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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 Shelby 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 1832, Chapter 132, provided that the citizens of Shelby County were not subject to the payment of tolls on the Gallatin & White Creek Turnpike Road.
2. Acts of 1843-44, Chapter 62, gave the county court authority to order that first class roads in Shelby County be opened to a width of forty-five feet so that they might be used for stagecoaches.
3. Private Acts of 1866-67, Chapter 63, authorized the building of a dirt turnpike road, thirty feet wide and above the high water mark from the residence of W. E. Jones to Black Branch. The county court was to appoint an inspection committee, and also to set the rates of toll on the turnpike roads.
4. Public Acts of 1877, Chapter 13, provided for the benefit of the Shelby County Turnpike Company. This act authorized that a tollgate may be located nearer than one mile of the corporate limits of the City of Memphis and that those who lived on or resided on said road, within one mile of the corporate limits of Memphis, were not charged for their use of the turnpike.
5. Acts of 1903, Chapter 342, provided that all road hands living on the turnpikes in Shelby County were to keep the side ditches of the county roads open.
6. Acts of 1903, Chapter 359, authorized the county court to appoint road supervisors in and for each civil district.
7. Acts of 1903, Chapter 370, abolished the office of road commissioner. This act was repealed by Acts of 1905, Chapter 74.
8. Acts of 1905, Chapter 63, recreated the office of road commissioner for Shelby County.
9. Acts of 1905, Chapter 69, amended the general road law of the state found in Public Acts of 1883, Chapter 167, to provide that the salary of the supervisor of the turnpike commission in Shelby County would be \$1,500 per year.
10. Acts of 1905, Chapter 79, amended the general law found in Public Acts of 1891, Chapter 1, to require the turnpike commissioner in Shelby County to keep records of official transactions and make a quarterly report to the county court, and to give him the authority to hire overseers.
11. Acts of 1907, Chapter 219, required the board of workhouse commissioners to furnish the turnpike superintendent with a gang of not less than twenty nor more than thirty convicts, properly outfitted to keep the graveled roads of the county in repair. The caption of this act embraced only Shelby County (population of 150,000 or more by the federal census of 1900) but the act itself (population of 15,000 or more) applied to most Tennessee counties. This act was repealed by Acts of 1909, Chapter 195.
12. Acts of 1907, Chapter 370, was a general road law for Shelby County which authorized the county court to appoint a "Superintendent of Public Dirt Roads." This act was amended by Acts of 1909, Chapter 499, to provide that the chairman of the county court, the road superintendent and the county attorney could settle by agreement any matter with landowners whose property adjoined any road which was being straightened, widened, or otherwise improved. These officials were authorized to pay up to \$100 to settle any such dispute. This act was further amended by Private Acts of 1911, Chapter 276, to provide that the board of county commissioners could elect a superintendent of public district roads for Shelby County. Private Acts of 1911, Chapter 364, amended the original act by giving the superintendent of public roads the authority to widen any road in the county, provided that no damages were to be assessed by condemnation. All of these acts were repealed by Private Acts of 1913, Chapter 9.
13. Acts of 1909, Chapter 174, amended the general law found in Public Acts of 1883, Chapter 167, to provide that in Shelby County the salary of the secretary and supervisor of the turnpike commission would be \$2,000 per year, payable monthly.
14. Acts of 1909, Chapter 194, amended the general law on turnpike construction, Public Acts of 1883, Chapter 167, by providing that in counties with a population over 150,000, according to the Federal Census of 1900, the salary of the secretary and supervisor of the turnpike commission shall be \$2,000 per annum.
15. Private Acts of 1911, Chapter 423, created the office of bridge superintendent, to be under the

- direction and control of the county court, and to have the duty of supervising the building and repair of all bridges in the county. This was repealed by Private Acts of 1913, Chapter 133.
16. Private Acts of 1913, Chapter 132, gave the board of county commissioners in Shelby County full and entire charge of the supervision, construction and management of the building and repairing of public roads in Shelby County.
 17. Private Acts of 1925, Chapter 423, authorized the board of county commissioners to establish improvement districts for the opening and maintenance of boulevards, parkways and other specially designated roads.
 18. Private Acts of 1929, Chapter 794, authorized Shelby County and cities within Shelby County to contract with reference to the distribution and application of funds for highways, bridges and turnpikes.
 19. Private Acts of 1943, Chapter 258, authorized the board of county commissioners to contribute \$375,000 toward the construction of a bridge for vehicular traffic across the Mississippi River. This was amended by Private Acts of 1947, Chapter 515, which substituted \$875,000 for \$375,000.

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