



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

May 18, 2024

Weakley

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

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

Sincerely,

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Weakley

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Weakley County Courthouse

Chapter I - Administration

Building Permits

Private Acts of 1992 Chapter 205

SECTION 1. No person shall erect or have erected, constructed or reconstructed any building or structure in Weakley County, or no person shall alter or have altered any existing building or structure in Weakley County where the value of such alteration will exceed the sum of five thousand dollars (\$5,000) without first applying to the county trustee of Weakley County for a building permit for such erection, construction, reconstruction or alteration. As used in this act, "building" or "structure" includes any modular structure or manufactured structure.

No person shall place, locate or cause to be placed or located any mobile home or trailer in Weakley County regardless of the value of the mobile home or trailer without first applying to the county trustee of Weakley County for a building permit for such placement or location.

Such application shall be in a form to be prescribed by the county trustee and shall contain the following information:

- (1) Whether the proposed work is to be new construction or the alteration of an existing structure;
- (2) The location or address of the proposed construction or alteration;
- (3) The identity of the owner or owners of the premises;
- (4) The estimated cost of the completed structure in the case of new construction, or in the case of alteration of an existing structure, the estimated value of such structure before and after such alteration; and
- (5) Such other information as the director of emergency services shall prescribe.

Upon proper application, duly filed, the county trustee shall then issue a building permit and shall take note of the fact of such erection, construction, reconstruction or alteration for the tax records.

As amended by Private Acts of 1999, Chapter 6.

As amended by Private Acts of 2021, Chapter 22.

SECTION 2. This act shall not apply to the erection, construction, reconstruction or alteration of buildings or other structures in cities requiring permits for the same, providing that copies of such permits are made available to the office of the county assessor of property.

As amended by Private Acts of 1999, Chapter 6.

As amended by Private Acts of 2021, Chapter 22.

SECTION 3. The county trustee shall collect a fee for the issuance of each building permit. The amount of the fee shall be twenty-five dollars (\$25.00). The proceeds of the building permit fee shall be deposited in the highway fund of Weakley County.

As amended by Private Acts of 1999, Chapter 6.

As amended by Private Acts of 2021, Chapter 22.

SECTION 4. No electric, gas or water service shall be provided for any building or other structure to which this act applies until the building permit as required herein has been obtained, and it shall be unlawful for any person, corporation, municipality, cooperative or other agency to make, assist in making or permit to be made any connection which provides such electric, gas or water service until the required permit has been obtained.

SECTION 5. When there is reason to believe that any violation of any of the provisions of this act is about to occur, is occurring or has occurred, the county attorney may institute proceedings in the appropriate court for injunctive relief to prevent continuance of such violation. In the event injunctive relief is granted in favor of the county, the court granting such relief may award the county all of its expenses incurred in enforcing this act, including reasonable attorney fees, all of which expenses and fees shall be a civil penalty in addition to the injunctive relief granted by the county.

SECTION 6. If any person shall erect or have erected, constructed or reconstructed any building or structure or shall alter or have altered any existing building or structure or shall place or locate any mobile home or trailer in Weakley County without payment of the fee set forth in Section 3 hereof, then the fee shall constitute a lien on the real property and the lien shall be collected on the first assessment role prepared subsequent to such erection, construction, reconstruction of any building or alteration of any existing building or structure in the same manner and at the same time as other real property taxes in

Weakley County.

SECTION 7. 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 declared to be severable.

SECTION 8. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Weakley County. Its approval or nonapproval shall be proclaimed by the county executive of Weakley County and certified to the Secretary of State.

SECTION 9. 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. Upon being approved as provided in Section 8, for all other purposes it shall become effective on July 1, 1992.

Passed: April 13, 1992

County Attorney

Private Acts of 1951 Chapter 559

SECTION 1. That the office of County Attorney, for all counties in this State of Tennessee having a population of not more than 29,550 and not less than 29,470 according to the Federal Census of 1940, or any subsequent Federal Census, be, and the same is hereby created. That said County Attorney shall be elected by the Quarterly County Court at its regular April, 1951, session, who shall hold office until the first Monday in January, 1952, or until his successor is elected and qualified. That on the first Monday in January, 1952, and annually thereafter the Quarterly County Court shall elect a succeeding official for said office for a term of one year, or until his successor shall be duly elected and qualified in accordance with the provisions hereof, provided that no person shall be elected to said office of County Attorney unless he is a duly licensed attorney.

The said County Attorney before entering upon the duties of his office shall subscribe to the following oath before some officer authorized to administer oaths, to-wit: "I, _____ do solemnly swear (or affirm) that I will support the Constitution of the United States and the State of Tennessee, and that as County Attorney for the County of _____, State of Tennessee, which office I am about to assume, I will perform all the duties of said office as provided by law, to the best of my skill and ability. So help me God."

This oath, together with a written memorandum of the County Judge or Chairman, showing his election shall be filed with the County Court Clerk of the County, and it shall be the duty of the said County Court Clerk to spread the same upon the minutes of the Court.

SECTION 2. That the salary of said County Attorney shall be not less than One Thousand and Two Hundred Dollars (\$1,200.00) per annum, payable in twelve (12) equal monthly installments on the first day of each and every month following his election, during his term of office and until his successor is duly elected and qualified, payable out of the general funds of the County upon warrant of the County Judge or Chairman or any other official authorized and empowered to draw warrants upon the general funds of the County, directed to the County Trustee.

As amended by: Private Acts of 1975, Chapter 108

SECTION 3. That the County Judge is hereby authorized and empowered to employ additional attorney or attorneys in any case or cases where the County is a party to a suit filed in any of the courts, when it shall appear to him, that there is extra, unusual and out of the ordinary litigation and matters requiring an unusual amount of work and time, or of great length and 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. In such case or cases where additional attorney or attorneys are employed to assist the County Attorney, the Quarterly County Court shall fix the compensation for such additional attorney or attorneys. Provided, however, that in matters requiring an unusual amount of work and time and which could not reasonably be considered as the usual and ordinary work of the County Attorney, the County Judge may employ the County Attorney or any other attorney. If the County Attorney is employed in such matters, then he shall receive compensation for his services which shall be in addition to his regular salary as County Attorney.

As amended by: Private Acts of 1975, Chapter 108

SECTION 4. That the duties of the County Attorney shall be 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 County Court 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 County Court at its sessions, and 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 the County as may reasonably be deemed and construed to be the usual, customary and ordinary duties of a County Attorney, such as the drawing of contracts or passing on, approving or rejecting such instruments and conveyances to and from the County, and to appear for and in behalf of the County in hearings, proceedings, suits, causes and matters affecting the County or its interests, wherever and whenever such matters, proceedings, causes, suits or hearings may be held or pending, when properly instructed or requested so to do by the County Judge or Chairman of said county or counties or the officials of the county acting within the scope of their authority. Nothing in this act shall be construed as requiring the County Attorney to serve as delinquent tax attorney, nor shall the County Attorney be precluded from serving as delinquent tax attorney in accordance with the general law as an employment separate and apart from his or her duties as County Attorney.

As amended by: Private Acts of 1995, Chapter 13

SECTION 5. The several clauses and parts of this Act are mutually independent of each other, and if any part of this Act should be declared unconstitutional, void, or invalid, no other part of this Act shall be affected thereby.

SECTION 6. That all Acts or parts of Acts in conflict with the provisions of this Act be and the same are hereby repealed.

SECTION 7. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 13, 1951.

