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## Chapter IX - Highways and Roads

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## Chapter IX - Highways and Roads

### Road Law

#### Private Acts of 2012 Chapter 43

**SECTION 1.** Chapter 640 of the Private Acts of 1949; as amended by Chapter 250 of the Private Acts of 1953; Chapter 546 of the Private Acts of 1953; Chapter 239 of the Private Acts of 1953; Chapter 384 of the Private Acts of 1955; Chapter 106 of the Private Acts of 1957; Chapter 14 of the Private Acts of 1965; Chapter 121 of the Private Acts of 1967; Chapter 444 of the Private Acts of 1968; Chapter 23 of the Private Acts of 1971; Chapter 24 of the Private Acts of 1971; Chapter 379 of the Private Acts of 1972; Chapter 176 of the Private Acts of 1978; Chapter 60 of the Private Acts of 1979; Chapter 196 of the Private Acts of 1982; Chapter 33 of the Private Acts of 1995 and Chapter 117 of the Private Acts of 2002; and any other acts amendatory thereto, relative to the Weakley County Highway Commission, shall be repealed at the expiration of the terms of office of all current county highway commissioners.

**SECTION 2.** The offices of highway commissioner in Weakley County are abolished. Nothing in this act shall be construed as reducing the term of the offices of the current highway commissioners in Weakley County. Such persons shall continue to serve in that capacity and retain all powers and responsibilities of the office until the expiration of the current terms or until such commissioners vacate office, whichever occurs first. In the case of a vacancy in an office of highway commissioner in Weakley County prior to the expiration of such office of highway commissioner, the office shall remain vacant.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Weakley County. Its approval or nonapproval shall be proclaimed by the presiding officer of Weakley County and certified to the secretary of state.

**SECTION 4.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

Passed: April 4, 2012.

#### Private Acts of 1949 Chapter 640

**COMPILER'S NOTE:** See Private Acts of 2012, Chapter 43, immediately before this Act.

**SECTION 1.** There is hereby created and established a County Highway Commission for Weakley County for the purpose of establishing and maintaining a system of public roads. The Weakley County Highway commission shall be composed of three (3) members. Each member shall be elected by the qualified voters from a zone or district comprising three (3) County Commission Districts so long as the county elects the Board of County Commissioners from nine (9) districts. The County Commission Districts shall be grouped into Highway Commissioner Zones as follows:

Zone No. 1 shall be comprised of County Commissioner Districts Nos. 1, 8, and 9..

Zone No. 2 shall be comprised of County Commissioner Districts Nos. 2, 3, and 4.

Zone No. 3 shall be comprised of County Commissioner Districts Nos. 5, 6, and 7.

The members of the Weakley County Highway Commission shall be elected to staggered terms in the following manner:

Zone No. 1: One member shall be elected in the August 2004 general election for a term of six (6) years. Garry Mansfield shall serve as a member of the commission representing Zone 1 from September 1, 2002 until August 31, 2004, or until such time as a successor is duly elected and qualified.

Zone No. 2: One member shall be elected in the August 2002 general election for a term of six (6) years. The member(s) of the commission representing the territory comprising Zone 2 at the time that this Act is approved shall continue to serve until August 31, 2002, or until such time as a successor is duly elected and qualified.

Zone No. 3: One member shall be elected in the August 2006 general election for a term of six (6) years. David Bell shall serve as a member of the commission representing Zone 3 until August 31, 2006, or until such time as a successor is duly elected and qualified..

After the expiration of the first six-year term delineated above, and every six- years thereafter, each member shall be elected in the August general election of the appropriate

year to a term of six (6) years. Each member of the commission shall hold office until his or her successor is elected and qualified. No more than one highway commissioner shall be elected for any zone by the qualified voters of said zone, and the commissioner shall be a resident of the zone from which he or she is elected. Each commissioner shall execute bond in the amount of five hundred dollars (\$500) for faithful performance of the commissioner's duties under this Act. In the event that the county establishes County Commissioner Districts in a number greater or lesser than nine (9), then the Board of County Commissioners shall establish boundaries for the three (3) highway commissioner zones.

