



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

August 24, 2024

---

# Chapter IX - Highways and Roads

---

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>Chapter IX - Highways and Roads .....</b>       | <b>. 3</b> |
| <b>Road Law .....</b>                              | <b>. 3</b> |
| <b>Private Acts of 1929 Chapter 421 .....</b>      | <b>. 3</b> |
| <b>Private Acts of 1945 Chapter 465 .....</b>      | <b>. 7</b> |
| <b>Highways and Roads - Historical Notes .....</b> | <b>. 7</b> |

# Chapter IX - Highways and Roads

## Road Law

### Private Acts of 1929 Chapter 421

**COMPILER'S NOTE:** This Act was not repealed although the Board of Commissioners was abolished and their duties were vested in the Supervisor of Roads by Chapter 465, Private Acts of 1945.

**SECTION 1.** That in each County of the State of Tennessee having a population of not less than twenty-nine thousand, nine hundred and fifty, and not more than thirty thousand, according to the Federal Census of 1920, or any subsequent Federal Census, there is hereby created a County Board of Highway Commissioners, to be composed of three members, and a County Road Supervisor, the said Commission and said Supervisor to have general supervision and control over all County roads, bridges and levees in each of said Counties, and over all road, highway, bridge and levee funds raised or that may be hereafter raised, under the provisions of this Act, or otherwise.

**SECTION 2.** That the following are hereby named as the members of the said County Board of Highway Commissioners to wit: P. A. Gwaltney and(sic) J. K. White,(sic) R. Rawles who shall serve as said County Board of Highway Commissioners until the next regular election by the qualified voters of the County to hold the said office for two years and until their successors are elected and qualified.

In the event that a vacancy shall occur on said Board by reason of the death of a member or otherwise, it shall be the duty of the two remaining members of the Board to fill said vacancy and the person so appointed shall fill out the unexpired term of the former Commissioner, or until his successor can be elected and qualified under the terms and provisions of this Act.

**SECTION 3.** That a person must be a resident of the County and a free holder to be eligible to be elected as a member of the County Board of Highway Commissioners, and if a Commissioner shall cease to be a resident of the County, his office shall thereby be vacated.

**SECTION 4.** That each Commissioner, within ten days after his appointment and within ten days after his election, shall qualify by subscribing to an oath to faithfully and impartially perform the duties of his office, and he shall give a good and solvent bond payable to the State of Tennessee, in the sum of Five Thousand Dollars, for the faithful accounting of any and all funds which come into his custody, care or control, or in the care, custody and control of the said Commission, and the cost and expenses of said bonds, if any, shall be paid out of the Highway Funds of the County.

**SECTION 5.** That the said County Board of Highway Commissioners shall promptly organize by electing one of their members as Chairman and another Vice Chairman and the other as Secretary, each of whom shall serve until December 31 of the year of such organization, and thereafter their successors shall likewise be chosen and shall serve until Dec. 31, of the year of their election, or until their successors shall be chosen and qualified. It shall be the duty of the Commission to see that the minutes of all proceedings are properly kept and to sign the same; to carefully inspect all accounts and all vouchers in order to determine their correctness, and to sign in ink all orders or vouchers on the County Trustee for the payment of funds, each and all such orders and vouchers to be signed by the Chairman and Secretary of the board in ink before the same shall be honored by the County Trustee; the chairman shall attend to and dispose of all matters needing the attention while said board is not actually in session, in conformity to and under the authority of such general orders and policies as may be adopted by said Board. In the absence of the Chairman or in case of his refusal or inability to act his duty shall be performed by the Vice Chairman. The Secretary shall keep an accurate minute of all of the proceedings of the Board in a well bound book, provided for that purpose, and shall do and perform all other duties usually and customarily performed by a Secretary and shall perform any and all other such duties as may be imposed upon him by said bond.