Electric Power Board

Private Acts of 1959 Chapter 373

SECTION 1. That notwithstanding the provisions of any other law, the Board of the Electric System of Weakley County, Tennessee, from and after April 1, 1965, shall be composed as follows: The County Court of Weakley County may appoint seven (7) members, five (5) of said members shall be persons from among the property holders of Weakley County and have resided therein for not less than one (1) year next preceding the date of such appointment. Two (2) of those so appointed need not be property holders and residents of Weakley County, but must be and have been a customer of the Electric System owned and operated by said County. Should any such non-resident member so appointed cease to be a customer of such Electric System, he shall thereby vacate such office, and a successor may be appointed as herein provided to fill such vacancy.

As amended by: Private Acts of 1965, Chapter 78

SECTION 2. That any new appointees and the successors to retiring members so appointed shall be appointed for a term of four (4) years. In addition to the members so appointed, the County Court may designate a member of said Court to serve as an eighth (8th) member of the Board. The term of such member so appointed from the County Court shall be for such time as the said Court may fix, but in no event to extend beyond his term of office as a member of the Court.

As amended by: Private Acts of 1965, Chapter 78

SECTION 3. That nothing in this Act shall be construed to take away from the Electric Board any rights or relieve it of any of the obligations provided by the Municipal Electric Plant Act, Chapter 15, Title 6, Tennessee Code Annotated.

As amended by: Private Acts of 1965, Chapter 78

SECTION 4. That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of Weakley County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Weakley County Quarterly Court, and shall be certified by him to the Secretary of State.

As amended by: Private Acts of 1965, Chapter 78

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 20, 1959.

Flood Control - Drainage

Northwest Tennessee Development Agency

Public Acts of 1967 Chapter 345

COMPILER'S NOTE: The following act is a public act of special application and is not codified in Tennessee Code Annotated.

SECTION 1. That it is hereby created and established the Northwest Tennessee Development Agency, being a public body corporate and politic, and for the purpose of this Act it will be hereinafter referred to as the "Agency". The Agency is created for the purpose of developing the effectuating plans and programs for comprehensive development, including the control and development of the water resources of the Big Sandy River, West Sandy Creek, Middle Fork of the Obion River, the combined Middle Fork and South Fork of the Obion River from that point of confluence to the point of confluence with the Rutherford Fork of the Obion River, the Middle Fork, South Fork, and Rutherford Fork of the Obion River from the points of their confluence to their subsequent confluence with the North Fork of the Obion River, and of the Obion River proper from such point of its confluence with the Mississippi River, located in Benton, Henry, Obion, and Dyer Counties, Tennessee, and for the purpose of planning, developing, and constructing a fresh water canal, with the necessary lakes, locks, and dams in the watershed of and along the waters of the aforesaid rivers and creeks, and for the purpose of intergrating plans, programs, and development activities with the overall development of the area described.

SECTION 2. That the organization of the Agency shall be as follows: (1) The Agency shall be governed by a Board of Directors consisting of eleven (11) members.

(2) The Quarterly County Court of each of the above-named counties shall nominate by majority vote two (2) candidates for each directorship from the county. Candidates shall include persons active in municipal, industrial, agricultural, commercial, and citizen organizations, such as the Northwest Tennessee Development Agency, active in promoting comprehensive unified development of the resources and economic growth of the watershed area of the aforesaid rivers, creeks, and tributaries. The presiding officer of the governing body of each county shall certify such nominations to the Governor, who shall appoint from the nominations from each county one from each group of the two (2) nominated for each directorship. From the above, the Governor shall appoint one for a term of two years, one for a term of four years, one for a term of six years, and one for a term of eight years. However, such terms shall continue in all event until successors are appointed. Successors shall be appointed for terms of eight years. In the event of a vacancy on the Board, the Governor shall appoint a successor for the remainder of the unexpired term.

(3) The Governor shall appoint a resident of one of the aforesaid counties as the eleventh (11) Director, to serve as such Director during the Governor's term of office.

(4) The County Judges of Benton, Henry, Weakley, Obion, and Dyer Counties shall be ex-officio members of such Board of Directors.

(5) The situs and place of business of the body corporate and politic, or Agency, herein created, shall be at Dresden, in Weakley County, Tennessee.

(6) Upon the completion of its membership, the appointees and those designated as ex-officio members shall meet and organize at Dresden, Tennessee, electing a Chairman, Vice- Chairman, and Secretary-Treasurer, and set a regular time and place for the meetings of the Board.

(7) Directors shall serve without compensation, except reimbursement for actual traveling expenses and other necessary expenses incurred in the performance of their official duties, such expenses to be reimbursed from such funds as may be available to the Agency.

SECTION 3. That the powers, duties, and functions of the Agency shall be as follows:

(1) General

(a) Perpetual succession in corporate name.

(b) Sue and be sued in corporate name.

(c) Adopt, use, and alter a corporate seal, which shall be judicially noticed.

(d) Enter into such contract and cooperative agreements with the Federal, State, and local governments, with agencies of such governments, with private individuals, corporations, associations, and any other organizations as the Board may deem necessary or convenient to enable it to carry out the purpose of this Act.

(e) Adopt, amend, and repeal by-laws.

(f) Appoint such managers, officers, employees, attorneys, and agents as the Board deems necessary for the transaction of its business, fix their compensation, define their duties, require bonds of such of them as the Board may determine. Salary of any such employees may be paid out of such funds as may be available to the Agency from any source.

(2) Formulation and Execution of Development Plans

The Agency is authorized to:

- (a) Investigate the resources of the watershed areas of the Big Sandy River, West Sandy Creek, Middle Fork of the Obion River, the combined Middle Fork and South Fork of the Obion River from their point of confluence to the point of confluence with the Rutherford Fork of the Obion River, the Middle Fork, South Fork, and Rutherford Fork of the Obion River from the point of their confluence to their confluence with the North Fork of the Obion River, and of the Obion River proper from such point to the point of its confluence with the Mississippi River, and determine the requirements for their full development, and for the control and development of the watershed areas thereof, including, but not limited to, the building and constructing of a fresh water canal for the purpose of water transportation between the Tennessee and Mississippi Rivers, and for the further purpose of furnishing large quantities of water for manufacturing and industrial purposes, and for the better development of the economy of the general area.
- (b) Develop and carry out a unified comprehensive program of resource development for the economic growth of the area. These plans shall be consistent with plans for state-wide economic development.
- (c) In making such investigations and in formulating development plans, to seek and utilize the assistance of appropriate Federal, State, and local agencies and of private citizens and citizen organizations interested in the conservation and development of the resources of the area.
- (d) Provide, develop, and help as appropriate the needed and feasible cooperative arrangements for the construction of water control structures, channel improvements, and facilities for navigation, drainage, irrigation, water conservation and supply, industrial development, recreation, and land improvement as a part of its comprehensive plans and, in aid of such activities, to accept loans and grants, or other assistance, from Federal, State, and local governments, or from the agencies of such governments.
- (e) Arrange with any city, county, municipality, or supplier of utilities for the abandonment, relocation, or other adjustment of roads, highways, bridges, and utility lines.
- (f) To particularly arrange and develop plans with the Corp of Engineers of the United States Army, Department of Defense, for the surveying, locating, and constructing of a navigable canal, on and along the aforesaid rivers and creeks, from the confluence of the Big Sandy River with the Tennessee River, over, through, and along the waters of the Big Sandy River, West Sandy Creek, Middle Fork of Obion River, and the combined waters of the Middle Fork, South Fork, Rutherford Fork of the Obion River to their confluence with the North Fork of the Obion River, and the Obion River proper to its confluence with the Mississippi River, so as to afford opportunity for the economic development of such areas.
- (g) To arrange, develop, and make all necessary contracts and agreements with the Middle Fork Obion River Watershed District, of Henry and Weakley Counties, Tennessee, and with any and all other watershed districts within the aforesaid areas, or that may hereafter be created within such areas, or created on a tributary of any of the streams, hereinabove set out, which might be affected by the projects contemplated for this Agency.

