

UNION COUNTY ROAD LAW.

The Citizens of Union County Will Vote, April 23rd, On
The Adoption of The Following Road Law.

H. B. 918
S. B. 1131

An act to abolish the Road Commission of Union County and place the construction of the public roads of Union county in the hands of the Board of County Commissioners.

Whereas by virtue of chapter two hundred and thirty-two of the Public Laws of one thousand nine hundred and nineteen the Board of County Commissioners of Union county by resolution spread upon the minutes of said Board, adopted said act and declared the same applicable to Union county; and

Whereas by virtue thereof the public roads of Union county have from since said date been placed in the hands of a road electorate and road commission, as provided in said act; and whereas the working of said roads under said act has not been satisfactory, it is desired that said Road Electorate and Road Commission be abolished and that said act be not applicable to Union county, NOW, THEREFORE,

The General Assembly of North Carolina do enact:

Section 1. That the Road Electorate and Road Commission of Union County created by virtue of Chapter two hundred and thirty-two, Public Laws of one thousand nine hundred and nineteen, be and the same are hereby abolished, and said act shall not apply in any way to Union county from and after the ratification of this act.

Sec. 2. The entire management, control and supervision of the laying out of roads, the working of roads, the upkeep of roads, and the building of bridges, and the repair of bridges be, and the same is hereby vested in the Board of County Commissioners of Union county, and as such they are hereby authorized and empowered to appoint one or more road supervisors, for each township in the county, delegating to said road supervisor or supervisors such authority and such duties as they shall deem best.

Sec. 3. That the County Commissioners of said county shall have authority to receive any convicts, funds and property from any township in Union county, or any other County in North Carolina, and shall have authority to work convicts on the public roads of said county provided they can do so at satisfactory expense, and in event they at any time find it to be inexpedient or too expensive to work convicts on the public roads of Union County, they may cease to do so and turn such convicts as they may have over to the townships from which they were received or make such other disposition of the convicts as they by law may be authorized, or they may work the said convicts at other public works instead of upon the public roads of Union county.

Sec. 4. That any money received by the County Commissioners from the issuance and sale of road and bridge bonds shall be used by said County Commissioners in the completion of the roads already begun by the Road Commission, see that there is expended in each township in the construction of roads and bridges an amount as near as practicable to equalize the respective townships of the county in proportion to the amount of taxes paid by each township.

Sec. 5. That all moneys received from taxes levied for road and bridge purposes and collected from the various townships of Union county shall be expended as near as practi-

... cable in the township from which said taxes were collected.

Sec. 6. That the County Commissioners of Union County be, and they are hereby authorized to employ an expert road engineer at such compensation as may be fixed by said board, and such officers, agents and servants as they shall deem necessary to carry on the road work of Union County, the said engineer and any and all employees of the county commissioners by virtue of this act may be discharged at any time the county commissioners may see fit.

Sec. 7. That the Board of County Commissioners of Union County other than the chairman shall receive five dollars per day while in session or while looking after the affairs of the county, together with five cents per mile on distance traveled in going to and from meetings of the Board, and the chairman of the board of County Commissioners shall be paid a salary to be fixed by the other two members of the Board not exceeding the sum of eighteen hundred dollars.

Sec. 8. That the county commissioners be, and they are hereby vested with the authority granted to like corporations by the laws of the State of North Carolina, together with all the rights and privileges granted to municipal corporations of like nature, such as the condemnation of land, the construction, widening and changing of any roads in the county, and such other powers as are necessary to carry out any and all the provisions of this act, and with power and authority to purchase such materials, tools, machinery, implements and teams as they may deem necessary for carrying on the road work of said county, and perform such other duties as are hereinafter provided for.

Sec. 9. That it shall be the duty of the County Commissioners to employ a book-keeper to keep the books and accounts of all road moneys received and how expended, and shall keep a separate account of all moneys received from taxes collected from each township in the county, together with the amount of moneys expended in each township in the county, which shall be open to the inspection of any qualified voter in Union County at all times, and all moneys expended in road construction shall be by check or draft upon the bank or banks which are the depositories for said road funds, which said drafts shall be signed by the said book-keeper and countersigned by the chairman of the Board of County Commissioners, and shall show on its face the purpose for which said check or draft is issued.

