

FRANKLIN TIMES.

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THE GOOD ROADS LAW.

TO PROVIDE GOOD ROADS IN FRANKLIN COUNTY

Below is the Act in Full as Passed by the General Assembly and is Published for Benefit of the People.

THE GENERAL ASSEMBLY OF NORTH CAROLINA DO ENACT:

Section 1. Upon a petition signed by twenty-five free holders of any township in Franklin county, it shall be the duty of the county commissioners to hold an election in said township to ascertain the will of the people therein, whether there shall be levied in such township a special annual tax of not more than thirty cents on the one hundred dollars worth of property and ninety cents on the poll for the purpose of providing better roads. Such election shall be advertised for twenty days preceding the day of election by posting notices at the court house door and at three public places in the township. The county commissioners shall appoint a registrar and two poll holders, and may in its discretion order a new registration, and the election shall be held under the laws governing general elections as nearly as may be. At such election those who favor the levy and collection of the tax shall vote a ballot on which is written or printed "For good roads," and those opposing, a ballot on which is written or printed "Against good roads."

At the close of such election the registrar and poll holders shall canvass and count the votes cast and shall report such canvass to the board of county commissioners, which said report shall be recorded in the minutes of said board of county commissioners, and no other canvass, report or recording shall be necessary.

Sec. 2. If a majority of the votes cast in such an election in any township shall be "For good roads," the board of county commissioners shall annually in the manner and at the time of levying the county taxes, levy a special tax on all persons and property within such township subject to taxation, of not less than ten cents, nor more than thirty cents on the one hundred dollars worth of property, and not less than thirty cents nor more than ninety cents on the poll. The taxes so levied shall be collected as other taxes and paid to the county treasurer to be held by him as the "Road fund of _____ township."

Sec. 3. The money thus raised shall be expended under the supervision and control and upon the orders of the county board of commissioners for the making and maintenance of the public roads in such township, and no person in such township shall be liable to road duty.

Sec. 4. The board of county commissioners are hereby given all such powers as may be needed in the providing of good roads for such township or townships. They may purchase such machinery and implements as may be needed, may employ a competent engineer or surveyor to lay off roads. They may elect a superintendent of roads for one township or one superintendent of roads for two townships, and pay him such salary as they may deem best out of the road fund of the township; Provided that the said superintendent of roads may at any time be removed by the board of county commissioners after having been given ten days' notice and a hearing, when in the opinion of the board there exists good and sufficient cause for such action; and for malfeasance or misconduct in office he may be removed by them without further notice than may be necessary in order to give him a hearing. It shall be the duty of said

superintendent of roads, subject to the approval of the board of county commissioners, to supervise, direct and have charge of the maintenance and building of all public roads in such township, and he shall submit to the board of county commissioners a monthly report concerning the work in progress and the moneys expended, and he shall submit quarterly a report on the condition of the public roads and bridges and plans for their improvements, and he shall include in this quarterly report an inventory of the tools, implements, teams and other equipments on hand. Said road superintendent before entering upon the duties of his office shall deposit with the board of commissioners a good and lawful bond, to be approved by the said board of commissioners for the sum of five hundred dollars as a guarantee of the faithful and honest discharge of the duties of his office, which bond shall be duly registered in the office of the register of deeds, and filed with the clerk of the superior court of the county. In case of the death or resignation or removal of said road superintendent, it shall be the duty of the county commissioners to elect at their first meeting thereafter a road superintendent, who shall hold office at the discretion of said board of county commissioners or until the regular December meeting of said board and until his successor has been elected and qualified.