**SECTION 6.** That said board, until they shall deem it necessary and proper, shall have the authority to employ a Clerk who shall serve at the pleasure of said Board and shall do and perform such work and services, as may be prescribed by the board, and who shall receive a reasonable compensation therefor, to be fixed by the board and paid by them out of the County road fund.

**SECTION 7.** That as compensation for his services each member of the said Board of Highway Commissioners shall receive the sum of Ten Dollars per day for each meeting of the said Board attended by him, and shall also be allowed a compensation of Ten Dollars per day for each day spent in the inspection of roads, bridges and levees or any other necessary work connected with levees or any other necessary work connected with the proper and reasonable performance and discharge of the duties of his

office not to exceed \$60.00 per month. The Chairman shall have the same compensation as the other two commissioners.

**SECTION 8.** That in each County coming within the provisions of this Act and (sic) is hereby created the office of County Road Supervisor and he shall be employed by the Board of Highway Commissioners, and shall serve for such length of time as to them shall be deemed proper and necessary, and as long as his services shall be satisfactory to them; but said Board of Highway Commissioners are required hereby to select such County Road Supervisor immediately after their organization, and shall at all times, keep in and employ and have available the services of a County Road Supervisor.

It shall be the duty of said County Road Supervisor to have the direct supervision and control of any and all work and labor done upon any of the roads, highways, bridges and levees of the County, and the same shall be done according to survey plans and specifications, blue prints, etc., prepared by him and under his supervision and control, and it shall be his duty to make repeated and continual inspections of all the roads, highways, bridges, and levees of the County, and to keep the same in a good state of repair, and safe for the use and travel of the public over and upon the same, and he shall be directly responsible to the County Highway Commission for the condition of all roads, highways, bridges and levees in said County.

It is expressly provided, however, That neither said County Road Supervisor nor any of said County Highway Commissioners shall at any time be interested, either directly or indirectly, financially or otherwise, in the acceptance of any contract or the doing or performing of any work or labor or in the sale of any material or the purchase of any tools, machinery or repairing of any of the roads, highways, bridges and levees of the said County.

The compensation or salary of the said County Road Supervisor shall not exceed the sum of \$300.00 per month which shall be paid to him monthly by the County Trustee out of the road funds of the County upon an order for the same drawn and signed by the Chairman of the Commission, countersigned by the Secretary thereof.

In going over the County attending to the various duties of his office, the said County Road Supervisor shall furnish his own conveyance and shall travel at his own expense, his total compensation being the salary herein above provided.

He shall be subjected to the orders and direction of the County Highway Commission, and shall promptly and faithfully do and perform any and all such duties as may be imposed upon him by said commission.

**SECTION 9.** That the County Highway Commission shall have the right to employ one or more superintendents or foremen and the County Road Supervisor shall have the direct supervision and control of all road, bridge, and levee work, and shall have the right to employ all labor and it shall be his duty to make proper and timely requisition on the Highway Commissioners to buy material, and shall supervise the work to be done on any and all roads, bridges or levees, and shall have supervision of any work that may be done by prisoners and by and all persons subject to road labor in said Counties; but said County Road Supervisor is subject to the authority, orders, directions and instructions of the said County Highway Commission and is responsible to them for the full performance of his duties. The said Supervisor shall warn in all persons subject to road duty, according to the provisions hereinafter set out in this Act and he shall have the control, management and custody of all road tools and machinery and materials and shall do and perform any and all such other duties as the said Commission may prescribe.

In buying of material, or in the construction or repairing or doing of any work on said highways, roads, bridges, or levees, whenever the Board of Commissioners shall deem it proper, it may advertise for bids and purchase such material and let such contract as it may at any time deem proper or necessary in order to secure the most economical and advantageous results.

**SECTION 10.** That the said Board of Highway Commissioners shall keep and maintain a public office which said office shall be kept open on every business day within reasonable hours and where the records, papers and documents connected, with the administration of the roads, highways, bridges and levees of the County shall be kept open to the public and for the free inspection of the public.