As amended by:  
 Private Acts of 1972, Chapter 379  
 Private Acts of 1978, Chapter 176  
 Private Acts of 1979, Chapter 60  
 Private Acts of 1982, Chapter 196  
 Private Acts of 2002, Chapter 75

**SECTION 2.** Only one member of said Highway Commission may be elected from the same zone and no member of the Board of County Commissioners shall be eligible to membership on the highway commission.

As amended by: Private Acts of 1979, Chapter 60

**SECTION 3.** The Board of Highway Commissioners shall elect at their first meeting in September a Chairman from among the members of the Board of Highway Commissioners to serve as presiding officer of the Commission for a term of one year. The Board of Highway Commissioners shall also elect a Vice-Chairman from among its members at the same meeting wherein a Chairman is elected. The Vice-Chairman shall serve for a term of one year and shall preside during the absence or inability of the Chairman. The county legislative body shall determine the compensation of the members of the Board of Highway Commissioners, prior to the beginning of their respective terms of office, which compensation shall not be less than three hundred dollars (\$300) per month for any term beginning on or after September 1, 2002, and which compensation shall not be increased nor decreased during the term of office. The compensation of the Chairman and Board of Highway Commissioners shall be paid out of the highway funds of said county.

The County Judge or Executive may be present and sit with said Board of Highway Commissioners in their meetings in an advisory capacity and for the purpose of informing said Commission in reference to the affairs of the county but shall not be entitled to a vote on any matter before said Commission.

As amended by:  
 Private Acts of 1953, Chapter 250  
 Private Acts of 1971, Chapter 24  
 Private Acts of 1979, Chapter 60  
 Private Acts of 1995, Chapter 33  
 Private Acts of 2002, Chapter 117

**SECTION 4.** The Board of Highway Commissioners shall hold their meetings at the county seat and shall meet at least once a month at a regular time to be fixed by the Highway Commission and shall hold such special meetings as may be necessary for the efficient dispatch of their business. Special meetings may be called by the Chairman or the Highway Supervisor upon twenty-four (24) hours notice to all members of said Board. Two members of said Commission shall constitute a quorum.

The Highway Commission shall have the power to make such rules and regulations relative to their deliberations and in operation of that Department of County Government as may be necessary for the efficient dispatch of their business; provided however, that no such rule shall conflict with the provisions of this Act or the general law.

As amended by:  
 Private Acts of 1953, Chapter 363  
 Private Acts of 1967-68, Chapter 121  
 Private Acts of 1979, Chapter 60  
 Private Acts of 2002, Chapter 75

**SECTION 5.** Any member of the Highway Commission may be removed from office by ouster proceedings as provided by the General Laws of the State for misfeasance in office and for wilful neglect of the duties of the office or for incompetency in office. No member of the Highway Commission as defined in this Act shall be employed by said Commission in any capacity whatever.

As amended by:  
 Private Acts of 1955, Chapter 384  
 Private Acts of 1979, Chapter 60

**SECTION 6.** (a) Funds collected for the highway department by the County Trustee shall be disbursed by the County Trustee on the warrant of the Highway Supervisor and signed by the Supervisor and countersigned by the County Judge or Executive.

The Board of Highway Commissioners shall approve all contracts involving the purchase or trade of equipment involving items of more than two thousand five hundred dollars (\$2,500). All other contracts of more than five thousand dollars (\$5,000) shall be approved by the Board of Highway Commissioners. Prior

to the approval of such contracts specified above bids will be solicited by advertising at least five days prior to the date upon which contracts are let, the advertisement to be made in such manner as the Highway Commission and Highway Supervisor may direct. In case of emergencies, or the repair of equipment, the Highway Supervisor may make purchases or contracts up to Five Thousand Dollars (\$5,000.00) with the approval of the Board of Highway Commissioners.

(b) Notwithstanding the foregoing, so long as Weakley County operates under the provisions of the County Financial Management System of 1981, as codified in Tennessee Code Annotated, Title 5, Chapter 21, the applicability of subsection (a) herein is suspended.