(3) Land Acquisition:

- (a) To acquire by purchase, lease, gift, or in any manner other than by condemnation, property of any kind, real, personal, or mixed, or any interest therein, which the Board deems necessary or convenient to the exercise of its powers or functions, provided, that acquisition by condemnation shall be limited to land, rights in land, including leaseholds and easements, and water rights, in, on, and adjacent to the watershed areas of the above-named rivers, streams, and creeks, that the Board deems to be necessary to the control and optimum development of the aforesaid rivers, streams, and creeks, and their tributaries. The amount and character of interest in land, rights in land, water rights to be acquired within any of these boundaries shall be determined by the Board of Directors and its determination shall be conclusive. The Agency's power of eminent domain may be exercised under Sections 23-1401 through 23-1425, Tennessee Code Annotated and any amendments thereto, or pursuant to any other applicable statutory provisions, now in force or hereafter enacted, for the exercise of the power of eminent domain; provided, that where condemnation proceedings become necessary the Court in which any such proceedings are filed shall, upon application of the Agency, and upon posting of a bond with the Clerk of the Court in such amount as the Court may deem commensurate with the value of the property, order that writ of possession shall issue immediately or as soon, and upon such terms as the Court in its discretion may deem proper and just. The Agency is exclusively authorized to acquire by condemnation or otherwise and hold for resale to private or other industrial organizations waterfront land that it determines to be suitable for industrial or other appropriately planned uses, and such acquisition is

hereby declared to be for the public purpose of the State's industrial development and for the increase of industrial development opportunities.

(4) Management and Operation:

- (a) Enter into contracts with municipalities, corporations, or other public agencies, or political subdivisions of any kind, or with others for the sale of water for municipal, domestic, agricultural, or industrial use of or any other services, facilities, or commodities that the Agency may be in a position to supply.
- (b) Develop reservoirs and shoreline lands for recreational use and provide for their operation for this purpose directly or by concessionaires, lessees, or vendees, or shoreline lands.
- (c) Sell or lease shoreline lands acquired in connection with the development of the watershed areas of the above-named rivers, streams, and creeks or the tributaries thereof, and included within the area suitable to be developed by the Agency, for uses consistent with the Agency's development plan and subject to such restrictions as the Agency deems necessary for reservoir protection and to such requirements as to: (1) character of improvements and activities, and (2) time within which such improvements or activities shall be undertaken as the Agency deems appropriate to its overall development plan.
- (d) Acquire or operate shoreline lands of reservoirs owned by the United States of America as the agent of the Federal agency having custody and control thereof under appropriate agreements with such agencies.
- (e) Acquire, construct, or operate such other facilities or works of improvement as are necessary to effectuate the plans for comprehensive development of the area.
- (f) To enter into contracts and agreements with The Tennessee Valley Authority, an agency of the United States Government, for the purpose of constructing facilities and works within the area embraced in this Act, including, but not limited to, the development of hydro-electric dams for the purpose of manufacturing electrical powers.

SECTION 4. That the Agency shall be authorized and have the authority with respect to finances as follows:

(1) Financing

- (a) Issue its bonds from time to time in an amount not to exceed a total of Ten Million Dollars (\$10,000,000) for the purpose of paying in whole or in part the cost of the acquisition of necessary land or interests therein and the development of the resources of the above-named rivers, streams, and creeks, and expenses incidental thereto;
- (b) Secure such bonds by a pledge of all of any of the revenues which may now or hereafter come to the Agency from any source, by a mortgage or deed of trust of the Agency's land or any part thereof, or by a combination of the two; and
- (c) May make such contracts in the issuance of such bonds as may be necessary to assure the marketability thereof.

SECTION 5. That the various counties, towns, and incorporated municipalities within the five above-named counties sought to be improved by this Act:

- (1) To contribute to the work of the Agency any amount or amounts of money that their respective governing bodies, acting in their sole discretion, shall approve to be paid from the general fund of the respective county or city. Quarterly County Courts and governing bodies of such cities or towns shall be empowered to levy and collect ad valorem taxes for such purposes, which are hereby declared to be for municipal and county public purposes.
- (2) To issue their bonds as provided for counties in Sections 5-1101 through 5-1125, Tennessee Code Annotated, and for municipalities in Sections 6-1601 through 6-1632, Tennessee Code Annotated, to obtain funds for the financing of public works by the Agency, or to secure advances made by Federal agencies for the construction of public works in the above named rivers, streams, and creeks pursuant to cooperative agreements with the Agency.

SECTION 6. That the Board of Directors of the Agency shall report annually to the Governor of the State of Tennessee and shall likewise report annually to the governing bodies of the various Counties, towns, and incorporated municipalities of the area. Such reports shall include statement of financial receipts and expenditures, and a summary of all activities and accomplishments for the period and proposed plans for the next year.

SECTION 7. That all agencies of the State of Tennessee are hereby authorized and directed to extend their cooperation and lend assistance to the Agency in the formulation and implementation of a development program.

SECTION 8. That for purpose of coordinating its activities with the needs and undertakings of other local organizations and groups, the Board of Directors may establish an advisory board consisting of the

Chairman of the Agency Board (who shall be chairman of the Advisory Board), and of sufficient members to represent adequately so far as possible industry, commerce, agriculture, the general public, any official planning and developmental bodies in the locality, and organized citizen groups working for the development of the aforesaid rivers, streams, creeks, and tributaries.

SECTION 9. That there is hereby appropriated out of the Treasury of the State of Tennessee to the Agency created by this Act, the sum of Ten Thousand and no/100 Dollars (\$10,000) for the purpose of aiding in the organization and development of the programs initiated and proposed by the Board of Directors of the Agency, and particularly to promote the building of a fresh water transportation canal, including lock and dams, as defined and set forth in this Act, by the Corp of Engineers, United States Army, Department of Defense, and of the building and construction of dams, reservoirs, and other necessary facilities for the production of hydro-electric power by the Corp of Engineers, The Tennessee Valley Authority, or any other agency of the Federal Government, or of the State of Tennessee, under the authority of the "State Rural Electrification Authority Law," the same being Sections 65-2301 through 65-2323, Tennessee Code Annotated, or the Tennessee Rural Electrification Authority, when and if organized by authority of Sections 65-2301 through 65-2323, Tennessee Code Annotated, provided, however, that the funds or portions thereof, so appropriated, shall be paid out only upon a voucher approved by the member of the Board of Directors appointed by the Governor under the terms of this Act and subject to the approval of the Governor.

SECTION 10. That if any clause, sentence, paragraph, section, or any part of this Act shall be held or declared to be unconstitutional and void, it shall not affect the remaining part or parts of this Act, it being hereby declared to be the legislative intent to have passed the remainder of this Act notwithstanding the part held to be invalid, if any.

SECTION 11. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: May 25, 1967.