The said Board of Highway Commissioners are hereby given and clothed with the following and are hereby charged with the proper execution and administration of the following duties, to wit:

1. To hold a regular meeting of the said Board on the first Monday of each and every month at the said office of the Board above provided for, but they shall meet oftener if necessary, the Chairman or any two members of the Board, or the Road Supervisor together with any one member of the Board, having the right and authority to call a special meeting thereof. Two members of the Board, shall constitute a quorum for the transaction of the business.
2. To have general charge and control of all roads, highways, bridges and levees in the County and

to have the charge and control of an exclusive right to make any and all expenditures of the highway, road and bridges and levee funds of said County, unless said expenditures of such funds shall be hereafter otherwise expressly provided for by a legislative Act of the General Assembly of the State of Tennessee, and they shall have the right, power and authority to make any necessary and proper orders for and to do and perform any and all construction, reconstruction, grading, ditching, repairing and otherwise maintaining any and all roads, highways, bridges and levees in said County.

3. To lay out and classify all the public roads of the County, to divide the same into such sections or divisions as may be necessary for their proper and efficient construction and maintenance; to make an efficient construction and maintenance; to make or have made a map or maps of all said roads and to keep full and complete records of all roads, bridges and levees of the county in well bound books, suitable for the purpose, provided, however, that nothing shall be done under the provisions of this Section which will interfere in any way with the performance of their duties by any special highway Commission which may be hereafter passed by the General Assembly of the State of Tennessee, to locate, contract, build and maintain any special highway, road, bridge or levees in any of said Counties.

4. To co-operate as far as possible with the State Highway Department of Tennessee and with the Federal Government of the United States to secure and maintain a uniform, co-ordinate and efficient system of highways and of accounting, in conformity with existing or future legislation that may be had touching all such matters.

5. To work County and State prisoners on the roads and to make any and all proper regulations concerning the same.

6. To purchase all necessary implements, machinery, and tools and materials and to provide for the proper storing and safe keeping of the same.

7. To make a detailed written report to the Quarterly County Court of the County on the first Monday in January of each year which shall be a complete statement of all work done, and of all funds received and expended, and they shall also include in said report a complete inventory showing all implements, machinery, tools and material then on hand and the approximate value of the same.

8. To open, close, change, restore or widen any of the public roads of the County and to procure right of way for such roads, either by purchase, gift or by the exercise of the right of eminent domain. In case any right of way is procured by purchase, or gift, a deed shall be taken to the same in the name of the County and shall be duly recorded in the County where the land lies. If such right of way can not be secured by negotiation and agreement, the same may be secured by condemnation and the Board of Highway Commissioners are hereby given the right of eminent domain, and in case where condemnation is proper or necessary, the method of procedure shall be that as now prescribed by the General Law of the State of Tennessee.

And action brought for the condemnation of such right of way, or other lands necessary for roads, highway, bridge or levee purposes, shall be brought under the general laws of the State concerning and governing condemnation, and shall be brought in the name of the County Board of Highway Commissioners for the use and benefit of the County. And the said Board of Highway Commissioners is hereby authorized and empowered to employ the services of an attorney or attorneys, and pay a reasonable compensation therefor, in any and all such cases; and in any other instance whenever they deem it proper and necessary. And any judgment which may be rendered in favor of and land owner, or other person interested in the lands taken, in any such condemnation proceedings instituted by the Board of Highway Commissioners under the general law of the land, as aforesaid whether such judgment be for the value, of the land taken, or the value of the land and damages incident to the taking thereof, together with all the costs of the proceedings, shall be paid to such land owner, or other interested party, out of the general road fund of the County.

