



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

July 22, 2024

---

# Chapter IX - Highways and Roads

---

Dear Reader:

The following document was created from the CTAS website ([ctas.tennessee.edu](http://ctas.tennessee.edu)). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

Table of Contents

<b>Chapter IX - Highways and Roads .....</b>	<b>3</b>
<b>    Road Superintendent .....</b>	<b>3</b>
<b>    Private Acts of 1955 Chapter 238 .....</b>	<b>3</b>
<b>    Highways and Roads - Historical Notes .....</b>	<b>6</b>

# Chapter IX - Highways and Roads

## Road Superintendent

### Private Acts of 1955 Chapter 238

**COMPILER'S NOTE:** Part of this act may have been superseded by the County Uniform Highway Law. See Tennessee Code Annotated, Title 54, Chapter 7

**SECTION 1.** That Chapter No. 337 of the Private Acts of the General Assembly of the State of Tennessee for the year 1953, the caption of which Act is set forth in the caption of this Act, be and the same is hereby repealed.

**SECTION 2.** That this Act shall apply to Marshall County, Tennessee.

**SECTION 3.** That for the purpose of providing an efficient system of laying out, building, constructing, re-constructing, maintaining and repairing of public roads in Marshall County, Tennessee, public roads in said county shall be classified as Federal Aid Roads, State Maintained Roads and County Maintained Roads.

**SECTION 4.** That the Office of County Road Superintendent shall be a person not less than twenty-one (21) years of age and of good moral character and shall be a graduate of an accredited school of engineering or shall have had at least five (5) years of practical experience in a supervisory capacity in the construction or maintenance of public roads, except that the experience and educational requirements set out herein shall not be construed to prevent an incumbent County Road Supervisor from succeeding himself in office without limitation as to the numbers of terms. The County Road Superintendent shall be elected by the qualified voters of Marshall County at the regular election held in August 1974, to take office September 1, 1974. His term and those terms of all succeeding County Road Supervisors shall be four (4) years.

As amended by: Private Acts of 1974, Chapter 347

Before beginning the performance of the duties of the said Office, the County Road Superintendent shall execute a good and solvent bond, to be approved by the County Judge, in the amount of twenty thousand dollars, for the faithful performance of his duties and for a proper accounting of all property of the County coming into his hands. And he shall take an oath to support the Constitution of the United State of America, and the Constitution of the State of Tennessee, and to faithfully and impartially perform the duties of his Office, to the best of his ability.

The County Road Superintendent shall be paid an annual salary equal to that authorized for the compensation of the county assessor of property as set out in Tennessee Code Annotated, Section 8-2405 [§8-24-102], which shall be payable in twelve (12) equal monthly installments, drawn by the County Judge on the general road fund provided for in this Act.

As amended by: Private Acts of 1967, Chapter 254  
Private Acts of 1972, Chapter 297  
Private Acts of 1974, Chapter 347

In the case of the death, resignation, removal, or vacancy for any cause, in the Office of County Road Superintendent, the Quarterly County Court of said County shall elect another qualified person to fill said vacancy, who shall hold said office for the remainder of their term, and until his successor is duly elected and qualified.

**SECTION 5.** The County Road Superintendent shall keep on file in his office a statement showing the various road sections in the several civil districts and also such road sections as are partly within one district and partly within another; and said County Road Superintendent shall make report to the Quarterly County Court of said County at the regular quarterly sessions thereof, in which report he shall make an itemized statement of the expenditures or disposition of all road and bridge funds during the preceding quarter, showing in said report to whom such funds have been paid and the amount paid each person, and for what materials or services the same were paid, and on what roads and bridges said services were performed.

As amended by: Private Acts of 1978 Chapter 186

**SECTION 6.** That it shall be the duty of the County Road Superintendent to determine the roads and bridges to be built, worked or maintained, and the necessary changes if any to be made in any roads or bridges, to supervise the rural road construction and maintenance in said county. Said County Road Superintendent shall have general supervision of all road work, maintenance, repairing, constructing, grading and drainage of county roads, and the building and maintenance of all bridges, not maintained by

the State of Tennessee, or the Federal government. Said County Road Superintendent shall determine and recommend to the purchasing agent the machinery, materials, tools, equipment and supplies required for the construction and maintenance of county roads and bridges. It shall be the duty of the County Road Superintendent to employ such laborers, supervisors, mechanics, and other workers as in his judgment may be necessary for the construction and maintenance of all county roads and bridges, and to fix their compensation. But no person shall be employed by said County Road Superintendent who is related to him by affinity or consanguinity within the third degree according to the civil law.

