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Chapter IX - Highways and Roads

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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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Chapter IX - Highways and Roads

Crushed Rock

Private Acts of 1955 Chapter 345

COMPILER'S NOTE: For the general law, see Tennessee Code Annotated §12-8-101.

SECTION 1. That each county of this State having a population of not less than 19,500 nor more than 19,700, according to the Federal Census of 1950 or any subsequent Federal Census, is hereby authorized to negotiate contracts with other counties and with municipalities and with the Federal and State Governments and with private industry for the sale of crushed rock.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 16, 1955

Road Law

Private Acts of 1929 Chapter 477

SECTION 1. That there is hereby created for all Counties of the state of Tennessee having a population of not less than 17,665 nor more than 17,685 according to the Federal Census of 1920 or any subsequent Federal Census, the office of Highway Commissioners for said Counties to consist of three members, no more than two of whom shall belong to the same political party, one of the Commissioners named in this Act to serve for a term of one year, one to serve for a term of two years, and one to serve for a term of three years, at the expiration of their terms their successors shall be elected by the County Commission of said County at its regular April term and to serve for a term of three years and until their successors are elected and qualified. And should any vacancy occur in said Commissioners by death, resignation, or removal, the County Court at any quarterly term shall fill said vacancy. Said Commissioners shall receive for their services the sum of \$150.00 per year, except the Chairman of said Commission who shall receive the sum of \$250.00 per year. They shall receive necessary traveling expenses when their duty calls them outside of the County, in the interest of the public roads of said County. The County Commission of said County may at its regular April term of any year raise or lower the salary of said Commissioners of any one of them.

It shall be the duty of said Commissioners to meet twice each month for the purpose of designating and laying out the work to be done on the public roads of said County and for the purpose of transacting any other business to come before the Commission. For the purpose of carrying out the provisions of this Act, A. H. Moore, Geo. C. Zirkle and J. W. Sams are hereby appointed and constituted Highway Commissioners for said County, and the said A. H. Moore shall serve for a term of one year, the said Geo. C. Zirkle shall serve for a term of two years, and the said J. W. Sams shall serve for a term of three years or until their successors are elected and qualified.

As amended by:

Private Acts of 1949, Chapter 518

Private Acts of 1981, Chapter 50

SECTION 2. That no person shall be eligible to a position on said Commission who is not a citizen and freeholder of said County, who is not of legal age, who does not sustain a good moral character and in all respects upright in his dealings. All of said Commissioners shall be men known to be of sound judgment and discretion, who are regarded as successful in their respective vocations of good business capacity and ability and one at least shall be a man skilled in the matters of finance. Before entering upon the discharge of their duties they shall take and subscribe to an oath of office in writing to be filed in the office of the County Court Clerk of said County, that they will faithfully and honestly discharge the duties of the office to the best of their skill and ability without partiality, fear or favor to persons or to the people of any section of said County. After qualifying said Commissioners shall organize by designating one of its members as Chairman, whose term as Chairman shall be for a term of one year and until his successor is elected and qualified.

SECTION 3. That it shall be the duty of said Highway Commissioners to take general oversight and management and control of all public roads, pikes or dirt roads within said County except those which are maintained by the State Highway Department, and should any of the roads now maintained by the State Highway Department be abandoned by the State Highway Department said road or roads shall come under the oversight and management of said Commission. Said Highway Commission shall have the right to maintain, construct or re-construct, macadamize, locate or re-locate any of said public roads. Said

Highway Commission shall have charge of all bridges across any branch, creek or river except those under the care of the State Highway Department, for the purpose of maintaining and improving the same.

