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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,

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

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The following is a listing of acts which once had some effect upon the county road system in Crockett 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, empowered the County Court to elect one (1) Road Commissioner for each road district. The Commissioner would supervise all the public roads, bridges and oversees in his district. The County Court each year would levy an ad valorem tax on all property in the county for road purposes. The Act provided for residents to work off two-thirds (2/3) of their tax and made all males between twenty-one (21) and forty-five (45) years of age subject to road labor. Further, the Act divided all roads into four (4) classes and created a County Highway Commission to accept bids and to keep county highways in repair. This Act was the subject of the litigation in the case of Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906).
2. Acts of 1905, Chapter 478, amended Public Acts of 1901, Chapter 136, above, in several minor particulars, but primarily in the filing and processing of the petitions to open, change, or close a public road.
3. Private Acts of 1913 (Ex. Sess.), Chapter 101, created a Board of Public Road Commissioners for Carroll County to be composed of five (5) members. The members of the Board would be compensated as the County Court in quarterly session allowed. The Commissioners were empowered to manage and control all public roads and bridges in the County. All males between the ages of eighteen (18) and fifty (50) were subject to road duty, except those released by proper order of the County Court. The Act called for an annual road tax to be levied of not less than five cents (5¢), nor more than twenty-five cents (25¢) on every one hundred dollars (\$100) worth of taxable property in the County.
4. Private Acts of 1917, Chapter 325, amended Private Acts of 1913 (Ex. Sess.), Chapter 101, above, by changing the road duty days required to ten (10) by raising the minimum age for males required to perform road duty to twenty-one (21) years, by setting the release from road duty fee at forty cents (40¢) per day, and further, by requiring that landowners along roads in said County cut back and trim all trees and hedge rows so as not to interfere in any way with the work on the roads.
5. Private Acts of 1919, Chapter 483, amended Private Acts of 1917, Chapter 325, above, by providing that any person subject to the ten (10) days of road work on the county roads may commute by paying fifty cents (50¢) per day on or before July 1 of each year for each day's labor to be performed.
6. Private Acts of 1921, Chapter 554, amended Private Acts of 1919, Chapter 483, above, by requiring that anyone subject to labor on the county roads, who failed to work on the roads or pay the release fee before July 1, each year, could pay fifty-five cents (55¢) per day, after July 1, for every day of labor not performed.
7. Private Acts of 1921, Chapter 718, amended Private Acts of 1913 (Ex. Sess.), Chapter 101, above, by staggering the terms for the members of the Board of Public Road Commissioners so as to always retain experienced members on the Board.
8. Private Acts of 1927, Chapter 784, repealed all prior laws in conflict with its provisions and created a five (5) member Board of Highway Commissioners. The members of said Board would serve six (6) year terms and receive no compensation for their service, but would be paid their expenses out of the highway funds. The Commissioners were empowered to appoint a Superintendent of Roads who would be compensated at one thousand eight hundred dollars (\$1,800) annually. The Commissioners were vested with the management and control of all public roads and bridges in Crockett County. The Act authorized a road tax of two (2) to two and one-half (2½) mills on all taxable property in the County. All males between the ages of twenty-one (21) and fifty (50) were subject to ten (10) days of road duty yearly, and for the release of same could pay not more than fifty cents (50¢) for each day required to work.
9. Private Acts of 1929, Chapter 306, amended Private Acts of 1927, Chapter 784, above, by providing that the Public Road Commissioners named in the 1927 Act were not prevented, by said Act, from serving on any other Road Commission in the County, nor would their service on any other Road Commission render any Commissioners ineligible for service on the Commission set up under the 1927 Act.
10. Private Acts of 1929, Chapter 706, amended Private Acts of 1927, Chapter 784, above, by

providing that upon proper certification of expenditures to the Board of Highway Commissioners, the Chairman of the Commission would issue a warrant in favor of the payee to the Trustee which warrant would be countersigned by the Secretary by moving the commutation penalty date to October 15 and the fee to sixty-five cents (65¢) after said date. Further, the Act fixed the pay of the Commissioners at five dollars (\$5.00) per day for each day's actual attendance at regular meetings of the Board, not to exceed twelve (12) days per year.

11. Private Acts of 1931 (Ex. Sess.), Chapter 27, created a Road Commission for Crockett County to be composed of three (3) members. The duties of said Commission was to provide an efficient system of building and maintaining all county public roads and bridges in Crockett County. The Commission was empowered to employ a supervisor to have general supervision over the public roads in the County. All males between the ages of twenty-one (21) and fifty (50) were subject to not less than six (6), nor more than ten (10) days of road duty yearly, and for the release of same could pay a commutation fee of fifty cents (50¢) for every day released from said road duty. This Act was repealed by Private Acts of 1933, Chapter 140.
12. Private Acts of 1933, Chapter 140, repealed Private Acts of 1931 (Ex. Sess.), Chapter 27, above, which had created a Road Commission in Crockett County.
13. Private Acts of 1933, Chapter 715, an apparent duplicate of Private Acts of 1933, Chapter 140, above, also repealed Private Acts of 1931 (Ex. Sess.), Chapter 27, which had created a Road Commission for Crockett County.
14. Private Acts of 1976, Chapter 241, Page 102, attempted to amend Private Acts of 1933, Chapter 26, the current road law for Crockett County, by setting the term of office for the Road Commissioners at two (2) years and the salary at twelve hundred dollars (1,200) annually. This Act was rejected by the Quarterly County Court and consequently never became operative.

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