**SECTION 11.** That it shall be the duty of the Quarterly County Court of each County, coming within the provisions of this Act, at the next meeting following the passage of this Act, to levy a tax on all taxable property in the County of not more than Fifty Cents, on each \$100.00 worth of taxable property for highway, bridge and levee purposes; and shall also levy a privilege and merchants ad valorem tax not in excess of the State Tax for highway, bridge and levee purposes, the taxes to be imposed on the value of said property, according to the valuation thereof, as the same is ascertained by assessment for State taxation. And the County Court at the same time each year that other County taxes are levied, shall continue to annually levy said taxes; and all the funds thus derived shall be used in the construction and maintenance of the highways, roads, bridges and levees of the County and the other proper and necessary expenditures as provided herein; but nothing in this Act shall prevent any County from issuing

bonds and levying additional taxes to pay the principal and interest on same for roads, bridges, and levee purposes, either under authority already given by law or under authority that may be hereinafter given and granted by law.

The taxes above provided for shall be collected by the County Trustee as other taxes are now collected and the privilege taxes above provided for shall be collected by the County Court Clerk as other privileges are now collected, provided, however, that the above taxes, when so levied, shall be in lieu of all other taxes on such property for highway and bridge and levee purposes.

**SECTION 12.** That all male inhabitants of the County, between the ages of 21 and 50 years, except those living within the limits of any incorporated town, or such as have been released by the County Court from road duty, as the law provides, shall work on the public roads of the County, not less than six days, of ten hours each, each year, after having received three days notice, either verbal or written, from the County Highway Commission or its representative, the County Road Supervisor, which notice shall state the time and place that said labor shall be performed; provided, however, that every person subject to road duty shall be exempt from road duty for the year by paying to the County Trustee on or before May 1st, of each year the sum of \$3.00 which sum shall be placed by the County Trustee to the credit of the road funds of the County. Any hand or hands may be warned in one notice by giving three days warning either verbal or written to work 6 days consecutively or as many days as stated in the notice.

As amended by: Private Acts of 1937, Chapter 391

**SECTION 13.** That it shall be a misdemeanor for any person, firm, or corporation to block traffic on any of the roads of said County by loading wagons or other vehicles while said wagon or vehicles in standing on the pavement or roadway; or by blocking the traffic on any of the said roads by stopping on the pavement of any of the paved roads to repair or fix any vehicle of any kind or character. And it will be unlawful for any person, firm or corporation, to pile any material, of any kind or character, on the right of way of any of the highways of the County. And the County highway or any of the highways of the County. And the County Highway Commission shall have the right to police the roads of said County so as to see the law of the road is strictly complied with in every particular.

**SECTION 14.** That any person subject to road duty as aforesaid, who shall refuse or neglect to perform such labor after having received warning thereof as above provided, and shall fail to commute as above provided, shall be guilty of a misdemeanor, and on conviction shall be fined not less than One Dollar for each day that he is notified to work and fails to work as aforesaid, and the said fine, when collected, shall be paid into the hands of the County Trustee and credited to the road fund of the County.

**SECTION 15.** That it shall be the duty of the County Road Supervisor to prepare each year and file with the County Highway Commission a list of all persons in the County subject to road duty, which list may be supplemented at any time so as to include any and all persons thereafter subject to road duty, and the County Highway Commission shall give to each and every such person an opportunity to commute and pay as aforesaid, and after May 1st of each year the Trustee shall furnish to the Highway Commission a list of all persons who have paid or commuted as herein provided.

**SECTION 16.** That it shall be optional with the Commission as to whether or not any commutation from labor by payment of the money as aforesaid shall be allowed after the first day of May, and they are authorized to prescribe reasonable terms and regulations governing such cases; however, it is hereby made the duty of the said Commission to see that the County Road Supervisor warns in every person subject to road duty, and it is the duty of the Highway Commission to either have the labor required of each person subject to road duty fully and completely performed by him or to collect his commutation money, or to cause his arrest, and cite him for trial, under the provisions of this Act.

