PROPOSED LEGISLATION FOR THE PROMOTION OF IMPROVED HIGHWAYS IN OREGON

FOUR ROAD BILLS PRESENTED FOR CONSIDERATION OF OREGON VOTERS BY HARMONY HIGHWAY COMMITTEE

Drafts of Two Bills and Two Constitutional Amendments Prepared for Initiative Petitions That Electors May, at Next General Election, Decide Whether or Not the Legislative Machinery for Development Will Be Available.

The citizens of Oregon are asked by the harmony highway committee to criticise, comment on and suggest improvements in the four road bills produced by the majority of its members.

After a reasonable time, when suggestions have been received and profited by, the bills will be issued in the form of initiative petitions under the direction of the Oregon Association for Highway Improvement and signatures will be secured that the measures may be passed on by the voters of the state at the next general election.

The new bills are a revision, modification, and improvement of the measures produced by the state-wide committee. Several inaccuracies are corrected. The proposed bond issue by the state is limited to $1,000,000 a year and the entire amount cannot exceed 2 per cent of the assessed valuation. The original measures proposed $20,000,000 in state bonds, issued at the rate of $2,000,000 a year for ten years, but no limit was placed on the amount of bonds that might be issued.

The text of the new bills which are now to be initiated are printed in order:

Summary of Suggested Good Roads Measures

1. STATE BONDING AND COMMISSIONER BILL—(a) State-issued road bonds not over $1,000,000 a year, and not to exceed in the aggregate 2 per cent of state's assessed valuation. (b) State road board, composed of governor, secretary of state and state treasurer. (c) State highway commissioner, appointed by governor, at annual salary not to exceed $3600, and expenses of office not to exceed $12,000 annually, including salary. (d) road fund made up of money derived from bond sales and two thirds of automobile tax. Two thirds of the road fund is to be equally divided among 34 counties. Remaining one third is to be divided between two congressional districts outside of Multnomah, each county in the first instance to raise as much money as is received from state aid.
2. BONDING AMENDMENT TO STATE CONSTITUTION.
3. ENABLING ACT PERMITTING COUNTIES TO ISSUE BONDS FOR ROADS, indicating method of bond elections, and authorizing a tax to meet principal and interest.
4. CONSTITUTIONAL AMENDMENT LIMITING COUNTY BOND ISSUES FOR ROADS to 2 per cent of the assessed valuation of that county.

TWO CONVICT LABOR BILLS, left unchanged as produced by state-wide committee, propose use of city, county and state prisoners in roadmaking.

HIGHWAY COMMISSION AND FUND CREATED IN PROPOSED MEASURE

An act to provide for the construction of permanent roads; to create a state road board, and defining the duties and powers thereof; to create the office of state highway commissioner, and authorizing the governor to appoint to said office and fix the salary thereof, and defining the duties of the state highway commissioner; to create a state highway fund, and providing the method of its distribution and disbursement; to authorize the issue of bonds of the state of Oregon not in excess of one million dollars each year for the purpose of road construction, and pledging the credit of the state for the payment thereof; and to authorize the levy of taxes for the payment of the principal and interest of said bonds.

Be it enacted by the people of the state of Oregon:

Section 1. The meaning of the words and phrases used in this act shall, unless inconsistent with the context, be as follows: "Road" shall mean permanent public road, and shall include bridge, culvert, viaduct or other like thing; "construct" shall include repair, maintain, improve or other like word; "construction" shall include repair, maintenance, improvement or other like word; "county court" shall mean the county court of the county in which the road mentioned in the context is situated, and shall include the county commissioners, or other constituted authorities in the county having control of road construction; "state highway commissioner" shall be synonymous with state highway engineer; a county shall be considered to "have raised money for the purpose of road construction" when money derived from county sources shall be in the county treasury and shall be available only for the purpose of road construction or shall have been spent for road construction; words importing the plural number may be applied in the plural.

Providing of Funds.

