



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

December 20, 2024

---

# Highways and Roads - Historical Notes

---

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>Highways and Roads - Historical Notes .....</b>	<b>3</b>
--	----------

# Highways and Roads - Historical Notes

The following acts once affecting Davidson County are no longer in effect but are listed here for historical purposes.

1. Acts of 1809, Chapter 46, allowed David Shelby and Christopher Stump to build a bridge across the Cumberland River at Nashville at a place called Stump's Warehouse, because it appeared they owned the land on both sides of the river, and the bridge was needed. When the bridge was completed, they would be allowed to charge tolls in accordance with the schedule of tolls contained in the act.
2. Acts of 1812, Chapter 43, acknowledged a petition from David Shelby and Christopher Stump to build a toll bridge across the Cumberland River at Stump's Ferry and incorporated the company under the name of the Nashville Bridge Company. The articles of incorporation were contained in the act. Shelby and Stump, along with George M. Deadrick, Robert Weakly, Stephen Cantrell, Sr., Thomas Talbot, James Jackson, William Tait, and William Hobson, were to be the initial members of the Board of Directors of the company.
3. Acts of 1813, Chapter 94, declared the Harpeth River open to free, public navigation. The Harpeth Navigation Company was chartered under the act with the duty to clear out obstructions and make the river navigable from Franklin to the mouth of the river.
4. Acts of 1817, Chapter 35, authorized Absalom Page to keep a ferry over the Cumberland River below Nashville at Cripps old Ferry and to open and clear out the road leading to it along the route selected by the Jury of View appointed by the Davidson County Court. Page would be required to pay such damages as the court may direct in the suit then pending concerning the cutting of the road.
5. Acts of 1817, Chapter 190, amended Acts of 1812, Chapter 43, above. The charter of the bridge company in Nashville had been carried out due to the conditions caused by the war and because of the large amount of money needed to build the bridge. The act allowed stock subscriptions to continue for the next three years and named Robert Weakley, David Shelby, Christopher Stump, Thomas Talbot, James Jackson, Stephen Cantrell, Jr., William Williams, Andrew Hynes, and Josiah Nichol, as the new directors of the company.
6. Public Acts of 1821, Chapter 6, required the Courts of Pleas and Quarter Sessions in all the counties to index and classify the roads within their respective jurisdictions. Three classes of roads, distinguished primarily by width and surface, were established, each to have progressive degrees of repair and maintenance. The three classes ranged from stage roads to roads wide enough to pass a single horse and rider.
7. Private Acts of 1824, Chapter 162, appointed William W. Searcy, Robert C. Foster, Sr., Alfred Balch, Andrew Hynes, James McLaughlin, Samuel P. Black, F. N. W. Burton, Moses Ridley, Benjamin McCulloch, and David Wendel, as commissioners to manage the subscription of stock for a company to be named the Murfreesborough Turnpike Company. Their purpose would be to raise \$75,000 to build a turnpike road between Murfreesborough and Nashville. The act contained regulations for the stock issue and named Alfred Balch, Samuel Weakley, John Hardin, F. N. W. Burton, Moses Ridley, Logan Henderson, and Nathan Williams as commissioners to select the best route for the road.
8. Private Acts of 1825, Chapter 200, named as commissioners, Randal W. McGavock, Joseph Woods, Matthew Bowen, William Lewis, Robert Weakly, Thomas Bradley, Christopher E. McEwen, John McAlister, James Swanson, John Watson, John C. Wormly, James P. Peters, James Black, Edward H. Littlefield, Matthew Rhea, and William W. Frierson to manage the subscription of stock for a company to be named the Nashville Turnpike Company. The company was allowed to issue stock to raise up to \$100,000 and build a turnpike from Nashville to Columbia by way of Franklin. Christopher McEwen, Robert Weakley, James F. Peters, Matthew Rhea, Matthew Barrow, and James Snowson, were named to select the best route for the turnpike. They would be paid \$2.00 a day while performing their duties from funds of the company.
9. Private Acts of 1827, Chapter 9, appointed Marvel Lowe, Christopher Williams, Lyman J. Strong, Isaac Earthman, Michael Gleaves, and William W. Felts, as managers to conduct a lottery to raise up to \$3,000 to be used to construct a public bridge across Sycamore Creek on the land of Marshall Lowe, where the mail road from Nashville to Clarksville crossed the creek. The managers were required to give a bond in the amount of \$6,000 to the Chairman of the County Court of Robertson County. They would submit the drawing procedures for inspection by two Davidson County Justices of the Peace.