As amended by:

Private Acts of 1959, Chapter 18

Private Acts of 1972, Chapter 297

**SECTION 7.** That all warrants drawn on any general or special road fund, or gasoline tax fund, or bridge fund of said county, shall be signed by the County Road Superintendent, counter signed by the County Judge or Chairman, otherwise to be void, and it shall be a misdemeanor on the part of the County Trustee to honor or pay out any sum of money on any warrant not so signed and countersigned.

**SECTION 8.** That it shall be the duty of said County Road Superintendent to negotiate with the Highway Department of the State of Tennessee for the rental or lease of machinery or other equipment if necessary to proceed with road work in said county. The County Road Superintendent shall have the general supervision of the expenditure of the gasoline money received from the State of Tennessee, and all other revenue that may be available for the improvement of county roads and bridges.

However, the County Road Superintendent shall make no contract or agreement to lease, rent, or hire, and he shall not make any purchase or contract or purchase any material, equipment, machinery, tools, gasoline or other fuel, tires, supplies or articles of any nature or description, in any amount; and he shall not exchange any equipment or material, without first obtaining the written approval of the County Judge of said County; and in no event shall any such contract, agreement or purchase be made unless there are at the time thereof sufficient road funds in the hands of the County Trustee available for immediate cash payment thereof; and upon delivery of any such material, equipment, machinery, tools, gasoline or fuel, tires, supplies, or articles of any nature or description, said County Road Superintendent shall immediately and forthwith issue and deliver to the seller, or sellers, or contractors, a warrant or warrants in payment therefor, which warrant or warrants shall be countersigned by the County Judge. Any contract or agreement made contrary to the provisions of this section shall be void.

**SECTION 9.** That said County Road Superintendent shall not lend himself, his office, nor any of his employees or any county owned equipment, material; nor shall he use the same, for the purpose of working upon, repairing, maintaining or constructing any road, roadway, or driveway, or otherwise making any improvement, upon any privately owned property. Any if any employee of the County shall violate this provision, it shall be the duty of the County Road Superintendent to immediately discharge him, and the duty of the County Judge to refuse to sign any warrant for pay for services rendered after said violation.

**SECTION 10.** That the Superintendent of the workhouse in said County, shall be the Sheriff of the county, who shall serve ex-officio and without additional compensation, as provided by law in such counties as have declared the county jail to be the workhouse or in counties where the jail is used as a workhouse. And it shall be the duty of the superintendent of the workhouse to turn over or deliver to the County Road Superintendent the custody and control of all workhouse prisoners that have been or may hereafter be committed to the workhouse whenever the said County Road Superintendent shall demand them for the purpose of working said prisoners on the roads of the county. Nothing in this Act shall be construed so as to release the sheriff or jailer from any responsibility for such prisoners which may be now or hereafter imposed by law, except when such prisoners are actually working or going to and returning from work or are under the direction of the County Road Superintendent. It shall be the duty of the County Road Superintendent to work all of the prisoners committed to the workhouse upon the roads of the county, except such prisoners as are physically unfit for hard labor, and excepting female prisoners; but prisoners shall not be required to work during periods rendered unsuitable and unfit by weather conditions.

The County Road Superintendent shall have the power and authority to employ such guards as may be necessary to safely keep said prisoners while working and going and returning from work.

**SECTION 11.** That it shall be the duty of the County Road Superintendent to file on the first day of each Calendar month with the County court Clerk, an itemized account containing the names of all workhouse prisoners he has worked during the preceding month and the days and parts of days worked by each, together with an itemized account of all expenses incurred in transporting them to and from work, and which account so rendered and filed include a statement of the amount due for board of said workhouse prisoners during the preceding month, which board account shall be according to that rate fixed and prescribed by the Quarterly County Court as provided by law; provided, however, that the board for any prisoner or prisoners of the workhouse shall not be included in this statement, nor paid thereunder, unless

said prisoner was committed to said workhouse under a mittimus properly issued by a Court of proper and competent jurisdiction in said county; and said County Court Clerk shall place the same upon the appropriate docket of the county court and the accounts so certified and filed shall be paid out of the general road fund for said county court; and the accounts so certified and filed shall be paid out of the general road fund for said county, by warrant drawn on said fund issued and signed by the County Road Superintendent and countersigned by the County Judge. Provided, however, that no turnkey fees shall be paid out of said general road fund, and no board shall be paid out of said road fund for any female prisoner or any prisoner physically or mentally unable to perform hard labor.