Said Commissioners shall be provided with an office room in the Court house of said County by the County Court of said County. Said Commissioners may make and adopt all such rules and regulations with reference to laying out, working, maintaining, constructing, reconstructing, all of said public roads, pike and dirt roads and bridges as indicated above in the County, by County convict labor, militia labor and by the use of County road funds as its judgment will best promote the interests of the County and carry out the object of this Act. And when so adopted shall be a part of the road building and maintenance program of said County. Said Commissioners are hereby empowered to buy all necessary supplies and equipment as may be necessary to carry out the provisions of this Act. And make any contracts with the State Highway Department relative to any road or road program of said County. Said Commission is hereby authorized and empowered to employ one road superintendent who may be discharged from duty by said Commissioners at any time for incompetency, neglect of duty or any other good and sufficient reason when in the judgment of the Commission the public services require it. Said road superintendent shall be a practical road builder with recognized ability in repairing and upkeep of pike or dirt roads, experienced in working and handling of men, shall have a fair common school education, write a legible hand, shall have experience as an office man, shall be of good moral character and a man of sound judgment, his salary shall be fixed by said Commission not to exceed Twelve Thousand Dollars per annum, to be paid monthly, and in addition thereto shall be allowed his actual traveling expenses when traveling over the roads of said County or elsewhere under the direction of the Commission not to exceed Three Hundred and Sixty Dollars per annum.

The Commission is likewise authorized to employ a secretary-book-keeper whose annual compensation shall be fixed by the County Commission of such County at its April term of each year, at such an amount as they may deem fit and proper.

As amended by:

Private Acts of 1939, Chapter 507
 Private Acts of 1947, Chapter 717
 Private Acts of 1951, Chapter 194
 Private Acts of 1955, Chapter 86
 Private Acts of 1959, Chapter 8
 Private Acts of 1961, Chapter 145
 Private Acts of 1965, Chapter 38
 Private Acts of 1967, Chapter 358
 Private Acts of 1975, Chapter 77
 Private Acts of 1981, Chapter 50

SECTION 4. That before said superintendent shall assume the discharge of his duties he shall first take and subscribe to an oath of office in writing to faithfully and impartially discharge the duties of his office without fear or favor to persons and shall enter into bond with some bonding Company authorized to do business in said County, to be approved by said commission, and in the sum of \$5,000.00 payable to the State of Tennessee for the use of said County, conditional upon the faithful discharge of all his duties and for the faithful accounting of all tools, machinery and implements and all other personal property belonging to said County that may be in his possession or under his control, the same to be paid by the Commission out of the road fund.

SECTION 5. That said road superintendent shall not be actively engaged in any other business than the business of his office, shall be required to devote his entire time to the roads of said County, to familiarize himself with the roads of said county and shall be charged with the duty of maintaining them and keeping them in good repair and laying out of such new pikes and roads as may be ordered, he shall regulate the working of all roads within the county by the county road hands, convicts or militia labor belonging to said roads whether dirt or pike roads, shall regulate the working of county convicts of said roads or in quarries, quarrying and crushing of stone for this or other purposes, he shall be empowered to employ such foremen, guards and other laborers and assistance as necessary said commission. Said superintendent shall act as the secretary to said Commission and shall keep its books, records, accounts, etc. Said road Superintendent shall have charge of and be responsible for all the road tools, implements, machinery, live stock and other personal property pertaining to said public roads now owned by the County or hereafter owned by the county wherever the same may be located or in whomsoever's hands it may be.

He shall as soon as possible assemble all of said property and make complete inventory of the same and file same with the Commission who shall charge to said superintendent the same and enter the same in a well bound book in which the minutes of all their proceedings shall be recorded. All such tools, implements, machinery, live stock or other personal property that may not be needed for use by said Commission shall be sold by said superintendent under the direction of the Commission and the proceeds

paid into the hands of the County Trustee who will place the same with the other road funds provided for in this Act. Said Superintendent shall act as the secretary to said Commission and shall keep its books, records, accounts, etc.

As amended by: Private Acts of 1939, Chapter 507

SECTION 6. That the County Jail of such counties is hereby declared to be a county workhouse, and the sheriff or jailor of such county shall have the care and custody of all county convicts committed to that institution except when they are at work on the roads and are being taken to or returned from such work during which time the superintendent or persons designated by him shall have care and custody of them and shall be responsible for their safety. The purpose of this Act in regard to County convicts being only to provide a method for working them on said public roads and bridges and in quarries, and in all other respects the general law in regard to county convicts is not effected but the same is hereby declared to be in full force and effect.

SECTION 7. That it shall be the duty of said superintendent to work all ablebodied convicts committed to the County Workhouse on said public roads of said county, or in quarries, quarrying and crushing stone for said public roads and road purposes. Taking them from the jail or workhouse in the morning and returning them at night, when it shall be deemed practical by said commission for him to do so.

