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

1. Private Acts of 1868-69, Chapter 8, regulated ferriages by permitting anyone to build or erect a ferry on Powell or Clinch Rivers at any place in Union County where these rivers ran, provided that boats were built according to the act's specifications and maintained in good order. The banks of the river were also required to be kept in good condition. No toll rates could be charged until an affidavit of compliance with this law was filed with the county court clerk. The county court set the rates to be charged, and anyone removing a boat could be sued for damages. Mail carriers and jurors for the courts were given special attention and every effort would be expended in their behalf despite weather or other conditions.
2. Public Acts of 1887, Chapter 55, allowed the county court of Union County to issue \$15,000 in 6%, 10 year bonds, to build a macadamized road in or through the said county. The details of the issue were fixed, the tax levy required, and the trustee given the onus of handling the money. This act was repealed by Private Acts of 1917, Chapter 166.
3. Public Acts of 1899, Chapter 315, permitted the quarterly court of Union County to issue up to \$50,000 in 6%, 50 year bonds, to build macadamized roads in the county as the county court may direct, the details were fixed, the tax levy required, and the county judge, or chairman, was given the responsibility to keep accurate and permanent records of all transactions connected with the issue and the projects.
4. Public Acts of 1901, Chapter 136, was a road law applying to all counties under 70,000 population. Th commissioners to accept bids and award contracts on work not to be done by county forces. This act was amended by Acts of 1905, Chapter 478, in several minor details but mainly on the methods to be used to initiate action to open, close, and change roads in the county.
5. Private Acts of 1913, Chapter 263, regulated the laying out, constructing, repairing and working of all amended by Private Acts of 1915, Chapter 368, which made it the duty of the district road commissioner to appoint overseers for the road sections instead of the county court. The county court would fix the time for working on the roads but in the event they did not, the overseer could do so. Road hands would be given credit for work whether done in their district or not and taxes would not apply to fractions of the \$100.00 property valuation. Private Acts of 1913, Chapter 263 was repealed by Private Acts of 1919, Chapter 632.
6. Private Acts of 1915, Chapter 664, provided for the locating, grading, building and macadamizing of roads and bridges in Union County, by authorizing the county court to issue interest bearing coupon bonds and provided for a board of commissioners to carry out the work of constructing the roads. This act also provided for the levy of a tax and the creation of a sinking fund to pay said bonds and interest thereon.
7. Private Acts of 1917, Chapter 166, allowed the county court to issue up to \$50,000 in 6%, 10 year bonds to construct and repair pike roads and bridges in Union County. The schedule of roads to be affected and the amount of money allocated to each were prescribed in the act. The Union County Road Commission "was to determine the rights of way, survey the routes and condemn all land which had to be taken." All the incidental details of issuance and operation of the program are in the act. Elbert Q. Hill, Elizah Shapp, Bishop L. Johnson, were named for all the roads except the Dixie Highway, and George N. Taylor, Thad C. Smith, and G. S. Steiner were named as its commissioners.
8. Private Acts of 1919, Chapter 648, authorized Union County to issue bonds in the amount of \$10,000 annually for the next ten years to construct and repair pike roads and bridges. Three roads were to be improved and the money to be spent on each were written into the act. The details fixed in the law recited 6% as top interest and 10 years as the maximum maturity period. The road commission, once formed, would be subject to the direction and general supervision of the court.
9. Private Acts of 1921, Chapter 351, authorized Union County to issue \$125,000 of interest- bearing coupon bonds for the purpose of grading, repairing, building and constructing pike roads and bridges in the county. The bonds had an interest rate of 6% and matured in 30 years. T.B. Walters, Tillie Johnson, and C.E. Claiborne; A. R. Sharp, E. Q. Hill, and David Walker; Joe McDonald, William E. Broker, and J. F. Mitchell were the groups of road commissioners named,

and Sherman Hill, J. P. Rutherford, and Mean Nelson would look after the bridges. This act was repealed by Private Acts of 1943, Chapter 155.

10. Private Acts of 1921, Chapter 768, provided for and regulated the laying out, constructing, and maintaining of the public and graded roads and bridges in Union County. This act also provided for the appointment or election of road commissioners and defined their duties and powers. This act was amended by Private Acts of 1925, Chapter 558 amended Chapter 768, above, by inserting a new Section 17 giving the road commissioners the right to exercise eminent domain and further permitting them to proceed with their work when a petition was filed. In condemnation cases the county judge would issue a warrant for the amount of damages so fixed and reported by the road commission which sum would be paid out of available road funds. This act was further amended by Private Acts of 1931, Chapter 737, which reduced the number of days the males had to work on the roads from six to four, the hours of the work day from 10 to 8, and the commutation rates from \$1.50 to .75¢ per day. Section 10 of this act which regulated the use of horses and wagons for the same purposes was stricken out entirely. Private Acts of 1921, Chapter 768, was repealed by Private Acts of 1943, Chapter 155.
11. Private Acts of 1927, Chapter 579, made it unlawful to operate any vehicle on the public highways and streets of any county seat in Union County at more than 12 miles per hour, and also extended the area of enforcement out into the county in the area between Hinds Ridge on the north and Cobb Ridge on the south, and a distance of one-half mile east and west of the court house. Signs proclaiming this fact were erected in the affected areas and violators were subjected to a range of fines from \$5.00 to \$25.00.
12. Private Acts of 1927, Chapter 584, created the office of general superintendent of roads; defined his pow
13. Private Acts of 1943, Chapter 155, repealed all the road laws enacted prior to the 1943 Act which makes up the current road law. These acts were listed as Private Acts of 1921, Chapter 768; Private Acts of 1921, Chapter 351; Private Acts of 1925, Chapter 558; Private Acts of 1927, Chapter 584; and Private Acts of 1931, Chapter 737.
14. Private Acts of 1951, Chapter 634, set the salary of the Union County Superintendent of Roads at \$2,400 per annum.
15. Private Acts of 1957, Chapter 336 established minimum hourly wages for employees of the Union County Road Department at \$1.00 per hour, for skilled employees at \$1.15 per hour, and for foremen at \$1.25 per hour. The superintendent of roads would draw no less than \$225 per month and the yearly salary of the road commissioners would be \$100. This act was amended by Private Acts of 1976, Chapter 221, which deleted Section 3 in its entirety. The deleted section fixed the compensation of the road commissioners at \$100 per annum.

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