Sec. 2 The state of Oregon, in order to provide funds for the construction of roads in the state, does hereby authorize the issuance of gold bonds bearing interest at a rate not to exceed 4½ per cent per annum, payable semi-annually, and to be issued at a rate of not to exceed one million dollars each year, and to run for the full term of 30 years from the dates of the respective issues thereof; and the state of Oregon does hereby hypothecate and pledge its credit to the payment of the principal and interest of said bonds in United States gold coin of the present standard of weight and fineness.

Sec. 3. There is hereby created a commission which shall be known as the state road board, which shall consist of the governor, secretary of state and state treasurer, and of which the governor shall be chairman. Said board shall adopt such rules of procedure for the conduct of its business as to it seem best. Said board, as the bonding committee of the state of Oregon, shall have charge of the preparation and issue of the said bonds and shall arrange the form and terms thereof and shall market the same to the highest bidder in such lots as the board may in its discretion offer, but always at a price not less than par and at such premium in addition thereto as may be offered.

Date of Bonds.

Each issue of the said bonds shall bear date the first day of January of the year of its issue, and no issue shall be made except as of that date; and all said bonds shall be signed by the governor and countersigned by the secretary of state and shall be sealed with the seal of the state of Oregon.

Sec. 4. In January of each year the state road board shall ascertain by computation the amount of money which will be needed to pay the interest for the year on all of said bonds outstanding, including those which may be sold during that year; and the chairman and secretary of said board shall thereupon certify said amount to the board of state tax commissioners; and thereafter said amount shall be collected in the same manner as other state taxes and shall be paid into the state treasury and go into an account to be known as the road bond interest account. Said money shall be used to pay the interest on said bonds, and for no other purpose.

Sec. 5. For the purpose of retiring said bonds at maturity there is hereby created a sinking fund to be known as the road bond retirement fund. To supply the money for this fund taxes shall be collected in 20 annual installments during the last 20 years of each issue of bonds.

Method of Collection.

The method of collection shall be as follows: In January of each year after the tenth year of every issue, the state road board shall ascertain by computation as nearly as possible the amount which, collected annually during the remaining years of such issue, will, with the interest on such amounts, suffice to pay the bonds of such issue at maturity; and the chairman and secretary of said board shall thereupon certify said amount to the board of state tax commissioners; and thereupon such amount shall be collected in the same manner as other state taxes and shall be paid into the state treasury and shall go into the road bond retirement fund. Said fund shall be invested by the state road board in the same manner in which the irreducible school fund, university fund, and agricultural college fund are invested by the state land board, or in bonds issued by virtue of this act, and the interest from such investments shall go into the road bond retirement fund, which fund shall be for the retirement of said bonds and for no other purpose.

Highway Commissioner.

Sec. 6. The office of state highway commissioner is hereby created. The governor is hereby authorized to appoint a suitable person to hold said office, who shall hold office during the pleasure of the governor. The governor is hereby authorized to fix the salary of said officer at a sum not more than $3600 a year, which salary shall be exclusive of his traveling and other expenses incurred in pursuance of his duties; and the secretary of state is hereby directed to furnish to said state highway commissioner an office in the capitol building. The state highway commissioner shall act as adviser and secretary of the state road board and his duties shall be defined by said board consistently with this act. The state highway commissioner is authorized, with the approval of the state road board, to employ such assistants and incur such other expenses as he may deem necessary for the conduct of his office, provided that the total expense of his office, including his salary, shall not exceed the sum of $12,000 per year. Said salary and expense shall be paid from a sum which the state road board is hereby directed to deduct from the state highway fund, hereinafter mentioned, before any apportionment is made therefor, as hereinafter mentioned.

State Highway Fund.

Sec. 7. There is hereby created a fund to be known as the state highway fund. The proceeds of all bonds sold by the state of Oregon for the purpose of constructing roads shall be paid into the treasury of the state and go into the state highway fund. Two thirds of all the license taxes on motor vehicles hereafter paid into the state treasury shall go into said state highway fund.

Sec. 8. The state highway fund, the road bond retirement fund and the moneys paid into the road bond interest account shall be controlled by the state road board and all disbursements to be made from said funds or said moneys shall be first certified by the chairman and secretary of the state road board to the secretary of state who shall thereupon draw his warrants therefor upon the state treasurer.

