XI. THE DEVELOPMENT OF THE TRUNK HIGHWAY SYSTEM

In the designation of the third Tuesday in June of each year as "Good Roads Day," the Dunn law sought to glorify the good roads crusade, but it actually made a concession to the hard-headed group which persisted in using the labor tax to build Minnesota's roads. The idea did not prove to be popular. The first Good Roads Day was observed on June 17, 1913, but few of the communities of the state paid a great deal of attention to it. Princeton, Dunn's home town, was one of those few. On that day the people of the village built and covered with crushed rock a quarter-mile stretch of road leading into the village. Over a hundred men participated in the work, and the village council spent about $750 for freight on the crushed rock, which was shipped from St. Cloud, and for the labor of unloading it from the freight cars. After the volunteers had worked for a day, it was necessary to hire several teams and a number of extra men to complete the work which the celebrants had begun. Dunn rather mournfully admitted that "the village of Princeton was about the only place in the state where Good Roads Day was properly observed." [1] In 1914

1. Princeton Union, May 22, June 19, July 3, 1913, June 4, 1914.

the Good Roads Day celebration at Princeton apparently was less successful than that of 1913 had been, for after the date, June 23, was past, Dunn neglected to mention it at all, even though the village council had appropriated about $1,200 to pay the freight for crushed rock to surface one of the village streets. A few other communities observed the day, including Menahga in Wadena County and Rush City in Chisago County, where enthusiastic crowds performed on the village streets. One may suspect that, when the suggestion was made that Good Roads Day be observed the following years, the enthusiasm, which had induced men unaccustomed to hard physical work to labor on a dusty road in blistering heat, was somewhat dulled by the memories of sunburn, blisters, and lame backs. In succeeding years, the day had no greater success, and it gradually faded from public attention. It had its usefulness, however, for it marked a step in the development of a new concept of the importance of roads.[2]

The Dunn law was itself but a step in this evolution. While it made adequate provision for the needs of Minnesota traffic in 1913, it failed to make allowances for the time when the number of motor vehicles on

2. Princeton Union, June 4, July 23, 1914; Sparks, vol. 1, no. 12, p. 13 (December, 1914). For a description of the celebration of Good Roads Day in North Carolina, see Cecil K. Brown, The State Highway System of North Carolina, Its Evolution and Present Status, 41 (Chapel Hill, 1931).

the roads would be greatly increased. The law failed to make provision for a connected system of state roads, which would permit travelers to pass from one part of the state to another over adequate highways, without becoming lost in a hopeless tangle of crossroads. Such a system was necessary in 1913, but it became increasingly so as the years passed by. When the law failed to set up the machinery for this important task, the motorists did the work for themselves. The blazed trail was the result.

The trail blazing movement of the second decade of the twentieth century grew independently of state or local governments, and by the end of the decade roads were marked from one end of the state to the other. Sometimes the work was performed by individuals, but more often it was carried on by associations composed of representatives from communities along the line of a proposed route. Some of the associations were commercial ventures, organized to yield a profit for those who promoted them; others were frauds perpetrated on a public which was not sophisticated enough to mistrust the promoter who promised, for a consideration of a hundred or five hundred dollars, or more, to bring the world to its doorstep. In legitimate and fraudulent schemes alike, the procedure was the same. The communities were required to pay a stipulated sum of money to defray the costs of blazing or marking a route and an annual sum

to maintain the markers. As a further consideration, they were required to improve the roads over which the trail ran. Many communities profited from their contributions to the associations; many of them, however, helplessly waited for an influx of travelers that never materialized.[3]

A great many such associations were organized in Minnesota, and by 1920, along almost any country road, the insignias of the trail associations could be seen. Along many of them there were three, or four, or a half-dozen colorful emblems, representing as many trail associations, painted upon nearly every telephone pole and fence post, and even on the rocks along the way. The promoters were ingenious in designing emblems and naming routes. Minnesota had the Red Ball Route, the Black and Yellow Trail, the Clover Leaf Route, the King of Trails, the Diagonal Trail, the Chippewa Trail, the Daniel Boone Trail, the Jefferson Highway, the Mississippi Scenic Highway, the Minnesota Scenic Highway, the Yellowstone Trail, and the Glacier National Parks Highway. There were trails named for individuals such as the Bob Dunn Highway, the Theodore Roosevelt International Highway, the Nelson Trail, and the Jim Hill Highway, and there were others named for communities along the line of the road such as the M.W.A. (Mankato, Wells, and Albert

3. Sparks, vol. 8, no. 11, p. 14 (November, 1921).

Lea) Route, or the Red Wing-Mankato-Worthington Way. Many of the trails were of national importance. The Jefferson Highway, for example, started at New Orleans and terminated at Winnipeg, while the Capital National Highway led southward from St. Paul to Owatonna, where it branched into two forks, one of which led to Des Moines and the other to Chicago. The Yellowstone Trail extended from Chicago by way of the Black Hills to Yellowstone National Park, and the Burlington Way was an alternate route from New Orleans to Minneapolis, Duluth, and Port Arthur. There was almost no end to the possibilities for trail blazing, and trail promoters took full advantage of the opportunities.[4] The automobile clubs of the state were among the most enthusiastic workers in marking trails. For miles about any town which boasted an automobile club markers of the group could be found. Country-town merchants, too, added mileage advertisements and plastered the countryside with directions for reaching the towns. The guide signs were designed to be helpful, but sometimes their very abundance served only to confuse the traveler.[5]

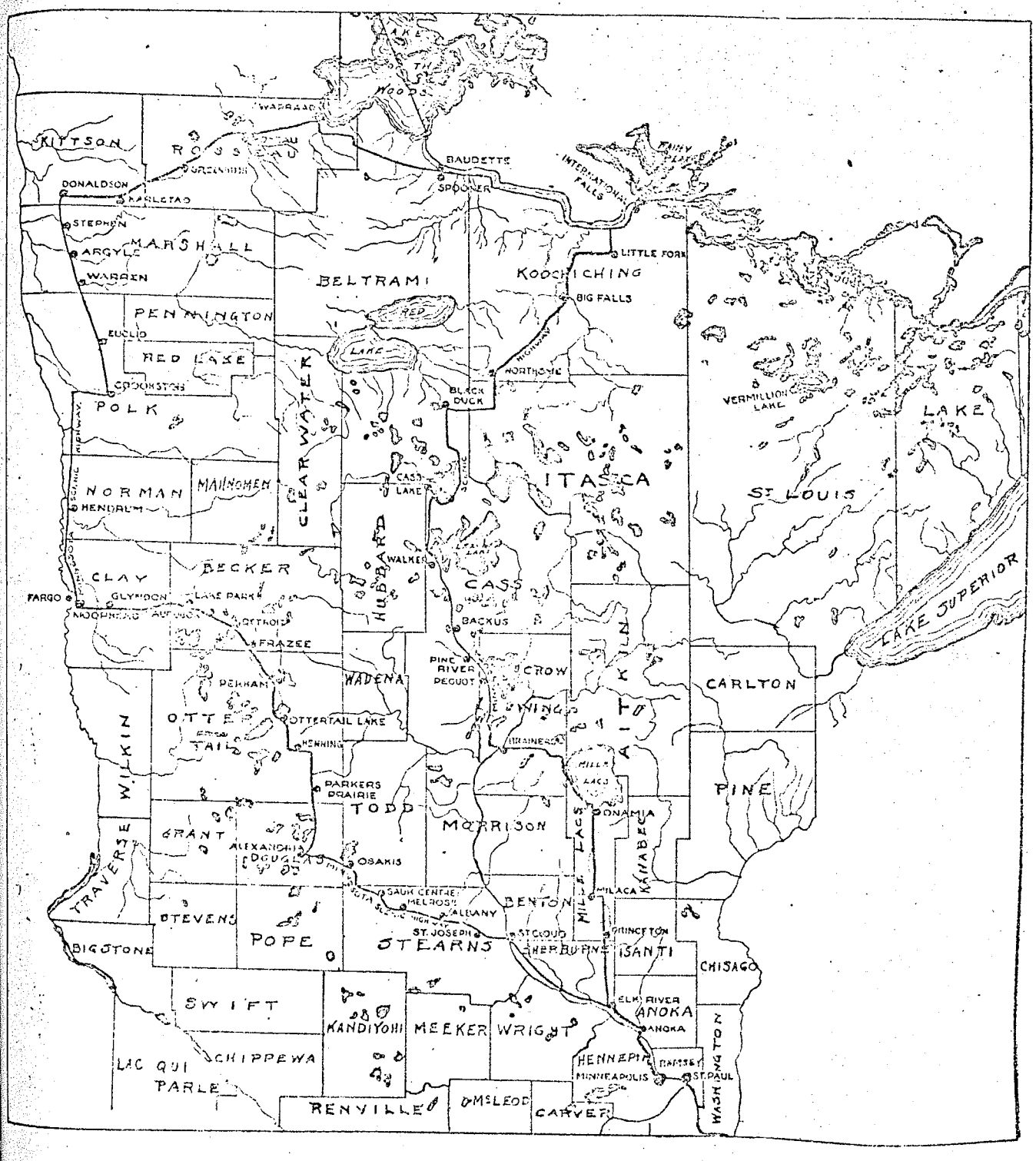
4. For a partial list of blazed trails in Minnesota, see Sparks, vol. 5, no. 10, p. 5-7, 20 (October, 1918).
5. In every issue of Sparks for this period, there is a section entitled "Short Circuits," which relates the activities of the various automobile clubs throughout the state. To gain an appreciation of the intense activity of the local clubs in the work of trail blazing and marking, one need but thumb through the pages of this magazine.

