

The Publisher's Claims Sustained

UNITED STATES COURT OF CLAIMS

The Publishers of Webster's International Dictionary allege that it is, in fact, the popular Unabridged thoroughly re-edited in every detail, and vastly enriched in every part, with the purpose of adapting it to meet the larger and severer requirements of another generation.

We are of the opinion that this allegation most clearly and accurately describes the work that has been accomplished and the result that has been reached. The Dictionary, as it now stands, has been thoroughly re-edited in every detail, has been corrected in every part, and is admirably adapted to meet the larger and severer requirements of a generation which demands more of popular knowledge than any generation that the world has ever contained.

It is perhaps needless to add that we refer to the dictionary in our judicial work as of the highest authority in accuracy of definition; and that in the future as in the past it will be the source of constant reference.

CHARLES C. NOTT, Chief Justice.
LAWRENCE WILSON
JOHN P. DAY
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CHARLES B. HOWAY, Judges.

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EARLE'S ROAD BILL.

How He Would Have the Government Improve Highways.

WANTS BUREAU ESTABLISHED.

Chief Features of Michigan Highway Commissioner's National Reward Road Bill That Will Be Introduced in the Next Congress.

One of the most enthusiastic advocates of good roads in the United States is Horatio S. Earle, the state highway commissioner of Michigan, who has done so much to improve the roads of the Wolverine State. Mr. Earle wants the government to aid in improving our highways, and he has drawn a national reward road bill, which will be introduced in the next Congress by Congressman Charles E. Townsend. In an argument he made for his bill recently Mr. Earle said:

Our educational advantages are far ahead of any other country. Our postal service is fair, but not equal to that of a few nations. However, we are taking steps every day to improve it and have made wondrous progress in the past ten years. Our methods of transportation? Take the railroads. They are the best in the world. They ought to be. We've done them and then gave them away and paid the takers large sums of money every year to keep them.

But our common, everyday wagon roads? By gum, they are by all odds the poorest on the face of this green earth—no other civilized nation on the globe has better than we. Why is it? Is it because we are poor? A people that has created and built a nation in a day, with more millionaires than any other two countries can claim, poor? Well hardly. The trouble is that we are so blamed rich that we have even with poor roads. It would bankrupt a commonly blessed nation to haul the product of field and factory over such abominable roads.

What are we going to do about it? Knowing as we do that the nation has paid out in land and money to railroads and harbors \$2,000,000,000 or \$1,000 per mile for every one of the 2,000,000 miles of public wagon road there is in this home land of ours, isn't it about time that we insisted upon having some national aid on our highways that the roads of our country may show signs of civilization—may show that our region has taken effect and that we are putting our education to a good use, benefiting our postal facilities and making it easy for us to get to the church, to school, to library, lodge, theater, to market and, but far from least, to our neighbor's dinner table and sitting room? This can be brought about all over the United States only by national assistance. No other country ever got good roads in any other way. Then why should there be longer delay in following the precedent established by all the nations that have good roads? I am one of a very large majority of the people of this country that demand national help.

Among other things Mr. Earle's road bill calls for are the following:

To establish in the department of agriculture a bureau to be known as the United States Highway Department and to provide for national reward for the improvement of the public wagon roads.

That the object and purpose of said department shall be to assist in and encourage the improving of the public wagon roads in the various states and territories of the United States by the payment of national reward, according to the provisions of this act; to make investigations, experiments and tests in regard to methods of road making and road materials; to furnish without charge to any state or territory the result of any such investigation, experiment or test upon request of the state or territory; to employ a commissioner, state engineer or other officer or officers having in charge the question of improving the public wagon roads of such state or territory; to give advice, information and reports on the subject of roads, road improvement, road material and so forth, by means of lectures, bulletins or otherwise; to suggest from time to time laws which, if enacted, would tend to bring about as far as may be a uniform system for the construction, repair

and improvement of the public wagon roads throughout the United States.

That an officer to be known as the United States Highway Commissioner shall be appointed by the president, by and with the advice and consent of the senate, within fifteen days after this act shall take effect. Such commissioner shall be a citizen of the United States and shall have practical knowledge of road construction, improvement and repair.

