
3 subscribe the oath prescribed by the Constitution for other public officers, and whenever he  
4 shall, by reason of sickness, absence or other cause, be disabled from executing the duties of  
5 his office, the Commission shall appoint some competent person to execute the duties of said  
6 highway engineer until such disability or cause be removed, or until a new highway engineer  
7 shall be appointed, and such highway engineer shall receive an annual salary of \$.....,  
8 to be paid monthly. Said highway engineer may employ such other clerks or employes as  
9 may be necessary to perform the duties incumbent upon the department. The salaries of  
10 the highway engineer and others employed under the authority of this act shall be approved  
11 by the Executive Council and paid upon the warrant of the Auditor of State, provided that  
12 in no case, however, shall the running expenses of the department, including the salary of the  
13 highway engineer and all others employed under the authority of this act, exceed the sum of  
14 \$..... in any one year. Whenever a vacancy shall occur in the office of highway en-  
15 gineer by reason of death, removal or otherwise, the Commission shall fill the vacancy by  
16 appointment by and with the advice and consent of the Governor. The highway engineer

17 shall, within fifteen (15) days from the time of notice of his appointment, take and subscribe  
18 the oath of office and file the same in the office of the Secretary of State, and said highway  
19 engineer shall give a bond running to the State in the penal sum of five thousand (\$5,000 dol-  
20 lars, with sureties to be approved by the Governor, conditioned for the faithful discharge of  
21 the duties of the office. The highway engineer shall make a bi-ennial report to the Governor  
22 to be, by him transmitted to the Legislature at each bi-ennial session thereof. Such report  
23 shall contain the name and compensation of each and every person employed by the depart-  
24 ment and the whole amount of expenses by the department, covering the period not pre-  
25 viously reported. Such report shall be made on or before the first day of January, 1911, and  
26 every two years thereafter, and he shall have printed a sufficient number of these reports to  
27 furnish one to each of the following officers: Township trustees, members of the boards of  
28 supervisors, superintendents and street commissioners, and as many more as the Executive  
29 Council may authorize.

SEC. 3. At the request of the highway engineer of the Highway Commission, every road  
2 superintendent and every street commissioner shall make a sworn report to the highway en-  
3 gineer of the Highway Commission, said report to be made on or before December first, fol-  
4 lowing such request, giving him such information as he may require relating to the roads and  
5 streets in their districts.

SEC. 4. Any such officer who shall refuse or neglect to make such report, or who shall make  
2 a report which shall be in whole or in part false, shall be guilty of a misdemeanor, and upon  
3 conviction thereof in any court of competent jurisdiction, shall be fined in any sum of not less  
4 than ten (\$10) dollars nor more than one hundred (\$100) dollars and costs, or be confined  
5 in jail not less than ten (10) days nor more than thirty (30) days for each and every offense,  
6 at the discretion of the court.

SECTION 5. It shall be the duty of the highway commission, through its highway engineer,  
2 to furnish outline, plans and specifications for the improvement of public wagon roads, and  
3 when requested to, and where proposed improvements are of sufficient importance to warrant,  
4 he shall go or send some one to give expert advice how best to build or improve public roads  
5 or bridges. It shall also gather all the information possible about all kinds of road building  
6 material in the State, its relative value, cost and also cost of transportation throughout the  
7 State, and to give this information upon request to any road or street official in the State  
8 free of charge to them.

SEC. 6. The terms roads, public roads, public wagon roads, as used in this act shall be con-  
2 strued to mean the public wagon roads or highways outside of incorporated cities and towns.

SEC. 7. The Highway Commission shall keep a complete record of the work of its depart-  
2 ment, which record shall be the property of the State, and shall, as soon as possible, make

3 a map of every township in the State showing the roads, their condition, together with marks  
4 indicating where road building material can be found and the kind and quality thereof.