Sec. 10. That on the first day of July and January of each year there shall be the duty of the Board of County Commissioners to have published a complete statement showing the amount of moneys received and the amount expended in each township in the county, provided, however, that certain items of cost, such as the salary of the engineer, the chairman of the Board of County Commissioners, and other items that are really chargeable against the county's unit shall be paid proportionately by all of the townships.

Sec. 11. In opening new highways, widening and straightening old roads, and repairing same the county commissioners are hereby authorized through its agents to enter upon any land and to locate and build such highway, and if the said commissioners and the owner or owners of said land cannot agree as to the damages, if any, the said commissioners shall,

after sixty days after said highway is completed, caused to be summoned three disinterested freeholders of said county, who shall go upon the lands and assess the damages and benefits under the general law as it now exists, provided, however, that before entering upon said lands, as authorized by this section, it shall be the duty of said commissioners to serve notice upon the owner or owners of said land, notifying them that the highway is to be located upon said land under authority of this act; and provided further that in assessing the damages sustained by any landowner the jury shall take into consideration the special benefits, if any, accruing to the landowner, and in determining such benefits, consideration shall be given to the benefits the landowner has derived from the fact that any old right of way has reverted back to said landowner by reason of the relocation and construction of the new road; and if such benefits shall exceed the damages, then the amount of such excess of benefits shall be assessed against the landowner and shall constitute a lien upon the land adjoining the road, and shall be collected by the sheriff in the same way as public taxes; and it is provided further that no suit shall be instituted by the landowner for damage on account of location of the road under this act or the taking of timber or material until after sixty days after the completion of the roads across the lands of such landowner; and no suit shall be brought by any landowner unless the same is commenced within six months after the completion of the road by or across the lands of the claimant; and provided further, that either party may appeal to the superior court for the assessment of damages and benefits where the matter shall be heard by the court and jury de novo. No costs shall be awarded against any county or township upon appeal when the recovery awarded through such appeal is not more favorable to appellant than the award of the referee.

Sec. 12. The Board of County Commissioners or State Highway Commissioners are hereby authorized, through its agents to enter upon any land in said county adjoining any road under construction or repair, to cut and carry away any timber except trees or groves on improved land planted or left for shade or ornament, dirt or cause to be dug and carry away any gravel, sand, clay, dirt, or stone which may be necessary for the proper repair and construction of roads in said county, and make or cause to be made such drains or ditches upon any land adjoining a line near any road in said county that the said commissioners may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and that any person obstructing such drains or ditches shall be guilty of a misdemeanor; provided, however, that before entering upon land as authorized by this section it shall be the duty of said commissioners, through its representative, to give notice upon the owner or owners of said land notifying them that certain material authorized to be taken by this section is required for the road work.

Sec. 13. That the county commissioners or state highway commissioners are hereby authorized to enter upon any land adjoining or bordering on any county road and cut the trees on such land for a distance in width of not over thirty feet from the edge of the right of way of said road; provided that this is necessary for the maintenance of said road; and provided further, that they shall not cut trees or groves on improved land planted or left for shade or ornament, or in any grove or yard left around or near any house left or used for a grove or shade trees; provided, due compensation be made for any damage sustained by the landowner, to be ascertained under the same rules and regulations provided in section eleven of this act.

Sec. 14. The owner of any land from which any timber or other material has been removed may present to the authorities his claim therefore in writing, and upon such presentation it shall be the duty of the said authorities to set a day not later than thirty days thereafter for the purpose of hearing and determining such claim. Upon the hearing and determination thereof the claimant may appeal to the superior court of said county to have his case tried as in other civil cases.

Sec. 15. The highways in any county constructed or improved under this act shall have a right of way of not less than forty feet, except where the road authorities or State Highway Commission deem it impracticable to require such widths, and in such cases shall be as determined by such authority. The alignment of the road shall be as straight as practicable and with no grade over four and one-half per cent, except as such grade is considered impracticable by the road engineer. All bridges shall be well constructed, iron being recommended where the stream is of any appreciable size, and all approaches shall be well constructed.

