



May 18, 2024

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# Lawrence

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Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

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# Lawrence



Lawrence County Courthouse

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# Chapter I - Administration

## Budget System

### Private Acts of 1939 Chapter 414

**COMPILER'S NOTE:** The County Hospital also comes under this Act.

**SECTION 1.** That it shall be the duty of the Lawrence County Highway Commissioners on or before the first Monday in May of each year, to prepare and file with the County Court Clerk an itemized statement or budget of the funds which said commission estimates to be necessary for the construction, maintenance, upkeep, and operation of the roads; bridges in Lawrence County, and expenses incident thereto, for the year commencing on the first day of July following the making of said report; the said budget shall show in detail and in separate items the estimated amounts necessary for salaries and office expenses of old equipment, new equipment, maintenance or repair of old equipment, bridges, lumber, gravel, etc., the said budget shall likewise show in parallel columns the amounts expended in the previous year for the respective purposes.

That it shall likewise be the duty of the Lawrence County Board of Education on or before the first Monday in April of each year to prepare and file with the County Court Clerk of Lawrence County an itemized statement or budget of the funds which said Board of Education estimates to be necessary for the maintenance and operation of the schools in Lawrence County, and expenses incident thereto, for the year commencing on the first day of July following the making of said report; the said budget shall show in detail and in separate items the estimated amount necessary for the office expenses and salaries of the County Superintendent and his assistants, salaries for the different county schools, the aggregate of the salaries for each individual being shown, for the purchase of new equipment, for the maintenance and repair of old equipment and school buildings, janitor service, bus service, insurance, and all other expenses of said department. The said budget shall likewise show in parallel columns the amounts expended the previous year for the respective purposes.

That it shall likewise be the duty of the Judge of the County Court of Lawrence County on or before the first Monday in May of each year to prepare and file with the County Court Clerk of Lawrence County an itemized statement or budget of the funds which he estimates necessary to be expended for the general county fund during the year commencing on the first day of July following the making of his said report, for the payment of salaries, maintenance of insane, jail bills, improvements and repairs of court house and jail, court costs, jail buildings, work house, etc., and all expenses which are properly paid out of the General County Fund. It shall also be the duty of the Judge of the County Court of Lawrence County at the same time to prepare and file with the Clerk a statement or budget showing the amounts that will be necessary to pay the various county bonds, together with interest thereon, which have been issued by the county, which will mature or become due during the ensuing year. The budgets of the Judge of the Court will likewise show in parallel columns the amounts expended the previous year for the respective purposes.

That it shall be the duty of all other county agencies and parties not hereinabove specifically mentioned, having authority to expend or expending county funds to file with said Clerk each year on or before the first Monday in May an itemized statement or the budget of the funds estimated to be necessary to be expended by said agencies or Department for the year commencing on the first day of July following.

That it shall be the duty of the County Trustee on or before the first Monday in May of each year to prepare and file with the County Court Clerk an itemized statement or estimate of all funds, exclusive of the funds to be derived from the county tax on property, which he has reasonable grounds to believe will be paid into his office during the year commencing on the first of the following July, and which will be available for the purpose of defraying the expenses of the county government during said year; and said statement shall show the source of each fund and said trustee shall likewise show in a parallel column the amount received for the same purposes from the same sources during the year ending on the preceding June 30th, as near as may be practicable, and he shall likewise show in said statement the actual amount collected from the county tax on property during the year ending on the preceding June 30th.

**SECTION 2.** That it shall be the duty of the Judge of the County Court with the approval and confirmation of the Quarterly Court of Lawrence County, Tennessee, at its April term every two years to appoint a committee of four members of the Court who shall be and constitute the Budget Commission of Lawrence County, Tennessee; the County Judge to be ex-officio chairman. That the members of said Commission shall each receive three dollars per day, except the chairman, not to exceed Thirty Dollars in any one year per member. Three members of said Commission shall constitute a quorum for the transaction of

business. That the Secretary of the County Judge shall act as the Secretary of said Commission but shall have no voice or vote in the deliberations of said commission. That the duties of the Secretary shall be to keep all records of the commission, including a complete record of the proceedings thereof, assist it in the compilation of the data necessary for the commission to prepare the budget herein provided and to assist in the preparation of said budget, and he shall perform such other duties as shall be prescribed by said commission. That the County Court shall compensate said Secretary for services rendered in said capacity, but in no event shall such compensation exceed \$3.00 per day for every day actually required to perform his duties as Secretary to said commission; and said commission shall certify to the Quarterly Court at the time it submits its budget as hereinafter provided for, the number of days the said Secretary has been actually engaged in the performance of his said duties.

That each year prior to the meeting of the July term of the Quarterly Court of Lawrence County, it shall be the duty of said Budget Commission to consider and examine the budgets referred to in Section 1 hereof and such other records and data as may be necessary, and to prepare on appropriate forms a complete itemized budget covering all of the proposed expenditures of every kind and description to be made by or on behalf of the county for the year beginning on July 1st, and in preparing said budget, said commission is not to be bound by the amounts fixed in the several budgets of the various departments of the county referred to in Section 1 hereof, but shall make such changes therein as in the opinion of said commission are to the best interest of the county, subject at all times to the approval of the County Court. The Budget Commission shall cause to be prepared appropriate printed forms on which the budget of the various departments of the county referred to in Section 1 hereof are to be submitted by said commission. That said forms shall be of such nature as to enable said commission to submit to the Quarterly Court as hereinafter provided a complete itemized budget and financial statement of the county in simple, intelligible form, to the end that the Quarterly Court shall have before it in said budget all of the data necessary to enable it to intelligently determine the proper amount to be allowed the various departments of the county during the year for which the budget is proposed and the amount of revenue that will be available to pay the nature and kind of said forms.

That said budget, when prepared by said Budget Commission, shall be filed with the County Court Clerk and by him recorded along with the budgets prepared by the several departments of the county, as hereinabove provided for, in a well bond book and kept as a permanent record in the office of the County Court Clerk; and shall be submitted by the County Judge each year to the July term of the Quarterly Court of Lawrence County in open court; and it shall be the duty of said court before fixing the tax rate for the current year to fully consider in open court said budget prepared by said Budget Commission, but the same shall not be in any way binding on said court. That said Court shall have full right and power to alter, vary or change in any way it deems right and proper said budget so submitted by said Budget Commission or any part thereof, but it shall be the positive duty of said court at its July term each year, to fix, establish and adopt a complete, itemized budget of the amounts to be expended by each department of the county government during the year beginning on the first day of July, and no warrant drawn against county funds after July 1, 1939, shall be binding on the County unless the items or expenses for which said warrant is issued shall have been included in a budget adopted by said court as herein provided for; and no warrant shall be valid or binding on the county after the aggregate amount of warrants heretofore drawn during the fiscal year by or on behalf of any department of the county government, shall equal the amount allowed said department in the budget adopted for that year.

That in preparing said budget herein provided for, it shall be the duty of said Budget Commission to take into consideration any unexpended balances that may remain at the end of the year to the credit of any department from the amount allowed such department for the previous year.

That as nearly as may be practicable, said commission shall show in its budget the amount of actual expenditures of each department of the county government during the preceding year covering each item or head in the budget, said amounts for such previous year to be shown in a column parallel to that containing the amounts proposed for the ensuing year, so that when completed said budget will show not only the proposed expenditures for the ensuing year, but the actual expenditures under each year or the preceding year.

That from the data and information herein required to be prepared and filed by the County Trustee and such other data as it may be necessary to examine, said Budget Commission shall likewise show in its budget an itemized statement or estimate of all funds, exclusive of the funds derived from the county tax on property, which said commission has reasonable grounds to believe will be available during the year for payment of the amounts allowed in its said budget for said year, and it shall also show as nearly as may be practicable, the amounts of revenue derived from the same sources during the preceding year, together with the amount actually collected from the county tax on property during such preceding year.

That said Budget Commission shall, along with its budget, submit its recommendation to the Court with respect to the tax rate on property for the current year together with its estimate of the amount that will

be actually collected during the year beginning on the 1st day of July, from the tax so recommended. That at the same time and in the same report said Budget Commission shall submit to the Quarterly Court a full and complete statement of all outstanding and unpaid warrants and the outstanding bonded indebtedness of the county, showing the amounts and maturities of all outstanding bonds, the purpose for which issued and any other information relative thereto which said commission shall deem pertinent.

That along with its budget and report said commission shall submit to said court such other data information and recommendations as it may deem advisable and necessary to enable said Quarterly Court and the public to fully understand the financial condition of the county and the necessity for the amounts fixed in said budget and the tax rate on property recommended by said commission.

That the Secretary of said commission shall mail a full and complete copy of the report and budget prepared by said commission to each member of the Quarterly Court at least fifteen days before the July term of said court.

**SECTION 3.** That in the event that said Budget Commission fails, refuses or neglects to prepare and submit that budget herein provided for to the said Quarterly Court at its July term, then it shall be the duty of said Quarterly Court, at said term of said court to establish and adopt an itemized budget covering the amounts to be expended by each department of the county government for the year beginning on the 1st day of July, said budget to be of the same kind and form as that herein required to be prepared by said Budget Commission, and it shall be a misdemeanor in office for any official of Lawrence County from and after July 1, 1939, to draw, sign or issue the warrant of Lawrence County against any fund of Lawrence County unless a budget has been adopted by said Quarterly Court as herein provided for; and no warrant shall be valid or binding on the County of Lawrence unless the item of expense for which said warrant is drawn shall have been included in a budget adopted according to the provisions hereof. That the budget as finally adopted by the Quarterly Court at its July term each year shall be spread on the minutes of said court, and from and after July 1, 1939, no warrants shall be drawn against any funds of Lawrence County by any official of said county unless and until a budget has been adopted by said Quarterly Court as herein required, provided that warrants may be issued covering any obligation or indebtedness of said county actually incurred prior to said date.

**SECTION 4.** That it shall be the duty of each department of the county government that disburses public funds, including the Lawrence County Board of Education, County Highway Commission, and the Judge of the County Court to keep all such books and records as will enable them to fully and specifically comply with the provisions of this Act. Each of said departments and officials shall close the books kept by it or him as of the 30th day of June each year, showing the balance to its or his credit, said balance to represent the difference between the amount allowed said department or fund in the budget for the year ending on that date and the aggregate amount of the warrants issued and charge-able against said amount allowed in said budget, and it shall likewise be the duty of each of said departments and said officials to open its or his books on the 1st day of July of each year, bring forward the balance, if any, arrived at in the manner herein provided for, remaining to the credit of said department or fund from the previous year, to which shall be added the amount allowed said department or fund in the budget adopted by the Quarterly Court at its July term.

That said books shall be kept in such a manner as to at all times show the amount allowed that department or fund in said budget adopted at the July term of the Quarterly Court and the amount of all warrants drawn and chargeable against said funds regardless of whether said warrants have been paid or not, said warrants to be posted in said book as the same are issued.

That hereafter the amount allowed each department or disbursing agency of the county government or county funds in said budget shall also be placed at an appropriate place on the stubs in the several warrant books containing the warrants to be used by said department or county agency in drawing on county funds and said amount shall be added to any balance remaining from the previous years; and at the end of each day it shall be the duty of every official issuing warrants of any kind against any such funds to subtract the aggregate of the warrants issued that day from the previous balance arrived at as herein provided for, and the balance thus arrived at shall be brought forward each day at an appropriate place on the stubs remaining in said warrant books; and at the end of each month it shall be the duty of every official drawing warrants against any fund of Lawrence County to reconcile the balance to the credit of the fund drawn against as shown on the warrant stubs with the balance to the credit of said fund as shown by the books required to be kept by said official; provided that for the year beginning the 1st day of July, 1939, the books of each department shall be opened by placing to the credit of each department amount allowed it in the budget adopted at the July term, 1939, of the Quarterly County Court, and said amount so allowed said department for the year beginning July 1, 1939, shall also be placed at an appropriate place on the stubs of the warrants used by said department before any warrants are drawn or issued by said department after the beginning of said year, and thereafter the balance from day to day shall be arrived at and carried in said warrants stubs as herein provided for.

**SECTION 5.** That it shall be unlawful and a misdemeanor in office for any official or employee of Lawrence County to draw, sign, issue, deliver, or to authorize the drawing, signing, issuance or delivery of any warrant against any fund of said county, when the aggregate of the warrants heretofore issued or signed, whether the same have been paid by the Trustee or not, equals the amount allowed in the budget adopted by the Quarterly Court to that department or fund of the county against which said warrant would otherwise be chargeable, plus the balance, if any, that may have been brought forward to the credit of such department or fund from the previous year, and it shall also be a misdemeanor in office for any official to sign or issue, or authorize the signing or issuance of a warrant or warrants against any county fund, in excess of the amount said fund in the budget adopted by the Quarterly Court plus any balance remaining to the credit of such fund from the previous year.

That it shall be the mandatory duty of every official drawing warrants against any county fund to keep advised and know before he signs, issues or delivers any warrants, whether or not the aggregate of the warrants theretofore issued against said funds out of which said warrant is payable equals the amount allowed said fund or department in the budget for that year plus any balances brought forward from the previous year, and it shall be the duty of said Budget Commission before submitting its annual report to the Quarterly Court to examine the books and records of each department of the county government for the purpose of ascertaining whether or not the warrants issued by or on behalf of any said department during the year ending on the June 30th have exceeded the amount allowed said department in the budget adopted for that year, and said commission shall show in its report to be filed with its budget each year the departments, if any, that have issued warrants in excess of the amounts allowed such department in the budget of said year, and it shall be the mandatory duty of the Quarterly Court to certify the facts to the District Attorney General for presentation to the Grand Jury at the next term of the Circuit Court; and it shall be the duty of the District Attorney General to present the facts of said Grand Jury and to institute such other proceedings as may be necessary to give full effect to the provisions of this Act.

**SECTION 6.** That it shall be a misdemeanor in office for any county officer or agent or employee, including the members of the Lawrence County Board of Highway Commissioners, the members of the Lawrence County Board of Education, County Superintendent of Education, the Judge of the County Court, and the County Court Clerk, to violate any provision of this Act or to fail or refuse to do or perform any of the duties placed upon them or any of them by this Act, and any such officer or officers failing to perform the duties imposed by this Act, shall be subject to a fine of not less than One Hundred Dollars (\$100.00) or more than Five Hundred Dollars (\$500.00), and imprisonment of not less than thirty days or more than six months, and be subject to removal from office, in any appropriate legal proceeding brought for that purpose.

**SECTION 7.** That the County Judge shall keep a record of the expenditures of each of said Boards of all other County expenditures, and his books shall be kept in such a manner as to at all times show amount allowed each department or fund in the budget adopted at the July term of the Quarterly Court, the total amount of all warrants drawn and chargeable against each of said funds whether paid or not and the unexpended balance of the budgeted allowance to each department or fund. Whenever the total or aggregate of the warrants drawn against any fund of the County equals or exceeds the amount allowed in the budget to that department or fund by the Quarterly Court, it shall be unlawful for the County Judge to sign any warrant or issue any warrants against said fund. He shall furnish reports to the Quarterly Court of the County at every regular quarterly meeting showing the status of the budget of each department, and at any special meeting when advisable or necessary. He shall allow the Budget Commission referred to in Section 2 hereof, or any member thereof, or any member of the Quarterly Court, to inspect his books and records at any time, and they shall be audited at such times as may be prescribed by the Quarterly Court. Any taxpayer of the County shall likewise be allowed to examine his books at any time.

**SECTION 8.** That the General Assembly hereby declares it to be the legislative intent that this Act shall be severable and that the invalidity or unconstitutionality of any section, sentence, or provision hereof shall not affect or render invalid the remaining parts or portions of the Act.

**SECTION 9.** That all laws in conflict with this Act are hereby repealed.

**SECTION 10.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 10, 1939.

## Cemetary

## Private Acts of 1907 Chapter 183

WHEREAS the remains of Capt. William B. Allen are interred in a burying ground about one mile east of Ethridge, Lawrence County, Tenn., at the place known as the "Old Allen Stand;" and



WHEREAS the said burying ground and the tombs therein are in a dilapidated condition, and there is no inclosure to protect same; and

WHEREAS the said Captain Allen was a native of Lawrence County, was a gallant soldier in the war with Mexico, and was killed at the battle of Monterey, in 1846, therefore,

**SECTION 1.** That the Quarterly Court of Lawrence County be authorized and empowered to appropriate any sum or sums said Court at any session may wish and vote; to be used for any purpose and object relative thereto that said Quarterly Court in session may designate and direct as well as for the purpose of erecting a fence around the burying ground in which the remains of Capt. William B. Allen are interred, the sum or sums so appropriated to be paid by the county upon a warrant drawn by the County Judge out of the county treasury.

As amended by: Private Acts of 1921, Chapter 331

**SECTION 2.** That said Quarterly Court appoint three Commissioners, who shall serve without compensation, and whose duty it shall be to see to the proper expenditure of said sum of money, and see that a suitable fence is erected around said burying ground; Provided, that the title to said burying ground be first transferred to the county of Lawrence as hereinafter enacted.

**SECTION 3.** That the county of Lawrence be authorized to accept a deed to one-half acre, which is known as the burying ground at the Allen Stand, made by the proper parties, and that the said county of Lawrence, acting through its Quarterly Court, be authorized to expend such sums in the maintenance of said burying ground as the occasion may demand; Provided, that said title be passed without cost to said county.

As amended by: Private Acts of 1921, Chapter 331

**SECTION 4.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 21, 1907.

## County Attorney

### Private Acts of 1975 Chapter 60

**SECTION 1.** The office of County Attorney of Lawrence County, is hereby created. Such official shall be elected for a term of one year by the Quarterly Court of Lawrence County, at its regular October Term, 1975. Annually in the October Term, thereafter, the Quarterly Court shall elect a successor for such office for a term of one year or until his or her successor is duly elected and qualified in accordance with the provisions of this Act.

**SECTION 2.** The duties of the County Attorney are to give and render legal aid and advice to all the county officials and their duly appointed or employed deputies or employees and members of the Quarterly Court and the County Judge, in matters relating to their official work and official duties; to transact the usual legal business of the County, in Court or otherwise; to meet with the Quarterly Court at regular or special sessions; to aid and give legal advice and render legal services to its duly appointed committees and representatives; and to render such other services in behalf of Lawrence County as may reasonably be deemed and construed to be the usual customary and ordinary duties of a County Attorney. No officer of Lawrence County shall employ any other Attorney, save at his own personal expense, unless he shall be first authorized and empowered by the Quarterly Court.

**SECTION 3.** The minimum salary of the County Attorney shall be four thousand dollars (\$4,000) per annum; provided however, that the Quarterly Court of Lawrence County is authorized, at any of its October Terms of Court at which the County Attorney may be elected, to fix the salary for such official at a larger or greater amount than such minimum salary. The salary shall be paid in equal quarterly installments on the first day of such quarter, following the election of such County Attorney and during his term of office, from the general funds of the county upon the warrant of the County Judge, directed to the County Trustee. The salary of such official, as fixed under the provisions of this Act, shall not be increased or diminished during the term of office for which such salary is fixed.

**SECTION 4.** The Quarterly Court is authorized to fix, allow, appropriate, and pay any fee or fees for services rendered by the Attorney who is elected and serving as County Attorney under the provisions of this Act, in extra, unusual, and extraordinary litigation and matters requiring an unusual amount of work and time, or of great length or duration, or for work and services which would not be reasonably deemed, considered, or contemplated to be the usual and ordinary work or duties of a County Attorney.

**SECTION 5.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Lawrence County before September 1, 1975. Its approval or nonapproval shall be

proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 6.** 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 upon being approved as provided in Section 5.

Passed: April 16, 1975.

## County Executive

### Acts of 1901 Chapter 311

**SECTION 1.** That there shall be elected by the qualified voters of Lawrence County, Tennessee, a person learned in the law, to be styled the County Judge, who shall hold his office for the term of four years from the date of his election and qualifying for said office, except the present Judge, who shall finish out his regular term for which he was elected, or until his successor shall be elected and qualified, it being the intent and purpose not to change the term of office of the incumbent.

As amended by: Private Acts of 1977, Chapter 158

**SECTION 2.** That the first election for the County Judge shall be held at the same time and place and by the same officers that the other county elections are held, the first Thursday in August, 1902, and under the same rules and regulations that are prescribed by law for other county elections, and subsequent elections, except vacancies, which shall be filled when they occur in the same manner prescribed by law for Circuit Judges, on the first Thursday in August every eight years thereafter, and in case of sickness, incompetency or inability of the County Judge, a special Judge may be elected under the same provisions and with the same powers of said County Judge, in the same manner as prescribed by Section 5730, Shannon's Compilations of the Laws of Tennessee. (Now T.C.A. 17-2-118)

**SECTION 3.** Each and every executive, administrative and other nonjudicial duty, function, authority and responsibility vested in the office of County Judge of Lawrence County, Tennessee, including service as presiding officer of the Quarterly Court of said County, shall continue to be vested in the said officer and office, and the incumbent in the said office shall continue to bear the title of County Judge of said County, it being the legislative intent that the County Judge of Lawrence County as of August 1, 1977, be and constitute exclusively an executive and administrative office and not a judicial officer and office.

As amended by: Private Acts of 1977, Chapter 158

**SECTION 4.** There is hereby transferred all the judicial duties formerly vested with the County Judge of Lawrence County to the General Sessions Court of Lawrence County created by Chapter 55 of the Private Acts of 1943, and such General Session Court shall assume all the judicial functions formerly exercised by the County Judge of Lawrence County beginning on August 1, 1977, including but not limited to all of the jurisdiction and authority conferred by Tennessee Code Annotated, Title 37, Chapter 2, upon the County Judge or chairman of the County Court as a juvenile Court, and all of the jurisdiction and authority conferred by Tennessee Code Annotated, Title 16, Chapter 7, upon the County Judge or chairman of the County Court as a judicial officer in probate.

As amended by: Private Acts of 1977, Chapter 158

**SECTION 5.** With respect to the judicial jurisdiction transferred from the County Judge to the Court of General Sessions, the books, records, accounts, papers and documents pertaining to such judicial matters formerly under the jurisdiction of the County Judge shall remain in the custody and shall be the responsibility of the County Court Clerk and such clerk shall continue to have and perform the clerical functions with respect to such judicial matters. Provided, however, that effective July 1, 2004, the books, records, accounts, papers and documents pertaining to juvenile matters that have been in the custody of the County Clerk shall be transferred to the Circuit Court Clerk who shall have and perform the clerical functions with respect to juvenile court from that date forward; and provided further, that effective July 1, 2004, the books, records, accounts, papers and documents pertaining to probate matters that have been in the custody of the County Clerk shall be transferred to the Clerk and Master of the Chancery Court who shall have and perform the clerical functions with respect to probate court from that date forward.

As amended by: Private Acts of 1977, Chapter 158  
Private Acts of 2004, Chapter 134.

**SECTION 6.** That said County Judge of Lawrence County shall be the accounting officer and agent for said county, and as such shall have the power, and it shall be his duty -

1. To have care and custody of all county property.
2. To control all books, papers and documents pertaining to his office and the county.
3. To audit all claims against the county, and when approved by him, he shall certify the same to the

Clerk of the County Court who shall issue a warrant therefor on the county treasury, and signed by the County Court Clerk.

4. The County Judge shall countersign all warrants issued by the County Court Clerk upon the county treasury, and no warrant shall be a valid claim against the county unless signed by the County Court Clerk and countersigned by the County Judge.
5. To audit and settle the accounts of the County Trustee and those of any other collector of revenues, taxes or income payable into the county treasury, and those of any other person intrusted to receive and expend any money of the county and to require said officers or persons to render and settle their accounts as required by law or the authority under which they may act.
6. To cause to be entered by the County Court Clerk in a well bound book, to be known as a warrant book, in the order of issuance the number, date and amount and name of the drawee of each warrant drawn upon the county treasury.
7. The County Judge shall keep in a suitable and well bound book an account of the receipts and expenditures of the county in such a manner as will clearly show the assets of the county, and the debts payable to and by it, balancing said accounts annually and to exercise the general supervision over the financial concerns of the county.
8. No money shall be drawn out of the county treasury except upon a warrant issued by the County Court Clerk and countersigned by the Judge of the County Court.
9. The duties directed to be performed by the County Court Clerk in the administration of insolvent estates shall be as heretofore, except that which is judicial in its nature.
10. The County Judge of Lawrence County, from and after the first Monday in July, shall have jurisdiction of all litigation concerning county roads in Lawrence County, and questions in regard to the same.

**SECTION 7.** That from and after the first Monday in July, 1901, it shall be the duty of the County Court Clerk of said county to keep and preserve in well bound dockets all cases provided for in this bill, to be tried in said County Court, and to enter upon said dockets all suits showing the names of the plaintiffs and defendants, all motions and actions that may come before said County Judge for trial, and he shall also enter upon said docket a memorandum of all papers filed in each case pending in said Court, and no suit or action or motion before said Court shall be tried except it appears on said docket, and all suits and motions and actions shall be tried, continued or disposed of in the order in which they appear in said docket.

**SECTION 8.** That the County Judge shall not be precluded from practicing before the Supreme Court or Circuit Courts of this State, or the Chancery Court, but he shall not be permitted to act as counsel in any case going up from his own court.

**SECTION 9.** That whenever said County Judge is unable to attend his court from sickness or other cause, then the Governor shall have power to appoint some suitable person to hold said court until the disability of the regular Judge is removed.

**SECTION 10.** That the Quarterly County Court, composed of the Justices of the Peace of Lawrence County, shall meet on the second Mondays in January, April, July and October of each year and said County Judge shall preside over the same, and they shall have such jurisdiction as they now have by law, except such as is conferred by this Act on said County Judge.

As amended by: Private Acts of 1935, Chapter 757

**SECTION 11.** That the compensation of said County Judge shall be \$750 per annum, to be drawn by one upon the county treasury as in other cases herein provided for.

**SECTION 12.** That the said County Judge shall be commissioned in the same manner as other Judges of the State, and he shall be thirty years old, and a person learned in the law, and a resident of Lawrence County, and before entering upon the duties of his office he shall give bond in the sum of \$1,500, to be approved by the Judge of the Circuit Courts, for the faithful performance of the duties of his office, and he shall take an oath to support the Constitution of the United States and of the State of Tennessee, and to faithfully discharge the duties of his office.

**SECTION 13.** That all laws and parts of laws in conflict with this Act, be, and the same are hereby repealed in so far as they conflict, but not further or otherwise.

**SECTION 14.** That appeals from this Court shall be to the Supreme Court.

**SECTION 15.** That this Act take effect from and after the first Monday in July, 1901, the public welfare requiring it.

Passed: April 12, 1901.

## Private Acts of 2005 Chapter 12

**SECTION 1.** Pursuant to Tennessee Code Annotated, Section 5-6-101, the title of "county mayor" in Lawrence County shall be redesignated as "county executive".

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

**SECTION 3.** 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 2.

Passed: March 10, 2005.

## County Legislative Body

## Private Acts of 1955 Chapter 335

**COMPILER'S NOTE:** See Tennessee Code Annotated Section 5-5-107 for the per diem payments of the County Legislative Bodies.

**SECTION 1.** That Justices of the Peace attending Quarterly Court in Lawrence County shall be entitled to ten cents (10¢) per mile on the way from the home of the Justice of the Peace to the Courthouse of Lawrence County, provided that mileage be allowed for attendance for not more than 2 days at any term of the Quarterly Court, and that no Justice of the Peace residing within 5 miles of the Courthouse shall be entitled to or receive mileage, and that in addition thereto each Justice of the Peace attending Quarterly Court in Lawrence County shall be entitled to Ten Dollars (\$10.00) per diem.

**SECTION 2.** That all laws and part of laws in conflict with this Act be, and the same are, repealed.

**SECTION 3.** That This Act be submitted to the Quarterly Court of Lawrence County at its next regular session. That if said Quarterly County Court approves this Act by two-thirds majority, that this Act take effect from and after said approval, the public welfare requiring it.

Passed: March 16, 1955.

## Fire Department Liability

## Private Acts of 1973 Chapter 97

**COMPILER'S NOTE:** This Act may be superseded by the "Tennessee Governmental Tort Liability Act", T.C.A. 29-20-101 et seq.

**SECTION 1.** This act shall apply to all counties of the state of Tennessee having a population of not less than 29,075 nor more than 29,100 according to the federal census of 1970 or any subsequent federal census.

**SECTION 2.** Fire fighting equipment belonging to a municipality within counties affected by this act may leave such municipality for the purpose of answering calls outside the boundaries of such municipality.