SECTION 8. That the Board of County Commissioners shall have the authority to levy a public road tax on all the property taxable by law in the county. This tax when collected, shall be kept by the County Trustee in a fund called the Public Road Fund, and all road maintenance funds now in the hands of the County Trustee or which may hereafter come into his hands shall be available for use under this act. All revenue from whatever source derived for the use of public roads and bridges shall be kept by the Trustee in said public road fund account.

As amended by: Private Acts of 1981, Chapter 50

All taxes collected, under the act, or property within the limits of incorporated towns, where jurisdiction has been extended to such towns to open, close and repair its streets, roads and alleys, and is exercised by it, shall be paid over by the Trustee of the County to the recorder or other official of said incorporated towns, who is authorized to receive the same, to be used by said town in constructing and repairing its roads, street and alleys. The Trustee taking receipt from such official for which he shall have credit in his settlement with the County Judge or Chairman of the County Court. All revenue from whatever source derived for the use of public roads and bridges indicated above shall be kept by the Trustee in said public road fund account.

As amended by: Private Acts of 1929, Chapter 909

Private Acts of 1935, Chapter 135

SECTION 9. That all machinery and tools of every description belonging to said county now in the hands of the Pike Maintenance Commission, or any of the District dirt road Commissioners of said County shall come into the hands of said Highway Commission for its care and use.

COMPILER'S NOTE: The original Section 9 was deleted by Private Acts of 1981, Chapter 50, which also renumbered the original sections accordingly upon Section 9's deletion.

SECTION 10. That all applications to open, change or close any road shall be made by written petition addressed to said superintendent, as is now required by general law to be made to the district road commissioner. The superintendent when he receives such petition shall within ten days thereafter fix the time and place of acting upon the same and shall notify the first person named on said petition. It shall then be the duty of said party to give notice, in writing to all interested persons, those deemed interested shall be the land owners and those having pecuniary interest, of the time and place when said superintendent will act upon said petition, and if proper notice has been given to all interested persons as designated above to be affected by said actions sought in said petition the superintendent shall proceed to view out said roads and report his actions to the Chairman of the County Court who shall hear the matter and determine what is the right of the parties and any party dissatisfied with the action of the Chairman as to said proposed change sought by said petition may within ten days appeal therefrom to the Circuit Court of said County upon making bond with solvent security as provided by law. All damages allowed by the superintendent or the Chairman trying said case or any damages allowed on appeal shall be paid out of the public road funds of said county, provided for in this Act. In all cases of opening and closing of roads the superintendent or in case a jury of view is summoned its report shall be confirmed, and any order confirming the same shall be entered on the minutes of said Court granting to the county an easement over the land the roads opened pass.

SECTION 11. That said county has the right of eminent domain to be exercised by it through its Highway Commission, for public road purposes to be exercised as required by general law in condemnation, except that the county shall not be required to make bond for damages.

SECTION 12. That all such public road fund shall be paid out by the County Trustee on the warrant of the

superintendent when countersigned by the Chairman of said commission, showing for what purpose issued and to make quarterly reports covering the same to the County Court of said County.

SECTION 13. That said Superintendent shall make a quarterly report at each regular quarterly session of the County Court, to the County Court, which report shall be attested by said commission, showing the amount of work done on said public roads and bridges, the cost of the same; showing the amount of material purchased and for what it was used and the cost of the same; the amount of labor contributed by militia and the amount commuted; the work done by convicts and the cost of the same; the amount of work done by paid labor and the cost of the same; the amount of machinery and tools furnished and the cost of the same; the amount of all contracts if any let on said public roads and bridges; the cost of maintenance of teams, machinery, etc., salaries and all incidental expenses, and all other matters necessary to a completion of the operations and conditions of the county, which report shall be copied in a minute book by the County Court Clerk.

SECTION 14. That any person or persons who place, haul or otherwise cause to be placed or hauled on any public road or highway in said county any brush, briars or other material or thing that may obstruct or damage such public road or highway or render it inconvenient for further traveling, or who may encroach upon the same in constructing any fence, wall or like improvement shall be guilty of a misdemeanor and upon conviction be fined a sum of not less than Twenty-five nor more than Fifty Dollars for each offense.