**SECTION 17.** That any and all moneys, taxes, privileges, fees, fines and forfeitures from whatever source derived, belonging to either the highway, road or bridge and levee funds of the County shall be paid into the hands of the County Trustee, and shall be accounted for by him and shall be kept separate and apart from all other funds; but the County Trustee is hereby especially relieved of the necessity of keeping any of such funds, collected from any Civil District of any County separate and apart and to itself; and on the contrary said County Trustee shall throw all of such funds into one general fund and keep and maintain it as one general fund to be known as the Road Fund of the County.

The County Trustee shall under no circumstances at any time expend any of such funds except upon the order or warrant drawn upon him in ink by the County Highway Commission, said order or warrant setting out the amount thereof, both in words and in figures, and signed by the Chairman of said Commission, countersigned by Secretary thereof.

**SECTION 18.** That in each and all of the Counties coming within the provisions of this Act, the office or position of Bridge and Levee Commissioner and that of District Road Commissioners, are hereby abolished.

**SECTION 19.** That in the event any section or sections or any portion of a section or sections of this Act shall be by any of the Courts of the State having proper jurisdiction thereof declared to be invalid, such holding of the Court shall not in any way render ineffective or invalidate any of the remaining portions or sections of this Act.

**SECTION 20.** That all laws or parts of laws in conflict with any of the terms and provisions of this Act, be and the same are hereby in all things repealed.

**SECTION 21.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 29, 1929.

## Private Acts of 1945 Chapter 465

**SECTION 1.** That the Board of Highway Commissioners created by Chapter 421, Private Acts of 1929, as amended, the same constituting the road law for Dyer County, be and the same are hereby by abolished and all their rights, functions, duties and powers, except as to the appointment of a road supervisor, are hereby transferred and vested in the existing supervisor of highways in said county.

At the regular August election 1946, and biennially thereafter, there shall be elected by the qualified voters of said county some qualified person as such road supervisor. He shall hold office for a term of two years from September 1 next following his election and until his successor shall be elected and qualified. He shall be paid the sum of \$10,000.00 per annum, payable in equal monthly installments from the same source from which he is now paid. In addition to the duties formerly imposed on the Board of Highway Commissioners and placed upon him by this Act, he shall also perform all duties now placed on him as such supervisor by said Chapter 421, Private Acts of 1929, as amended.

The County Supervisor herein provided shall also and in addition to his compensation be provided with transportation in the discharge of his official duties, which transportation may be provided from the road funds of the said County.

As amended by:

Private Acts of 1947, Chapter 828

Private Acts of 1953, Chapter 5

Private Acts of 1957, Chapter 260

Private Acts of 1961, Chapter 272

Private Acts of 1973, Chapter 25

**SECTION 2.** That this Act shall take effect from and after September 1st, 1946, the public welfare requiring it.

Passed: February 27, 1945.

## Highways and Roads - Historical Notes

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

1. Acts of 1832, Chapter 84, named John Lynch, of Madison County, Thomas W. Pugh, of Haywood County, William W. Lea, of Gibson County, and John Kennerly, of Dyer County, as Commissioners to superintend and make a contract for the cutting of a canal from the Forked Deer River to the Mississippi River at or near the place where R. H. Dyer built a warehouse, under such terms and conditions as the Commissioners might deem expedient.
2. Acts of 1837-38, Chapter 257, appointed W. Patterson, Daniel E. Parker, Henderson Clark, John Branch, Jonothan Frost, Thomas H. Ham, and John B. Fizer, all of Dyer county, and seven more citizens of Gibson County, also named therein, as Commissioners to open books and receive stock subscriptions up to \$100,000 to make and construct a sanded turnpike, properly graded, from Trenton in Gibson County to the Mississippi River by way of Dyersburg, which would be called the Trenton, Dyersburg, and Mississippi Turnpike, under the same rules and regulations laid down for the Nashville-Lebanon Turnpike. The above authority would be void if work were not started in five years and completed in ten years.
3. Acts of 1851-52, Chapter 110, was the legal authority for Thomas J. Connell, James Fields, William P. Foulks, and Tomas Finley, all of Dyer County, to open books and receive subscriptions of stock up to \$60,000 to construct a plank road or a turnpike road from Dyersburg to the Mississippi River. When as much as \$5,000 in stock was subscribed the Company could be organized and proceed to construction. The Company would have the right to bridge, or to ferry,

the Obion River where the road would cross the same.