Obion and Forked Deer River Flood Control and Drainage Improvements Public Acts of 1959 Chapter 129

WHEREAS, Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, authorized the construction of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries in Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison Counties, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session; and WHEREAS, The construction of such flood control and drainage improvements at federal expense cannot be undertaken by the Corps of Engineers, United States Army, until a responsible sponsoring agency furnished the United States of America written assurances that it will perform the local cooperation required by law:

SECTION 1. That, in consideration of the construction at federal expense by the Corps of Engineers, United States Army, of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries, in the Counties of Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session, as authorized by Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, the State of Tennessee, through its Obion-Forked Deer Basin Authority, be authorized and empowered to defray the cost of the alteration of existing highway bridges in Dyer and Lauderdale Counties required by such improvements, to acquire and furnish without cost to the United States of America all lands, easements, and rights of way required for construction of such improvements, and to maintain all such works after completion; and to execute and furnish to the United States of America written assurances that it will perform the aforesaid acts of local cooperation; and that the State of Tennessee, acting by and through the Governor and the Obion- Forked Deer River Basin Authority, be authorized and empowered to execute and furnish to the United States of America written assurances that it will hold and save the United States of America free from any damages that may result from any special construction, without cost to the Tennessee Game and Fish Commission, by way of continuous spoil

banks, culverts, locks and/or other structures under contracts let by the Corps of Engineers, United States Army, along the improved channels of the Obion and Forked Deer Rivers and/or the tributaries thereof over, across or along the boundary of any tract of land owned by or leased to the Tennessee Game and Fish Commission designed to permit the control and/or regulation of the water level on said land in its use as a public hunting area and/or a game refuge or sanctuary.

As amended by: Public Acts of 1963, Chapter 149
Public Acts of 1974, Chapter 415

SECTION 2. That the State of Tennessee, through its Obion-Forked Deer Basin Authority, acting through and in conjunction with the Counties in which such improvements are to be constructed, shall be authorized and empowered to acquire and furnish the lands, easements and rights of way required for such work. To this end, the power of eminent domain is hereby conferred upon the state and the counties in which such improvements shall be constructed for the purpose of acquiring such lands, easements and rights of way as may be deemed necessary for the purposes of this Chapter. The general statutes relating to the acquisition of lands for works of internal improvement shall be applicable both as to the bringing of condemnation

actions and the remedies of property owners. The counties in which such improvements are to be made shall be charged with the responsibility of acquiring the necessary lands, easements and rights of way either by gift, purchase or condemnation. The cost of any such lands, easements and rights of way through purchase or condemnation shall be paid by the State of Tennessee. All other expense incident to the cost of acquisition of such lands, easements and rights of way, including title or abstract work, appraisal fees, attorney fees and court costs, shall be borne by the county in which the required lands, easements and rights of way are located. In the event any County fails or refuses to acquire such necessary lands, easements and rights of way, the State, through the Obion-Forked Deer Basin Authority, shall acquire the same, either by purchase, gift or condemnation, and such County shall be liable for and shall reimburse the State for all expenses incurred in the acquisition of such lands, easements and right of way, except the cost or purchase price of the lands, easements and rights of way themselves. The state shall be primarily liable for the purchase price of such lands as may be needed for such improvements but suits by property owners for any taking without compensation shall be brought against the county, and the state's Obion-Forked Deer River Basin Authority shall reimburse the county for any final judgment rendered against it. In addition, it shall be the duty of the counties to defend such suits, but the commissioner may defend such suits if the counties fail or refuse to defend them, and the counties shall reimburse the Obion-Forked Deer Basin Authority for all expenses, including attorney's fees, in defending such suits.

As amended by: Public Acts of 1974, Chapter 415

COMPILER'S NOTE: The 1974 amendment deleted references to the state department of highways, but the reference to the "commissioner" contained in the second paragraph of Section 2 remains, probably in error.

SECTION 3. That drainage and levee districts which presently own any property interests or rights of way required for such improvements are hereby authorized, empowered and directed to transfer and convey such property interests or rights of way to the State of Tennessee for the purposes of this Chapter upon the request of the Obion-Forked Deer Basin Authority.

As amended by: Public Acts of 1974, Chapter 415

SECTION 4. That the State of Tennessee through its Obion-Forked Deer Basin Authority be and it is hereby authorized, empowered and directed to maintain all such works upon completion, in which maintenance the Obion-Forked Deer Basin Authority shall use prison labor wherever possible. The Commissioner of the Department of Corrections shall make available prison labor for such purposes and shall furnish such guards and transportation as may be necessary in connection with such maintenance work.

As amended by: Public Acts of 1974, Chapter 415

SECTION 5. That the Obion-Forked Deer Basin Authority and the counties affected be and they are hereby authorized to expend their funds for the acquisition of the necessary rights of way for such channel improvement and to properly maintain the completed improvements.

As amended by: Public Acts of 1974, Chapter 415

SECTION 6. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 11, 1959.

Repeal of Obsolete Acts

Private Acts of 1975 Chapter 97

SECTION 1. The following private and public acts or parts of acts applicable solely to Weakley County are hereby repealed: Chapter 124, Acts of 1844 relative to an authorization for revenue commissioners for Weakley County to settle certain accounts of the trustee of said county; Chapter 247 of the Acts of 1852 relative to the unexpended balance of funds appropriated for improvement of the Obion River; Chapter 15 of the Acts of 1875 relative to the appointment of additional notary publics; Chapter 170 of the Acts of 1879 relative to the appointment of two additional notaries public for Weakley County; Chapter 157, Private Acts of 1909 relative to the Sharon Special School District; Chapter 35, Private Acts of 1913 relative to the Sharon Special School District; Chapter 274, Private Acts of 1919 relative to women as deputy clerks; Chapter 688, Private Acts of 1919, relative to the compensation of the County Judge in lunacy matters; Chapter 169, Private Acts of 1923 relative to the issuance of county warrants by the County Court Clerk; Chapter 702, Private Acts of 1923 relative to the salaries of several county officials; Chapter 534, Private Acts of 1925 relative to certain powers of telephone companies; Chapter 661, Private Acts of 1927 relative to certain sales, leases, rentals, etc. of municipally owned utilities; Chapter 91, Private Acts of 1929 relative to the authorization of the Superintendent of Public Instruction to borrow money; Chapter 170, Private Acts of 1929 relative to a recording of a deed; Chapter 841, Private Acts of 1929 relative to the borrowing of money in cases of floods, fires, etc.; Chapter 869, Private Acts of 1929 relative to appropriations in aid of agriculture and dairy exhibits in the county or state fair; Chapter 2, Private Acts of 1931, relative to the appointment and qualifications of deputy registrars; Chapter 5, Private Acts of 1931 relative to certificates of qualification for the position of County Superintendent of Schools; Chapter 111, Private Acts of 1931 relative to the Circuit Court Clerk's salary; Chapter 675, Private Acts of 1933 relative to the salary of the trustee; Chapter 433, Private Acts of 1935 relative to the jurisdiction of the County Judge and the County Quarterly Court; Chapter 696, Private Acts of 1937 relative to certain persons voting in the tenth and twenty-third civil districts; Chapter 798, Private Acts of 1937 relative to voting in county primary elections; Chapter 476, Private Acts of 1941 relative to the Office of Superintendent of Public Instruction; Chapter 362, Private Acts of 1951 relative to the creation and powers of a Board of Jury Commissioners; Chapter 552, Private acts of 1951 relative to the creation of a finance and purchasing commission and a budget committee; Chapter 260, Private Acts of 1953 relative to the compensation of Justices of the Peace; Chapter 196, Private Acts of 1957 relative to the office of livestock inspector; Chapter 57, Private Acts of 1969 relative to the payment of bonded indebtedness for the Sharon Special School District.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly Court of Weakley County before September 1, 1975. Its approval or non approval shall be proclaimed by the presiding officer of the Quarterly County Court 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 upon being approved as provided in Section 2.

Passed: May 1, 1975.