SECTION 15. That a violation of this Act, or wilful neglect of duty whereby any public road or bridge on same covered by this Act is allowed to become dangerously out of repair or become impassable, provided they have been notified and means are available shall be a misdemeanor on the part of said commission and superintendent, and upon conviction for which they may be adjudged severally to pay a fine of not less than Twenty nor more than Fifty Dollars and costs.

SECTION 16. That all laws or parts of laws in conflict with this Act or any provisions of the same, be and the same are hereby expressly repealed.

SECTION 17. That the provisions of this Act are severable, and if any of its provisions, sections, paragraphs, phrases, word or words shall be held unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the same shall not affect the remaining provisions, sections, paragraphs, clauses, phrases or other words of this Act.

It is hereby declared that it is the legislative intent that this Act, and each section, paragraph, clause, phrase or word thereof would have been enacted has such unconstitutional section, paragraph, clause, phrase or word not been included therein.

SECTION 18. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 2, 1929.

Highways and Roads - Historical Notes

Amendments to Road Laws

The following is a listing of acts which once had some effect upon the county road laws in Jefferson 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 1929, Chapter 909, replaced the last paragraph of Section 8 to make it the duty of the Highway Commission to work out taxes collected on property in the boundaries of cities on the maintenance and upkeep of the roads within the confines of the said city so that the taxes paid by the city property owner would be spent in the city. The Trustee was directed to keep separate accounts for each city so that these funds would be available to that city only and to no one else.
2. Private Acts of 1935, Chapter 135, amended the same Section and paragraph mentioned above so that all the taxes collected under this act imposed on property within the limits of an incorporated city, where the control over the roads rested in the city, would be paid over by the Trustee to the Recorder of that particular city to be used by that city in its road programs, the Trustee taking a proper receipt for the money paid over.
3. Private Acts of 1939, Chapter 507, amended Section 3 by adding a paragraph at the end of the said Section which permitted the employment of a Secretary- Bookkeeper by the Highway Commission and to fix the compensation of the position which could not, however, exceed \$720 per year. Section 5 was changed to provide that the Road Superintendent would act as Secretary to the Commission and keep its records, books, and accounts in a proper fashion.
4. Private Acts of 1947, Chapter 717, amended Section 3, paragraph 2, so as to increase the maximum limitation placed upon the Highway Superintendent's annual salary from \$1800 to

\$2400.

5. Private Acts of 1949, Chapter 518, amended Chapter 507, Private Acts of 1939, Item 3, above, in Section One so that the monthly salary of the Secretary- Bookkeeper of the Jefferson County Highway Department would be raised from \$60.00 to \$80.00.
6. Private Acts of 1951, Chapter 194, amended Section 3 again in order to raise the annual salary of the Road Superintendent of Jefferson County from \$2400 to \$3600.
7. Private Acts of 1955, Chapter 86, amended Section 3 to add a provision to that Section that the Road Superintendent could employ a Secretary-Bookkeeper whose annual compensation would be set by the Jefferson County Quarterly Court. This Act was properly ratified at the local level in accordance with the Home Rule Amendment to the State Constitution.
8. Private Acts of 1959, Chapter 8, amended Section 3, Paragraph 2, in order to increase the annual salary of the Road Superintendent in Jefferson County from \$3600 to \$4800. This Act was properly ratified by the Quarterly Court.
9. Private Acts of 1961, Chapter 145, which was duly ratified by the Quarterly Court of Jefferson County, amended Section 3, Paragraph 2, of the base act by raising the annual salary of the Road Superintendent from \$4800 to \$5500.
10. Private Acts of 1965, Chapter 38, changed the annual salary of the Road Superintendent in Section 3, Paragraph 2, from \$5500 to \$7,000.
11. Private Acts of 1967, Chapter 358, further amended Section 3, Paragraph 2, of the basic Road Law of Jefferson County, to fix the maximum limit of the annual salary of the Road Superintendent at \$10,000 instead of \$7,000. This Act received proper ratification at the local level.
12. Private Acts of 1975, Chapter 77, raised the annual salary of the Road Superintendent by amendment, properly ratified, to Section 3, Paragraph 2, of the Road Law from \$10,000 to \$12,000.
13. Private Acts of 1981, Chapter 50, approved by the Jefferson County Legislative Body on April 21, 1981, changed all references to the County Judge, County Court, and County Court Clerk to their proper names of the present, rewrote Section 8 as it now appears, by omitting the second paragraph, and by deleting Section 9 in its entirety