**SECTION 3.** Municipalities, municipal officers, employees, public officials and their agents shall be immune from any liability of any kind arising out of such calls and activities made because of such calls outside the city limits of any incorporated municipality but within the boundaries of such county.

**SECTION 4.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Lawrence County Quarterly County Court and certified by him to the Secretary of State.

**SECTION 5.** 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 upon being approved as provided in Section 4.

Passed: May 1, 1973.

## Landfills

## Private Acts of 1990 Chapter 168

**SECTION 1.** No landfill for the disposal of solid or hazardous wastes shall be located within two (2) miles from the center of the Buffalo River on each side of Lawrence County.

**SECTION 2.** No permit to construct or operate a landfill for the disposal of solid or hazardous waste shall be granted if the location of such landfill would violate the provisions of this act.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him 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 upon being approved as provided in Section 3.

Passed: March 22, 1990.

## Private Acts of 1990 Chapter 211

**SECTION 1.** No permit or registration shall be granted for any new solid waste processing facilities or disposal facilities or sites in Lawrence County if the permit or registration application has been submitted by a county or municipality located outside of the boundaries of Lawrence County unless the county legislative body of Lawrence County approves such solid waste processing facility or disposal facility or site in accordance with Section 2.

**SECTION 2.**

(a) The county legislative body of Lawrence County shall approve or disapprove such solid waste processing facility or disposal facility or site in accordance with the following criteria:

- (1) The type of waste to be disposed of at the facility or site;
- (2) The method of disposal to be used at the facility or site;
- (3) The projected impact on surrounding areas from noise and odor created by the proposed facility or site;
- (4) The projected impact on property values on surrounding areas created by the proposed facility or site;
- (5) The adequacy of existing roads and bridges to carry the increased traffic projected to result from the proposed facility or site;
- (6) The economic impact on the county;
- (7) The compatibility with existing development or zoning plans; and
- (8) Any other factor which may affect the public health, safety or welfare.

(b) Judicial review of the legislative body's determination shall be a de novo review before the chancery court for Lawrence County.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Lawrence County and certified by him 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 law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

Passed: April 12, 1990.

## Recycling

## Private Acts of 1990 Chapter 190

**SECTION 1.**

(a) The county legislative body of Lawrence County shall establish no later than January 1, 1991, a plan for recycling cardboard and paper waste collected from all county-owned public buildings or public offices.

(b) The county plan shall include, but not be limited to, provisions for planning, funding, and implementing the program, source separation of recyclable materials and cost efficiency.

(c) The county legislative body shall implement such recycling plan no later than March 1, 1991.

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

**SECTION 3.** 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 2.

Passed: April 5, 1990.

## Administration - Historical Notes

### Budget System

The following act once created a budgeting system for Lawrence County, but it has been specifically repealed or superseded by current law. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 759, created a five member Budget Commission for Lawrence County, four of whom would be named from the membership of the Quarterly Court at the April term, 1935, and every two years thereafter by the County Judge, who would also be ex officio Chairman of the Commission. The Commission would meet at the Court House on the first Monday in May, 1935 to make a careful investigation of the financial needs for the current year and to prepare a budget accordingly. The Commission was further required to compute a tax rate for the levy which would produce the funds for the budgeted amount. Each department must submit an itemized statement of the department's needs for the coming fiscal year for the Commission to consider, and report its findings to the Court, at the July session, after giving copies of the budget document to the court members in June. All members, except the Chairman, would be paid \$3 per day for each day spent in the discharge of their duties as members of the Commission. This Act was repealed by Private Acts of 1939, Chapter 414.

### County Attorney

The following acts once affected the appointment, election, or office of the county attorney in Lawrence County. These acts are included for historical reference only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1907, Chapter 579, created the office of County Attorney in Lawrence County who would be elected by the Quarterly County Court at the April term, 1907, for one year and annually thereafter. The salary was set at \$200 per annum not be changed during the term. It was the duty of the County Attorney to transact the legal business of the County, to advise county officials on legal matters and no county official could employ any other attorney except at his own expense. This Act was repealed by Private Acts of 1929, Chapter 65.
2. Private Acts of 1929, Chapter 65, established the office of County Attorney in Lawrence County who would be elected for a four year term by the Quarterly County Court at its April session, 1929. The annual salary would be set by the Quarterly Court at the April session between \$600 and \$1,200 which could not be changed in the year following and would be paid in equal monthly installments. The County Attorney would advise county officials and their employees on matters related to their duties, transact all the legal affairs of the county both in and out of court and do all other duties necessarily incidental to the position. The Quarterly Court could appropriate funds for the expenses of the office and authorize the payment of the same when they were properly presented.
3. Private Acts of 1933, Chapter 203, amended Private Acts of 1929, Chapter 65, Section 2, by deleting all the language in regard to the compensation of the County Attorney and fixed his annual salary at \$900.
4. Private Acts of 1937, Chapter 711, amended Private Acts of 1933, Chapter 203, by increasing the annual salary of the County Attorney of Lawrence County from \$900 to \$1,080.
5. Private Acts of 1947, Chapter 283, amended Private Acts of 1937, Chapter 711, by changing the amount of the annual salary of the County Attorney from \$1,080 to \$1,500.
6. Private Acts of 1949, Chapter 890, amended Private Acts of 1947, Chapter 283, by raising the salary of the County Attorney of Lawrence County from \$1,500 to \$1,800.

7. Private Acts of 1951, Chapter 33, expressly repealed Private Acts of 1929, Chapter 65, and all the amendments thereto. The repeal of these acts was not intended to revive or to restore any other Acts enacted prior thereto, it being the intention of the Legislature to abolish the office of County Attorney in Lawrence County.
8. Private Acts of 1985, Chapter 82, exempted the sheriff and sheriff's deputies and employees from the provision of this act. The act was disapproved August 5, 1985.

### **County Clerk**

The following acts once affected the office of county clerk in Lawrence County. They are included herein for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1915, Chapter 245, provided that females, married or single, over the age of 21 and a resident of Lawrence County, were eligible to serve as Deputy County Court Clerks, with all the rights, powers, duties, and obligations of other clerks in similar positions. Acceptance of employment would constitute an estoppel for denying any liability she might incur as a Deputy Clerk and to plead coverture against any suit brought against her on any obligation she might have as a Deputy Clerk.
2. Private Acts of 1933, Chapter 697, fixed the compensation of the County Court Clerk at 100% of all the fees, costs, and commissions collected in the office up to \$2,000, 60% of the next \$1,000, and 40% of the next \$1,000, the remainder of the fees, costs and commissions to be paid into the county treasury. The Clerk was obliged to file with the County Judge, or Chairman, during the first 10 days of January, April, July, and October, a report of all the income of the office collected during the preceding months which reports could be audited by the State Auditor. This Act was repealed by Private Acts of 1935, Chapter 752.

### **County Executive**

The references below are of acts which once applied to the office of county judge, or county executive in Lawrence County. They are included herein for historical purposes only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1855-56, Chapter 253, provided for a County Judge in every Tennessee County who must be learned in the law and elected for four year terms by popular vote. The County Judge would be sworn and commissioned as any other Judge, would preside over the County Court and perform all the duties of the Chairman whose office was abolished along with the Quorum Courts. The Court would meet on the first Monday in every month exercising the jurisdiction specified in the Act. The County Judge would also be the accounting officer and the general agent of the county who would assume and discharge all the responsibilities stipulated in the act. The Judge would be paid \$5 for each day spent sitting on the monthly and quarterly court. Adequate records would be kept of all the activities of the court and the Judge could continue to practice in all courts except the one over which he presided. This Act was repealed by Acts of 1857-58, Chapter 5.
2. Acts of 1867-68, Chapter 47, created the office of County Judge in the counties of Lincoln, Hamilton, Franklin, Lawrence, and Giles, who would be elected by the people for eight year terms, who would exercise the jurisdiction and perform the duties described in the Act, at a salary of \$500 annually with a provision that the County Court could authorize higher payments. The Quorum Courts were abolished and their jurisdiction and powers along with that of the Chairman of the County Court were transferred to the County Judge.
3. Acts of 1870, Chapter 97, amended Acts of 1867-68, Chapter 47, so that the annual salary of the County Judge of Lawrence County would be reduced from \$500 to \$300, and the Quorum Court, or the Quarterly County Court, would have no authority to increase the annual salary for holding the Court.
4. Private Acts of 1919, Chapter 675, provided that in Lawrence County the County Judge would receive in addition to his regular salary the sum of \$500 per annum as compensation for his services as the financial agent of the County which would be paid to him monthly out of regular county funds as other salaries were paid. This Act was repealed by Private Acts of 1943, Chapter 209.
5. Private Acts of 1921, Chapter 501, vested the County Judge of Lawrence County with the authority to grant fiats for injunctions and other extraordinary processes in any cause arising in his court, or any of the courts of the State of Tennessee, to the same extent as that possessed by other judges and chancellors. The fiats would carry the same force and effect as others issued in courts of competent jurisdiction.

6. Private Acts of 1929, Chapter 848, amended Private Acts of 1919, Chapter 675, by raising the annual compensation of the County Judge therein mentioned from \$500 to \$1,050 which were for his services to the County as Financial Agent. This Act was repealed by Private Acts of 1943, Chapter 209.
7. Private Acts of 1943, Chapter 209, provided that the County Judge of Lawrence County, would be paid, in addition to their regular salaries now allowed by law, an amount of \$1650 per annum for his services as the Financial Agent for the County which sum would be paid in equal monthly installments out of the general county funds. The Judge was also authorized to employ a Clerk in his office at a salary of not more than \$65 per month.
8. Private Acts of 1947, Chapter 13, amended Private Acts of 1943, Chapter 209, by increasing the annual salary of the County Judge as Financial Agent of the County from \$1,650 to \$2,250 and raised the limit on the monthly salary of the Clerk from \$65 to \$105, \$85 of which would come from the county general fund and \$20 from the Gasoline Tax fund.
9. Private Acts of 1953, Chapter 166, amended Private Acts of 1943, Chapter 209, to provide that the County Judge had the authority to employ a clerk in his office at a salary of \$150 per month which would be paid out of the general county funds on the warrant of the County Judge.
10. Private Acts of 1955, Chapter 336, amended Private Acts of 1943, Chapter 209, Private Acts of 1947, Chapter 13, and Private Acts of 1953, Chapter 166, to the effect that the County Judge of Lawrence County would be paid in addition to other regular salaries now allowed under the law, the sum of \$3,450 per annum for his services as the Financial Agent of the County, the same to be paid in equal monthly installments out of the general funds.
11. Private Acts of 1977, Chapter 159, provided that the General Sessions Court be given the judicial duties taken from the County Judge.

#### **County Legislative Body**

The following acts once applied to the quarterly court or the county legislative body of Lawrence County and are included herein for historical purposes.

1. Acts of 1817, Chapter 42, created Lawrence County and established a Court of Pleas and Quarter Sessions which would meet at the home of Dr. Joseph Farmer.
2. Acts of 1817, Chapter 138, Section 3, set the opening dates for the regular terms of the Courts in several of the Counties. The Quarterly Court of Lawrence County would meet on the first Monday in February, May, August, and November. Court would be held for one week.
3. Acts of 1820, Chapter 89, Section 3, fixed the times for the opening of the Court of Pleas and Quarter Sessions in Lawrence County on the first Monday in January, April, July, and October.
4. Acts of 1824, Chapter 61, made it lawful for the county court and the circuit court of Lawrence County, at the first or any subsequent term of the year to adjourn from the old to the new Court House erected in the town of Lawrenceburg there to be holden until otherwise directed.
5. Acts of 1826, Chapter 78, allowed the Quarterly Court of several counties, Lawrence County being among them, on the first day of the first term of Court in each year to select three of their number who would hold Court for the remainder of the year, as a Quorum Court, under the same rules and regulations as were applicable to the whole Court's meetings.
6. Acts of 1827, Chapter 8, stated that all the official acts performed by Robert Newton, Robert Brashears, Thomas Kees, Phillip Chronister, Michael Layton, Lemuel Blythe, Enoch Tucker, William S. Duncan, and George Keeton, as Justices of the Peace in Lawrence County, were hereby ratified and validated for all intents and purposes making them legal in every respect.
7. Acts of 1835-36, Chapter 6, established a County Court in every county, to be held by Justices of the Peace who would meet on the first Monday in every month and hold court until the docket was completed. One-third or twelve of the acting justices would constitute a quorum for doing business, except for appropriations exceeding \$50 and assessing taxes which required a majority of the Justices. Three of the Justices could be a court to hear the probate of wills and matters relative to estate administration but no jury trials would be conducted by this Court.
8. Private Acts of 1919, Chapter 337, provided that in Lawrence County the Justices of the Peace would receive \$2.50 per day for each day of attendance at the meetings of the Quarterly County Court, plus such mileage for going and returning as was allowed under the law.
9. Private Acts of 1923, Chapter 698, rearranged the Civil districts in Lawrence County by combining the 12th Civil District and the 13th Civil District into one and numbering it the 12th Civil District. An election was to be called upon the passage of this Act to elect two justices for the new 12th



district. The justices for the remaining districts would continue to serve until the next general election.

10. Private Acts of 1931, Chapter 687, allowed the 2nd Civil District of Lawrence County to have an extra Justice of the Peace for the town of St. Joseph which was located in that District. The Justice must be a resident of the town and would be elected by the town's citizens and exercise all the jurisdiction of a Justice of the Peace in the County. The boundaries of the town of St. Joseph were described in the Act. The Election Commission would hold the election as soon as practical after the passage of this statute.
11. Private Acts of 1935, Chapter 757, amended Acts of 1901, Chapter 311, which is published herein under "County Executive", to provide that the Quarterly County Court composed of the Justices of the Peace of Lawrence County would meet on the second Mondays in January, April, July, and October instead of the first Monday.
12. Private Acts of 1951, Chapter 17, was the authority for the towns of Lawrenceburg and Loretto in Lawrence County to each have an additional Justice of the Peace. This Act named Vail Wright as the Justice for Lawrenceburg and Frankie Johnson as the new Justice for Loretto both of whom would serve until their successors, elected in the next general August election, could assume the office.

### **County Register**

The following acts once affected the office of county register in Lawrence County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1851-52, Chapter 119, provided that all the duties heretofore performed by the Entry Takers of the counties would hereafter be done by the Registers in those counties south and west of the Congressional Reservation Line. The Registers were allowed to charge and collect the same fees as the Entry Takers, who were instructed to hand over their books, records, and maps to the Registers. The Registers were permitted to appoint a Deputy when the best interests of the county warranted it. Lawrence County was among the several counties exempting themselves from the application of this Act.
2. Acts of 1903, Chapter 416, repealed all laws authorizing land grants in the State. Private Acts of 1911, Chapter 86, amended this Act to exempt Lawrence County from the repealer. The Register of Lawrence County would perform the duties of entry takers until the County Court could elect entry takers.
3. Private Acts of 1933, Chapter 696, fixed the compensation of the Registers of Lawrence County at 100% of the first \$2,000 of all the fees, costs, and commissions collected, 60% of the next \$1,000, and 40% of the next \$1,000, with the remainder being assigned to the county treasury. The Register must file with the County Court Clerk a report in the first 10 days of January, April, July, and October showing all the fees collected in the office during the preceding months. This Act was repealed by Private Acts of 1935 (Ex. Sess.), Chapter 130,

### **County Trustee**

The following acts once affected the office of county trustee in Lawrence County, but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1831, Chapter 58, authorized the Trustee of Lawrence County, acting as sole commissioner of the town of Lawrenceburg, to either enforce liens on property or to compromise cases when in his opinion the expenses of a suit would exceed the value of the property.
2. Private Acts of 1933, Chapter 698, fixed the compensation of the County Trustee of Lawrence County. The Trustee must file within the first ten days of January, April, July, and October a report with the County Court Clerk which shows all the fees collected during the preceding months. The Trustee would be paid 100% of the first \$2,000, 60% of the next \$1,000, and 40% of the next \$1,000 collected. The remainder of the fees would be paid over to the county treasury. This Act was repealed by Private Acts of 1935, Chapter 756.

### **Banking Hours**

1. Private Acts of 1951, Chapter 133, allowed for a bank to close on Saturday mornings or after 12 p.m. on any other day of the week, without incurring liability for doing so. However, the population bounds specified in the act did not apply to any county at the time. The act was attributed to Lawrence County in the Index of the Private Acts of 1951.

### **General Reference**

The following private or local acts constitute part of the administrative and political history of Lawrence County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1819, Chapter 43, stated that after the passage of this Act, John McClish, of Lawrence County, would again enjoy all the rights and privileges equally with every other citizen of this state, all laws, customs, and wages not withstanding.
2. Acts of 1819, Chapter 127, named Josephus Irvine, Henry Phenix, Enoch Tucker, David Crockett, and M. H. Buchanan, as Commissioners, to locate a place for a permanent seat of justice in Lawrence County as near the center of the County as possible. When the site was chosen, the Commissioners were instructed to buy 50 acres, and lay out a town, streets, alleys, and lots, reserving two acres for the court house. The lots were to be sold and the proceeds used to erect a Court House, prison, and stocks. The town would be called Lawrenceburg in honor of Captain James Lawrence, U.S. Navy. It was the duty of the courts to adjourn to the court house at the earliest possible moment after it was completed. This Act was repealed by Acts of 1825, Chapter 335.
3. Acts of 1821, Chapter 97, allowed Daniel May to retail spirits and other liquors in the Counties of Maury and Lawrence without having to obtain a license, or to pay any State, County, or Corporate tax to do so.
4. Acts of 1821, Chapter 120, was the legal authority for the commissioners of the town of Lawrenceburg to build a public jail and stocks. This Act amended Acts of 1819, Chapter 127, moving the jail site to some lot not on the public square.
5. Acts of 1822, Chapter 202, required that the surveyor of the Seventh District would hereafter keep his office in the town of Lawrenceburg in Lawrence County.
6. Acts of 1823, Chapter 210, appointed George Isom, George Rogers, John McClarin, Isaac Reader, Jesse McNally, and William Wisdom, as commissioners for Lawrenceburg who would serve in addition to all the others serving as such, and who would have identical rights and powers as the others. The new commissioners must execute bond before entering upon the duties of their offices. This Act was repealed by Acts of 1825, Chapter 335.
7. Acts of 1824, Chapter 34, made it the duty of the commissioners of Lawrenceburg when they receive the money from the sale of said lots in the town to appropriate the same, or so much thereof as might be necessary, to the erection of a court house, jail, and stocks. The surplus, if any, could be used to build an academy for the benefit of the county's citizens.
8. Acts of 1825, Chapter 243, was the authority for John McCan of Lawrence County to hawk and peddle goods, wares, and merchandise in Lawrence County without having to obtain a license. Thomas Lyons of Lawrence County was given the same right in Section 2.
9. Acts of 1825, Chapter 244, incorporated the town of Lawrenceburg in Lawrence County. This Act was repealed by Acts of 1835-36, Chapter 127.
10. Acts of 1825, Chapter 335, provided that the commissioners appointed in 1819 and 1823 were to be discharged on the first Monday in January, 1826, at which time the County Court of Lawrence County would appoint three commissioners in the place of those being discharged, who would be bound by all the obligations of their predecessors and who were invested with all their authority to perform all of the remaining duties of the former commissioners.
11. Acts of 1826, Chapter 123, allowed Wyly Ledbetter, of Maury County, to hawk and peddle goods, wares, and merchandise in the counties of Maury, Hardin, Lawrence, Wayne, McNairy, Madison, Henderson, Perry, and Hardeman without having to obtain any license.
12. Acts of 1826, Chapter 127, authorized Noah Parker to build a dam across Shoal Creek in Lawrence County, adjoining the town of Lawrenceburg, for the purpose of propelling the machinery of a cotton factory. If the water backed up on any part of the Lawrenceburg town tract, the dam could not be declared a nuisance and removed.
13. Acts of 1826, Chapter 154, was the enabling act for the Mayor and Alderman of Lawrenceburg to cause a well to be dug on the Public Square of the town and they could call upon the County Commissioners to pay for the cost of the work out of the funds received from the sale of lots in the town, or out of unappropriated funds.
14. Acts of 1826, Chapter 165, permitted Jesse Williams to hawk and peddle without a license.
15. Acts of 1827, Chapter 78, allowed William McCann to hawk and peddle goods, wares, and merchandise in Lawrence County without a license.

16. Acts of 1829, Chapter 165, directed the commissioners of the town of Lawrenceburg to immediately proceed to settle and close their business as commissioners and to collect any money due from the sale of lots in the said town which money would be paid into the hands of the County Trustee of Lawrence County. At the first meeting of the County Court after January 1, 1831, the commissioners would appear before the Court with all the books and records and make a final and complete settlement of their business at which time they would be allowed compensation for their services not to exceed \$2 per day. The County Trustee would apply this money to the payment of the unsatisfied claims against the county as provided by law.
17. Acts of 1831, Chapter 43, Section 6, directed the cashier of the Bank of the State of Tennessee to place to the credit of the Counties of Montgomery, Dickson, Robertson, Sumner, Davidson, Stewart, Humphreys, Perry, Hickman, Williamson, Lawrence, Wayne, Hardin, and Wilson their pro rata share of the \$60,000 set aside for the internal improvement of Middle Tennessee.
18. Acts of 1831, Chapter 58, was the authority for the Trustee of Lawrence County, and his successors, acting as the sole commissioner for Lawrenceburg, in all cases where he believed the expense of a suit in equity to enforce a mortgage on a town lot would exceed the value of the lot, to compromise with the owner of the lot on such terms as he considered in the best interest of the county. This Act amended Acts of 1829, Chapter 165.
19. Acts of 1832, Chapter 18, Section 4, stated that Augustine W. Bumpass, and Douglas H. Stockton, were entitled to enter and jointly lay down on the general plan of the 8th Surveyor's District, 5,000 acres in not more than five different tracts under the same restrictions as provided in this Act encouraging the manufacture of iron in Tennessee.
20. Acts of 1832, Chapter 63, was the legal authorization for John Catron, owner of the Buffalo Iron Works in Lawrence County in the 8th Surveyor's District, to survey and cause to be entered in his own name seven occupant claims, not over 200 acres in any one of them, lying within the range six, Section two on Brush Creek, to include the improvements of Wyly Barlow, James Waters, Jacob J. Waters, Daniel Layton, John Briley, Isaac Morris, and Shadrach Morris, to which all rights and privileges pertaining to bona fide resident occupants would vest in Catron once the area was properly entered in his behalf.
21. Acts of 1832, Chapter 109, appointed Augustin W. Bumpass, John McCracken, George Lucas, John B. Stribling, Robert Brashears, and John Wasson, as a Board of Internal Improvement in Lawrence County. The Board was empowered to receive funds from the State for internal improvement, to make loans, and to use the interest for internal improvements.
22. Acts of 1833, Chapter 11, authorized William Thornton of Wayne County to hawk and peddle in the counties of Giles, Lawrence, Wayne, and Hardin without paying any tax for this privilege.
23. Acts of 1833, Chapter 25, provided that any person wishing to build a mill on any of the waters in the counties of Hickman, Lawrence, Wayne, Hardin, and McNairy, or in any other county lying west of the Tennessee River, provided no nuisance was created, were entitled to have laid down on the general plan of any surveyor's district south and west of the congressional reservation line, and west of the Tennessee River, 25 acres, or less, and be entitled to the same benefits as others in the county. The mill must be constructed within two years of placing it on the general plan and must be on land not fit for cultivation.
24. Acts of 1833, Chapter 34, established the Planters Bank of Tennessee which had branch offices at various cities in the State including an office at Lawrenceburg under the supervision of Martin Gaither, A. W. Bumpass, Thomas D. Davenport, Franklin Buchanan, William McKnight, Jr., D. H. Stockton, and Joshua Bowdry. All the rules and regulations concerning this Bank were also contained in the statute cited.
25. Acts of 1833, Chapter 39, allowed John J. Williams, of Hardin County, to hawk and peddle in the counties of Hickman, Lawrence, Wayne, Hardin, and McNairy without having to obtain a license, and Williams would also be permitted to operate a grocery store in Savannah in Hardin County under the same conditions, provided he made oath that he would sell no goods other than his own and only for his own benefit.
26. Acts of 1833, Chapter 65, permitted John Duncan and William S. Duncan to enter jointly on the 7th Surveyor's District in Lawrence County up to four tracts of land which was vacant and uncultivated, the total amount not to exceed 2,000 acres to which land title would be granted to the Duncans. The Register, upon satisfactory proof that an iron works had been erected and was in operation, was instructed to record the title.
27. Acts of 1833, Chapter 90, restored James Williams, of Lawrence County, to all the rights and privileges of full citizenship in the State of Tennessee.

28. Acts of 1833, Chapter 118, was the legal authority for a Samuel Garland and Bartlett Huckabee to hawk and peddle their goods, wares, and merchandise in the counties of the 10th U. S. Congressional District composed of Lincoln, Giles, Lawrence, Wayne, and Hardin Counties without a license, provided, however, they took an oath to sell only those goods which belonged to them and only for their benefit.
29. Acts of 1833, Chapter 136, recited in its preamble that Felix A. Catron and George F. Napier were making valuable improvements on the Buffalo Creek and Chalf Creek in Lawrence County by erecting furnaces and forges for the manufacture of iron but they needed timber and stone with which to build. This Act authorized them to enter Lawrence County on the Buffalo Creek for 2,000 acres of land in five tracts, or less, in the 8th Surveyor's District, which land must be vacant and unappropriated to which they would then have title the same as all others. Section 2 gave the right to John G. McDonald to enter up to 1,000 acres of land near his furnace in Lawrence County under the same terms and conditions.
30. Acts of 1833, Chapter 212, detached the portion of the Internal Improvement Fund in the Bank of the State of Tennessee which belonged to Lawrence County and made that sum part of the common school fund of the county. The cashier of the Bank was required to pay the funds involved over to the chairman of the common school commissioners, and the school commissioners were entitled to manage the same when the money came into their hands.
31. Acts of 1835-36, Chapter 48, established an Entry Taker's Office in each county who would be selected by the Quarterly Court of the County and abolished all the Surveyor's offices, requiring them to turn over and deliver all their records to the said Entry Takers. Section 14 instructed the Surveyor of the 7th District to deliver and surrender all his records and reports to the Entry Taker of Lawrence County.
32. Acts of 1835-36, Chapter 127, repealed Acts of 1825, Chapter 244, which incorporated the town of Lawrenceburg. Section 2, reincorporated the town under the same rules, regulations, restrictions and limitations enacted for the formation of the town of Clinton in Anderson County on December 28, 1835.
33. Acts of 1837-38, Chapter 188, Section 3, provided that the dividends which have been, or might hereafter be, declared on 16 shares of stock in the Planters Bank of Tennessee, the same being the Internal Improvement Fund for Lawrence County, would constitute an addition of that much to the annual appropriation to the said County, for the use of schools, and would be used along with all other funds thus designated to improve the public schools.
34. Acts of 1841-42, Chapter 34, Section 25, required the Entry Takers of the Counties of Lawrence, Hickman, Wayne, Giles, and Maury to account for all the money received by them in payment of the sales of vacant land to the State Comptroller on the first Monday in September of each year; the Comptroller would audit the account and certify the same to the Treasurer. When all this was accomplished, grants to the land in question would then be issued by the Register of Middle Tennessee.
35. Acts of 1847-48, Chapter 141, gave Lawrence County a Director in the Bank of Tennessee at Nashville who would serve under the same rules and regulations as the other Directors.
36. Acts of 1851-52, Chapter 191, Section 12, was the enabling legislation for the County Courts of the counties of Lawrence, Maury, Williamson, and Davidson to subscribe to whatever amount of stock they desired in any railroad company which had authority to build a railroad through their respective counties. Prior to taking stock, an election for the people to vote on whether to buy stock in the company, or not must be held. The counties could issue their bonds to secure the funds with which to pay for the stock. The county court could levy a tax sufficient to pay the annual interest on the bonds and create a sinking fund to redeem said bonds. (The case of Fidelity Trust and Safety Vault Company of Louisville v. Lawrence County, 92 F. 576 (1899), held that this Act was repealed by implication by the Tennessee Constitution of 1870)
37. Acts of 1851-52, Chapter 193, Section 7, enabled the Mayor and the Aldermen of the town of Lawrenceburg to subscribe to the stock of any railroad company running through the boundaries of the municipality to the same extent and in the same manner as the town of Franklin was authorized by this Act.
38. Acts of 1853-54, Chapter 61, repealed all the laws which required the Planters Bank of Tennessee or the Lawrenceburg Bank of Tennessee to pay a bonus to the State on a specific amount of capital stock. Hereafter, these banks would be required to pay only ½ of one percent per annum upon their actual capital at the time of the assessment of taxes. The Lawrenceburg Bank of Tennessee would have five Directors who would be elected to the Board in the same manner as in other branches.