Sec. 9. Before the first day of January of each year the state road board shall estimate the amount of money which will be in the state highway fund on the first day of the following April, and the amount which will then be apportioned to each county in the state, as hereinafter provided; and shall thereupon give notice of these estimates to the county court of each county.

Apportionment of Fund.

Sec. 10. On or before the first day of April of each year the state road board shall apportion to each county the proportion of the state highway fund which will be payable to said county upon compliance by said county with the provisions of this act.

Sec. 11. Said apportionment shall be made in the following manner: The state road board shall first set aside from the state highway fund a sum sufficient to pay the salary of the state highway commissioner and the expenses of his office until the date of the next apportionment; of the remainder of the state highway fund the state road board shall set apart two thirds for the counties; this sum so set apart for the counties shall be divided into thirds, and of these one third shall be apportioned among the counties equally, one third in proportion to their respective areas, and the remaining third in proportion to their respective assessed valuations for the year preceding the apportionment. The total of the three sums thus apportioned to each county shall constitute the apportionment of said county.

Conditions of Payments.

Sec. 12 The state road board shall pay moneys to the counties from their respective apportionments only upon the following conditions: At the time of apportionment the state road board shall divide the counties into two classes. The first class shall include all counties having an assessed valuation for the year preceding the apportionment of $10,000,000 or more; the second class, all other counties. Before any county of the first class shall be paid any money from its apportionment, it shall first show to the state road board that it has raised, during the year of the apportionment, a sum for road construction equal to the amount which said county asks to be paid. Before any county of the second class shall be paid any money from its apportionment it shall first show to the state road board that it has raised, during the year of the apportionment, a sum for road construction equal to one half of the amount which said county asks to be paid. Payments may be made to the counties from their respective apportionments at any time between the date of the apportionment and the 31st day of the following December, and such payment shall be made from time to time during such period upon proper showing by the county demanding such payments that it has raised the sums which entitle it to such payments.

Must Be Certified.

But no county shall receive during any year a sum greater than the amount of its apportionment for that year. The judge of the county court and the county treasurer shall certify to the state road board the sums that have been raised by the county as aforesaid and the state road board shall be satisfied as to the facts so certified before they make payment; but upon being satisfied shall make payment forthwith. Any balance of the apportionment to any county which, by reason of the failure of said county to raise the funds required by this act, shall remain unpaid to said county on the 31st day of December of each year, shall lose its character as an apportionment and shall cease to be payable to said county, and shall with the rest of the state highway fund be apportioned anew the following year. The money paid to the counties, as herein provided, shall not be a reimbursement to them for money raised or spent by them for road construction, but shall, in addition to the money raised or spent by them, be spent or contracted to be spent within one year from the receipt thereof for the construction of roads; and money not so spent or contracted shall at the expiration of said one year be returned by the counties to the state highway fund.

Pay to County Treasurer.

Sec. 13. All money paid to any county as aforesaid shall be paid into the county treasury and the county treasurer shall give receipt therefor and said money shall thereafter be subject to the order of the county court and shall be disbursed only upon the order of the county court attested by the county clerk. Said money shall be spent under the direction of the county court, independently of the state road board or state highway commissioner. The county court, however, may, by resolution duly signed, call in the state highway commissioner as an adviser, in which event it shall be the duty of the state highway commissioner to furnish plans, specifications or estimates and otherwise aid and cooperate with the county court to the best of his ability.

Sec. 14. That part of the state highway fund which is not apportioned among the counties or set aside to pay the salary and expenses of the state highway commissioner, as hereinbefore provided, shall be expended by the state of Oregon in the construction of roads as follows: One half shall be used to construct roads in the First congressional district and one half shall be used to construct roads in the Second congressional district of the state; and in the expenditure of this money and the construction of these roads the state road board shall have full and complete control, independently of the county court or road authorities of any county.

Sec. 15. All acts and parts of acts inconsistent with this act are hereby repealed.