Highways and Roads

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

1. Acts of 1821, Chapter 6, was a general law of the State which required the County Courts of all the counties to index and classify the public roads therein. The three classes of roads ranged in width from the stage road to one wide enough to pass horses and riders on the way to mill or market. Penalties were provided for failure to comply with this Act, and for wilful obstruction of a public road. (Although earlier Acts were aimed in this direction, this was the first comprehensive general road law, the harbinger of the current statutes which have produced Tennessee's enviable road network.)
2. Acts of 1835-36, Chapter 2, named John Fain, Shadrack Inman, and Caswell Lea, all of Jefferson County, who were joined by several others named from surrounding counties, as Commissioners to sell stock in the Tennessee and Coosa Railroad Corporation as the same was then incorporated with an authorized capital stock of \$500,000. This railroad would run between the Tennessee and Coosa Rivers.
3. Acts of 1837-38, Chapter 239, Section 18, appointed William Brazleton, William Dick, Jacob P. Chase, Henry Powell, Jacob Smith, John Fain, Shadrach Inman, John Roper, Samuel Martin, Theoderick J. Bradford, Joseph Hamilton, William Moore, Robert H. Hynds, Caswell Lea, Russell Birdwell, Alexander Hays, George Gregory, Senior, David R. Graham, Henry Smith, Isaac Moore, Charles T. P. Jarnigan, and Gideon Rogers, all of Jefferson County, and an additional twelve citizens were named from Cocke County, to be the Commissioners of a turnpike starting at New Market, in Jefferson County, and running through Dandridge to Newport, in Cocke County, and one to the North Carolina line. Capital stock was authorized at \$150,000.
4. Acts of 1847-48, Chapter 156, provided that any person who was a resident and citizen of Cocke County, Jefferson County, or Sevier County, could contract with William C. Story, the proprietor of the Newport Turnpike Company to perform work and labor on the said road or pay the equivalent of the same where such a person passed the toll gate erected on the said road to collect tolls.