Sec. 5. That all prisoners confined in the county jail under the final sentence of the court for crime or imprisonment for non payment of costs or fines or under final judgment in cases of bastardy, or under the vagrant acts, all insolvents who shall be imprisoned by any court in said county for non payment of costs, and all persons sentenced in said county to the state prison for a term less than five years shall be worked on the public roads of the county; Provided, that the commissioners of the county may arrange with the commissioners of any neighboring county or counties for such an exchange of prisoners during alternate months or years as will enable each such co-operating county to thereby increase the number of prisoners at work on its public roads at any given time. And upon application of the said road superintendent of the county or that of the chairman of the board of county commissioners, the judge of the superior court or the judge of the criminal court, the justices of the peace and the principal officer of any municipal or any other inferior court, it shall be the duty of the said judge or justices of the peace or said principal officer to assign such persons convicted in his court to said road superintendent for work on the public roads of said county; all such convicts to be fed, clothed and otherwise cared for at the expense of the county; Provided further, that in the case of serious physical disability, certified to be the county physician, persons convicted in said superior, criminal or inferior courts in the county may be sentenced to the penitentiary or to the county jail.

Sec. 6. That when the commissioners of any county shall have made provisions for the expenses of supporting and guarding while at work on the public roads a larger number of prisoners than can be supplied from that county, upon the application of the commissioners of said county to the judges of the superior and criminal courts presiding in adjoining counties or any other county or counties in the same or adjoining judicial districts which do not otherwise provide for the working of their own convicts on their own public roads, such judges may sentence such able bodied male prisoners as are described in section eight of this act from such adjoining counties or other counties in the same and adjoining judicial districts to

work on the public roads of said county or counties applying for the same in the order of their application; and the cost of transporting, guarding and maintaining such prisoners as may be sent to any such county applying for the same, shall be paid by the county applying for and receiving them, out of the road fund of such county; Provided, that any and all such prisoners from such other counties may at any time be returned to the keeper of the common jail of such counties at the expense of the county having received and used them.

Sec. 7. That for the purpose of carrying out the provisions of this act, the said superintendent is hereby authorized to enter upon any uncultivated lands near to or adjoining such roads, to cut and carry away timber, except trees or groves on improved lands planted or left for ornament or shade, to dig or cause to be dug and carried away any gravel, sand, clay or stone which may be necessary to construct, improve or repair said road, and to enter on any lands adjoining or lying near the road in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road, doing as little injury to said lands and the timber or improvement thereon as the nature of the case and the public good will permit; and the drains and the ditches so made shall be conducted to the nearest ditch, water-course or waste ground and shall be kept open by the said superintendent or supervisors and shall not be obstructed by the owner or occupant of such lands or any other person or persons under the penalty of forfeiting a sum of not less than five dollars, nor exceeding ten dollars or imprisonment or work on the public roads of the county for not less than ten nor exceeding twenty days for each and every offense, said penalty to be collected by the said superintendent or supervisors if in money and paid over to the county treasurer and applied to the road fund of the county. If the owner of any lands or the agent or agents of such owner having in charge lands from which timber, stone, gravel, sand or clay were taken as aforesaid, shall present an account of the same through the road superintendent, at any regular meeting of the county commissioners within thirty days after the taking and carrying away of such timber, stone, gravel, sand or clay, it shall be the duty of said commissioners to pay for the same a fair price; and before deciding upon this they may cause to be appointed an impartial jury of three freeholders, one to be selected by the road superintendent, one by the party claiming damages, and the third to be selected by these two, which jury shall report in writing to the board of commissioners their decision for revision or confirmation; provided, that said land owner or his agent shall have the right of appeal as provided for in section eight of this act.

Sec. 8. That subject to the approval of the board of county commissioners, the superintendent of roads is hereby given discretionary power, with the aid of a competent engineer or surveyor, to locate, relocate or change any part of any public road where in his judgment such location, relocation or change will prove advantageous to the public travel. That when any person or persons on whose lands the new road or part of the road is to be located claims damages therefor, and within thirty days petitions the board of county commissioners for a jury to assess the damages, the said commissioners within not less than fifteen nor more than sixty days after the completion of said road shall order said jury of three disinterested freeholders to be summoned by the sheriff or constable as provided by law, who shall give said land

owners or their local representatives forty eight hours notice of the time and place, when and where said jury will meet to assess damages; and said jury being duly sworn, in considering the question of damages shall also take into consideration the benefits to public travel and to the owner of the land, and if said benefits be considered equal to or greater than the damages sustained, the jury shall so declare, and it shall report in writing its finding to the board of county commissioners for confirmation or revision; Provided, that if said land owner be a non resident of the county and have no local representative it shall be deemed sufficient service of such notice for said sheriff or constable to forward by United States mail a written notice of the purpose, time and place of such meeting of said jury to the last known post office address of such land owner seven days in advance of such meeting, and also to post a notice of the same for seven days at the court house door of said county.