SEC. 8. Whenever any township shall file notice with the Highway Commission, through  
2 its township trustees, notifying the department that the township has made arrangements to  
3 improve a mile or more of public wagon road by building a clay gravel, a gravel, a stone  
4 gravel, a gravel stone, a macadam, or a King drag clay road, and ask for an allotment of  
5 State reward, and shall file with the Highway Commission a profile of the road to be im-  
6 proved, made out by a competent surveyor, and make application for outline, plans and gen-  
7 eral specifications; it shall be the duty of said Commission to enter such application in the  
8 order that it is received and to furnish the outline, plans and general specifications asked  
9 for, and provided there are any funds in the State Treasury not yet allotted, appropriated  
10 for such awards for roads, it shall make the allotment, and when any township or townships  
11 acting conjointly on boundary line roads for building a mile or more of said road as is here-  
12 inafter described, and when inspected by the highway engineer of said Commission, is found  
13 to be up to the required standard, he shall verify the same to the Auditor of State, who shall  
14 draw a warrant upon the State Treasury payable to the proper authorities in such township  
15 or townships for the amount of reward due them, for the amount of and class of road built.

SEC. 9. The following described roads, when built, shall merit the reward attached to each  
2 description:

3 (a) For every mile of well graded road on which the steepest incline shall not exceed six  
4 per cent and the width of which shall not be less than twenty-five feet between side ditches,  
5 and which shall be properly drained, and have a wagon way or travel track not less than ten  
6 feet wide, made with clay and properly dragged with an approved road drag in such a way  
7 as to shed water quickly to the said ditches, shall merit, if approved by the Commission, a  
8 reward from the State of fifty dollars a mile and pro rata for extra miles and fractions  
9 thereof in excess of the first mile.

10 (b) For every mile of well graded road on which the steepest incline shall not exceed six  
11 per cent and the width of which shall not be less than twenty-five feet between side ditches,  
12 and which shall be properly drained, and have a wagon or travel track not less than ten feet  
13 wide in two courses, the bottom course to be of an approved mixture of clay and sand not  
14 less than five (5) inches thick after rolling and covered with a layer of gravel which shall  
15 not be less than five (5) inches thick after rolling; provided that the tracks shall be properly  
16 crowned so as to shed water quickly to the side ditches, shall merit, if approved by the  
17 Commission, a reward from the State of one hundred fifty dollars a mile and prorata for  
18 extra miles and fractions thereof in excess of the first mile.

19 (c) For every mile of well graded road on which the steepest incline shall not exceed six

20 per cent and the width of which shall not be less than eighteen feet between side ditches, and  
21 which shall be properly drained, having a wagon way or travel track not less than nine feet  
22 wide and which shall consist of not less than eight inches of compacted gravel, which must  
23 be applied in not less than two (2) layers, each layer to be rolled separately and crowned as  
24 provided in the preceding sub-division of this section, shall merit, if approved by the Highway  
25 Commission, a reward from the State of Four Hundred Dollars a mile and pro rata for extra  
26 miles and fractions thereof in excess of the first mile.

27 (d) For every mile of well graded road on which the steepest incline shall not exceed six  
28 per cent and the width of which shall not be less than eighteen feet between side ditches, and  
29 which shall be properly drained and have a wagon way or travel track not less than nine  
30 feet wide made in two (2) courses, the bottom course to be of crushed stone, which shall not  
31 be less than four (4) inches thick after thorough rolling, and the top course consist of a layer  
32 of gravel which shall not be less than three (3) inches thick after being thoroughly rolled  
33 and crowned as provided in sub-division (b) of this section, shall merit, if approved by the  
34 Highway Commission, a reward from the State of seven hundred fifty dollars per mile and  
35 pro rata for extra miles and fractions thereof in excess of the first mile.

36 For every mile of well graded road on which the steepest incline shall not exceed six per  
37 cent and the width of which shall not be less than eighteen feet between side ditches, and  
38 which shall be properly drained and have a wagon way or travel track not less than nine  
39 feet wide made in two (2) courses, the bottom course to be of gravel and not less than four  
40 (4) inches thick after thorough rolling and the top course consisting of a layer of crushed  
41 stone which shall not be less than three (3) inches thick after being thoroughly rolled and  
42 properly bonded with sufficient stone screenings and properly crowned as provided in sub-  
43 division (b), shall merit, if approved by the Commission, a reward from the State of seven  
44 hundred fifty dollars per mile and pro rata for extra miles and fractions thereof in excess of  
45 the first mile.