10. Private Acts of 1827, Chapter 64, granted authority to the County Court of Davidson County to order the owners of any road entering the City of Nashville to open the road to a width of fifty feet for five miles beyond the City, and to a width of forty feet for the second five miles. The Court's actions would be governed by the general laws pertaining to roads.
11. Private Acts of 1827, Chapter 173, named fifty-two persons as directors of a lottery to be held for the purpose of raising \$100,000 for the removal of all the obstructions to navigation on the Cumberland River from Line Island to the Kentucky State line. The procedures and regulations to be observed by the directors were included in the act.
12. Private Acts of 1829, Chapter 89, declared that Mill Creek in Davidson County, from Goodlett's Mills to its junction with the Cumberland River, was to remain a public highway free and open to all persons for navigation of boats, crafts, and other means of conveyance by water without interruption or obstruction. Anyone who obstructed that portion of the stream would be subject to a fine.
13. Private Acts of 1829, Chapter 205, appointed Randal McGavock, John Watson, James Swanson, Lawrence Bryan, Joseph Wood, Robert B. Currey, Henry R. W. Hill, Robert Weakley, William Hadley, Christopher E. McEwen, John C. McLemore, and Phillip Pipkin, as commissioners to receive subscriptions of stock up to \$75,000 to build a turnpike from Nashville to Franklin. The company would be named the Franklin Turnpike Company.
14. Private Acts of 1829, Chapter 224, allowed the Circuit Court of Davidson County, upon petition, to cause the Sheriff to summon twelve men to lay off and mark a road of a width of at least thirty feet to run from the edge of the bank of Page's Ferry to where it would intersect the road leading from McGavock's Ferry to Nashville. Davidson County would be liable for the damages caused by building the road. The County Court would have the same power and jurisdiction over this road as it had over other public roads.
15. Private Acts of 1829, Chapter 231, appointed John Wright, John Shelby, Andrew Hynes, Alexander Porter, Thomas Crutcher, William I. Brown, Francis Porterfield, John H. Poston, and William Seal, to open books and to receive subscriptions up to the amount of \$30,000 to be used to build a turnpike road from the Nashville bridge to the forks of the road at the top of the ridge at Samuel Shannon's on the Russelville and Clarksville Road.
16. Private Acts of 1829, Chapter 232, named Thomas Martin, William White, Robert Weakley, Josiah F. Williams, Elijah Boddie, Robert M. Boyers, James Saunders, Isaac Walton, Daniel Montgomery, and those other persons who were to become subscribers as a body corporate by the name, Gallatin Turnpike Company. The company was to build a macadamized road from Nashville to the Kentucky line by way of Gallatin, and in the direction of Glasgow, Kentucky. The act exempted from paying tolls residents of the counties of Davidson and Sumner who were traveling on foot or horseback to or from musters, public workshop or mill. Jurors and justices while attending court were exempt.
17. Private Acts of 1829, Chapter 255, incorporated Charles Love, James H. Foster, William H. McLaughlin, David Wendel, James Morton, Robert Jetton, David W. Dickinson, Zacharia Posey, William Bowman, George Thompson, John McGregor, Martin Clark, Henry Ridley, Moses Norvell, George Shall, Robert Weakley, and Beverly Nelson, as the Nashville and Murfreesboro Turnpike Company which would open a turnpike between Nashville and Murfreesboro. Gates could be placed and tolls charged whenever five miles of the road were completed.
18. Private Acts of 1831, Chapter 53, incorporated the directors and stockholders of the Franklin Railroad Company. The line would run from Franklin to Nashville and its capital stock was set at \$200,000. Commissioners named in the act were from Williamson County. The general powers of the corporation were enumerated and the regulations for the issuance of stock and the collection of the funds were contained in the Act.
19. Private Acts of 1831, Chapter 92, authorized Timothy Dotson to build a bridge across Stone's River at or near the ford upon the road leading to Lebanon where it crossed the river at Clover Bottom in Davidson County. The bridge could not impede navigation on the river. Dotson would apply to the Davidson County Court when the bridge was completed to ascertain the rates of toll to be charged for use of the bridge.
20. Private Acts of 1831, Chapter 169, fixed the locations of four toll gates to be placed on the Franklin to Nashville Turnpike. The one nearest Nashville would be no closer than one and one-fourth miles from Broad Street and the one nearest Franklin would be at least two miles from the town and the other two gates would be at points selected by Major Thomas Edmondson, the superintendent of the road.