Some of the trails were established only after long and persistent effort. Others were developed almost spontaneously by outraged communities which had angled for trail routes and then had seen the prize slip into the grasp of a neighboring rival. The Minnesota Scenic Highway, which was established in the summer of 1916 is a typical example of the evolution of a trail association. When the Jefferson Highway Association was selecting its route through northern Minnesota in 1916, three possible routes were under consideration. All followed the same course from St. Paul and Minneapolis through Anoka and Elk River. There the eastern route branched off to the north through Princeton, Mille Lacs, Brainerd, Walker, and Bemidji. The middle route followed the Mississippi River northward to Little Falls, then passed through Staples, Wadena, Park Rapids, Itasca State Park, and Bemidji, where it joined the eastern route. From Bemidji, the combined route extended to Bagley, Red Lake Falls, Thief River Falls, and on to the international boundary at St. Vincent. The western route left the Mississippi River at St. Cloud and followed up the valley of the Sauk River to Sauk Center and Alexandria. From this point it turned northward, going through Henning, Perham, and Detroit, thence to Moorhead, and up the Red River Valley through Crookston and Hallock to the boundary at St. Vincent. The committee for the

highway association chose the middle route.[6]

Disgusted with the choice, although it must have been apparent to all the communities that some of them would have to be disappointed, the boosters for the eastern and western routes met at Detroit on August 4, 1916, and formed the Minnesota Scenic Highway Association. They laid out a trail, 1,016 miles in length, which encompassed the eastern and western routes in a grand circle of northern and western Minnesota, and made of it "the real pleasure tour of the state." The trail started at the Twin Cities and extended northward through Elk River, Princeton, Mille Lacs, Brainerd, Walker, Cass Lake, and on to the border at International Falls, turned westward along the Rainy River and Lake of the Woods to Warroad and Roseau, then followed the Red River Valley through Crookston to Moorhead, and returned to the Twin Cities by way of Glyndon, Detroit, Perham, Henning, Alexandria, Sauk Center, and St. Cloud. For an emblem the association adopted a "white star within a red circle on a blue background," and around the outer edge of the circle was printed the name of the association. The price of individual membership in the organization was set at one dollar, and an active business organization persuaded the communities which had

6. Princeton Union, May 11, 25, July 6, 20, 27, August 3, 1916; St. Paul Pioneer Press, May 21, 1916; St. Paul Dispatch, July 25, 1916; Jefferson Highway Declaration, vol. 1, no. 7, p. 7 (August, 1916).



MINNESOTA SCENIC HIGHWAY

THE ROUTE OF THE MINNESOTA SCENIC HIGHWAY
[Distributed by the Association in 1917.]

been disappointed by the Jefferson Highway Association to fulfill for the Minnesota Scenic Highway the pledges they had made to the former association. The group set out to maintain this roadway in such good condition that it would excel the roads over which the Jefferson Highway ran, refusing, in many cases, to extend its route through communities until the roads were put in good traveling condition.[7]

Voluntary workers marked out a system of state highways, therefore, to satisfy the need of the traveler for clearly defined, continuous roads. It is noteworthy that for most of the distance covered by the blazed trails, state roads were utilized. It was on the occasional gaps between state roads that the local communities were persuaded to spend the money they raised to improve their roads. Through the efforts of these voluntary organizations, and the state and counties, there-

7. Princeton Union, August 10, 1916, September 20, November 29, 1917; Detroit Record, July 28, August 11, 1916; Sparks, vol. 3, no. 9, p. 12, no. 10, p. 13, no. 12, p. 10, vol. 5, no. 10, p. 5 (September, October, December, 1916, October, 1918); Minnesota Scenic Highway Association, The Minnesota Scenic Highway (St. Paul, n.d.); Articles of Incorporation and By-Laws of the Minnesota Scenic Highway Association (n.d., n.p.); Minnesota Scenic Highway Fixer, 1: 1 (August, 1920). A preliminary meeting of the association was held in St. Paul on July 24, 1916. A copy of the printed report of this meeting is to be found in the Mathias N. Koll Papers, in the possession of the Minnesota Historical Society. Koll, who lived at Cass Lake, was secretary of the association. For an example of the method used by the association to insure the maintenance of good roads, see Andrew G. Hytson to Koll, December 30, 1918, in the Koll Papers.

fore, a system of well-improved, blazed trails criss-crossed the state. The objectionable feature of the blazed trail was its unauthorized nature. Sometimes the competition between communities led to the selection of inferior routes, for in many cases the community which could promise the most money for a trail association, or could muster the most influence, won the route over the bidding of a community with better roads. Even though a trail was laid out in good faith, a disgruntled garage proprietor, whose shop was located a short distance from the chosen highway, might take advantage of darkness and the lack of regulation to paint a few markers of his own, and lead the trusting traveler over an inferior route which led past his place of business. Sentiment soon grew to favor a system of marking which would be authoritative, and the logical authority to perform this work, or to regulate it, was the highway department. In 1917, therefore, the legislature made provision for the registration of trail markers in that department. The law made it possible for the state to keep track of the rapidly increasing number of associations, and at the same time protected associations and travelers alike, for duplicate emblems were not allowed to be used.[8]

Another development which was equally important in creating an appreciation for a system of continuous

8. Sparks, vol. 5, no. 10, p. 5, 20 (October, 1916); State Highway Commission of Minnesota, Reports, 1915-16, p. 15; Laws, 1917, p. 454.

highways was the action of the federal government, during the summer of 1916, in making a general appropriation for the improvement of public roads. The idea was not new, for it was suggested in 1903, when the Brownlow-Latimer good roads bill was introduced in Congress. That bill sought to appropriate what at that time seemed like a huge sum of money -- $24,000,000 -- for distribution among the states on the condition that they would raise a similar sum, and the joint appropriation, amounting to $48,000,000, was to be devoted to improving the wagon roads of the nation. The distribution of the appropriation was to be based on population.[9]

The law passed by Congress in July, 1916, was like the Brownlow-Latimer bill in principle. It was first outlined at the Federal Aid Convention in Washington, which was sponsored by the American Automobile Association, during the winter of 1912. The law provided for the appropriation of $75,000,000 to be spread over a period of five years. It required the states to appropriate an additional sum equal to the federal appropriation, and the money was to be given to the states in

9. Congressional Record, 57 Congress, 2 session, 5; Scientific American, 88: 23 (January 10, 1903); Farm, Stock and Home, 19: 169, 203, 485, 20: 25 (April 15, May 15, December 15, 1903, January 15, 1904); Northwestern Agriculturist, 18: 143, 19: 112 (March 15, 1903, February 15, 1904); Ernest N. Smith, "Services of the American Automobile Association," in Clyde L. King, ed., The Automobile: Its Province and Its Problems, 271 (American Academy of Political and Social Science, Annals, vol. 116, no. 205 -- Philadelphia, 1924).

proportion to their population, area, and the mileage of rural delivery and star mail routes. In order to share in the appropriation, it was necessary for a state to establish a highway commission or department, and all funds were to be expended subject to the approval of the state authorities and the federal bureau of public roads. The bill made necessary the selection of a definite network of main highways, thus forcing the states to adopt a systematic scheme of road work.[10]

In conformity with the federal requirements, the Minnesota highway commission laid out a network of highways extending to every county seat and to the larger cities in the state. When the mileage was computed, it was found that it totaled a little more than 6,200, and that it included practically all the blazed trails. On this system of roads the highway commission proposed to expend over a five-year period approximately $4,250,000, of which about $2,136,000 would be federal money. Minnesota's share in the appropriation amounted to a little more than $140,000 the first year, and increased each year of the five-year period until in the last year it totaled more than $700,000.[11]

It was apparent by this time that some kind of re-

10. Statutes at Large, 39: 355-359; State Highway Commission of Minnesota, Reports, 1915-16, p. 10; Sparks, vol. 3, no. 7, p. 6, no. 12, p. 14-16, vol. 8, no. 11, p. 16 (July, December, 1916, November, 1921); Smith, in King, ed., The Automobile, 271.