4. Acts of 1853-54, Chapter 228, gave the Dyersburg and Mississippi Plank Road Company an additional three years in which their road could be completed.
5. Acts of 1855-56, Chapter 135, provided that Connell, Ferguson, and Isaac Sampson would have the privilege of erecting either a lock or mills on Green's Canal in Dyer County, or they could erect a brush dam in the middle fork of the Forked Deer River near the head of Green's Sluice, sufficiently high to raise the level of the River two feet at low water mark but the navigation of the stream must not be affected thereby.
6. Acts of 1865-66, Chapter 92, incorporated Isaac Brockin, Thomas H. Benton, G. B. Miller, E. P. Sugg, H. G. Pierce, W. B. Sawyer, R. S. Puryear, and their associates, as the "Forked Deer Improvement Company" to clean out and to keep open to navigation by small steamboats, barges, flats, rafts, etc.; the Forked Deer River, and its branches, from Chestnut Bluff on the south to Dyersburg on the north, for a period of 25 years. The County Court of Dyer County was granted the authority to set the tolls and charges for the facility for the freight and passengers which passed up and down this stretch of the River.
7. Acts of 1868-69, Chapter 47, was the enabling legislation to form a company by the name of the Brownsville and Dyer County Railroad Company so as to establish communication by railroad between Brownsville and Dyersburg by way of Chestnut Bluff, or at some convenient point of intersecting the Mississippi River Railroad Company's line in Dyer County. The authorized capital stock of the company was placed at \$500,000 and William C. Vail, J. M. Parker, G. W. Bettis, W. N. Beasley, J. H. Brooks, Dr. W. B. Gork, and Captain William Foster, were named to open books for stock subscriptions. Jesse Clark, Alf Stevens, Dr. R. H. McGaughy, J. L. Webb, C. C. Moss, and W. T. Poston would be allowed to do the same at Dyersburg.
8. Acts of 1869, Chapter 27, incorporated Isaac Bracken, and his associates, under the name of the "Forked Deer Improvement Company" which would clear out and keep open for navigation the Forked Deer River from Dyersburg to the mouth of the River where it empties into the Mississippi River. The schedule of some toll rates which were to be charged was included.
9. Acts of 1901, Chapter 136, was a general road law applicable to every county in Tennessee under 70,000 in population as established by the 1900 Census. The Act required the County Court to pick one Road Commissioner who would serve two years from each Road District in the County, the Road Districts being made co-extensive with the Civil Districts. The Commissioners must be sworn and bonded and would be in charge of all the roads, bridges, hands, tools, and materials used in their areas. They would be compensated at the rate of \$1.00 per day up to ten days in each year. The County Courts would decide the number of days of compulsory road labor to be worked which could be no less than five nor more than eight, and would fix the price for one day's labor. Authority was given to the County Courts to levy a special road tax of two cents per \$100 property valuation for each day the road hands were assigned to work. Road Commissioners would name the Road Overseers in their districts who would be in immediate charge of a section of road, who would work the same number of compulsory days as everyone else and then be paid for extra days not to exceed \$6.00 per year. All males outside of cities between the ages of 21 and 45 were subject to road labor. Commissioners would dispose of petitions to open, close, or change existing roadways, were obligated to classify and index roads in their districts, and must see to it that the roads in their districts met the basic specifications in the Act. This Act was involved in the case of Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906).
10. Private Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, above, in several minor particulars but primarily in the methods of acquiring property for rights of way and other public purposes especially when the power of eminent domain had to be invoked.
11. Private Acts of 1909, Chapter 258, provided that the Quarterly Court of Dyer County would select three Road Commissioners to serve two years beginning January 1, 1909, at a compensation of \$300 a year. The Commissioners must be sworn and bonded, would have the supervision of roads and bridges, must observe the specifications for roads contained in the Act, and had the authority to employ an engineer at \$125 a month, or less, to do the professional design and supervision connected with the department. Applications to open, close or change roads must be addressed to the Commissioners who must dispose of them in conformity with the requirements of this law. Commissioners could let contracts within the bounds of the limitations expressed in the Act. All males, able bodied, between the ages of 21 and 50 must work eight days, or pay \$4.00 as a commutation fee for not working. The Quarterly Court was directed to levy a general road tax of no less than ten nor more than twenty-five cents per \$100 property valuation. Commissioners were duty bound to enforce the terms and conditions of this law. Penalties were