Sec. 16. That all funds, whether collected by direct tax, sale of bonds, or otherwise in such county shall be expended by and under the authority of the Board of County Commission-

ers, and said Board is hereby authorized and empowered to appropriate each sum or sums as it may deem expedient and wise to be used by the State Highway Commission in securing Federal aid to be used in the construction of any State or National highway leading through such county, and said Board is further authorized and empowered to enter into any contract providing for the construction of a state highway; provided, however, Federal funds shall be secured to aid the construction of such highway.

Sec. 17. When the proper location of any public road is such as to cause it to run along the dividing line between two counties or to traverse first a part of one county and then a part of the other county, thus making a road a county line road, then a representative or representatives of the county commissioners of each county shall together with representatives of the State Highway Commission, meet on the first Wednesday in March, or as soon thereafter as practicable, of each year and determine the amount necessary to maintain for the succeeding year the said county line road in a proper manner, and also determine the best method of expending such sum in the most economical manner to accomplish the desired result; and each county shall then provide from the road funds at its disposal an amount equal to one-half of that previously determined as necessary to maintain said road in a proper manner and shall use such sum in the maintenance of said road in such manner as may have been determined by the representatives of said commissioners. In case the county commissioners desire and request in writing that the State Highway Commissioners supervise and take charge of the maintenance of said county line road, then the said sum provided for the maintenance of said road by the said county commissioners shall be placed by the said commissioners at the disposal of the State Highway Commission, to be used for the maintenance of said road.

Sec. 18. When the survey for the location of a road is complete and it is found that the road when constructed will follow the dividing line between two counties or traverse first a part of one county and then a part of the other county, and thus making such a road a county-line road and satisfactory arrangement cannot be made between the road officials of the two interested counties for the construction of said county line road, then the road officials of the county desiring the construction of said road are hereby authorized to build said road, including that portion wholly within the other county, and pay for same out of the road funds of their county, and the road thus constructed shall become a public road of both counties and shall be maintained as provided in section 17.

Section 19. When the county commissioners have built a road to a county line of an adjoining county, which does not contain any connecting road, or if such connecting road, or if such connecting road is one that is in poor condition, and thus there is a gap between the said county line to a good road in the adjoining county and satisfactory arrangements cannot be made between the road officials of the two interested counties for the construction of a road connecting the two roads mentioned above, then the county commissioners desiring the construction of said road to make said connection, and when necessary the county commissioners are hereby authorized to build said connecting road in the adjoining county and pay the cost of such construction out of the road or other funds of the county desiring the construction of the said road, and the road thus constructed shall become a public road of the county in which it is located and shall be maintained by said county in which it is located in a manner to be approved by the State Highway Commission.

Sec. 20. That the county commissioners are hereby authorized to expend a portion of the funds available for road work in said county, township, or road district upon the public roads of any incorporated town within said county; provided, that the board of aldermen or other governing body of said city or town agrees with the county commissioners that it shall have full charge of the road work in said city or town as authorized by this section.

Section 21. Any person in Union county who shall be convicted in any of the courts of said county, Superior, Recorder, Justice's or Mayor's Courts, and sentenced to work on the public roads, shall be assigned into the custody and control of the county commissioners. Said prisoners, while in the custody and under the control of the said county commissioners shall be employed on such road work as may be deemed best by the county commissioners. The county commissioners shall have direct supervision of the care, feeding and clothing of said prisoners, and shall provide the necessary sleeping quarters and camps necessary for the proper care of said prisoners. All prisoners' camps shall be maintained in a sanitary manner approved by the State Board of Health. The county commissioners are also authorized, in their care and working of convicts, to divide the prison-

ers into classes or groups according to the character of the prisoner, and work any and all such prisoners as they deem best without guards and without stripes.

Section 22. That all the machinery, tools, books, accounts, deposits, money on hand, and other property of every nature, kind and description now in the possession of the Road Commission of Union county shall be turned over to the county commissioners of Union county immediately upon the ratification of this act, and the said Road Commission shall deliver a complete audit of their books showing all moneys received and expended by them during their term of office, and for what the same was expended, and shall also make and deliver to the county commissioners an inventory of all property delivered to them.

