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DRAINAGE FOR THIS COUNTY

Raleigh, March 1, 1919.—Representative Lyday has introduced the following bill providing for the drainage of streams in Transylvania county. The passage of this bill may place the county in position to secure Federal aid. It provides:

Sec. 1. That the County Commissioners of Transylvania County, and their successors in office be and they are hereby appointed and constituted a commission to drain the rivers and creeks and their tributaries in Transylvania County, and to be known as "Transylvania County Drainage Commission," and in that name they shall have the right to contract and be contracted with, sue and be sued and generally to do what may be necessary to be done in order to make effectual the drainage of the creeks and their tributaries in Transylvania County, North Carolina. They shall have the power and authority to purchase all necessary machinery, dredging machine, tools and appliances and any other material that may be necessary to carry out this work, and shall have the right to borrow money, issue notes therefor, which shall become a lien on the property that is to be drained, said notes to be paid off out of the first money collected as hereinafter provided.

Sec. 2. Said Commission shall meet and organize after the ratification of this Act, and the Chairman of the Board of County Commissioners shall be the Chairman of the Drainage Commission, and the Clerk of the Board of County Commissioners shall be the Secretary of the Drainage Commission, and the Treasurer of Transylvania County shall be the Treasurer of the Drainage Commission.

Sec. 3. When a petition has been filed by a majority of the land owners of any drainage district of Transylvania County, said petition to set forth the boundary of said district, and the amount of tax to be levied; then the Commissioners are hereby authorized, empowered and directed to levy a special tax on all of the lands in said District at their June session, said tax to be collected in the same manner as other taxes in Transylvania County, and to be held by the Treasurer of said County, and to be paid out by him on warrants issued by the said Transylvania County Drainage Commission.

Sec. 4. After the petition has been filed with the Commission establishing the drainage district, and acted upon by the Commission, it shall be their duty to employ a competent engineer to survey the lands that are to be drained in said District, and said surveyor shall immediately make an accurate survey of all the lands in said district that will be benefitted by drainage, and shall furnish to the commissioners the name of each land owner, and the number of acres owned by each land owner that is to be benefitted, and this list is to constitute that land on which the special taxes are to be levied.

Sec. 5. The lands to be improved in any drainage district shall be divided into two classes which shall be known as Class A and Class B. The lands receiving the most benefit from drainage to be known as Class "A," and the lands receiving less benefits to be known as Class "B," and the scale of assessment upon the class of land shall be in the ratio of one to two, that is to say, that the land in Class "A" shall be assessed twice as much as the land in Class "B."

Sec. 6. After the surveyor shall have filed a list of the land owners showing the number of acres and the different classes, with the Commission the Commission will then deliver the list to the tax collector of Transylvania County with an order to collect a special tax as is shown by said list, and the same shall have the force and effect of a judgment as in the case of State and County taxes, and shall be collected in the same manner, with the same power, same responsibility, and settled in the same way as taxes are required to be collected and settled under the general laws.

Sec. 7. The Commission shall have the right to levy annually on all of the lands in any drainage district until such amount has been collected to meet and pay off any indebtedness that may have contracted by the Commission in the drainage of any District.

Sec. 8. The Commissioners or their agents shall have the power to remove or cause to be removed from the banks of any stream included in any drainage district, all such growth or other hindrances as tend to retard rapid flow of the water in said stream, and shall have the right from time to time, its agents and employees or any contractors, to enter upon any land along said water course for the purpose of carrying out the improvements and work contemplated

in this Act; and shall, after the completion of same, have the right to enter upon said lands at any time for the purpose of performing any work, making repairs or clearing away obstructions.

Sec. 9. Each member of said Commission shall receive two dollars per day for his services for the time actually required to carry out the provisions of this Act.

Sec. 10. The said Commission is hereby authorized, and empowered to borrow money to anticipate the tax that may be levied under this Act.

Sec. 11. This Act shall be in force from and after its ratification.

NOTICE OF RE-SALE.

North Carolina.—Transylvania County.—In the Superior Court.—Before the Clerk.

L. P. Summey, Amanda Burns, G. W. Summey, T. B. Summey, Rachel Kilpatrick, C. C. Kilpatrick, Emma Loftis, and T. T. Loftis.

vs.
Louis Allison, Street Allison, John Allison, Mitchel Allison, Mary Gresham, Robt. Gresham, Minnie Summey, Maggie Long, and Husband Long, and Cison.

Under and by virtue of an order and judgement of the Superior Court of Transylvania County made in the Special Proceeding entitled as above set out, the undersigned commissioner Will, on Monday the 17, day of March 1919 at 12 o'clock M. at the Court House Door in Brevard, Transylvania County, North Carolina, offer for sale to the highest bidder for cash; all those certain tracts or parcels of land lying and being in Transylvania County, and in Dunns Rock Township adjoining the lands of the E. E. Batson heirs, Eubanks, Candler's et. al., and bounded as follows, viz:—

FIRST TRACT:—
Beginning on a white oak on the east side of a small creek and runs south 60deg. east 100 poles to a stake in the Candler line; then with said line south 66 1/2 deg. east 200 poles to a stake; then north 20 deg. east 10 poles to the Eubank corner, a white oak; then same course with said line 20 poles to a stake in Robert Crissim's line; Thence with his line north 58 deg. west 210 poles to his corner; Thence with the Henry line north 54 deg. west 105 poles to a stake; Thence south 5 deg. west 80 poles to the beginning, containing 100 acres more or less.

SECOND TRACT:—
Beginning at a white oak and do-wood and runs a westerly direction to a spruce pine; Thence southwest to a white oak. Thence southwest to a hickory in Batson's line; Thence north west with the trail to a Blackgum, corner made between E. E. Batson's and John Summey, Sr.; Thence a northerly direction crossing a branch to the top of a ridge on the southeast side of a chestnut flat; Thence northeast along the ridge to said Summey's line; Thence to the beginning; Said to about 50 acres more or less.

Said sale for partition between the plaintiffs and defendants as tenants in common;
This the 21, day of February 1919.
J. H. PICKLSIMER,
COMMISSIONER.
2-28-3t

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