As amended by: Private Acts of 1979, Chapter 60

Private Acts of 1995, Chapter 33

**SECTION 7.** (a) The Highway Supervisor and Board of Highway Commissioners shall file annually with the County Clerk, a full, accurate, and detailed report of all funds received by the Highway Department and the expenditure thereof, which report shall show the nature of such expenditures and the projects upon which such expenditures were made. Likewise, the Highway Supervisor shall be under the duty of keeping an accurate and detailed account of all new constructions, reconstructions, and repairs, maintenance and operation, and shall likewise keep such records as may be necessary to establish a complete system of accounts. The reports filed with the County Clerk shall be presented to the Board of County Commissioners by the County Clerk. The Board of County Commissioners may cause the reports to be spread upon the minutes of that body.

(b) Notwithstanding the foregoing, so long as Weakley County operates under the provisions of the County Financial Management System of 1981, as codified in Tennessee Code Annotated, Title 5, Chapter 21, the applicability of subsection (a) herein is suspended.

As amended by: Private Acts of 1979, Chapter 60

Private Acts of 1995, Chapter 33

**SECTION 8.** (a) The Board of Highway Commissioners and Highway Supervisor shall present annually a general budget for the maintenance and construction of roads and bridges in Weakley County to the Board of County Commissioners at the April term, giving the character of the highway program for the ensuing year. Such budget report shall be submitted at least ten (10) days prior to the second Monday in April of each and every calendar year. The Board of County Commissioners shall have the power to review said budget and by majority vote the Board of County Commissioners may eliminate from the proposed program and proposed project or expenditure any and all matters which in their sound discretion they see fit to eliminate. The Board of County Commissioners, at any subsequent term, either regular or special, shall have the authority to make such changes in said proposed program, projects or expenditures as in their sound discretion it may deem proper or expedient, including the complete elimination or deferral of any proposed program, project, or expenditure.

(b) Notwithstanding the foregoing, so long as Weakley County operates under the provisions of the County Financial Management System of 1981, as codified in Tennessee Code Annotated, Title 5, Chapter 21, the applicability of subsection (a) herein is suspended. So long as Weakley County operates under the provisions of the County Financial Management System of 1981, as codified in Tennessee Code Annotated, Title 5, Chapter 21, the Highway supervisor shall annually develop a proposed budget for the county highway department which shall be reviewed by the Board of Highway Commissioners. The proposed highway department budget, with any proposed amendments from the Board of Highway Commissioners, shall be submitted to the budget committee in accordance with the County Financial Management System of 1981, as codified in Tennessee Code Annotated, Title 5, Chapter 21.

As amended by: Private Acts of 1951, Chapter 546

Private Acts of 1957, Chapter 106

Private Acts of 1979, Chapter 60

Private Acts of 1995, Chapter 33

**SECTION 9.** At the regular August general election in Weakley County in 1982 and every four years thereafter, there shall be elected a Highway Supervisor to serve until his successor is elected and qualified commencing September 1 next following his election. The present Highway Supervisor shall exercise the same powers and duties as the Highway Supervisor to be elected in 1982 and thereafter under the provisions of this Act. Before entering the duties of his office the newly elected Highway Supervisor shall take the oath of office and execute bond in the sum required by general law in accordance with Tennessee Code Annotated Sections 54-403 and 54-1008, conditioned upon the faithful performance of his duties and for the proper accounting of all funds and property of the county or state coming under his control. In order to qualify for the office of Highway Supervisor, a person shall be a citizen of the United States, and a resident of Tennessee and Weakley County for at least two years, and not less than twenty-five years of age. In order to qualify for the office of Highway Supervisor, a person shall be a graduate of an accredited school of engineering, with at least two (2) years experience in highway construction or maintenance or a related field and/or be licensed to practice engineering in Tennessee; or shall have had at least four (4)