21. Private Acts of 1831, Chapter 259, named Stephen Cantrell, M. Barrow, Phillip Shute, Joseph T. Elliston, William E. Watkins, M. Bell, Charles I. Love, Joseph Meek, Brent Spence, Andrew Hynes Crockett, William Lytle, Elijah Robertson, and R. B. Turner, as commissioners to open books and take subscriptions to raise \$60,000 for a turnpike road from Nashville to the top of the ridge, one mile beyond Elijah Robertson's in the direction of the Western District by way of Charlotte. A period of four years was allowed to complete the road, but as soon as five miles were finished a toll gate could be erected and tolls charged.
22. Private Acts of 1832, Chapter 87, appointed Thomas Edmondson, Thomas Claiborne, Henry L. Douglass, Jesse Wharton, Andrew Jackson, Jr., George Williamson, Pauldin Anderson, Joseph Johnson, Burchet Douglass, Turner Vaughn, Thomas Kirkpatrick, and Alfred McClain, as commissioners to designate and mark a turnpike road from Lebanon to Nashville so as to intersect the Murfreesborough and Nashville Turnpike or the termination of any street in Nashville. The capital stock was set at \$100,000. Work would begin and the corporate firm formed when \$25,000 was raised. A toll gate would be installed for every five miles completed. The company would be named the Lebanon and Nashville Turnpike Road Company.
23. Private Acts of 1832, Chapter 132, commissioned Samuel Wright, Andrew Hynes, William B. Ewing, William F. White, Isaac Earthman, Samuel Shannon, Thomas Crutcher, James McGavock, and John Shelby to survey and to establish the route for the Whites Creek Turnpike commencing at the Nashville Bridge and extending a distance of ten miles to the top of the hill at Shannon's. The work could begin when sales of stock raised \$10,000. The road was required to be completed within ten years. Robert Weakley, John McGavock, Nicholas Hobson, George Stull, Thomas Martin, William Williamson, Josiah F. Williams, James Love, and Edmund Goodrich were selected to choose the best route for the road for the Nashville-Gallatin Turnpike and receive subscriptions of stock for that road.
24. Public Acts of 1832, Chapter 15, made it the duty of the Governor to subscribe to the Nashville, Murfreesborough, and Shelbyville Turnpike the whole of the interest which was due upon the amount of the Common School Fund to which Davidson County and Rutherford County were entitled and required the Cashier of the State Bank to pay the amount so subscribed over to the company.
25. Public Acts of 1833, Chapter 50, stated that whenever any road, not turnpiked, then leading into Nashville intersected any turnpike road also leading into Nashville at any point between the town and the first toll gate on the turnpike road the County Court would have no power to change, alter, or turn any of the public roads not turnpiked so as to make them intersect the turnpike beyond the first toll gate leading from town, but the act would not be deemed to interfere with the general power of the Court to lay off, discontinue, and alter other roads.
26. Private Acts of 1835-36, Chapter 15, named Andrew Jackson, Sr., Joseph Clay, S. Donelson, H. L. Douglass, W. McMurray, William P. Sims, Richard Buchanan, Thomas Hardin, James H. Foster, Edward D. Hicks, W. G. M. Campbell, Charles I. Love, H. R. W. Hill, Phillip Lindsay, W. G. Hardin, and Foster G. Crutcher, all from Davidson County who joined seventeen others named, from Wilson County, all of whom would serve as Commissioners to open books and receive stock subscriptions in an amount up to \$100,000, to build a turnpike road from Nashville to Lebanon. A Committee would be chosen to select the best route for the road.
27. Private Acts of 1835-36, Chapter 18, allowed the Directors and the Commissioners of the Nashville, Murfreesboro, and Shelbyville Turnpike Company to contract for a loan of \$30,000 to pay off the debts incurred in the completion of the said road, and to issue bonds to secure the loan.
28. Private Acts of 1835-36, Chapter 21, incorporated the Nashville-Kentucky Turnpike Company, naming as incorporators from Davidson County, Thomas Crutcher, Robert Weakley, William Williams, William Neely, E. P. Connell, Isaac Walton, and Andrew Hynes. A Committee would select the best route beginning at or near Morgan's on Gallatin Turnpike. A total of seven toll gates were authorized.
29. Private Acts of 1835-36, Chapter 25, nominated Dr. Samuel Morton, James C. Copeland, Captain James M. Green, James Johnson, Col. William M. Battle, Hays Blackman, William Ramsey, Jr., Hinchey Petway, Edward Ewing, Enoch Ensley, Felix R. Rains, and John Hay, to be Commissioners to open and receive up to \$75,000 in stock subscriptions to build a turnpike road from Nashville to Nolensville in Williamson County. Four toll gates were authorized when the road was completed but none could be less than two miles from the limits of Nashville and Nolensville.
30. Acts of 1837-38, Chapter 147, incorporated the Nashville-Bowlinggreen Turnpike Company, naming William D. Phillips, William Neely, John J. Hinton, C. Y. Hooper, John Shelby, Andrew Hynes, E. P.

