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NO. 35

NEW ROAD LAW

An Act That Allows the Voters of Mount Airy Township to Vote April 17 on the Question of a Bond Issue for Good Roads

An act to provide for the improvement of the public roads of Mt. Airy township, Surry county, and to authorize the issuance of bonds to pay the expense thereof. The General Assembly of North Carolina do enact:

Section 1. That A. E. Smith, R. F. Saunders, J. A. Hadley, Vestal Taylor, Thomas Fawcett, and G. M. Spanger, and their successors in office, are hereby incorporated under the name of the "Highway Commission of Mount Airy Township," and by that name may sue and be sued, make contracts, and do all things necessary to carry out the provisions of this act.

Sec. 2. That the said commission shall always consist of an equal number of members of opposite political belief, to be designated by the General Assembly as their terms expire, except as hereinafter provided, and of those named, A. E. Smith, R. F. Saunders, and J. A. Hadley shall hold office for four years, Vestal Taylor, Thomas Fawcett and G. M. Spanger shall hold office for two years. Should a vacancy occur by death, resignation or removal or otherwise, the same shall be filled by the said commission by choosing some one of the same political belief as was the member whose place became vacant, and such successor so chosen shall hold until his successor shall be chosen by the legislature, and shall qualify.

Sec. 3. That the said commission shall have the same supervision, power and right in respect to all the public roads in Mount Airy township as has heretofore been vested in either the board of supervisors of public roads, or the board of county commissioners of Surry county, except as such laws are modified herein. The said commission shall have full power and authority to order the laying out of public roads where necessary in their judgment, to discontinue such roads as shall be found useless, and to alter roads so as to make them more useful. Said commission shall also have power and authority to lay out cartways, church and mill roads, and to alter or discontinue the same in the way and manner provided for in the general law, except as such laws are modified herein. Provided, that no public road shall be less than twenty or more than thirty feet in width.

Sec. 4. That said commission shall meet in the town of Mount Airy within ten days after the adoption of this bill at an election herein provided for, and shall organize by electing one of their number president, who shall preside at all of the meetings of the said commission; said commission shall also elect one of their number secretary, who shall keep a record of the proceedings of the said commission, and shall deliver the same to his successor in office; said commission shall also elect a suitable person as treasurer of said commission, who need not be a member of said commission, and he shall enter into a bond in the penal sum of not less than double the amount coming into his hands in any current year, which bond, upon approval by the said commission, shall be recorded by the register of deeds of Surry county in the book of official bonds and filed in his office. That the amount of said bond shall be subject to increase, or may be diminished at any time by order of said commission: Provided, that any bank in the township of Mount Airy may act as such treasurer, except that only such bank or banks that will pay the interest on time deposits shall be designated as such treasurer. If said commission should appoint an individual as treasurer, said commission shall have the right to require such treasurer to keep all the funds in his hands on deposit in one or more banks in the township in Mount Airy.

Sec. 5. That the treasurer of

said commission shall make payments out of the road funds belonging to the said township only upon the written order of the said commission, signed by the president and secretary of said commission, and a strict record of each order drawn shall be kept, showing the object for which issued.

Sec. 6. That the said commission shall authorize the sheriff of Surry county, or tax collector of said county, to collect all the taxes levied under this act, and he shall be entitled to the same fees as are allowed sheriffs and tax collectors of North Carolina for collecting taxes. The sheriff or tax collector shall be liable for all moneys so collected, and the sheriff's or tax collector's bondmen given for the county shall be and they are hereby declared liable for all township funds handled under this act, and the said commission may require the sheriff or tax collector to give an additional bond.

Sec. 7. That all road taxes for Mount Airy township which are now in the hands of the treasurer, or that may hereafter be collected by the sheriff of Surry county or tax collector of said county shall be paid over to the treasurer of the said commission who shall give a receipt therefor. And all moneys arising from sale of bonds hereinafter provided for shall also be turned over to the said treasurer. That the said sheriff or tax collector shall pay over promptly all road taxes collected by him, and shall at no time retain any portion of said taxes which may come into his hands, and that the said sheriff or tax collector shall not apply any of said money coming into his hands under this act to the payment of any other claim which may be drawn on him, but shall keep the road taxes collected in Mount Airy township separate and shall pay them to the treasurer of said commission, as aforesaid. The sheriff or tax collector shall be required to settle in full with the treasurer of said commission not later than December twenty-fifth, of each year, and shall pay over sooner if same shall be in his hands.