years experience in a supervisory capacity in highway construction or maintenance; or a combination of education and experience equivalent to either of the above, as evidenced by affidavits filed in accordance with general law with respect to the popular election of the chief administrative officer of the county highway department, and filed with the highway committee of the county legislative body when the county legislative body is filling a vacancy in the office of Highway Supervisor. In no event shall the Highway Supervisor have less than a high school education or a general equivalency diploma (GED). In the event of a vacancy in the office of Highway Supervisor, during the time between the occurrence of the vacancy and the filling of the vacancy, the Chairman of the Board of Highway Commissioners shall temporarily exercise the powers of the Highway Supervisor. The Highway Supervisor shall be the chief administrative officer of the Highway Department as defined in the County Uniform Road Law codified in Chapter 10 of Title 54, Tennessee Code Annotated. The Highway Supervisor shall be in direct charge of all operations in the construction, maintenance, and repair of all highways and bridges in Weakley County. The Highway Supervisor is hereby authorized to employ and discharge for cause all general foremen, unit supervisors, job foremen, road hands and all other personnel employed by the Highway Department.

As amended by:

Private Acts of 1951, Chapter 546  
 Private Acts of 1953, Chapter 239  
 Private Acts of 1965, Chapter 14  
 Private Acts of 1965, Chapter 73  
 Private Acts of 1967-68, Chapter 444  
 Private Acts of 1971, Chapter 24  
 Private Acts of 1979, Chapter 60,  
 Private Acts of 1995, Chapter 33

**SECTION 10.** The Board of County Commissioners shall possess power of eminent domain for the purpose of acquiring all necessary rights-of-way for the location of highways and bridges, the acquisition of gravel beds and all other material necessary for the repair and maintenance of all roads and bridges of said County. In case the county legislative body shall see fit to exercise the power of eminent domain the same shall be exercised in conformity with the provisions of Sections 23-1528 -- 23-1541, inclusive, of Tennessee Code Annotated, which sections are made a part of this Act as completely as though embraced herein.

As amended by:

Private Acts of 1979, Chapter 60

**SECTION 11.** In the event the office of any member or members of the Weakley County Highway Commission should become vacant by reason of death, resignation, or other cause, the Weakley County Board of County Commissioners shall appoint such person or persons as are required to fill said vacancy. A member of the Highway Commission appointed by the Board of County Commissioners shall hold office until the next regular election and until his successor is elected and qualified.

As amended by:

Private Acts of 1979, Chapter 60

Passed: April 7, 1949.

## Highways and Roads - Historical Notes

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

1. Acts of 1826 (Ex. Sess.), Chapter 131, declared that the County Court of Weakley County, a majority of the Justices being present, may apply the navigation tax, heretofore or hereafter collected, to the building of a road from Dresden to Mills Point. Obion County was allowed to aid the project with its own navigation tax funds. It was made the duty of the Treasurer of the Board of Trustees for the navigation of the streams in the Western District to pay over to Weakley County any funds he may have which may be used on this road. Rice Williams, John Jenkins, and John Charlton, were named as Commissioners to lay off and mark said road.
2. Acts of 1827, Chapter 44, appointed Benjamin Totten, John Charlton, John Jenkins, Robert Powel, Jacob Tokum, Wyatt Betts, and Benjamin Bondurant, as Commissioners to make a survey from Dresden in Weakley County to the State line in the direction of Mills Point on the Mississippi River for a turnpike road, and to devise a plan for construction of the road including bridges and causeways. When the said road has been started, they would determine the number of toll gates and the rates to be charged. The commissioners could contract to have the road constructed.
3. Acts of 1831, Chapter 206, authorized the Commissioners appointed under the authority of Acts of 1827, Chapter 44, to rescind the contract heretofore executed with John Thomas, Jr., to construct the turnpike road from Dresden in Weakley County to the State line in the direction of Mills Point

on the Mississippi River. The Commissioners would proceed to advertise and to let an agreement to construct that part of the road lying between a point 100 feet south of the south bank of the North Fork of the Obion River at Finche's Bridge to the Obion County line under the same terms as before. The Act named Albert G. Bondurant as a Commissioner instead of Robert Powel and corrected the name of Jacob Tokum to Jacob Yocham.