Administration - Historical Notes

Budget System

The following act once created a budgeting system for Weakley 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 1951, Chapter 552, reorganized the fiscal affairs of Weakley County by granting to the Quarterly Court the power to prescribe detailed procedures to be employed in the administration of the finances, personnel and procedures of all departments and agencies of county government, except the Weakley County Municipal Electric System. A three member Purchasing and Finance Commission was established, elected by the Quarterly Court for staggered three year terms, with only one member from a civil district. Members of the Quarterly Court could not be chosen for the Commission. Compensation, as set by the Court, could not exceed \$300 per year. The Commission would serve as Purchasing Agent for the County, perform audits of county departments, set the wage scale for employees of the Highway Department, and supervise the payroll for the County Board of Education. A County Budget Committee would consist of the Chairman of the Purchasing Commission, the Chairman of the Highway Commission, the Superintendent of Schools, the County Judge or Chairman, and three Justices of the Peace selected by the Quarterly Court. The Committee would adopt a proposed budget for all

departments except schools. This Act was designed to place Weakley County on a "cash" or "pay as you go" basis. This Act was repealed by Private Acts of 1975, Chapter 97.

County Clerk

The following acts once affected the office of county clerk in Weakley 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 1911, Chapter 160, stated that females, either married or single, over the age of 21 and residents of the county appointing them, shall be eligible to serve as Deputies in the office of the County Court Clerk in Weakley County with the same status and authority as other County Court Clerks. Acceptance of employment by the female shall stop her from denying any legal liability which might be hers as a Deputy Clerk and she is expressly prohibited from pleading coverture as a defense thereto.
2. Private Acts of 1919, Chapter 274, permitted the appointment of females over the age of 21 and residents of the county appointing them, as Deputies in the office of the County Court Clerk in Weakley, and several other counties, who would be responsible for the duties of the office as fully as any other Deputy Clerk. This Act was repealed by Private Acts of 1975, Chapter 97.
3. Private Acts of 1923, Chapter 169, made it the duty of the County Court Clerk in Weakley County to issue and countersign all county warrants drawn on the County Treasury, except school warrants, after the same have been signed by the County Judge. This Act was repealed by Private Acts of 1975, Chapter 97.
4. Private Acts of 1923, Chapter 702, provided that the County Court Clerk, the Register, and the Trustee of Weakley County shall be deprived of all fees, commissions, emoluments, and perquisites of their offices, except as pay for serving as a special receiver, and they shall be paid an annual salary instead of all other compensation. The salary of the County Court Clerk was set at \$2,500 per year. The officials must file a report quarterly with the County Judge, or Chairman, showing the fees collected, and pay the same to the Trustee semi-annually. This Act was repealed by Private Acts of 1975, Chapter 97.
5. Private Acts of 1931 (2nd Ex. Sess.), Chapter 3, granted the authority to the County Court Clerk of Weakley County to appoint a Deputy County Court Clerk who, when sworn and bonded as required by the law, was empowered to perform all the work and acts which the County Court Clerk could do. The salary of the Deputy Clerk would be \$1,500 a year, payable out of the excess fees of the Clerk's office, but, if the fees are insufficient to do so, the County would pay the difference out of regular county funds in the same way as any other debt would be paid.
6. Private Acts of 1933, Chapter 676, stated that the County Court Clerk of Weakley County would receive an annual salary of \$3,500 for his services. All fees, costs, emoluments, and other compensations over and above that amount would be paid over to the Trustee, but, if the income of the office was less than that sum, the lesser amount would constitute the salary of the Clerk for that year.

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Weakley County and are included herein for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1823, Chapter 41, set the terms for the Quarterly County Courts in all counties west of the Tennessee River which included Gibson County, Dyer County, Obion County, Henderson County, Madison County, McNairy County, Hardeman County, Shelby County, Haywood County, and Weakley County whose court would meet on the fourth Monday in January, April, July, and October.
2. Acts of 1823, Chapter 112, which created Weakley County, also provided that the Court of Pleas and Quarter Sessions of the said County would be held at the house of John Tyrrell until otherwise provided by law.
3. Acts of 1824, Chapter 53, permitted the Court to adjourn to any such place in the County as might suit their convenience, provided, that a majority of the Justices agreed to do so.
4. Acts of 1824, Chapter 102, rescheduled the terms of the Quarterly Court in Weakley County do begin on the second Monday in January, April, July and October.
5. Acts of 1825, Chapter 318, changed the opening dates for the terms of the Circuit and County Courts in several counties. The Quarterly Court of Weakley County would continue to meet on the second Monday in January, April, July, and October.

6. Acts of 1827, Chapter 65, was the authority for the Courts of Pleas and Quarter Sessions in the counties of Dickson, Sullivan, Weakley, Hawkins, Hamilton, Smith, Henry, and Rhea, nine, or a majority of the Justices being present, to select on the first day of the first term of the year, by ballot, three of their number to hold Court for the remainder of the year. The Clerk would enter their names on record and all rules and regulations of the regular Court would be observed.
7. Acts of 1835-36, Chapter 6, established a County Court in every county to be held by the Justices of the Peace which would meet on the first Monday of every month and continue until the business of the Court was completed. No Jury trials were allowed in this Court but it was their responsibility to select 25 jurors, one from each Civil District of the County if there were that many Districts, or 37 jurors, whichever may be better for the County, or as directed by the Judge. The Justices would elect a Chairman to a one year term to preside over the Court. This Court was also empowered, at its second term each year, to levy a tax for county purposes.
8. Private Acts of 1929, Chapter 841, vested the Quarterly Court of Weakley County with authority to levy a tax to meet the expenses of paupers, paupers' coffins, expenses of Western Hospital, lunacy inquests, and several other services. This Act was repealed by Private Acts of 1975, Chapter 97.
9. Private Acts of 1929, Chapter 869, allowed the Quarterly Court of Weakley County to make an appropriation from the general funds of the County in the amounts they might determine to promote and aid agricultural, dairy, and educational exhibits in the County, State or Tri-State Fair under the supervision of a committee of five citizens and taxpayers of the County. This Act was repealed by Private Acts of 1975, Chapter 97.
10. Private Acts of 1953, Chapter 260, declared that the Justices of the Peace in Weakley County would be paid the sum of \$6 per day for each day's attendance upon the sessions of the quarterly court, but no justices could draw pay for more than two days per session. This Act was repealed by Private Acts of 1975, Chapter 97.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Weakley 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, created the office of County Judge in every county of the state, who must be a person learned in the law, who would hold office for four years, who would be elected by the people and sworn and commissioned as any other judge. All the Quorum Courts were abolished and their duties assigned to the County Judge. The County Judge would preside over the Quarterly Court in place of its Chairman whose duties he would assume. The court would meet on the first Monday in each month and sit until the business of the court was completed. The jurisdiction and procedures of the court were outlined. The county court clerk would serve as the clerk. The county judge would also be the accounting officer and general agent of the county for which the powers and duties were enumerated in the act. Records and proper dockets must be kept and the Judge was permitted to practice in every court except his. This act was repealed by Acts of 1857-58, Chapter 5.
2. Acts of 1867-68, Chapter 30, Section 15, created the office of County Judge for Weakley County and set the judge's salary at \$500 a year. The judge was made the financial agent of Weakley County and was given all the rights and privileges heretofore given to the County Judge of Perry and Decatur Counties. This act was repealed by Acts of 1869-70, Chapter 8, Section 3.
3. Private Acts of 1913, Chapter 292, amended Acts of 1893, Chapter 124, by adding eight additional powers to the County Judge as accounting officer and general agent of the County, and rewrote Section 4 by setting the compensation of the county judge at \$800 for his services as county judge and at \$400 for his services as financial agent and accounting officer of the county.
4. Private Acts of 1919, Chapter 688, was the authority for the Quarterly Court of Weakley County to fix the compensation of the county judge, or chairman, for holding inquisitions of lunacy for the purpose of committing people to the State Hospitals, and to make appropriations out of the ordinary funds of the county to pay for the same. This act was repealed by Private Acts of 1975, Chapter 97.
5. Private Acts of 1921, Chapter 581, amended Acts of 1893, Chapter 124, so as to read that the county judge would have the same power and authority to grant fiats and writs of attachment, injunction, certiorari and supersedeas, and all other extraordinary writs that the chancellors and circuit judges of this state are now vested with to grant or order.
6. Private Acts of 1921, Chapter 582, amended Acts of 1893, Chapter 124, by setting the salary of

the county judge at \$800 a year as a judge, and at \$700 a year for his services as financial agent and accounting officer of the county.

