

**RURAL POST ROADS.**

**The Bill Enacted by Congress and its Provisions.**

An act to provide that the United States shall aid the States in the construction of rural post roads and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Secretary of Agriculture is authorized to cooperate with the States, through their respective state highway departments, in the construction of rural post roads; but no money apportioned under this Act to any State shall be expended thereunder until its legislature shall have assented to the provisions of this Act, except, that, until the final adjournment of the first regular session of the legislature held after the passage of this act, the assent of the Governor of the State shall be sufficient. The Secretary of Agriculture and the state highway department of each State shall agree upon the roads to be constructed thereon and the character and method of construction: Provided, That all roads constructed under the provisions of this Act shall be free from tolls of all kinds.

Sec. 2. That for the purpose of this Act the term "rural post roads" shall be construed to mean any public road over which the United States mails now are or may hereafter be transported, excluding every street and road in a place having a population, as shown by the last available Federal census, of two thousand five hundred or more, except that portion of any such street or road along which the houses average more than two hundred feet apart; the term "State highway department" shall be construed to include any department of another name, or commission, or official or officials, of a State empowered, under its laws, to exercise the functions ordinarily exercised by a State highway department; the term "construction" shall be construed to include reconstruction and improvement of roads; "properly maintained" as used herein shall be construed to mean the making of needed repairs and the preservation of a reasonably smooth surface considering the type of the road; but shall not be held to include extraordinary repairs, nor reconstruction; necessary bridges and culverts shall be deemed parts of the respective roads covered by the provisions of this Act.

Sec. 3. That for the purpose of carrying out the provisions of this Act there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June thirtieth, nineteen hundred and seventeen, the sum of \$5,000,000; for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$10,000,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$15,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twentieth, the sum of \$20,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$25,000,000. No such of the appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the cost of the succeeding fiscal year, except that amounts apportioned for any fiscal year to any State which has not a State highway department shall be available for expenditure in that State until the close of the fiscal year succeeding the close of the fiscal year for which apportionment was made. Any amount apportioned under the provisions of this Act unexpended at the end of the period during which it is available for expenditure under the terms of this section shall be re-appropriated, within sixty days thereafter, to all the States in the same manner and on the same basis, and certified to the Secretary of the Treasury and to the governors of States having no State highway departments in the same way as if it were being apportioned under this Act for the first time: Provided, That in States where the constitution prohibits the State from engaging in any work of internal improvements, then the amount of the appropriation under this act apportioned to any such State shall be turned over to the highway department of the State or to the Governor of the State to be expended under the provisions of this act and under the rules and regulations of the Department of Agriculture, when any number of counties in any such State shall appropriate or provide the proportion or share needed to be raised in order to entitle such State to its part of the appropriation apportioned under this act.

Sec. 4. That so much, not to exceed three per centum, of the appropriation for any fiscal year may be or under this Act as the Secretary of Agriculture may estimate to be necessary for administering the provisions of this Act shall be deducted for that purpose, available until expended. Within sixty days after the close of each fiscal year the Secretary of Agriculture shall determine what part, if any, of the sums heretofore deducted for administering the provisions of this Act will not be needed for that purpose and apportion such part, if any, for the fiscal year then current in the same manner and on the same basis, and certify to the Secretary of the Treasury and to the Governor of States having no State highway departments, in the same way as other amounts authorized by this Act to be apportioned among all the States for such fiscal year. The Secretary of Agriculture, after making the deduction authorized by this section, shall apportion the remainder of the appropriation for each fiscal year among the several States in the following manner: One-third in the ratio which the area of each State bears to the total area of all States; one-third in the ratio which the population of each State bears to the population of all the States, as shown by the latest available Federal census; one-

third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery routes and star routes in all the States, at the year, as shown by the certificate of the Postmaster General, when he is directed to make and furnish annually to the Secretary of Agriculture.

Sec. 5. That within sixty days after the approval of this Act the Secretary of Agriculture shall certify to the Secretary of the Treasury and to each State highway department and to the Governor of each State having no State highway department the sum which he has estimated to be deducted for administering the provisions of this Act and the sum which he has apportioned to each State for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and on or before January twentieth next, preceding the commencement of each succeeding fiscal year shall make like certificates for such fiscal year.

Sec. 6. That any State desiring to avail itself of the benefits of this act shall, by its State highway department submit to the Secretary of Agriculture project statements setting forth proposed construction of any rural post road or roads therein. If the Secretary of Agriculture approve a project, the State highway department shall furnish to him such surveys, plans and specifications, and estimates therefor as he may require: Provided, however, That the Secretary of Agriculture shall approve only such projects as may be substantial in character and the expenditure of funds hereby authorized shall be applied only to such improvements. Items included for engineering, inspection, and unforeseen contingencies shall not exceed ten per centum of the total estimated cost of the work. If the Secretary of Agriculture approve the plans, specifications, and estimates, he shall notify the State highway department and immediately certify the fact to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon set aside the share of the United States payable under this Act on account of such project, which shall not exceed fifty per centum of the total estimated cost thereof. No payment of any money apportioned under this Act shall be made on any project until such statement of the project, and the plans, specifications, and estimates therefor, shall have been submitted to and approved by the Secretary of Agriculture.