4. Acts of 1837-38, Chapter 250, Section 5, named Robert Terry, John Drury, David Winston, Pulaski B. Bell, David P. Caldwell, James H. Moran, and Benjamin Bondurant, plus nine others who were residents of Carroll County, to open books and take stock subscriptions up to \$20,000 to build a mud or sanded turnpike from McLemoresville in Carroll County, through Christmasville, to Dresden in Weakley County. As soon as \$5,000 was subscribed in stock, the Commissioners could organize and begin work on this road as the McLemoresville and Dresden Turnpike Company.
5. Acts of 1837-38, Chapter 289, nominated ten gentlemen from Henry County, seven more from Obion County, and H. H. Bondurant, Zepheniah Harris, G. S. Elliott, W. G. Bowers, Jubilee Rogers, Thomas Glass, W. S. Scott, Samuel Irvine, Willis Johnson, John Thomas, James W. Taylor, John D. Love, Julian Frazer, and G. W. Cavit, all of Weakley County, to subscribe stock and open books up to \$50,000, to make and build a turnpike road from Paris to Dresden and to the Kentucky State line, in the direction of Mills Point when \$15,000 in stock is pledged, the work may begin, and the company would be known as the Paris, Dresden and Mill's Point Turnpike Company. The route shall be laid out so as to intersect the streets in Dresden, and there shall be no more than three toll gates between Paris and Dresden, one near the half-way point, one near Jesse Gardner's place, and one at William Maxwell's. The road would intersect other turnpike roads in the area.
6. Acts of 1851-52, Chapter 287, Section 21, incorporated John A. Gardner, William R. Ross, William W. Gleason, William Scott, D. P. Caldwell, and Willis Nailing, as the Dresden and Hickman Turnpike Company, to build a road between Dresden, Tennessee and Hickman, Kentucky, who may start on the project as soon as \$5,000 in stock has been pledged and subscribed. If the road was merely a graded turnpike road, the toll gates would be at least 10 miles apart.
7. Acts of 1853-54, Chapter 323, Section 9, allowed Henry, Weakley, and Obion Counties to take stock in the Nashville and North-Western Railroad, or in any other railroad they may choose.
8. Acts of 1869-70, Chapter 69, Section 5, repealed specifically all laws and parts of laws, chartering a turnpike across the north fork of the Obion River in Weakley County on the direct road leading from Dresden to Hickman, Kentucky, and the heirs of Abner Boyd and D. P. Caldwell are hereby released from any obligations to maintain the said pike, and it shall be unlawful for anyone to collect any toll on this road.
9. Acts of 1901, Chapter 136, was a general road law applying to all counties in Tennessee under 70,000 in population. The County Court of each county would elect one Road Commissioner from each Road District, which would be co-extensive with each Civil district, for two year terms. They would have general supervision over all the public roads, bridges and overseers in their district. The County Court would assign road hands to each District, to work under the supervision of the Commissioner and the overseers he appointed, who would be taken from males between the ages of 21 and 45, who would work the days established by the Court or pay a seventy-five cents commutation fee. The County Court would also levy a special road tax of 2 cents per \$100 property valuation for each day of work set up for the road hands, but up to twothirds of this tax could be worked out. Some basic specifications for roads were included and the roads had to be classified, primarily according to width, and also be indexed. The district Commissioner would receive and dispose of petitions to open, close, or change a road following the outline contained in the Act. The County Court could designate the roads to be built and maintained by contract rather than by the compulsory labor of road hands, using the bid procedures stipulated in this Act. The Commissioners would be paid the same per diem rate as the Justices of the Peace, up to 12 days a year. This case was part of the litigation in *Carroll v. Griffith*, 117 Tenn. 500, 97 SW2d 66 (1906).
10. Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, in several minor particulars, but substantially in those provisions relative to the petitions to open, close, or change a road, especially when the exercise of eminent domain was necessary to the disposition of the petition.
11. Acts of 1907, Chapter 466, applied to Henderson and Weakley Counties. The Act created a three member Board of Commissioners appointed by the Quarterly County Court, including the County Court Clerk as an ex-officio member, all of whom would serve without compensation for two years. If any failed to serve, the County Judge could appoint a replacement. All the members would be sworn and bonded and would have the supervision of roads, bridges, and culverts in the