11. State Highway Commission of Minnesota, Reports, 1915-16, p. 10.

organization of the highway commission was necessary. Since the adoption of the Dunn law, the work of the commission had increased tremendously, and the extension of federal aid in building roads added to the burdens that had to be borne. The state highway commission act stipulated that the body meet every two months for the transaction of essential state business, but it was impossible to complete all the business that confronted the commission at these stated meetings, and consequently a great many extra sessions were held. Charles M. Babcock, who was made chairman of the commission in 1911, was indefatigable in the performance of his duty, but he and the other commissioners devoted far more time to the work than rightfully could be asked of persons serving without compensation. The obvious solution of the problem lay in reorganizing the commission into a permanent, salaried position for one man. Such a reorganization was considered not only fairer to the men who were acting on the commission, but also conducive to greater efficiency in the administration of road affairs.

During the legislative session of 1917 this reorganization was effected, chiefly through the efforts of Robert C. Dunn. The highway commission was abandoned, and the department of highways was set up to be administered by a commissioner of highways. The new office was appointive, and the term of office was set for six years at a yearly salary of $4,500. The new commissioner

had the power to appoint a deputy commissioner and a force of engineers and other employees, and to fix their salaries. With the state treasurer and state auditor, he was to meet in February of each year to apportion the state road and bridge fund among the counties.[12]

It was a foregone conclusion that the new office would be offered to Charles M. Babcock. He had been active in good roads work for so many years, and had acquitted himself so well in his nonsalaried position, that most people seem to have felt that he deserved the place. Apparently the principal objection to the appointment of Babcock came from an unnamed person living in Elk River and from a number of bridge contractors who had been unable to gain special favors from the highway commission while Babcock was chairman. Governor Burnquist gave no public indication that he had made a choice until late in March. Then he tendered the position to Babcock, who accepted and entered at once upon the performance of his official duties. Dunn, who was pleased with the selection, somewhat laconically announced that "as was expected," Babcock had received the appointment, and predicted that he "will make a record that his friends will feel proud of, and that will reflect credit upon himself."[13]

12. Laws, 1917, p. 147-169; Commissioner of Highways of Minnesota, Reports, 1917, p. 7.
13. St. Paul Pioneer Press, March 28, 1917. Perhaps the best glimpse of the events that led to the appoint-

Babcock already had determined that drastic changes in Minnesota's road system were necessary. In the report of the commission for 1915 and 1916 were recounted the results of a traffic census taken on three of the main roads of Minnesota during 1916. The census revealed that an average of about five hundred cars a day passed over these roads, and that about one-fourth of them came from outside the state. "This," Babcock concluded, "is quite significant as it shows that the travel on our roads is no longer local in nature, but is inter-state, and in a greater degree inter-county, which brings out the fact that the main highways are a State rather than a County proposition." He commended the counties for their co-operation with the commission in the construction and maintenance of these roads, but he pointed out that the rapidly growing amount of travel increased the costs of maintenance to such an extent that it soon would be "necessary to provide for some additional means of keeping such roads in condition." He continued:

> It is considered by many that this may be accomplished by means of an extra tax on automobiles, the proceeds from which should be used for the upkeep of the main arterial highways. This would be a fair proposition, for traffic records prove that it costs the Counties in extra maintenance on gravel roads, approximately, one-half cent for each mile that an automobile travels.[14]

ment of Babcock are afforded by a few brief paragraphs that Dunn published in the Princeton Union for March 8, 22, and April 5, 1917. See also the issue for November 7, 1918, and the Sherburne County Star News (Elk River), April 5, 1917.

14. State Highway Commission of Minnesota, Reports, 1915-16, p. 7, 8. To gain an idea of the interstate

A year later, he repeated this idea in stronger language.

> Motor vehicles are causing a great deal of additional expense in the construction and maintenance of the public highways and are not bearing their full share of the cost. I submit to you that motor vehicles should pay a license fee of a sufficient amount to largely care for the upkeep of the main lines of traffic. This is only fair to all interests of the state, and it is a policy which has been adopted by practically all of the other states in the union.[15]

The idea of the increased license fee was not a new one, for as early as 1908 the highway commission in its report had suggested an annual tax on automobiles of ten dollars, the proceeds of which were to be turned over to the commission and used for the maintenance of state roads. In 1913 Dunn had introduced a bill to increase the license fees from a dollar and a half for a three-year period to five dollars a year, and had seen the House adopt the measure by a substantial vote, only to have it killed in the Senate. In 1915 the fee was raised to five dollars for a three-year period, but in 1917 a bill again calling for a five dollar a year

nature of automobile traffic over Minnesota roads during this decade, one has only to glance through the voluminous correspondence carried on by Koll. In addition to being secretary of the Minnesota Scenic Highway Association, Koll was president of the Minnesota division of the Theodore Roosevelt International Highway Association, secretary of the Cass Lake Commercial Club, and an officer of the Northern Minnesota Development Association. Literally hundreds of requests for information regarding road and summer resort facilities are filed among his papers for the period from 1916 through 1920.

15. Commissioner of Highways of Minnesota, Reports, 1917, p. 6.

charge was lost. In all cases, the proponents of the measures had to combat the opposition of the automobile clubs, for the automobile association maintained a vigilant lobby at the capitol during every legislative session to "see that no unjust laws affecting automobile owners were passed, and that needed legislation for their benefit was enacted." [16]

When America entered the World War in 1917, wartime activities were stressed almost to the exclusion of all others. To expedite the shipment of war supplies and foodstuffs for the army, the railroads neglected the ordinary commercial activities to such an extent that it became almost impossible for shippers to obtain freight cars for ordinary freight transportation. In this emergency the automobile was called into service. To relieve the strain on the overcrowded railroads, people were urged to ship by trucks whenever it was possible to do so, and while they were asked to conserve gasoline, they also were encouraged to travel by automobile rather than by train. Under the pressure of such circumstances, there was justification in the often repeated command to Americans to "help win the war by improving your

16. Ante, p. 414; State Highway Commission of Minnesota, Reports, 1908, p. 3; Sparks, vol. 4, no. 1, p. 8, no. 2, p. 8, no. 3, p. 8, no. 4, p. 8, 9 (January, February, March, April, 1917); Princeton Union, April 26, 1917; House Journal, 1913, p. 68, 449, 848, 883, 1917, p. 444, 521, 1088; Senate Journal, 1913, p. 866, 936, 951; Automobile Club of Saint Paul, Year Books, 1921, p. 7.

roads."[17]

Babcock was bothered by the extraordinary increase in automobile traffic during the war years. In the fall of 1917 the highway department again took a census of traffic over a number of the more important highways in the state, and found that during the two years since the last census was taken, the number of vehicles had increased tremendously. In 1917 state highway number 1, in Dakota County, more popularly known as the Jefferson Highway, which two years earlier had borne an average daily traffic of less than five hundred vehicles, was found to be burdened with a traffic load of more than eleven hundred vehicles. Trucks, which in the earlier census had averaged only two a day, averaged eleven in 1917. In 1919 the traffic over a number of the most heavily traveled state roads averaged more than a thousand vehicles a day, fifteen of which were trucks. The proportion of motor vehicles to those drawn by horses showed a constant increase during these years, and in 1919 the motor vehicles on these heavily traveled roads constituted almost 99 per cent of the whole volume of travel over them. For the state as a