39. Acts of 1855-56, Chapter 176, Section 3, incorporated Henryville in Lawrence County under the Mayor-Aldermen form of Charter, enumerating the specific powers conferred upon the municipal corporation and its officials. The Mayor and Aldermen were to appoint a Constable and a Recorder. The Constable of the 11th Civil District would hold the election for the city officials. The boundaries of the city were legally described in Section 8 of the Act.
40. Acts of 1857-58, Chapter 126, abolished the positions of Entry Taker in the Counties of Lawrence, DeKalb, White, Macon, Decatur, Grundy, Humphreys, and Wilson. The Surveyors in those counties would do and perform all the duties of the Entry Taker and be paid the same fees while being responsible for the duties.
41. Acts of 1903, Chapter 416, narrated in the introduction that the State should sell all the remaining public lands for the school fund, therefore all the laws, and parts of laws authorizing land grants were repealed.
42. Private Acts of 1905, Chapter 512, authorized one corporate charter for firms who would be acquiring real and personal property to construct, operate, equip, and maintain a system of waterworks, electric lighting plants, and gas works. An enumeration of the corporate powers granted to the institutions formed hereunder was included within the Act. A form of charter was specified, and some basic standards established for each type of the public utility mentioned above.
43. Private Acts of 1919, Chapter 262, amended Acts of 1903, Chapter 416, so as to relieve Lawrence County from the repeal of all the laws regarding land grants.
44. Private Acts of 1927, Chapter 288, was the authority for the County Court Clerk, the Clerk and Master of the Chancery Court, the Sheriff and his Deputies, Constables, Attorneys, and the Trustees of mortgages in Lawrence County to employ a professional qualified auctioneer for sales at public outcry arising under their jurisdiction. All persons seeking to qualify as an auctioneer in these instances must file a certificate signed by five reputable citizens of the county who will certify that the applicant is a resident of the county and has been a recognized professional auctioneer for at least four years. The compensation of the auctioneer was fixed by the Act.
45. Private Acts of 1931, Chapter 77, removed all the disabilities of infancy of Thomas L. Phillips of Lawrence County, and endowed him with all the responsibilities and privileges of being an adult including the right to pass good title to land.
46. Private Acts of 1931, Chapter 481, authorized Campbell County and Lawrence County to hold annual Fairs in the County at which agricultural, mineral, livestock, poultry, commercial, industrial, and educational progress could be exhibited and demonstrated for which premiums and prizes could be awarded in an aggregate amount which could not be less than \$1,500. Admission rates were not to exceed fifty cents per person for adults and five cents would be charged for entering the zoo exhibits in order to defray some of the expense of caring for and feeding the animals.
47. Private Acts of 1937, Chapter 109, emancipated Nola Joyce Hammond from all the inferiorities of her minority conferring upon her all the rights and privileges of an adult.
48. Private Acts of 1937, Chapter 110, took away the disabilities of her minority from Clara Carolyn Hammond, who was past 18 years of age.

## Chapter II - Animals and Fish

### Animals and Fish - Historical Notes

The following is a listing of acts that at one time affected, but no longer appear to have any effect on, hunting, fishing or animal control in Lawrence County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1873, Chapter 54, provided that no person within the limits of Lewis County, Lawrence County, and Wayne County could hunt or kill a deer lawfully from March 1 until September 1. Upon violation and conviction thereof one could be fined \$10 for each deer killed or hunted. The offender would be prosecuted in the name of the county and the fines exacted of the defendants would be placed in the county treasury. This Act was repealed as to Lawrence and Wayne Counties by Acts of 1877, Chapter 82.
2. Acts of 1889, Chapter 171, was a general statewide game law to which many counties, including Lawrence County were exempted. The Act made it illegal to kill, hunt or trap, deer for profit but

- all citizens could kill deer for their own consumption between August 1 and January 1. A Tennessee citizen could capture or kill deer for profit only on his own land between August 1 and January 1. It was likewise contrary to the law to kill or capture quail or partridges for profit except on one's own land between November 1 and March 1. Offenders could be fined from \$5 to \$25 for the first offense and \$25 to \$50 for subsequent ones plus up to three months confinement.
3. Acts of 1899, Chapter 295, exempted Lawrence County from the general fish law of the State enacted in 1895 and made it lawful to catch fish in the county in every way and at all times except in April and May of each year, except by explosives, poisons, or by using other devices which would prevent the free passage of fish up and down the stream of the county.
  4. Private Acts of 1905, Chapter 212, declared it to be a misdemeanor punishable by fines from \$5 to \$25 to the discretion of the Court for any person who was a non-resident of the counties of Wayne, Lawrence, and Lewis to hunt, take, or kill, game or catch fish in those counties mentioned on the land of anyone without the written permission of the owner or the person having control over the same.
  5. Private Acts of 1913 (Ex. Sess.), Chapter 52, made it unlawful in Lawrence County for the owner or the custodian of horses, mules, cattle, sheep, goats, hogs, or any kind of livestock, to permit them to run at large, for any violation of which the owner or custodian could be fined from \$2 to \$10 for each offense and any damage done to another by the trespassing stock would be a lien on them for the damages done plus the cost of taking them up and caring for them until the owner could claim them.
  6. Private Acts of 1917, Chapter 18, stated that it was against the law in Lawrence County for any person owning, or having control over horses mules, donkeys, cattle, goats, sheep, swine, geese, or any other live stock, to permit them knowingly to run at large. All persons who might be damaged by the invasions of their property by said animals would have a lien against them for the amount of damages suffered. Any violation was also a misdemeanor for which those guilty could be fined from \$5 to \$25.
  7. Private Acts of 1919, Chapter 174, required the Election Commissioners of Lawrence County to hold an election at all the polling places to ascertain the will of the people on the question of a stock law for the county. No poll tax receipt would be needed in order to vote on the ballot which would be a simple "For" or "Against". The election results would be canvassed and certified within five days to the delegation representing Lawrence County in the General Assembly.
  8. Private Acts of 1919, Chapter 509, made it a misdemeanor to shoot, or kill by any means, the birds known as quail also known as the Bob White, from January 15 to following November 15 each year, thus making the open season run from November 15 to following January 15. All conflicting laws were repealed.
  9. Private Acts of 1921, Chapter 405, was an Act in which several counties, including Lawrence County, removed themselves from the provisions of Public Acts of 1919, Chapter 61, which was a rather stringent statewide law on the care, keeping, and licensing of dogs.
  10. Private Acts of 1921, Chapter 715, declared it to be lawful for the residents of Lawrence County to seine, gig, and grapple for fish in the streams of Lawrence County except during the period from May 1 through June 15 when it would be unlawful to take fish in any manner. Further, it was legal for the residents of Lawrence County to kill squirrels on unenclosed lands of the county during open season without having to secure a hunter's license.
  11. Private Acts of 1925, Chapter 305, rendered it lawful to take, catch and kill fish by means of a gig and fish basket in all the streams of the counties of Sullivan, Johnson, Hawkins, Claiborne, Williamson, and Lawrence and the legal season for gigging fish would be from November 1 until the following March 1 of each year. The slats on the fish baskets must be at least 1 1/2 inches apart. The required license to gig fish would cost \$1 which would go to the Department of Game and Fish while fines for those convicted of violating this law would range from \$10 to \$25.
  12. Private Acts of 1927, Chapter 257, stated that after the passage of this Act it would be lawful for any person to hunt, take, snare, trap, shoot, snare, or kill by any other means, rabbits and hares at all times and seasons of the year, but nothing herein would be construed as the authority for any person to hunt upon the lands of another without the owner's permission. It was also lawful to buy and sell, ship or transport rabbits to any point in and out of the State. In Section 2 ten counties, Lawrence County among them, exempted themselves from the application of this law.
  13. Private Acts of 1927, Chapter 711, declared it to be contrary to the law for anyone to shoot, or kill by any means, or to trap foxes in Lawrence County. Nothing in the Act would prohibit farmers, poultrymen, or stock raisers from killing, or trapping, foxes which were actually destroying their

stock or crops. Violations of this Act were a misdemeanor with a penalty schedule running from \$10 to \$25 over which any Justice of the Peace in the county would have jurisdiction.

14. Private Acts of 1933, Chapter 673, made it unlawful for any person to kill, wound, hunt, chase, or knowingly permit a dog to chase, deer, or for a person to otherwise catch, wound, or destroy deer, or have one in his possession knowing it to have been killed or captured in violation of this Act, nor could one hunt, wound, kill, or capture wild turkeys, in Lawrence County. Anyone doing so was guilty of a misdemeanor and, upon conviction, could be fined from \$100 to \$250 and imprisoned in jail for no less than 30 days nor more than 6 months. Any owner, or person in possession, of land could not lawfully grant permission for anyone to kill deer or wild turkeys on his land or they, too, were guilty of violating this Act.
15. Private Acts of 1933, Chapter 869, declared it illegal in Lawrence County for anyone to hunt, trap, or kill ringneck and mongolian pheasants. Offenders were subject to fines of \$10 to \$25 for each offense.
16. Private Acts of 1937, Chapter 753, provided that in Lawrence County all real property leased by the Tennessee Department of Game and Fish would be exempt from taxation. Wherever it had been established to the satisfaction of the Tax Assessor that certain property has been so leased, the same would not be assessed for taxation. These properties would also be relieved of any county taxes which had become a lien upon them.
17. Private Acts of 1955, Chapter 326, made it unlawful to take and kill red fox in Lawrence County.
18. Public Acts of 1970, Chapter 479, made it unlawful to hunt or take deer in Lawrence County other than with a shotgun using ammunition loaded with one solid ball, or slug, or with bow and arrow. This Act was repealed by Public Acts of 1971, Chapter 82. Neither of these Acts were codified in Tennessee Code Annotated.
19. Private Acts of 1985, Chapter 29, repealed Private Acts of 1955, Chapter 326.

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Lawrence County is included below for reference purposes, although these acts are no longer current.

#### **Building**

1. Private Act of 1935 (Ex. Sess.), Chapter 119, authorized Lawrence County acting through the County Judge and the Financial Agent to issue and sell up to \$75,000 in warrants, at an interest rate of no more than 5%, and to mature as might be determined by the parties for the acquisition of a site and the construction and equipping of a new County Building thereon.

#### **Courthouse**

1. Private Acts of 1905, Chapter 428, was the enabling legislation for the Quarterly Court of Lawrence County to issue bonds in an amount up to \$25,000 at an interest rate of 6%, or less, and to mature no longer than ten years from the date of issue, which bonds must be issued and sold in conformity with the regulations contained in this Act. The proceeds would be used to erect a Courthouse in Lawrenceburg. All the requirements of a valid law authorizing a bond issue were observed.

#### **Debts**

1. Private Acts of 1929 (Ex. Sess.), Chapter 55, authorized the Quarterly Court of Lawrence County to issue up to \$100,000 in bonds, at an interest rate of no more than 5 ½%, and which would mature in 25 years, or less, from the date of issue which funds were to be used to liquidate outstanding debts of the county evidenced by the school and road building programs. A majority vote of the Court would be sufficient to issue the bonds. The essential details were fixed in the Act and the Resolution to be adopted by the Court. A tax levy for the sinking fund was mandated to amortize the bonds according to schedule. Substantial compliance with these conditions would be sufficient and no irregularity in the issuance and sale of the bonds would invalidate the program.
2. Private Acts of 1933, Chapter 701, was the legal authority for the Lawrence County Quarterly Court at any of its regular, or special, sessions to issue and sell through the County Judge and the County Court Clerk its interest bearing warrants up to \$25,000, at no more than 6% interest, to provide funds in anticipation of tax revenues to pay the just and due debts of the County. The

bonds would all mature no later than 5 years from the date of issue. All the requisite details of a valid bond law, including the mandatory tax levy, were present in the Act.

3. Private Acts of 1935, Chapter 808, ratified, confirmed, validated, and legalized all the prior proceedings of the Lawrence County Quarterly Court held in connection with the issue and sale of \$90,000 in bonds, at interest rate of no more than 5%, and maturing within 15 years from issue according to the schedule which would be used to fund and pay the outstanding debts of the County. The Court must levy an additional tax in every year as long as any of the bonds were outstanding and unpaid.

### **County Fair**

1. Private Acts of 1937, Chapter 752, permitted the Quarterly Court of Lawrence County to issue no more than \$35,000 in bonds to provide funds with which the County would acquire real estate and improvements with which to establish, operate, and conduct a Fair. This Fair would be the official Lawrence County Fair which would be the locale of the exhibitions, etc., in the common manner of fairs held everywhere. The allowable rate of interest could not exceed 4%, and the Court could exercise its discretion on the question of a maturity schedule. There would be a nine member Board of Fair Directors, which would operate and supervise the Fair, composed of the County Agricultural Agent, the Home Demonstration Agent, the County Judge, the County Attorney, three members of the Quarterly Court, and two resident business men. All but the ex-officio members would be elected to two year terms. Expenditures, including a \$10.00 remuneration for the members of the Board each year, would be paid out of the Fair Fund. The Board was empowered to hire employees to operate the fair and to fix their compensation.

### **Roads**

1. Private Acts of 1911, Chapter 289, was the enabling law for the Quarterly Court to submit to the people by referendum the question of the issue and sale of up to \$200,000 in bonds with which to build and macadamize roads, turnpikes, and bridges, and to improve other public highways. In the event the question failed to carry on the first election, it could be resubmitted later. The interest rate was pegged at 4% and the maturity schedule at 40 years. The mechanics of the issue, sale, and payment of the bonds were included, and a tax levy required for general obligation bonds. The County Judge must appoint, subject to confirmation by the County Court, three Commissioners who were to supervise the programs generally. The Commissioners could employ a civil engineer, and other professional people, to assist them where necessary. Maps of the changes made would be drawn and copies filed with the proper people, and with appropriate records.
2. Private Acts of 1913, Chapter 66, amended Private Acts of 1911, Chapter 289, by replacing Section One with a new Section providing for a referendum election on March 22, 1913, on the issue of \$200,000 in bonds to build and improve roads and bridges which definition of public highways would include the continuation of public roads through corporate cities. If the election failed, the Quarterly Court could set the date for another one. The maximum allowable interest rate was raised from 4% to 5% and each Civil District was guaranteed a minimum expenditure in the District of \$7,500 on roads alone.
3. Private Acts of 1951, Chapter 32, validated all the prior proceedings of the Quarterly County Court with respect to the authorization of \$150,000 in road bonds.
4. Private Acts of 1951, Chapter 517, ratified all the prior proceedings of the Lawrence County Quarterly Court taken in connection with the issue and sale of \$150,000 in Road Equipment Bonds. The actions of all public county officials were likewise ratified and affirmed. The proceeds would be used to provide funds with which to finance acquisition of road building and maintenance equipment for the county. The delivery of the bonds would constitute a binding and incontestable obligation of Lawrence County. The details of the issue and the tax levy decided and set in the Resolution adopted by the Court were also ratified and validated.

### **Schools**

1. Private Acts of 1907, Chapter 584, authorized the Mayor and Councilmen of Lawrenceburg to issue bonds in an amount not over \$15,000 at a maximum interest rate of 6% and to cover a maturity schedule no longer than 20 years with which to erect and furnish school buildings for the City of Lawrenceburg. A referendum on the bond issue was required.
2. Private Acts of 1927, Chapter 828, was the authority for the Lawrence County Quarterly Court to issue bonds not to go above \$50,000 at an interest rate of 4½%, or less, which would become due and payable as the Quarterly Court decided, which money would be used to extinguish an outstanding indebtedness which was evidenced by school warrants bearing 6% interest, and for



the further purpose of placing the operations of the school system on a cash basis.

3. Private Acts of 1927, Chapter 829, allowed the Lawrence County Quarterly Court to issue and sell its bonds in an amount up to \$50,000, at an interest rate of 4½%, or less, and maturing at a schedule to be determined by the Court which funds were to be used in the erection and construction of school buildings in the County. The bond form and details of the issue could be incorporated in a Resolution and adopted by the Court.
4. Private Acts of 1931, Chapter 39, was the authority for the Quarterly Court to sell \$30,000 in bonds, at 5%, or less, interest, and to mature no later than 25 years from the date of issue to construct two school buildings, one at Iron City in the First Civil District and one at West Point in the 15th Civil District. A Resolution to be adopted by the Court would be proper if it contained all the essential details of the form of the bonds and their sale and repayment. The Resolution would create a tax levy to repay the bonds and the interest. These bonds could be sold at public or private sale and were declared exempt from the taxing powers of state and local government. Private Acts of 1931, Chapter 132, seemed to be an exact duplicate of this Act.
5. Private Acts of 1931, Chapter 359, permitted the Lawrence County Quarterly Court to issue up to \$36,000 in 5%, 25 year, bonds to provide for the construction of three school houses, one at Iron City in the First Civil District, one at Ethridge in the Tenth Civil District and one at West Point in the Fifteenth Civil District. A Resolution adopted by a majority of the Court could fix the details of the bond issue, set the precise interest rate for their payment and state in detail the purposes for which they were issued. The proceeds of the issue would be paid to the County Trustee to be dispensed under the direction and control of the County Board of Education. The bonds were tax exempt and substantial compliance with the terms of this legislation would be sufficient.
6. Private Acts of 1933, Chapter 732, allowed Lawrence County to issue interest bearing warrants in payment of claims and obligations incurred in the operation of the schools for which no present funds were available but only upon condition that the amount would never exceed \$125,000, the interest rate not go beyond 6%, and all of the same be approved by a Resolution of the Court before being issued. The warrants would be redeemable as soon as the funds to pay them become available.
7. Private Acts of 1937, Chapter 103, authorized the issuance and sale by the Quarterly Court of up to \$75,000 in 3½%, 20 year, bonds to acquire the sites and to construct on them, or on presently owned sites, school buildings as they were needed. All the details of a valid bond law for general obligation bonds were set out in the Act.
8. Private Acts of 1939, Chapter 175, was the legal authority for the Quarterly Court to issue up to \$50,000 in bonds at an interest rate of no more than 3½%, and which would mature no later than 25 years from the date of issue, which would be used for the acquisition of sites and the construction thereon, or on sites already acquired, of suitable and needed school buildings. The bonds could be sold in blocks or all at once, would be tax exempt, and would conform to the standards established in this and the general law.

#### **Water System**

1. Private Acts of 1957, Chapter 7, was the legal authority for Lawrence County to construct, acquire, extend, repair, and improve water mains and lines, to furnish water facilities and fire protection to the County, or to assist and cooperate with municipal water systems in the county, for which purposes the County could issue bonds at an interest rate of no more than 5% and over a maturity period not to exceed 30 years, but the total amount of such indebtedness could not exceed \$40,000 at any one time. A Resolution fixing the essential details must be adopted. If the cities extended the system the County could assume up to 50% of the cost, not to exceed \$40,000. The bonds had to be general obligation bonds, and not revenue bonds, for which a tax levy for the sinking fund must be made generally on all property. The power and authority in this Act were in addition to and supplemental to the other powers and authority heretofore granted and to those existing under general law. This Act was properly ratified.

## Chapter IV - Boundaries

### Creation of the County

### Acts of 1817 Chapter 42

**SECTION 1.** That the Territory, south of Hickman and Maury, and west of Giles county, shall constitute a county to be known by the name of Lawrence County.

**SECTION 2.** That said county of Lawrence, shall be bounded as follows, to wit: beginning on the south boundary line of the state, where the west boundary line of Giles county intersects the same; then west with the state line so far, that by running north to the Duck river ridge, then eastwardly with the top of said ridge to the north west corner of Giles county, will include a constitutional county and no more.

**SECTION 3.** That for the due administration of justice, the court of pleas and quarter sessions, and the circuit court in said county, shall be holden at the house of Doctor Joseph Farmer, until otherwise provided for, under the same regulations and restrictions, and shall exercise and possess the same power and jurisdiction, as possessed by said courts in other counties in this state.

**SECTION 4.** That the sheriff of Lawrence county, shall hold an election at the place appointed for holding courts in said county, on the first Thursday and Friday in March next, for the purpose of electing Field officers for said county of Lawrence, under the same regulations and rules as are prescribed by law in similar cases, and the militia of said county of Lawrence, shall constitute the fifty-seventh regiment, and shall be attached to, and become a part of the fifth brigade.

**SECTION 5.** That it shall be the duty of the commandant of said fifty-seventh regiment, having been first commissioned and sworn agreeable to law, to divide the militia of said regiment into at least eight companies, and it shall be the duty of said commandant to issue writs of election for company officers in said companies, giving at least fifteen days notice, in the company; which election shall be conducted in the same manner as in other cases for company officers.

**SECTION 6.** That said county of Lawrence shall be a part of the district for electing a Governor, representative or representatives to congress, elector to elect a President, and Vice President of the United States, and members to the general assembly, to which the county of Giles now belongs, and that elections be held at the place of holding courts in said county, at the time, and in the manner by law directed and the sheriff or returning officers of said county shall make return of the polls of said election to the sheriff of Giles county, in the town of Pulaski, on the day next succeeding each election, and upon comparing the votes they shall declare the candidate for the representatives of said counties of Giles and Lawrence, who may have the highest number of votes, and give a certificate accordingly, and it shall be the duty of the sheriff of Giles county, to make the return of votes in said counties of Giles and Lawrence, for senator of said district, member of congress, governor, etc., as heretofore directed by law.

**SECTION 7.** That it shall, and may be lawful for any justice of the peace for Giles county, to attend at the place appointed by law, for holding court in Lawrence county, at the first court of pleas and quarter sessions, appointed to holden for said county, for the purpose of administering to the justices of said county the necessary oaths.

Passed: October 21, 1817.

## County Seat

## Private Acts of 1819 Chapter 127

**SECTION 1.** That Josephus Irvine, Henry Phenix, Enoch Tucker, David Crockett and M. H. Buchanon be and they are hereby appointed commissioners who, or a majority of them, shall as soon as may be, fix on a place for the permanent seat of justice of Lawrence County as near the centre of said county as an eligible site can be procured, and after agreeing on the place, the said commissioners shall proceed to purchase or otherwise procure not less than fifty acres of land for which they shall cause a deed or deeds to be made to themselves and their successors in office by general warranty, on which they shall cause a town to be laid off with necessary streets and alleys, reserving two acres, as near the centre as may be, on which the court house, prison and stocks shall be erected, which town shall be known by the name of Lawrenceburg, in honor and to perpetuate the memory of Captain James Lawrence deceased, late of the navy of the United States.

**SECTION 2.** That when the town shall be thus laid off, the aforesaid commissioners are further required, to advertise for sale, to the highest bidder in some newspaper printed in Columbia and three of the most public places in said county, on a credit of twelve months, giving sixty days previous notice, and shall take bonds to themselves and successors in office, and shall make titles to the purchasers in fee simple.

**SECTION 3.** That it shall be the further duty of the said commissioners to contract with suitable workmen to build a court-house, prison and stocks, and the monies arising from the sale of said lots after paying for the land so purchased, shall be applied to pay for said court-house, prison and stocks.

**SECTION 4.** And whereas it has been represented to this General Assembly, that it would tend much to

the advancement of the said town of Lawrenceburg hereby established, and to the amelioration of the citizens of said county of Lawrence, to authorize and empower the commissioners aforesaid to locate six hundred and forty acres of ground for the use and benefit of said town; therefore,

BE IT ENACTED, That the aforesaid commissioners are hereby authorized and empowered to locate, enter and have granted to them six hundred and forty acres of land, by virtue of good and valid warrant, for the use and entire benefit of said town, the proceeds of the sales of which shall be applied to defray the expense of building the court house, prison, and stocks for the said town of Lawrenceburg; provided always that the said entry and location shall be made upon unappropriated land, and in the neighborhood of the centre of the said county of Lawrence; and provided also that if the said commissioners should locate and enter and have granted to them six hundred and forty acres of land as aforesaid, or a less quantity, upon a good and valid warrant they shall be, and are hereby authorized to fix the seat of Justice aforesaid upon such tract of land thus located and entered.

**SECTION 5.** That before the said commissioners enter upon the duties of their appointment they shall enter into bond with sufficient security payable to the Governor for the time being and his successors in office in the sum of four thousand dollars, for the faithful discharge of their duties as herein expressed; which bonds shall be attested by, and lodged in the office of the county court clerk of the county of Lawrence.

**SECTION 6.** That so soon as the public buildings shall be completed the aforesaid commissioners shall lay before the court of Lawrence county a just and fair statement of all the monies by them received as well as those by them expended, by virtue of their appointment with sufficient vouchers for the same, and the said court shall make them a reasonable compensation for their services, provides a majority of the acting Justices of said county shall be present when such allowance is made; and provided also that said commissioners shall make out a fair statement of their accounts at any time when called upon by the county court of Lawrence; but such call shall not be oftener than once in each year.

**SECTION 7.** That so soon as the court house hereby authorized to be built shall be in a situation that the Courts of Lawrence county can be held therein; the said commissioners shall certify the same to the county court of said county, whereupon it shall be the duty of the several courts of Lawrence county to adjourn from the present place of holding courts in said county to the town of Lawrenceburg without delay, and all writs subpoenas and other process made returnable to the present place of holding the courts of said county, shall be returnable to the court house in the town of Lawrenceburg and shall be as good and available in law as if they had been originally made returnable to the court house in the said town of Lawrenceburg.

**SECTION 8.** That the said commissioners before entering on the duties enjoined on them by this act; shall before some acting Justice of the Peace for Lawrence County take an oath well and truly, faithfully and impartially, to perform all the duties required of them to do and perform by the provisions of this Act.

Passed: November 23, 1819.

## Change of Boundary Lines

### Acts of 1822 (Ex. Sess.) Chapter 96

**SECTION 1.** That all that tract of country lying North of the following described bounds shall be, and remain a part of Hickman County (to wit) beginning at the south east corner of Hickman County made by the commissioners on the old Natchez Road, and running with said road to Grinder's old stand on said road, thence eastwardly on the top of said ridge, with its different meanders between the head waters of Swan and Buffaloe, and extending on with said ridge between the head waters of Cane Creek and Trace Creek; thence with a ridge so as to include Racoon Creek in Hickman County, to the east boundary line of Perry County; thence north with Perry County line to the north-west corner of Hickman County.

**SECTION 2.** That all the balance of territory being north of Lawrence County and south of (the) aforesaid described line shall be and remain a part of Lawrence County.

**SECTION 3.** That all the remaining part of said territory lying north of Wayne County and south of said before described line of Hickman shall be and remain a part of Wayne County.

**SECTION 4.** That the county court of Wayne and Lawrence shall appoint one or more commissioners to run and mark the lines as far as respects Lawrence and Wayne counties.

**SECTION 5.** That all and every person or persons whatsoever, falling into the bounds of either of the aforesaid counties, shall, and they are hereby vested with all the rights and privileges that they would have had in case they had been originally attached or belonged to said counties, and that this act shall be in force from and after the passing thereof, and that all laws or parts of laws coming within the purview

and meaning of this act shall, be, and the same is hereby repealed.

Passed: August 17, 1822.

## Acts of 1843-44 Chapter 38

**SECTION 1.** That a new county be, and the same is hereby established, to be composed of fractions taken from the counties of Maury, Lawrence, Wayne and Hickman, and to be known and designated by the name of Lewis County, in honor of Captain Merrewither Lewis, who has rendered distinguished services to his country, and whose remains lie buried and neglected within its limits, and shall be bounded as follows:

**SECTION 2.** Beginning on the South bank of Duck river, at a point twelve miles on a straight line West from Columbia, and running in a South direction, leaving Columbia twelve miles to the East, to the Turnpike leading from Mount Pleasant to Tennessee River, thence with said turnpike road to the Wayne County line, running thence in a Northerly direction, leaving Waynesboro to the West twelve miles, thence in a North-East direction through Hickman County, leaving Centreville twelve miles to the West to Duck River, thence up said river to the beginning.