STATE IS AUTHORIZED BY AMENDMENT TO BUILD GOOD ROADS

An act to amend Section 7, Article XI of the constitution of the state of Oregon.

Be it enacted by the people of the state of Oregon:

Section 7, of Article XI, of the constitution of the state of Oregon shall be, and the same hereby is, amended to read as follows:

Sec. 7. The legislative assembly shall not lend the credit of the state nor in any manner create any debt or liabilities which shall, singly or in the aggregate with previous debts or liabilities, exceed the sum of $50,000, except in case of war or to repel invasion or suppress insurrection or to build and maintain permanent roads; and the legislative assembly shall not lend the credit of the state nor in any manner create any debt or liabilities to build and maintain permanent roads which shall, singly or in the aggregate with previous debts or liabilities incurred for that purpose, exceed 2 per cent of the assessed valuation of all the property in the state; and every contract of indebtedness entered into or assumed by or on behalf of the state in violation of the provisions of this section shall be void and of no effect.

ENABLING ACT THAT PERMITS COUNTIES TO ISSUE ROAD BONDS

An act to authorize counties to issue bonds for road construction; defining the method of expending money raised by bond sales; providing the method of holding county elections to determine whether or not such bonds shall be issued, and authorizing the county court to levy a tax to pay the principal and interest of said bonds.

Be it enacted by the people of the state of Oregon:

Section 1. Counties Authorized to Issue Bonds—Counties are hereby authorized to borrow money for the purpose of constructing roads and to issue bonds to evidence such indebtedness.

Sec. 2. Petition for Election—Whenever a petition therefor, signed by not less than 10 per cent of the registered voters of any county, shall be filed with the county clerk of such county, the county court shall order an election to be held at the time mentioned in such petition, to determine whether or not such county shall issue bonds for road construction. But if the county debt for road construction already incurred or authorized exceeds 2 per cent of the assessed valuation of the county, then the county court shall disregard such petition. Said petition shall state the amount of the proposed bond issue.

Sec. 3. Bonds Approved by a Majority Vote—Said bonds shall be issued only upon approval of a majority of those voting at such election.

Method of Elections.

Sec. 4. The rules applicable to county "local option" elections, expressed in sections 4920, 4922, 4923, 4924, 4925, 4926, 4927, 4928 and 4929, of Lord's Oregon Laws, shall, unless inconsistent with this act, govern elections under this act. Elections may be held at any time, but the petition therefor shall be filed with the county clerk not less than 30 nor more than 90 days before the day of election. (If the issuance of bonds shall have been defeated at any election held under this act, no subsequent election shall be held for the same purpose within one year.)

Sec. 5. Form of Petition—The form of petition shall be substantially as follows:

Petition for Road Bond Election.

We, the undersigned, legal voters of (here insert name of county), petition that on ....., the ..... day of ....., 19.., an election be held to determine whether (here insert amount of proposed bond issue, as, for example, $100,000), in bonds shall be issued by this county for road construction, and each for himself says: I have personally signed this petition, and my residence, postoffice and voting precinct are correctly written after my name.

.....

Name Residence

.....

(If in city, Street and number, if any) P. O. Precinct

(Here follow 20 numbered lines for signatures.)

Sec. 6. Form of Election Notice—The election notices mentioned in section 4926 of Lord's Oregon Laws shall be substantially in the following form:

Road Bond Election Notice.

Notice is hereby given that on ..... the ..... day of ..... 19.., at the ....., in precinct ....., in the county of ....., an election will be held to determine whether (here insert amount of proposed bond issue, as for example, $100,000), in bonds shall be issued by this county for road construction, which said election shall be held at 8 o'clock in the morning, and will continue until 7 in the afternoon of said day.

Dated this ..... day of ....., 19..

.....

County Clerk of .....

County, Oregon.

Sec. 7. Form of Ballot—The ballots shall have printed in bold face type the total amount of the existing county debt. The form of ballots shall be substantially as follows:

Ballot for ..... precinct, ... county (date of election). Total county debt is (here insert in figures the amount of the debt). Vote for or against the issue of (here insert amount of proposed bond issue, as for example, $100,000), in county road bonds.