That whenever any state or territory shall file notice with the United States highway commissioner through the officer or officers having in charge the matter of improving or aiding in the improving of the public wagon roads of such state or territory or the officers of any two or more states or territories shall do so jointly, stating that it is the intention of the state or states, territory or territories, to build a certain number of miles of road, such as will merit United States reward, it shall be the duty of the United States highway commissioner to furnish general plans and specifications which, if followed, will entitle the state or territory to receive the amount of reward due for the length and class of road built.

That every mile of well graded road on which the steepest incline shall not exceed 6 per cent and the width of which shall not be less than eighteen feet between side ditches and which shall be properly drained and crowned so as to shed water quickly to the side ditches and which shall have a wagon way or travel track not less than twelve feet wide made in two courses and thoroughly compacted, if built in accordance with the plans and specifications of the United States highway commissioner and approved by him, shall merit United States reward. If built of gravel, \$500 per mile; if built with one course of approved stone and one course of gravel, \$750 per mile; if macadamized, \$1,000 per mile. If the United States highway commissioner shall by investigation or experiment find that some other material than those mentioned in this section is equal to them or any one of them, then he may prepare plans and specifications for roads to be built of such material and shall place them in one of the classes described in this section, and such roads shall be entitled to receive the reward of the class to which they are assigned by the said commissioner.

That the decision of the United States highway commissioner shall be final relative to whether the road is built well enough to merit United States reward or not.

That there is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the purpose of carrying out the provisions of this act the sum of \$100,000,000, the said appropriation to be available at the rate of \$100,000,000 a year, beginning with the year in which this act shall take effect. If any portion of the \$100,000,000 appropriated for any one year shall not be expended in the year for which it is appropriated, such portion not expended shall be added to the \$100,000,000 available in the year following.

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GOOD ROAD PROBLEM

Importance of Laying Out a Highway Properly.

AVOID ALL STEEP GRADES.

Straight Roads the Right Kind to Have, but in Hilly Countries Their Straightness Should Be Sacrificed to Obtain a Level Surface.

All the important roads in the United States can be and doubtless will be macadamized or otherwise improved in the not distant future. This expectation should govern their present location and treatment everywhere. Unless changes are made in the location of the roads in many parts of the United States it would be worse than folly to macadamize them. "Any costly re-surfacing of the existing roads will fasten them where they are for generations," says General Stone. The chief difficulty in the United States is not with the surface, but with the steep grades, many of which are too long to be reduced by cutting and filling on the present lines, and if this could be done it would cost more in many cases than relocating them, says Motor News.

Many of our roads were originally laid out without any attention to general topography, and in most cases followed the settler's path from cabin to cabin, the pig trail, or ran along the boundary lines of the farms regardless of grades or dips. Most of them remain today where they were located years ago, and where untold labor, expense and energy have been wasted in trying to haul over them and in endeavoring to improve their condition.

The great error is made of continuing to follow these primitive paths with our public highways. The right course is to call in an engineer and throw the road around the end or along the side of steep hills instead of continually going over them or to pull the road up on dry, solid ground instead of spilling through the mud and water of the creek or swamp. Far more time and money have been wasted in trying to keep up a single mile of one of these "pig track" surveys than it would take to build and keep in repair two miles of good road.

Another and perhaps greater error is made by some persons in the west who continue to lay out their roads on "section lines." These sections are all square, with sides running north, south, east and west. A person wishing to cross the country in any other than these directions must necessarily do so in rectangular zigzags. It also necessitates very often the crossing and recrossing of hills and valleys which might be avoided if the roads had been constructed on scientific principles.

In the prairie state of Iowa, for example, where roads are no worse than

in many other states, there is a greater number of roads having much steeper grades than are found in the mountainous republic of Switzerland. In Maryland the old stagecoach road or turnpike running from Washington to Baltimore makes almost a "bee line," regardless of hills or valleys, and the grades at places are as steep as 10 or 12 per cent where by making little detours the road might have been made perfectly level or by running it up the hills least abruptly the grade might have been reduced to 3 or 4 per cent, as is done in the hilly regions of many parts of this and other countries. Straight roads are the proper kind to have, but in hilly countries their straightness should always be sacrificed to obtain a level surface, so as to better accommodate the people who use them.

Graceful and natural curves conforming to the lay of the land add beauty to the landscape, besides enhancing the value of the property. Not only do level curved roads add beauty to the landscape



ELEVATING ROAD GRADER.

scapes and make lands along them more valuable, but the horse is able to utilize his full strength over them. Furthermore, a horse can pull only four-fifths as much on a grade of two feet in 100 feet. This gradually lessens until with a grade of ten feet in 100 feet he can draw but one-fourth as much as he can on a level road.