County, would hear and dispose of all the petitions to open, close, or change roads in the county, exercising the power of eminent domain when needed, and who might purchase items for the department, solicit bids, and award contracts according to procedures in the Act. The Commission was obligated to classify the roads according to the width specified, to index and record their status, to observe the basic specifications established in the Act, and to prosecute any person refusing to work on the roads. All males, outside cities, between the ages of 21 and 50 must work at least six days on the roads, or pay 50 cents a day for each day not worked. The County Court was required to levy a road tax of not less than 20 cents per \$100 property valuation, and another tax of five cents or more, on privileges, all of which would be used on highways, and bridges. All road work must be done between April and October except in cases of repair. The annual salary of the Commissioners could be fixed by the County Court between \$600 and \$800 and could not be changed during the term. No Justice of the Peace or county officer, except the Clerk, could serve as a Commissioner.

12. Acts of 1909, Chapter 205, made it the duty of the Quarterly Court to elect a Board of Commissioners consisting of three members, including the County Court Clerk as an ex-officio member, to serve for two years. The Commission provided for by Acts of 1907, Chapter 466, would serve until the election of their successors. The County Judge would appoint someone to take the place of a Commissioner not serving. All of the Commissioners must be sworn and bonded, would be in charge of all the roads, bridges, and culverts, must index and classify the roads according to width, and would handle all the petitions to open, close, or change roads. The details of compulsory road work were the same as those contained in the Acts of 1907, Chapter 466. Roads must be worked between April 1 and September 15, except for repairs. The salary of the commissioners, the requirement to keep records, and the schedule of fines for obstructions in roads and violations of this Act were the same as Acts of 1907, Chapter 466.
13. Private Acts of 1911, Chapter 135, provided that the Quarterly Court of Weakley County at its January term in 1911, would elect a Board of Commissioners composed of three persons, one of whom would be the County Court Clerk, who would serve without compensation until January, 1913. Two Commissioners would be elected at the August, 1912, general election who would take office in January, 1913 for two year terms. The details of the remainder of this Road Law coincide with the details in Acts of 1909, Chapter 205, on road hands, taxes, records, reports, and fines. This Act was specifically repealed by Private Acts of 1913, Chapter 344, and by Private Acts of 1915, Chapter 121.
14. Private Acts of 1913, Chapter 344, enacted a new Road Law for Weakley County. The Quarterly Court would elect a Road Commissioner for each Civil District to hold office until January 1, 1915. Each Civil District would elect by popular vote in August, 1914, a Commissioner for that District who would take office in January, 1915, for two years. In the event anyone failed to qualify, or serve, the County Judge would appoint a successor. The details of this long Act contained a repetition of most of the details of the preceding Acts on compulsory road labor, and other subjects except the items following. All applications to open, close, or change a road would be made to the District Commissioner who would have the authority to dispose of the matter. The Quarterly Court would let contracts on roads by sealed bid and in cooperation with the District Commissioner, all bids to be awarded on the third Monday in March, and the County Judge would report on this item at the April meeting of the Quarterly Court. Road hands could not be forced to work for more than three days in one week, and the Road Commissioners would be paid \$2 per day for all days worked in the discharge of their duties, not less than 10, nor more than 25 in one year.
15. Private Acts of 1915, Chapter 121, required the Weakley County Quarterly Court to appoint a Road Commissioner for every Civil District who would serve until January 1, 1917 at which time a Commissioner elected by the people in the general August election 1916, would take over for the next two years. The Commissioners would be sworn and bonded, would be in charge of all roads, bridges, and culverts in their District, would purchase materials, award contracts for work, supervise the overseers whom they would appoint and whose segment of road could not exceed five miles in length, who would be responsible for tools and equipment in their District, who would dispose of petitions to open, close, or change roads, who would assess the damages initially in those eminent domain cases, and who would work the same number of compulsory days as other road hands and then be paid \$1.50 a day for all other days up to \$30 in one year. Commutation fees for road hands were increased to \$1 for each day not worked. The tax rates remained at 20 cents per \$100 and at 5 cents for privileges.
16. Private Acts of 1923, Chapter 618, established a five member Highway Maintenance Commission whose members would be appointed by the County Judge, or Chairman, for two years, one of



whom must reside at the county site. Commissioners must be 30 years of age, have good business ability, and be sworn and bonded, nor would any be a State, County, City, or national office-holder, would select from their own number a Chairman and a Secretary, who would both be paid \$80 a year for their services and the other members would be paid \$60 a year. The Commission would expend the funds from the automobile license tax under State law upon any roads in the County as they might designate but bridges would not be included in any event. The members and their families were forbidden to have any interest in any contract or transaction. Bid procedures and contract awards were set up in the law which also required contractors to submit detailed statements before they could be paid for their work.

