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DOINGS AT GOOD ROADS CONVENTION

ADDRESS DELIVERED BY JUDGE DALY

Concluded from first page.

road building in the Roman Empire, and the methods adopted for its construction were used by every country of Europe until the end of the 17th century when John L. Macadam, a Scotchman, discovered the fact that crushed rock in proper quantities made good and durable roads, so that the system of macadamizing roads has been generally adopted by nearly every country in Europe.

The question of good roads is therefore one of the most important problems that confronts the people of this county at the present time, and in order to solve it so that the people will receive full value for the money expended, in the construction of roads, it will require the assistance and cooperation of every citizen in Lake County.

This is the first effort that has ever been made by the people of our county to adopt a system of permanent road construction, for the reason that heretofore the county has been in debt, and later on the court house had to be built. To pay off the debt and to construct the court house required the greatest economy in the expenditure of public money, so that the amount of taxes levied for road purposes have been so small as to be scarcely sufficient to keep the public roads in proper repair, but the county debt has been paid, the court house built, furnished and paid for, so that the great work of the hour is the construction of good permanent highways throughout the county.

There seems to be a general misunderstanding as to the manner in which the road fund has been apportioned among the several road districts of the county, and in order that this misunderstanding may be corrected I have requested the county clerk, Mr. F. W. Payne, to prepare an official statement of the tax levy, made for road purposes, and of the amount of money collected therefrom, for each of the past eight years, and also of the amount expended in each road district of the county, during the same period, which statement I will now read:

Lakeview, Oregon, March 30, 1911. Hon. B. Daly, County Judge. Dear Sir: In reply to your request for a statement showing the tax rate and the amount of money collected for road purposes for each year during the past eight years, and also the amount of money expended for road purposes in each road district during the said period, I beg to advise that after an investigation of the records of Lake County, Oregon, in relation to the matters above mentioned, I have determined

as follows, to wit: 1903, 1.1 mills \$1,593 55 1904, 1.1 mills 1,774 60 1905, 1.5 mills 2,564 42 1906, .8 mill 1,141 42 1907, 1 mill 1,534 87 1908, .5 mill 744 87 1909, 1 mill 3,408 11 1910, .8 mill 3,826 50

Table with 4 columns: Districts, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, Total. Rows include Silver Lake No. 1, Summer Lake No. 2, Paisley, Crooked Creek No. 4, North Warner No. 5, South Warner No. 6, Drews Valley No. 9, Goose Lake No. 10, Cogswell Creek No. 11, Thomas Creek No. 12, Lake No. 13, Fort Rock No. 14.

The law governing the manner in which special taxes are levied for road purposes by the people of any road district in the state is as follows: Section 6384 of Lord's Oregon Laws provides: "Whenever three freeholders of any road district in this state shall petition to the road supervisor of such district to call a district road meeting of the legal voters of the district, and shall state in such petition the object for which the meeting is desired, the supervisor shall cause written notices thereof, and the time and place of holding the same, and signed by himself, to be posted in three public places in the district at least ten days before the day appointed for the meeting; and the said supervisor shall make due proof of the giving of such notice with affidavit, which proof, together with the petition calling for the meeting shall be filed with the secretary of

three mill levy will only raise approximately \$20,500. The amount received from the five per cent road fund this year was \$1,138.87 and from the Forest Department \$1,495.26 so that the total amount of money for road purposes, for this year will be approximately \$23,134.13.

The five per cent road fund was created by Congress and provides that the General Government shall return to the state of Oregon 5 per cent of all moneys received from the sale of public lands within the state, and that the amount of money so returned shall be used for internal improvements in such manner as the legislature may direct. During the year 1893, as a member of the legislature, representing Lake and Klamath Counties, I had in cooperation with the delegation from eastern Oregon a law passed which provides that the secretary of state shall, on the first Monday in March of each year, apportion this fund among the several counties in the state according to the area of each county. As Lake county contains nearly one twelfth of the entire area of the state we receive, therefore, nearly one twelfth of the total fund.

The law governing the expenditure of this fund provides that the county court shall authorize no warrant to be drawn or any of the money to be expended except for work actually done on the roads, highways or bridges of the county. The money received from the Forest Department was also provided for by an act of Congress, enacted four years ago, provides that 25 per cent of all moneys received for grazing fees, and also for the sale of timber shall be returned to the county from which the money was collected, and that one half of the amount returned shall be used for road purposes and the other half to be used for the public schools of the county.

The law governing the manner in which general and special taxes are levied for road purposes is as follows: Section 6320 of Lord's Oregon Laws provides: "That the county court or commissioners court of each county in the state may levy a tax of not to exceed ten mills on the dollar on all taxable property of said county at the time of making the annual tax levy upon the previous year's assessment, which shall be set apart as a general road fund, to be used in the building and improving the public or county roads or bridges on county roads of the county in which the property is located. Said tax shall be paid in money, and collected in the same manner as other county taxes are collected, and when so collected shall be used for road purposes only, as provided in this act, and fifty per cent thereof shall be apportioned to the several road districts, in such proportion as the amount of taxable property in each district shall bear to the whole amount of taxable property in the county, and the remaining fifty per cent shall be applied to roads in such locality in the county as the court may direct."