Sec. 9. That all laws and parts of laws in conflict with this act are hereby repealed; Provided, that nothing in this act shall be understood or construed as in any way interfering with any existing system of township road work in any township already levying a township tax for road purposes in any county coming under the provisions of this act, or any system that may be adopted by authority of some special act of the General Assembly.

Sec. 10. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this 20th day of February, A. D. 1909.

WHITFIELD KLUTZ,
Speaker pro tempore of the Senate.

A. W. GRAHAM, Speaker of the House of Representatives.

STATE OF NORTH CAROLINA.
Office of Secretary of State.
Raleigh, February 23, 1909.

I, J. BRYAN GRIMES, Secretary of State of the State of North Carolina, do hereby certify the foregoing and attached to be a true copy from the records of this office.

In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this 23 day of February in the year of our Lord 1909.

J. BRYAN GRIMES,
Secretary of State.

Death of John M. Stallings.

In the death of Mr. John M. Stallings, which sad event occurred at his home at Stallings, in Cedar Rock township, another of Franklin's best and most highly esteemed citizens has "passed over the river." He was about 72 years of age, and for over two years has been almost an invalid. He had a number of relatives and a host of friends who will regret to learn of his demise.

Mr. Stallings was a man of strong convictions, had ideas of his own, and when occasion required did not fail to express them. Two children survive him, Mr. G. B. H. Stallings and Mrs. J. B. Glasgow.

The funeral took place yesterday conducted by Rev. G. M. Duke, and the remains were interred in the family burying ground.

Legislature Adjourns.

The North Carolina Legislature adjourned sine die Tuesday afternoon at 2:30 o'clock and the solons departed for their homes after having "served their country" for sixty-two days, two days more than they received pay for. Taken altogether the legislature did very well. Nothing very radical was done, and some laws were passed. In a future issue we will have something to say of some of the laws enacted, and also the positions taken on same by our Senator and Representative, both of whom, so their colleagues report, made very good records.

THE MOVING PEOPLE.

THEIR MOVEMENTS IN AND OUT OF TOWN.

Those Who Have Visited Louisburg the Past Week—Those Who Have Gone Elsewhere for Business or Pleasure.

Mr. W. M. Person attended Nash court this week.

Mrs. B. F. Carpenter went to Durham this week to visit her people.

Mr. D. E. McKinnis, of Johnston county, is visiting his sons in Louisburg.

Mrs. Ferrill Parrish and son, Forest, of Durham, are visiting relatives in Louisburg.

Mr. P. B. Dickerson, of Goldsboro, was a pleasant caller at the Times office this week.

Dr. H. H. Harris, of Wake Forest, spent Monday night in Louisburg, guest of Mr. W. M. Person.

Messrs. J. T. Wilson and S. E. Pearce, of Youngsville, were in Louisburg on business Wednesday.

Mrs. Margaret Taylor, of Virginia, arrived yesterday, and will "keep house" for Mr. W. H. Waddell.

Mr. C. W. Roberts, of near Youngsville, was here this week, shaking hands with his "old" friends.

Miss Mildred Jones, of Raleigh, a trained nurse, who has been with a patient here the past three weeks, returned home this week.

Mr. E. S. Green went to Richmond Monday to take his son Wilson, to have an operation performed by a specialist.

Miss Lil High has returned from a visit of several weeks at Ocean View, Va., where she attended a "house party" with a number of friends.

Mr. F. W. Wheelless has returned from the North, where he went to buy his spring and summer goods. He will have a big advertisement next week.

Among the guests registered last week at the "Mecklenburg," at Chase City, we notice the names of Mrs. H. A. Crenshaw and daughter, Miss Helen, and Mr. W. P. Neal and wife.

Messrs. T. B. Wilder, S. T. Wilder, W. F. Beasley, A. W. Alston, C. T. Stokes and J. M. White and son, were among those who went from Louisburg to the inauguration of President Taft last week.

Senator B. T. Holden arrived home from Raleigh Wednesday, and he informs us that Representative Floyd accompanied him as far as Youngsville, where his buggy met him to take him to his home.

How to Get Good Roads.

Dr. Joseph Hyde Pratt, State Geologist and head of the North Carolina Geological and Economic Survey, will make an address at Franklinton Tuesday, March 23rd, at 1 o'clock on "good roads."

Dr. Pratt is considered one of the leading authorities in the matter of practical road building and his services are in great demand all over the State. In particular he has made a study of North Carolina conditions and is thoroughly qualified by training, ability and experience to tell in a practical way how to make and keep good roads. Everyone who is in any way interested in this subject ought to hear him and the time of speaking has been so arranged as to give a convenient schedule for any who may wish to attend from other sections of the county.

Fire at Youngsville.

The passenger station at Youngsville was destroyed by fire early yesterday morning. It is thought that the building caught from sparks from one of the night trains. It has been about two years since the freight building was burned at Youngsville.

Stallings-Andrews.

Mr. Reuben Stallings, who has many friends here, and who left Louisburg several years ago, to take a position with the Pullman Company, with headquarters at St. Louis, made a visit here the past week, and on Wednesday he was married to a popular young lady of Louisburg, in the person of Miss Florence Andrews. The marriage took place at the residence of Mr. Geo. H. Cooper, brother-in-law of the bride and was witnessed by only a few friends of the contracting parties. Rev. L. W. Swope officiated, and immediately after the ceremony the happy couple went by carriage to Franklinton, where they took 41 for the South. Their friends here join the Times in wishing for them a long and happy life.

John Carlyle Dead.

Mrs. Sarah Pleasant received a telegram Tuesday from Chapel Hill, Texas, which brought the sad news of the death of her brother, Mr. John Carlyle, which occurred on Monday afternoon.

Mr. Carlyle was born in Louisburg about 68 years ago. He left here to make his home in Texas about 1870.

Notice to Teachers.

On account of the fact that the majority of schools will have closed by the time for the next regular meeting of the Teachers Association, Supt. White wishes to give notice to all members that there will be no further sessions held this school year.

To Franklin County Veterans.

The time is approaching for the presentation of Crosses of Honor to Veterans. If there be any veterans in the county without crosses, they should send in their applications at once. The necessary blanks can be had by applying to the Secretary, or to Mr. Strother.

MRS. J. E. MALONE, Pres.
MRS. R. H. DAVIS, Sec.

Raleigh News and Observer is Giving Away \$10,000.

One of the most interesting things that has come to our notice for some time is the Raleigh News and Observer's great \$10,000 voting contest. This contest opened February 8, and will close April 25. The proposition appeals to us as being mighty clever and in keeping with "The Old Reliable's" reputation for doing big things on a big scale.

For the purpose of increasing its circulation the News and Observer is going to give away \$10,000 in prizes. It has provided what it calls three grand prizes, a \$2,000 White Steamer touring car, an \$850 Ford touring car and a Henry F. Miller \$750 Grand piano. But in addition to these three the "old reliable" is going to give away forty-one other prizes. It has divided North Carolina into eight districts and five prizes must go into each district. The first prize in this district is a \$400 upright piano, the second a \$200 diamond ring, the third a bank deposit of \$100, the fourth a \$100 buggy and the fifth a \$50 Turkish rocker. All of these prizes are to be won in this district but in addition, every contestant has a chance at the three grand prizes, as fully explained in the News and Observer.

Votes are being secured in two ways: by clipping the daily ballots in each issue of the News and Observer and by securing subscriptions, either old or new, to the paper. Votes are being issued on all paid in advance subscriptions. It is about the biggest proposition from a newspaper standpoint that we ever heard of in this section of the country. It's worth the time of any of our readers to look the matter up and enter that contest. There isn't any reason why two or three, at least, of those prizes should not be won right here by some of our popular and energetic people.