17. Private Acts of 1925, Chapter 172, formed a five member County Board of Highway Commissioners coming from various specified portions of the County but none could be a member of the County Court. The method of their selection was specified in the law and they would meet no more than once each month except in an emergency, and would be paid \$4 each for each meeting. The Act named J. T. Van Dyck as the Supervisor of Roads at a salary of \$150 per month and the Board, above, would name his successor to a 2 year term. The duties and powers of both the Commission and the Supervisor are outlined in the Act. The Board would furnish the Supervisor a Ford car to be used in the furtherance of his duties. The County was divided into five Road Districts, composed of whole Civil Districts, from each of which one Commissioner would come. The Board had the authority to regulate traffic and to employ legal counsel, when necessary.
18. Private Acts of 1925, Chapter 349, amended Private Acts of 1925, Chapter 172, in Section 7 by making the salary of the Road Supervisor payable out of regular county funds instead of out of the general road fund. Section 22 was changed so as to make the County Judge, by and with the advice of the Road Supervisor, responsible for declaring emergencies.
19. Private Acts of 1925, Chapter 549, amended Private Acts of 1925, Chapter 172, by rearranging some of the Civil Districts which went into the composition of the five Road Districts.
20. Private Acts of 1927, Chapter 202, amended Private Acts of 1925, Chapter 172, so as to provide for the appointment, or election, of the Board of Highway Commissioners as follows: on the first Monday in April, 1927, the County Court shall appoint a five member Board of Highway Commissioners, one for each of the five Road Districts, who would be nominated by the Justices of the Peace in that District, who would serve two years. The Act named C. B. Brasfield, J. R. Eskridge, John M. Gardner, Carl Parks, and Jack Elam, as the first members of the Board who would serve until their successors were appointed under the terms of this Act, but the Board members appointed hereunder shall not have the authority to replace J. T. Van Dyck, the Road Supervisor. This Act required the Board to submit a report to the Quarterly Court at its January meeting describing the work and accomplishments of the preceding year.
21. Private Acts of 1927, Chapter 656, provided that the Weakley County Road System would be under the control and direction of a seven member Board of Highway Commissioners who shall be residents of the Districts specified, and who could not be State, County, or City officials, who would be chosen by the Quarterly Court in a special session on May 7, 1927, each to be sworn and bonded and to serve two years. Each member was subject to removal from office under certain expressed conditions. The Board must convene to organize itself and make its operational rules and regulations within ten days after appointment. The Board would have a Chairman and Secretary selected by the members, would meet at least once each month and each member would be paid \$4 per meeting. The powers of the Board are enumerated as are the duties of the Secretary. The Board shall serve as the purchasing agent for the highway department. The Board would employ some suitable person as County Highway Supervisor to serve for two years, who would be in immediate charge of the department and be paid \$1,800 a year, discharging the responsibilities enumerated in the Act. Each Civil District would be a Road District, and a budget would be submitted at each meeting of the Quarterly Court for their approval.
22. Private Acts of 1929, Chapter 786, amended Private Acts of 1927, Chapter 656, by adding a paragraph that no bridge of a greater length than twelve feet, or a levee, shall be built in Weakley County without first being authorized by the Quarterly Court and any citizen desiring a levee to be built may file a petition with the Court and the Quarterly Court will then set in motion the machinery described in the Act to dispose of the petition. Some other details are changed in Sections 18, 24, 29, 30 and 34 as to the time schedules and by adding a provision to Section 13 that the Quarterly Court may purchase a car for the use and benefit of the County Road Superintendent and appropriate the money for its operation from the general road fund.
23. Private Acts of 1931, Chapter 171, amended Private Acts of 1927, Chapter 656, by adding a new second paragraph in Section 18 that all bridges and culverts shall be known as county projects the

