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Highways and Roads - Historical Notes

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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 Coffee County, but which are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1901, Chapter 136, required the County Court at its January Term every two years to elect one Road Commissioner for each road district, which would be co-extensive with each civil district, who would have general supervision over all the public roads, bridges and overseers in his district. The Road Commissioner would receive \$1 per day for each day's service actually rendered, but limited to ten days per year. The County Court would assign road hands to designated sections of county roads and fix the number of days of labor between five and eight days in any one year. The County Court would levy an ad valorem tax of two cents on \$100 of taxable property for each day assessed to labor on the public roads. Two-thirds of this tax could be worked out on the public roads in the district in which the property was situated. The County Court would appoint a committee to consist of the County Judge and four other citizens to let out contracts for work on the public roads to the lowest responsible bidder. Members of this County Highway Commission would receive the same compensation as Justices of the Peace, except for the County Judge who would serve without compensation. The Court would levy a special ad valorem tax of up to 20 cents per \$100 to establish and maintain the county highways.
2. Private Acts of 1907, Chapter 321, divided Coffee County into three Divisions as enumerated in the Act. The County Court would elect one Commissioner of Roads from each of the road divisions. The Commissioners would supervise the expenditures of the proceeds of a bond issue, if approved in a referendum, in improving the public roads of the County. The Commissioners would each receive \$500 per year as compensation.
3. Private Acts of 1919, Chapter 298, provided that the Quarterly Court would, biennially in odd years, elect a three member Road Commission who would perform the duties enumerated in the Act. The County Court Clerk would be ex officio clerk of the Road Commission. The Road Commission would have full supervision of the public roads of the county and of their laying out, working, improvement, and maintenance, except for public bridges which were under the control of the Quarterly Court. The Court would levy annually a tax of up to ten cents on the hundred dollars worth of taxable property with one half going to the general road fund and the other half distributed equally to the various road districts.
4. Private Acts of 1921, Chapter 777, provided that the Quarterly County Court would biennially elect a Road Supervisor to a two year term. In addition, the Court would elect a Road Commissioner for each Civil District to a two year term, who would have general supervision over the roads in his district, and whose duty it was to open, close, change and work the public roads of his district. The Road Commissioner would appoint Overseers for the different roads of his district. The County Court was empowered to levy a road tax sufficient to carry out the provisions of this Act.
5. Private Acts of 1923, Chapter 154, authorized Coffee County, at the instance of its County Road Commissioners, to acquire land and material necessary for road construction and improvement by using the hereby conferred power of eminent domain.
6. Private Acts of 1923, Chapter 633, amended Private Acts of 1921, Chapter 777, to provide that the owner of a team who is exempt from road duty could provide the team and driver and be compensated at the rate of \$1.50 per day.
7. Private Acts of 1927, Chapter 403, amended Private Acts of 1921, Chapter 777, to lower the commutation fee from \$2.00 to \$1.50 per day. The Act also made it a misdemeanor to fail to report for road duty or pay the commutation fee.
8. Private Acts of 1929, Chapter 662, provided for the popular election of a three member Highway Commission for Coffee County. A. A. Maysilles was named as Chairman and Jesse Jackson and Sam Cook as associate members initially. Commissioners would receive \$4.00 for each day's service, but not to exceed 50 days in a calendar year. The Commission would hold regular meetings at the court house on the first Monday of each month and would have jurisdiction over all the roads, bridges, culverts, levees, rock quarries, gravel beds, drains, and ingress and egress to and from such quarries. The Commission was authorized to employ an engineer for the purpose of opening, changing, grading or maintaining any road coming under its jurisdiction. The Civil Districts were divided into three Districts for the purpose of electing Commissioners. The Chairman of the commission would come from District #1.

