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**JEREMIAH W. JENKS**

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ROAD LEGISLATION  
FOR THE AMERICAN STATE.

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May, 1889.

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## PREFATORY NOTE.

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The recommendations of the Governors of Massachusetts and Pennsylvania to the legislatures of their states this winter to revise the road laws, and the presentation of bills for that purpose to the legislatures of New Jersey and other states seem to show that the subject of this monograph is becoming one of general legislative interest. In consequence, it has been thought advisable to insert some matter that would not be needed in a strictly scientific discussion of the question, especially the rather extended notice of the laws of other countries, even though this should lead at times to partial repetition. A tabular digest of important parts of the laws of the United States seemed also, for this reason, necessary; but it was impossible for me to obtain access to a library complete enough to enable me to prepare it. It has, therefore, been prepared, under topics of my suggestion, by Mr. Robert Weil, Ph. D., late Fellow in the School of Political Science of Columbia College, to whom, for his very careful work, I am much indebted.

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## ROAD LEGISLATION FOR THE AMERICAN STATE.

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### I.

#### ECONOMIC AND SOCIAL SIGNIFICANCE OF ROADS.

Although in all stages of the world's history the importance of good roads has been recognized by civilized peoples, so much so, in fact, that it is a common saying that the character of a nation's roads is a good test of its civilization, it nevertheless holds true that in most of the highly civilized countries—and in our own most of all—there still remains much to be done to secure good common roads. Americans, who spend much more of their time in riding over country roads than do the inhabitants of Europe, are inclined to speak with unbounded admiration of the magnificent roads of England, Germany, and especially France. It is, however, only since the beginning of this century that those countries have done much toward securing good roads, and their network of roads is yet by no means complete. A glance at the proceedings of the Prussian Landtag shows that many new roads are continually being made, while the publicists deplore the lack of any comprehensive system of roads, or of legislative enactments which will make them to secure such a system.<sup>1</sup> If, good as their roads are, they still need

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<sup>1</sup>Von Rönne: *Staatsrecht der Preussischen Monarchie*, II, 2, 337. "Der Erlass einer allgemeinen Wegeordnung ist als ein dringendes Bedürfniss anerkannt, und wird seit dem Jahre 1820 vorbereitet; es ist aber bis jetzt eine solche nicht zu Stande gekommen."