Sec. 8. That the said commission may at their first meeting, or as soon thereafter as practicable, elect some competent, experienced and discreet person to be superintendent of all the public roads in the said township, and such superintendent shall hold office during the pleasure of said commission electing him, and he shall be entitled to such compensation as may be fixed by said commission. Said commission shall also have the power to employ one or more competent road engineers; fix their compensation; and prescribe their duties, and the term of any such employment shall be during the pleasure of the said commission. As a guarantee for the faithful and honest discharge of the duties of the office of superintendent, the said commission may require the said superintendent to give such a bond as may be deemed advisable.

Sec. 9. That the said commission shall also have the power to employ such other persons as may be deemed necessary to carry on the work provided for in this act, and to purchase such machinery and implements as may be necessary for the proper working and constructing of the said roads, and take over all such implements and machinery and tools and other things that may have been purchased or otherwise acquired by the "Highway Commissioners of Mount Airy Township" by virtue of the authority contained in an act passed by the legislature one thousand nine hundred and eleven, chapter two hundred and ninety-four, of the Public Laws of one thousand nine hundred and eleven.

Sec. 10. That the said commission or any of its employees or

agents are hereby authorized and empowered to enter upon any lands in the said township for the purpose of laying out any new road or roads, or changing the location of any road or roads; and for the purpose of taking rock, timber, dirt, sand or gravel necessary to macadamize or improve the said roads, together with the free ingress and egress from roads for the transportation of said material; and they are further empowered to enter upon the said lands adjacent or lying near such roads in order to make such drains or ditches through the same as may be deemed necessary for the betterment of the roads: Provided, that no ornamental trees shall be destroyed.

Sec. 11. That if the owner of any lands upon which said road or roads, or any part thereof, shall be constructed, altered or changed, or the owner of any land from which timber, stone, clay, gravel or sand were, as aforesaid, shall claim damages therefor, and the said owner or his agent or agents cannot agree with the said commission as to the price due, each party shall choose one man, a free-holder and resident of the said township, to serve as arbitrators, and should any party fail to choose a man, then the clerk of the superior court of Surry county shall choose one for him, and that the two so chosen shall choose a third, and they shall give all interested parties at least two days notice of the time and place of meeting to assess the damage; and in making out the damages for the land taken, as aforesaid, the said arbitrators shall take into consideration the special benefit that the road when built will confer upon the land as well as any actual damages done the said land by reason of the construction or change in the said road. The said damage both for the lands taken and for the timber and materials as aforesaid, shall be paid out of the general road fund of the township, and any of the parties shall have the right of an appeal to the superior court after giving good and sufficient security, from the award of the arbitrators: Provided, that the appeal is prayed within ten days from the filing of the award. And the appeal or the pending of any such cause shall not prevent the said commission from entering and taking possession of the land and using it for road purposes, and the taking of timber and other materials, as aforesaid, and the only effect of the pending cause or appeal shall be to settle the amount of damages. The quantum of the damages is the only question contemplated in this section.

Sec. 12. That any person who shall obstruct the said commission, its agents or employees, in making a survey, or changing any road, or the opening of a new public road or highway, or the taking of necessary timber or other materials, as aforesaid, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined, not exceeding fifty dollars, or imprisoned, not exceeding thirty days.

Sec. 13. That it shall be unlawful for any person to use, cut, or make any drain, or to so cultivate his land as to turn water into the public roads of Mount Airy township, except when there is a drain, cut or pipe or other opening under said highway to allow the water to pass off. Any person violating the provisions of this section shall be guilty of a misdemeanor, and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Sec. 14. That all railroads or other incorporated companies, shall keep up at their own expense, upon a specification furnished by the said commission, all bridges on and over the public roads, and not public roads, but used as neighborhood roads, and all crossings which they have made necessary to build, or made in establishing their respective roads, and on failure to do so, after demand by said commission, or its agent, shall be guilty of a misdemeanor, and fined, not exceeding fifty dollars, and shall pay ten dollars additional for every day said work remains unperformed, and any written notice left with the

agent of said companies shall be sufficient to give notice in law under this act.

