

# The Carolina Watchman

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WM. H. STEWART, EDITOR

## NEW ROAD LAW

AN ACT TO PROVIDE A ROAD LAW FOR THE COUNTY OF ROWAN, AND FOR LEVYING TAXES FOR PUBLIC ROADS IN ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Sec. 1. That the board of commissioners of Rowan County be and are hereby authorized to levy annually a specific tax not to exceed thirty-five cents on the one hundred dollars valuation of property, real and personal, in said county, and not exceeding one dollar and five cents on each poll (the constitutional equation to be always observed) to be expended for building and repairing the public roads in said county, and for all necessary expenses pertaining thereto, including buying road machinery, equipment and supplies. Said specific tax shall be levied and collected each and every year, as other taxes are levied and collected.

Sec. 2. That the board of commissioners of Rowan County may on the first Monday in the month of June, one thousand nine hundred and thirteen, and annually thereafter, levy a tax of not less than fifteen (15) cents and not more than twenty-five (25) cents on the one hundred dollars valuation of property subject to taxation in the several townships of the county of Rowan, property in incorporated towns in the several townships excepted, and not less than forty-five (45) cents, and not more than seventy-five (75) cents on each and every poll subject to taxation in the several townships of the county of Rowan, property in incorporated towns in the several townships excepted, which said taxes shall be collected in the same manner as the other taxes are collected for state and county purposes, and shall be kept separate and apart in the tax books of the said county from other taxes, and shall be known as "Township Road Fund," and said taxes shall be used in the construction, improvement and maintenance of the public roads of the several townships, and in each township shall have its own apportionment of the taxes levied and collected therein, and the said taxes levied and collected in the several townships shall be used exclusively in the construction, improvement and maintenance of the public roads of the township where levied and collected under the direction of the board of commissioners of Rowan and a committee of three appointed in each township by the board of commissioners for the purpose of consultation with said board as to how the taxes levied hereunder are to be expended in their several townships. Provided, however, that no part of "The township Road Fund" tax levied in this section shall be used in the construction, maintenance or improvement of the streets of the incorporated towns of the several townships of said county: Provided, however, upon the petition of sixty per cent of the freeholders and qualified voters of any one or more townships petitioning against said tax levy, the board of county commissioners may not levy said tax in said township, may continue to work roads in said township or townships in accordance with provisions of chapter two hundred and nineteen, Public Local Laws, one thousand nine hundred and eleven.

Sec. 3. That there may be elected by said board of commissioners at one of their regular meetings a competent superintendent of roads, skilled in the modern method of road building, who shall be paid a reasonable compensation, to be fixed by the board of commissioners, and said superintendent of roads may be removed from office at any time by said board of commissioners when in the opinion of the board there exists good and sufficient cause for such action, and for malfeasance or misconduct in office, and may be removed by them without further notice than may be necessary to give him a hearing, and said board of commissioners shall have power to fill any vacancy in said office of superintendent of roads that may occur, by removal or otherwise. The said superintendent of roads' compensation to be paid out of the fund derived from the road tax levied under section one of this act.

Sec. 4. That it shall be the duty of said superintendent of roads to give so much of his time as may be required by the board of commissioners to building, directing, maintaining and repairing the highways and public roads of Rowan County; he shall have charge of the supervision, maintaining and building of all public roads and highways in said county, including the supervision, of the convict force, which shall be committed to his custody by the board of county commissioners and the said superintendent shall have direct charge, control and management of maintaining and keeping in good order all macadam roads of said county, either with work by convict force or by the employment of some one under his direction, to repair and maintain the same, subject to the approval of the board of county commissioners.

Sec. 5. That said board of commissioners or superintendent, subject to the approval of said board, shall appoint, with power to remove at any time, such guards or other employees as may be needed to take charge of the convict force, said guards and employees to be paid such compensation for services rendered as may be fixed by the board of county commissioners.