17. Commissioner of Highways of Minnesota, Reports, 1918-19, p. 5; St. Paul Pioneer Press, May 5, August 4, 11, 1918; Sparks, vol. 4, no. 4, p. 5, no. 5, p. 15, no. 6, p. 5, no. 7, p. 13, no. 9, p. 9, no. 12, p. 10, vol. 5, no. 1, p. 10, no. 7, p. 7 (April, May, June, July, September, December, 1917, January, July, 1918); Franklin F. Holbrook and Livia Appel, Minnesota in the War with Germany, 2: 184-186, 229-234 (St. Paul, 1932).

whole, Babcock estimated, the motor vehicles accounted for 92 per cent of the average traffic. An astounding change had occurred in the character of transportation in Minnesota during a few brief years.[18]

The constant pounding of swiftly moving automobiles and heavy trucks on the gravel-surfaced roads of Minnesota made the cost of maintenance almost prohibitive to the local units of government. The increasing number of automobile trucks, in particular, gave Babcock cause for alarm, for to him it was obvious that the "freight carrying business of commerce" was "developing into a motor truck service," and he visioned a time when both the number and size of trucks would increase still further. The growth of the automobile industry had given rise to still another complicating factor, for inevitably the motor vehicle had developed into a passenger carrier.[19]

Just when and where in Minnesota the automobile was first adapted to the transportation of passengers from one town to another on a regular time schedule and at regular rates is not definitely known. One version of the story of the development of automobile bus transportation gives the credit for originating this kind of service to two young men from Hibbing, who, in the

18. Sparks, vol. 4, no. 10, p. 9 (October, 1917); Commissioner of Highways of Minnesota, Reports, 1918-19, p. 5; St. Paul Pioneer Press, August 11, 1918.
19. Wadena Pioneer Journal, February 6, 1919.

summer of 1914, were said to have begun carrying passengers between Hibbing and near-by mining locations. In 1915 they extended their line to Nashwauk, and a short time later, to Grand Rapids. Out of this venture is said to have developed the Mesabe Transportation Company, which was organized on January 1, 1916.[20] It is certain that the passenger transportation business had its roots in some very similar circumstance. As early as June, 1914, a grocer in Hibbing found it profitable to deliver passengers as well as groceries to the summer resort colony at Sturgeon Lake, a short distance north of Hibbing. A month later another grocer at Hibbing purchased a seven-passenger Packard for use as a passenger bus between Hibbing and the near-by town of Kelly Lake, passing enroute through Harold Location, a mining center, and Carson Lake. These two men established a regular transportation service over the routes they traveled. There also is evidence that the star or rural route mail carriers, traveling through country which was not accessible by train, carried passengers bound for inland communities. It is probable that the development of this kind of transportation service in the

20. L. A. Rossman, "A Romance of Transportation," 1, an abstract in manuscript form of an address delivered before the Traffic Club of Minneapolis, February 25, 1937; Le Roy Wilkerson, "History of the Mesabe Transportation Company," a paper in manuscript form read at a meeting of the St. Louis County Historical Society in 1930. Copies of these manuscripts are in the possession of the Minnesota Historical Society. See also the Minneapolis Star, February 25, 1937.

northern part of Minnesota was duplicated in many other communities of the state. At all events, by 1918 there were several such bus lines in operation, and their heavy vehicles rumbled over Minnesota's roads in ever-increasing numbers.[21]

It was these aspects of the transportation problem that made Babcock feel the urgency of road reform. Some means had to be provided to make the main roads of Minnesota -- those which connected the centers of population -- "365-Day Roads," capable of sustaining the heavy traffic which was moving over them. He saw the need of making such roads of concrete, asphalt, or some other material suitable to the traffic they bore, and he sought to finance that work without depriving the rest of the road system of its financial support.[22] Babcock took as the basis for his system of main or trunk highways the system selected in 1916 to receive federal aid, and he proposed that the license fee for automobiles should be increased sufficiently to defray the expense involved. He admitted that the work could be done on a cash basis by construct-

21. Mesabe Ore (Hibbing), June 6, July 11, 1914, March 8, 1916; Bear River Journal, September 11, 1913; Wadena Pioneer Journal, February 6, March 27, 1919.

22. Babcock first announced his plan for a trunk highway system in a series of four articles published in the St. Paul Pioneer Press for July 21 and 28, and August 4 and 11, 1918. See also the Pioneer Press, January 23, 1919; E. T. Winship, "Six Thousand Miles of Hard-Surfaced Roads for Minnesota," in Sparks, vol. 5, no. 12, p. 5 (December, 1918).

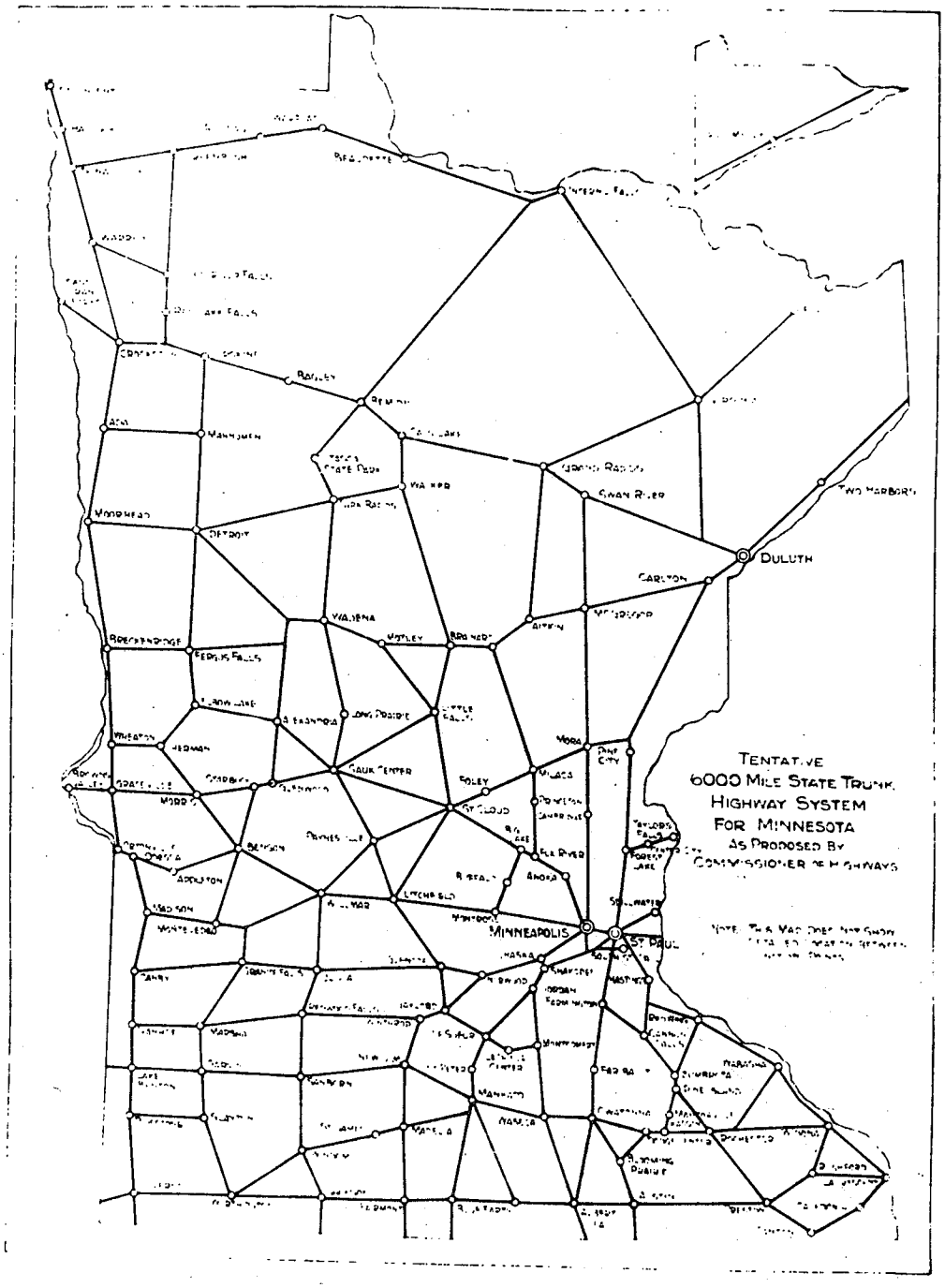


DIAGRAM OF THE TRUNK HIGHWAY SYSTEM
[From Sparks, vol. 5, no. 12, p. 7 (December, 1918).]