When the Secretary of Agriculture shall find that any project so approved by him has been constructed in compliance with said plans and specifications he shall cause to be paid to the proper authority of said State the amount set aside for that project: Provided, That the Secretary of Agriculture may, in his discretion, from time to time make payments on said construction as the same progresses, but these payments including previous payments, if any, shall not be more than the United States' pro rata part of the value of the labor and materials which have actually been put into said construction in conformity, to said plans and specifications; nor shall any such payment be in excess of \$10,000 per mile, exclusive of the cost of bridges of more than twenty feet clear span. The construction work and labor in such State shall be done in accordance with its laws, and under the direct supervision of the State highway department, subject to the inspection and approval of the Secretary of Agriculture and in accordance with the rules and regulations made pursuant to this Act.

The Secretary of Agriculture and the State highway department of each State may jointly determine at what times, and in what amounts, payments, as work progresses, shall be made under this act. Such payment shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of Agriculture, to such official or officials, or depository, as may be designated by the State highway department and authorized under the laws of the State to receive public funds for the State or county.

Sec. 7. To maintain the roads constructed under the provisions of this Act shall be the duty of the State, or their civil subdivisions, according to the laws of the several States. If at any time the Secretary of Agriculture shall find that any road in any State constructed under the provisions of this Act is not being properly maintained he shall give notice to such fact to the highway department of such State and, within four months from the receipt of such notice said road has not been put in proper condition of maintenance then the Secretary of Agriculture shall thereafter refuse to approve any project for road construction in said State, or the civil subdivision thereof, as the fact may be, whose duty it is to maintain said road, until it has been put in condition of proper maintenance.

Sec. 8. That there is hereby appropriated and made available until expended, out of any moneys in the National Treasury not otherwise appropriated, the sum of \$1,000,000 for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and each fiscal year thereafter, up to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-six, in all \$10,000,000, to be available until expended under the supervision of the Secretary of Agriculture, upon request from the proper officers of the State, territory, or county for the survey, construction, and maintenance of roads and trails within or only partly within the national forests, when necessary for the use and development of resources upon which communities within and adjacent to the national forests are dependent: Provided, That the State, territory or county shall enter into a cooperative agreement with the Secretary of Agriculture for the survey, construction, and maintenance of such roads or trails upon a basis equitable to both the State, territory or county and the United States: And provided also, That the aggregate expenditures in any State, territory or county shall not exceed ten per centum of the

value, as determined by the Secretary of Agriculture, of the timber and forage resources which are or will be available for income upon the national forest lands within the respective county or counties wherein the roads or trails will be constructed; and the Secretary of Agriculture shall make annual reports to Congress of the amounts expended thereunder.

That immediately upon the execution of any cooperative agreement hereunder the Secretary of Agriculture shall notify the Secretary of the Treasury of the amount to be expended by the United States within or adjacent to any national forest thereunder, and beginning with the next fiscal year and each fiscal year thereafter the Secretary of the Treasury shall apply from any and all revenues from such forest ten per centum thereof to reimburse the United States for expenditures made under such agreement until the whole amount advanced under such agreement shall have been returned from the receipts from such national forest.

Sec. 9. That out of the appropriations made by or under this Act, the Secretary of Agriculture is authorized to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to be taken from the eligible lists of the Civil Service Commission, to rent buildings outside of the city of Washington, to purchase such supplies, material, equipment, office fixtures, and apparatus, and to incur such travel and other expense as he may deem necessary for carrying out the purpose of this Act.

Sec. 10. That the Secretary of Agriculture is authorized to make rules and regulations for carrying out the provisions of this Act.

Sec. 11. That this Act shall be in force from the date of its passage. Approved July 11, 1916.

No interests to serve but the public interests.—Hawley.



**W. C. HAWLEY.**  
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For further information please read the pamphlet sent to every registered voter by Secretary of State.

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**Administrator's Notice.**

In the County Court of the State of Oregon for Tillamook County.

In the matter of the estate of Lars Jensen, deceased.

Notice is hereby given that the undersigned has been, by the County Court of Tillamook County, Oregon, duly appointed administrator of the above named estate, and all persons having claims against said estate are hereby notified and required to present same, duly verified in the manner provided by law, to the undersigned, at the offices of Johnson & Handley, Attorneys at Law, in Tillamook City, Oregon, within six months from this date.

Dated this 25th day of Oct., 1916.

C. C. Jensen, Administrator of the Estate of Lars Jensen deceased.

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  - 1 Desk \$2.50
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  - 4 Nickel match and ash trays each 15c.
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- H. T. Bottis, Pres., Attorney at Law.  
John Leland Henderson, Secretary Treas., Attorney at Law and Notary Public.
- Tillamook Title and Abstract Co.**  
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- Notice.**  
Oct. 22, 1916, I the undersigned, am not responsible for any or all of Elmer Plog's accounts hereafter.  
George Plog.

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**JOHN LELAND HENDERSON**  
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**Notice.**  
On November 1, 1916, the undersigned will form a co-partnership for the practice of law, with offices in the I. O. O. F. Building.  
S. S. Johnson,  
T. B. Handley.