9. Private Acts of 1931, Chapter 15, amended Private Acts of 1929, Chapter 662, to lower the number of days of required road duty from five to three and to increase the commutation fee from 60 cents to \$3.00, which must be paid by May 1 of each year. This Act was repealed by Private Acts of 1935, Chapter 271.
10. Private Acts of 1931, Chapter 22, gave the County Highway Commission of Coffee County the power to condemn under the laws of eminent domain all lands necessary for public road purposes. Any judgment would be paid out of the general road funds.
11. Private Acts of 1933, Chapter 205, authorized the Coffee County Highway Commission to elect one of its own members to a full time position to have charge of all road building and repair. The salary would be fixed by the Commission at an amount not to exceed \$100 per month. The Commission was given sole authority to exempt individuals from road duty.
12. Private Acts of 1933, Chapter 367, contained similar terms to Private Acts of 1933, Chapter 205. This Act was repealed by Private Acts of 1947, Chapter 20.
13. Private Acts of 1933, Chapter 725, made the four mile road near Tullahoma leading to the Ovoca Pythian Home for Needy Orphans and Widows part of the State Highway System for repairs and maintenance.
14. Private Acts of 1935, Chapter 10, amended Private Acts of 1931, Chapter 15, to provide that those members of families, partnerships or corporations owning their own teams that are exempt would continue to be exempt from road work.
15. Private Acts of 1935, Chapter 265, amended Private Acts of 1929, Chapter 662, to relieve all citizens of Coffee County of the obligation of performing road work.
16. Private Acts of 1939, Chapter 22, amended Private Acts of 1929, Chapter 662, to reduce the term of members of the Highway Commission from six years to two years.
17. Private Acts of 1941, Chapter 310, Page 1060, amended Private Acts of 1929, Chapter 662, to state that whenever the County Highway Commission has outstanding and unpaid warrants it can not expend or contract or incur obligations in any month in excess of 60% of the gasoline tax allotment made by the State to the Commission during the preceding month. The Commission was empowered to use notes bearing interest at the rate of 6% per annum, to mature within 3 years, with the aggregate outstanding not exceeding \$10,000, to acquire capital equipment. The County Judge was made an ex officio member of the Highway Commission and would receive up to \$600 per year compensation. The County Judge and the Chairman of the Highway Commission would be joint purchasing agents for the Commission.
18. Private Acts of 1941, Chapter 408, amended Private Acts of 1929, Chapter 662, in the same manner as Private Acts of 1941, Chapter 310, except the County Judge's compensation was limited to \$400.
19. Private Acts of 1943, Chapter 440, amended Private Acts of 1929, Chapter 662, by re-aligning the Civil Districts that would compose the three Commissioner Districts.
20. Private Acts of 1947, Chapter 19, authorized the employment, at the will of the Highway Commission, of a full-time supervisor of county roads and highways. The salary could not exceed \$200 per month. This Act was repealed by Private Acts of 1953, Chapter 469.
21. Private Acts of 1949, Chapter 402, amended Private Acts of 1929, Chapter 662, to set the compensation of the Highway Commissioners at \$300 per annum plus up to \$75 per quarter traveling expenses including \$3.00 per diem while traveling. The Act also required the Commission to annually publish an itemized statement of all receipts and disbursements.
22. Private Acts of 1951, Chapter 18, authorized the Coffee County Highway Commission and the County Judge to contract with the federal government for the purpose of certain proposed relocations and alterations to be made to certain roads and bridges within the Arnold Engineering Development Center.
23. Private Acts of 1953, Chapter 468, amended Private Acts of 1929, Chapter 662, to allow the Chairman of the Highway Commission to be elected from its membership.
24. Private Acts of 1953, Chapter 470, authorized the Coffee County Highway Commission to elect one of its members to work full-time and have charge of and superintend all road building and repair in the County. If the Commission did not elect one of its number it could select some other person. The Quarterly County Court was required to approve the person selected and his compensation could not exceed \$300 per month.
25. Private Acts of 1957, Chapter 114, attempted to repeal Private Acts of 1953, Chapter 470, but it was not approved by the Quarterly County Court and never became effective.