ing only so much roadway as there were funds to finance in any given year, but, he held, such a system would mean that many portions of the state would have to be without adequate roads for many years. As a substitute, therefore, he proposed that the state should issue bonds to finance an extensive program of road construction immediately. The bonds were to be paid, as they came due, from the proceeds of the automobile license tax.[23]

Two potential sources of opposition to any such program of road improvement had to be overcome before the plan stood any chance of success. The rural areas always had obstructed any scheme involving the issuance of bonds. Babcock's plan placated those areas by assuring them that they would continue to receive the state aid which they had received in the past. The Babcock plan, in effect, increased this aid, for the road system which would be improved under the new plan had been a part of the state road system, receiving state aid. Under the Babcock plan, these roads would be removed from the state-aid system, and the funds which had been spent on improving and maintaining them could be used on other roads. The rural areas, therefore, would gain additional financial aid from the new plan.[24] For a

23. St. Paul Pioneer Press, July 21, 1918; Winship, in Sparks, vol. 5, no. 12, p. 5-8.

24. Sparks, vol. 6, no. 1, p. 9 (January, 1919). The highway engineer in Hubbard County demonstrated that the adoption of the amendment would result in shifting to the trunk highway system 120 miles of the total of 137 miles

short time late in 1918, the Nonpartisan League sought to stir up opposition to the plan among the farmers. A sharply controversial article in the Minnesota Leader, the organ of the party, asserted that the Babcock plan would operate adversely to the interests of the farmers. Babcock, however, made a frank appeal, through the columns of the Leader, to keep the road problem out of politics, and carefully explained the benefits that would accrue to the farming districts because of the increased amount of state aid that would be available for the improvement of secondary, or farm to market, roads. He thereby removed a strong threat to the success of the plan, and, although the Nonpartisan League tried to make its support of the measure contingent on the adoption of a league plan for the construction of a state-owned terminal elevator, its members were said to have been ardently in favor of the plan.[25]

The principal source of objection came from the automobile owners of the state. They had fought consistently any attempt to increase the license fee, and their lobbies had been active at every session of the legislature. They were committed to the program of

of state roads in the county, thereby making available for the improvement of 17 miles of roads the sum which formerly had been expended annually on 137 miles. He asked: "Do you want the Babcock road law?" And he concluded, "I do." See the Wadena Pioneer Journal, October 30, 1919.

25. Minnesota Leader (St. Paul), December 21, 28, 1918, January 4, 1919; St. Paul Dispatch, October 10, 1920.

good roads, and even of hard-surfaced roads, but they objected to bearing the cost of the improvement themselves. The opinion of the Minnesota State Automobile Association, expressed in an editorial in the official publication of the association in November, 1918, was decidedly opposed to the idea. To the question: "Shall Motorists Pay for the Roads?" the editorial answered:

> Decidedly not. If it were not a real menace it would be amusing to note the enthusiasm with which some of our non-motorist friends are encouraging the issuing of bonds for road building, said bonds to be paid for by taxes imposed upon the motorist. . . . Any man with an ounce of sense knows, no matter what he says, that it is no more the business of the motorist to build roads, which benefits everybody alike, than it is for those with children to build and pay for all the school houses or the man whose business requires police protection to pay for the upkeep of the police department. . . . Of course the motorist would be willing to pay a larger tax on his machine, to be used for road construction, besides the federal tax that is about to be imposed and the personal tax he always has to pay, IF they cannot be built otherwise. However, they can and must be built otherwise, at least in part, as the motorist is not going to consent to a big increase in his annual automobile tax. He is willing to listen to reason . . . but when you put it up to him to build all of the main traveled roads in the state, he is going to rebel and he has every right to do so.[26]

The objections of the automobile owners to the Babcock plan were overcome by an appeal to their pocketbooks. They were convinced by statistical evidence that automobile tires, which normally wore out after they had been run an average of 3,500 miles, reasonably could be expected to last for at least 10,000 miles on

26. Automobile Club of Saint Paul, Year Books, 1921, p. 7; Sparks, vol. 5, no. 11, p. 12 (November, 1918).

hard-surfaced roads. They were shown that they would be able to drive their cars considerably farther on a gallon of gasoline over hard-surfaced roads than on dirt and gravel roads, and they were shown that the depreciation and costs of repairs would be materially reduced by the substitution of paved roads for gravel roads. When the agreement was reached to remove the automobile from the state and county tax lists, and levy the increased license fee in lieu of all other state and county taxation, the Minnesota State Automobile Association announced that it was "about ready to waive all . . . contentions, and in line with the recommendations of Mr. Babcock," it was "willing to support a raise in the annual license fee for automobiles." In view of the advantages which good roads offered the drivers of automobiles, and their own consistent agitation for improved roads, the automobile clubs could not withhold that approval, even though it meant that the taxation would be on "a more onerous basis than other personal property." [27]

It was necessary to obtain a constitutional amendment to put this program into effect, for the state constitution forbade the state to engage in works of internal improvement, and road building on the scale that Babcock

27. St. Paul Pioneer Press, July 21, 28, August 4, 1918; Sparks, vol. 5, no. 9, p. 5, vol. 6, no. 1, p. 9, 12 (September, 1918, January, 1919); Kumm, Constitution of Minnesota, 228.

contemplated certainly was internal improvement. It is true that the state had adopted amendments which enabled it to set up a state road and bridge fund, and, through this fund, to distribute financial aid to the counties. But the road and bridge amendments in nowise abridged the constitutional prohibition of the state from entering into the business of road building; they simply granted it the permission to give financial support to the counties who were engaged in that work. Undaunted by the difficulty of persuading a sufficient number of voters to ballot on a constitutional amendment, Babcock determined to press the question of good roads in the legislative session of 1919. He already had the support of numerous civic groups, and, even before the legislative session opened, he had the verbal assurance of a large number of legislators that they would favor his program.[28]

In his inaugural address in January, 1919, Governor Burnquist invited the legislature to consider the Babcock plan, stressing the importance of good roads in modern life, and urging upon that body the necessity for inaugurating a program of permanent road construction. To this end, he suggested that the legislature draw up a constitutional amendment to be submitted to the people at the next general election. The legislature acted upon

28. Anderson and Lobb, History of the Constitution of Minnesota, 194; Sparks, vol. 6, no. 1, p. 10 (January, 1919).

this suggestion, and by the middle of January both houses were ready to consider the Babcock plan. Within a month, the document had been signed by the governor. The top-heavy vote by which both houses accepted the plan is an indication of the popularity in the legislature of the good roads movement. In the Senate the vote on the law authorizing the amendment was 58 to 3, and in the House it was 118 to 7.[29]

Undoubtedly, the legislation which at that time was being rushed through Congress had some effect upon the legislature. The bill providing additional federal aid for road building in the states stipulated that if the money set aside for states which constitutionally were unable to appropriate funds for internal improvements, and hence could not raise funds to match the federal aid, was unused after two years, it should be withdrawn and redistributed among the states which imposed no such restrictions. The legislature of Minnesota constitutionally could not appropriate funds for roads, and because it could impose only a one-mill tax, the distribution of which was controlled by the constitution, the state would be unable to take advantage of the federal aid. Senators Frank B. Kellogg and Knute Nelson, however, successfully led a movement to set aside the arbitrary revocation of the federal grants, and sub-

29. J. A. A. Burnquist, Inaugural Message, 1919, p. 13; Laws, 1919, p. 737-752; Senate Journal, 1919, p. 343; House Journal, 1919, p. 447.

stituted a provision that the funds should be held until the states had had an opportunity to amend their constitutions. At the same time, they were to be permitted to claim as much of the federal aid as their constitutions allowed. Nevertheless, Minnesota was in a poor position to realize the benefits of the federal aid unless the constitution was amended to permit the use of more money for roads. The federal appropriation measure of 1919, therefore, was an inducement to legislators to support the amendment, for in every legislative district federal aid road projects were under way, and because of the popularity of the work, few of them cared to obstruct it.[30]

The amendment which was submitted for popular vote at the election of 1920 has been described as a remarkable document. For one thing, it is the only amendment which has added a new article to the Minnesota constitution. Furthermore, it did not ask a complete revocation of the prohibition of the state to engage in works of internal improvement. It gave the state permission only to build specified roads and bridges, and left untouched the road and bridge amendment, for the two provisions supplemented one another. Almost all other constitution-

30. Congressional Record, 65 Congress, 3 session, 2191, 2801-2808; Statutes at Large, 40: 1200; St. Paul Pioneer Press, January 28, 1919; Charles M. Babcock and John H. Mullen, State Trunk Highway System, 7 (n.p., 1920).