- Connell, Andrew Milam, and Randal M. Ewing from Nashville as part of a group of commissioners to supervise the sale of stock up to \$150,000. The act designated persons in Davidson, Sumner, and Robertson Counties to select the best route for the road and five of those named would serve as Directors of the company until the stockholders selected Directors in the normal course.
31. Acts of 1841-42, Chapter 181, Section 8, required the Superintendent of Public Instruction to allow extra time, until October 1, 1843, to the Nashville, Murfreesboro, and Shelbyville Turnpike Company to pay a judgment of some \$12,000 recovered against that company in the Circuit Court of Davidson County, provided the sureties would also give their consent to remain bound during the extension of time for payment.
  32. Acts of 1847-48, Chapter 187, provided for the incorporation of the Nashville and Sparta Rail Road and Mineral Company for the purpose of working coal mines on Cumberland Mountain and hauling the coal to Nashville. The Act specified that Alexander Allison, Joseph B. Knowles, John Nichol, William Nichol, John W. Brown, Samuel Morgan, and Ammon L. Davis would serve as Commissioners in Nashville to open books for the subscription of stock.
  33. Acts of 1849-50, Chapter 56, incorporated the Nashville and Alabama Railroad Company and authorized it to construct tracks from Nashville through Franklin, Columbia, and Pulaski to the Alabama line near Elkton. This Railroad line is the successor to the Nashville-Chattanooga, Railroad whose original incorporators were E. Ewing, A. V. S. Lindsley, A. O. P. Nicholson, N. S. Brown, A. V. Brown, Francis B. Fogg, Andrew Ewing, Anthony Johnson, A. Hamilton, James A. McAlister, John Thompson, John Overton, E. E. McEwing, John Mucky, John Marshall, John N. Otey, William H. Cranch, William Park, F. Cater, William Harrison, Sr., William Flemming, John Bowden, Thomas B. Bond, A. N. Cartwright, S. McKerick, John W. Cheers, and Dr. T. Caldwell, among others were named as incorporators.
  34. Acts of 1851-52, Chapter 191, allowed the County Courts of Lawrence, Maury, Williamson and Davidson Counties to subscribe to the amount of stock in any railroad company chartered to build a railroad through the said counties as the Court may deem expedient, and to issue the bonds of the County for the amount of stock thus subscribed, but not before and until the purchase had been approved by the voters in a referendum held for that purpose. The President of the railroad could apply to the Court and it would order the Sheriff to hold the election. If the vote was affirmative the Court would proceed and was required to levy a tax each year to pay for the bonds which were required to be issued to pay for the stock. The act provided for the creation of the Nashville, Franklin and Columbia Rail Road Company.
  35. Acts of 1851-52, Chapter 228, repealed in part, Private Acts of 1832, Chapter 132, above, so that no part of the amended act would be interpreted to mean that the Davidson County Court could not close the old White's Creek Road.
  36. Acts of 1851-52, Chapter 292, allowed Samuel W. Adkinson to erect an additional toll gate on his turnpike road in Davidson County. It could not be less than five miles from the east end of the turnpike. He was required to charge only one-half of the authorized toll at his gates. Section 2 amended the Charter of the Nashville and North Western Railroad Company so that the stockholders would not be required to pay more than one percent of their subscription, upon subscribing, and not that unless required by the Commissioners.
  37. Acts of 1855-56, Chapter 104, stated that the Tennessee and Alabama Railroad Company, the North Western Railroad Company, and the Edgefield and Kentucky Railroad Company, with the consent of the County Court of Davidson County, would be required to issue stock to the taxpayers of the County for the amount of the annual tax which had already been, or would hereafter be paid by the taxpayers for interest on bonds issued the County for the railroads. The railroad would not be required to do so, however, until the first dividend was ready to be paid at which time the stock would be issued as required.
  38. Private Acts of 1857-58, Chapter 17, incorporated a turnpike company to build a macadamized turnpike road beginning at or near the Clover Bottom Bridge on the Lebanon and Nashville Turnpike and from there, to run by way of the plantation of B. F. Gleaves, Tate's Spring, R. T. Hays, the Plantation of Hugh Campbell, J. W. Hardy, Walker's shop, and John Clemmons, to the terminus of the Lebanon and Murfreesboro Turnpike at the mills of J. B. Baird. The capitol stock would be \$20,000 and the business home would be the Davidson and Wilson County Central Turnpike Company.
  39. Private Acts of 1866-67, Chapter 66, Section 25, provided that all counties and incorporated towns, through which any part of the Nashville and Cincinnati, and the Tennessee and Pacific, Railroads ran would be permitted to subscribe to the stock of the two railroad companies upon a vote of the citizens which approved the purchase.

40. Private Acts of 1867-68, Chapter 30, Section 2, amended Private Acts of 1866-67, Chapter 66, above, to allow Davidson County to subscribe to stock valued at \$300,000 of the railroads in the County upon the terms and conditions of the general law then in force.
41. Private Acts of 1867-68, Chapter 65, allowed the Nashville and Charlotte Turnpike Company to remove the tollgate closest to Nashville from its present location to its former location at Brown's Hill, or to some point not more than 3/4 of a mile east or west of there. The Directors were granted the authority to sell the property on which the gate was located and apply the proceeds of the sale to the acquisition of the new location.
42. Private Acts of 1869-70, Chapter 15, revived the charter of the Nashville and Franklin Turnpike Road Company, appointing James Woods, John Thompson, Thomas Caldwell, and J. Overton, as Commissioners to hold an election for officers of the company.
43. Private Acts of 1869-70, Chapter 58, stated that it was in the best interests of the people to have a railroad on a continuous line as centrally located in the State as possible, therefore, the act permitted the Tennessee Central Railroad Company, the Nashville and Northwestern Railroad Company, and the Tennessee and Pacific Railroad Company to merge into one company to be the Tennessee Central and Pacific Railroad Company to have all the rights of the above three companies combined.
44. Public Acts of 1869-70, Chapter 109, required all persons holding tax receipts for taxes paid to liquidate interest or sinking fund requirements of the bonds issued to the Louisville and Nashville Railroad Company to file them with the Commissioner to be appointed by the County Court within twelve months from the date of the act. Commissioners would then compile a list of persons and the amounts due them, and present them to the County Judge to divide the available money and stock from the company.
45. Public Acts of 1871, Chapter 127, stated that the Commissioners of the State for Delinquent Railroads were instructed to take all necessary steps to sell the Tennessee and Pacific Railroad, or the interest of the State therein as it might appear, with the provision that the stockholders could purchase the State's interest at a price to be agreed upon. Davidson and Wilson Counties were stockholders and were allowed to participate in the purchase as could the other stockholders.
46. Acts of 1872 (Ex. Sess.), Chapter 6, amended Public Acts of 1871, Chapter 127, above, by allowing the Tennessee and Pacific Railroad to pay the State \$300,000 in State bonds to satisfy the debt of the State so that a sale of the company would not be necessary.
47. Acts of 1901, Chapter 55, stated that the then present Road Commissioners in Davidson County were to serve until their successors were elected and qualified at the general August election in 1902. Every two years thereafter elections would be held in the Road Districts, which were co-extensive with the Civil Districts. Vacancies occurring would be filled at the next quarterly sessions of the County Court after the vacancy occurred. The Magistrates of the Road District along with the Road Commissioner would constitute a District Road Board to oversee the distribution of road funds and the business of the District. In Archibald v. Clark, 112 Tenn. 532, 82 S.W 310 (1902), the Supreme Court upheld the constitutionality of the act.
48. Acts of 1901, Chapter 56, required the County Court of Davidson County at its first quarterly session after the passage of the act and at each January session thereafter to assess the number of days to be worked by road hands during the upcoming year which would not be less than four nor more than eight and to assess the highway tax at not less than ten cents nor more than twenty-five cents per \$100 property valuation. The tax revenues were to be expended in the road district where they were collected.
49. Acts of 1901, Chapter 158, allowed every county which owned turnpike roads except those having between 70,000 and 90,000 in population to employ a Superintendent of Turnpikes at a salary of \$1,500 a year or less. The official would post a \$5,000 bond and was required to inspect each turnpike at least four times each year. Each turnpike would have a Commissioner who would reside on the turnpike and be paid \$100 a year or less.
50. Acts of 1903, Chapter 475, permitted the County Court of Davidson County at the quarterly session in April 1903, to elect two persons, who were to be freeholders and not members of the County Court, to act as members of a Turnpike Board until the first Monday in January 1904, when their successors, elected by the court, would assume the offices for the next two years. The Superintendent of Roads and the local turnpike commissioners would constitute the other members of the Board. The Board would prescribe rules and regulations, and would transact the business of the Board. It would prescribe written specifications for all work, make cost estimates, solicit bids, and award contracts. All members would be sworn and bonded. The act was repealed in 1907.