Sec. 15. That it shall be the duty of the engineer, or engineers, employed by the said commission to prepare a full and complete specification covering the construction of all roads to be built or repaired or renewed when called upon to do so by the said commission.

Sec. 16. That after the approval of the said specification the said commission may in their discretion, advertise for bids to do the work, or any part thereof, and shall have the right to let the work to the lowest responsible bidder, and if no satisfactory bid is made, then the same may be done in the way, in the discretion of said commission.

Sec. 17. The said commission shall have power and authority to fix the rate of compensation to be paid to all employees, and all expenses to be paid out of the road fund.

Sec. 18. For their services as commissioners each member shall receive such salary and per diem as may be fixed by the board of county commissioners of Surry county, and may be paid out of the road fund.

Sec. 19. The necessary expenses of the said commissioners on account for stationery, attorney fees, clerk hire etc. shall be paid by the order of said commission out of the fund provided by this act.

Sec. 20. That the said commission may purchase such machinery, materials, implements, teams, wagons, camping outfits, quarters or stockades for the use of and safekeeping of convict forces as may be necessary for the proper carrying out of the work, and for the employment of all additional labor necessary to do the said work: Provided, that the county jail, at Dobson, Surry County, may be used as a place of safekeeping for the convict forces at such times as the said commission may deem necessary, first obtaining the consent of the county commissioners of Surry county: Provided further, that the calaboose, or city prison at Mount Airy, North Carolina, may be used as a place of safekeeping for said convict forces of said district at such times as the said commission may deem necessary.

Sec. 21. That the said commission shall have power to employ or discharge such guards as may be needed to take charge of such convict forces, or such other laborers as may be employed, and shall have power and authority to employ a road superintendent, who with the approval of the said commission, may have full power and authority to employ and discharge laborers, and to employ and discharge guards that may be needed to take charge of said convict forces.

Sec. 22. That upon the application of the said commission to the judge of the superior court of any county in the State, the justices of the peace or municipal officers of any municipality, or other inferior court within or outside of said Mount Airy Township, the said judge or other officer may, and it shall be the duty of the justices of the peace or said principal officers and inferior courts in said district to sentence such person convicted in such courts to work on the public roads of said township. All such convicts to be clothed, fed, and otherwise cared for at the expense of said township, and the cost of transferring, guarding and maintaining such convicts as may be sent to said township, may be paid for by said commission: Provided, that any such prisoners may be returned at any time to the keeper of the jail of said county from which they are sent, all transportation to be paid by said commission, and Provided, that all convicts shall be under the supervision of the superintendent of public health for the county of Surry, the county shall pay all medicine bills and likewise the doctor's bills, and the said commission shall not be permitted to keep disabled prisoners.

Sec. 23. That all prisoners confined in the jail of Surry

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No Hope for Mexico.

With the overthrow of the Madero government the editor of the El Paso Morning Times, who is close to the scene of the Mexican conflict, and is about as familiar with Mexican politics as he is with American products great calamity for the Mexican people under the Diaz regime. The following extract shows what he thinks of the Mexican situation:

"The overthrow of President Madero and the throttling of constitutional government in the Republic of Mexico can but involve additional miseries and misfortunes for the people who have drunk deeply of the waters of Lethe during the past three years. The easy success of the Madero revolution which resulted in the overthrow of General Porfirio Diaz, has been the inspiration for every one of the seven revolutionary movements now prevailing in the Republic of Mexico, for the leaders of those petty revolutionary movements have not found it difficult to imagine themselves Maderos in disguise. The success of the old Diaz regime in finally overthrowing the Madero constitutional government will not placate or satisfy any element of the rebellious influence now over-running every portion of the republic, but will widen the discord already prevailing and encourage the development of another flourishing crop of ambitious revolutionists. That peace can come to the country under such conditions is impossible. On the contrary, it is but natural to assume that red-handed anarchy is now going to stalk where there has for a brief time been a semblance of law and order.