Mark (X) between number and answer voted for.

12. For the bonds.
13. Against the bonds.

Result of Election.

Sec. 8. County Court Shall Make Order Declaring Result of Election—Effect Thereof—Upon a canvass of the vote as provided in section 1929 of Lord's Oregon Laws, the county court shall make an order declaring the result of the election; and shall have the same entered on the records of said court; and the order thus made shall be prima facie evidence that the law applicable to such election has been complied with; and the said order shall be conclusive evidence in favor of any bona fide purchaser of any bonds authorized at such election as to the validity of said bonds.

Sec. 9. County Judge, County Clerk, and County Treasurer Form Bonding Committee—The judge of the county court, the county clerk, and the county treasurer are hereby created a bonding commitee of the county, and the judge of the county court shall be chairman and the county clerk secretary thereof.

Issuance of Bonds.

Sec. 10. Thirty days after the entry upon the records of the order mentioned in section 8 hereof, or if the election is contested, then within 30 days after the final determination of such contest, the said bonding committee shall arrange to issue such bonds as were authorized at such election, and shall thereafter, as soon as may be, issue and sell such bonds. Said bonding committee shall have power to arrange the form, details and sale of said bonds consistently with the provisions of this act.

Sec. 11. Form of Bonds—All bonds issued under this act shall be 20 year serial bonds. That is to say, if the bond issue authorized is $100,000, then the issue shall be divided into 20 series of $5000 each. The bonds of each series shall be numbered consecutively from one up, and shall also bear the number of the series to which they belong. The first series shall mature at one year after issue, the second at two years after issue, the third at three years after issue, and so on to the twentieth series, which shall mature at 20 years after issue.

Interest Coupons.

Said bonds shall bear date the first day of January of the year of their issue. They shall have interest coupons attached to them, one coupon for each interest payment that will be made. Said bonds shall bear interest at a rate not to exceed 6 per cent per annum, payable on the first day of January and July. Said bonds and interest coupons shall be made payable to bearer in United States gold coin of the present standard of weight and fineness, and shall be paid by the county treasurer upon presentation at his office at or after the date of payment named therein. The county treasurer shall keep a register of all bonds issued or sold under this act, noting therein the number of the bond, the number of series, amount, date of issuance, date of sale, and such other facts as in his judgment will serve to keep an accurate record of the bonds issued and sold under this act. Said bonds and coupons shall be lithographed or printed on good bond paper, and said bonds shall be signed by the judge of the county court and the county clerk, shall be sealed with the seal of the county, and shall bear the certificate of the county treasurer over his signature that they have been registered in his office, naming the date of registry.

Text of Law.

They shall recite on their face (1) the text of the provision of the constitution of Oregon limiting the indebtedness of counties; (2) the text of the order of the county court mentioned in section 8 hereof, and (3) the text of section 8 hereof. Said coupons shall bear the printed fac-simile signatures of the county judge and county clerk.

Sec. 12. Sale of Bonds—No bonds authorized by this act shall be sold for less than par, or for anything but cash. All bids to purchase bonds must be sealed and accompanied by certified check for 10 per cent of the amount of the bid, and the bonding committee may reject any and all bids. Said committee shall advertise in one newspaper in the county, if there be one, and in one leading newspaper in Portland, Or., and in one leading newspaper in New York city, for two weeks before any sale of bonds, the fact of such sale, inviting bids therefor, and stating such facts as will interest prospective purchasers; for example, the date and place of sale, the terms of sale, the character of the bonds, the amount, interest and denomination thereof, the fact that they are 20 year serial bonds, the fact that all bids must be accompanied by a certified check of 10 per cent of the amount of the bid; that any and all bids may be rejected; that the bonds may be sold only for cash, not below par, and to the highest bidder, and such other facts as may in the judgment of said committee procure the most advantageous sale of said bonds.