**SECTION 12.** That all applications to open, change, close or restore to the public use any and all county public roads, shall be made by written petition to the County Road Superintendent, stating the district or districts in which the road is located, or is to be located, giving a complete description of the present road and the desired change or changes, and shall also state the names of the landowners to be affected thereby. The County Road Superintendent shall, within ten days after the application has been filed with him, notify the owners of land affected by said change, of the date on which he will be present at the beginning point mentioned in said petition, to act on the application. If any landowner affected by the proposed change is a non-resident of Tennessee, then such notice shall be given to his agent or attorney residing in the county, and such notice shall be binding on the landowner. The County Road Superintendent shall attend at the appointed time and place if he has given the proper notice as required herein, and he shall act upon the application, assess the damages, if any, against the county and report his action to the Quarterly County Court, and file with his report the original application or petition and notice to landowners and a full report of his action on the same, stating the new location of the road so opened, changed or closed, and the amount of damages allowed to the parties damaged.

The County Road Superintendent may adjourn the hearing in such cases from time to time and summon witnesses through the sheriff or his deputies and shall have power to administer oaths to witnesses. All findings of the County Road Superintendent shall be in writing and certified to the Quarterly County Court. The County Judge or chairman shall have the petition and the report entered upon the record in the Office of the County Court Clerk and the amount of damages entered upon the appropriation docket; and there shall be appropriated a sufficient amount of money to pay all damages to landowners affected, and warrants issued to the proper parties therefor. Any party or parties dissatisfied with the action of the County Road Superintendent in the premises may appeal to the next term of the Circuit Court of Marshall County, provided the appeal is perfected within ten days from the date of the appropriation for damages.

The County Road Superintendent may of his own motion and upon his own initiative, refuse to consider any petition so filed, or may open, change, close or restore to the public use any and all roads without a petition, by observing all of the essential requirements as set out above in the case of petitions.

The County may condemn said necessary rights of way by the procedure provided by the Statutes of Eminent Domain of the State of Tennessee.

**SECTION 13.** That the County Road Superintendent shall not contract with himself or with any member of the Quarterly County Court or any other public official of Marshall County, Tennessee, in any manner, either directly or indirectly, for any material or in any manner pertaining to the construction, maintenance and repair of roads or bridges, or with any one related to himself by affinity or consanguinity within the third degree according to the civil law.

**SECTION 14.** That the Quarterly County Court of Marshall County, Tennessee shall at the January term of said Court, each year, levy for road purposes an ad valorem tax of not less than five cents nor more than twenty cents on each one hundred dollars worth of taxable property in the county, to be collected by the county trustee; provided, that the ad valorem tax on merchants shall be collected by the county court clerk.

In adopting the budget of the county road system for the fiscal year July 1, 1983, through June 30, 1984, and annually thereafter, the legislative body of Marshall County shall make provisions in the budget for local revenues for county road purposes; such provisions shall be in a maximum amount as determined by such legislative body, but such provisions shall not be less than an amount equal to at least ten cents (10¢) on the local county tax rate.

As amended by: Private Acts of 1974 Chapter 347  
Private Acts of 1983, Chapter 13

**SECTION 15.** That all taxes collected from the above tax source or other sources for county road purposes, and other road taxes, except the gasoline tax fund, collected for or received by the county through the State or any of its agencies, shall constitute the general road fund of the county.

**SECTION 16.** That all contracts between said county for the grading of roads, construction and maintenance thereof, and for construction and repair and maintenance of bridges, and all other forms of improvements on the county roads and bridges shall be signed on behalf of the county by the County

Road Superintendent, in triplicate, one copy to be kept on file in the Office of the County Court Clerk, one to be kept by the Purchasing Agent of the County, and the other given to the contractor.

**SECTION 17.** That if any sections or portions of this Act are declared unconstitutional such section or portion of the Act shall be considered severable, and the remainder of this Act shall remain in full force and effect, it being the legislative intent now hereby declared that this Act would have been adopted even if such unconstitutional or void portion or part had not been included herein.

**SECTION 18.** That all laws and parts of laws applying to Marshall County, Tennessee in conflict with this Act, be and the same are hereby repealed.