Section 23. As it is necessary for the State Highway Commission to know as accurately as possible the number of miles and type of construction of the roads in each county in order to enable the State Highway Commission to supply the Secretary of Agriculture of the United States with the information he desires and to enable the State Highway Commission to carry on its work most efficiently and effectively, the chairman of the county commissioners is herewith authorized and directed to furnish to the State Highway Commission, upon blanks to be furnished by the said State Highway Commission, the number of miles of each type of road constructed, number of bonds issued, and amount of tax levied, and such other information and statistics regarding the work of the county or township under his jurisdiction as the State Highway Commission shall deem necessary.

Section 24. That the county commissioners are hereby authorized and directed to provide suitable means to insure the safety of the public traveling over the roads of such county, township, or road district, by erecting, whenever it is considered necessary, substantial railings, walls or other suitable structures for this purpose. If road officials of said county or township or road district fail to provide such satisfactory measures of insuring the safety of those traveling the roads of such county, township, or other road district, then upon petition of twenty freeholders of the county, township, or other road district who are frequent patrons of the road in question, the said county commissioners shall, within ten days after receipt of said petition, begin erecting such satisfactory railing, wall or other suitable structure for this purpose; provided, that if in the judgment of the county commissioners such railings, wall, or other suitable structures are not needed, then they shall advise with the State Highway Commission, and if such commission deems such railings, walls, or other suitable structure necessary for the protection of the patrons of the said road, the county commissioners shall erect such railings or other suitable structures as called for in the petition.

Sec. 25. The members of the Board of County Commissioners are herewith authorized to attend the road institute held annually at the University of North Carolina, and they are herewith authorized to detail any and all persons employed by said county, township, or road district to attend said institute, when in their judgment such attendance will insure to the benefit of the road work in said county, township, or road district; and the said commissioners are herewith authorized to pay the expenses of the members of said county commissioners and other persons detailed to attend said road institute, out of the road funds of the said county.

Sec. 26. All roads laid out, constructed, or reconstructed or improved under the provisions of this act, shall, after their construction, be maintained by the county commissioners out of the road fund of said county.

Sec. 26a. The County Commissioners shall order an election as soon as possible under the rules and regulations under the State election law and submit the question of the road law to a vote of the people those favoring this bill to vote a ticket for county commissioner plan and those favoring road commission vote a ticket for road commissioner plan, and if the majority of the votes cast favor county commissioners plan then the act to be in full force and effect, but if it fails to receive a majority of votes cast then this bill to be void and of no effect.

Sec. 27. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 28. This act shall be in force from and after its ratification this the 7th day of March, 1921.

W. B. COOPER,
President of the Senate.
HARRY P. GRIER,
Speaker of the House of Representatives.
Examined and found correct.
Taylor, of Halifax,
For committee.

For Valer,
Stern Parent: "Do you know, Willie, what you ought to get for fighting with that boy across the street?"
"Willie: "A medal. He's twice the size of me."