In conformity with the provision of this law the county court has apportioned all of the road fund that has been collected to date among the several road districts, as follows: District No. 1, Silver Lake, \$1,245 00; District No. 2, Summer Lake, 504 00; District No. 3, Paisley, 1,225 00; District No. 4, Crooked Creek, 525 00; District No. 5, North Warner, 447 00; District No. 6, South Warner, 410 00; District No. 9, Drews Valley, 545 00; District No. 10, Goose Lake, 412 00; District No. 11, Cogswell Crk, 625 00; District No. 12, Thomas Crk, 525 00; District No. 13, Lake, 160 00; District No. 14, Fort Rock, 625 00.

Table with 4 columns: Districts, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, Total. Rows include Silver Lake No. 1, Summer Lake No. 2, Paisley, Crooked Creek No. 4, North Warner No. 5, South Warner No. 6, Drews Valley No. 9, Goose Lake No. 10, Cogswell Creek No. 11, Thomas Creek No. 12, Lake No. 13, Fort Rock No. 14.

After a thorough investigation of all matters pertaining to the subject of permanent road construction, I would most respectfully make the following recommendations: First. That each road district be considered the unit for the purpose of permanent road construction. Second. That all wooden culverts in use upon the public roads be replaced by metal culverts. Third. That the length of all culverts be not less than eighteen feet. Fourth. That all permanent road work be done in conformity with plans and specifications prepared by the County Surveyor. Fifth. That the taxpayers of each road district meet annually for the purpose of considering all matters pertaining to roads, and also of considering the amount of special tax required, if

the meetings, and shall become a part of the minutes thereof.

"Section 6386: District road meetings legally called shall have power to determine what if any county roads or portions thereof of the road district shall be improved in any special manner, and to determine the extent and character of the improvement or improvements they shall make thereon; provided, however, that the proposed improvements, and the character and manner thereof, shall have first been submitted to the county court; and shall have power to levy a special tax, not to exceed ten mills on the dollar, upon all the taxable real and personal property of the district, for the purpose of raising money with which to defray the expense of such special improvement or improvements, and such levy shall be based upon the valuation of the taxable property of the district as shown by the last certificate of the county clerk next preceding the district road meeting at which the tax is levied."

"Section 6388: All such taxes levied by district road meetings shall be collected by the same officer, in the same manner and at the same time as taxes for county purposes are collected, and shall be paid over to the county treasurer in the same manner as other tax moneys, and such treasurer shall keep the same in a separate fund for each road district by numbers, to be known as the special road fund; and all expense incurred in making the special improvement or improvements voted for at any district road meeting shall be audited by the county court and paid by warrant of the county clerk, drawn upon the special fund of the district making the improvement, and such fund shall not be used for any other purpose, unless authorized by the district to which the fund belongs, at a legally called meeting thereof."

"Section 6391: Any citizen of this state male or female, who is twenty one years of age, and has been a bona fide resident of the district for thirty days immediately preceding the meeting or election and has real property in the district, the title to which is in his or her own name, on which he or she is liable or subject to pay a tax, shall be entitled to vote at any district road meeting. In all other regards the laws of this state governing school district meetings shall control elections of all road district meetings."

The road law not only provides that the several road districts in each county shall have power to levy special taxes, for road purposes, but it is the intention of the law that each road district shall be the unit for the purpose of road construction. The law in relation to public roads is modeled after the school law in that each school district is a unit for school purposes, and if the amount of money received from the general school fund is not sufficient to maintain good schools, then it becomes the duty of the people to levy a special tax for that purpose. For example, Fort Rock school district has more good school buildings than any other school district in the county. The people of that district realize that their schools are independent of any other district in the county, and solve the problem of how to get good schools by meeting annually and levying such special tax as may be necessary to build and maintain good schools. The road law applies to the building of roads in the same manner, so that good roads can be constructed in the same way that good school buildings can be built. It therefore follows that good roads rests entirely with the people of the several road districts of Lake County.

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BIRTH JUDICIAL DISTRICT: Judge, Henry L. Benson; Attorney, D. V. Kuykendall.

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U. S. LAND OFFICE: Registrar, Arthur W. Orton; Receiver, Fred P. Cronan.

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FIRST BAPTIST CHURCH OF LAKEVIEW: Preaching service at 11 A M and 7:30 P M on 1st and 3rd Sun. Sunday school at 10 A M. Junior Society at 2:30 P M. Rapids Young People's Union at 6:30 P M on each Sunday. Prayer Meeting at 7:30 P M Wednesday evening. Everybody invited to attend all services. REV. H. SMITH, Pastor.

CATHOLIC CHURCH-EVERY SUNDAY MASS and Benediction at 10 o'clock a. m. Sunday School after Benediction. Week day Mass at 7:00 a. m. MICHAEL O'MALLEY, S. J.

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