51. Acts of 1903, Chapter 531, amended Acts of 1901, Chapter 158, above, which provided for a Superintendent of Turnpikes in most counties, to require that the Superintendent of Turnpikes in Davidson County be elected by the people at the general election in 1906 and afterward. The salary would be \$2,500 annually, payable on the warrant of the County Judge. The Superintendent could appoint a clerk at a salary not to exceed \$100 per month.
52. Acts of 1905, Chapter 511, authorized the Quarterly County Court of Davidson County to appropriate out of any funds levied for turnpike purposes an amount necessary to repair and maintain turnpikes abandoned, surrendered, or given to the county, regardless of whether they had been conveyed to the county. The Superintendent of Turnpikes or the Turnpike Board would maintain the roads.
53. Acts of 1907, Chapter 72, repealed Acts of 1903, Chapter 475, above, abolishing the Turnpike Board created by that act, and providing that the members of the Turnpike Board would not receive any compensation for their services after the passage of the amendatory Act.
54. Acts of 1907, Chapter 140, repealed Acts of 1903, Chapter 531, Section 3, above, which authorized a Turnpike Commissioner for Davidson County.
55. Acts of 1907, Chapter 141, allowed the County Court of Davidson County to elect two competent persons, who were freeholders and who were not members of the County Court, to act as members of a Turnpike Board. These two individuals and the County Judge, the Superintendent of Turnpikes, and the County Surveyor would compose the County Turnpike Board. The Board would have general supervision under direction of the County Court, over turnpikes and bridges and over the employees necessary to repair and maintain the roads. It would prepare plans, specifications, and contracts. The members would be paid \$3.50 a day not to exceed fifty days a year. They could be removed by a two-thirds vote of the Court.
56. Acts of 1907, Chapter 142, authorized the Turnpike Superintendent in Davidson County to employ an Assistant Turnpike Superintendent who would be thoroughly competent and experienced in repair and maintenance of turnpikes and who would act as clerk to the Superintendent. He would be paid an annual salary of \$1,800 and perform any other duties as assigned to him by the Superintendent.
57. Acts of 1907, Chapter 237, amended Acts of 1901, Chapter 158, above, to repeal that portion of the act which created the position of Turnpike Commissioner and applied to Davidson County.
58. Acts of 1909, Chapter 387, stated that the Road Commissioners in Davidson County would be allowed for their services rendered in discharge of their official duties the sum of \$2.00 per day not to exceed seventy-five days a year. The Commissioner of each District would keep an account and submit a sworn statement to the County Judge who would issue a warrant for the compensation. Overseers of roads would be paid \$1.50 a day for seventy-five days a year. They were to file sworn, itemized statements with the Commissioner who, if he approved, would transmit them to the County Judge for payment.
59. Private Acts of 1911, Chapter 207, provided that the County Court of Davidson County would at the first quarterly session after the passage of the act, and at each January session thereafter, assess the number of days to be worked by road hands which could be no less than four and no more than eight, and would assess the highway tax which could not be less than ten cents nor more than twenty-five cents, per \$100 property valuation outside of cities. The railroad tax and the privilege tax could be distributed equally among the several Road Districts.
60. Private Acts of 1911, Chapter 317, was the House Bill with the same content as Private Acts of 1911, Chapter 207, above, which was the Senate Bill.
61. Private Acts of 1915, Chapter 388, increased the salary of the Superintendent of Turnpikes in Davidson County to \$3,500 annually, and the salary of the Assistant Superintendent to \$2,500, payable monthly, out of the turnpike funds on the order of the Superintendent on the County Judge who would issue the warrants for the payments.
62. Private Acts of 1915, Chapter 610, amended Acts of 1901, Chapter 55, above, by stating that the members of the then current road Commission would serve until their successors were elected and qualified at the next general August election in 1901, rather than 1902, and every two years thereafter. The County Court would fill any vacancies on the Board at its next quarterly session following passage of the act. The two Magistrates and the Road Commissioner of the District were to constitute the District Road Board to meet on the second Monday in each month. The Board would divide road funds, assign road hands, disburse funds and commutation money all in accordance with its regulations. The Board would report to the County Judge on its activities, receive \$2.00 per day compensation for a maximum of two days. Anyone failing to comply with