Sec. 6. No superintendent, guard, or other employee of said commissioners shall be held either criminally or civilly liable for any injury inflicted upon any convict in his custody or under his supervision while in good faith and with due care enforcing such discipline as may be necessary to carry out such rules and regulations in the working of convicts upon the highways or public roads as said commissioners may from time to time enact and promulgate. If any superintendent, guard or other employee who may have such persons in his charge shall willfully or negligently permit any prisoner to escape from his custody, such superintendent, guard or employee shall be guilty of misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court; provided, that no superintendent, guard or other employee shall be held criminally or civilly liable for inflicting any wound or other injury upon any prisoner who may attempt to escape from his custody or control, if such superintendent, guard or employee shall have reasonable ground to believe it necessary to so wound or otherwise injure such prisoner in order to prevent his actual escape from custody; any superintendent, guard or other employee from whose custody any convict shall have escaped, or any other officer or private citizen, shall have the right at any time thereafter to re-arrest such escaped convict and to use such means as may be necessary to that end; and no person, in arresting or attempting to arrest an escaped convict, shall be held civilly or criminally liable for any wound or other injury which he may inflict upon such convict while attempting to arrest him, if he shall have had reasonable grounds to believe that it was necessary to resort to such means in order to make such arrest.

Sec. 7. That all persons confined in the county jail under a final sentence of the court for crimes, or imprisoned 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 for non-payment of costs, all persons who shall be sentenced to the state prison for a term of not more than ten years shall be worked on the public roads of said county unless otherwise ordered in the judgment of the court, and all such convicts shall be fed, clothed and otherwise cared for at the expense of said road fund; provided, that in the case of serious physical disability, certified by the county physician, persons convicted in any court may be sentenced to the state prison or the county jail.

Sec. 8. That the said board of county commissioners is hereby authorized to accept convicts from other counties of the state sentenced by superior court judges, whenever in their judgment it is deemed advisable to do so, and the cost of transporting and maintaining such convicts or prisoners shall be paid from said road fund provided in section one of this act.

Sec. 9. The superintendent of health the county shall attend the convicts as though they were confined in the county jail. If the superintendent of health shall be unable to attend the convicts, from any cause, the county commissioners are hereby authorized to contract with a physician to attend such convicts.

Sec. 10. The board of county commissioners of Rowan County, may in its discretion, work said convicts on the streets within the corporate limits of the city of Salisbury and upon the streets within the corporate limits of any other incorporated town in Rowan County.

Sec. 11. If the board of commissioners of Rowan County elect a superintendent of roads of Rowan County under section three of this act, then and in that event the said board of commissioners shall provide for the superintendent of roads an office where he shall file copies of all correspondence, letters, contracts, proposals, plats and surveys of roads, and shall keep an accurate record of all accounts and contracts with the supervisors or any other person who is dealing with the said board of commissioners in matters relating to the public roads of said county. The said superintendent of roads shall set apart at least one day in every week when he shall be in his office to attend to such road matters as may come before him, and the remainder of the time the said superintendent shall either be supervising the building of the public roads of said county or directing the management of the convict force and making provisions therefor. The said superintendent of roads shall not purchase any provisions, materials or other things for the building and repairing of the roads of said county or any provisions for convict force from himself or from any firm or corporation in which he may have an interest or hold any stock, nor shall the said superintendent of roads hire or employ his own teams to do any work for the county or upon the public roads thereof. Any superintendent of roads violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned at the discretion of the court.

Sec. 12. The said board of commissioners, or the superintendent of roads subject to the approval of the said board, if it is deemed