- prescribed for violations hereof and for failure to comply with the requirements. This Act was repealed in Item 14 below.
12. Private Acts of 1911, Chapter 187, named each School Director as the Road Commissioner in their respective districts who must be sworn, execute bond, and dispose of petitions to open, close, or change any road in accordance with the standards established in the Act. The work could be contracted out by the Commissioners under certain circumstances, provided all the specifications were noted and met. All able bodies males outside the cities between the ages of 21 and 50 were ordered to work eight ten hour days on the public roads or to pay \$4.00 in place of it. Failure to do either could result in prosecution and fine. The limits on the general road tax which the Quarterly Court must levy was a minimum of ten cents and a maximum of twenty-five cents per \$100 property valuation. A schedule of penalties was provided for those responsible for infractions of this law. This Act was repealed by Private Acts of 1915, Chapter 145.
  13. Private Acts of 1911, Chapter 425, amended Private Acts of 1911, Chapter 187, above, in Section One by adding at the end of the Section a provision to issue warrants on the Trustee against the district road funds in payment for labor and material in their respective road districts in Dyer County.
  14. Private Acts of 1911, Chapter 561, expressly and entirely repealed Private Acts of 1909, Chapter 258, Item 11, above, and all the offices which were created under that law, including the office of the Road Commissioners, were fully abolished.
  15. Private Acts of 1915, Chapter 145, repealed Private Acts of 1911, Chapter 187, Item 12, above, in its entirety. The new road law provided that the County Judge, or Chairman, would appoint one Road Commissioner in each Civil District to serve for one year. The Commissioner's compensation would be 2% if the road work was contracted out and 10% if the Road Overseer system were used. Commissioners would work under the supervision of the County Judge, or Chairman, and could award contracts under the regulations expressed in the Act. Applications to open, close, and change roads would be filed with and disposed of by the Commissioners in that area. All males, able bodies and living outside of cities, no younger than 21 nor older than 50, were required to work eight 10 hour days on the roads, or pay a commutation fee of \$8.00. Failure to do either could result in their being fined. The Quarterly Court must levy a general road tax of no less than ten nor more than twenty-five cents per \$100 property valuation. Owners of hedges, or trees, which border roads must keep them trimmed so as not to obstruct the vision of anyone using the roads. Some measures to be used in the event of emergencies were provided. Commissioners appointed the Overseers who must work the compulsory days as everyone else free but would be paid \$3.00 per day for each day over that number. The Commissioners were obligated to meet at the call of the County Court at least once each year and submit status reports to the Court.
  16. Private Acts of 1917, Chapter 743, did not contain a specific repealing clause but apparently succeeded Private Acts of 1915, Chapter 145, above, as the Road Law for Dyer County. The County Judge, or Chairman, would appoint Road Commissioners in each Civil District who would be compensated in the same rate and fashion as in the Act above, who would likewise be sworn and bonded, perform the duties specified in the Act and dispose of all area petitions to open, close, or change roads provided the procedural outlines in the Act were followed. Males between 21 and 50, living outside cities, were directed to work ten 10 hour days or pay \$5.00 as a commutation fee. The Commissioners would assign the road hands to their places. The general road tax must be levied at a ten cent per \$100 minimum but the ceiling on the tax was removed. Trees and underbrush must be kept cleared to avoid road hazards. Overseers would be appointed by the Commissioners at \$2.00 for a 10 hour day over and above the required ten days. The Chairman would call a meeting of the Commission at least annually for a status report. This act was repealed by Private Acts of 1925, Chapter 327.
  17. Private Acts of 1921, Chapter 731, stated that it applied to Sumner County but the Road Supervisor was required to furnish his own transportation and could employ Superintendents and Foremen, as needed. The Supervisor must keep an office open for business in the Courthouse and perform the duties specifically outlined in the Act. Eminent Domain could be used to obtain rights of way provided all the restrictions mentioned were observed. The County Court could levy a general road tax of from five to fifteen cents per \$100 and collect the schedule of vehicle registration fees set up in this law. Males 21 and 50 must labor ten 10 hour days on the roads or pay \$5.00. Failure to comply with these demands subjected one to fines in addition. The Road Supervisors must compile a list of all road hands. This Act was repealed by Private Acts of 1929, Chapter 424.
  18. Private Acts of 1925, Chapter 270, creates a Board of County Highway Commissioners and a