- the act would be subject to a \$100 penalty.
63. Private Acts of 1917, Chapter 441, was the Road Law for Davidson County until it was repealed by Private Acts of 1927, Chapter 519, below. The act directed the County Court to classify and index all the County roads, making proper maps and plats, and to levy a general road tax of two mills and a district road tax of one and one half or two mills, the funds to be distributed by the Board of Highway Commissioners. All authority was transferred to the Board of Highway Commissioners for control and supervision of the workhouse prisoners. The three member Board of Highway Commissioners would be made up of J. G. Creveling, Jr., who would hold office until January of 1921, S. R. Johnson, who would hold office until January 1920, and W. H. Peebles, who would hold office until January 1919. Their successors, to be elected by the Quarterly County Court, would serve three year terms. The Board members would not receive salary but would be paid legitimate expenses incurred in connection with their work. The Board was authorized to employ a Superintendent, to be elected as then provided by law, who would appoint an Assistant Superintendent. The Board could also employ a secretary to keep records, account for expenditures, and conduct the office for business purposes. The Board would divide the County into road district and groups of road districts. The Superintendent would appoint a foreman in each district. The roads in the district would be divided into road sections of up to five miles each. All male citizens ages 21 to 50 within each district were required to work the district roads for a number of days, not exceeding eight, fixed by the Board upon five days notice. A man could commute his obligation by paying \$3.00. Failure to work or pay commutation was a misdemeanor. The Superintendent was responsible for the details of road work, road contracts, opening and closing roads, dealing with landowners and operating the road system under the set of rules and regulations provided by the Board. The Superintendent and the Assistant were to be paid \$4,000 each per year, the secretary was to be paid \$2,000 per year, and the foreman \$2.00 to \$3.00 per day.
  64. Private Acts of 1919, Chapter 104, amended Private Acts of 1917, Chapter 441, above, by authorizing the County Court to allow the Board of Highway Commissioners to use on the district roads any money collected under the general road tax in excess of the amount necessary for the turnpikes; by giving the Board of Highway Commissioners the authority to use workhouse prisoners on any major operation and for as long as necessary; and by prohibiting the employment by the Superintendent of Highways of anyone related to the third degree members of the Board of Highway Commissioners, the Superintendent, or the Assistant.
  65. Private Acts of 1920 (Ex. Sess.), Chapter 27, amended Private Acts of 1917, Chapter 441, above, by fixing the property tax allowable for the building and repair of the roads and pikes and by allowing a tax of one to two mills to be levied in each road district, the proceeds to be used in each respective district.
  66. Private Acts of 1921, Chapter 250, amended Private Acts of 1917, Chapter 441, above, by abolishing the position of Assistant Superintendent of Highways and by allowing the Superintendent to appoint three General Foremen whose duties would be prescribed by the Board of Highway Commissioners and who would perform their duties under the supervision of the Superintendent. Ferries and ferry boats were added to the supervisory responsibilities of the Superintendent. An Assistant Secretary to the Board could be employed at a salary of no more than \$1,200 per year. The Superintendent would set the per diem payments with the approval of the Board, for district foremen. The section prohibiting the employment of relatives was repealed.
  67. Private Acts of 1921, Chapter 481, amended Acts of 1917, Chapter 441, Section 11, by increasing the salary of the secretary to the Board of Highway Commissioners from \$2,000 to \$2,400 a year.
  68. Private Acts of 1923, Chapter 85, amended Private Acts of 1917, Chapter 441, by directing the Board of Highway Commissioners to require the secretary to execute a good and solvent bond in the sum of \$5,000 for the use and benefit of Davidson County.
  69. Private Acts of 1923, Chapter 99, , amended Private Acts of 1917, Chapter 441, by declaring that no person, firm, or corporation could open, tear up, or dig up any pike or public road without first obtaining a permit from the Board of Highway Commissioners and paying the amount estimated as needed to resurface the area in accordance with the specifications of the Board.
  70. Private Acts of 1923, Chapter 238, required railroad companies that laid tracks on public highways in Davidson County to maintain the space between the tracks and two feet on either side of the track in the same condition as the remainder of the highway was kept by the public entity responsible for it. The public entity in charge of the highway was required to give the railroad companies notice of intent to reconstruct or repair the roadbeds so that work could proceed by the entity and the railroad as a whole. Criminal penalties were fixed for violations of the act by

railroad companies.