al amendments have been brief in form; the trunk highways amendment added more to the length of the constitution "than all the other amendments from 1858 to 1920 combined." Most amendments have been general in their terms; the trunk highways amendment specified in detail the routes of seventy trunk highways leading to every county seat in the state, "which shall be located, constructed, reconstructed, improved and forever maintained as public highways by the state of Minnesota." If a county seat was changed, the legislature was authorized to provide trunk highway connections with the new seat, and, when the contemplated program was seventy-five per cent complete, the addition to the system of more trunk highways was to be permitted provided that funds were available. The amendment created two funds, the one called the trunk highway fund, to be used for financing the construction and upkeep of the system, and the other termed the trunk highway sinking fund, the proceeds of which were to be used to retire the trunk highway bonds. The funds were to be derived from the sale of state bonds, which were to bear not more than five per cent interest, and were to mature in not less than twenty years. If the sinking fund was not adequate to meet the bonds when due, a general tax was to be levied on property to meet the deficiency, or an appropriation for that purpose was to be made. The amount of bonds issued in any one calendar year by legislative action could not exceed

ten million dollars, and the total amount of unpaid bonds at any one time was never to exceed seventy-five million dollars. The sinking fund was to be made up from the income derived from taxing motor vehicles, but such taxation was to be in lieu of all other taxation of motor vehicles for state and county purposes, although cities and villages were to be permitted to levy wheelage taxes.[31]

The unusual length of the amendment has been explained on the ground that the legislature of 1919 wished to avoid the possibility that the trunk highway system might constitute a "pork barrel" for future legislatures. It seems equally logical to suggest that the routes were specified to win public favor for the measure. A community which knew in advance that it was to be located on an important trunk highway was far more likely to give the amendment a large affirmative vote than would be the case if the amendment were couched in more general terms. It was also a positive guarantee that the trunk highways would be located where the highway department had determined they would be most useful, and also where the federal aid could be applied.[32]

Section two of the constitutional amendment, which provided for the creation of the trunk highway sinking

31. Laws, 1919, p. 737-752; Anderson and Lobb, History of the Constitution of Minnesota, 201-203.
32. Folwell, Minnesota, 3: 310.

fund, contained a provision that the fund might be used when "duly authorized by legislative enactment to reimburse any county for the money expended by it subsequent to February 1st, 1919, in permanently improving any road hereinbefore specifically described, in accordance with plans and specifications therefor approved by the commissioner of highways." The 1919 session of the legislature authorized counties to issue bonds for construction work on state roads upon which the commissioner of highways apportioned federal aid. Such work was to be of a permanent nature -- either paving, or work preparatory to paving -- and was to be approved by the commissioner of highways. The county commissioners could issue such bonds in amounts not exceeding $125,000 upon a four-fifths vote of the commissioners. When the amount exceeded $125,000 but was less than $250,000, the unanimous approval of the county board was required, but for amounts in excess of $250,000, a majority vote of the people was necessary.[33]

The ostensible reason for the passage of the law was the necessity of raising funds to match federal appropriations, and in 1919 more than $425,000 of federal funds were available for the improvement of roads under the provisions of the act of 1916 alone, while the 1919 measure, if it could be made to apply in Minnesota, would release almost a million and a half more. The passage

33. Laws, 1919, p. 276-278, 751.

of this law, however, also gave the advocates of the Babcock plan a strong argument for its adoption. "Those of us who had much to do with the campaign for the Amendment," commented the editor of Sparks, "know full well that one of the chief arguments used for the passage of the Amendment was the refundment to the counties who had gone ahead under the supposition, which amounted to a promise, that they would be reimbursed for every cent they had spent upon a state highway." That the argument was potent both in inducing the counties to issue bonds and in gaining favorable votes is attested by the success of the amendment in the election of 1920, and by the fact that in 1921 alone the state assumed about $13,000,000 in bonds issued under the terms of this act.[34]

34. Commissioner of Highways of Minnesota, Reports, 1922, p. 33-35, 41; Sparks, vol. 8, no. 3, p. 12 (March, 1921). As an example of the use of the bond issue as a means of swinging votes in favor of the amendment may be cited an editorial in the Wadena Pioneer Journal for March 13, 1919, in which Babcock is quoted as urging the counties to issue bonds as a means of hurrying co-ordinated and intelligent road construction and to secure for the state its share of the federal aid. The editorial continued with a declaration that if the bonds were issued, the state would assume them if the amendment was adopted, and all that it would cost the county would be the interest on the bonds until such time as the state assumed the obligation. See also Wadena Pioneer Journal, May 1, 1919; Koll to I. W. Lee of Duluth, June 29, 1919, in the Koll Papers. Lee was secretary of the Theodore Roosevelt International Highway Association, which crossed Minnesota from Duluth to East Grand Forks. Koll suggested that the highway association urge the counties to issue bonds under the terms of the "act which supplements the Trunk Line Highway constitutional amendment act."

Almost before the legislature had taken steps to draw up the amendment, the friends of the measure had gone into action. The Northern Minnesota Editorial Association assembled at Wadena for its winter session late in January, 1919, and it was at this meeting of newspapermen that the publicity campaign for the trunk highways amendment was formally opened. In a series of addresses, Babcock, John H. Mullen, the chief engineer, and Senator Patrick H. McGarry of Walker outlined the proposed amendment and explained the necessity for it. It is noteworthy that that association adopted a formal resolution approving the plan, thus assuring its supporters an invaluable ally.[35]

The automobile clubs of the state enthusiastically backed the project, and, indeed, claimed no small share of the credit for its origin. Urging the member clubs of the state association to support the amendment, the editor of Sparks said, "It is to rejoice. After twelve years of consistent boosting for the good roads cause it seems now that the members of the Minnesota State Automobile Association are about to have their efforts rewarded." In March, 1919, the state headquarters for the association asked each member club to appoint a publicity chairman, and, at the same time, the highway department announced that it was preparing a series of

35. Wadena Pioneer Journal, January 23, 30, February 6, 1919; St. Paul Pioneer Press, January 25, 1919.

talks and illustrated lectures which would be sent wherever they were wanted.[36]

In April, 1919, the Minnesota Highway Improvement Association was organized to carry on a campaign of education in favor of the amendment. It sought to "affiliate all the commercial clubs, auto clubs and other civic organizations" in a systematic campaign in behalf of the amendment. Senator McGarry was president of the group, and among the eleven members of the board of directors were John H. Hohmann of Mankato, for several years president of the state automobile association, Ernest T. Winship of Owatonna, president of the automobile association at the time, and Oscar Swenson, a member of the House of Representatives from Nicollet County. Harry G. Davis, secretary to Babcock, resigned his position in the highway department to become secretary of the new organization, and William E. Verity, editor of the Wadena Pioneer Journal, was the business manager. The Minnesota Highway Improvement Association sponsored the formation of county and township highway improvement associations, and retained a battery of speakers to carry on the campaign. For its support, the association relied upon contributions of interested groups, and the financial support it received in response to urgent appeals to automobile clubs, commercial organi-

36. Sparks, vol. 6, no. 2, p. 12, no. 3, p. 13 (February, March, 1919).

zations, and volunteer groups throughout the state, was sufficient to permit it to carry on in unstinted fashion.[37]

The Highway Improvement Association was a highly specialized organization, and roused the people to an extraordinary interest in the movement. "The Babcock Plan, Roads for All Loads," became a familiar slogan. In April, 1920, the association sponsored a good roads meeting for county commissioners and county auditors at St. Paul and Minneapolis. The proceedings of the convention, which was successful in gaining the support of county officials, were printed and widely distributed by the association.[38] To popularize the amendment, numerous other leaflets and broadsides were issued,

37. Sparks, vol. 6, no. 8, p. 12 (August, 1919); Wadena Pioneer Journal, April 17, 1919; St. Paul Dispatch, October 2, 1919; St. Paul Pioneer Press, October 24, 1920. The officers of the Minnesota Highway Improvement Association are listed on the letterhead of the association. See Leonard H. Nord, secretary, to Koll, February 16, 1920, in Koll Papers. This letter contains an urgent appeal for funds to support the association's program, and asks for a volunteer contribution of $1,500 from Cass County. The Portland cement industry contributed the sum of $7,500 to the organization. Considerable protest was raised against this contribution, and as a result the Minnesota Highway Improvement Association was reorganized in October, 1919. Davis and Verity retired and were succeeded by Nord as secretary, and John H. Hohmann as business manager. The organization was incorporated at this time. See Wadena Pioneer Journal, October 9, 1919; St. Paul Dispatch, October 2, 10, 1919.