**SECTION 3.** That John Aiken and Albert G. Cooper of the county of Maury, Shadrick Morris and James Voss of the county of Lawrence, James Gullett and David Voorhies of the county of Wayne, Hugh B. Venable and John Clayton of the county of Hickman, shall be, and they are hereby appointed commissioners, with authority to employ a competent surveyor to run out and designate the boundaries of said county, and also to employ a competent surveyor to ascertain by actual survey of the several counties, from which the county of Lewis is to be composed, and if upon such survey there shall be territory and population sufficient to meet the requirements of the constitution, without infringing upon the constitutional territory or population of either of the counties, from which said county of Lewis is to be composed, then said county of Lewis is hereby established upon the following conditions:

**COMPILER'S NOTE:** The remainder of this Act affected only Lewis County and is omitted.

December 21, 1843

## Acts of 1853-54 Chapter 89

**COMPILER'S NOTE:** The remaining portions of this Act do not apply to Lawrence County and are not reproduced herein.

**SECTION 10.** That the dividing line between Lawrence and Lewis counties be so changed, that all of that part of the north-western portion of the county of Lawrence, lying immediately south of and adjoining the county of Lewis, which may be left after surveying out and setting apart to said county of Lawrence its constitutional territory, as hereinafter mentioned, shall be included in and attached to the county of Lewis. Provided, it shall not appear that the county of Lewis, as enlarged, is not a constitutional county.

**SECTION 11.** That before any such change shall take place, the county court of Lewis county, a majority of the acting justices of the peace being present and voting in the affirmative, shall pass an order notifying the county court of Lawrence county, that they desire to have said county of Lawrence surveyed out, and it constitutional territory set apart to it, as hereinafter mentioned.

**SECTION 12.** That it shall be the duty of the county court of Lawrence county, on receiving the above mentioned notice, to appoint some competent and suitable person to make said survey, who shall have power to employ at the expense of said county of Lewis, chain carriers, a marker, flag bearer, a pack horse man, and such other persons as may be necessary to assist him in making said survey, and who shall together with said chainers and marker before commencing said survey, take and subscribe an oath before some justice of the peace in the county of Lawrence, faithfully, honestly, and correctly to perform the duties imposed upon them by this act, to the best of their knowledge and belief.

**SECTION 13.** That said survey shall begin at the south-east corner of the county of Lewis, on the north boundary of Lawrence, and run thence eastwardly with the north boundary of said county of Lawrence to the north-east corner of the same; thence southwardly with the west boundary of Giles county, the Alabama State line; thence westwardly, with the same to the south-east corner of Wayne county; thence northwardly with the same so far, that by running east and north to the beginning, will include in the county of Lawrence six hundred and twenty-five square miles, its constitutional territory.

**SECTION 14.** That said survey when made shall be returned to the next quarterly term of the county court of Lawrence County, and the change in the dividing line between Lawrence and Lewis counties as herein mentioned, shall take effect from and after the time said survey is received and approved by said county court of Lawrence County.

Passed: March 2, 1854.

# Boundaries - Historical Notes

The following is a summary of acts which authorized boundary changes for Lawrence County.

1. Acts of 1817, Chapter 174, established Wayne County and mentioned Lawrence County several times in the boundary description of Wayne County but did not appear to take any area away from Lawrence County. In Section 6 was a provision that the Clerks of the Counties from which Lawrence, Morgan, Marion, and Wayne were formed would furnish those counties with copies of the laws in force in those areas.
2. Acts of 1819, Chapter 127, established Lawrenceburg as the county seat of Lawrence County. This Act is published in full herein.
3. Acts of 1819, Chapter 149, added all that part of the country directly north of Lawrence County and south of Hickman County to Lawrence County.
4. Acts of 1847-48, Chapter 80, Section 6, realigned the boundaries between Wayne County and Lawrence County so that all the lands of William Hollis would be placed in Lawrence County and the boundary line so changed.
5. Acts of 1851-52, Chapter 55, changed the boundaries between Wayne County and Lawrence County moving the line as follows: starting at the State line dividing Tennessee and Alabama in the middle of the channel of Shoal Creek, and run up said creek with the middle of the channel thereof to the mouth of Holly Creek; thence up Holly Creek with its meanders to the original county line dividing Wayne County and Lawrence County; thence north with the said line as before.
6. Acts of 1851-52, Chapter 367, redescribed portions of the boundary lines of Lewis County from which it is difficult to tell whether or not Lawrence County was affected.
7. Acts of 1853-54, Chapter 130, moved the residence and lands belonging to Felix Carroll which were registered in his name and on which he now lives out of Giles County and into Lawrence County.
8. Acts of 1857-58, Chapter 136, Section 4, changed the lines between Lawrence County and Lewis County so as to make the Lewis County line begin on the south boundary of Lewis, at the northwest corner of Lawrence County, running thence southwestwardly with the west boundary of the same far enough to include old man Brewer's premises, on the head of the west prong of Brush Creek; thence in a northeasterly direction, running east and north so as to include all of the Brush Creek settlers in the county of Lewis, to a point where the old Natchez Trace road crosses Little Buffalo, just above William Pollock's; thence with the said Natchez Trace road to the south boundary of Lewis County.
9. Acts of 1859-60, Chapter 135, Section 9, transferred the home and lands owned by James C. Hollins out of Wayne County and into Lawrence County.
10. Acts of 1865-66, Chapter 76, Section 4, detached the portions of lands located in Lawrence County which belonged to William Hollis and Jasper Hollis from Lawrence County and attached them to Wayne County.
11. Acts of 1867-68, Chapter 13, changed the lines between Lawrence County and Wayne County so that the lands owned by John D. Wade, G. R. Reynolds, Jesse Bradley, Henry Mourton, James Wade, R. Hamm, Isaac Mourton, John W. Mourton, Alex G. Mourton, W. B. Richardson, William Johnson, Matthew Johnson, Robert Johnson, W. B. Smith, Edmund Smith, W. C. McDougal, and James Liles, would all be wholly within Lawrence County.
12. Acts of 1868-69, Chapter 31, returned all the territory taken from the counties of Maury, Hickman, Lawrence, Wayne, and Perry to form Lewis County to those respective counties. This Act was repealed by Acts of 1869-70, Chapter 30, thereby reestablishing Lewis County.
13. Acts of 1868-69, Chapter 39, rearranged the boundary lines between Giles County and Lawrence County so that all the lands and the residences of W. H. Hagan, James W. Hagan, William H. Hagan, and Sinia Garner, would be located wholly within Lawrence County.
14. Acts of 1868-69, Chapter 43, changed the county line between Giles County and Lawrence counties so as to include the lands of James Hogan, W. H. Hogan and Sirend Garner in the county of Lawrence.
15. Acts of 1870-71, Chapter 18, Section 5, altered the line between Giles County and Lawrence County to include the 90 acres of land belonging to Emery Hughes within Lawrence County, the same being contiguous to the county line.

16. Acts of 1877, Chapter 62, provided that the residence of N. F. Morrow and all the farm on which he now resided would be included wholly within Lawrence County and not in Wayne County, but Wayne County was not to be reduced below its constitutional limits nor the line, as revised, be nearer than eleven miles to the Court House of Wayne County.
17. Acts of 1877, Chapter 155, realigned the boundaries between Giles County and Lawrence County so as to include within the Fourth Civil District of Lawrence County the lands in the 18th Civil District of Giles County which belonged to James Harwell, Thomas M. Kelly, Catherine Hughes, Elvira Scott, and John M. Berry, plus a 100 acre tract owned by A. J. Hannah, provided all of the above did not bring the boundary line nearer than eleven miles to the Court House of Giles County.
18. Acts of 1877, Chapter 157, changed the county line between Wayne County and Lawrence County as follows: beginning at a point where the Lawrenceburg, Wayland Springs, and Florence road crosses the line between the said counties of Wayne and Lawrence, thence in a southwesterly direction with the center of the said road to the north boundary line of the State of Alabama, so as to include within the limits of the said County of Lawrence all the territory south and east of the said road lying in the State of Tennessee.
19. Acts of 1879, Chapter 137, Section 15, moved all the lands belonging to Berry Brashears out of Giles County and into the 9th Civil District of Lawrence County.
20. Acts of 1885, Chapter 127, transferred all the lands of William C. Napier, known as the Napier Furnace lands, out of Lawrence County and placed them in Lewis County.
21. Acts of 1887, Chapter 204, took all the lands owned by John Bromley and James V. Gallaher out of Lawrence County and put them into the limits of Wayne County.
22. Acts of 1889, Chapter 217, rearranged the boundary lines between Lawrence County and Lewis County so that all the properties belonging to the Laurel Hill Manufacturing Company and the Napier Iron and Mining Company would be wholly situated within Lewis County.
23. Acts of 1901, Chapter 257, detached the lands of J. L. Ball from Lawrence County and attached the same to Giles County, as the involved area was more particularly described in the Act.
24. Acts of 1903, Chapter 320, took the properties belonging to E. W. Faremen out of Lawrence County and placed them into Maury County. This Act was repealed by Acts of 1907, Chapter 484.
25. Private Acts of 1917, Chapter 763, amended the description of the boundary lines running between Lawrence County and Lewis County, as established by Acts of 1885, Chapter 127, and Acts of 1889, Chapter 217, by definitely locating the boundary lines relative to the W. C. Napier lands.
26. Private Acts of 1923, Chapter 632, transferred all the lands belonging to J. Monroe Carson out of Wayne County and into Lawrence County.
27. Private Acts of 1929, Chapter 262, changed the boundary lines between Wayne County and Lawrence County so that the lands of Cager McGee would no longer be in Wayne County but would be situated wholly within Lawrence County.

## Chapter V - Court System

### Clerk of the Grand Jury

### Public Acts of 2017 Chapter 13

**SECTION 1.** Lawrence County is authorized to establish and create the position of a part-time clerk of the Lawrence County Grand Jury, to be appointed by and serve at the pleasure of the foreman of the Grand Jury. The clerk shall handle all of the administrative duties of such Grand Jury, unless otherwise provided by general law.

**SECTION 2.** The clerk shall be compensated at the same hourly rate as a Chief Deputy of the office of Circuit Court Clerk but not greater than two hundred dollars (\$200.00) per month.

**SECTION 3.** The duties of such clerk shall be established by the foreman and further, the clerk of said Grand Jury shall in no event participate in any of the Lawrence County Grand Jury Deliberations.

**SECTION 4.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of Lawrence County and certified to the secretary of state.

**SECTION 5.** 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 4.

Passed: May 5, 2017.

## Criminal Court

### Minute Clerk of Grand Jury

### Public Acts of 1937 Chapter 209

**COMPILER'S NOTE:** This is an uncodified Public Act and does not appear in Tennessee Code Annotated.

**SECTION 1.** That Judges having criminal jurisdiction in the Eleventh Judicial Circuit of the State of Tennessee are hereby authorized and required to appoint Minute Clerks of the Grand Juries in the counties of their respective jurisdictions; and said Minute Clerks shall hold office, exercise their powers and discharge the duties of their office for a term of two years from appointment, unless for good cause, in the discretion of the presiding judge, he may be removed, relieved or excused from office at any time. The appointment of such Minute Clerk in each county shall be made at the same time the Grand Jury Foreman for such county is appointed, and the term of the first Minute Clerk in each county respectively appointed hereunder shall continue only until the expiration of the current term of the Grand Jury Foreman for such county, so that thereafter, in each county the terms of the Grand Jury Foremen and the Minute Clerks shall run concurrently and simultaneously, and this shall in no wise be construed to increase the number of members of the Grand Jury.

**SECTION 2.** That said Minute Clerk shall be a member of each Grand Jury organized in his county during his term of office, having equal power, authority and duties in all matters coming before the Grand Jury with the other members thereof; and, in addition, it shall be the duty of such Minute Clerk of the Grand Jury to keep the minutes of the Grand Jury, to take down in writing and preserve a record of the testimony given by each witness who testifies before the Grand Jury, to keep a list of the witnesses appearing before the Grand Jury each day; and also to make and keep a record of the action of the Grand Jury on each case acted upon by such Grand Jury.

**SECTION 3.** That every person appointed as Minute Clerk of the Grand Jury under this Act shall be at least twenty-one years of age, and shall be a good and lawful citizen, possessing all the qualifications of a juror for the respective county in which he is appointed.

**SECTION 4.** That said Minute Clerk of the Grand Jury shall receive as compensation the sum of Four Dollars per day for each day the Grand Jury is in session, to be paid out of the county treasury, in the same way as Grand Jurors are now paid. But said Minute Clerks are to receive no other or further compensation for their services as such.

**SECTION 5.** That in case the Minute Clerk is unable to serve because of sickness, death, disqualification, incompetency or for any other reason, or in case he is relieved from service by order of the court, the Judge shall fill the vacancy thus created for the unexpired term; and if such clerk is disqualified in any case or cases at any given time, he may be relieved temporarily from service as to such case or cases in which he is disqualified.

The Minute Clerk shall not divulge any information acquired by him either as a member of the Grand Jury or as Minute Clerk and shall communicate no information contained on his minutes to any person whatsoever. The Minutes for each term of the court when prepared by the Minute Clerk shall be turned over to the District Attorney General or one of his assistants as a part of his records and shall not be open to inspection by any other person than the Trial Judge, the District Attorney General or one of his assistants. The Trial Judge by order spread of record on the minutes may direct that any of the minutes kept by the Minute Clerk shall be made available to the Grand Jury at any succeeding term of court.

**SECTION 6.** That before entering upon the discharge of his duties, the follow- (sic) rect that any of the minutes kept by the Minute Clerk of the Grand Jury: "You as Minute Clerk of the Grand Jury do solemnly swear (or affirm) that you will diligently, honestly, truly, accurately and impartially keep the minutes of the Grand Jury, take down in writing and preserve a record of the testimony given by each witness who testifies before the Grand Jury, keep a list of the witnesses appearing before the Grand Jury each day, and make and keep a true and accurate record of the action of the Grand Jury on each case acted on by it, and that you will faithfully discharge these and all other duties pertaining to the office of Minute Clerk of the Grand Jury, according to the best of your skill and understanding. So help you God."

And the Minute Clerk of the Grand Jury, in addition to the foregoing oath, shall also take the oath

administered to the other members of the Grand Jury.

**SECTION 7.** That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed: May 19, 1937.

## General Sessions Court

### Private Acts of 1943 Chapter 55

**SECTION 1.** That there is hereby created and established a Court in and for Lawrence County, Tennessee, which shall be designated "Court of General Sessions of Lawrence County, Tennessee."

Court rooms and adequate facilities for said Court shall be provided in the Courthouse at Lawrenceburg; and it shall be the duty of the County Judge of said County to make provisions therefor, and to provide necessary furnishings, equipment and supplies for said Court and its proper maintenance; and the expenses of same shall be paid out of the general funds of the County.

Adequate clerical help shall be provided for such Court and the expenses of the same shall be paid out of the general funds of the County.

As amended by:

Private Acts of 1943, Chapter 455

Private Acts of 1977, Chapter 159

**SECTION 2.** That the Court of General Sessions of Lawrence County, Tennessee, is hereby vested with all the jurisdiction and shall exercise all the authority conferred by the General Assembly upon Justices of the Peace in civil and criminal cases, suits and actions, all of which jurisdiction and authority is hereby divested out of Justices of the Peace of said County except that hereinafter expressly reserved in and not divested out of them, and also the additional jurisdiction and authority hereinafter provided for, which jurisdiction and authority shall be coextensive with Lawrence County, Tennessee; PROVIDED, however, that nothing in this Act shall be construed to divest the Justices of the Peace of said County of such jurisdiction and authority until a Judge for said Court shall have been elected and qualified as hereinafter provided for; and PROVIDED, further, that any Justice of the Peace elected or serving for any civil district of said County may issue criminal and search warrants against, and accept appearance bonds from, any person charged with an offense, and may issue subpoenas for witnesses in civil or criminal actions heretofore triable by a Justice of the Peace, but all such warrants, bonds, subpoenas and process shall be returnable to and triable by said Court of General Sessions; and PROVIDED, further, that the authority of said Justices of the Peace in their capacity as members of the Quarterly Court or in the performance of the rites of matrimony or to administer oaths is in no wise affected by this Act.

There is hereby transferred all of the judicial duties formerly vested with the County Judge of Lawrence County to the General Sessions Court of Lawrence County and such General Sessions Court shall assume all of the judicial functions formerly exercised by the County Judge of Lawrence County beginning on August 1, 1977, including but not limited to all of the jurisdiction and authority conferred by Tennessee Code Annotated, Title 37, Chapter 2 upon the County Judge or Chairman of the County Court as a Juvenile Court, and all of the jurisdiction and authority conferred by Tennessee Code Annotated, Title 16, Chapter 7, upon the County Judge or Chairman of the County Court as a judicial officer in probate.

As amended by:

Private Acts of 1943, Chapter 455

Private Acts of 1977, Chapter 159

**SECTION 3.** That before the commencement of any civil actions in said Court, the plaintiff shall be required to secure the costs by executing a cost bond with solvent security in a penalty of not less than \$25.00, or by making a cash deposit of not less than \$3.00 nor more than \$25.00 as may be deemed proper by the Judge or Clerk of said Court, or if a resident of the State of Tennessee, may in lieu thereof take and file the oath prescribed for poor persons, and on motion of the defendant, or on its own motion, the Court may have the amount of any such bond or cash deposit increased; and in the case of the issuance of extraordinary process such bond or oath shall be executed and filed as is required under the general laws for extraordinary process in Justice of the Peace Courts.

**SECTION 4.** That said Court shall be in session daily, except Sundays and legal holidays, and the Sheriff of Lawrence County, Tennessee is authorized to take bail or appearance bonds of persons charged with criminal offenses for either arraignment or for trial in said Court of General Sessions; and said Court may, by agreement of the parties, try any civil or criminal cases on any legal holiday or at night, and may be in session on Sundays for the examination, commitment to jail or the taking or fixing of bail for the appearance of the accused in criminal cases.

As amended by:

Private Acts of 1945, Chapter 318



Private Acts of 1947, Chapter 11

Private Acts of 1947, Chapter 12

**SECTION 5.** That the rules of pleading and practice, forms of writs and process and stays of and appeals from judgements in civil cases in said Court shall be the same as now or hereafter provided by the general laws for Courts of the Justice of the Peace.

**SECTION 6.** That the Court of General Sessions of Lawrence County, Tennessee, is hereby vested with jurisdiction to try and determine and render final judgment in all misdemeanor cases brought before said Court by warrant or information wherein the person charged with such misdemeanor offenses enters a plea of guilty or requests a trial upon the merits, and expressly waives an indictment, presentment and Grand Jury investigation, and a jury trial. In such cases the trial shall proceed before the Judge and without a jury. The final judgment of such Court in such cases may be appealed to the Circuit Court of Lawrence County, where such appeal shall be tried by a Judge of such Court without a jury, and without indictment or presentment.

As amended by:

Private Acts of 1943, Chapter 455

**SECTION 7.** That it shall be the mandatory duty of the Judge of the Court of General Sessions when a defendant is brought before such Court upon arraignment or trial, to advise such defendant of his constitutional right to the aid of counsel, the right to be tried only upon presentment or indictment by a Grand Jury, the right to make a statement in reference to the accusation or the right to waive such statement, and the right to a trial by jury. Upon the defendant agreeing in writing to waive the right to be put to trial only by presentment or indictment by a Grand Jury and the right to be tried by a jury of his peers, such Courts may proceed to hear and determine said case as is provided in Section 6 hereof. Such waiver shall be in writing, signed by the defendant, written on or attached to the warrant, and in the form and of contents substantially as follows

'The defendant, \_\_\_\_\_, pleads \_\_\_\_\_ guilty to the offense of \_\_\_\_\_, and expressly waives his or her right to be tried only by or upon indictment or presentment preferred by a Grand Jury, and likewise expressly waives the right to and trial by a jury of his or her peers. (Signed) \_\_\_\_\_ Attest:  
\_\_\_\_\_  
Clerk.'

As amended by:

Private Acts of 1943, Chapter 455

**SECTION 8.** That no warrant or information charging a person with an offense against the laws of the State shall be delivered from said Court to any peace officer for the arrest of such person until after an entry in the Criminal Docket has been made by the Clerk or Judge showing the names of the person or persons accused, the prosecutor, the officer to whom to be delivered and his signature upon said docket showing receipt of such process. All of such warrants, information, dockets, and other records of said Court of General Sessions shall be available to the District Attorney-General for any legal purpose.

**SECTION 9.** That all appeal bonds in civil cases, all bail bonds, recognizance bonds and appearance bonds of persons charged with criminal offenses for their appearance for arraignment or trial in said Court of General Sessions shall be taken by the Clerk of the Circuit Court. This provision shall in no wise abridge the authority of the Sheriff to take bonds as now provided by law.

**SECTION 10.** That in all matters the costs and fees of said Court of General Sessions shall be the same as those provided by law for the Justices of the Peace. The fees and other compensation of the Sheriff, his deputies, constables, Game Wardens and State Highway Patrolmen for the execution of writs and process of said Court for attendance and mileage of witnesses shall be the same in said Court as those provided by law of the Court of Justices of the Peace.

All costs, fees, and mileage of witnesses, the fees, commissions and emoluments of the Sheriff, his deputies, constables, State Highway Patrolmen, Game Wardens, and other officers, for services to said Court, and the fines and forfeitures adjudged by it shall be handled, accounted for and disbursed as required by law.

**SECTION 11.** That separate dockets shall be kept by the Clerk, under the direction of the Court for civil and criminal cases.

Upon the civil docket shall be entered the style of each case, the date of issuance of the warrant or process, and the return of the process, in brief form, action of the Court on the case, both interlocutory and final orders, judgments, executions, garnishments, lists of the fees of the Court, the Sheriff, his deputies, constables, Game Wardens, and State Highway Patrolmen for their services, fees of witnesses for attendance, et cetera, and credits for payment upon the judgment and upon the costs. All cases shall be indexed and the dockets shall be substantially in the form of those of Justices of the Peace.

The criminal docket shall be kept in like manner, and shall also contain the information provided for in Section 8 of this Act.

The Judge of the Court of General Sessions shall have the power to and may adopt such rules as may be necessary to expedite the trial and disposal of cases.

As amended by: Private Acts of 1943, Chapter 455

**SECTION 12.** That there shall be a Judge for said Court, who shall be a person licensed to practice law in Tennessee, and actively engaged in the practice of law, and with all other qualifications and the same term of office as provided by the Constitution of the State of Tennessee for inferior courts; and the oath shall be the same as that prescribed for Circuit Judges and Chancellors.

**COMPILER'S NOTE:** The provision of this section requiring a license to practice law was held valid and constitutional in Perry v. Lawrence County Election Commission, 411 S.W.2d 538 (1967).

**SECTION 13.** The compensation of the General Sessions Judge from and after September 1, 1982, shall be thirty-four thousand seven hundred ninety-four and 12/100 (\$34,794.12) dollars per annum, consisting of twenty-seven thousand two hundred and ninetyfive and 12/100 (\$27,295.12) dollars as provided in the general act pertaining to class four (4) counties plus a seventy-five hundred (\$7,500.00) dollars supplement for juvenile and probate jurisdiction. It shall be paid out of the general fund of the county and in equal monthly installments. Said salary shall be subject to the costs of living increases as shall hereafter be provided by law.

Said judge shall serve full time and is prohibited from practicing law. Said judge shall hold court at reasonable times in order that all matters under the jurisdiction of the court of general sessions may be expediently disposed of.

As amended by: Private Acts of 1945, Chapter 550  
Private Acts of 1957, Chapter 19  
Private Acts of 1977, Chapter 159  
Private Acts of 1982, Chapter 289

**SECTION 14.** That the first Judge shall be elected by the qualified voters of the County at the election for other County officers in August, 1944, and shall take office September 1, 1944, and shall serve for a period of eight years, and until his successor is elected and qualified as is provided by law for judges of inferior courts. Said election shall be conducted in accordance with the general election laws of the State of Tennessee.

In the event of a vacancy in said office of Judge, the Governor shall have and exercise the authority to appoint a person, qualified as herein provided, to fill such vacancy.

As amended by: Private Acts of 1943, Chapter 455

**SECTION 15.** That if the Judge of said Court fails to attend, cannot attend, cannot preside in a pending cause, or for any reason fails to hold court, a majority of the attorneys present in such Court may elect one of their number, who has the qualification of such a Judge, and when elected shall have the same authority as a regular Judge to hold the Court for the occasion of the absence, for any such reason, of the regular Judge of said Court, and the Circuit Judge or Chancellor may preside and hold said Court by interchange. Elections of special Judges for such occasions shall be in accordance with the law governing the elections of other Judges in such cases, at which elections the Clerk shall preside, and such special Judges shall not be entitled to compensation for such services.

As amended by: Private Acts of 1943, Chapter 455

**SECTION 16.** That the Clerk of the Circuit Court of Lawrence County, Tennessee, shall act as Clerk of said Court of General Sessions, except with respect to the judicial jurisdiction transferred from the County Judge to the Court of General Sessions, and when acting as Clerk of said Court shall be designated "Clerk of Court of General Sessions of Lawrence County, Tennessee." Said Clerk is hereby authorized and directed to perform the additional duties of Clerk of and for said Court, and shall receive as compensation therefor the sum of Eighteen Hundred (\$1,800.00) Dollars per annum, payable in equal monthly installments, the same to be paid out of the general fund of the County. Said salary of \$1,800.00 to be in addition to the salary already paid him as Circuit Court Clerk for said County. The Judge of the County Court shall issue warrants drawn upon the Trustee for the payment of said salary as provided herein. All fees, costs, commissions and emoluments accruing under the provisions of this Act and other laws to, for or by reason of services rendered by the Judge and Clerk of said Court, respectively, shall be payable to and collected by the Clerk, and be reported on and paid monthly by the Clerk to the County Trustee of Lawrence County, to be placed in or credited to the general fund of the County. All fines and forfeitures adjudged by said Court shall be payable to and collected by the Clerk, and be reported on, accounted for and disbursed or paid over as provided by law.

The Clerk of said Court shall have concurrent authority with the Judge to issue warrants and other processes and writs, other than those which the law requires shall be issued only by a judicial officer.

As amended by: Private Acts of 1943, Chapter 455  
Private Acts of 1945, Chapter 550

Private Acts of 1947, Chapter 14  
 Private Acts of 1949, Chapter 740  
 Private Acts of 1977, Chapter 159

**SECTION 17.** That the Sheriff of said County or any Deputy Sheriff or Constable thereof, shall serve legal processes, writs and papers issued by said Court with the same authority as heretofore provided by law.

**SECTION 18.** That this Act shall in nowise impair the right, title or interest of any Justices of the Peace of Lawrence County to any unpaid fees, or fund in which he had a right or interest in any proceedings, judgment or suit, whether said cause is disposed of or pending when this Act becomes effective.

**SECTION 19.** That all the official records, papers, process and dockets in all cases before, returnable or deliverable to or in the offices, Courts or custody of Justices of the Peace of said County when this Act shall become effective upon the qualification and induction into office of the first Judge of the Court of General Sessions provided for herein, and meaning in cases which may then have been disposed of and in cases which may not then have been disposed of or closed out, such as those involving uncollected judgements, costs and the like, and meaning Justices of the Peace of said County in office at or up to the time of this Act so becoming effective and also their predecessors in such offices and other former Justices of the Peace of said County, shall be delivered to said Court of General Sessions as the successor of the Justices of the Peace.

As amended by: Private Acts of 1943, Chapter 455

**SECTION 20.** That said Court shall have authority to hear and determine all undisposed cases arising in the Courts of Justice of the Peace of Lawrence County as if such cases had originated in said Court of General Sessions. And said Court shall have power to issue executions and other final process on judgments rendered by Justices of the Peace.

As amended by: Private Acts of 1943, Chapter 455

**SECTION 21.** That the Legislature expressly declares that each section, subsection, paragraph and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided therefrom.

**SECTION 22.** That all laws and parts of laws in conflict with this Act which apply to Lawrence county, Tennessee, be and the same are hereby repealed.

**SECTION 23.** That this Act shall take effect from and after the date or dates necessary and herein contemplated for the purposes of this Act and appearing from the face hereof, being those fixed by the general election laws of the State in so far as qualifications of candidates for and election of the first Judge of said Court in the August, 1944, elections, as herein provided, are concerned, including certification of the person so elected, and, in other respects, from and after the date of September 1, 1944; this Act being prospective in its operation.

As amended by: Private Acts of 1943, Chapter 455

Passed: January 11, 1943.

**COMPILER'S NOTE:** See Moore v. Lawrence County, 190 Tenn. 451, 230 S.W.2d 666 (1950) and Morrison v. Crews, 192 Tenn. 20, 237 S.W.2d 1 (1951), in which the provisions of these Acts were discussed.