5. Acts of 1851-52, Chapter 191, Section 20, provided that so much of this Act which permitted the Counties of Lawrence, Maury, Williamson, and Davidson to subscribe to and take stock in railroads, and to issue the bonds of the County to pay for the stock was in like manner and to some extent made to apply also to the Counties of Jefferson, Greene, Hawkins, Washington, Carter, Sullivan, Grainger, and Warren.
6. Acts of 1853-54, Chapter 323, Section 13, gave to the counties of Claiborne, Anderson, Campbell, Jefferson, and Grainger all the rights and privileges conferred by this Act upon other counties to subscribe to the stock of any railroad which might run through their respective counties, and along with them granted the counties the authority to issue and sell their bonds in order to pay for the said stock.
7. Acts of 1855-56, Chapter 61, gave the counties of Cocke, Jefferson, Grainger, and Hancock the same power and authority to take stock in the Cincinnati, Cumberland Gap, and Charleston Railroad, or in any other railroad whose lines ran into their respective counties and to issue their bonds, if necessary, to pay for the same. The entire program, however, hinged upon approval of the same through a referendum election.
8. Acts of 1855-56, Chapter 121, was the legal authority for the formation of a company to construct a railroad, macadamized turnpike, or a plank road, from Strawberry Plains, by way of Dandridge, to Newport, in Cocke County. A capital stock of \$200,000 was authorized the sale of which would be supervised by a commissioner named in each involved county for that purpose.
9. Acts of 1859-60, Chapter 60, assigned to the Jefferson County Quarterly Court the duty to apportion the bonds sold to keep up the different roads in the county and stipulated further that no changes were to be made in the program, once adopted, except at the July term of court.
10. Acts of 1865-66, Chapter 88, Section 44, incorporated William Galbraith, William Harris, and George Elliott, with all the rights and privileges of similar corporations, as the "New Market, Dandridge, and Newport Turnpike Company" to build a road, graveled or macadamized, from New Market, in Jefferson County, through Dandridge and on to Newport in Cocke County.
11. Acts of 1866-67, Chapter 23, Section 14, named and appointed E. A. Sawyers, James H. Walker, John B. Minnis, and John L. Foust, as additional incorporators and commissioners of the New Market, Dandridge, and Newport Turnpike Company.
12. Acts of 1866-67, Chapter 67, formed the Dandridge Railroad Company to establish a railroad communication running from the French Broad River and the East Tennessee and Virginia Railroad Company to the town of Dandridge and connecting at or near Mossy Creek, or New Market. Samuel N. Fain, John R. Branner, James Meet, William Galbraith, William Harris, J. C. Cawood, Robert Birchfield, and James P. Swann were named and authorized to sell stock in the said company up to \$150,000. When \$40,000, or more, had been subscribed and paid in stock, the company could be organized according to conditions mentioned in this Act. The company, when organized, was given the authority to acquire the necessary rights or way. Jefferson County had the power to buy stock in the said company if it was desired to do so.
13. Acts of 1867-68, Chapter 56, repealed the 11th Section of the Act incorporating the Dandridge Railroad Company, above. The sum of \$20,000 which was previously appropriated to the Tennessee and Pacific Railroad Company was hereby reinvested and appropriated to the New Market, Dandridge, and Newport Railroad Company, for the same purposes which were mentioned in the repealed Act. The Act named Robert W. Pierce, Jonathan Lawrence, George W. Pierce, David Grant, Calloway Thornburg, James M. Meek, Henry Hall, and John Henry, as additional incorporators and commissioners for the company.
14. Acts of 1871, Chapter 18, expressly repealed the 1860 Act which apportioned the road hands in Jefferson County to keep up the public roads. (No Chapter was cited in the Act and none could be found which was enacted in 1860.)
15. Acts of 1899, Chapter 54, was enabling legislation for the Jefferson County Quarterly Court, at such places as they might deem to be in the best interests of the public, to purchase all boats and equipment necessary, and to employ the necessary labor to transport all persons and their efforts across the said public streams of the county at no charge to them. All costs were to be paid out of the public treasury on the warrant of the County Chairman but nothing herein would deprive any owner of banks, or ferries, of any right to keep their boats running as before.
16. Acts of 1901, Chapter 136, was a general road law applicable to every county in Tennessee under 70,000 in population according to the 1900 Federal Census. The County Court was directed to select one Road Commissioner from each Road District in the County, the Road Districts being commensurate with the Civil Districts, to serve a term of two years. The Road Commissioner must

be sworn, bonded, and be in charge of all the roads, bridges, road hands, tools, and materials assigned, or used, in that area, and be compensated at the rate of \$1.00 per day up to ten days in each one year period. The Quarterly Court would fix the number of days between five and eight for the road hands to work, and set the price of one-day's labor on the road. The Court was further empowered to levy a general road tax of two cents per \$100.00 property valuation for each day the road hands were required to work. The Road Commissioners would name and supervise the Road Overseers in their Districts who would be in immediate charge of a section of road, work the number of days of compulsory labor as anyone else and then be paid up to \$6.00 each year for extra work. All able-bodied males outside of cities between the ages of 21 and 45 were subject to compulsory road work. The Commissioners would dispose of petitions to open, close, or change roads, would index and classify the roads in their Districts, and see that their roads met the basic specifications in the Act. (This Act was involved in the case of Carroll v. Griffith (1906), 117 Tenn. 500, 97 SW 66.)