Sec. 13. Proceeds of Bonds Shall Go Into General Road Fund of County—The proceeds of all the bonds sold under this act shall be paid into the county treasurer, and shall go into the general road fund mentioned in section 6320 of Lord's Oregon Laws, and shall form part of said fund and be disbursed accordingly.

Sec. 14. County Court to Levy Tax—The county court shall, at the time of making the annual tax levy upon the previous year's assessment, levy a tax on all the taxable property in the county, sufficient to pay the outstanding bonds next maturing, and the interest on all outstanding bonds for the current year. The proceeds derived from said tax shall be used only for the payment of the principal and interest of said bonds and shall be paid by the county treasurer to the bearer of said bonds and interest coupons upon presentation thereof, as provided in section 11 hereof.

Sec. 15. Repealing Clause—All acts and parts of acts inconsistent with this act are hereby repealed.

COUNTY BOND ISSUES NOT OVER 2 PER CENT OF ASSESSED VALUE

An act to amend section 10, of article XI, of the constitution of the state of Oregon.

Be it enacted by the people of the state of Oregon:

Section 10 of Article XI of the constitution of the state of Oregon shall be, and the same hereby is, amended to read as follows:

Sec. 10. No county shall create any debts or liabilities which shall singly or in the aggregate with previous debts or liabilities exceed the sum of $5000, except to suppress insurrection or repel invasion or to build and maintain permanent roads within the county; and debts for permanent roads shall be incurred only on approval of a majority of those voting on the question, and shall not either singly or in the aggregate with previous debts and liabilities incurred for that purpose exceed 2 per cent of the assessed valuation of all the property in the county.

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LEGISLATION WILL PREPARE WAY FOR ROAD BETTERMENT

Machinery for Highway Development Is Provided by Bills and Amendments; What the Proposed Measures Include.

Two bills and two constitutional amendments are included in the proposed legislation produced by the majority of the harmony highway committee consisting of W. B. Ayer, C. T. Prall, W. K. Newell and Judge Bernard Daly. They provide, first, for highway bond issues and commissioner; second, authorizing counties to issue road bonds; third, a constitutional amendment permitting state good roads bond issues, and, fourth, a constitutional amendment limiting county bond issues to two per cent of the assessed valuation of that county.

State Road Plan.

The bonding and commissioner act authorizes the issuing by the state of 30 year, 4½ per cent, bonds at not to exceed $1,000,000 a year and never in excess of two per cent of the state's assessed valuation.

The governor, secretary of state and state treasurer are to constitute the state road board which is given control of state built highways and the state road fund. The road board also has power to levy tax to meet interest and sinking fund, the proceeds of this tax to be invested as school funds are invested.

The governor is given power to appoint a state highway commissioner at an annual salary of $3600, the office expense not to exceed $12,000 annually, including the salary. He will advise the state road board on all matters connected with road construction throughout the state.

The state highway fund will be created through the sale of state bonds and two thirds of the automobile tax. Two thirds of the fund will be equally divided among 34 counties, each county raising as much money within its borders as is received from the state. The remaining one third is to be divided equally among the two congressional districts outside Multnomah county and be spent by the state building roads in these districts. Highway improvement outside the state is expected to benefit Multnomah county and Portland indirectly fully as much as the two outside districts benefit from the division of the remainder of the fund.

County Enabling Act.

The enabling act permitting counties to bond themselves for the construction of permanent roads is submitted under the amendment to the constitution adopted at the last election.

A petition signed by 10 per cent of the registered voters of a county shall empower the county clerk to call a bond election, providing the county's indebtedness for roads does not already exceed two per cent of its assessed valuation.

Rules now applicable to "local option" elections will govern proposed county bonding elections, which may be held at any time if the petition for the election be filed 90 days before the election.

The county court is required to give notice of the result of the election. The county judge, county clerk and county treasurer are to form a bonding committee, and bonds are to be issued 30 days after final approval.

The bonds issued by counties are to be 20 year serial bonds, bearing interest at not to exceed six per cent, and no bonds are to be sold for less than par.