## Court System - Historical Notes

### **Board of Jury Commissioners - Jurors**

The following acts once affected jurors or boards of jury commissioners in Lawrence County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1913, Chapter 95, created a three member Board of Jury Commissioners in Lawrence County, no more than two to be of the same political party, who must be a freeholder, must not be an attorney, Justice of the Peace, or Constable, and could not have a lawsuit pending in the Courts, who would be appointed by the Circuit Judge having jurisdiction, vacancies to be filled in the same manner. A temporary appointment could be made in the case of illness. All appointment would be made in writing for staggered initial terms and then for three years after that. No Commissioner could succeed himself until after six years had passed. The Commissioners were to be sworn by the oath in the Act, and the Circuit Court Clerk, who would act as the Clerk for the Board, must also be sworn according to the oath in the act relative to him. It was the duty of the Board to meet biennially on the first Monday in July, or upon the call of the Chairman within 30 days of that date, to select from the tax rolls, or other public sources, at least 300 names and

no more than 600 names which would furnish the jurors both Grand and petit, for the next ensuing two years. If the list were depleted in the two years, a meeting would be called to supply the deficiency, or in the event a special panel had to be called. The names of the jurors would be entered alphabetically in a book to be supplied by the Clerk and their selection certified by all three members of the Board. Their names would also be entered on slips of paper and placed in a box which would be locked and sealed. From ten to fifteen days before the term, a child under ten years of age would draw out the number of names specified in an order from the Judge and report the same to him. These would constitute the jurors for that term of court. The Sheriff was required to summon the jurors at the proper time none of whom could be excused except by the Judge. This Act was repealed by Private Acts of 1951, Chapter 115.

2. Private Acts of 1921, Chapter 902, amended Public Acts of 1919, Chapter 37, which required the Circuit Judges having criminal jurisdiction and the Criminal Court Judges to appoint Foremen of the Grand Juries, to fix their terms and compensation and to define their duties, so that Lawrence County would be removed from the application of this general law. This Act was repealed by Private Acts of 1923, Chapter 43, thus making the general law again applicable.
3. Private Acts of 1945, Chapter 102, provided that, in Lawrence County all regular jurors, both grand and petit, would hereafter be paid at the rate of \$3 per day, said sums to come from the county treasury. A pickup juror must serve at least two days before becoming eligible for payment.
4. Private Acts of 1951, Chapter 115, expressly repealed Private Acts of 1913, Chapter 95, together with all the amendments thereto, and the counties affected by this law would hereafter come under the general law of the State with respect to the selection of jurors. All jurors, both Grand and petit, selected under the terms of any prior act would be promptly dismissed when jurors were chosen in compliance with this law.
5. Private Acts of 1957, Chapter 5, provided for a daily compensation rate of \$6 for each regular and special juror in Lawrence County and a mileage allowance of 10 cents per mile for every mile traveled between the juror's home and Lawrenceburg, except no mileage would be paid to a juror residing within a radius of five miles around the city. The Foreman of the Grand Jury and the Clerk would be paid \$8 per day plus 10 cents mileage.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Lawrence County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1822, Chapter 13, stated that the Justices of the Supreme Court of Errors and Appeals would make arrangements to hold a Court of Equity at the present places of holding the Supreme Court; in Nashville, on the fourth Monday in January; and in Columbia, on the second Monday in January. Court terms would continue for two weeks unless the docket was heard sooner.
2. Acts of 1824, Chapter 14, provided for the Justices of the Supreme Court to arrange between themselves to hold the Chancery Court twice each year at the places specified, which were Greeneville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Charlotte, and Jackson. The Court at Columbia would hear causes arising in the Counties of Maury, Bedford, Lincoln, Giles, Lawrence, Wayne, and Hardin where the regular terms would begin on the first Mondays in March and September.
3. Acts of 1827, Chapter 79, divided Tennessee into two Chancery Divisions, the Eastern, which included the Courts meeting in the cities of Rogersville, Greeneville, Kingston, Carthage, and McMinnville, and the Western, which contained the courts at Franklin, Columbia, Charlotte, Jackson, and Paris. Two chancellors were to be appointed by the General Assembly and the original jurisdiction of the Supreme Court was removed.
4. Acts of 1831, Chapter 57, Section 2, provided that an additional Chancery Court would be organized and held for the Western Division in the town of Pulaski where the causes would be heard from the counties of Giles, Lincoln, Lawrence, Wayne, and Hardin on the second Mondays in April and October which terms would continue until all the business of the Court was completed, or the Chancellor was compelled to adjourn the court.
5. Acts of 1835-36, Chapter 4, subsequent to the adoption of the new State Constitution, divided Tennessee into three Chancery Divisions each of which would be presided over by a Chancellor who would hold office for eight years. Each court would have two terms each year. The grand divisions were further broken down into Districts. Lawrence County was in the 9th District of the

- Middle Division which included Giles County. Court for this District would meet at Pulaski on the first Mondays in March and September.
6. Acts of 1839-40, Chapter 21, Section 11, created a separate Chancery District for Lawrence County in the Middle Division of the State whose Court would be held by a Chancellor at Lawrenceburg on the fourth Mondays in May and November of each year. The suits for Lawrence County pending in the court at Pulaski would be transferred to Lawrenceburg. Suits originating in Wayne County could be heard in Lawrenceburg.
  7. Acts of 1843-44, Chapter 230, attached Lewis County to the Chancery District of Maury County but the citizens of Lewis County could file their bills either at Columbia in Maury County or at Lawrenceburg in Lawrence County.
  8. Acts of 1845-46, Chapter 82, Section 4, stated that the Chancery Court at Lawrenceburg would hereafter open for regular term on the second Mondays in June and December. This Act was repealed by Acts of 1847-48, Chapter 125.
  9. Acts of 1847-48, Chapter 4, Section 3, fixed the terms of the Chancery Court at Lawrenceburg to begin hereafter on the fourth Monday in May and November and all process would be made to conform to those dates.
  10. Acts of 1847-48, Chapter 125, Section 4, provided that the Chancery Court at Lawrenceburg would be held hereafter at those times established prior to the passage of Acts of 1845-46, Chapter 82.
  11. Acts of 1847-48, Chapter 181, Section 3, established a Chancery Court at Waynesboro in Wayne County where the court terms were to start on the third Mondays in June and December each year and the citizens of Lawrence County, Hardin County, and Lewis County had the option and privilege of filing their bills in Chancery at that court, or at the courts in Lawrenceburg and Savannah.
  12. Acts of 1849-50, Chapter 70, Section 3, stated that the Chancery Court at Waynesborough would hereafter be held on the first Mondays in February and August and at Lawrenceburg on the first Thursday, after the first Mondays in February and August.
  13. Acts of 1851-52, Chapter 178, Section 3, reset the Chancery Court terms for all the Chancery Courts in the Middle Division of Tennessee which then contained the counties of Wayne, Lawrence, Giles, Marshall, Hickman, Humphreys, Dickson, Robertson, Maury, Williamson, Stewart, Montgomery, and Davidson. The Chancery Court of Lawrence County would open the regular terms on the second Mondays in February and August.
  14. Acts of 1853-54, Chapter 54, established the Fifth and the Sixth Chancery Division in the State. The Sixth Chancery Division was composed of the Counties of Carroll, Benton, Humphreys, Dickson, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne, and Lawrence.
  15. Acts of 1855-56, Chapter 112, Section 5, rescheduled court terms in the Sixth Chancery Division made up of the counties of Carroll, Henderson, McNairy, Hardin, Wayne, Dickson, Hickman, Humphreys, Benton, Decatur, Perry, and Lawrence whose court would meet at Lawrenceburg on the first Mondays in March and September.
  16. Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, Fourth, Fifth, and Sixth Chancery Divisions. The Counties of Carroll, Henderson, McNairy, Hardin, Wayne, Lawrence, Hickman, Humphreys, Benton, Decatur, and Perry constituted the Sixth Chancery Division. Court terms would begin in Lawrence County at Lawrenceburg on the first Mondays in March and September.
  17. Acts of 1865-66, Chapter 57, fixed the times for opening the Lawrence County Chancery Court on the third Mondays in April and October. All process would be made to conform to the changes expressed in this Act.
  18. Acts of 1866-67, Chapter 4, Section 4, in seeking to restore judicial order after the Civil War set the opening dates for the Chancery Courts in the Fifth Chancery Division (although we could find no act placing Lawrence County therein). The 5th Chancery Division listed the counties of Hickman, Dickson, Humphreys, Henderson, McNairy, Hardin, Wayne, Lawrence, Decatur, and Perry. The Court in Lawrence County would commence its terms on the first Mondays in May and November.
  19. Acts of 1867-68, Chapter 29, declared that the Chancery Court for Lawrence County in the Fifth Chancery Division of the State would hereafter be held at Lawrenceburg on the first Mondays in February and August with all process conforming thereto.
  20. Acts of 1867-68, Chapter 45, Section 8, stated that the Lawrence County Chancery Court would

begin its regular terms on the fourth Mondays in February and August.

21. Acts of 1867-68, Chapter 64, amended the Act creating the Fourth Chancery Division to attach the counties of Hickman and Lawrence to that Division. Terms of court were scheduled for Lawrence County on the first Mondays in February and August. Other counties in the Fourth Division were Hickman, Giles, Maury, Williamson, and Marshall.
22. Acts of 1869-70, Chapter 23, attached the counties of Lawrence and Hickman to the 5th Chancery Division whose courts would be held at Lawrenceburg and Centerville.
23. Acts of 1870, Chapter 32, formed twelve Chancery Districts in the State assigning the counties of Benton, Hickman, Henderson, McNairy, Lawrence, Dickson, Humphreys, Decatur, Lewis, Perry, Hardin, and Wayne to the Ninth Chancery Division.
24. Acts of 1870, Chapter 47, fixed the opening dates for the terms of the Chancery Court in every county in Tennessee. Lawrence County's Chancery Court would meet on the third Mondays in April and October.
25. Acts of 1870-71, Chapter 10, rearranged the terms of court in the 9th Chancery Division. The Lawrence County Chancery Court would meet on the first Mondays in April and October, with a mandate for all process to conform to the change in dates.
26. Acts of 1873, Chapter 5, rescheduled the court terms for the Chancery Courts in the 9th Chancery Division with Lawrence County's Court starting its terms on the first Mondays in May and November.
27. Acts of 1879, Chapter 88, reset the terms of the Chancery Courts in the 9th Chancery Division composed of the counties of Lewis, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne, Humphreys, Benton, Dickson, and Lawrence where the Chancery Court would convene on the second Mondays in May and November.
28. Acts of 1881, Chapter 162, made some changes in the Ninth Chancery Division but none of them had any affect on Lawrence County.
29. Acts of 1885 (Ex. Sess.), Chapter 20, was the next massive reorganization of the lower judicial system of the State. Tennessee was separated into eleven Chancery Divisions. The Seventh Chancery Division included the Counties of Maury, Giles, Lawrence, Lewis, Wayne, Hickman, Hardin, Perry, Decatur, Dickson and Benton. Lawrence County would continue to open the regular terms of the Chancery Court on the second Mondays in May and November. This Act and several others were considered by the Supreme Court in *Flynn v. State*, 203 Tenn. 337, 313 SW2d 248 (1958), although only the criminal court of Shelby County was involved. This Act was amended by Acts of 1887, Chapter 5.
30. Acts of 1887, Chapter 5, changed the Chancery Court terms for the counties in the Seventh Chancery Division. Lawrence County would begin the regular terms on the second Monday in June and December.
31. Acts of 1899, Chapter 427, in the next major revision of the lower court system fashioned ten Chancery Divisions in the State. The Fifth Chancery Division included the counties of Rutherford, Bedford, Marshal, Williamson, Lincoln, Lawrence, Maury, Giles, Lewis, and Wayne. Lawrence County's court would come together in regular session on the third Monday in April and October. This Act was amended by Acts of 1901, Chapter 494.
32. Acts of 1901, Chapter 494, rescheduled the opening dates for Chancery Court terms in the Fifth Chancery Division. Lawrence County would begin the regular terms of court on the third Monday in May and November.
33. Private Acts of 1919, Chapter 321, gave the Circuit Judge holding Circuit Court in Lawrence County all the powers and jurisdiction of a Chancellor concurrently with the regular Chancellor, and instructed him to hold an additional term of the Chancery Court in that county on the first Monday in January, the second Monday in April and the fourth Monday in September.

#### **Chancery Court - Clerk and Master**

The reference list below contains acts which once applied to the clerk and master in Lawrence County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1909, Chapter 226, provided that the Clerk and Master of Hancock County and of Lawrence County would receive as compensation the sum of \$500 per year; provided, a sworn, itemized statement was filed with the County Judge, or Chairman, showing the amount of fees collected in the office. If the fees failed to equal the salary, the County would make up the difference, but, if the fees exceeded the salary, the Clerk and Master was allowed to retain them.

2. Private Acts of 1915, Chapter 566, declared that the Clerk and Master of Lawrence County would be paid \$1,500 per year, provided the Clerk would file on January 1 and on July 1 a sworn, itemized statement with the County Judge, or Chairman, reflecting the amount of fees collected in the office. If the fees were less than the salary, the county paid the difference. When computing the salary, the figure of \$750 would be used as a base for each 6 month period. If the fees exceeded the salary, the Clerk and Master was to deliver them to the Trustee for deposit in the county treasury.
3. Private Acts of 1925, Chapter 576, amended Private Acts of 1915, Chapter 566, to fix the annual salary of the Clerk and Master of Lawrence County at \$2,000 annually. The Clerk must file with the County Judge, or Chairman, on January 1, April 1, July 1, and October 1, a sworn, itemized statement containing the total amount of fees collected in the office during the preceding months. \$300 per quarter would be the amount used as a base figure to decide the payment of any deficiency.
4. Private Acts of 1927, Chapter 102, provided that in Lawrence County the Clerk and Master would be paid \$2,400 each year if he would file with the County Judge, or Chairman, on January 1, May 1, and September 1, a sworn, itemized statement reflecting the total amount of fees collected in the office during that period of time. When fees were less than \$800 per four month period the County would pay the difference to the Clerk and Master but if the fees were more, the surplus would be paid to the county treasury. The County must furnish all the stationery, stamps, and office supplies to the Clerk and Master free of charge.
5. Private Acts of 1933, Chapter 702, fixed the compensation of the Clerk and Master of Lawrence County at \$1,000 per year payable out of the general funds of the County on the warrant of the County Judge, or Chairman, at the rate of \$250 per quarter. All of the above was conditioned upon the Clerk and Masters' reporting to the County Judge with a sworn, itemized statement of the fees, costs, and commissions collected by the office during the preceding quarter. The Clerk and Master could retain the next \$1,000 collected in fees, costs, and commissions as additional salary, but, all over that amount was to be paid into the county treasury.
6. Private Acts of 1935, Chapter 755, declared that the Clerk and Master of Lawrence County would be paid \$2,400 annually as a salary provided the Clerk and Master filed a sworn, itemized report with the County Judge, or Chairman, each month showing the total sum of the fees, costs, and commissions collected in the office, except for those received for services as a Trustee, Receiver, or a Special Commissioner. If the fees and costs collected did not equal the salary, the county must pay the difference but if the fees exceeded the \$200 per month salary the excess would be paid into the treasury. All the stationery, stamps, and office supplies would be furnished to the Clerk and Master by the county.
7. Private Acts of 1947, Chapter 807, set the annual salary of the Clerk and Master of Lawrence County at \$3,000, payable monthly out of the general funds of the county on the warrant of the County Judge, or Chairman. The Clerk and Master was instructed to file a report within the first five days of January, April, July, and October showing the fees, costs, and commissions collected in the office during the preceding quarter, excepting those received for the special services in the capacities of Trustee, Receiver or Special Commissioner. This Act was repealed by Private Acts of 1951, Chapter 124. The repeal of this Act would not restore, or revive, any preceding Act, it being the intention of the Legislature to abolish any and all Private Acts on this subject for Lawrence County.

### **Circuit Court**

The following acts were once applicable to the circuit court of Lawrence County but now have no effect, having been repealed, superseded, or having failed to win local approval.

1. Acts of 1817, Chapter 42, which created Lawrence County also provided for the Circuit Court of the new County to meet at the house of Dr. Joseph Farmer.
2. Acts of 1817, Chapter 65, formed the 6th Judicial Circuit in Tennessee consisting of the counties of Lincoln, Giles, Maury, Bedford, and Lawrence. The Judge of the circuit would be elected by both Houses of the General Assembly and preside over the new Circuit after being sworn and commissioned as were the other Judges. The counties of Lawrence, Maury and Hickman would constitute the Ninth Solicitorial District.
3. Acts of 1817, Chapter 138, scheduled the opening dates for the terms of the Lawrence County Circuit Court as well as the other courts in the Third, Fourth, Fifth, and Sixth Circuits. Lawrence County's Circuit Court would begin its regular term on the fourth Monday in February and August. Judges of the Sixth Circuit were given the authority to interchange with other Circuit Judges.

4. Acts of 1821, Chapter 37, provided that hereafter the Judges of the Supreme Court of Errors and Appeals would hold two terms of court at the courthouse in Columbia in Maury County for the appeals arising out of the Sixth Judicial Circuit. The terms would be held on the first Mondays in March and September.
5. Acts of 1821, Chapter 52, repealed all the laws which required appeals from the Sixth Judicial Circuit to be filed at Nashville. They would in the future be filed at Columbia in Maury County. It was the responsibility of the Judge of the Sixth Circuit to appoint a Clerk for the said court.
6. Acts of 1824, Chapter 14, increased the number of Judges of the Supreme Court of Errors and Appeals to five, who would hereafter hold court at three places in the State only. Appeals from Lawrence County would be heard in Nashville on the first Monday in January.
7. Acts of 1824, Chapter 61, provided that the Courts were to be held in the new Courthouse at Lawrenceburg.
8. Acts of 1825, Chapter 143, Section 2, required the Judge of the 6th Judicial Circuit hereafter at each and every term of the Circuit Court of Lawrence County to hold the said court for a period of two weeks if the business of the Court required it, unless it became necessary to adjourn sooner to another court in the Circuit.
9. Acts of 1833, Chapter 14, stated that appeals arising in the counties of Lawrence, Wayne, Hardin, Humphreys, Hickman, and Perry would be filed and heard in the Supreme Court of Errors and Appeals at Centerville in Hickman County.
10. Acts of 1835-36, Chapter 5, enacted pursuant to the 1835 Constitution of the State, required that Circuit Courts be held three times each year instead of two. The State was divided into eleven Judicial Circuits of which the Eighth Judicial Circuit contained the counties of Lincoln, Giles, Maury, and Lawrence whose circuit court terms would start on the second Monday of March, July, and November.
11. Acts of 1835-36, Chapter 35, Section 21, provided that the Judge of the 8th Judicial Circuit would hold the first Circuit Court in the newly organized County of Marshall in Lawrence County, then the Judge of the 11th Judicial Circuit would hold the Court in both Counties. Thereafter the two Circuit Judges would alternate, holding the court in Lawrence County.
12. Acts of 1837-38, Chapter 3, Section 5, established the 14th Judicial Circuit consisting of the counties of Lawrence, Wayne, Hardin, Perry, Carroll, and Benton. Circuit Court terms in Lawrence County would begin on the second Monday in March, July, and November.
13. Acts of 1837-38, Chapter 116, Section 10, reset the terms of the Circuit Courts in the 14th Judicial Circuit. The court in Lawrence County would convene on the second Monday in March, July, and November.
14. Acts of 1839-40, Chapter 140, rearranged the schedule of Circuit Court terms in Carroll, Benton, Perry, Hardin, Wayne, and Lawrence County which would be held on the second Monday in February, June, and October.
15. Acts of 1849-50, Chapter 70, changed the terms of the circuit courts in the counties of Perry, Wayne, Decatur, McNairy, Hardin, and Lawrence where the court would open on the second Monday in February, June, and October.
16. Acts of 1853-54, Chapter 125, Section 3, changed the Circuit Court terms in Wayne County and Lawrence County whose Circuit Court would convene on the first Monday in February, June, and October.
17. Acts of 1857-58, Chapter 98, created sixteen Judicial Circuits in Tennessee. The 12th Judicial Circuit contained the counties of Wayne, Lawrence, Hickman, Perry, Decatur, Hardin, and McNairy. The circuit court of Lawrence County would continue to open on the first Monday in February, June, and October.
18. Acts of 1865, Chapter 37, realigned the 11th, 12th, 14th and 15th Judicial Circuits. The 11th Judicial Circuit contained the counties of Lawrence, Giles, Maury, Lewis, and Marshall. The terms of court would begin in Lawrence County on the fourth Monday in February, June, and October.
19. Acts of 1867-68, Chapter 64, Section 2, changed the opening dates of the Circuit Court terms in Lawrence County, Hickman County, and Lewis County. Court would meet in Lawrence County in regular session on the third Monday in February, June, and October.
20. Acts of 1868-69, Chapter 15, Section 5, provided that the Circuit Court of Lawrence County would begin the regular terms on the first Monday in March, July, and November in Lawrenceburg.
21. Acts of 1870, Chapter 31, reorganized the Circuit Court of Tennessee into fifteen judicial circuits.



The Ninth Judicial Circuit included the counties of Williamson, Marshall, Maury, Giles, and Lawrence.

22. Acts of 1870, Chapter 46, established the opening times for all the Circuit Courts of every Tennessee county according to the judicial circuits. Lawrence County's Circuit Court would start its regular terms on the third Monday in April, August, and December.
23. Acts of 1879, Chapter 147, stated in the introduction that John V. Wright, of Maury County, had been duly commissioned as a Judge of the Judicial Circuit composed of the counties of Williamson, Maury, Giles, Marshall, and Lawrence, and was charged to hold those courts during the illness of the Honorable W. P. Martin, and that Wright had accepted and ably performed the duties of the position but had not been paid for his services. This Act directed the Comptroller to pay Wright \$1400 for his services which amount was appropriated for that purpose.
24. Acts of 1885 (Ex. Sess.), Chapter 20, in this major revision of the lower judicial system of Tennessee established fourteen judicial circuits in the State. The counties of Maury, Giles, Lawrence, Wayne, Hardin, Lewis, and Hickman were assigned to the Ninth Judicial Circuit. Court terms would start in Lawrence County on the third Monday in March, July, and November.
25. Acts of 1887, Chapter 54, changed the opening dates for the Circuit Court terms in the Ninth Judicial Circuit. Lawrence County's Circuit Court would meet in Lawrenceburg on the fourth Monday in March, July, and November.
26. Acts of 1897, Chapter 322, rearranged the openings of the Circuit Courts in the Ninth Judicial Circuit changing Lawrence County to the first Monday in January and April, and the fourth Monday in September of each year. All bonds and process were directed to conform to the changes in terms.
27. Acts of 1899, Chapter 409, Section 12, was an attempt to equitably distribute jurisdiction in the lower court system of the State. Section 12 reset the court terms in the 9th Judicial Circuit putting Lawrence County on the schedule for the third Monday in March, July, and November.
28. Acts of 1899, Chapter 427, revised the entire lower court system in Tennessee. Fourteen Judicial Circuits were formed of which the Eleventh Judicial Circuit was made up of the Counties of Maury, Giles, Lawrence, Wayne, Lewis, Perry, and Hickman. Lawrence County's Court would open in Lawrenceburg on the fourth Monday in March, July, and November.
29. Private Acts of 1901, Chapter 382, revised the Ninth Judicial Circuit to include the counties of Giles, Lewis, Maury, Hardin, Wayne, and Lawrence whose court would begin its regular terms on the first Monday in January, the second Monday in April, and the fourth Monday in September of each year.
30. Private Acts of 1903, Chapter 18, scheduled new dates for the term openings for the Circuit Courts in the Eleventh Judicial Circuit consisting of the counties of Giles, Lewis, Maury, Hickman, Wayne, and Lawrence where the court terms would commence on the first Monday in January, the second Monday in April, and the fourth Monday in September.
31. Private Acts of 1919, Chapter 321, granted to the Circuit Court Judge holding the Circuit Court in Lawrence County all the power and jurisdiction of a Chancellor and required the Circuit Judge to preside over an additional term of the Chancery Court of that county at the times specified under the law.

#### **Circuit Court - Clerk**

The following acts have no current effect, but once applied to the Lawrence County Circuit Court Clerk. They were repealed, superseded, or never received local approval.

1. Acts of 1841-42, Chapter 34, Section 13, made it the duty of the Clerks of the Circuit Court in each of the counties South and West of the Congressional reservation line, to examine the books of their County Entry-taker annually, in the month of January, and then report to the State Comptroller certain items. The Clerk would be compensated two dollars per day for his services.
2. Acts of 1843-44, Chapter 89, amended Acts of 1842, Chapter 34, to make it the duty of the Circuit Court Clerk in Lawrence County, Hickman County, Wayne County, Giles County, and Maury County, to examine the books of the Entry Takers of those respective counties on the first Monday in September annually and report the same to the State Comptroller by September 15 of the same year.
3. Acts of 1903, Chapter 255, was a statewide salary act which involved only the Circuit Court Clerks of the State and which fixed their annual salary according to the population class of the county in which they worked. The salaries ranged from \$500 to \$5,000 annually. The Clerks must file a report annually, sworn to and itemized, which showed the total amount of fees collected in the

office. If the fees were less than the salary, the county would pay the difference; if the fees exceeded the salary, the Clerk could retain the excess.

4. Private Acts of 1917, Chapter 214, stated that in Lawrence County the Circuit Court Clerk would be paid \$1,000 annually, provided the Clerk filed on January 1, May 1, and September 1, of each year a sworn, itemized statement with the County Judge, or Chairman, showing the amount of fees paid into the office within those specified times. When the fees failed to equal the salary, the County must pay the difference. In computing the above, the sum of \$333.33 per four month period would be the norm upon which payment would be made. All the excess would be paid by the Clerk to the Trustee.
5. Private Acts of 1919, Chapter 275, amended Private Acts of 1917, Chapter 214, by increasing the annual salary of the Circuit Court Clerk from \$1,000 to \$1,200 with appropriate alterations being made in the remainder of the act to effectuate the above increase.
6. Private Acts of 1923, Chapter 236, provided that the Circuit Court Clerk of Lawrence County would be paid \$1,600 per year instead of \$1,200, if the Clerk would file a sworn, itemized statement with the County Judge, or Chairman, monthly, showing the amount of fees collected in the office. Any deficiency between the fees and the salary would be made up by the county but all fees in excess of the salary would be paid over to the Trustee by the Circuit Court Clerk.
7. Private Acts of 1929, Chapter 96, stated that in Lawrence County the Circuit Court Clerk would be paid \$2,400 annually, provided the Clerk filed on January 1, April 1, July 1, and October 1, a sworn, itemized statement with the County Judge, or Chairman, showing the total amount of fees collected in the office during those preceding months except for special services rendered as a Receiver, Trustee, or Special Commissioner. If the total amount of the fees were less than the salary the County would supply the difference. If the fees exceeded the salary, the overage would be paid over to the Trustee for the County treasury. All the stationery, stamps, and office supplies would be furnished to the Clerk by the county.
8. Private Acts of 1933, Chapter 699, declared that the annual compensation of the Circuit Court Clerk of Lawrence County would be \$1,000, payable out of regular county funds on the warrant of the County Judge, or Chairman, at the rate of \$250 per quarter. The Clerk must file a report within the first ten days of January, April, July, and October with the County Court Clerk, showing all the fees of every nature, all the costs, and all the commission received during the preceding quarter. The Clerk could have and retain the next \$1,000 of the fees, costs, and commissions and all in excess of the second \$1,000 would be paid over to the county treasury. Failure to comply herewith could result in a withholding of the Clerk's salary. All special fees would be listed separately.
9. Private Acts of 1935, Chapter 751, fixed the annual salary of the Circuit Court Clerk of Lawrence County at \$2,400, provided the Clerk filed each quarter with the County Judge, or Chairman, a sworn, itemized statement, showing the amount of fees paid into the office during the preceding months, except those fees received for being Trustee, Receiver, or Special Commissioner. In all cases where the fees did not equal the salary the difference would be paid to the Clerk on the warrant of the County Judge. In computing the sum to be paid the sum of \$600 would be used for each quarter. If the fees exceeded the salary, the surplus would be paid to the County treasury. All stationery and office supplies would be furnished by the County to the Circuit Court Clerk.

#### **District Attorney General - Assistants and Criminal Investigators**

The following acts once affecting Lawrence County are no longer in effect but are listed here for historical purposes.