**SECTION 19.** That it shall be the duty of the County Road Supervisor to prepare a five (5) year construction and improvement program which shall be revised and updated at the beginning of each succeeding fiscal year. The priorities for the proposed improvements shall be established based on traffic, functional classifications, and the desirable levels of service and safety necessary for educational, religious, industrial and other institutions and establishments.

As amended by: Private Acts of 1974, Chapter 347

**SECTION 20.** That this Act shall have no effect unless the same shall be approved by a majority of the voters voting in an election to be held for such purpose. Such election shall be held at every voting place in Marshall County at the same time as the regular election for County officers in August, 1956, and it shall be the duty of the Election Commissioners of Marshall County to cause separate ballots to be printed containing nothing save the title of this Act. Voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the County Board of Election Commissioners upon the first Monday following the election and the results shall be proclaimed by such Board and certified to the Secretary of State. The qualification of voters shall be that provided by law for participation in general elections and all laws applicable to general elections shall apply to an election held hereunder.

**SECTION 21.** That Section 19 shall take effect from and after the passage of this Act, the public welfare requiring it. The remaining portions of this Act, if the same is approved in accordance with Section 19, shall take effect on the first Monday following the regular election in November, 1956. In the event this Act is approved by a vote of the people, the present members of the County Highway Commission shall hold over until the next Monday following the general election in November, 1956, and until that date shall function under the Private Acts of 1953, Chapter 337.

Passed: March 8, 1955.

## Highways and Roads - Historical Notes

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

1. Acts of 1855-56, Chapter 218, incorporated the Duck and Elk River Valley Rail Road with a capital stock permitted initially of \$260,000 which could be issued and sold by the Directors. The railroad would run from Shelbyville in Bedford County to the Alabama state line through Lewisburg and Pulaski. Several directors were named in the act from each County who would be in charge of the company until the regular Board was formed and organized.
2. Acts of 1901, Chapter 136, may have been the first comprehensive road law for the State furnishing the foundation upon which many road laws were to follow. The Act applied to all counties under 70,000 in population. Road districts would be the same as Civil districts and the County Court would elect one Road Commissioner from each for two year terms, at a salary of \$1.00 per day, not to exceed ten days in a year. The County Court would fix the number of days to be worked on the road at no less than five nor more than eight, fix the rate for commutation and for teams and wagons. A tax of two cents per \$100 would be levied by the Court, two-thirds of which could be worked out. Commissioners would name overseers for sections of roads in their area who would immediately supervise the programs. All males between 21 and 45 were required to work on roads. Specifications were written for roads, and the manner of handling petitions for opening, closing, or changing roads, and for working prisoners were both specified. The County Court could designate certain roads to be worked by contracts as was granted. This Act was the subject of litigation in Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906). This act was repealed by Private Acts of 1978, Chapter 198.