- cost of which, both labor and materials, shall be paid from bridge and county general funds, provided that the labor may be furnished by the county road hands or employed by the Supervisor. The commutation fee was lowered from \$1 to 50 cents. The requirement that a budget be filed for the road department as specified in Section 38 of the Act was removed.
24. Private Acts of 1933, Chapter 641, amended Private Acts of 1927, Chapter 656, by inserting a new Section 13 into the Act that in the August election of 1934, and every two years thereafter, the people would elect a County Highway Supervisor who would have the general control and management of highways, who would be sworn and bonded, and who would take office on September 1, but the Supervisor elected hereunder would not take office until September 1, 1935. The annual salary was \$1,200 per annum, payable monthly out of the general funds on the warrant of the County Judge. The Quarterly Court was given the authority to buy him a car and pay the operational expenses. A new Section 12-A was added which required competitive bids on all purchase items over \$25 except in emergencies. A new Section 30-A was added requiring the Highway Supervisor and the Secretary of the Highway Commission to file a report on the conditions of the Department at least ten days before the Quarterly Court meets.
  25. Private Acts of 1935, Chapter 361, repealed Sections 23 through 33, of Private Acts of 1927, Chapter 656, thereby abolishing the compulsory road work in Weakley County and added a provision that all funds levied for the construction of bridges and levees and for the building and maintaining of public roads, and all funds derived from the gasoline tax, shall be regulated and controlled in Weakley County by the County Highway Commission on the warrants of the Chairman of the Commission, attested by the Secretary. The amendment provided further that the Salary of the Road Supervisor shall be set by the Commission but must not exceed \$1,800 annually. The Commission was forbidden to create a debt greater than the amount of money coming into its hands since July 1, 1934. Fines could be levied against the commission if it did exceed that amount.
  26. Private Acts of 1939, Chapter 426, amended Section 2 of Private Acts of 1927, Chapter 656, by requiring that the County Judge of Weakley County shall ratify and confirm all the purchases by the Highway Department in the amount of \$250, or more. The Quarterly Court was given unlimited discretion in levying taxes for road purposes.
  27. Private Acts of 1945, Chapter 233, set up a seven member County Highway Commission, one member coming from each of the Road Zones which were made up of whole Civil Districts. The County Judge would appoint, and the County Court must approve the initial members of the Commission who would serve staggered terms, as specified in the Act, and their successors would likewise be appointed by the County Judge and confirmed by the Court. The Commissioners must be sworn and bonded, could not be members of the Quarterly Court and only one member could come from each road zone. The County Judge would be the Chairman of the Commission whose members would be paid \$7.50 per day for each day served as such, payable out of the ordinary and regular highway funds of the county. The Commission must meet once each month at the Court House in the county seat but special meetings could be called at any time. All expenditures over \$100 had to be approved by the Commission. The Commission could enact its own rules and regulations, employ a Secretary, and all shall be subject to ouster proceedings as authorized under Sections 1877-1902 of the Code of Tennessee. The Commission was in charge of the roads, machinery, and equipment. The details for soliciting bids and awarding contracts were contained in the Law. The Commission was directed to file a report with the Quarterly Court on or before December 20 showing the year's work and a budget for the ensuing year must be submitted. They could employ a Road Superintendent for two year terms beginning January 1, 1947, who must be an experienced engineer, and at a salary not to exceed \$3,000. He would be in direct charge of all operations of the highway department. The Quarterly Court was authorized to levy a tax of between 25 cents and \$1 per \$100 of taxable property for road purposes.
  28. Private Acts of 1961, Chapter 137, would have amended Private Acts of 1949, Chapter 640, by raising the salary of the Secretary from \$2,100 to \$3,000 per annum and made the compensation of the Road Supervisor \$5,700 per annum, but this Act did not receive local approval and consequently never became operative law.
  29. Private Acts of 1967-68, Chapter 388, would have amended Private Acts of 1949, Chapter 640, by increasing the term of office of the Highway Commissioners from two to four years, however, this Act did not receive local approval and never became operative.

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