46 (f) For every mile of well graded road on which the steepest incline shall not exceed six  
47 per cent and the width of which shall not be less than eighteen feet between side ditches, and  
48 which shall be properly drained and have a wagon way or travel track not less than nine feet  
49 wide of well compacted macadam not less than six inches thick laid in not less than two (2)  
50 courses, each to be properly bonded with sufficient stone screenings and thoroughly rolled and  
51 properly crowned as provided in sub-division (b), shall merit, if approved by the Commission,  
52 a reward from the State of one thousand dollars per mile and pro rata for extra miles and  
53 fractions thereof in excess of the first mile.

SEC. 10. No claim for State reward for improved roads of over ..... miles in any one  
2 township in any one year shall be allowed by the Highway Commission; provided, however,

3 if any township or county shall have raised money by tax to build more than . . . . . miles  
4 of road, such as merit State reward in a township in a year, and the road built is approved  
5 by the Highway Commission and is kept in as good condition as when approved by the Com-  
6 mission, such township or county shall have its application number remain upon the books  
7 of the department and draw each year the maximum amount allowed to a township in a year  
8 until such time as the township or county has received the amount due and for the class and  
9 amount of road built.

SEC. 11. The Commission is hereby given the authority to refuse further road reward to  
2 any township or county that has been rewarded by the State for improving roads that does  
3 not keep these State rewarded roads in proper repair, but upon such refusal to any township  
4 or county for an allotment of said reward it shall be the Commission's duty to inform such  
5 township or county of what repairs are necessary to place them in a position to again be eli-  
6 gible to receive State reward, and if these repairs are made satisfactorily to the Commission  
7 it shall reinstate them to the eligible reward list. The decision of the Commission as to  
8 whether the road meets the requirements to merit State reward shall be final, and it shall  
9 have the right to retain any amount of the reward it deems advisable until the road has been  
10 thoroughly tested.

SEC. 12. When, in the judgment of the Highway Commission, or its highway engineer, the  
2 improvement or building of a proposed highway, under the State reward plan, as provided  
3 by this act, should be constructed out of different material than that proposed in the applica-  
4 tion filed under Section 8 hereof, said Commission shall have the power, and it is hereby made  
5 its duty to designate the material to be used and manner of construction of said proposed  
6 highway, and if the said road is constructed out of the material and in the manner required  
7 by said Commission or its highway engineer, then said Commission shall determine what  
8 reward, if any, shall be paid by the State for such road, such reward, however, not to exceed  
9 \$. . . . . per mile.

SEC. 13. The township trustees, road superintendents and members of the board of super-  
2 visors of each and every county in the State shall meet in a road institute when requested  
3 by the Commission and at such time and place in the county as the highway engineer may  
4 designate, there to consider such matters as he may present to their attention and to discuss  
5 such matters of road improvement as may be of special interest to such trustees, superintend-  
6 ents and supervisors and such township trustees, superintendents and members of boards of  
7 supervisors shall be allowed compensation for one day at the same per diem allowed for their  
8 regular official services, together with actual expenses for the day, to be allowed and paid in  
9 the same manner as is provided for the payment of their regular per diem.

SEC. 14. The Commission shall have authority to provide suitable rooms at the Iowa State

2 College in which to conduct the business of the Highway Commission, furniture and office  
3 equipment to be furnished by the Executive Council in the same manner as provided with  
4 respect to other State offices.

SECTION 15. To carry out the provisions of this act there is hereby appropriated for the  
2 period ending June 30, 1910 the sum of Forty Thousand (\$40,000) Dollars, and for the year  
3 ending June 30, 1911, the sum of Sixty Thousand (\$60,000) Dollars, of which not to exceed  
4 \$. . . . . each year shall be used by the Commission to cover the salary of the highway  
5 engineer and running expenses of the department, to be paid as hereinbefore provided, and  
6 the balance shall constitute the State reward fund for encouraging the improvement of the  
7 public wagon roads.

SEC. 16. This act being deemed of immediate importance, shall take effect and be in force  
2 from and after its publication in the Register and Leader and the Des Moines Daily Capital,  
3 newspapers publish in Des Moines, Iowa.