3. Acts of 1905, Chapter 478, amended the 1901 Act above in several minor particulars but primarily in the manner of dealing with petitions for closing, opening, and changing roads.
4. Private Acts of 1915, Chapter 564, appears to be the first special road law for Marshall County. Three citizens, one of each from certain geographical areas of the county, would form the County Road Commission serving staggered three year terms. The Commissioners would have general supervision of all roads and bridges exercising such powers as were granted in the Act, making required inspections of roads, and receive compensation as limited therein. Civil Districts and Road Districts were co-extensive and the County Court would appoint a District Commissioner from each for two year terms who would in turn appoint Overseer for one year to supervise two to five mile sections of road. Any district commissioner who appointed a notoriously incompetent overseer was guilty of a misdemeanor. Regulations for the conduct of all these officials were specified. The County Court would fix the compulsory work days on the roads and the rates to be allowed for horses and wagons, and would levy a ten to twenty cent road tax, six cents of which would be used on special county highways. All males between 18 and 50 years of age were required to work the roads under the regulations and policies established by this law. The roads were to be classified into four classes, defined by width in the act, and then the remainder is concerned with establishing procedures for opening, closing and changing roads, for application of the power of eminent domain and for working prisoners on the roads. An abutting property owner's tax of twenty cents per \$100 was ordained against those living on new pikes and highways. This law was construed and its constitutionality upheld except for the furnishing of feed to the horses of the wagon and team in an interesting opinion contained in Galaway v. State, 139 Tenn. 485, 202 S.W. 76 (1918).
5. Private Acts of 1919, Chapter 362, allowed any incorporated turnpike companies in Marshall County to abandon, sell, or dispose of any portion of their roadbeds, provided there shall remain at least five consecutive miles of turnpike with only one toll gate authorized. They may remove or relocate the toll gate anywhere on the turnpike except it could not be in a place less than one mile from the corporate limits of any city or town.
6. Private Acts of 1919, Chapter 459, amended Private Acts of 1915, Chapter 564, by making five the minimum number of days to be worked on the roads and by providing for an ad valorem tax levy between ten and twenty cents per \$100 which would go into a road fund and as nearly as possible the amount collected from a certain road district would be spent there.
7. Private Acts of 1921, Chapter 64, conferred the right to condemn property for road materials by eminent domain upon the County Roads Commissioners of Marshall County and to provide for payment of compensation in damages therefor, and to permit the taking of possession of the condemned property upon the filing of the petition for that purpose.
8. Private Acts of 1921, Chapter 826, permitted the County Court of Marshall County by using population figures to purchase any turnpikes, toll roads, or roads, including road beds, bridges, and toll houses within the limits of the county, and to operate the same after purchase and collect proper toll rates. If there should be an excess of money from the tolls, the rates would be reduced, or the excess would be placed in a fund to buy other turnpikes. The powers conferred herein would be exercised by the Quarterly County Court who would determine the method of financing. They could hire a Superintendent of Turnpikes at \$50 a month or less, to be in charge of all the county-owned turnpikes. Accurate records of all the financial transactions would be kept and presented to the County Court.
9. Private Acts of 1921, Chapter 834, allowed all persons, firms, or corporations owning and operating toll roads in Marshall County to charge tolls for motor vehicles passing through their gates in accordance with a table for toll rates set out in the law, the highest being fifty cents for a truck over 1½ tons capacity.
10. Private Acts of 1923, Chapter 262, made the County Road Commissioners also the Commissioners of Turnpikes and Toll Roads in Marshall County to exercise the powers and to discharge the duties therein imposed. They would inspect all the turnpikes at least twice a year and cause each company to repair their roads as the Commissioners directed, any failure to do so being declared punishable by action of the Attorney General.
11. Private Acts of 1933, Chapter 172, was the next road statute for Marshall County although it did not repeal the 1915 Act. This Act created the position of County Road Superintendent and placed upon him all the duties formerly assigned to the County Road Commission. The Superintendent salary would be \$900 a year plus no more than \$50 per month automobile, or traveling expense. The Act agrees in most particulars with its predecessor except that the (1) ad valorem tax rate for roads was set at from five to twenty cents, (2) the Superintendent was elected by the people for