advisable, shall appoint one person in each township to be known as township supervisor, who shall be under control and orders of the superintendent of roads, and it shall be the duty of said supervisor to divide the public roads of his township into sections of not less than one mile and not more than ten miles, and he shall furnish plat of all such sections of public roads so divided, with the universe and bridges mentioned thereon, to the superintendent of roads, to be filed in his office, and it also shall be his duty, with the approval of the superintendent of roads, to let by contract at a fair and reasonable price, for a period of one year, to the best bidder, the building, maintaining and keeping in good repair the different sections of public roads in his township, or in case a new public road is ordered opened by the board of commissioners of said county, it shall be his duty to let out the said contract as above mentioned. The said bidder or bidders, to be known thereafter as contractor or contractors, shall not begin work or receive any pay from the board of commissioners of the county for any work until he or they shall enter into a written contract in the name of the board of commissioners of Rowan County to build, maintain and keep in good repair, free from all holes, ruts and dangerous places, also well drained with good crown upon the road, the section of public road being so contracted for, and also to keep in good repair the bridges thereon free from any dangerous places and giving to the road the usual width as required by law. The said contractor or contractors shall also furnish at the time of signing said contract a good and sufficient bond in the sum of one hundred dollars, or a larger amount if the contract may warrant same in the estimation of said board of commissioners, to the board of commissioners of Rowan County to faithfully discharge the duties mentioned in his contract and as required of him or them by law, and if said contractor or contractors shall fail to discharge the duties mentioned in said contract, or as required of him or them by law, the said board of commissioners shall have a right to recover the amount mentioned in his said bond in any of the courts of Rowan County. The superintendent of roads upon accepting the above mentioned contract shall write his approval therein and file same with the register of deeds of Rowan County, and the said contract shall be binding upon said county when approved by the said board of commissioners. The supervisor shall from time to time, as he may be directed by the superintendent of roads, view the section of public roads so contracted for, and as the building of said so contracted for progresses under the contract so let, the said supervisor shall give an order to the superintendent of roads for payment of such amounts of money as to him may seem due for the work so completed, and for no more. And if the superintendent of roads shall, upon examination of said order, find the same correct and due for work already completed under the contract so made, he shall endorse said order and send same to the board of commissioners for payment. The said supervisor shall be paid for the time actually engaged in letting the contracts for the building and repairing of the public roads of their respective townships and for inspecting the public roads as they may be directed by the superintendent of roads in a sum of not less than two dollars per day. Said accounts shall be itemized, signed and certified as correct by said supervisor, and be examined and endorsed by the superintendent of roads before payment.

Sec. 13. The board of commissioners or the superintendent of roads with the approval of the board of commissioners, shall have the right, if it be deemed