All roads should therefore wind around hills or be cut through instead of running over them, and in many cases the former can be done without greatly increasing the distance. To illustrate, if an apple or pear be cut in half and one of the halves placed on a flat surface, it will be seen that the horizontal distance around from stem to blossom is no greater than the distance over between the same points.

More For Government Aid. W. F. Hill, master of the state grange of Pennsylvania, is quoted as saying in a recent address that "the grange of that state believes that the government should assist in building the public roads and that it is the purpose of the national grange to undertake to obtain the passage of a bill through congress to appropriate \$50,000,000 for this purpose. This appropriation, it is contemplated, shall be divided over five years, \$10,000,000 being available each year, and to be paid to states for expenditure through the state highway department. I recommend that the state grange give to this movement its cordial indorsement."

ROAD BEAUTIFYING.

What Trees Should Be Planted by the Wayside.

WHY FRUIT TREES ARE USEFUL

Their Yield Would Build Up a Fund For Maintaining and Improving Highways—List of Long Lined Shade Trees Preferred by an Expert.

The question as to what trees should be set out to give shade and charm to our thoroughfares is thus answered in the Good Roads Magazine by L. C. Corbett, horticulturist to the department of agriculture:

It is known in a general way that chestnut, walnut, plum, apple and other fruit trees are used for this purpose in many foreign countries. It is in many cases desirable that the trees which are to give shade shall also yield fruit which, when gathered and sold in the proper season, will build up a fund to be used for the maintenance of the road, or perhaps to be devoted to the special purpose of further beautifying the highway and so adding to the material as well as to the aesthetic value of the neighboring land.

Within the confines of the United States so great a variety of conditions exist which bear on this question that it would seem impossible to designate a list of trees which will be adapted to all the road conditions in this country, unless it is desirable to limit the list to fruit or to nut bearing trees. If this is the case, the fruit bearing trees which will be found best adapted to highway conditions are the apple and the pear for some localities.

Apples may be planted in all that part of eastern United States north of the Carolinas and in the Appalachian region even south of that section. West of these mountains the apple will serve as far south as the gulf states and westward to the base of the Rocky mountains, with perhaps the exception of the northern part of Minnesota, the Dakotas and Montana, where it would be well to substitute other plants for the apple unless the crab apple were substituted for the common apple.

Nut bearing trees which are adapted to this use in eastern United States are the hickory, the walnut and the butternut for New England and along the Appalachian mountains as far south as Georgia. At this point the distribution of these nut trees should take a westerly turn on the west side of the Appalachian mountains, where they should not be used north of Kentucky or further west than Colorado. The pecan will grow in the northern

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Iowa, northern Wisconsin, Minnesota or in the Dakotas.

The black walnut, however, may be planted over the southern part of Minnesota, eastern South Dakota, eastern Nebraska and Kansas.

Personally I believe that as a rule it would be better to select long lined

as dense a canopy as do the maples. In New England and the middle states the sugar maple is one of the most desirable and extensively used shade trees. If a shade more dense than that given by the sugar maple is desired, the Norway maple may be planted instead. It has long been considered one of the finest shade trees we have about Washington. From Washington southward to the Carolinas a variety of shade trees may be employed, such as the silver maple, which is perhaps the least desirable of the maple family. The sycamore has a natural distribution throughout this whole territory and is hardy and beautiful. The oaks offer a number of good shade trees, although some grow slowly. In this family the red oak, the willow oak and the pin oak are all desirable for roadside use outside the territory in which the live oak thrives.

In my judgment, there is no tree which compares with the live oak for shade and ornament in regions south of the northern latitude of Carolina. This tree might be used to the exclusion of every other throughout the southern part of the United States, because it is typical of that region.

For California the pepper tree will perhaps supersede everything else as a roadside tree, while in Florida the camphor tree might well be used as a substitute for the pepper tree of California.

Elms are desirable, but do not give

SHADE TREES AS ROAD BEAUTIFIERS.

shade trees than to attempt to combine fruit production with shade and beauty.

The following list of shade trees would, in my judgment, fulfill the requirements better than the fruit and nut list:

