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Highways and Roads - Historical Notes

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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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Table of Contents

Highways and Roads - Historical Notes	3
--	----------

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

1. Acts of 1901, Chapter 136, was a general road law applicable to every county in Tennessee under 70,000 in population according to the 1900 Federal Census. The County Court of each county would select one Road Commissioner to serve two years from each Road District in the county, the Road Districts being co-extensive with the civil districts. The Road Commissioner would be sworn, bonded, and in charge of all the roads, bridges, road hands, tools, equipment, and materials used in or assigned to his area. He would be paid at the rate of \$1.00 per day but for no more than 10 days each year. The County Court would fix the number of days the road hands would work at no less than five, nor more than eight, and set the price of one day's labor. The County Court had the authority to levy a general road tax of two cents per \$100 for each day of work required by the road hands. The Road Commissioners would name the road overseers in their area and assign them to particular sections of road for which they would be responsible. Overseers would work the same number of days on the road as everyone else but would be paid for all over that number up to \$6.00 per year. All males, outside of cities, between the ages of 21 and 45 were subject to compulsory road work. The Commissioners were to dispose of petitions to open, close, or change roads, would classify and index the roads in their districts, and would see to it that roads met the specifications stipulated in the Act. This Act was involved in the case of Carroll v. Griffith 117 Tenn. 500, 97 S.W. 66 (1906).
2. Acts of 1905, Chapter 478, amended the 1901 Act in several particulars primarily in the mechanics of road operation and repair.
3. Private Acts of 1909, Chapter 50, was a Road Law for Lake County which allowed the County Court to elect a Road Commissioner to serve until January 1, 1911, when one would be elected for two years. The Commissioner was required to make a \$2,500 bond and would be in charge of all repairs and maintenance to roads and bridges and of all hands who were to work upon them. He would also classify the roads into four classes determined by widths of 15, 20, 30, and 40 feet from the center of the ditch on one side to the center of the ditch on the other side. He was in charge of opening, closing, and changing roads upon petition being filed with him and he was given power to let contracts and to supervise the grading. All males, 18 to 50 years of age were required to work six days. A special road tax of not less than 15 cents per \$100 was levied and no roads were to be graded between October 1 and April 15.
4. Private Acts of 1911, Chapter 85, succeeded the above Road Law although it did not specifically repeal it. This act was substantially the same as its predecessor with a few minor variations in administrative details and procedures. The Road Commissioner was the person primarily responsible for the execution of the program. This Act increased the commissioner's responsibilities but not his salary.
5. Private Acts of 1917, Chapter 288, was the former Road Law for Lake County. It was amended by Private Acts of 1929, Chapter 847, Private Acts of 1935, Chapter 38, and Private Acts of 1974, Chapter 381. The Act and its amendments were repealed by Private Acts of 1980, Chapter 262.
6. Private Acts of 1983, Chapter 85, so as to allow the County Legislative Body to set the compensation of the Board of Highway Commissioners between \$2,100 and \$3,000 per annum before each year's August election. The act was disapproved on July 18, 1983.
7. Private Acts of 1984, Chapter 200 repealed the Private Acts of 1980, Chapter 262, as amended, which is the Lake County Highway Law. This act was disapproved and never became effective.
8. Private Acts of 1986, Chapter 194, modified the term of office of the Highway Commissioners. This act was never acted upon by the county legislative body.
9. Private Acts of 1987, Chapter 50, repealed Private Acts of 1985, Chapter 9, and Private Acts of 1984, Chapter 197.

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