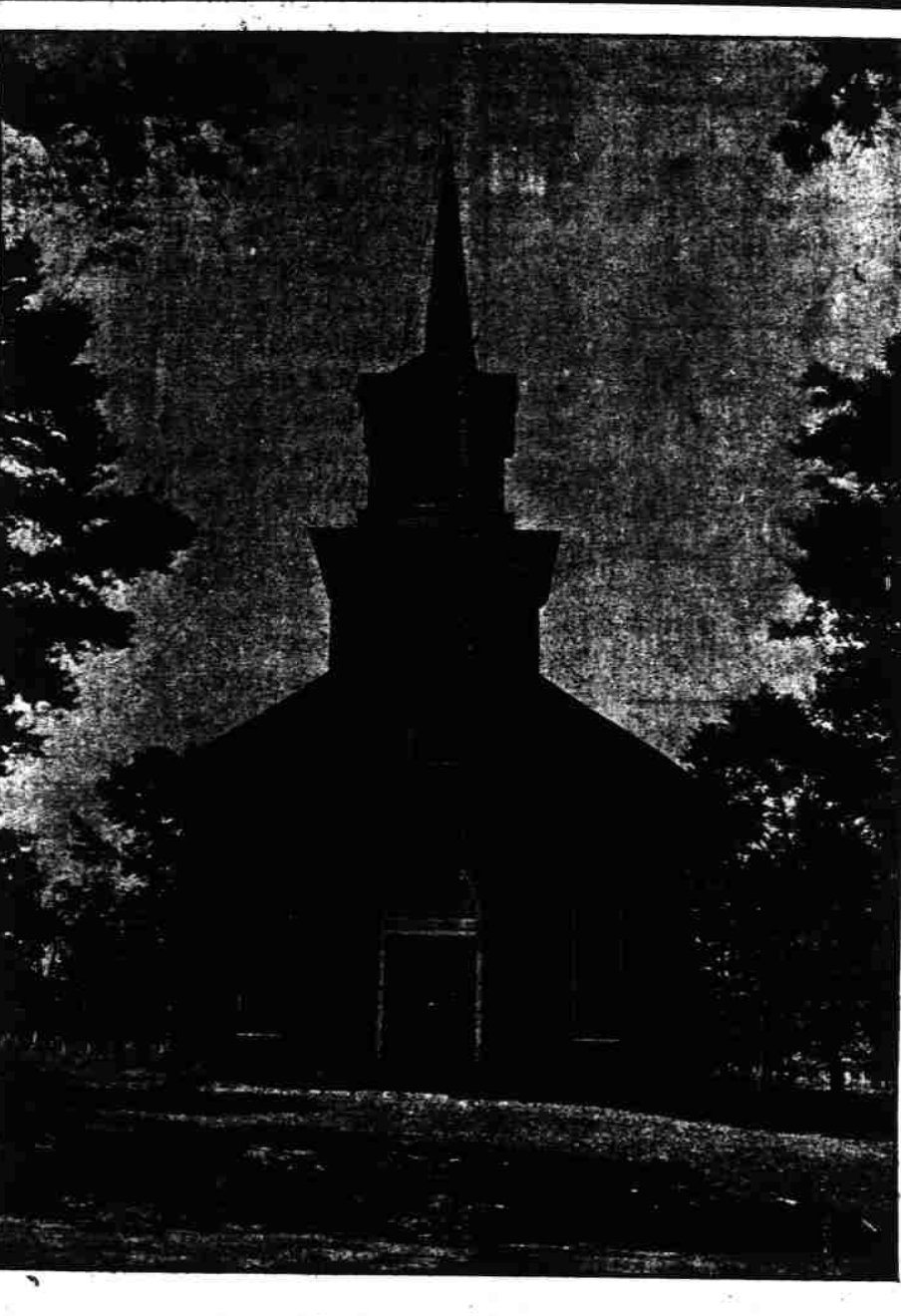
advisable, to direct the supervisor as before mentioned to build, maintain and keep in good repair the public roads of his townships by employing laborers and teams to do the work on the public roads of the respective townships of said county. It shall be the duty of the supervisor's duty to keep the public roads of his township free from all holes, ruts and dangerous places and well drained, with a good crown on same, and keep the bridges in good repair, and while he is working said public road it shall be the duty of the superintendent of roads to visit, supervise, direct and control said road works at all times; and it shall be his duty, subject to the approval of the board of commissioners, to fix the price to be paid for labor and teams and other necessary expenses in repairing and maintaining said public roads, and he shall at all times govern and have control of the supervisor in building, maintaining and keeping in good repair the public roads of said townships. The supervisor shall give a good and sufficient bond in the sum of three hundred dollars, to be payable to the board of commissioners of Rowan County, for the faithful discharge of his duty, and if he shall fail to discharge his duty according to the law, the said board of commissioners shall have the right to recover the amount in any of the courts of Rowan County. The board of commissioners of said county shall have the right to fix the compensation for the supervisors of the various townships of the county, which shall not be less than \$2.00 per day for ten hours work. The said supervisors shall not employ their own teams for working the public roads or purchase any material for road building from themselves unless they first notify the board of county commissioners of the use of their own teams, and the other teams could not be had for the use so mentioned. If any supervisor shall fail and be willfully negligent and careless in the discharge of his duties as such supervisor is required by law or fail to obey the provisions of this section, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned at the discretion of the court.

Sec. 14. The said supervisor shall keep a correct and accurate record of the contracts and accounts made and shall furnish to the county commissioners or the superintendent of roads an itemized statement of all laborers and teams hired, and the price per day for each, and also a statement of all material purchased and the price paid for same, which statement shall be duly signed by the said supervisor as being just and correct. The superintendent of roads, if approving said itemized statements, shall sign them and send them to the board of commissioners of said county for payment. The said board of commissioners, if upon examination and inspection of said accounts and contracts for hire of labor and teams and for material furnished for the building of various roads in the said county, find the same correct and no overcharge made thereon, they shall order payment of the same.

Sec. 15. The superintendent of roads, with the approval of the said board of commissioners, if deemed advisable, shall have the right and authority to enter into a contract with anyone who will take same at a fair and reasonable price, for the building, maintaining and keeping in repair and free from dangerous places, well drained, and with a good crown thereon, and keeping in good condition the bridges of any or all of the public roads in the different townships of said county. The said contractor, before entering upon his work or receiving any pay for same, shall enter into a written contract in the name of the board of commissioners of Rowan County to keep in good repair, free from all holes, ruts and dangerous places, with a good crown on same and well drained, (Continued on last page)

## SUNDAY SCHOOL CONVENTION

THE ROWAN COUNTY SUNDAY SCHOOL ASSOCIATION WILL HOLD ITS ANNUAL CONVENTION IN MT. ZION REFORMED CHURCH THURSDAY AND FRIDAY, AUGUST 21 AND 22.



