



County Technical Assistance Service
INSTITUTE for PUBLIC SERVICE

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Highways and Roads - Historical Notes

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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

1. Acts of 1797, Chapter 35, authorized James Guthrey to build a bridge over Lick Creek on the main road leading from Bull's Gap to Greeneville. This act allowed him to charge the following tolls: for a footman 6¼¢, for a man and a horse 12½¢, for a horse and chair 25¢ and for a four-wheeled carriage 50¢.
2. Private Acts of 1820, Chapter 130, altered a part of the turnpike between Sherrils Cove to the Painted Rock in Greene County.
3. Private Acts of 1821, Chapter 71, authorized Jacob Dyke of Greene County to build a mill dam across the owl sluice of the Nolichucky River.
4. Private Acts of 1825, Chapter 334, authorized William Reynolds of Greene County to open and establish a turnpike road across Paint Mountain. This act was amended by Private Acts of 1831, Chapter 34, which authorized the proprietors to build a new turnpike road and close the Paint Mountain Road. This act was further amended by Private Acts of 1831, Chapter 184, which called for the construction of an additional road in the Warringsburg Turnpike.
5. Private Acts of 1829-30, Chapter 219, provided that the charter for the turnpike road granted to William Houston, Jacoby Baker and William Reynolds be extended to the first day of January 1846.
6. Private Acts of 1829-30, Chapter 302, authorized the county courts of Greene and Washington to appoint commissioners to superintend the clearing out of fish traps and dams in Nolichucky River.
7. Private Acts of 1831, Chapter 89, authorized Cain Broyles to open a turnpike road across Paint Mountain in Greene County, beginning at the North Carolina line.
8. Private Acts of 1831, Chapter 241, authorized the county court of Greene County to grant to Robert C. Gordon the privilege of erecting a toll bridge across Lick Creek in said county.
9. Acts of 1837-38, Chapter 122, extended the charter of the Paint Mountain Road for one hundred years and also provided that this road was to run from the painted rock to the house where William Houston lived.
10. Acts of 1849-50, Chapter 64, authorized John Love to open a turnpike road from the North Carolina line near Ben Pip Gap, crossing Paint Creek and intersecting Cain Broyle's road near the Chapman Gap on the north side of Paint Mountain.
11. Acts of 1859-60, Chapter 114, was the first road law for Greene County, and one of the earliest in the state. This act provided that the county court was to classify the roads of the county into three classes, to levy a tax for the upkeep of the road, and to supervise the maintenance of the county roads. This act was amended by Public Acts of 1861, Extra Session, Chapter 20, to suspend the collection of the road tax levy until after January, 1862.
12. Public Acts of 1901, Chapter 136, regulated the working and laying out of public roads in the state except in counties with a population of 70,000 and over. This act was repealed by Private Acts of 1978, Chapter 198.
13. Acts of 1909, Chapter 56, created the Board of Public Road Commissioners for Greene County, to be composed of three members, elected by the quarterly county court. The office of superintendent of public roads, who was to be a civil engineer, working under the supervision of the road commission, was also created by this act. This act was almost immediately amended by Acts of 1909, Chapter 288, to provide that it would not conflict with any other road law. Both of these acts were repealed by Greene County's next road law, of the Private Acts of 1915, Chapter 193.
14. Private Acts of 1911, Chapter 614, provided that owners and operators of a traction engine or other heavy machinery were liable for all damages done to bridges, culverts, sewer pipes, troughs or other fixtures for the conveyance of water. This act was repealed by Private Acts of 1917, Chapter 433.
15. Private Acts of 1915, Chapter 193, provided for the election by the quarterly county court of three County Road Commissioners, one of whom would also serve as the Superintendent of Roads. This act was first amended by Private Acts of 1917, Chapter 358, to provide that no funds from the sale of road bonds could be expended upon state roads. Private Acts of 1919, Chapter 189,

- amended this act to change the provisions regarding road duty, and Private Acts of 1921, Chapter 508, further amended this road duty amendment. Private Acts of 1921, Chapter 520, amended Private Acts of 1915, Chapter 193, by authorizing the road commission of Greene County to appoint a commissioner to its civil district who was to serve for one year and receive a salary of \$20 per year. All of these acts were repealed by Private Acts of 1925, Chapter 457.
16. Private Acts of 1923, Chapter 599, was the next road law for Greene County, providing for the appointment by the County Judge and quarterly county court of a county road supervisor, who was to have control of the county roads and their maintenance. This act was repealed by Private Acts of 1925, Chapter 457.
 17. Private Acts of 1925, Chapter 457, was a general road law for Greene County. This act authorized the county judge and the quarterly county court, acting jointly, to appoint a civil engineer to serve as the superintendent of public roads. This chief administrative officer was to serve terms of two years and was subject to removal from office upon petition of five or more Greene County citizens who felt him to be negligent in the performance of his duties. This act was repealed by Private Acts of 1927, Chapter 130, the current road law of Greene County.
 18. Private Acts of 1953, Chapter 378, authorized the superintendent of roads to pay \$3,000 to Lily M. Lowry, the widow of James Butler Lowry, who was accidentally killed at a Greene County rock quarry on March 6, 1952. This payment had to be authorized by special legislation since the Greene County Highway Department at that time was not covered by the Workmen's compensation law.
 19. Private Acts of 1965, Chapter 238, set the annual salary of the road superintendent at \$7500. This act was repealed by Private Acts of 1974, Chapter 191.
 20. Private Acts of 1967-68, Chapter 326, attempted to amend the road law now in effect, Private Acts of 1927, Chapter 130, to raise the annual salary of the district commissioners to \$4,000, but this amendatory act was rejected by the quarterly county court and never took effect.
 21. Private Acts of 1996, Chapter 126, would have abolished the office of district road commissioner of Greene County and amended Private Acts of 1927, Chapter 130, however, this act was not ratified by Greene County and therefore never became law.
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