38. Minnesota Highway Improvement Association, Proceedings of the Good Roads Convention of County Commissioners and Auditors, St. Paul and Minneapolis, Minnesota, April 8th and 9th, 1920.

billboards were plastered with advertisements, newspapers gave freely of their space, women's good roads clubs were formed, Boy Scouts were called upon to distribute literature, and every form of propaganda that the war had called into service was employed to make the campaign a success. As the campaign was drawing to a close, noonday meetings were held in factories, speeches were "made at auction sales, picnics, threshing rigs, and, in fact, wherever gatherings were found," and even ministers pleaded from the pulpit with their congregations to vote for the Babcock plan. The day before the election a monster parade was staged in Minneapolis and St. Paul to remind voters to get out and vote, and newspapers displayed full-page advertisements advising readers that "Its now or never! Pull Minnesota out of the Mud." The campaign was described as the "most intensive . . . yet conducted in favor of any special legislation," and on the eve of election it scarcely was a question of getting enough voters to vote, but rather one of how large a majority could be piled up. When the votes were counted, it was found that the amendment had been adopted by the largest vote and the largest majority that had ever been accorded an amendment -- 526,936 persons voted in favor of its adoption, and 199,603 voted against it.[39]

39. Folwell, Minnesota, 3: 310; Anderson and Lobb, History of the Constitution of Minnesota, 201-203; St. Paul Pioneer Press, October 10, 24, 25, 29, 30, 31,

After this sweeping endorsement of the good roads program, little difficulty was anticipated in passing the legislation to put the trunk highways amendment into effect. Shortly after the election, however, a wide rift appeared in the ranks of the leaders of the movement over the question of how the huge fund created by the amendment was to be administered, and the Minnesota Highway Improvement Association was divided into two widely separated groups. One faction, headed by Senator McGarry and W. F. Brooks of Minneapolis, sought to place the management of the highway department in the hands of a commission, on the grounds that the project was too large to entrust to one man. The Babcock plan, one of the proponents of a commission form of organization pointed out at the preliminary meeting on December 21 to consider legislation, "confers unlimited powers in the hiring and firing of men, unlimited power in the control of money, and too much power in the letting of contracts." [40] The second group, headed by Babcock,

1920; Brown County Journal (New Ulm), June 12, 1920; Cass County Pioneer (Walker), October 22, 1920; Minneapolis Journal, November 1, 3, 4, 1920; Koll to M. B. Elson, October 25, 1920, and Koll to A. J. Wright, November 29, 1920, in the Koll Papers.

40. Sparks, vol. 8, no. 1, p. 14 (January, 1921); St. Paul Dispatch, December 9, 1920; St. Paul Pioneer Press, December 22, 1920. The Dispatch and the Pioneer Press conducted a survey of the form of organization in other states, the results of which were published in the Dispatch for December 27, 28, 30, 31, 1920, January 1, 3, 4, 5, 6, 7, 8, 10, 1921. Although the papers disclaimed any desire to influence public opinion, they favored the commission form of organization in opposition to the

his chief engineer, John H. Mullen, and Senator Leonard Nord of International Falls, favored the retention of a one-man form of organization. The sponsors of the commissioner theory felt that the department thus could be kept free of politics, that the responsibility for an honest administration of highway matters more readily could be placed on one man than on a commission composed of three or more men, and above all else, those who adhered to a one-man form of organization did so because they had Charles M. Babcock to take over the work during the critical, early years. The split did not reach a point where the different groups were "calling each other names," but a critical situation was created, and infinite tact was required to prevent a bitter fight from developing.[41]

The honest supporters of both forms of organization were many, but even before the legislature met, it

commissioner form. See also the Pioneer Press for January 2, 3, 9, 11, 1921, for the registration of opinions in favor of the commission form of organization by different groups in the state. The Minnesota Scenic Highway Association at first favored the commission form of organization, according to a letter dated November 24, 1920, from Charles R. Middleton, chairman of the organization's legislative committee, to Koll. The letter is in the Koll Papers.

41. Sparks, vol. 8, no. 1, p. 14 (January, 1921); St. Paul Dispatch, December 9, 21, 1920; St. Paul Pioneer Press, December 22, 1920; Middleton to Koll, January 3, 1921, in the Koll Papers. In this letter, written from St. Paul, Middleton discussed the difference of opinion about the organization of the highway department, and showed that his own ideas then leaned toward the commissioner form of organization.

was evident that the commissioner form of organization was the one which met with the approval of the majority in both houses. Babcock's own preference probably had some influence in determining the outcome, but it also must be remembered that Minnesota, only four years earlier, had discarded as outmoded and inefficient a commission form of administration.[42] The highway measure, which was introduced in the House as House File number 535, provided for the administration of the highway department by a single commissioner, and an attempt by Representative Theodore Christianson to amend the bill by setting up a "Highway Advisory Board," composed of the governor, secretary of state, and attorney general, with broad restrictive powers in the letting of contracts, was voted down by a large majority. In the Senate, a similar attempt to modify the measure was made by Senator McGarry, one of the strongest proponents of the amendment. He proposed to vest the administration of the highway department in a commission of three men. They were not to be an unsalaried body like the commission which administered highway affairs in Minnesota from 1906 to 1917, but each member would receive an annual salary of $6,000. Like the Christianson amendment in the House, the McGarry proposal went

42. Ante, p. 438-440; St. Paul Dispatch, December 21, 1920, January 7, 11, 1921; Middleton to Koll, January 3, 1921, in the Koll Papers.

down to defeat. The Minnesota highway department was to be administered by a single commissioner, appointed by the governor for a two-year term, at an annual salary of $6,000.[43]

The legislation, over which this battle was fought, became the comprehensive "Public Highways Act of Minnesota," a chapter of fifty-nine pages. The new code retained the principles of the Dunn law, but accommodated them to the changes implied in the new amendment. There were now four classes of roads. First, were the common town roads -- roads and cartways laid out and maintained solely by the townships, although the county boards could furnish aid to the townships. Second, were county roads. These were roads passing through more than one township in a county, laid out and constructed by the county, but maintained by the towns through which they passed. Third, were state-aid roads, which were county roads designated to receive aid from the state road and bridge fund. They were constructed, improved, and maintained by the counties under rules and regulations promulgated by the commissioner of highways. Lastly, was the trunk highway system, a network of roads

43. House Journal, 1921, p. 427; Senate Journal, 1921, p. 766, 787; Laws, 1921, p. 408; Middleton to Koll, March 25, 1921, in the Koll Papers. McGarry earlier had favored a commission of five or more members. See the St. Paul Dispatch, December 21, 1920.

located, constructed, improved, and maintained by the state. Neither counties nor townships had any jurisdiction over the trunk highways; they were the peculiar responsibility of the state. The lesson taught by the trail associations was remembered, for the law provided that the trunk highways should be marked or blazed distinctively.[44]

The public highways act made compulsory the employment by the counties of a county highway engineer, and provided that he might be selected from a list of persons submitted by the commissioner of highways, although it did not make a choice from this list compulsory. Thus was achieved another of the aims of the good roads advocates. The law passed by the legislature in 1907 to permit the employment of county superintendents of highways had been declared unconstitutional, as has been pointed out, because it exempted from its provision the three principal counties of the state, and no substitute was passed in spite of repeated urgings by the highway commission. In 1911 the problem of extending skilled supervision of local road work was solved in part by the expansion of the activities of the highway commission, and the employment of additional highway engineers who were authorized to assist the counties and townships. The public

44. Laws, 1921, p. 406-464; Sparks, vol. 8, no. 1, p. 14 (January, 1921).

highways act, however, made the office of county highway engineer an actuality.[45]

The funds for financing the program of work outlined in the constitutional amendment were to be raised by a tax upon motor vehicles. It was noticeable, at the beginning of Babcock's campaign to win public favor for his plan, that the old idea cropped out of assessing the cost of improvements, or a part of it, against property benefitting from the construction of the roads. Many people, indeed, favored the revival of the old Elwell law.[46] Others favored a bond issue to be redeemed by a general tax; while the majority of people, who knew only that they wanted good roads, hoped that a "just and equitable system" would be adopted.[47] By the time the legislature had drawn up the amendment, however, Babcock's plan of raising funds through an increased license fee was generally accepted, and the campaign for the ratification of the trunk highways amendment was waged on the supposition that an average annual license fee of not more than eighteen dollars

