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# Highways and Roads - Historical Notes

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Sincerely,

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# Highways and Roads - Historical Notes

The following is a listing of acts which once had some effect upon the county road system in McMinn County, but which are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1833, Chapter 192, authorized Asbury M. Coffey to open a turnpike road in McMinn County.
2. Acts of 1849-50, Chapter 256, authorized the survey of a route for a public road from the town of Athens in McMinn County to Telico Plains in Monroe County. Road commissioners were appointed to lay out, mark and determine the damages resulting from the location of the roads.
3. Acts of 1851-52, Chapter 9, repealed sections four and five of the Acts of 1849-50, Chapter 256.
4. Acts of 1851-52, Chapter 288, authorized construction and collection of tolls for a turnpike road from McElwee's Factory in Meigs County to Athens in McMinn County.
5. Acts of 1859-60, Chapter 114, authorized three classifications of roads for maintenance purposes. A road tax was levied upon voter approval in the March election of county officers. The residents of the county could approve or reject the road tax upon thirty days notice prior to the given election.
6. Acts of 1911, Chapter 324, authorized McMinn County to defray one-half the expense of building a bridge across the Hiwassee River at Charlestown, Tennessee by issuing bonds in the amount of \$16,000. The cost of constructing other bridges in the county was defrayed by issuing bonds in the amount of nine thousand dollars (\$9,000). The bond interest was five (5) percent annually and due in a period of from five to thirty-five years. The total bond issue was twentyfive thousand dollars (\$25,000) denominations.
7. Private Acts of 1915, Chapter 196, regulated the laying out, working, changing, operating, and closing of public roads. It also created a Board of Public Road Commissioners with three year terms. The Board of Road Commissioners was authorized to employ a county Road Supervisor and district supervisors, as well as having control of the prisoners in the county work house sentenced by law to work on public roads. Chapter 196 also provided for raising funds and road duty for males between 21-40 years of age. The term of duty was not less than five (5) nor more than eight (8) days, but could be commuted through paying a sum of \$3.75.
8. Private Act of 1915, Chapter 652, gave authority to the County Highway Commission to condemn right of ways and to determine the value of the condemned right of ways. In addition, the County Highway Commission could establish the manner and form in conducting condemnation proceedings.
9. Private Acts of 1917, Chapter 240, implemented amendments to the Private Acts of 1915, Chapter 196. First, the Board of Road Commissioners received the same per diem allowed the Justices of the Peace. Next, the Road Supervisor was employed, for a three (3) year term rather than a one (1) year term. This act repealed the one above.
10. Private Acts of 1919, Chapter 762, reinstated Private Acts of 1915, Chapter 196, but was repealed by Private Acts of 1923, Chapter 535.
11. Private Acts of 1921, Chapter 577, stated that in McMinn County the County Court may provide that the funds derived from a special road tax for constructing new roads in the County may be expended on any particular road designated by the County Court.
12. Private Acts of 1923, Chapter 536, gave the County Court authority to appoint a Board of Road Supervisors for a four year term. The Board of Supervisors had the general supervision, control and management of the construction, maintenance and repair of all roads and bridges in the county. The Board of Road Supervisors also provided for the management and control of county jails and workhouses with respect to public roads. Lastly, the Board of Road Supervisors appointed District Commissioners who in turn appointed Road overseers. District Commissions had the authority to enter into contracts; assess damages; and to open, change, or close roads with the approval of a majority of the Board of Road Supervisors.
13. Private Acts of 1927, Chapter 151, repealed the Private Acts of 1923, Chapter 536, "the McMinn County Road Law".
14. Private Acts of 1927, Chapter 400, provided for a Public Road Supervisor; defined his duties, term of office; salary; and provided for the appointment of overseers and other necessary officials, other powers of the supervisor included opening, closing, maintaining, building, and working on

the public highways.

15. Private Acts of 1929, Chapter 114, amended Private Acts of 1927, Chapter 400, Section 4, by increasing the salary of the Road supervisor from \$2,000 to \$2,500 annually; by increasing the daily pay rate of the overseer in Section 7 for the days he worked, over and above the mandatory number, from \$1.50 to \$2.50; by making the approval of the County Judge necessary in securing the services of an engineer and by increasing the salary of the Secretary to the Road Supervisor from \$300 to \$1,000 annually in Section 18.
16. Private Acts of 1933, Chapter 254, repealed the Private Acts of 1927, Chapter 400, and provided for a County Road Superintendent instead of a Public Road Supervisor as set out in the Private Acts of 1927, Chapter 400.
17. Private Acts of 1933, Chapter 726, amended the Private Acts of 1933, Chapter 254. Chapter 726 provided for a Public Road Supervisor rather than a County Road Superintendent.
18. Private Acts of 1935, Chapter 163, created a three member Board of Road Commissioners in McMinn County giving it the general supervision of all the roads in the county and to appoint a County Road Supervisor. The Act named Harry Dixon, J. F. Howard, and K. C. Robinson as the first Commissioners who would serve until September 1, 1936, when their successors, elected to two, four, and six year terms in the August election, would take over the offices. Afterwards the terms of office would be for six years. The Commissioners would select their Chairman, employ the counsel necessary to execute the provisions of this Act, and employ a County Road Supervisor for four year terms unless summarily removed by the Commissioners before that time. The Road Supervisor would assume and discharge the specific responsibilities set out in Section 3, and all those which may be incidental to these. The Commissioners would meet at least once each month at the Courthouse in Athens, being paid \$5.00 for each day thusly spent, and the Road Supervisor's salary would not exceed \$2,500 per year, payable monthly. The Road Supervisor would be in immediate charge of the roads and the road department and may appoint such foremen and overseers as considered essential. The Supervisor could also work for the State on the roads in this County. He would be sworn, bonded, and in charge of all material, equipment, and supplies. The workhouse prisoners would be in his custody while working on the roads to pay fines and he may employ guards for them at \$3.00 per day, or less. Regulations for expending funds are incorporated in the Act to which all would adhere and the amount is limited to the tax total available. The Supervisor was to have a Secretary at \$1,000 per year. The Quarterly Court was permitted to levy a special road tax of ten cents per \$100 property valuation and a Bridge tax of five cents per \$100 property valuation. This Act was repealed, with its amendments by Private Acts of 1947, Chapter 346.
19. Private Acts of 1935, Chapter 219, repealed Private Acts of 1927, Chapter 400, which provided for a Public Road Supervisor and defined his duties.
20. Private Acts of 1935, Chapter 582, amended Private Acts of 1935, Chapter 163, Section 5, by fixing the annual salary of the County Road Supervisor at \$2,500 maximum.
21. Private Acts of 1937, Chapter 633, amended Private Acts of 1935, Chapter 163, above, by adding a new Section 2 which provided that the present road Commission would hold their respective offices until the expiration of their respective terms or until their successors were elected. Their successors would be elected by the Quarterly Court, but this Act would not affect the tenure of any current members.
22. Private Acts of 1943, Chapter 270, amended Private Acts of 1935, Chapter 163, by striking Section 15 and inserting a new Section 15 which granted authority to the Quarterly Court to levy a special road tax of not less than two cents per \$100 and a bridge tax of not less than five cents per \$100.
23. Private Acts of 1945, Chapter 163, amended Chapter 163, Private Acts of 1935, by increasing the annual salary of the Secretary to the Road Supervisor from \$1,000 to \$1,200.

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