26. Private Acts of 1957, Chapter 115, empowered the Coffee County Highway Commission to select someone to serve as a full time road superintendent at the will and pleasure of the Highway Commission, with approval of the selection by the County Court. The salary was limited to \$350 per month. This Act was rejected by the County Court and never became operative.
27. Private Acts of 1959, Chapter 149, attempted to authorize the appointment of a County Road Superintendent by the Highway Commission with the approval of the County Court, but this act was not approved by the voters of Coffee County and never became operative.
28. Private Acts of 1961, Chapter 331, amended Private Acts of 1953, Chapter 470, by raising the limit on the salary of the County Road Superintendent from \$300 to \$400.
29. Private Acts of 1965, Chapter 235, amended Private Acts of 1929, Chapter 662, by removing the compensation provisions for the County Judge while serving as a joint purchasing agent for the County Highway Commission. The Secretary was allowed to receive up to \$150 per annum compensation in addition to his compensation as a member.
30. Private Acts of 1965, Chapter 263, attempted to repeal Private Acts of 1953, Chapter 470, but was rejected by the County Court and never became operative.
31. Private Acts of 1965, Chapter 264, attempted to amend Private Acts of 1929, Chapter 662, by raising the salary of the three members of the Coffee County Highway Commission to \$100 per month. This Act was rejected by the Quarterly County Court and never took effect.
32. Private Acts of 1965, Chapter 265, attempted to authorize the Highway Commission to appoint a qualified person as County Road Superintendent. The County Court did not approve this Act so its provisions were never operative.
33. Private Acts of 1965, Chapter 266, attempted to amend Private Acts of 1929, Chapter 662, by increasing the salaries of members of the Highway Commission to between \$50 and \$100 per month. This Act was rejected by the County Court and never took effect.
34. Private Acts of 1967-68, Chapter 80, amended Private Acts of 1953, Chapter 470, by increasing the limit on the salary of the County Road Superintendent to \$500 per month.
35. Private Acts of 1967-68, Chapter 185, amended Private Acts of 1967-68, Chapter 80, to make the salary increase retroactive to January 1, 1967.
36. Private Acts of 1967-68, Chapter 232, created a County Board of Highway Commissioners for counties with a population of not less than 28,564, nor more than 28,664 according to the Federal Census of 1960. This Act was probably intended to apply only to Tipton County (pop. 28,564) but Coffee County (pop. 28,603) falls within its provisions. However, Private Acts of 1967-68, Chapter 307, created a Highway Commission for Coffee County; and being a later act, it was the controlling act.
37. Private Acts of 1967-68, Chapter 261, attempted to create a Highway Commission of three members with the County Judge as an ex-officio member and to create the position of County Road Superintendent who would be appointed by the Highway Commission but would not be a member of that body and who must meet certain qualifications. This Act was rejected by the County Court and never became operative.
38. Private Acts of 1967-68, Chapter 307, created a Highway Commission of five popularly elected members, with the County Judge to serve as an ex-officio member with equal power in fiscal matters. The Act created the position of County Road Superintendent to be appointed by the Commission, with approval by the County Court, who could not be a member of the Commission and must meet certain qualifications. This Act was repealed by Private Acts of 1971, Chapter 8.
39. Private Acts of 1969, Chapter 113, amended Private Acts of 1967-68, Chapter 307, to provide that the compensation of the members of the Commission would be determined by the Quarterly County Court at an amount between \$50 and \$100 per month. This Act was repealed by Private Acts of 1971, Chapter 8.
40. Private Acts of 1970, Chapter 296, attempted to repeal Private Acts of 1967-68, Chapter 307, and create a Highway Commission of four members plus the County Judge with a County Road Superintendent appointed by the Highway Commission. The County Court rejected this act so its provisions never became operative.
41. Private Acts of 1975, Chapter 36, amended Private Acts of 1971, Chapter 8, but was rejected by the Coffee County Quarterly Court and therefore never took effect because of the Home Rule amendment to the State Constitution. The Act rewrote Section One to provide for a five member Highway Commission, four of whom would be elected and the other would be the County Judge who would also be Chairman. Section Two was changed to state the present Commissioners

would remain in office until their terms expired, and then four members would be elected in August, 1976 to two year terms. Section 5 was altered so that present Commissioners would continue to be compensated at \$100 per month but after September 1, 1976, the Quarterly Court would fix the pay which could be no less than \$50 nor more than \$100 per month. The Chairman and bookkeeper would not be compensated and any member failing to attend a regular meeting would forfeit \$25 per meeting.

42. Private Acts of 1975, Chapter 137, seemed to be a duplication of Private Acts of 1975, Chapter 36. It was rejected by the Quarterly Court and failed to become operative.
43. Private Acts of 2000, Chapter 69, amended Private Acts of 1971, Chapter 8, adding a sentence to Section 6 authorizing the highway commission to acquire, erect and maintain all road name signs on the county road system, including, but not limited to, all county roads and county road intersections. This act failed to received local approval.
44. Private Acts of 2022, Chapter 37, amended Private Acts of 1971, Chapter 8, stated that the reapportionment set forth in the amendment in no way abridged the terms of office of existing highway commission members, and such members shall continue in office until the expiration of their present terms.

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