71. Private Acts of 1925, Chapter 96, authorized the Davidson County Court to levy a special tax of one mill on all taxable property to construct or reconstruct the pike roads of the County into modern roads of a permanent type in conjunction with state and federal aid. The revenues would constitute the Pike Reconstruction and Maintenance Fund.
72. Private Acts of 1925, Chapter 215, amended Private Acts of 1917, Chapter 441, above, by allowing the County Court to levy additional taxes to build and repair turnpike roads, and to levy a tax of one or two mills in each road district, the proceeds from which would be spent under the direction of the Highway Commission in each respective road district. The Board of Highway Commissioners was authorized to pay a \$10 reward for the capture and return of any escaped workhouse prisoner. The Board was further authorized to control the roads on county property occupied by County institutions.
73. Private Acts of 1925, Chapter 516, authorized the Highway Commission of Davidson County to establish a central garage for the Highway Department for the housing of trucks, automobiles, and other road building machinery, belonging to, or under the control of the Davidson County Highway Department. The Board could purchase a lot in the County's name and construct a suitable building, the cost of both to be first approved by the County Court and paid for by general road funds.
74. Private Acts of 1925, Chapter 587, , required the owners of land adjacent to the public county roads in Davidson County to remove all brush, overhanging limbs, or other obstructions, on or before April 1 of each year, within the width of the rights of way of county roads. The act required the Board of Highway Commissioners to give notice to the landowners at least ten days prior to April 1 of the obstructions to be removed. Fines were fixed for violation of the provisions of the act.
75. Private Acts of 1925, Chapter 607, amended Private Acts of 1917, Chapter 441, above, by fixing the amount of the tax levies for Davidson County turnpikes and road districts. It provided that the Board of Highway Commissioners could offer and pay a \$10 reward for the capture and return of any escaped prisoner from the workhouse and that the Highway Commission could construct, maintain, and improve roads on property owned by Davidson County and occupied by county institutions.
76. Private Acts of 1927, Chapter 519, established a County Highway Department in Davidson County and created the County Highway Commission to supervise the department. The act constituted the road law for the county until the Metropolitan Government Charter became effective. The Board was to have constructed a central garage and depot for offices and operations of the department. The County Workhouse was placed under the control of the Board and prisoners were to be used for highway work. The County Court would elect the three members of the Board. The Board members would be paid \$10 per meeting up to fifty meetings, and their expenses. The Board would superintend and control all aspects of building, operating, and maintaining the road system and was required to keep records of its transactions. Three coordinate divisions were established. The Engineering Division would be headed by the County Highway Engineer. The Accounting Division would be headed by the Secretary, and the Operations Division by the Superintendent of Highways. The act set forth detailed qualifications for these division chiefs and their assistants and it fixed their compensation. The act further set forth in detail the powers and duties of each division including the grant of authority to prescribe regulations consistent with law for the conduct of employees and the performance of division business. Several accounts were required to be established and certain accounting procedures to be maintained. The Accounting Division would have its offices in the Courthouse but the other divisions would be in the Garage and Supply Department. Maps and blue prints of the road system would be prepared and maintained. All male citizens twenty-one to fifty years of age were required to work the roads, although each person could commute the duty by paying a \$3.00 tax. Quarterly reports of its activities were required of the Commission to be filed with the County Court Clerk. A permit system was established for those persons needing to excavate or tear up a roadbed so that they would bear the cost of repair and resurfacing and failure to obtain the permit was made a misdemeanor.
77. Private Acts of 1933, Chapter 499, amended Private Acts of 1927, Chapter 519, above, in Section 2, by reducing the one-mill tax levy to a one-half mill tax levy. It also provided that condemnation proceedings judgments would be awarded against the County and constitute a liability against the general funds of the County.
78. Private Acts of 1935, Chapter 72, authorized the Board of Highway Commissioners to provide and