- two years but could be fired by the County Court, (3) compulsory road working days were from five to ten for males 21 to 50 years old, and (4) Whit A. Bryant was named as the first Road Superintendent to serve until September 1, 1934. This Act and all amendments were repealed by Private Acts of 1945, Chapter 148.
12. Private Acts of 1935, Chapter 491, amended Private Acts of 1933, Chapter 172, by (1) defining one state of incompetency for which the County Court could dismiss the Road Superintendent as being his failure to work at least 75% of those eligible for road work, (2) by providing the penalty for violation of the prohibition against contracting with family and relatives to the 4th degree of consanguinity to be twice the amount involved in the contract same to go in the general road fund, (3) at least one-half of the ad valorem road tax collected in a certain road district would be spent in that district, (4) by deleting Sections 16 through 30 and rewriting them to assess all males 21 to 50 years of age with three 8 hour days labor or payment of a commutation fee of \$1.00 by June 1 of each year and (5) that all former Road Commissioners would return all tools, equipment, and road funds in their hands over to the Road Superintendent immediately.
  13. Private Acts of 1937, Chapter 874, amended Private Acts of 1935, Chapter 491, in Section 5, by adding a provision that the Road Superintendent must first obtain the approval of the county purchasing committee of all contracts to purchase and purchases by him before any warrant would be paid, and further, that he must secure approval by the Quarterly County Court by Resolution of all persons to be employed by him and their salaries, and, he would furnish to each meeting of the Quarterly Court an inventory of all tools, supplies, and equipment and a statement of all cash or other valuables on hand, and a list of all contracts outstanding or incomplete.
  14. Private Acts of 1939, Chapter 449, repealed Private Acts of 1935, Chapter 491, in its entirety, amended Private Acts of 1933, Chapter 172, to make Section Two read that the County Road Superintendent would be elected for four years beginning in August, 1940, but could not succeed himself, but this would not affect the term of the current official. Then the remainder of Chapter 172 was repealed in full, and a new one written. Some of these provisions were (1) roads were classified into three classes of State and County Roads, (2) the Road Superintendent would keep financial records and make specified reports, (3) the Superintendent would keep his office in the Court house, (4) the salary would be \$75 per month and expenses, (5) he must be trained in road building and observe all restrictions placed on purchasing, (6) he would have charge of all workhouse prisoners and keep accurate records on them. The remainder of the act was similar to the ones which came before.
  15. Private Acts of 1941, Chapter 395, amended Private Acts of 1939, Chapter 449, by striking out the second paragraph of Section 9 which provided that the Road Superintendent could not purchase any article over \$25 without the consent of the County Judge and, in no case, unless sufficient funds to pay were present. The Superintendent could not work on any private property or use county personnel or material thereon unless the owner pays in full for all the costs which would go to the credit of the general road fund. Violation would subject one to a fine of \$10 to \$500.
  16. Private Acts of 1943, Chapter 358, amended Private Acts of 1939, Chapter 449, by reducing the term of the Road Superintendent from four years to two years beginning in September, 1944 and serving until 1946 when he would be elected for a two year term, and by repealing all the rest of Section 3.
  17. Private Acts of 1945, Chapter 148, repeals Private Acts of 1933, Chapter 172, and all the Acts amendatory thereto.
  18. Private Acts of 1945, Chapter 171, was the road law substituted for the repealed act above. The changes were not every great except the term of the Road Superintendent was for two years, his salary would be \$2,100 a year, his bond, \$5,000, and he could hire a Clerk, or Bookkeeper at a salary not to exceed \$75 per month. The County Judge must approve his purchases over \$25, the Sheriff would be the ex-officio Superintendent of the Workhouse, and there were no provisions for compulsory road labor. All the other provisions were re-enactments of the prior laws. This act was repealed by Private Acts of 1953, Chapter 336.
  19. Private Acts of 1947, Chapter 138, amended Private Acts of 1945, Chapter 171, by deleting all of Section 16 and inserting a new provision that all taxes collected from the road tax source, or any other similar source, for county purposes, and other road taxes including the receipts from the State or Federal Governments, shall constitute the general road fund of the county.
  20. Private Acts of 1947, Chapter 580, amended Private Acts of 1945, Chapter 171, by adding at the end of Section 10 a provision that nothing in this Act shall supersede or conflict the provisions of the Tennessee Code as applying to the Board of Workhouse Commissioners, and that the Board



may in its discretion prescribe the labor to be done by prisoners and such work need not be confined to roads alone but may be done on buildings, grounds, etc, or on other work in which the county may be interested.

21. Private Acts of 1953, Chapter 336, repealed Private Acts of 1945, Chapter 171, in its entirety, effective on September 1, 1954.
22. Private Acts of 1953, Chapter 337, was the new road law for Marshall County. This Act created four Highway Districts out of the Civil Districts, and also a County Highway Commission composed of one member from each District and the County Judge, as Chairman, who would be selected by the Quarterly County Court at its July, 1954 meeting and at every two years thereafter. The Commission would meet on the first Monday of every month thereafter, after selecting one of their members as Secretary. The Commission would select a County Road Superintendent at a salary not to exceed \$300 per month, who would be 25 years old, or more, and skilled in road and bridge building and maintenance, not related to any member of the Commission and who was required to take an oath and make a bond. The Commission would be in overall charge of the road program in the county, and would negotiate with the State Highway Department to rent or lease equipment, have general supervision over all expenditures of gasoline tax money, but could not contract for anything unless sufficient funds were available to pay. No employee was permitted to work nor any material of the county be used on private work at the risk of those guilty being immediately discharged. The Sheriff would turn over all county prisoners for work on the road and accurate records would be kept concerning these prisoners by the Commission on the amount of work they did towards working out their fines and costs. This act was repealed by Private Acts of 1955, Chapter 238.
23. Private Acts of 1978, Chapter 186, amended Private Acts of 1955, Chapter 238, in Section 5 by removing the requirement that the Road Superintendent maintain an office in the Courthouse.

---

**Source URL:** <https://www.ctas.tennessee.edu/private-acts/chapter-ix-highways-and-roads-72>