45. Laws, 1921, p. 428.
46. A letter from Martin Widsten of Warroad to Koll on December 31, 1918, sums up this attitude toward the improvement of the roads and suggests reviving the Elwell law. This letter is in the Koll Papers. See also ante, p. 417-419.
47. G. A. Kortsch to Koll, January 13, 1919. Kortsch in 1919 was chairman of the legislative committee on roads and transportation of the Minnesota Scenic Highway Association. See also the St. Paul Pioneer Press, January 5, 1919.

would be assessed.[48]

When the legislature met in 1921, therefore, it was concerned chiefly with the question of calculating the amount of the license fee to be assessed, and of determining the basis for assessing it. Since the license fee was to be charged in lieu of all other state and county taxation, it was agreed that it at least should be equal to the personal property taxes previously levied on motor vehicles by county and state governments. The amendment, indeed, provided for taxation at a rate even greater than that total. At the same time that the legislators were wrestling with the problem of determining a tax basis high enough to produce the needed revenue, however, they also were confronted with a barrage of personal appeals and newspaper editorials to remind them of the campaign promises not to make the fees too high. A number of plans were advocated for determining the basis upon which the fee should be assessed. Fees based upon value, weight, power developed by the motor, and upon combinations of these three plans were advanced with varying degrees of support.[49] Most of the plans were too complicated to be

48. St. Paul Pioneer Press, February 5, 1919; St. Paul Dispatch, December 22, 1920; Sparks, vol. 7, no. 12, p. 13, vol. 8, no. 2, p. 12 (December, 1920, February, 1921).

49. St. Paul Pioneer Press, January 17, 19, 1919; St. Paul Dispatch, December 31, 1920, January 25, 1921; Sparks, vol. 7, no. 12, p. 13, vol. 8, no. 1, p. 16, no. 2, p. 16, no. 4, p. 16 (December, 1920, January, February, April, 1921).

practicable, and simplicity was a requisite of a smoothly working plan. The early suggestions, moreover, were based upon a fee rate which many people believed to be prohibitively high. The committee which met in December to consider legislation, for example, prepared a bill which would tax the lowest priced car at a rate of $23.60 per year, while the most expensive car would be required to pay a fee of almost $140.[50]

The motor vehicle license measure, as finally passed, provided for the sale of licenses based upon the value of the machine, with an allowance for depreciation because of age, and with a minimum rate, determined, in the case of passenger cars, by a division into two classes according to the weight of the car. Minimum rates to be charged for trucks were determined, not by weight, but by capacity. Thus, the license fee for all passenger cars was set at two per cent of the manufacturer's retail price at the factory, but the minimum fee for cars weighing less than two thousand pounds was $12.00, and for all others, it was $15.00. Similarly, the license fee for trucks was set at two per cent of their value, but the minimum tax on trucks of less than two tons capacity was $15.00, for those of from two to four tons capacity, $30.00, and for all

50. St. Paul Dispatch, December 22, 31, 1920, January 25, March 4, 1921; St. Paul Pioneer Press, December 22, 26, 1920; Sparks, vol. 8, no. 1, p. 16, no. 2, p. 16 (January, February, 1921).

others, $50.00. For trailers the minimum fee was set at $2.00 for each ton, or fraction thereof, of carrying capacity. In figuring the cost of the license fee, a car or truck was valued at the full price during the first three years, seventy-five per cent of that price during the fourth and fifth years, and during the rest of the life of a vehicle the tax was based upon a fifty per cent valuation, provided, of course, that the minimum fee did not fall below the minimum fee for vehicles of its weight or carrying capacity. Trucks and trailers engaged in commercial freighting, and passenger busses with a capacity of more than seven passengers were taxed at a rate twenty-five per cent higher than the tax rate for trucks. Motorcycles paid a fee of $5.00 and side cars were taxed an additional fee of $3.00.[51] Certain types of vehicles, such as farm tractors, were not subject to taxation under the provisions of the law, but were to be taxed under the laws governing the taxation of personal property. Other sections of the act dealt with the procedure for procuring licenses and made the secretary of state responsible for their issuance and for the collection of fees.[52]

The constitutional amendment specifically authorized cities, villages, and boroughs to levy wheelage taxes against motor vehicles. The right to levy such

51. Laws, 1921, p. 710.
52. Laws, 1921, p. 708-724.

taxes, however, was strictly limited by the legislature in 1921. There was a general feeling that, if wheelage taxes were levied without any regulations, they might be placed at a level so high that the ownership of automobiles would be discouraged, or a revolt against all automobile taxes might result. Such a revolt, directed against a wheelage tax, actually did occur in St. Paul in 1921. It had a political background, but it also was brought about by the introduction of a measure in the legislature to limit wheelage taxes to one-half the amount of the state license fee. The maximum amount allowed under this bill, on the basis of the estimated license fees, was considerably below the amount of the St. Paul wheelage tax, which was approximately $14.00 annually for a low-priced car. The strike was effective, for the St. Paul authorities, after futile attempts to enforce the ordinance, desisted in their efforts to collect the fee. The legislative bill limiting the taxing powers of municipalities in this respect was passed, but the law reduced the maximum wheelage tax that a municipality could levy to one-fifth the amount of the state license fee. The revenue that could be gained from this source was so small that most municipalities found it scarcely worth their while to attempt to collect such a tax.[53]

53. Kumm, Constitution of Minnesota, 228; St. Paul Dispatch, December 8, 1920, March 3, 14, 1921; House Journal, 1921, p. 529; Laws, 1921, p. 697; William Ander-

The legislature had adopted legislation to build the trunk highways, and had passed laws providing for the financial program that their construction involved. It had one major piece of business to transact before the road program was disposed of satisfactorily, and that involved the keeping of a promise. The eagerness with which the counties rushed into a bond issuing program during 1919 and 1920 rightfully was attributed to the people's faith that the legislature would keep its promise to reimburse the counties if the amendment was adopted. When the amendment was endorsed by the electorate in 1920, the people expected that the promise would be fulfilled. Yet, the legislature showed a surprising reluctance to enact any legislation to that end, and it was not until well along in the session that the Senate permitted Senator McGarry, after a direct request from Governor Preus, to introduce a bill for that purpose.[54]

The county reimbursement law provided for the repayment to the counties, from the trunk highway fund, of the principal on bonds issued after February 1, 1919, together with interest accruing on them at a rate not

son, Local Government and Finance in Minnesota, 131 (Minneapolis, 1935). Because many people had paid their wheelage taxes, even though the amount of the tax was in excess of the maximum amount allowed by the law, it was necessary for the legislature to pass another law permitting refundment of the excess charge. Laws, 1921, p. 762.

54. Senate Journal, 1921, p. 1059; Sparks, vol. 8, no. 3, p. 12 (March, 1921).

greater than five per cent annually, but, if any bonds were issued bearing a higher rate of interest, the counties had to pay the excess amount. The legislature further agreed to repay to the counties any money which they had taken from the state aid fund, from general taxation, or any other source, excepting federal aid, for the improvement of these roads, providing that the contracts for their improvement were made after February 1, 1919. The benefits were extended to include moneys paid by the counties to townships, boroughs, villages, or cities for the permanent improvement of roads included in the trunk highway system, if the work was done under the supervision of the state highway department. In all, this comprehensive measure provided for the assumption by the state of bonds with a value of slightly more than $26,000,000. It was even more than had been promised by the legislature of 1919, and all of it had to be paid from the receipts from the sale of motor vehicle licenses.[55]

With the enactment of this program of legislation, Minnesota could feel content. The state now could receive the benefits of the huge sums which the federal government was making available for road construction. By taking the responsibility for the construction and

55. Laws, 1921, p. 978-983; Commissioner of Highways of Minnesota, Reports, 1922, p. 9, 33-39. Under the provisions of the 1919 law, the state assumed bonds totaling $12,985,571. The total amount assumed was $26,390,107.

maintenance of the main roads from the local units of government, the construction of better roads for the farmers was made possible, for the state road and bridge fund was left untouched, and this fund henceforth was to be used for the construction of roads of secondary importance. The road laws of 1921 carried through a sweeping revision of the road policy of the entire state. They were a public recognition of the fact that the community, in the day of the automobile, was no longer to be measured in terms of a few miles, but was statewide in extent.