- pay for the medical care and hospitalization of the employees of the Board and of the County Highway Department who were accidentally injured while actually engaged in the discharge of their duties. Payments could be made out of the general road funds but only after the claim appeared valid upon the statements of the employee's overseer and the physician employed by the workhouse. The total amount paid on behalf of any one employee for any one incident was \$150. The act was repealed in 1959.
79. Private Acts of 1937, Chapter 253, amended Private Acts of 1927, Chapter 519, above, by repealing the section on road duty and providing that no road duty would be required of the inhabitants of Davidson County.
  80. Private Acts of 1937, Chapter 888, permitted the Davidson County Highway Commission, within its discretion, and upon the passage of a proper resolution by the County Court allowing the same, to pay to John Omohundro, a member of the Highway Commission, the per diem allowances for twenty meetings which Omohundro was unable to attend during the years of 1935 and 1936 while sick and confined to the hospital for treatment.
  81. Private Acts of 1939, Chapter 270, amended Private Acts of 1927, Chapter 519, above, by clarifying the Highway Commission's right to exercise the power of eminent domain so that the properties and lands of private individuals, public corporations, quasi corporations, educational, religious, and eleemosynary institutions were specifically included.
  82. Private Acts of 1941, Chapter 504, permitted the Davidson County Highway Commission to offer and pay rewards not in excess of \$10 for the apprehension and return of escaped prisoners from the county workhouse and to offer and pay \$25 as a reward for the arrest and conviction of persons wilfully destroying, damaging, or stealing road machines, tools, equipment, or road materials and supplies under the supervision and control of the County Highway Department.
  83. Private Acts of 1943, Chapter 109, amended Private Acts of 1927, Chapter 519, above, by increasing the annual salary of the County Highway Engineer from \$4,000 to \$4,500 and the salary of the Assistant County Highway Engineer from \$2,400 to \$3,000 per year.
  84. Private Acts of 1945, Chapter 590, required any person or business in Davidson County to obtain a permit before laying water mains or gas mains or conduits upon the rights-of-way of state or county highways. The county highway authorities were responsible for issuing the permit.
  85. Private Acts of 1947, Chapter 370, amended Private Acts of 1927, Chapter 519, above, by establishing minimum and maximum pay rates for all the supervisor positions in the department.
  86. Private Acts of 1949, Chapter 288, authorized the Davidson County Highway Commission to install, maintain, and operate traffic signal lights at congested intersections of state and county highways provided the lights were approved by the County Court by resolution and by the State Department of Highways and Public Works. The cost of the signal lights would be charged against the general funds of the county and the system would be under the jurisdiction of the County Highway Commission.
  87. Private Acts of 1949, Chapter 795, amended Private Acts of 1927, Chapter 519, by changing the maximum number of miles of connecting roads that could be added to the pike system existing when the 1927 act was passed from 100 miles to 125 miles.
  88. Private Acts of 1951, Chapter 704, amended Private Acts of 1927, Chapter 519, by requiring that a distinction be made between the General Road Fund and the District Road Fund in relation to the use of road machinery and administration expenses and by removing references to the Permanent Road and Oil Funds. It required the Highway Commission to prepare an annual budget and file it with the County Budget Committee. The Commission was required to prepare a proposal for future activities when it submitted its quarterly report of operations to the County Court.
  89. Private Acts of 1953, Chapter 397, stated that all classified hourly employees of the Davidson County Highway Department who were not afforded a paid vacation were granted one as follows: all employees with one to three years service would have one week with pay, all employees with three years or more, two weeks with pay. Vacation would be the equivalent of a 48 hour week, beginning in 1953.
  90. Private Acts of 1955, Chapter 217, amended Private Acts of 1927, Chapter 519, to raise the salary of the Superintendent of Highways from no less than \$3,600 and nor more than \$4,800 per year to no less than \$4,800 and no more than \$8,000 per year and the Assistant Superintendent's salary range was increased to no less than \$3,600 and no more than \$6,000.
  91. Private Acts of 1955, Chapter 218, amended Private Acts of 1927, Chapter 519, by fixing the annual salary of the County Highway Engineer at no less than \$7,000 and no more than \$9,000

- and of the Assistant at no less than \$4,200 nor more than \$6,600.
92. Private Acts of 1955, Chapter 219, amended Private Acts of 1927, Chapter 519, by fixing the annual salary range of the Secretary to the Highway Commission at no less than \$4,000 and no more than \$6,000, and of the Assistant Secretary at no less than \$2,640 and no more than \$3,600 a year.
  93. Private Acts of 1955, Chapter 410, was not approved by the Davidson County Quarterly Court and did not become effective. The act set the salary of all the foremen in the Davidson County Highway Department at a minimum of \$1.50 per day over and above the prevailing wage rate for a day's employment, exclusive of overtime, as computed for the remuneration to the men under their supervision. The act would not affect the civil service status of those involved.
  94. Private Acts of 1959, Chapter 159, repealed Private Acts of 1935, Chapter 72, above, and authorized the Board of Highway Commissioners to pay for medical care of injured employees. Payments would be conditioned on the statements of the employee's overseer and the workhouse physician and limited to \$500. Death benefits were payable in the amount of \$1,000.
  95. Private Acts of 1959, Chapter 208, established a County Highway Department for Davidson County to provide and maintain a more efficient road system. The act provided for a tax levy of from one to three mills in the county and from one-half to two mills in incorporated cities, the proceeds to be used for roads. Provisions were also made for the Workhouse Superintendent to work prisoners on the roads. The act named J. Coley Davis, William C. Greer, and Herbert Jones to the three-member Board of Highway Commissioners, each to serve until their successors were elected by the county court. Board members would acquire rights of way, set the policies of the Department and report quarterly to the county court. No highway could be opened without permission of the Board. The act was not approved by the Quarterly Court of Davidson County and did not become effective.
  96. Private Acts of 1959, Chapter 330, empowered the Davidson County Court to adopt an official map of the areas outside municipalities for the purpose of providing for present and future traffic needs, protecting the rights-of-way of county highways and streets from encroachment, reducing unwarranted economic waste, and providing a procedure for avoiding hardships to landowners affected by the location of roads. The County Planning Commission was directed to establish maps of planned, future streets and roads. The act established procedures for adopting and changing the map, for hearings concerning construction of buildings and condemnations of property, for acquiring rights-of-way, and the punishment of persons violating resolutions enacted pursuant to the act.
  97. Private Acts of 1961, Chapter 385, amended Private Acts of 1927, Chapter 519, by authorizing the annual salaries of the administrative heads and assistants of the divisions of the County Highway Department to be fixed by the County Highway Commission with the approval of the Quarterly County Court.
  98. Private Acts of 1961, Chapter 413, amended Private Acts of 1927, Chapter 519, by providing a procedure for the Highway Commission to review the proposed acceptance of roads constructed by private developers for the purpose of making recommendations to the County Court.

---

**Source URL:** <https://www.ctas.tennessee.edu/private-acts/highways-and-roads-historical-notes-16>