7. Private Acts of 1935, Chapter 433, amended Acts of 1893, Chapter 124, by inserting provisions in the act between Sections Three and Four which enlarged the jurisdiction of the county judge and the county court to grant concurrent jurisdiction with the Chancery and Circuit Courts in certain areas. Pleading and practice would be the same as in the other courts. Section 12 advanced the salary of the judge to \$1,600 for his services as financial agent and \$800 for his services as judge, making a total pay of \$2,400 each year. This act was repealed by Private Acts of 1975, Chapter 97.
8. Private Acts of 1939, Chapter 426, amended the road law (Private Acts of 1927, Chapter 656) by requiring that the County Judge of Weakley County ratify and confirm all purchases of the Highway Department in excess of \$250, and that he countersign all warrants for said amount and over.
9. Private Acts of 1949, Chapter 803, amended Private Acts of 1935, Chapter 433, by increasing the salary of the county judge to \$3,200 a year, for his services as financial agent of the county, and his salary as county judge to \$800 making a total salary of \$4,000 per year, payable monthly.
10. Private Acts of 1951, Chapter 630, amended Acts of 1893, Chapter 124, by adding a section to the act which would transfer some felony jurisdiction to the county judge under certain conditions and placed upon the county judge the duty of disposing of the case. This act was repealed by Private Acts of 1955, Chapter 296.
11. Private Acts of 1953, Chapter 365, amended Acts of 1893, Chapter 124, by increasing the salary as Financial Agent in the capacities as Budget Director and Purchasing Agent to \$4,400 per annum. The salary for service as County Judge remained at \$800 per year.
12. Private Acts of 1961, Chapter 244, would have amended Acts of 1893, Chapter 124, by removing the concurrent jurisdiction of the county court and county judge in matters of divorce, alimony, and custody of children with the circuit and chancery courts, but leaving the authority to enforce any decrees rendered while the court did have jurisdiction. This act was rejected by the quarterly court and never became an effective law under the Home Rule Amendment to the Tennessee Constitution.
13. Private Acts of 1965, Chapter 215, was an amendment to Acts of 1893, Chapter 124, which abolished the position of County Chairman and assigned all the duties of the post to the county judge who would thereafter be elected by the people to an 8 year term. The act further removed the provisions from Section 3 which listed the judicial powers of the judge and inserted a provision which conferred upon the county judge all the powers and jurisdiction conferred by general law upon them and the county court. This act was rejected by the quarterly court and never became an active law.
14. Private Acts of 1967-68, Chapter 387, repealed Private Acts of 1935, Chapter 433, with a provision that all such cases filed, or pending, in the said court under the authority of this repealed act would remain therein until finally disposed of, or were retired from the dockets of the court. This act was rejected by the quarterly court and never became operative law.
15. Private Acts of 1995, Chapter 11, repealed Private Acts of 1893, Chapter 124, as amended by Private Acts of 1913, Chapter 292, Private Acts of 1919, Chapter 688, Private Acts of 1921, Chapters 581 and 582, Private Acts of 1953, Chapter 365, and all other acts amendatory thereto.

County Register

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

1. Acts of 1824, Chapter 67, allowed the County Register and the County Ranger of Weakley County to keep their offices at their respective homes for the next two years after the passage of this Act but no longer.
2. Acts of 1851-52, Chapter 119, was a general law which required the County Registers in counties south and west of the congressional reservation line to perform the duties of Entry Takers. However, Weakley and several other counties exempted themselves from the provisions of this Act.
3. Private Acts of 1919, Chapter 274, was the authority to appoint females, over the age of 21, who were residents of the county appointing them, to serve as Deputies in the office of County Register and several other offices in the government with the same authority and responsibilities

as other Deputy Registers. This Act was repealed by Private Acts of 1975, Chapter 97.

4. Private Acts of 1923, Chapter 702, fixed the annual salary of the County Trustee, County Court Clerk, and County Register of Weakley County. The salary of the Register was set at \$2,000 per annum, provided a report was filed quarterly with the County Judge showing the total amount of fees collected in the office. These fees were to be paid to the Trustee semiannually. All fees, commissions, emoluments, and perquisites of the office where withdrawn as pay to the Register except for those coming as pay for special receiver. The salary was in lieu of all fees and commissions. This Act was repealed by Private Acts of 1975, Chapter 97.
5. Private Acts of 1929, Chapter 170, prohibited the Register from recording a Deed unless a certificate from the Tax Assessor was attached to the same stating that the Assessor had been notified of the transaction. This Act was repealed by Private Acts of 1975, Chapter 97.
6. Private Acts of 1931 (2nd Ex. Sess.), Chapter 2, was the authority for the Register of Weakley County to appoint a Deputy Registrar who would be sworn and bonded to do all the duties imposed by law upon the Registrar. The Deputy would be paid out of the excess fees of the office a salary of \$900 a year, but, if the excess fees were not sufficient, the county would pay the difference as other general county expenses were paid. Although the term Registrar is used in the Act, it is obvious that Register was intended. This Act was repealed by Private Acts of 1975, Chapter 97.

County Trustee

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

1. Acts of 1843-44, Chapter 124, authorized the Revenue Commissioners of Weakley County to settle with Israel F. Outhouse, a former Trustee for Weakley County, on the accounts of the common school money distributed by him as Trustee for the years 1840 and 1841. If any amount was found to be due Outhouse after the examination of the accounts, authority was granted under this Act to pay such an amount to him out of the 1844 common school fund. This Act was repealed by Private Acts of 1975, Chapter 97.
2. Acts of 1851-52, Chapter 247, was the authority for the Trustees of Weakley County and Obion County to draw out of the branch of the Bank of Tennessee at Trenton the unexpended balance of the fund appropriated for the improvement of the Obion River within the boundaries of each County and they would hold the same subject to the order of the County Court of each of the Counties to be used on other public improvements. This Act was repealed by Private Acts of 1975, Chapter 97.
3. Private Acts of 1919, Chapter 274, declared that females over the age of 21, and residents of the counties appointing them, were eligible to be named to and serve as Deputies in the offices of the Clerk and Master, Circuit Court Clerk, County Court Clerk, Register, and Trustee. Such female deputies would have the same rights and powers and be subject to same duties and obligations as other deputies in those offices. The Act applied to Weakley, Rutherford, Montgomery, Greene, Giles, and Fayette Counties and was repealed as it applied to Weakley County by Private Acts of 1975, Chapter 97.
4. Private Acts of 1923, Chapter 702, set up the annual salaries for the position of County Court Clerk, Register, and Trustee of Weakley County under certain terms and conditions. These officeholders were deprived of all fees, commissions, emoluments, and perquisites accruing to their positions except for pay as a special receiver, and, provided further, that they file a report each quarter showing the fees collected and paid them with the Trustee semiannually. The annual salary of the Trustee was fixed at \$3,000. This Act was repealed by Private Acts of 1975, Chapter 97.
5. Private Acts of 1933, Chapter 675, stated that in Weakley County the salary of the Trustee would not exceed the sum of \$3,500 per year, and in the event the fees collected by the office were more than that amount, the excess would be paid to the Trustee, but, if the fees were less than the stated sum, the salary of the Trustee would be the same as the fees collected. This Act was repealed by Private Acts of 1975, Chapter 97.