Proceeds of bonds will constitute the road fund of the county issuing them. An annual tax will meet the interest and sinking fund.

Bonding Amendment.

The state is not now permitted to incur indebtedness in excess of $50,000 save to repel invasion or put down insurrection. The proposed amendment to section seven of article 11 of the state constitution extends the right to incur indebtedness for the building of permanent roads in a sum not exceeding two per cent of the assessed valuation of the state's property.

Limits Indebtedness.

The amendment to section 10 of article 11 of the state constitution passed at the last general election did not put any limitation on the amount of bonds that could be issued by any county, but the new amendment to the same section of the constitution now proposed does place a limitation that indebtedness for road building shall not exceed in any county two per cent of that county's assessed valuation.

CONVICT LABOR FOR ROAD WORK IS MADE LAWFUL

Two Measures Providing for Employment of City, County and State Prisoners on Highways Unchanged.

The two bills produced by the state wide committee providing for the use of city, county and state convicts on roads, have been left unchanged by the harmony committee. Signatures to initiative petitions for these two measures will still be good. The bills are not contested by the state grange.

The bill to work state prisoners on the roads is very brief, first providing that it shall be unlawful for any private interest to contract for prison labor, but:

"Upon the written request of the county court of any county in the state of Oregon or of any superintendent of any state institution the governor may detail from the state penitentiary such convicts as in his judgment may seem proper for use on the public highways, or on or about any state institutions."

County Prison Labor.

The prohibition against private utilization of state prison labor is made to apply to the bill providing for the use of city and county prisoners on roads. County prisoners are to be placed under the control of county courts and road supervisors, being relinquished by the sheriff. City prisoners may be in the same way placed under the control of the county court.

Any county court may transfer to another county court prisoners for work on roads. Any prisoner who refuses to work may be kept on broad and water diet until he is willing to get busy. If he works well credits which will shorten his term of imprisonment will be allowed. If he refuses to work the time of his refusal will be added to his sentence. Counties having boards of commissioners will be vested with the same authority as is bestowed upon county courts, and the act is to apply to all counties.

One of the important phases of the county and city convict bill is that it removes the prisoner from the custody of the sheriff or city jailer to the county court, commissioners and road supervisors, thus transferring the expense for board from one county office to another.

The Journeymen Stone Cutters' association reports that during last year 66 local branches secured a material increase in wages, the total increase aggregating close to $300,000. In addition to this, 24 new locals have been added to the association.

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And, even when drawn so tight you can scarcely stand to keep them on—they do no good whatever.

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The Plain Truth Is This.

Rupture—as explained in our free book—can't be relieved or cured—can't even be kept from growing worse—unless constantly held in place. Just as a broken bone can't "knit" unless the parts are held securely together.

And—just as a bandage or splint is the only way a broken bone can be held—the right kind of truss is the only thing in the world that can keep a rupture from coming out.

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And you can get exactly that kind of truss—without risking a cent of your money.

It's the famous Cluthe truss or Cluthe Automatic Massager.

Far more than a truss—far more than merely a device for holding the rupture in place.

So different from everything else for rupture that it has received 18 separate patents.

Thousands say it is as comfortable as their clothing.

No belt, elastic belt or springs around your waist, and no leg straps—nothing to pinch, chafe, squeeze or bind. Self regulating, self adjusting. It is held in position by suction—can't shift or slip—the only truss in existence that is honestly guaranteed never to let the rupture come out.

Try It 60 Days at Our Risk.

We have so much faith in the Cluthe Truss—we have seen it work wonders for so many others that we want to make one especially for your case and let you wear it at our risk.

We'll give you 60 days' time to test it—if it doesn't keep your rupture from coming out, when you are working and at all other times—if it doesn't put an end to the trouble you've heretofore had with your rupture—if you don't get better right away—then the truss won't cost you a cent.

How It Strengthens and Heals.

In addition to holding the rupture, the Cluthe Truss or Cluthe Automatic Massager is constantly giving a soothing, strengthening massage to the weak ruptured parts.

All automatically—the massage goes on all day long, all without any attention whatever from you.

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