1. Acts of 1817, Chapter 65, Section 3, established ten Solicitorial Districts in the State of Tennessee. The Ninth District included the counties of Maury, Lawrence, and Hickman. An Attorney General would be appointed for each Solicitorial District who would prosecute and defend all the suits to which the State was a party at a salary of \$125 per year, unless the district comprised the Supreme Court, then the pay would be \$150 per year. County Courts had the option of appropriating up to \$50 per year out of the county treasury for the Attorney General.
2. Acts of 1835-36, Chapter 28, made each Solicitorial District in Tennessee coextensive with each Judicial Circuit. The General Assembly would elect one Attorney General for each district.
3. Public Acts of 1935, Chapter 151, created the office of Assistant Attorney General in the Eleventh Judicial Circuit.
4. Public Acts of 1967, Chapter 139, Public Acts of 1973, Chapter 56, and Public Acts of 1977, Chapter 368, created additional positions for assistant district attorneys general in the Eleventh

Judicial Circuit. T.C.A. 16-2-506 now provides that Lawrence County is a part of the Twenty-second Judicial District and provides the number of judges, assistant district attorneys general and investigators for the district.

## Chapter VI - Education/Schools

### Board of Education

#### Private Acts of 1992 Chapter 204

**SECTION 1.** Chapter 344 of the Private Acts of 1972, as amended by Chapter 61 of the Private Acts of 1975, and any other acts amendatory thereto, are hereby repealed.

**SECTION 2.** Lawrence County shall be divided into nine (9) school districts which shall be coextensive with the county commissioner districts established by the county legislative body of Lawrence County following the 1990 census. School districts may be altered or reestablished from time to time by resolution of the county legislative body so long as such districts are of substantially equal population. One (1) member of the Lawrence County board of education shall be elected by the qualified voters in each school district. Board members shall be elected to staggered four (4) year terms so that the terms of approximately one-half (1/2) the board members shall expire every two (2) years. Persons elected in the regular August elections shall take office on September 1 following the election, and shall serve until a successor is elected and qualified.

**SECTION 3.** No incumbent member of the Lawrence County board of education shall be removed from office as a result of changes in the school districts in Lawrence County. In the event that changes in school districts result in a board member no longer residing in the district he or she represents, such member shall continue to hold office until the expiration of his or her term. If changes in the boundaries of school districts result in more than one (1) board member residing in a single district, all such members shall continue to hold office until their respective terms expire, and no representative shall be elected in such district until the last such member's terms expire, and no representative shall be elected in such district until the last such member's term expires, at which time that district shall elect a resident to the board to an initial term established by the county legislative body which will allow for continued staggered terms, and to four (4) year terms thereafter. If changes in the boundaries of school districts result in one (1) or more school districts which are without a board member shall be elected from each such district to an initial term established by the county legislative body which will allow for continued staggered terms, and to four (4) year terms thereafter. It is to be understood that changes in the boundaries of school districts may result in the number of members on the board temporarily exceeding the number of school districts until the expiration of the terms of the members then in office.

**SECTION 4.** To accomplish the transition from the former three (3) school districts to the nine (9) school districts established under this act, the provisions of Section 3 of this act shall be followed so that the board members in office on the effective date of this act shall continue to serve until the expiration of their respective terms or until their successors are duly elected and qualified. At the August 1992 election, school districts 1, 4, 5, 7 and 8 shall each elect one (1) board member to a four (4) year term. At the August 1994 elections, school districts 2, 3, 6 and 9 shall each elect one (1) board member to a four (4) year term.

**SECTION 5.** Except as otherwise provided herein, the Lawrence County Board of Education shall have the same powers, duties, privileges and qualifications as the Board of Education established pursuant to Tennessee Code Annotated, Title 49.

**SECTION 6.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the board of county commissioners of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of the board of county commissioners of Lawrence County and certified to the Secretary of State.

**SECTION 8.** 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 upon being approved as provided in Section 7.

Passed: April 13, 1992.

## Education/Schools - Historical Notes

### **Board of Education**

The following acts once affected the board of education in Lawrence County but are no longer operative.

1. Private Acts of 1943, Chapter 38, abolished the existing Board of Education in Lawrence County and established a five member Board to be elected by popular vote to act in its place. The election would take place in August, 1944, and the candidate getting the highest number of votes was to serve 6 years, the two getting the next highest votes would serve four years, and the remaining two would serve two years, after which all who were elected would serve six years. This Act appointed J. T. McKinney, Walter Alexander, John G. Crews, J. Fletcher Webb, and Emmett B. Richardson, as the members of the first Board until the general election. The Board would fill any vacancy occurring in the office of County Superintendent of Schools. Members of the Board would be paid \$10 per month on warrants drawn on funds provided by law. The Board would select one of its own members to serve as Chairman.
2. Private Acts of 1951, Chapter 31, abolished the Board created in the 1943 Act and set up a nine member Board of Education who were required to meet all the qualifications and perform all the duties prescribed for them under the general law. The Board of Education could approve, or reject, teachers, but only those teachers who were nominated by the Superintendent, or the Chairman. The current Board members would remain in office until their term expired but succeeding members and new members were to be selected by the Quarterly Court. The term of office extended for eight years. The Chairman of the Board would be paid \$25 per month and the members were to get \$10 per month. The members of the Board would select their own Chairman.
3. Private Acts of 1970, Chapter 274, which was rejected by the Lawrence County Quarterly Court and never took effect, would have abolished the then existing School Board and set up a nine member Board who would be elected by popular vote and perform the functions specified under the general laws of the State. Lawrence County was divided into three School Districts composed of various Civil Districts. No member of the County Court, or other county official, was eligible to serve on this Board. Three members of the Board would be elected in each District for a term of four years. The Quarterly Court would fill vacancies until the next general election for the Board. Board members would be paid \$10 per month and whose Chairman would receive \$25 per month. The Chairman would be selected by the other Board members.

### **Superintendent or Director of Schools**

The acts referenced below once affected the office of superintendent of education in Lawrence County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 110, provided that in Lawrence County the County Superintendent of Public Instruction would be paid an annual salary of \$1,800 which would be paid out of the public school funds of the county by the County Trustee on order of the County Board of Education. This Act would in no way affect the supplemental pay from the State to the Superintendent. This Act was repealed by Private Acts of 1923, Chapter 438, Page 1693.
2. Private Acts of 1927, Chapter 543, declared that in Lawrence County all holders of County Superintendent's Certificates, expired or still in effect, the issuance of which was authorized by the State Board of Education since the year 1919, and who have had as much as four years experience as County Superintendent of Public Instruction, and five years teaching experience would be eligible candidates for the office of County Superintendent of Public Instruction and qualified to hold the same if elected thereto. This act was cited in the case of Derrick v. Lumpkins, 20 Tenn. App. 77, 95 S.W.2d 939 (1936).
3. Private Acts of 1943, Chapter 2, as amended by Private Acts of 1943, Chapter 161, Private Acts of 1947, Chapter 616, Private Acts of 1953, Chapter 150, created the office of the county superintendent of schools in counties with a population of not less than 28,700 and not more than 28,750 according to the Federal Census of 1940.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Lawrence County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which repeal prior law without providing

new substantive provisions.

1. Acts of 1825, Chapter 332, instructed the Commissioners of the town of Lawrenceburg to execute a deed in fee simples to Isaac S. W. Cooke, William Davis, Josephus Irvine, George Lucas, Maximillian H. Buchanan, James Terril, and James Bumpass, who had been appointed as the Trustees of Jackson Academy, to a certain lot in Lawrenceburg provided the Trustees assumed the payment of a mortgage on the property. The Trustees were empowered to promulgate rules and regulations for the management of the Academy and the internal discipline of its students and faculty.
2. Acts of 1833, Chapter 42, declared that the Chairman of the Board of Trustees for any free school, or the clerk of any Church in the Counties of Wayne, Lawrence, Hardin, and McNairy would be entitled to have surveyed and laid down on any general plan of the District where the land lay, any quantity of vacant land, not over four acres, for the erection of a school house, or a church meeting house which, when done, would give them title to the land.
3. Acts of 1837-38, Chapter 99, Section 4, incorporated George Lucas, William McKnight, Jr., Thomas D. Davenport, John G. McDonald, Ezekiel Lindsay, Daniel Bentley, John Stephenson, Augustin W. Bumpass, Joseph Miller, and Martin McAnally, as the Trustees of Lawrenceburg Academy who would have and could exercise all the rights and powers commonly granted to corporate institutions of learning.
4. Acts of 1839-40, Chapter 29, was the legal authority for the County Trustee of Lawrence County to receive from the late Chairman of the Board of Common School Commissioners any monies or any stock certificates which might be on hand as the internal improvement funds and distribute the same in the proportion with the regular apportionment amongst the county school districts. The Trustee was required to make an additional bond to the Chairman of the County Court.
5. Acts of 1839-40, Chapter 158, Section 9, provided that, if a vacancy came to exist on the Board of Trustees of the Lawrenceburg Academy, then the same would be filled by the remaining members of the Board. All the Trustees would be personally liable on any contract concerning the academy to which they agreed.
6. Acts of 1847-48, Chapter 75, divided the County Academy of Shelby County and the Jackson Academy in Lawrence County into two branches so as to create the Raleigh Female Academy and the Lawrenceburg Female Academy for the education of girls. The Trustees of the new schools would also be the Trustees of the old schools and any unexpended funds were to be shared with the new schools for the girls.
7. Acts of 1849-50, Chapter 99, established Lawrence College in Lawrenceburg, naming W. P. Rowles, James N. Bradshaw, William McKnight, Jr., Thomas D. Deavanport, Franklin Buchanan, Solon E. Rose, William Simonston, Gabriel Bumpass, R. H. Allen, Stephanus Bush, William B. Hall, C. L. Herbert, William White, and Joseph C. Sparkman, all of Lawrence County, and some others from Maury County, Wayne County, Hickman County, and Giles County as Trustees, and incorporated them as such. Their powers and duties were enumerated in the act most of which were those commonly associated with the management and control of corporate schools. The trustees of Jackson Academy were empowered to convey their school to Lawrence College, who would continue its operation.
8. Acts of 1853-54, Chapter 136, repealed those parts of Acts of 1847-48, Chapter 75, which required the counties of Shelby, Lawrence, Hardeman, Wayne, and Montgomery, to divide school funds equally between girls' schools and boys' schools, and which required the Trustees of Lawrenceburg Female Academy to be Trustees of Jackson Male Academy in Lawrence County, and that portion of the Act which directed that Lawrence Female Academy and Jackson Male Academy to share equally in all the school funds of Lawrence County. The County Court of Lawrence County were directed to appoint seven Trustees for the Jackson Academy who would also be trustees of the Lawrenceburg Female Academy. All funds would be joint, to be divided as the trustees directed.
9. Acts of 1891, Chapter 263, was the enabling legislation for the County Court of Lawrence County to sell the Lawrenceburg, or the Jackson, Academy and its grounds in one or more parcels as they deemed advisable and in the best interest of Lawrence County and to appropriate the proceeds of the sale to the payment of expenses of the sale and to the unpaid debts of the school, if any. The balance, should there be one, would be paid into the common school fund of the County.
10. Private Acts of 1907, Chapter 236, abolished the office of District Directors of every Tennessee County and set up County Boards of Education and District Board of Advisors in their place. The County Court would divide the County into five school districts, composed of whole civil districts, from each of which one member of the School Board would be elected. If there were less than five

districts, the other members would run at large in the county. The duties of the Chairman, elected by the other Board members, of the Secretary who would be exofficio the County Superintendent, and the other members of the Board were specified and enumerated in the Act. A three member Advisory Board would be elected in each civil district by popular vote and perform the duties listed in the act. This Act did not apply to city school systems.

11. Private Acts of 1907, Chapter 539, created the Etheridge School District in the Tenth Civil District as the same was described by metes and bounds in the Act. This School District was endowed with all the rights and privileges as others. The Clerk of the Board of School Directors would conduct a scholastic census upon which future payments of school funds would be based. The Act named J. D. Burch, Jerome Chapman, and M. L. Delong to serve as temporary Directors of the School District.
12. Private Acts of 1917, Chapter 409, divided the courses of study outlined by the State Board of Education for county high schools into two classes of subjects in Lawrence County which were (1) required subjects and (2) elective subjects. Required subjects consisted of English, Mathematics, History, and Science, and all the others were selective. A student must compile 16 units to graduate and no student could graduate with less than three units in each of the three departments of study.

## Chapter VII - Elections

### Elections - Historical Notes

#### **Districts - Reapportionment**

The acts listed below have affected the civil districts in Lawrence County, but are no longer operative regarding elections.

1. Acts of 1835-36, Chapter 1, directed the General Assembly of Tennessee, subsequent to the adoption of the new 1835 State Constitution, to appoint suitable people as commissioners to lay out the civil districts in their respective counties according to the population count taken in 1833. Each county having 3,000, or more, qualified voters would have 25 civil districts, each county having between 2,500 and 3,000 qualified voters would have 20 civil districts, which was graduated down to the prescribed minimums. Two Justices of the Peace and one Constable would be elected in each civil district except the one containing the county seat where three Justices of the Peace and two constables were authorized. The commissioners must take full advantage of the natural topography in delineating the civil districts as well as population in each one. Resolution #3 on Page 196 of the Acts of 1835-36 appointed John Wasson, Ephraim H. Massey, Robert Brashears, Hugh C. McIntyre, and William McAllister, as the Commissioners for Lawrence County. Resolution #25, on Page 211, substituted Richard A. Massey instead of Ephraim H. Massey.
2. Private Acts of 1923, Chapter 698, rearranged the civil districts in Lawrence County by combining the 12th Civil District and the 13th Civil District into one, to be known as the New 12th Civil District. The Justices of the Peace would continue to serve until their terms expired, except new justices would be elected for the New 12th Civil District as soon as an election could be held.
3. Private Acts of 1933, Chapter 868, divided Lawrence County into new civil districts. The following districts remained unchanged: First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Fourteenth, and Fifteenth. The old Seventh Civil District was abolished and a part of the old 12th Civil District was added to the Seventh District to form a new Seventh Civil District. The old 11th and the original 13th Civil Districts were combined to form a new 11th District. Justices of the Peace and Constables were to be elected from the new civil districts as they were herein described.
4. Private Acts of 1943, Chapter 1, abolished all fifteen civil districts in Lawrence County and established three new civil districts in their place. The new First Civil District was composed of the old Fifth, Eighth, and Tenth Civil Districts; the new Second Civil District included the old First, Second, Third, and Fifteenth Civil Districts; and the new Third Civil Districts contained the old Fourth, Sixth, Seventh, Ninth, Eleventh, Twelfth, Thirteenth, and Fourteenth Civil Districts. The Act named James T. Crews, Joe M. Davidson, and Willie E. Whitten, as the Justices of the Peace, and J. Melvin Sutton and T. J. Dendy, as Constables, in the First Civil District; Thomas J. Jones and N. F. Hollis were the Justices, and W. L. Mason, as Constable in the Second District; and W. M. Lowthorp and Frank Williams, as Justices, and Bob McCrory, as Constable in the new Third Civil

District, all of whom would serve under their present bonds until September 1, 1944, when their successors would assume office. All the offices of Justices of the Peace and Constable not established in this Act were abolished.

5. Private Acts of 1951, Chapter 1, expressly repealed Private Acts of 1943, Chapter 1, and restored all the civil districts in Lawrence County as they existed prior to the enactment of that statute. The Act named the Justices of the Peace for each District who would serve until their successors were elected and qualified. John H. Bates and Freemon Hollis were named as Justices for the First Civil District; S. E. Hollman and Hardy Williams, for the Second; Roy Owens and Jim Wilson for the Third, Grady Lindsey and Delmar Townsend for the Fourth; G. A. Lester and Lonzo Simpson for the Fifth; Alvie McGee and Harold Kilgo for the Sixth; W. T. Bryant and John Thomas Lutts for the Seventh; M. M. James, Murray Gallaher, and Joseph Kamarad for the Eighth; Charles Leighton and H. W. Brewer for the Ninth; Ray Stephens and Marion Sink for the Tenth; Odie Kerr and Mark Lowthrop for the Eleventh; G. W. Staggs and Jesse Shedd for the Twelfth; Chester Garland and Ernest Pennington for the Thirteenth; John Benson and Oscar Benefield for the 14th, and John Kelly and J. R. Story, Jr., for the Fifteenth Civil District.

## **Elections**

The following is a listing of acts for Lawrence County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1819, Chapter 5, Section 13, was the legal authority to establish two precinct elections in Lawrence County, one at the house of Jacob Pennington and the other at the house of John Nall.
2. Acts of 1819, Chapter 69, apportioned the representation in the General Assembly of the State to 20 Senators and 40 Representatives. The Counties of Hickman, Lawrence, Wayne, and Hardin composed one Senatorial District whose votes would be counted at Vernon in Hickman County, and Lawrence County and Hickman County would jointly elect one Representative.
3. Acts of 1822, Chapter 1, divided Tennessee into 9 U. S. Congressional Districts. The Ninth District was made up of the Counties of Wayne, Hardin, Perry, Lawrence, Henry, Carroll, Henderson, Madison, and Shelby.
4. Acts of 1823, Chapter 47, set up eleven Presidential Electoral Districts in the State assigning the Counties of Lincoln, Giles, and Lawrence to the 9th Electoral District. The election would take place on the first Thursday in October, 1824, and the polls would be compared and counted at Pulaski in Giles County.
5. Acts of 1824, Chapter 1, established eleven Presidential Electoral Districts in the same way as the 1823 Act above except that the election was scheduled for the first Thursday and Friday in November, 1824.
6. Acts of 1825, Chapter 134, Section 2, made it the duty of the Sheriff of Lawrence County, or his Deputy, on the days appointed under the law to open and hold a separate election at Bell's Iron Works, on the Big Buffalo River in Lawrence County under the same election laws applicable to the other elections.
7. Acts of 1826, Chapter 3, placed the Counties of Hickman, Lawrence, Wayne, Hardin, and McNairy into one of the twenty Senatorial Districts of Tennessee whose votes were to be canvassed at Waynesborough. Lawrence County, Wayne County, and Hardin County would share one State Representative.
8. Acts of 1827, Chapter 17, established eleven Electoral Districts for the Presidential Election which would occur on the second Thursday and Friday in November, 1828. The Counties of Lincoln, Giles, Lawrence, Hardin, and Wayne constituted the 8th Electoral Districts whose votes would be compared at Lawrenceburg.
9. Acts of 1832, Chapter 4, organized Tennessee into thirteen U. S. Congressional Districts. The Tenth Congressional District contained the Counties of Lincoln, Giles, Lawrence, Wayne, and Hardin.
10. Acts of 1832, Chapter 9, divided the State into fifteen Presidential Electoral Districts of which the 11th District included the Counties of Lincoln, Giles, and Lawrence.
11. Acts of 1833, Chapter 71, divided the State into 20 Senatorial Districts and 40 Representatives Districts. The Counties of Hickman, Lawrence, Wayne, Hardin, and McNairy constituted one Senatorial District while Wayne County and Lawrence County would jointly elect one Representative.

12. Acts of 1833, Chapter 76, provided for a Constitutional Convention to be called consisting of 60 delegates who would be elected by popular vote on the first Thursday and Friday in March next, and convene in Nashville on the third Monday in May, next. Hickman County, Lawrence County, and Wayne County composed one District and would elect two delegates.
13. Acts of 1835-36, Chapter 39, provided for fifteen Presidential Electoral Districts in Tennessee. The Eleventh Presidential Electoral District contained the Counties of Lincoln, Giles, and Lawrence. The Electors would meet in Nashville to cast their votes for the President and Vice-President. The election for electors would be held on the first Tuesday after the first Monday in November, 1836.
14. Acts of 1839-40, Chapter 79, made each Congressional District in Tennessee to coincide with each Presidential Electoral District.
15. Acts of 1842 (Ex. Sess.), Chapter 1, reapportioned Tennessee into 25 Senatorial Districts and 50 Representative Districts. The 20th Senatorial District consisted of the Counties of Hickman, Lawrence, Wayne, and Hardin where the votes would be certified at Waynesboro. Lawrence County would elect one Representative alone.
16. Acts of 1842 (Ex. Sess.), Chapter 7, formed eleven U. S. Congressional Districts in the State. The Counties of Hickman, Maury, Giles, Lawrence, Wayne, and Hardin constituted the Sixth Congressional District.
17. Acts of 1851-52, Chapter 196, established ten U. S. Congressional Districts. The Seventh Congressional District in Tennessee was made up of the Counties of Giles, Lawrence, Wayne, Hardin, McNairy, Perry, Decatur, Benton, Humphreys, Hickman, and Lewis.
18. Acts of 1851-52, Chapter 197, assigned the Counties in Tennessee to the 25 Senatorial and the 50 Representative Districts in the General Assembly. The Counties of Giles, Lawrence, and Wayne were in one Senatorial District with the polls to be verified at Lawrenceburg. Lawrence County would elect one Representative alone.
19. Acts of 1865, Chapter 34, enacted in the post Civil War period, set up eight congressional districts in the State, placing the Counties of Lawrence, Wayne, Hardin, Decatur, Perry, Lewis, Maury, Hickman, Humphreys, Dickson, Montgomery, and Stewart in the 6th Congressional District.
20. Acts of 1869-70, Chapter 105 was the enabling legislation for a referendum to be held on the question of whether or not a constitutional convention would be called to be composed of 75 delegates who would be elected from the Senatorial and Representative Districts of the State. The said convention, if authorized, would convene in Nashville on the second Monday in January, 1870, to alter, amend, change, or rewrite the 1835 State Constitution.
21. Acts of 1871, Chapter 146, apportioned the representation in the State Legislature according to the 1870 Federal Census, and to conform to the new State Constitution of 1870. Lawrence County and Wayne County would share a Representative and join Lewis County and Giles County to form the Fifteenth Senatorial District.
22. Acts of 1872 (Ex. Sess.), Chapter 7, divided Tennessee into nine U. S. Congressional Districts. The Sixth District included the Counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman, and Dickson.
23. Acts of 1873, Chapter 27, added another U. S. Congressional District to the State. Of the ten U. S. Congressional Districts, the Seventh was composed of the Counties of Wayne, Lawrence, Giles, Lewis, Maury, Hickman, and Williamson.
24. Acts of 1881 (Ex. Sess.), Chapter 5, fixed the number of State Senators in the General Assembly at 33 and the number of Representatives at 99 on a permanent basis.
25. Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the State in compliance with the additional number of Senators and Representatives authorized by the Act above. Lawrence County and Wayne County would share one State Representative and combine with Hardin County and Perry County to form the 23rd State Senatorial District.
26. Acts of 1882 (Ex. Sess.), Chapter 27, rearranged the Tennessee Counties into ten U. S. Congressional Districts. The Seventh Congressional District was made up of the Counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman, and Dickson.
27. Acts of 1891, Chapter 131, brought no change in the U. S. Congressional Representation by virtue of the 1890 Census nor changed any of the counties in the 7th Congressional District.
28. Acts of 1891 (Ex. Sess.), Chapter 10, provided in the reapportionment of the General Assembly that Lawrence County would elect one Representative alone, and join up with Giles County and Wayne County to form the 22nd Senatorial District.



29. Acts of 1901, Chapter 109, set up ten U. S. Congressional Districts in Tennessee, the same reflecting any changes brought about by the 1900 Federal Census. The Seventh U. S. Congressional District contained the Counties of Houston, Humphreys, Dickson, Hickman, Williamson, Lewis, Maury, Giles, Lawrence, and Wayne.
30. Acts of 1901, Chapter 122, divided the representation in the General Assembly. The 22nd Senatorial District had in it the Counties of Giles, Lawrence, and Wayne. Giles County, Lawrence County, Lewis County, and Wayne County would elect one Representative jointly in the Seventeenth District.
31. Private Acts of 1915, Chapter 378, declared the no registration of voters would be required, and all ballots would remain the same in Lawrence County in order to vote. No election booths needed to be provided to receive the ballots. The Commission would appoint one Receiver, three Judges, and two Clerks in each voting precinct, and the provisions of this Act would apply to all elections, National, State, County, and local in the County. All prior acts in conflict were repealed.
32. Private Acts of 1921, Chapter 195, amended Public Acts of 1917, Chapter 8, so as to exempt Lawrence County from the provisions of the above cited act which permitted absentee voters to vote by registered mail. This Act was repealed by Private Acts of 1923, Chapter 44.
33. Private Acts of 1925, Chapter 472, amended Acts of 1901, Chapter 122, so that Lawrence County and Maury County were each given one Representative alone in the General Assembly and Section 7 was changed to remove Lawrence County from the 17th Floterial Representative District, leaving Giles County, Maury County, Lewis County, and Wayne County in that District.
34. Private Acts of 1927, Chapter 504, amended Acts of 1890, Chapter 25, which required the registration of voters as a prerequisite to voting so as to bring Lawrence County within all its provisions.
35. Private Acts of 1937, Chapter 748, stated that in Lawrence County every person who duly registered and qualified himself, or herself, to vote in the 1936 November election would hereby be a duly registered voter in that Civil District and precinct so long as that person remained a resident of that area and reregistration would not be a condition precedent to voting so long as their residence remained there. Subsequent registrations would be conducted as the general law required.
36. Private Acts of 1939, Chapter 360, established four voting precincts in the 8th Civil District of Lawrence County, (1) the Court House precinct, as described in the act, (2) the Buffalo Precinct, (3) the Depot Precinct, and (4) the Rosement Precinct with the authority being granted to the Quarterly Court to change the precinct boundaries as the need arose. All voters in these precincts must in the future vote in the precinct in which they resided. All persons were required to reregister in their home precincts for which the Registrars were to hold special periods of registration. This Act was to supersede any Act to the contrary.
37. Private Acts of 1941, Chapter 397, regulated the registration of voters in Lawrence County by providing that every person who duly registered themselves to vote for members of the General Assembly in the November, 1940, election would be a registered voter in the Civil District or precinct in which they registered so long as such person remains a residence of such civil district or precinct. Re-registration would not be a condition to voting so long as the person's residence remains unchanged. The same would apply to those who had subsequently registered themselves in special, or other, elections in order to vote. Supplemental registrations would be held in accord with the terms of this Act. If one moved out of the precinct, then they would have to re-register in the precinct to which they had moved.
38. Private Acts of 1943, Chapter 165, amended Private Acts of 1939, Chapter 360, by reducing the number of precincts in the 8th Civil District from four to two. One was the Court House Precinct covering the area described in the Act, and the other was the Depot precinct, also embracing the area described, and by including a provision that the registration books used in the Court House and Buffalo Precincts and those used in the Depot and Rosement Precincts would be used in the two remaining precincts.
39. Private Acts of 1945, Chapter 153, amended Private Acts of 1941, Chapter 397, in Section One, by rewriting the fourth paragraph to provide that subsequent supplemental registrations would be held and conducted as now provided by law in advance of each general and special election and any person not otherwise registered might do so during these special times.
40. Private Acts of 1945, Chapter 556, provided that in Lawrence County the compensation of Judges, Clerks, Officers, and Registrars, holding a general or primary election would be \$2 per day, for one day only. Registrars were to be paid \$2 for each day worked during the periods of

registration.

41. Private Acts of 1949, Chapter 798, authorized and established a permanent system of voter registration in all the civil districts and precincts in Lawrence County. Each voter, in addition to all the other legal requirements, must also register according to the terms of this Act, or they would not be allowed to vote. Registration must occur 20 days, or more, before the election. A person must be registered in the civil district of his residence to vote but one could vote in municipal elections on property rights. All voters who registered in supplemental registrations were to be registered only in the civil district in which they reside. Voters could vote only in the precinct in which they were registered. Registrations hereunder were continuous and permanent unless one, or more, of the six reasons listed in the Act occurred which would make one re-register. Certain prior registrations under prior acts were validated, and those individuals need not re-register.
42. Private Acts of 1951, Chapter 173, repealed Private Acts of 1949, Chapter 798, and established a system of permanent voter registration. Each person had to be registered before being allowed to vote. All the registrations under prior laws were canceled and each voter must register anew. The Commissioners of Election would, at least ten days before any registration, publish in a newspaper the locations where one could register. An office must be maintained in the Court House where one could register to vote at any time. The Commissioners of Election were authorized to employ a Registrar or Registrars at Large. Provisions were also included which permitted one to register by mail under certain conditions. The Election Commissioners had to furnish the books, supplies, and all the materials for the registrations. The votes of all the people failing to comply with this Act would be subject to challenge.
43. Private Acts of 1961, Chapter 288, stated that hereafter anyone who served as an election official in any public election in Lawrence County would be paid \$5.00 for each day of his or her services. This Act was properly ratified by the Lawrence County Quarterly Court.