Flood Control - Drainage

The private and public acts listed below have been an integral part of this subject in the past years as related to Weakley County but all have been superseded, or repealed, so that they are no longer in effect.

1. Acts of 1825, Chapter 299, was the authority for William Hendrix and George D. Randell to build a

mill on the middle fork of the Obion River in the 12th Surveyor's District of Weakley County. They had the exclusive right to enter and obtain a grant for 250 acres which plot could be more than twice as long as it is wide.

2. Acts of 1826, Chapter 61, gave a preference to Jubilee Rogers, Perry Vincent, Thomas H. Phillips, and the representatives of Absalom Jones, until the next session of the General Assembly, to enter upon and obtain title to a mill site and land lying in Weakley County which was secured to them by an 1825 Act. It was made unlawful for any other person to enter upon said land. This Act further gave to John W. Rogers a preference to enter vacant land of 200 acres for a mill site on Mud Creek in Weakley County.
3. Acts of 1827, Chapter 240, Section 3, gave to John W. Rogers preference to enter the 200 acres of vacant land specifically located in the 13th Surveyor's District on Mud Creek in Weakley County for a mill site.
4. Acts of 1831, Chapter 80, stated that Albert Thomas, of Weakley County, would have all the rights and privileges in relation to his occupancy claim near the mouth of Thomas Creek which claim may have been extended to the occupants of the Western District and the same would be exempt from the entry of any other person.
5. Acts of 1831, Chapter 120, allowed Joseph Vincent to lay down a claim on the general plan of Surveyor's District 13 to any quantity of land, vacant and unappropriated, not to exceed 200 acres, which were unfit for cultivation, including thereon a site for a mill on Spring Creek, and the said Vincent could enter the land by warrants or as otherwise directed by law.
6. Acts of 1831, Chapter 274, permitted James O. K. Wood, of Weakley County, to lay a claim to any quantity of uninhabited vacant land, not to exceed 500 acres, which adjoins his mill on the north fork of the Obion River.
7. Acts of 1831, Chapter 278, granted to one Henry Sample, of Weakley County, the right to have all the privileges that other occupants south and west of the Congressional Reservation have to a tract of country five miles in extent along the middle and north forks of the Obion River which was unfit for cultivation. If Sample did not succeed in processing salt water upon the said tract within two years, the land reverted to the State or to the United States as the case might be.
8. Acts of 1832, Chapter 79, Section 3, was the authority for Robert Ury, of Weakley County, and John B. Slemons, of Carroll County, to enter on the general plan of the 12th Surveyor's District 200 acres of vacant and unappropriated land, including the mill, or the mill sites, they were erecting on Spring Creek, provided they did not interfere with any other occupant and that they complete the construction of their mills within one year from the passage of this Act.
9. Acts of 1833, Chapter 103, authorized John A. Gardner and Thomas C. Jones, of Weakley County, to build a mill on the north fork of the Obion River since the said land on which the mill will be built is now vacant and unappropriated. They were given the right to enter and occupy the land and to perfect the title thereto. Section 3 of this Act gave John Dunn, of Weakley County, the right to enter 200 acres on the Middle Fork of the Obion River, south of the tract granted to the Trustees of the University of North Carolina, and to perfect the title to the same.
10. Acts of 1837-38, Chapter 37, declared that Spring Creek in Weakley County is navigable from Finch and Mobby's mill to the mouth of the said Spring Creek.
11. Acts of 1851-52, Chapter 247, allowed the County Courts of Weakley and Obion Counties to dispose of the unexpended balance of a fund appropriated for the improvement of the Obion River.
12. Private Acts of 1931, Chapter 685, cited in the preamble that on August 30, 1919, the Board of Directors of the Middle Fork and Spring Creek Drainage and Levee District No. 1 of Weakley County by a proper Resolution spread an assessment of \$5,860.01 on the property owners in the District to repair the levee, of which \$1,732.88 was spent for that purpose but to do more would be a waste of money, therefore there was a balance of \$4,127.21 in that fund. There also remained in their hands the sum of \$1,583.13 of the original bond issue. This Act authorized the Trustee to refund \$5,700.34 to the property owners of the District. See *Grooms v. Board of Directors of Middlefork and Spring Creek Drainage District No. 1*, 167 Tenn. 589, 72 S.W.2d 772 (1934).

Obion and Forked Deer River - Flood Control and Drainage Improvements

The following acts, which were not codified, once affected flood control and drainage improvements in the Obion and Forked Deer River basin, and are included herein for historical purposes.

1. Public Acts of 1972, Chapter 807, added a new section to Public Acts of 1959, Chapter 129,

providing the department of agriculture with concurrent authority and responsibility for maintenance of completed channel improvements for the Obion and Forked Deer Rivers. This act was repealed twice, first by Public Acts of 1973, Chapter 38, and again when the 1973 act was repealed by Public Acts of 1974, Chapter 415.

2. Public Acts of 1973, Chapter 38, amended Public Acts of 1959, Chapter 129, and Public Acts of 1963, Chapter 149, to transfer the authority and responsibility for the flood control and drainage improvements for the Obion and Forked Deer Rivers from the department of highways and public works to the department of agriculture. This act was repealed by Public Acts of 1974, Chapter 415.

Purchasing

The following act once affected the purchasing procedures of Weakley County, but is no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1951, Chapter 552, created a three member Purchasing and Finance Commission for Weakley County to be elected for staggered three year terms. The compensation, as set by the Quarterly Court, was in an amount not to exceed \$300 per year. The Commission would serve as the purchasing agency for the county and as such would purchase all the supplies, materials or properties of every kind and character, including insurance. No County official or Board other than the Commission would have any authority to make purchases or to let contracts which bind the county. All purchases in excess of \$100 would be by competitive bids. This Act was repealed by Private Acts of 1975, Chapter 97.

General Reference

The following private or local acts constitute part of the administrative and political history of Weakley 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 1823, Chapter 206, appointed Abram Maury, William Hall, James Fentress, and Benjamin Reynolds as Commissioners to select a site for a permanent seat of justice in Weakley, Gibson, McNairy, Dyer, Hardeman, Obion, Tipton, and Haywood Counties as near the center of the county as possible, to procure as least 50 acres of land, lay the same off into lots, streets and alleys, and then to sell the said lots.
2. Acts of 1824, Chapter 132, stated that the Commissioners appointed by the County Courts of Gibson, Dyer, Hardeman, Tipton, Fayette, Weakley, Obion, and McNairy Counties to lay off and sell lots in the county seats of the said counties would have and exercise all the powers this Act granted to the Commissioners appointed to establish Brownsville. The County seat of Weakley County would be named Dresden.
3. Acts of 1826, Chapter 114, stated that Alice S. Wilson, a poor woman and a citizen of Weakley County, was hereby given a preference of entry on the parcel of land upon which she lives, if it is vacant, notwithstanding she may not have resided thereon on or before May 1, 1826, but provided further that the preference extended herein shall not exceed 200 acres.
4. Acts of 1827, Chapter 12, established a Treasury Department in the Western District consisting of the counties of Shelby, Fayette, Hardeman, McNairy, Hardin, Perry, Henderson, Carroll, Henry, Weakley, Obion, Dyer, Tipton, Haywood, Madison, and Gibson. The Treasurer would be appointed by joint ballot of both houses of the General Assembly, must be sworn and bonded, and would be subject to the same penalties as are all others in a similar capacity. All taxes due in Nashville would be payable to this Treasurer at his office in Jackson.
5. Acts of 1829, Chapter 26, was an act conferring upon several different people in several different counties the right to hawk and peddle goods in their respective Congressional District where they live without having to obtain a license, among whom was Amasa Webb of Weakley County.
6. Acts of 1831, Chapter 44, allowed the County Courts of the counties west of the Tennessee River to organize three member Internal Improvement Boards which would then supervise and plan the expenditure of funds allotted to the counties for improving primarily their roads and rivers.
7. Acts of 1832, Chapter 14, amended Acts of 1831, Chapter 44, by making it lawful for the County Courts of Henry, Carroll, Gibson, Weakley, Obion, and Dyer Counties at the first, or a subsequent, term after the passage of this Act, to proceed to elect Boards of Internal Improvement under the same rules prescribed by the 1831 Act.
8. Acts of 1837-38, Chapter 286, was the enabling legislation for the County Court of Weakley County to draw the remainder of the internal improvement money belonging to the said County

and to appropriate the same to internal improvement in a manner that would be most advantageous to Weakley County.