17. Private Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, above, in several minor particulars, but principally in the methods of acquiring rights of way, especially when the power of eminent domain was to be used to secure it.
18. Private Acts of 1915, Chapter 649, was the first general road law for Jefferson County. The Act required the Quarterly Court to elect three Road Commissioners at its first term after the passage of this Act, one to serve two years, one to serve four years, and one to serve six years, after which each member would serve six years. The Commissioners would be paid no compensation other than their proven expenses. The Commissioners must meet the specified qualifications and be sworn into office. They would have an office in the Court house, make all the essential rules and regulations, and be in overall charge of the public roads in the County. The Commissioners could hire and fire a Road Superintendent, who must be experienced in road building, at a salary not to exceed \$1500 per year, payable monthly, plus his out of pocket expenses in the discharge of his duties. The Superintendent must be sworn and bonded, must devote full time to the duties of his position, act as the Secretary to the Commission and keep accurate records of all transactions. He would be in immediate charge of the Road Department and its employees. Workhouse prisoners could be worked on the roads under the supervision of the Sheriff. The Quarterly Court could levy a general road tax of twenty to thirty cents in the county and ten to twenty cents in the cities. Males, outside cities, between the ages of 21 and 50 must work five days on the county roads or pay fifty cents for each day missed. All road districts and District Commissioners were abolished. The Road Superintendent would handle requests to open, close, or change roads. Penalties were set up for violations of this Act.
19. Private Acts of 1917, Chapter 386, repealed Private Acts of 1915, Chapter 649, above, and authorized the Quarterly Court to divide the County into three Road Districts and select one Road Commissioner from each one of the Districts who met the qualifications in the Act. The Commissioner would be in charge of all the public roads and bridges in the District and be paid \$500 annually as compensation. The Commissioner could set the days between five and seven which all males outside of cities and between the ages of 21 and 50 would be required to work on the county roads, or pay \$1.00 as a commutation fee for each day missed therefrom. Commissioners could appoint road overseers for each Section of road who would be paid \$1.00 for each day of extra work but no more than \$3.00 each year. All roads were to be classified and indexed. A general road tax of 20 cents to 40 cents per \$100 property valuation could be levied in the county and a tax of 10 cents to 25 cents could be imposed in the cities, which would be divided between the Districts as nearly equal as possible. The Commissioners would decide upon the disposition of petitions to open, close, or change roads. The Quarterly Court could suspend, or dismiss, commissioners who were also to be sworn and bonded. Prisoners in the county workhouse could be worked on the roads under certain conditions.
20. Private Acts of 1919, Chapter 246, with only a general repealing clause, created a three member Board of Pike Maintenance Commissioners to serve original staggered terms as they were appointed by the Quarterly Court who would also fill vacancies as they might occur. The Act named J. B. Huff, W. C. Lyle, and A. H. Moore, as the first commissioners to serve under this Act. Commissioners must be between the ages of 25 and 60, be of good moral character and sound business judgment, must be sworn into office, and would be paid up to \$3.00 a day, but for no more than four days each year, plus expenses. The Commissioners were to be in charge of all roads and bridges except river bridges. The Board could employ a Road Superintendent, who must be trained and efficient in the art of road building and maintenance, who would be in immediate charge of the Road Department, sworn into office and bonded, devote full time to the job, keep accurate records of all the transactions of the Department and be paid up to \$1500 annually, plus reasonable expenses. The jail was declared to be a workhouse and all the able

bodied prisoners could be worked on the county roads. All males between ages of 21 and 50, outside of cities, were obliged to work five days each year on the public roads, or pay \$1.25 per day as a commutation fee. All requests to open, close, or change the routes of roads must be filed with the Board for their decision. A general road tax could be levied of no less than twenty cents and no more than forty cents per \$100 property valuation. Any condemnation proceedings could be appealed to the Circuit Court. The Superintendent must file an annual report covering all the activities of the road department during that period of time.

21. Private Acts of 1919, Chapter 247, was the legal authority in Jefferson County (identified by the 1910 Federal Census figures) for the Quarterly Court to elect a Road Commissioner in each Civil District who would have the general supervision over all the roads in the District and serve one year at a compensation not to exceed \$20. They would appoint road overseers in their Districts as their good judgment would dictate who was compelled to work as such overseer but no more than three days in one week. The commutation rate was set at \$1.25 per day. The Commissioner of the District would hear and dispose of all requests to open, close, or change the roads arising in that particular District. The Quarterly Court had the authority to levy a general road tax of no less than five cents nor more than fifteen cents per \$100 to be kept separate from other tax money and devoted to the purposes of this Act. The Commissioners were responsible for all the tools, materials, and equipment used in the District and could be disciplined for wilful neglect of duty.
22. Private Acts of 1919, Chapter 527, amended Private Acts of 1919, Chapter 246, Item 20, above, to name J. B. Huff, W. C. Lyle, and A. H. Moore, as the first Board of Pike Maintenance Commissioners which was originated under the terms of that Act.
23. Private Acts of 1955, Chapter 345, was the legal authorization for Jefferson County to negotiate contracts with other counties and cities and the State and Federal Governments and with private industry for the sale of crushed rock.

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