## Chapter VIII - Health

### County Hospital

#### Private Acts of 1949 Chapter 889

**SECTION 1.** That the general and overall purpose of this Act be, and the same is hereby declared to be, to cause a general hospital to be maintained and operated within Lawrence County.

**SECTION 2.** That all actions to be taken by said County under the authority of this Act or of other applicable law, not herein or by other applicable law expressly or by necessary implication authorized to be otherwise taken for and on behalf of said County, shall occur by or pursuant to actions of the Quarterly County Court of said County, as its governing body.

**SECTION 3.** That said County be and it is hereby authorized to acquire, by its erection and original equipment, purchase, lease or otherwise, and to own, purchase, sell, lease or otherwise dispose of, a general hospital within the County.

**SECTION 4.** That said County be and it is hereby authorized to maintain and operate such a hospital by and through a County Hospital Commission of the County, hereby created, which Commission shall have and exercise, for and on behalf of the County, full authority and powers in and for the purpose of the general and governing control and supervision of the maintenance and operation of such a hospital by the County, including the authority and powers to formulate, adopt, prescribe and carry out policies, plans, rules and regulations for the maintenance and operation of such a hospital by the County, which shall include, among all other ones deemed necessary or proper by the Commission, those as to employment, discharge and compensation of personnel, purchase of materials, supplies and equipment, use and disposition of materials, supplies and equipment, the making and keeping of books and other records, accountings and reports, public health programs, coordination of the efforts and integration of the functions of public health units and such a hospital so maintained and operated, admission and discharge of patients, rates and payment for services furnished, requisite deposits for admissions and services, prepayment hospitalization plans, responsibility and accountability of all employees or other hospital or staff personnel as to funds, records, occupation and use of premises, equipment, materials, supplies and equipment, examinations and audits of books and other records.

**SECTION 5.** That said Commission shall consist of seven (7) members, two of whom shall and are hereby designed to be the County Judge and the County Attorney, respectively, of the County, the terms of which said elective officers of the County as members of such Commission shall be co-extensive, of course, with

their terms of office as County Judge and County Attorney, respectively. The other five members of such Commission shall be elected by the Quarterly County Court of the County, the initial elections of which other five members shall be at the regular October Term, 1949, of said Court for initial and irregular terms of one, two, three, four and five years, respectively, meaning one of such other five members for each of such initial and irregular terms, and at the October Term of said Court in the year 1950 and in each year thereafter one of such other five members shall be elected, to succeed that one whose term then expires, for the regular terms, hereby fixed, of five years, for such other five members of said Commission. No less than two nor more than three of the other five members of said Commission shall be persons who are also Justices of the Peace of the county. A vacancy in one of such other five memberships on said Commission shall be filled, for the unexpired term, at the next regular or special session of said Court occurring more than thirty days after the vacancy occurs, while a vacancy in the membership of the County Judge or the County Attorney on such Commission shall be filled by the filling of the vacancy in the office of County Judge or that of County Attorney, as the case may be, as now provided by other law. The Chairman of said Commission shall be that member who is the County Judge of the county, who shall serve as such Chairman coextensively with his term of office as County Judge. There shall be a Vice Chairman and a Secretary of said Commission, to be elected by and serve in such capacities at the will of the Commission. The Commission shall regularly meet at such times, place and hour as the Commission shall prescribe, shall specially meet when and as called by the Chairman, and may specially meet when and as called by the Chairman or the Vice Chairman at the instance or request of three members of the Commission. The members of said Commission other than those serving by virtue of their offices of County Judge and County Attorney, respectively, shall be entitled to receive, for attendances at meeting of the Commission, such per diem and mileage as may be prescribed by the Commission, not to exceed Ten (\$10.00) Dollars per diem nor six (6¢) cents per mile, payable out of the hospital fund, as are all other expenses of the maintenance and operation of such hospital by the County, as hereinafter provided.

As amended by: Private Acts of 1967-68, Chapter 77

**SECTION 6.** That the powers and duties of said Commission shall include that, specifically, to engage, employ, contract with or otherwise obtain, retain, regulate and control the services of a hospital administrator or superintendent, to be in immediate charge of and to personally administer or superintend the maintenance and operation of such a hospital by the County, which administrator or superintendent shall so serve at the will, consistent with any applicable contract provisions, of the Commission and be directly responsible and accountable to it for and in connection with such operation of the hospital. The compensation of such administrator or superintendent, and any other benefits or other matters in connection with his compensation or basis therefor, shall be as prescribed by the Commission. Such administrator or superintendent shall execute and remain under surety bond payable to the State of Tennessee for the use and benefit of the County in such amount and with such surety or sureties as may be prescribed by the Commission and be approved by its Chairman and Secretary, to be conditioned so as to assure the full, faithful, complete and honest performance of the duties of such administrator or superintendent and the accounting for and paying over into the office of the County Trustee, in the manner as hereinafter provided, all funds collected or otherwise received in or by virtue of the operation of the hospital by the County, and to account for, preserve or turn over to the Commission all funds on hand, materials, supplies and equipment.

**SECTION 7.** That a regular hospital fund or account of said County, for the maintenance and operation of such a hospital by the County, be and the same is hereby authorized and directed to be set up and maintained in the hands and on the books of the Trustee, and through and on the records of the County Judge and Financial Agent, of the County. Into said hospital fund shall go, upon and through receivable warrants of the County Judge, all funds of every nature and howsoever collected or received in or by virtue of the maintenance and operation of the hospital by the County, and which funds will be accounted for, reported and so turned in to the County treasury, viz., the County Trustee, at such regular intervals and at such other times, upon and with such form or method of accounting and report, and with such verification thereof and accountability therefor, as may be prescribed by the Commission. Disbursements from or withdrawals or transfers of any and all such funds from the hands of the Trustee, in any amounts and for whatever purposes, shall be only by (hospital) warrant on the Trustee and against the hospital fund, signed by the County Judge and countersigned by the administrator or superintendent of the hospital. Such warrants, to be valid and honored and paid by the Trustee, shall be payable to a named payee or payees, or order, bear a warrant number and recite the purpose for which issued. Such warrants shall issue only from a regular and permanently bound hospital warrant book, with duplicates or stubs so kept as to constitute a proper and permanent record of the dates, numbers, amounts, payees and purposes of all warrants to be issued against and paid out of the hospital fund.

**SECTION 8.** That said County be and it is hereby expressly authorized to levy, by appropriate action of its Quarterly County Court and as other taxes are levied by it for County purposes, a tax, in addition to all other taxes, upon all taxable property within the County, at a rate of not to exceed twenty-five (25¢)

cents on each One Hundred (\$100.00) Dollars of assessed valuation of such taxable property in or for any taxable year, to provide funds as may be necessary, in addition to income from operation of such a hospital by the County, for the maintenance and operation of such a hospital by the County, which tax shall be assessed and collected along with and as other taxes for County purposes are assessed and collected. Such taxes for hospital maintenance and operation purposes, when collected by the Trustee or received by him from Clerks and others, as well as all other funds received by him from all other sources for such purposes, shall be placed in and credited to the said hospital fund or account and be disbursed only as provided by this Act.

**SECTION 9.** That said Commission, as a County (hospital) agency constituted by this Act, shall be subject to and comply with the budget requirements of the County Budget Act of and for said County, as required of other County agencies by that Act, viz., Chapter 414 (House Bill No. 684) of the Private Acts of 1939.

**SECTION 10.** That said County be and it is hereby authorized to take any and all actions, not herein expressly or by necessary implication authorized to be taken by said Commission, toward or in connection with the general and overall purpose of this Act, hereinbefore declared.

**SECTION 11.** That said Commission be and it is hereby required to make and submit to the Quarterly County Court of the County at its regular October Term in each year a complete and sufficiently detailed report of its actions, such report to show the state or condition of affairs of the hospital and its fund, premises, equipment, materials, supplies, needs, indebtedness, assets, and the like.

**SECTION 12.** That the intended severability of the various sections and parts thereof in and of this Act be and the same is hereby declared, and that it be and hereby is further declared to be intended that no invalid part hereof shall affect any other part hereof, but shall be elided.

**SECTION 13.** That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 14, 1939.

## Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Acts of 1887, Chapter 146, named the 32 counties in the Eastern District of the State as it was divided for the organization of the hospitals for the insane. There were 32 counties assigned also to the Central Division of the state which included Lawrence County.
2. Private Acts of 1931, Chapter 483, stated that any reputable person who had as much as three years training in a reputable medical school, or the equivalent thereof, or who has had at least ten years practice in medicine as a licensed medical doctor in the State would be qualified to hold the office of County Jail Physician or Health Officer, in Lawrence County. This Act was repealed by Private Acts of 1933, Chapter 333.

## Chapter IX - Highways and Roads

### Road Law

### Private Acts of 1941 Chapter 212

**COMPILER'S NOTE:** Sections of this law may have been superseded by general law. See [Tennessee Code Annotated](#).

**SECTION 1.** That in and for all counties of said State having a population of not less than 26,776 and not more than 26,780 according to the Federal Census of 1930, there is hereby created and provided for a county road superintendent, the office of which is hereby created and provision for which is herein made. To be eligible for said position the superintendent shall be a person of not less than twenty-five years of age, shall have been a resident of the County for not less than two years continuously next preceding the date of his first election to said office under this Act, and shall have at least an aggregate of four years actual experience within the ten years next preceding election of him as such superintendent in public road building and maintenance work, and in the capacity as a superintendent, construction or maintenance engineer, or other similar supervisory capacity equal to or above that of a public road construction or maintenance foreman, and in either or more than one of said capacities shall have had

such experience as an employee of a State, County or Federal government, or road contractor engaged regularly or principally in public road building work. The superintendent in each such County shall be elected by the people for a term of four years, the first such election to be by the general election in August, 1942, and his successor to be elected each four years thereafter, as in the years 1942, 1946, and so on. Any person elected to said office to serve until his successor shall have been elected and qualified as provided by this Act. In the event of the death, resignation, refusal to serve, removal, or frequent and extensive absence from the County, or removal from office as herein provided, of the superintendent, then a successor to serve for the remainder of the unexpired term shall be elected by the Quarterly Court at its next regular or special term following the occurrence of any such reason for the election of a successor, except when any such reason shall occur within the ten days next preceding a regular or special election, in which last mentioned event the election shall be deferred until the next regular election following the expiration of such ten-day period of time, any successor elected to serve for an unexpired term to serve until his successor shall have been elected and qualified as provided by this Act.

As amended by: Private Acts of 1949, Chapter 339

Private Acts of 1951, Chapter 519

**SECTION 2.** That Eugene A. Simms be and is hereby designated and appointed to serve as the county road superintendent in each such County until the next regular election and qualification of the first or initial elected superintendent under this Act to be elected at the next regular election, the general election of August, 1942, as hereinbefore provided.

**SECTION 3.** That the County road superintendent or any acting County road superintendent as herein provided for shall before discharging any duties or exercising any power or authority as superintendent take and subscribe to before and file with the County Court Clerk an oath to fully, faithfully, and impartially perform his duties and shall execute a bond in the sum of Five Thousand Dollars (\$5,000.00), payable to the State of Tennessee, with a corporate surety as surety thereon to do business in the State of Tennessee, said bond to be approved by the County Judge and to be conditioned upon the full satisfaction and impartial performance of his duties as Superintendent, which bond shall also be filed with the County Court Clerk, who shall record the oath and bond upon the public records of his office, and preserve the originals that he files in his office.

**SECTION 4.** The compensation of the County Road Superintendent shall be ten thousand dollars (\$10,000) a year, payable in equal monthly installments out of the road fund of the County, which shall be his full and entire compensation for his services.

As amended by: Private Acts of 1947, Chapter 25

Private Acts of 1963, Chapter 45

Private Acts of 1963, Chapter 46

Private Acts of 1967-68, Chapter 389

**SECTION 5.** That all laws now or that may hereafter be in force applicable to the misfeasance and nonfeasance of public officials be applicable to the County Road Superintendent serving at any time under this Act.

**SECTION 6.** That the County Road Superintendent shall have the authority and it shall be his duty to execute and, therefore, have charge of supervising and directing the road work in all of its phases, including the appointment, assignment to jobs, fixing of the compensation or basis therefor, control, transportation of the employees, and also shall have custody, control, assignment to work, repairs or maintenance, supervising and direction of the operation and use of all equipment for or used in road building in the maintenance work of each such County, including all that may be on hand when this Act becomes effective, and all which has heretofore been or may hereafter be acquired by the County or its road authorities or agencies, whether by purchase, lease, rental, or otherwise, and on the effective date of this Act, or as soon as the qualification has occurred, the Superintendent shall take and have custody, control, and charge of all such equipment. As hereinbefore provided, the Superintendent and his subordinates shall execute the work with the recognition of and in conformity to the plans, proposals, designations as he may deem fit, wise, and necessary for the public welfare of the County road program in its entirety in each such County. All of said road employees shall serve at the pleasure of the Superintendent and shall be responsible to him. The Superintendent shall, in turn, be responsible to the people for the execution of the road work hereinbefore outlined and designated, including the control and use of the employees and equipment, and other duties as in this Act imposes upon him.

**SECTION 7.** That each of the said counties is hereby constituted and declared to be a unit with respect to all matters pertaining to such public roads therein as hereinbefore mentioned, and all funds and revenues of every nature and from every source for road and bridge purposes, on hand or to the credit of the County or of any district road fund, or receivable by the County or its road authorities or any road district or fund from any source, and all such funds as may hereafter be received, shall and they are hereby directed to be placed in, credited to and constitute the "Road Fund" of the County, that fund being hereby

specifically created and thus designated, all such funds to be received by the Trustee of the County and credited to said fund. From and after the effective date of this Act no such funds in any of said counties shall be paid out by the Trustee, nor shall any warrants thereon be issued or honored, except by way of disbursements from said road fund in the manner or by the method as hereinafter provided.

**SECTION 8.** That the Quarterly County Court in each such County shall have the authority, which is hereby specially and expressly delegated to it, to levy in each or any year a tax on all taxable property within the County, outside of the limits of incorporated towns or cities, for road and bridge purposes, to be assessed and collected as are other taxes on property for County funds or purposes, and which, when collected by the Trustee, or received by him from other sources such as from Clerks of Courts, etc., shall be placed in and credited to the said road fund and be disbursed only as provided by this Act; provided, however, that any such tax so levied for road and bridge purposes, and which shall be designated as the "County Road Levy," shall not exceed the rate or basis of twenty cents (20¢) on each One Hundred Dollars of assessed valuation of the taxable property.

**SECTION 9.** That the County Court Clerk, the County Road Superintendent, and the County Judge shall be and constitute a Roadwork Purchasing Committee, of which the County Judge shall be chairman and preside over the meetings of the said committee, and he shall cause minutes to be made of and preserved as public records of the County of all meetings of the Committee at which transactions or matters of importance occur or shall be authorized, especially those involving the expenditure of any sum of money. Any two of said committee shall constitute a quorum, and said Roadwork Purchasing Committee shall have the authority to purchase all necessary equipment and supplies for the operation of the road work in each such County.

**SECTION 10.** That from and after the effective date of this Act disbursements from the road fund shall be only in the manner or by the method as now herein provided, to-wit: Payrolls for the payment of compensation to all incumbent and employed personnel, the Superintendent and all other employees, shall be made by or under the authority of the Superintendent and be approved and certified by him in duplicate, one copy of each of which he will retain for his records or files, the other copy of which shall be filed with the County Judge and Financial Agent of the County, who will issue warrants, to be counter-signed by the Superintendent, in payment of each payroll item. The provision applies to all regular incumbent or employed personnel, but not to instances of services rendered at or for brief intervals by outside or third persons, such as special or out of the ordinary services, in which instances invoices or statements shall be rendered, in duplicate, checked, approved and certified for payment as in the cases of invoices for supplies, materials, fuels, etc., as hereinafter mentioned. All statements or invoices for materials, supplies, equipment, rentals, contract considerations or payments, partial or otherwise, special services as just hereinabove mentioned, or for other payments than those to be made under payrolls as hereinabove provided shall be itemized and submitted in not less than duplicate copies, shall be checked, approved and certified by the Superintendent, in duplicate, one copy of each of which he shall retain and preserve for his records or files, the other copy of which shall be filed with the County Judge and Financial Agent, who will issue warrants, to be counter-signed by the Superintendent, in payment. All such warrants shall issue from a warrant book, which shall remain in the office and custody of the County Judge, and with duplicates or stubs so as to constitute a proper and permanent record of the dates, numbers, amounts, payees and purposes of all warrants drawn upon the Road Fund, and the County Judge, acting as County Judge and Financial Agent, separately from and independent of his membership on said Roadwork Purchasing Committee and his chairmanship thereof, shall so issue and keep records of all warrants issued, and other such records in connection with receipts of and disbursements of the road funds as he may deem proper, and, in so acting, it shall be his duty to see that the provisions of this Act are complied with before any warrant is issued, and he shall have no authority to issue such a warrant except when its issuance, or the payment of the obligation involved, shall be authorized under this Act and be in compliance with the provisions of this Act. He shall preserve, of course, as public records of his office, all payrolls, invoices and statements under which such warrants issue, and shall prescribe and adopt a system of the necessary forms of payrolls, warrants, registers and other records necessary under the provisions of this Act. In the event that, by action of the Quarterly County Court as hereinbefore mentioned, the expenditure or supervision of the expenditure of road funds of the county should be vested in some other governmental agency, such as the Department of Highways of the State, then all such payrolls, invoices and statements to be paid out of funds the supervision of the expenditure of which may have been so vested shall be so approved and certified by the County Judge for payment by the proper official or representative of such other governmental agency, by which agency purchase or other obligations, for materials, supplies, fuels, equipment, rentals, etc., and for payroll labor and services, payable from funds the expenditure or supervision of expenditure of which shall have been so vested, shall be incurred or created, rather than by the said Roadwork Purchasing Committee and Superintendent, respectively, as hereinbefore provided, and by which agency, in such event, employment, control, direction, discharge, fixing of compensation and other supervision of employees, payable out of

funds the expenditure or supervision of which shall have been so vested, shall be exercised, rather than by the Superintendent as herein provided.

**SECTION 11.** That all workhouse prisoners in each of said counties shall be, and they are hereby required to be, worked on the said public roads of the County, direction, supervision and control of which prisoners, while being so worked, shall be by the official or agency charged with the execution of the work according to where the expenditure or supervision of expenditure of the fund is vested out of which payment of such workhouse prison labor is to be paid, but the superintendent of the workhouse, including the Sheriff as ex officio superintendent if there be no separate workhouse, shall designate guards, not exceeding two in number, to serve at his pleasure, for the purpose of the safekeeping of such prisoners to and from work, furnishing of tools and equipment for use by such labor, shall be paid for out of the road fund, and the sum of One Dollars (\$1.00) per day for each day of such work by each such prisoner shall be paid out of said road fund into the general county treasury, payable monthly, as or towards reimbursement to said general county fund on its outlay for the payment of boarding or feeding and clothing expenses of such prisoners. Such prisoners shall be worked at hard labor, and for the purpose or with the view of punishment, as contemplated by other applicable law, but with the view and purpose also, under this Act, of serving the ends sought by roadbuilding projects and expenditure of public funds therefor.

**SECTION 12.** That the Quarterly Court of each County is hereby delegated with the authority to, at its January term of court each year, regulate, and require any free labor they may deem necessary, and said free labor so regulated, designated, and required, shall be under the supervision of the County Road Superintendent, and any refusal to perform any such free labor so designated and required by said Quarterly Court shall be considered a misdemeanor, and any violation shall be punishable as such by law.

**SECTION 13.** That if, for any reason, any section, part or portion of this Act shall be held to be unconstitutional or invalid, such shall not affect nor invalidate any other section, part or portion of this Act which may not be held also to be unconstitutional or invalid, the legislative intent being hereby declared to be that any and all parts of this Act which may not be held to be invalid shall be effective and operative irrespective of the unconstitutionality or invalidity, if any, of any other part or parts of this Act, so far and to the extent that such interpretation, distinction, enforcement and operation may be possible.

**SECTION 14.** That this Act take effect from and after April 1, 1941, the public welfare requiring it.

Passed: February 13, 1941.

## Highways and Roads - Historical Notes

The following is a listing of acts which once had some effect upon the county road system in Lawrence 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, directed the Courts Pleas and Quarter Sessions of the respective Tennessee counties to classify and index the public roads in their counties into three classes according to the width of the road and the surfacing materials. The classes ranged from stage roads down to one wide enough to pass a single horse and rider. The court was empowered to assign hands to repair and maintain the roads.
2. Acts of 1847-48, Chapter 159, Section 11, named Daniel Bentley, William McKnight, Jr., and John H. Beeler, all of Lawrence County, and Anthony Buckner, Henry Miller, and John Gant, of Maury County, as Commissioners to open books and to sell stock to make a turnpike road from Lawrenceburg which would intersect the turnpike road from Columbia to Waynesboro at some point between Waynesboro and Mount Pleasant as the stockholders might direct. The road must meet all the specifications in the act. The company would be named the Lawrenceburg Turnpike Company. This road would be regulated by the same rules applicable to other roads in similar situations. The Company had the power to extend their road from Lawrenceburg to Pulaski in Giles County.
3. Acts of 1851-52, Chapter 280, Section 13, incorporated the Pulaski and Lawrenceburg Turnpike Company which company intended to construct a turnpike, or a macadamized road, from Pulaski in Giles County to Lawrenceburg, in Lawrence County, while possessed of all the same rights and privileges belonging to the Franklin Turnpike Company. This Act named R. M. Bugg, F. T. McLauren, Noah Hancock, S. M. Bentley, B. M. Moore, and T. D. Deavenport, as the Commissioners with the authority to procure the stock for the company in such an amount as was needed to build the road.

4. Private Acts of 1857-58, Chapter 99, Section 7, incorporated the subscribers and stockholders for building a turnpike from Mount Pleasant, running with the Military road in Maury County, to Lawrenceburg. The name of the company would be the Mount Pleasant and Lawrenceburg Turnpike Company whose officials were empowered to stop the road at any point after five miles had been completed. The authorized capital stock was \$5,000 and Seth R. Kittrell, W. G. J. Hunter, J. H. Kittrell, Edmond Wiltshire, Thomas P. Stone, James H. Granberry, Henry Goodloe, and S. P. Jordan were named as Commissioners to sell the stock to raise that amount.
5. Acts of 1901, Chapter 136, was a general road law applicable to every County in Tennessee under 70,000 population. The County Court would elect one Road Commissioner to serve two years from each of the Road Districts in the County. Road Districts and Civil Districts were co-extensive with each other. The Commissioners must be sworn, bonded, and would be in charge of all roads, bridges, road hands, tools, and materials used in that District, at a compensation of \$1 per day not to exceed 10 days in one year. The County Court would fix the number of days the road hands would labor compulsorily on the roads at no less than five days and no more than eight. The Court was allowed to levy a general road tax of two cents per \$100 property valuation for each day of labor the court prescribed for the road hands. District Commissioners would name for a one year term the Road Overseers in their District, who would be in charge of a specific section of road in the District. He would serve as many days as are assessed to road hands without compensation, but for each additional day he would receive one dollar per day, not to exceed six dollars in one year. All males between the ages of 21 and 45 were subject to compulsory labor on the public roads. Petitions to open, close, or change roads were to be filed with and disposed of by the Road Commissioners, who would file his report with the County Court. All roads must meet the basic specifications established in the Act.
6. Acts of 1903, Chapter 533, amended Acts of 1901, Chapter 136 to require the Road Commissioner to file his report on opening roads with the County Chairman or Judge instead of at the next quarterly term of the County Court. Both Acts were the subject of a constitutionality challenge in Morgan County in the case of Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906).
7. Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, increasing the compensation of the Road Commissioners. The sections on eminent domain were revised to provide for action by the County Court as to damages.
8. Private Acts of 1919, Chapter 623, was the first specific road law for Lawrence County. The Act provided that the Lawrence County Court at its January term in 1920 would select a Road Supervisor for each Civil District (Road District), who would supervise the public roads, bridges and overseers in that District. He would be sworn, execute bond in the specified amount, and serve a two year term. Regulations were made for the payment of labor and materials in each District. Supervisors were to be paid \$2.50 per day not to exceed 20 days per year. The Road Supervisor must assign road hands to the particular section of road upon which they were to work the number of days stipulated by the County Court which could be no less than five nor more than ten. The Court would levy a road tax of no less than 20 cents nor more than 50 cents which would be held as a separate road fund by the Trustee. All parties were instructed to keep good records of all transactions and accounts. Road Supervisors would appoint overseers for each section of road who were expected to work the required number of compulsory days as others did (but only as overseers) and who would be paid \$1.50 per day for each day above that number up to ten dollars each year. All males between the ages of 21 and 45 were subject to road duty but could commute by paying \$1.50 for each day required. The District Road Supervisor would act on requests to open, close, or change roads and report his determination to the Judge of the County Court. This Act was repealed by Private Acts of 1939, Chapter 440, and by Private Acts of 1937, Chapter 703.
9. Private Acts of 1920 (Ex. Sess.), Chapter 6, amended Private Acts of 1919, Chapter 623, by reducing the minimum levy for the tax on roads from twenty cents to ten cents per \$100 property valuation. This Act was repealed by Private Acts of 1937, Chapter 703.
10. Private Acts of 1921, Chapter 716, amended Private Acts of 1919, Chapter 623, in Section 1 to provide that Road Supervisors were to be paid \$3.00 per day for an 8 hour day of work up to 30 days each year. Section 5 was changed to require the Road Overseers to give at least two days warning to road hands before they were to report for work. Section 12 was modified to define a wagon and team and to establish the commutation rate at \$2.50 per day for a team of two animals, and at \$1.25 per day for one animal. This Act was repealed by Private Acts of 1937, Chapter 703.
11. Private Acts of 1937, Chapter 703, created a three member County Highway Commission and a position of County Road Superintendent who would have general supervision of all county roads,



bridges, highways, and culverts in the County. A Commissioner must be at least 21 years old, a county resident for five years, could not be a member of the County Court, and no two could live in the same civil district. The three current Commissioners were continued in office until the expiration of their terms, the new members would serve initial staggered terms and then terms of three years. The Chairman of the Commission was to be named by the County Court and sworn into office for a one year term. Members would be paid from \$75 to \$350 annually, and the Chairman from \$150 to \$450 annually, plus the amount of the bond premium. The Road Superintendent would be appointed by the Quarterly County Court to a two year term, be sworn and bonded from \$3,000 to \$10,000, would be paid a salary set by the Quarterly Court which could be no less than \$900 and no more than \$1,500 per year, plus travel expenses up to \$50 monthly. Joe Graves, named as the Superintendent in the Act, would be paid \$1,200 annually in equal monthly installments. The duties of the Commission and its power and authority were all detailed, as well as that of the Road Superintendent. All males, outside cities, between 21 and 45 years of age must work from four to eight days on the roads as set by the Court but could commute at a cost of 50 cents per day. Failure to do either was a misdemeanor. Owners of wagons and teams had to work from 2 to 5 days, or pay 50 cents per animal and/or wagon for each day missed. The Road Superintendent must submit reports on the status of roads to the County Court and Commission as soon as work was completed, and the Quarterly Court would set the amount to be paid to foremen and overseers. The Commission could have obstructions removed and prescribe requirements for building driveways. The Commission could exercise the power of eminent domain when needed, and dispose of petitions to open close, or change roads, provided the procedures in the Act were followed. County workhouse prisoners could be worked on the roads under certain conditions. The Quarterly Court had the authority to levy a general road tax of no less than five cents and no more than thirty cents per \$100 which was to be used in the District from whence it came. The Commission could issue notes not exceeding the aggregate of \$10,000 upon a 2/3 vote of the Court at 5% interest, or less, and to mature from 3 to 10 years. Supplies could be purchased but all over \$200 had to be on competitive bid. The Commission could employ engineers and clerical help and the Superintendent would select the foremen and overseers. An office must be kept open at the Court House in the county seat and the Commission would meet on the first Monday in every month. This Act was repealed by Private Acts of 1939, Chapter 440.