Special Notices

- BRING US your children and eggs. We pay the top—McCormick Bros.
- HORSE-SHOEING—Bring your horses and mules to the Tyndal place. We shoe all fours for \$1.—P. P. Ross & Son.
- FOR SALE—Kimball piano cheap—Mrs. J. N. Helms, 325 Windsor St.
- OUR MILL is now closed for the season and we cannot offer over 1000 pounds meal exchange. Cash seed 21c per bushel.—Southern Cotton Oil Co.
- BARGAINS IN CARS—Maxwell touring car, brand new batteries, new tires and newly painted; 1 Mitchell six touring car, new tires and new top; 1 Overland 4 Demonstrator; 1 Buick 4 five passenger. Tires and accessories.—R. Sams, opposite postoffice.
- FOR SALE—Several desirable building lots and nice residences.—J. Frank Williams.
- FOR SALE—Four or five mules and four or five milk cows. Cash or good paper. Would like to engage one or two croppers on shares.—B. D. Austin, Wingate, N. C.
- LAUNDRY—I have been appointed agent for the Charlotte Steam Laundry. I will call for and deliver at your door. Laundry sent off Tuesday will be delivered Friday. If you want the best cleaning and pressing send your garments to Laney's cleaner and presser. Located under Hinson's shoe shop, corner Main and Windsor streets.—O. C. Laney, Proprietor.
- EGGS FOR HATCHING—From pure-blooded Rhode Island Red hens, \$1.00 per setting. This is one of the best breeds to be had, and I can supply the eggs on a moment's notice. Phone 215-J.—Mrs. Nan Carlisle.
- AUTO TRANSFER—Trips anywhere in the city, 25 cents per passenger.—A. Frank Helms, Phone 136.
- PUBLIC DRAY—Moving a specialty; prices reasonable. Residence phone 28-J; store 81.—J. W. Richardson.
- ROOMS—Entire up-stairs; three rooms, hall and porch, with water. All modern conveniences; one block from square, 300 Jefferson.—Mrs. J. D. Calder.
- FOR RENT—Two furnished rooms.—202 South Church Street.
- FOR SALE—My residence on Tallyrand avenue.—J. O. Fullenwider.
- FOR SALE—One Auburn Beauty Six and three Maxwell 5-passenger cars.—J. W. Laney, Art.
- FOR SALE—My house and lot at Waxhaw. Five rooms. Half acre.—G. L. Nisbet, Monroe, N. C.
- LOVE STAR—A 1000-pound registered Spanish Jack, will make the season of 1921 on my farm, three miles north of Wingate, seven miles east of Monroe, on Monroe and Olive Branch road. To insure, \$12.50.—J. Vernon Griffis.
- FOR SALE—A 20 acre farm just outside the corporate limits of Monroe, in a high state of cultivation, 300 loads stable manure put on the place. Also 5-room house. Would exchange for other land.—Fowler & Lee.
- FOR SALE—Seven room house on South Hayne street. Water, lights and sewerage. Freshly painted. Lot 100 x 150 feet. Apply to R. S. Houston.
- NOTICE—We do general repair work. Fords, Chevrolets, and larger jobs. We divide our profits with you. Tires and accessories.—R. Sams, opposite postoffice.
- FOR SALE—Thoroughbred prize-winning Rhode Island Red and Cornish Game eggs. Owens, Tomkins, Shepherd and Cony's strains. \$3 per setting of 15.—Eliza B. Puzer, Unionville, N. C.
- A GOOD FARM for sale or rent, two miles and one-half from the court house; good house, good water, good outbuildings, and desirable location. Will sell this place on any terms or rent it to the right man. Lots of timber to be cut on place.—Fowler & Lee.
- FOR RENT—Two rooms for light housekeeping at 503 West Crowell street.—Mrs. Knox Hargett.
- FOR SALE—Modern bungalow in first class shape on East Everett street.—See W. J. Rudge.

Public Hauling

I operate three trucks, one of them the largest in the county. Will haul anything anywhere. Can be found at freight depot. Phone 34.
M. F. BLAKENEY,
Residence Phone 314-J, Monroe, N. C.

HOWARD SMITH,
Registered Optometrist,
can be found at his father's old office in Bell-Bundy building the first full week, Monday to Saturday inclusive, in each month.
Also other times of which special notice will be given in this paper.
Glasses fitted to suit your eyes and your purse. All work guaranteed.

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will break a Cold, Fever and Grippe quicker than anything we know, preventing pneumonia.

MANY OTHERS

have found an account at this bank very helpful in assisting them to get a start in the world. Why don't YOU try it? Your income isn't so small but you can save a part of it. Most of the present day bank accounts were started in a very small way and gradually built to their present. YOU can do as well.

No matter how small your account at the start if you show that you are in earnest and really want to get ahead in the world we shall be very glad to have you use the conveniences and accommodations furnished by this bank. Also, insofar as is consistent with safe, conservative banking, to assist you in any way that we can.

Farmers & Merchants Bank

The Bank That Backs the Farmer.

Capital, Surplus and Profits \$95,000.00

M. K. LEE, President. W. B. LOVE, Vice President
C. B. ADAMS, Vice President. R. A. MORROW, Jr., Cashier

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If for any reason you cannot or do not want to eat at home, or you have no home to eat at, then come to Saleeby's Cafe, and the atmosphere, cooking and service will make you feel at home.

We manufacture all kinds of Fancy and Home-Made Candy, daily, and sell at Wholesale and Retail. We invite all the Merchants to come and select samples of what they can handle. We will be glad to quote special Prices to them.

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