County Road Supervisor; regulates laying out, construction, repair, and maintenance of roads, bridges, and levees; provides for election of the Board and Supervisor, fixes and defines their duties, power and compensation, terms of office; abolishes the office of County Bridge and Levee Commissioner and District Road Commissioner. This Act was repealed by Private Acts of 1929, Chapter 424.

19. Private Acts of 1927, Chapter 251, amended Private Acts of 1925, Chapter 270, above, in Section 8 by directing the County Attorney to do the legal work for the Road Department. Section 10 was amended to allow the office of the Road Superintendent to be located outside the Courthouse. Section 11 was changed to require the County Court to levy a general road tax of not less than five and no more than fifty cents per \$100, plus a privilege tax to be considered as a general road tax. The privilege tax on horses and wagons was eliminated. Road hands could work ten days or else pay fifty cents for each day not worked but the decision to do one or the other must be made when the hand is warned to go to work. The Act added a misdemeanor for anyone to block traffic or the roads by loading wagons or stopping on the pavement.
20. Private Acts of 1929, Chapter 422, required the owner of an automobile, motorcycle, truck, traction engines, or other vehicles of like character to register the same each year with the County Court Clerk and pay a registration fee according to the schedule by weight provided in the Act. The Clerk must give a receipt showing the registration was made. To operate vehicles on the public streets and highways without registering the same was made a misdemeanor. This Act was repealed in Item 23, below.
21. Private Acts of 1929, Chapter 424, specifically repealed Private Acts of 1925, Chapter 270, as the same was amended in its entirety.
22. Private Acts of 1931, Chapter 698, stated that upon receipt of gas tax money from the State of Tennessee in Dyer County, the Trustee would divide the same into two equal parts, one of which would be designated the Highway Liquidation Funds and the other part would be kept as part of the Highway and Road Fund of the County. The Highway Liquidation Fund would be used to pay off the bonded indebtedness incurred in the building of Federal Aid or State Aid roads, whether the bonds were due or not. All bonds paid must be recorded and canceled. This Act was repealed by the one following.
23. Private Acts of 1933, Chapter 450, expressly repealed Private Acts of 1931, Chapter 698, Item 21, above, in full.
24. Private Acts of 1933, Chapter 532, specifically repealed Private Acts of 1929, Chapter 422, Item 19, above, as the same was written.
25. Private Acts of 1939, Chapter 523, stated that the Chairman of the County Court and the Board of Workhouse Commissions could use and employ all prisoners who were physically able to work for the purpose of maintaining drainage ditches within the boundaries of the County but nothing in this Act would interfere with the usual farm labors of the prisoners.

---

**Source URL:** <https://www.ctas.tennessee.edu/private-acts/chapter-ix-highways-and-roads-32>