The forty-fifth annual convention of the Rowan County Sunday School Association will be held in Mt. Zion Reformed Church, near China Grove, Rev. J. H. Keller, pastor, Thursday and Friday, August 21st and 22nd.

The officers of the association are as follows: E. W. Tatum, president, Salisbury; Rev. O. B. Heller, secretary, Spencer; W. L. Klutts, treasurer, Salisbury; Hon. John S. Henderson, A. B. Saleeby, P. S. Carlton, Thos. P. Johnston, Prof. E. G. Kizer and Dr. U. M. Van Poole, are the executive committee. Prof. L. H. Rothrock, superintendent of teacher training; A. B. Saleeby, superintendent of organized class work; Miss Daisy Fisher, superintendent of the intermediate and cradle roll work; Prof. R. G. Kizer, superintendent of Home and visitation.

The local committee consists of Dr. G. A. Ramsaur and J. E. Correll, of China Grove.

The program as arranged is as follows:

THURSDAY MORNING, 21st,  
10:30 Song Service.  
10:45 Devotional, Rev. J. H. Keller.

11:00 "Why are we Here?" Rev. B. S. Brown.

11:15 Roll call of townships appointment of enrollment committee.

11:25 Remarks by the president, E. W. Tatum.

11:30 "Principles and Methods of Organized Sunday School Work," Rev. Lewis Collins.

12:00 Offering, announcements.

THURSDAY AFTERNOON.

2:00 Song Service.

2:15 Devotional.

2:30 Treasurer's Report, secretary's report.

2:45 Report of township secretaries.

3:05 Song.

3:10 "A Reasonable Sunday School Standard," Rev. Lewis Collins.

3:40 "The Boy Problem and How to Solve it," Rev. F. J. Mallet, D. D.

4:10 Appointment of committees.

Announcements.

FRIDAY MORNING, 22ND.

9:30 Song service.

9:50 Devotional.

10:00 "Personal Work, Soul Winning," Rev. M. M. Kinard, D. D.

10:25 "Organized Class Work,"

(Baraca, etc.) Prof. L. H. Rothrock, A. B. Saleeby, A. L. Smoot. 11:00 "Round Table and the Sunday School," Rev. Lewis Collins.

12:00 Election of officers, executive committee, selection of place of next meeting.

12:15 Election of delegates to state convention. Offering and announcements.

FRIDAY AFTERNOON.

2:00 Song service.

2:15 Devotional.

2:30 "All the Church in the S. S. and all the S. S. in the Church," Rev. Lewis Collins.

2:50 Report of intermediate and cradle roll superintendent, Miss Daisy Fisher.

3:00 Miscellaneous and new business.

3:45 Report of committees.

4:00 Installation of officers.

Closing remarks by delegates.

Closing exercises, song, prayer, doxology, benediction.

Every Sunday School worker in the county is invited to be present and take part in the convention. Be there for the opening session and stay till the close. Many of the subjects are intended for open discussion in which all are at liberty to take part.

Every Sunday School is entitled to as many delegates as will go. Mt. Zion folks are expecting a crowd, do not let them be disappointed.

Every township secretary is urged to send reports as early as possible. Please see that your township has a complete report and then hurry it in to the secretary.

All delegates, ministers and visitors who will come by rail to China Grove, or who expect to remain over night, will please notify J. E. Correll, secretary of the entertainment committee, China Grove, N. C., as early as possible.

Costly Treatment.

"I was troubled with constipation and indigestion and spent hundreds of dollars for medicine and treatment," writes C. H. Hines, of Whitlow, Ark. "I went to a St. Louis hospital, also to a hospital in New Orleans, but no cure was effected. On returning home I began taking Chamberlain's Tablets, and worked right along. I used them for some time and am now all right." Sold by all dealers.