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Date

Placing The Blame

Fort Worth Star-Telegram
Former Chairman Lanham and former Commissioner Burkett of the State Highway Department were chiefly responsible for the American Road Company transaction that has just ended in a \$600,000 cash recovery for the State, the forfeiture of that company's uncompleted contracts and its permit to do business in Texas. But as much as these two were responsible for this transaction, all of the responsibility should not rest with them. The administration of which they were a co-ordinate part must share the blame.

As the chief adviser of the Governor and as the active, directing mind which doubtless planned much that was accomplished of State affairs, former Governor Ferguson can scarcely avoid the effect of public opinion that has crystallized since the highway probe was begun.

Former Governor Ferguson for many months "sat in" on all sessions of the Highway Commission. According to his own statement, he did so to insure an economical administration of highway affairs and to protect his wife's administration. Here is what he said on this very point in an interview given to Silliman Evans, staff correspondent of The Star-Telegram, and published in this newspaper on Aug. 5:

"I thought it necessary. In the first place, the Commission cordially invited me to sit with them, as my wife had appointed all three of them. I thought I would accept their kind invitation so as to bring about an effective and economical administration. It must be borne in mind that the Highway Department spends more money than all the other departments of your State Government. My wife's administration will be charged or credited with the failure of the Commission and its administration of the highway laws. Therefore, my wife's administration can not escape liability in the premises. I thought I could not in any better way redeem my promise to the people for an economic administration of their affairs than to identify myself with the Commission and inform myself about this important branch of the State Government. Regardless of criticism along this line, I refuse to be intimidated and I will render to the Highway Commission every aid and assistance within my power."

Since this interview has not been questioned to this good day, we feel that we can safely assume Mr. Ferguson was correctly quoted.

At another point in this same interview, which went extensively into the highway situation. Mr. Ferguson said:

"Lots of people have been so unkind as to say there was something secret about the letting out of these contracts. In all cases, there was competitive bidding. Perhaps in only one or two instances did the low bidder fail to get the contract."

This latter statement indicates at least that Mr. Ferguson was not very well acquainted with the manner in which highway affairs were being handled, even though he were sitting with the board and though he announced his purpose in so doing was a desire to protect his wife's administration and to guarantee an economical administration.

The record in the American Road Company trial, furnished by the defendants themselves, disclosed there was no competitive bidding whatsoever in this instance; that there was no contract of any character and no bond to protect the State in the satisfactory carrying out of the agreement. The records show that this concern was given the job of resur-

facing approximately 1,000 miles of graveled roads and other work totaling \$1,720,000 on a mere letter instructing it to do the work and at a price fixed or suggested by Chairman Lanham himself. Since the admitted testimony of the defendants themselves has shown this price too high, the profits excessive and the State has recovered \$600,000 in cash on the company's own confession of judgment, one naturally wonders what Mr. Ferguson was doing about this time. One also wonders that since his one idea in sitting with the Commission was to protect his wife's administration and insure an economical administration of highway affairs, why Mr. Ferguson did not prevent such a transaction as that of the American Road Company has been proven to be.

Mr. Ferguson is technically a private citizen. He occupies no State position whatsoever and the liability that attaches to him in the highway situation is the liability that he himself assumed and which he admitted in this and other interviews. Having assumed the liability, Mr. Ferguson can not well escape his share of the criticism that naturally has been aroused by the American Road Company transaction.