"The drones of Mexico today are in control of the destinies of the republic so far as the natural government is concerned, and the first effort of the drones of Mexico in this connection is going to be again to rivet the chains they heretofore had about the Mexican nation, which were shattered by Madero. The iron hand is again on the throat of the Mexican nation, and it is going to strive to strangle every thought of Mexican liberty. But in the background is the military spirit, the spirit of the brigand, the desire to rob, loot and murder—the disrespect and disregard of all government restraint and control that has been engendered among the Mexican people during the past three years, and all these are to be reckoned with in the immediate future by the drones of Mexico. The application of the iron hand is going to be met with the continuous appearance of the free lance, and out of the collisions between the two and the development of additional revolutionary sentiment such a state of affairs will be developed as will make former conditions through which Mexico has just passed appear like mere child's play.

"Property and human life in the Republic of Mexico will suffer as never before. Chaos and confusion will strike hands with anarchy and death and destruction will stalk unrestrained throughout the length and breadth of the land until that which all Mexico has dreaded most has become absolutely inevitable."

The Three-Million-Yard Slide at Culebra.

Another huge slide, the largest that has yet taken place, has commenced at Culebra. The present indications are that about 3,000,000 cubic yards are in motion, and that it will take until the late autumn to remove the material. By that time the water will be in the cut, and the two big dredges, now building, will be on their way to the Isthmus. These dredges, which have a combined capacity of over one million cubic yards per month should easily keep the cut open when once the water has been turned in.

The Mothers' Favorite.

A cough medicine for children should be harmless. It should be pleasant to take. It should be effective. Chamberlain's Cough Remedy is all of this and is the mother's favorite everywhere. For sale by All Dealers.

BIG SLICE OF PIE FOR THIS STATE.

President Will Dispense 141 Presidential Postoffices in North Carolina.

Washington, March 1.—An enormous slice of pie consisting of 141 Presidential postoffices will be dispensed by President Woodrow Wilson in North Carolina, during the four years beginning with his inauguration next Tuesday.

The salaries of these offices range from \$3,400 down to \$1,000, the total amounting to \$252,500 annually. The average salary paid in the State is \$1790.

Winston-Salem secures the fourth largest salary paid a postmaster in the state—\$3300. The term of Charles A. Reynolds expired on February 24, last, but he will hold office until a successor is appointed. A number of very prominent men are in line for the position and decision is expected about March 15, and the nomination will be sent to Congress on April 1st, the day of the convening the extra session.

Seventy-four postmasters will be appointed in the State before July 1, which is just a little over half. The terms of the other postmasters expire between that time and the end of President Wilson's term.

North Carolina has more postmasters to appoint before July 1, probably, than any other state, owing to the fact that appointments have been held up in some instances almost two years. This was for the purpose of keeping offices open until the Democrats could gain full control and then appoint Democrats in place of the present Republican officeholders.

350 Service Appointments of President Taft.

Washington, March 1st.—The first break of importance in the Senate deadlock over President Taft's appointments came today when the Senate, in a two hour executive session, confirmed a large number of the promotions made in the Army, Navy, Marine Corps, Revenue Cutter Service, Public Health Service and Diplomatic service. The confirmations were made with little discussion, as the result of a general agreement that appointments of this character involving promotion along definite lines of service should not be held up.

An agreement was reached for confirmation also of postmasters in the home towns of Senators. The executive session, which began at 3 o'clock but was resumed again at 8, with the purpose of clearing up the uncontented appointments.

The confirmations during the afternoon session numbered more than 350, all embraced in the Army, Navy, and other established services of the United States.

Senator Cummins made a vigorous protest in the executive session against the plan to confirm postoffice appointments only in the home city of Senators. His objections did not defeat the plan determined upon, however. It was expected that all such appointments would be confirmed before adjournment tonight.

Peace Seems Near.

London, March 1.—The Turkish government today definitely abandoned its prohibitive stipulations in connection with peace and placed the cause unreservedly in the hands of the European powers, with a request to conclude peace as advantageously as possible for the Turkish interests.

Unless, as has been the case before, Turkey changes her mind before terms can be concluded, it is believed here that direct peace negotiations will be resumed speedily, with every prospect of an early settlement of the Turkish-Balkan war.

This Will Interest Mothers

Mother Gray's Sweet Powders for Children relieve Feverishness, Headache, Bad Stomach, Teething Disorders, move and regulate the Bowels and destroy worms. They break up Colds in 24 hours. Used by mothers for 22 years. All Druggists. 25c. Sample Free. Address, A. S. Olmsted, LeRoy, N. Y.