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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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Road Law

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

1. Acts of 1859-60, Chapter 114, required the county court to classify roads into three different classes and to assess property and poll taxes for the purpose of upkeeping and repairing these public roads in Cheatham County.
2. Acts of 1907, Chapter 487, authorized Cheatham County to establish and maintain free ferries across any stream or streams running through the county, the cost of which was to be paid from the county general fund. This has been superseded by the general statute found in T.C.A. 54-11-301.
3. Private Acts of 1917, Chapter 519, was the first general road law for Cheatham County. This act established a Board of Road Commissioners, with three members between the ages of twenty-one and sixty-five years, to be elected by the quarterly county court. The Board of Road Commissioners was given general power and control over the county roads, and were authorized to hire district road supervisors to oversee the maintenance of the roads and to supervise road duty by the county residents. This act was amended by Private Acts of 1919, Chapter 696, to allow the Board of Road Commissioners to borrow not more than \$40,000 for road purposes, \$15,000 of which was to be spent on the Memphis-Bristol Highway. The original 1917 act was again amended in 1921 by Private Acts of 1921, Chapter 863, to change the method of delegating authority in the county road department. This amendatory act provided that the Board of Road Commissioners were to appoint one overseer for each civil district, and he might then appoint local overseers as they were required. This 1921 amendment also provided that at least six days written or printed notice was to be given county residents before they were required to serve road duty. All of these acts were repealed by Private Acts of 1927, Chapter 775.
4. Private Acts of 1923, Chapter 436, designated the route of the Memphis-to-Bristol state highway through Cheatham County, but this act was repealed by Private Acts of 1925, Chapter 11.
5. Private Acts of 1927, Chapter 775, was the next general road law for Cheatham County, creating the position of Supervisor of Public Roads. The Road Supervisor was to be appointed by the quarterly county court for a term of two years and was to have general authority over all public roads, highways, bridges and culverts in Cheatham County. He was also authorized to lay out and plan the public road system, to employ all personnel and to have charge of all supplies and machinery. This act also contained provisions levying a wheel tax on the residents of the county, but these provisions were repealed by Private Acts of 1931, Chapter 715. Private Acts of 1933, Chapter 22, also amended the road law by removing the requirement that persons owning teams and/or wagons furnish them for four days road duty each year. All of the these acts were repealed by Private Acts of 1939, Chapter 442.
6. Private Acts of 1939, Chapter 442, in addition to repealing the 1927 road law was also the next general road law for Cheatham County. This act created a County Highway Commission of six members, elected for two year terms by the voters. The County Highway Commission was authorized to hire a County Road Supervisor for a term of two to four years, who was to be of "good reputation, of business ability and experience, and shall possess a reputation of abstaining from the use of intoxicating liquors..." The Road Supervisor was to supervise the county roads, employ road hands and was to have exclusive control of the road machinery. Private Acts of 1943, Chapter 69, amended the 1939 act to raise the salary of the Road Supervisor from \$125 to \$150 per month. These acts were repealed by Private Acts of 1945, Chapter 310.

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