12. Private Acts of 1937 (Ex. Sess.), Chapter 12, amended Private Acts of 1937, Chapter 703, in Section 16 by rewriting the first two paragraphs to require the owners of wagons and teams to furnish the same for road work if they resided outside of a city for no less than two nor more than five days. Commutation rates were fixed at fifty cents per animal and/or wagon per day and a legal description of a team was incorporated. This Act was repealed by Private Acts of 1939, Chapter 440.
13. Private Acts of 1937 (Ex. Sess.), Chapter 15, amended Private Acts of 1937, Chapter 703, in Section 27 by providing that when the Road Superintendent and the County Workhouse Commission deemed it impractical to work prisoners on the public roads for any reason justifiable in their discretion, the prisoners would be worked under the supervision and control of the Sheriff, as the ex-officio superintendent of the Workhouse. This Act was repealed by Private Acts of 1939, Chapter 440.
14. Private Acts of 1939, Chapter 440, expressly repealed Private Acts of 1937, Chapter 703, and all the amendments to that Act, and did not revive any of the acts which might have been repealed by Private Acts of 1937, Chapter 703.
15. Private Acts of 1939, Chapter 441, established a County Road Commission of three members who were to be 21 years of age or more, a resident of the county for five years, could hold no other office and no two to whom could live in the same civil district. The Quarterly Court would elect the first members for staggered terms and after the initial terms for 3 year terms, with specific provisions for filling vacancies if one occurred. The Act named J. P. Conway, Fred Usher, and Alec Wright as the first three members, Conway to be the Chairman. All would be sworn and bonded for \$2,500 and the Chairman would execute an additional bond of \$2,500. The Quarterly Court would fix the salary of the members not to exceed \$200 annually with the Chairman being paid an added \$200, all to be taken from the road funds. Members of the Commission could be removed by a 2/3 vote of the Quarterly Court but the procedures for doing so specified in the Act were to be closely followed. The Chairman, named by the Quarterly Court, would represent the County in its transactions with the State. The County Road Superintendent, selected by the Quarterly Court for two year terms, must be 25 years of age, or older, and experienced in the art of road building and maintenance. Joe Graves was named to serve as such until another could be chosen under the procedures of this Act. The salary would be decided by the Quarterly Court but could not

exceed \$1,800 per year. The Quarterly Court was empowered to levy a road tax up to twenty cents per \$100 property valuation. The Road Superintendent, the Commissioners, and the County Judge would constitute the Purchasing Committee who would supervise and manage all the purchasing for the Department under the rules promulgated in the Act, all purchases over \$500 to be on competitive bid. Workhouse prisoners could be worked on the roads for which guards could be hired at \$1 per day and preference was to be given local residents in the award of contracts within the Highway Department. This Act was repealed by Private Acts of 1941, Chapter 211.

## Chapter X - Law Enforcement

### Law Enforcement - Historical Notes

#### **Militia**

Those acts once affecting Lawrence County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order.

1. Acts of 1817, Chapter 42, which created Lawrence County also made arrangements for the officers of the county militia to be elected. Lawrence County would constitute the fifty-seventh regiment and would be attached to the fifth brigade. The regiment would be further divided into eight companies.
2. Acts of 1819, Chapter 68, was a comprehensive militia law which covered all the phases of military organization. The militia was composed of freemen and indentured servants between the ages of 18 and 45 with some specific occupations being excepted from service, except in the case of insurrection or invasion. The law provided for a military code, tables of organization, disciplinary regulations for internal deportment, and the procedures for courts martial. Lawrence County's unit was the 57th Regiment, which would be a part of the Fifth Brigade, and hold its regimental drill and muster on the third Saturday in October each year.
3. Acts of 1824, Chapter 40, Section 10, made it lawful for a company of volunteer infantry attached to the 57th Regiment of infantry of the State to hold their company musters in the town of Lawrenceburg and would be hereafter known by the name of the Lawrenceburg Independent Blues and be guided by the same regulations pertinent to the Centerville Domestic Blues in Hickman County.
4. Acts of 1825, Chapter 69, revised and amended the military code and militia law for the State. The qualifications for service were that applicants be free men or indentured servants between the ages of 18 and 45, except for the occupations and professions exempted, as ministers, judges, etc. The Table of Organization identified all the county units in the State. Lawrence County's unit was designated as the 57th Regiment which would hold its annual regimental muster and drill on the Saturday following the muster of the 94th Regiment. The Regiments in the counties of Maury, Giles, and Lawrence formed the Fifth Brigade which was assigned to the Second Division.
5. Acts of 1835-36, Chapter 21, was passed subsequent to the adoption of the new 1835 Constitution and was an entirely new militia law although many provisions of the former laws were incorporated in it. The age limits and qualifications of membership remained as they were and the Table of Organization published laid off the State into regiments. Lawrence County now possessed the 103rd and the 104th Regiments with provisions being included under which county, Battalion, and Regimental drills could be held. The Seventeenth Brigade included the counties of Hickman, Hardin, Wayne and Lawrence and was a part of the Third Division.
6. Acts of 1837-38, Chapter 157, amended the State Militia Law by scheduling the county drills for every county unit and making it compulsory under penalty of the law that all the officers of the county militia units attend the same. Lawrence County was assigned to the 17th Brigade with Hickman County, Wayne County, and Hardin County. The Lawrence County units would conduct their annual drills on the third Friday and Saturday in September of each year. Regimental muster would be held on the fourth Friday and Saturday in October.
7. Acts of 1839-40, Chapter 56, re-enacted the militia law and military code in Tennessee which eliminated indentured servants from membership but retained all the other details of organization as applied to Lawrence County.

#### **Sheriff**

The following acts have no current effect but are included here for reference purposes since they once applied to the Lawrence County Sheriff's Office. Also referenced below are acts which repeal prior law

without providing new substantive provisions.

1. Acts of 1827, Chapter 134, made it the duty of the Sheriff of Lawrence County to pay over to William R. Davis, the Jailor of Giles County, one-half of the State tax collected for Lawrence County until the claims of Davis were paid, and Davis' receipt for the money would be a valid and sufficient voucher for the same.
2. Acts of 1829, Chapter 111, provided that the Sheriff and Ranger of Lawrence County and the Sheriff and Ranger of Wayne County might hereafter advertise in any newspaper printed in Nashville, or in the town of Columbia, in Maury County, at their option.
3. Acts of 1831, Chapter 123, allowed the Sheriff of the Counties of Jackson, Cocke, Monroe, Knox, and Lawrence to appoint three Deputies who would be subject to the same rules and regulations as other Deputies. This Act was repealed by Private Acts of 1978, Chapter 248.
4. Acts of 1831, Chapter 130, stated that Nathan Jobe, of Lawrence County, was released and forever discharged from the payment of the balance of the judgment rendered against him in the Circuit Court of Lawrence County upon a forfeited recognizance bond for the appearance in Court of James McMillan for petit larceny, which release would be entered of record on the Execution Docket of the said Court.
5. Acts of 1832, Chapter 56, released and forever discharged George W. Shackelford, of Lawrence County, from the payment of the balance of a judgment rendered against him in the Circuit Court of that County upon a forfeited recognizance bond for James McMillan on a charge of petit larceny. This Act would be a release which would be entered on the execution docket of the court.
6. Acts of 1853-54, Chapter 76, allowed the Sheriff of Lawrence County to employ one additional Deputy Sheriff.
7. Acts of 1855-56, Chapter 209, Section 2, directed the State Comptroller to issue his warrant to William Chaffin, the late Sheriff of Lawrence County, in the sum of \$20 which represented the amount of expense incurred by the Sheriff in conveying Joseph H. Turnfaw from the Jail of Lawrence County to the town of Newburgh in Lewis County.
8. Private Acts of 1925, Chapter 714, declared that in Lawrence County the Sheriff would receive the sum of \$800 per year as ex-officio fees for his services which sum would be paid quarterly on January 1, April 1, July 1, and October 1 out of the county funds in the hands of the County Trustee, on the warrant of the County Judge, provided, however, that the board of prisoners confined in the County Jail and the turnkey fees would not be a part of the ex-officio fees but the Sheriff would be entitled to them also as he now was under the existing law.
9. Private Acts of 1929, Chapter 200, increases the ex-officio fees of the Sheriff from \$600 to \$1,200. The Act, however, which this Act purports to amend is Private Acts of 1919, Chapter 102, which applies to Hawkins County. (See Shanks v. Hawkins County, 160 Tenn. 148, 22 SW2d 355 (1929), which held that this Act was unconstitutional.)
10. Private Acts of 1931, Chapter 483, provided that any reputable physician who had as much as three years training in a reputable medical school, or the equivalent thereof, and who has had at least ten years practice in medicine in the State of Tennessee could be the Health Officer or County Jail Physician for Lawrence County. This Act was repealed by Private Acts of 1933, Chapter 333.
11. Private Acts of 1933, Chapter 670, amended Private Acts of 1925, Chapter 714, by striking out the sum of \$800 as the annual amount of the Ex-officio fees of the Sheriff of Lawrence County and by inserting the sum of \$400 in its place, thus reducing the compensation of the Sheriff by that amount.
12. Private Acts of 1935 (Ex. Sess.), Chapter 131, provided that hereafter in Lawrence County the Sheriff would be paid the sum of \$800 annually as ex-officio fees for his services, which amount would be paid quarterly in equal amounts in January, April, July, and October, out of county funds in the hands of the County Trustee, on the warrant of the County Judge, or Chairman. This Act would not affect the prisoner's board bill nor the turnkey fees as provided by law, the Sheriff being entitled to take these in addition to the above.
13. Private Acts of 1947, Chapter 284, amended Private Acts of 1935 (E.S.), Chapter 131, in Section One by increasing the annual ex-officio fee allowance of the Sheriff from \$800 to \$1600, and by adding a provision at the end of the law which repealed all acts in conflict.
14. Private Acts of 1951, Chapter 28, amended Private Acts of 1935 (Ex. Sess.), Chapter 131, by raising the amount of ex-officio fees to be paid to the Sheriff of Lawrence County from \$1,600 to \$2,400.

15. Private Acts of 1978, Chapter 166, attempted to repeal Acts of 1831, Chapter 123, but was never ratified due to an error in the bill.

## Chapter XI - Taxation

### Hotel/Motel Tax

#### Private Acts of 1992 Chapter 171

**SECTION 1.** As used in this act unless the context otherwise requires:

- (1) "Clerk" means the county clerk of Lawrence County, Tennessee.
- (2) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person.
- (3) "County" means Lawrence County, Tennessee.
- (4) "Hotel" means any structure or space, or any portion thereof, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist camp, tourist court, tourist cabin, motel or any place in which rooms, lodgings or accommodations are furnished to transients for a consideration.
- (5) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings or accommodations in any hotel.
- (6) "Operator" means the person operating the hotel whether as owner, lessee or otherwise.
- (7) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, governmental entity other than the United States or any of its agencies, or any other group or combination acting as a unit.
- (8) "Transient" means any person who exercises occupancy or is entitled to occupancy for any rooms, lodgings or accommodations in a hotel for a period of less than thirty (30) continuous days.

**SECTION 2.** The legislative body of Lawrence County is authorized, by resolution of the county legislative body, to levy a privilege tax upon the privilege of occupancy in any hotel of each transient in an amount not to exceed five percent (5%) of the rate charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this act.

**SECTION 3.** The proceeds received by the county from the tax shall be retained by the county, designated and used for deposit to the general fund and such funds as are dedicated by the county legislative body of Lawrence County for economic and community development shall be funded by this tax and such funds shall be administered directly by the county legislative body of Lawrence County for such purposes.

**SECTION 4.** Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of the hotel and given directly or transmitted to the transient. Such tax shall be collected by such operator from the transient and remitted to the county clerk as provided in Section 5.

When a person has maintained occupancy for thirty (30) continuous days, that person shall receive from the operator a refund or credit for the tax previously collected or charged and the operator shall receive credit for the amount of such tax if previously paid or reported to the county.

**SECTION 5.**

- (a) The tax levied shall be remitted by all operators who lease, rent or charge for any rooms, lodgings, spaces or accommodations in hotels within the county to the clerk or such other officer as may by resolution be charged with the duty of collection thereof, such tax to be remitted to such officer not later than the twentieth (20th) day of each month for the preceding month. The operator is hereby required to collect the tax from the transient at the time of the presentation of the invoice for such occupancy as may be the custom of the operator, and if credit is granted by the operator to the transient, then the obligation to the county entitled to such tax shall be that of the operator.

(b) For the purpose of compensating the operator for remitting the tax levied by this act, the operator shall be allowed two percent (2%) of the amount of the tax due and remitted to the clerk in the form of a deduction in submitting the report and paying the amount due by such operator, provided the amount due was not delinquent at the time of payment.

**SECTION 6.** The clerk, or other authorized collector of the tax, shall be responsible for the collection of such tax and shall place the proceeds of such tax in accounts for the purposes stated herein. A monthly tax return shall be filed under oath with the clerk by the operator with such number of copies thereof as the clerk may reasonably require for the collection of such tax. The report of the operator shall include such facts and information as may be deemed reasonable for the verification of the tax due. The form of such report shall be developed by the clerk and approved by the county legislative body prior to use. The clerk shall audit each operator in the county at least once a year and shall report on the audits made on a quarterly basis to the county legislative body.

The county legislative body is hereby authorized to adopt resolutions to provide reasonable rules and regulations for the implementation of the provisions of this act, including the form for such reports.

**SECTION 7.** No operator of a hotel shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator or that it will not be added to the rent, or that if added, any part will be refunded.

**SECTION 8.** Taxes collected by an operator which are not remitted to the clerk on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at the rate of twelve percent (12%) per annum, and is liable for an additional penalty of one percent (1%) for each month or fraction thereof such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Each occurrence of willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is unlawful and shall be punishable by a civil penalty not in excess of fifty dollars (\$50.00).

**SECTION 9.** It is the duty of every operator liable for the collection and payment to the county of any tax imposed by this act to keep and preserve for a period of three (3) years all records necessary to determine the amount of tax due and payable to the county. The clerk has the right to inspect such records at all reasonable times.

**SECTION 10.** The clerk in administering and enforcing the provisions of this act has as additional powers, those powers and duties with respect to collecting taxes as provided in Title 67 of Tennessee Code Annotated or otherwise provided by law.

For services in administering and enforcing the provisions of this act, the clerk is entitled to retain as a commission five percent (5%) of the taxes collected.

Upon any claim of illegal assessment and collection, the taxpayer has the remedies provided in Tennessee Code Annotated, Title 67. It is the intent of this act that the provisions of law which apply to the recovery of state taxes illegally assessed and collected shall also apply to the tax levied under the authority of this act. The provisions of Tennessee Code Annotated, Section 67-1-707, shall be applicable to adjustments and refunds of such tax.

With respect to the adjustment and settlement with taxpayers, all errors of county taxes collected by the clerk under authority of this act shall be refunded by the clerk.

Notice of any tax paid under protest shall be given to the clerk and the resolution authorizing levy of the tax shall designate a county officer against whom suit may be brought for recovery.

**SECTION 11.** The proceeds of the tax authorized by this act shall be allocated to and placed in the general fund of Lawrence County to be used for the purposes stated in Section 3 of this act.

**SECTION 12.** The tax levied pursuant to the provisions of this act shall only apply in accordance with the provisions of Tennessee Code Annotated, Section 67-4-1425.

**SECTION 13.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 14.** This act shall have no effect unless it is approved by a two thirds (2/3) vote of the county legislative body of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and shall be certified by such presiding officer to the Secretary of State.

**SECTION 15.** 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, this act shall take effect upon

being approved as provided in Section 14.

Passed: March 12, 1992.

## Litigation Tax

### Private Acts of 1981 Chapter 186

**SECTION 1.** There is hereby imposed a litigation tax on the privilege of litigating a civil and criminal action in the amount of ten dollars (\$10.00) to be assessed and taxed as part of the cost of the cause of action on all such actions disposed of in the circuit, criminal, chancery or general sessions court of Lawrence County.

**SECTION 2.** The litigation taxes provided in Section 1 shall be collected by the clerks of the various courts in which the actions are disposed of; and such clerks shall pay over the revenue generated by such litigation taxes to the county trustee every quarter and such revenue is to be paid by the tenth (10th) of the month immediately following the end of the quarter in which such collections were made by the clerks.

**SECTION 3.** The proceeds of this act shall become a part of the general fund and are subject to appropriations by the county legislative body of Lawrence County.

**SECTION 4.** The litigation taxes collected under this act shall be considered suspended when the court having jurisdiction over the cause of action suspends the costs of such cause of action.

**SECTION 5.** As used in this act, unless the context requires otherwise, "cause of action" or "action" includes all ex parte hearings, advisory hearings and contested proceedings in the enumerated courts.

**SECTION 6.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Lawrence County legislative body and certified by him to the Secretary of State.

**SECTION 8.** 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 upon being approved as provided in Section 7.

Passed: July 23, 1981.

## Motor Vehicle Tax

### Private Acts of 1984 Chapter 178

**SECTION 1.** For the privilege of using the public roads in Lawrence County, there is levied on the privilege of operating motor-driven vehicles, except farm tractors, self-propelled farm machines not usually used on public highways and roads, and all government-owned motor-driven vehicles, an annual special privilege tax for the benefit of the county, in the amount of twenty-five dollars (\$25) for each motor-driven vehicle and fifteen dollars (\$15) for each motorcycle, motor-driven bicycle, or scooter.

This tax shall be paid by the owner of a motor-driven vehicle who resides in the county and operates the vehicle on the roads of Lawrence County.

As amended by: Private Acts of 1987, Chapter 21

**SECTION 2.** It shall be a misdemeanor for any owner of a vehicle taxable hereunder to operate such vehicle upon the streets, roads or highways of the county, unless the provisions of this Act are met. Provided further that nothing in this Act shall be construed as permitting the levy and collection of a tax against nonresidents of Lawrence County.

As amended by: Private Acts of 1987, Chapter 21

**SECTION 3.** Residence in the county shall constitute prima facie evidence of use of such resident of roads and highways of the county, without regard to whether such resident resides within the boundaries of a municipal corporation within the county. Any person establishing a new residence within the county shall be allowed thirty (30) days thereafter within which to comply with the provisions of this Act.

As amended by: Private Acts of 1987, Chapter 21

**SECTION 4.** The tax herein levied shall be collected by the county clerk of Lawrence County, who shall

collect this tax at the same time he collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this state. The clerk shall not issue to a county resident a state license for the operation of a vehicle taxable hereunder unless at the same time, the owner pays the privilege tax levied hereunder.

**SECTION 5.** Payment of the tax shall be evidenced by a receipt, issued in duplicate by the clerk, the original of which shall be kept by the vehicle owner and by a decal or emblem also issued by the clerk, which shall be affixed on the lower right hand side of the vehicle windshield. Provided, however, that the privilege tax decal for motorcycles, motor-driven bicycle and scooters be placed on the top portion of the gasoline tank, but if such tank is not visible, then on any prominent and visible portion of that vehicle.

**SECTION 6.** The design of the decal or emblem shall be determined by the county clerk. The expense incident to the purchase of such decals and emblems herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the clerk shall be paid from the funds of the county clerk's office.

**SECTION 7.** When this tax is paid and the provisions of this Act complied with by the owner, he shall be entitled to operate the taxed, decal bearing, vehicle in the county for a period of one (1) year.

When a vehicle becomes taxable under this Act for less than one (1) year, the same proportionate reduction in cost shall be made, as is now made in the issuance of the privilege tax payable to the state and collected by the clerk, under the provisions of the general law, provided that such fee shall be rounded off to the nearest quarter dollar (\$.25).

**SECTION 8.** For his services in collecting the tax, and in issuing the receipt therefor and delivering the decal or emblem to the owner, the clerk shall be entitled to a fee of one dollar (\$1.00) for each vehicle, motorcycle, motor-driven scooter and bicycle, provided that this fee shall be deducted from the amount of wheel tax paid. The clerk will faithfully account for, make proper reports of, and pay over to the county trustee at monthly intervals, all funds received by him for the payment of the tax.

**SECTION 9.** In the event any vehicle for which the wheel tax has been paid and the emblem or decal issued and placed thereon, becomes unusable to the extent that it can no longer be operated over public roads; or in the event that the owner transfers the title to such vehicle, and completely removes therefrom and destroys the decal or emblem, and the owner makes proper application to the clerk for the issuance of a duplicate decal or emblem to be used by him on another vehicle for the unexpired term for which the original decal or emblem was issued, and the clerk is satisfied that the applicant is entitled to the issuance of such a duplicate decal or emblem, and the owner pays into the hands of the clerk the sum of three dollars (\$3.00) the clerk will then issue to such owner a duplicate receipt, cancelling the original receipt delivered to him by the owner, and will deliver to the owner a duplicate decal or emblem, which shall be affixed to the vehicle for which it is issued, as herein provided, and such duplicate decal or emblem shall entitle the owner to operate or allow to be operated the vehicle upon the county roads for the remainder of the period for which the original decal or emblem was issued. Likewise, in the event a decal is destroyed under the provisions of this Act, and is therefore illegible and unusable by the owner, upon proper application made by the owner and filed with the clerk, showing such circumstances and facts to be true, then the clerk, upon receipt of three dollars (\$3.00) may issue and deliver to the owner a duplicate decal or emblem.

**SECTION 10.** Any person violating the provisions of this Act, upon conviction, shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00).

**SECTION 11.** The proceeds of this tax shall be placed in a special fund for the exclusive purpose of paying bonds issued by the Lawrence County School Building Program of 1984, and as the bonds are periodically retired any excess shall be allocated to the Debt Service Fund of Lawrence County.

**SECTION 12.** The tax levied in this Act shall be collected beginning the first day of the first month following its approval.

**SECTION 13.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Lawrence County. Its approval or rejection shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State. If there is a petition of ten percent (10%) of the qualified voters who voted in the county in the last gubernatorial election which is filed with the county election commission within thirty (30) days of final approval of such resolution by the county legislative body, then the county election commission shall call an election on the question of whether or not the tax should be levied in accordance with the provisions of this Act. The local governing body shall direct the county election commission to call such election to be held in a regular election or in a special election for the purpose of approving or rejecting such tax levy. The ballots used in such election shall have printed on them the substance of this act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election

commissioners and certified by them to the local governing body. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this Act.

**SECTION 14.** 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, upon approval as provided in Section 13.

Passed: March 29, 1984.

## Taxation - Historical Notes

### **Assessor of Property**

The following acts were superseded, repealed or failed to win local ratification, but they are listed here as a reference to laws which once affected the Lawrence County Assessor. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 284, fixed the compensation of the Tax Assessor of Lawrence County at \$1,200 per year which would be paid out of the county treasury on the warrant of the County Judge, or Chairman, on May 1 of each year. All conflicts with this Act were repealed.
2. Private Acts of 1921, Chapter 939, established the annual compensation of the Tax Assessor of Lawrence County at \$1,500 payable from the funds in the county treasury on the warrant of the County Judge, or Chairman. The Assessor would be paid monthly.
3. Private Acts of 1927, Chapter 54, stated that hereafter in Lawrence County the salary of the Tax Assessor would be \$2,400 per year which sum was appropriated out of the county treasury and issued in equal monthly installments. The Tax Assessor was given the authority to appoint one or more Deputy Tax Assessors at \$600 per annum, or less, to be paid out of the regular funds of the County each month on the certification of the Tax Assessor.
4. Private Acts of 1933, Chapter 700, expressly repealed Section 2 of Private Acts of 1927, Chapter 54, it being the intention of the Legislature to remove the provision which allowed the Tax Assessor to appoint one or more Deputies to assist him.
5. Private Acts of 1935, Chapter 758, expressly repealed Private Acts of 1933, Chapter 700, which would in effect restore the privilege of hiring Deputies to the Tax Assessor within the financial limits prescribed in 1927 Act.
6. Private Acts of 1947, Chapter 674, amended Private Acts of 1927, Chapter 54, by raising the annual salary of the Tax Assessor of Lawrence County from \$2,400 to \$3,000.
7. Private Acts of 1949, Chapter 335, set the annual salary of the Lawrence County Tax Assessor at \$3,000 payable in equal monthly installments out of the regular county treasury. The Tax Assessor was given the authority to appoint one or more Deputy Tax Assessors and the sum of \$1,200 was separately appropriated for that particular purpose.
8. Private Acts of 1955, Chapter 383, amended Private Acts of 1949, Chapter 335, by authorizing the County Tax Assessor to draw the sum of \$600 per annum to defray travel expenses incidental to his position which sum would be paid out of the ordinary funds of the county in monthly installments, and were in satisfaction of all claims to travel expense. This Act was repealed by Private Acts of 1963, Chapter 169.
9. Private Acts of 1963, Chapter 169, amended Private Acts of 1949, Chapter 335, so as to raise the annual salary of the Tax Assessor from \$3,000 to \$6,000

### **Motor Vehicle**

The private act listed below is no longer in effect in Lawrence County.

1. Private Acts of 1976, Chapter 224, levied a wheel tax of \$10 on each motor vehicle and horsedrawn vehicle, except farm tractors, in Lawrence County. The County Court Clerk would collect the tax and issue decals, or emblems signifying payment of the same, at the time state licenses were sold for which a fee of fifty cents would be paid to the clerk. Provisions were included for the transfer of the decal from one vehicle to another. The proceeds would be used to pave the county's rural roads. This Act had to be approved in a referendum before becoming effective but the Quarterly Court rejected the law which rendered it null and void under the provisions of the Home Rule Amendment to the State Constitution and an election was not necessary.



**Taxation**

The following is a listing of acts pertaining to taxation in Lawrence County which are no longer effective. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1870-71, Chapter 50, stated that the counties and cities of Tennessee could impose taxes for county and municipal purposes in the following manner and upon these conditions (1) that all taxable property would be taxed according to its value upon the principles established for state taxation, and (2) the credit of no county, or city, would be given or loaned to any person, firm, or corporation, unless a majority of the Justices first agree, or a majority of the Councilmen in the city, and then upon the approval in a referendum election of a three-fourth's majority of the voters. Several counties, not including Lawrence County, exempted themselves from the requirement of the three-fourth's majority for the next ten years, substituting a simple majority as being sufficient in its place.
2. Private Acts of 1931, Chapter 223, created the office of Delinquent Poll Tax Collector in the certain counties who would be appointed by the County Judge, or Chairman, for a two year period. All poll taxes not paid to the Trustee by May 1, 1931, and on or before March 1 thereafter following the due year were declared to be delinquent. The Trustee would compile a list and deliver the same to the collector who would be paid 70 cents for each poll tax collected plus the fees under the law for collecting delinquent poll tax. The appearance of one's name on the list was sufficient to cause a distress warrant to issue. The Collector was allowed to use only those receipt books provided by the Trustee. The Collector must be sworn into office and bonded and could examine the books and records of any firm, or individual, issue subpoenas for witnesses and administer oaths. This Act was repealed by Private Acts of 1931, Chapter 757.
3. Private Acts of 1931, Chapter 492, imposed a privilege tax on any dry cleaning or pressing firms, or on one which cleans and blocks hats, which maintain an agency or a branch in Lawrence County. It was the responsibility of the County Court Clerk to collect the tax under the same rules and regulations applicable to such privileges.
4. Private Acts of 1931, Chapter 518, amended Private Acts of 1931, Chapter 223, by requiring the Collector to proceed against eligible male citizens only.
5. Private Acts of 1931, Chapter 623, was the authority for Lawrence County acting through its Quarterly Court to levy a special tax of no more than thirty cents per \$100 to provide the funds with which to pay jurors, salaries, compensation and expenses of county officials and employees, the cost of criminal cases, the care and keeping of the poor and lunatics, and their burials, to purchase books and supplies for the Clerks of the various Courts and to pay for a variety of other services listed in the Act. This tax would be levied in addition to all other taxes when it was for the same purpose. The Quarterly Court would spread upon the minutes of the Court a list of purposes itemized for which said funds would be spent.
6. Private Acts of 1971, Chapter 125, levied a litigation tax of \$4 as part of the costs in all civil and criminal actions in either the General Sessions Court or the Circuit Court in Lawrence County, which the Clerk of the respective Court would collect and pay to the Trustee to be placed into a separate fund to be called the Jail and Court House Fund to be used for the repair, remodeling, or construction of a new Jail, or Court House. The County Judge was authorized to transfer from this fund to the debt service fund to pay interest and principal on debts incurred in carrying out the purposes of this Act. All the expenditures would be made by the County Judge pursuant to the appropriations of the Quarterly Court. Collections were to start one month after the authorization for the sale of bonds, but this Act was never acted on at the local level and consequently never became an active law in Lawrence County.
7. Private Acts of 1977, Chapter 130, amended Section 67-1304 (now 67-5-2002) Tennessee Code Annotated, so as to remove Lawrence County from the code provisions which required the County Trustee to publish a delinquent tax list, annually in a local newspaper of general circulation.

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