9. Acts of 1851-52, Chapter 294, incorporated William B. Martin, Matthew F. Wilson, Philemon T. M. Fowler, Willie Smith, and William R. Ross, as the Trustee of the Christian Church in Dresden with all the powers incidental to corporate institutions being granted.
10. Acts of 1868-69, Chapter 58, incorporated John T. Priestly, Worshipful Master, P. S. Dunlap, Senior Warden, and W. B. Johnson, Junior Warden, as "Washington Lodge #159, of Free and Accepted Masons", in Weakley County.
11. Acts of 1875, Chapter 15, amended Section 1792 of the Tennessee Code so as to allow the counties of Knox, DeKalb, Shelby, Cannon, White, Davidson, and Weakley to each have one additional Notary Public over those already permitted under the law who would be appointed by the Justices of the County Court. This Act was repealed by Private Acts of 1975, Chapter 97.
12. Acts of 1879, Chapter 170, was the authority for the Quarterly Court of Weakley County to appoint two additional Notaries Public for the said county, one of whom would reside in Dresden, and the other in the town of Gleason, both to have and exercise all the powers incidental to Notaries elsewhere. This Act was repealed by Private Acts of 1975, Chapter 97.
13. Acts of 1897, Chapter 124, set the annual salaries for most county officials according to the population of the county in which the official served. The officials were deprived of all fees, commissions, and compensation of every sort which would be paid by them to the Trustee. This Act was invalidated by the Supreme Court in *Weaver v. Davidson County*, 104 Tenn. 315, 59 SW 1105 (1900).
14. Private Acts of 1927, Chapter 661, averred that all sales, leases, rentals or other dispositions of municipally owned water, electric, or other utilities for consideration heretofore bargained, sold, conveyed, leased, or rented in the counties of Carroll, Dyer, Gibson, Henry, and Weakley are hereby validated, confirmed, and made binding transactions in those counties named above. This Act was repealed as it related to Weakley County by Private Acts of 1975, Chapter 97.
15. Private Acts of 1933, Chapter 799, removed all the disabilities of infancy from Ishmal Byers, of Weakley County.
16. Private Acts of 1935, Chapter 102, removed the disabilities of infancy from Mrs. Elizabeth Fielder, of Weakley County.
17. Private Acts of 1935, Chapter 194, emancipated Wilma Simpson of Weakley County from her minority.
18. Private Acts of 1935, Chapter 366, removed all the disadvantages of his minority from Luke Lea Hilliard, of Weakley County, so that he could take the Bar Examination, do all other acts as fully as an adult, and apply for and receive a license to practice law.
19. Private Acts of 1935, Chapter 636, made an adult out of Nannie Thomas, of Weakley County, by removing her minority.
20. Private Acts of 1937, Chapter 235, provided that Joseph Winstead, of Weakley County, might hereafter do and perform all the acts of an adult, his minority being hereby removed.
21. Private Acts of 1937, Chapter 236, removed the disabilities of infancy from Rachel Winstead, of Weakley County.
22. Private Acts of 1937, Chapter 332, removed the disabilities of infancy from Mrs. Beaton Foust Harrison, of Greenfield in Weakley County, and bestowed upon her all the rights of an adult including the authority to settle accounts with her guardian.
23. Private Acts of 1937, Chapter 426, moved Miss Barbara Elizabeth Tansil, of Sharon in Weakley County, from infancy into adulthood with all its rights and privileges.

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 Weakley 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 1889, Chapter 171, was a general State Act making it unlawful for any person to hunt, kill, or trap deer for profit in Tennessee, but all citizens of the State could do so for their own consumption from August 1 to January 1 of each year. It was likewise unlawful to hunt, kill, net, trap, or capture quail or partridges for profit except on one's own land and then only from November 1 until the following March 1. Fines were provided for violators. Many counties, including Weakley County, exempted themselves from the application of this Act.
2. Acts of 1893, Chapter 43, declared it unlawful in the counties of Gibson, Obion, Weakley, Carroll, and Montgomery to place, or to keep, any fish trap or fish dam across any running stream. The fines ranged from \$25 to \$50.
3. Acts of 1897, Chapter 281, amended Acts of 1895, Chapter 127, a public law for the protection of fish, so as to exclude the counties of Smith, Putnam, and Weakley from its provisions except that it would be unlawful in those counties to catch or kill fish with poison, dynamite, or explosives.
4. Acts of 1897, Chapter 319, made it a misdemeanor to hunt, capture, kill, wound, destroy, or trap, any quail, partridge, pheasant, lark, wild turkey, or wild ducks, in Weakley County from March 1 to November 1 each year. It was unlawful to do those acts at any time except on one's own land. None of the game birds named could be exported from the county.
5. Acts of 1903, Chapter 224, rendered it illegal for sheep, goats, swine, and geese to run at large in Weakley County. Anyone guilty of allowing the same could be fined from \$5 to \$10. Any damage done by the roaming animals would constitute a lien on them, enforceable as was any other lien by writ of attachment. The person damaged by the trespassing animals could take them up, care for and feed them, and add this cost to the damages under the lien. This Act was repealed by Acts of 1905, Chapter 44.
6. Acts of 1903, Chapter 502, made four barbed wires, securely fastened to posts and stays, a lawful fence in Weakley County, provided the fence was built on good sized, substantial posts, set firmly in the ground, not more than 24 feet apart with good, sound stays at least two inches thick and not more than 8 feet apart. The bottom wire would be 15 inches from the ground, the next 12 inches above the first, the third 12 inches from the second and the fourth 12 inches from the third, all securely fastened to the posts and stays. This Act was repealed by Acts of 1905, Chapter 45.
7. Acts of 1913, Chapter 69, stated that, within five days from the approval of this act, the Election Commissioners of Weakley County would give notice of and hold an election at all polls in the county to ascertain the will of a majority of the voters on the question of a stock law. The ballot would be a simple "For" or "Against" and be uniform in all the precincts. The Commission shall canvass the results of the election and notify the Representative and Senator for Weakley County in the General Assembly, as well as having the vote count published in the local newspaper.
8. Private Acts of 1915, Chapter 32, required the Election Commissioners of Weakley County to hold an election to ascertain the will of the people on the issue of a stock law, using simple "For" and "Against" ballots, and setting the election within 25 days of this act. The votes would be canvassed and the official results certified to the Weakley County Representative and Floater, and to the Senator of the 28th State Senatorial District.
9. Private Acts of 1917, Chapter 29, stated that the Weakley County Election Commission would hold an election on the question of a stock law for Weakley County, and on the question of a four wire fence being a legal fence. The details were the same as the preceding laws required for canvassing and reporting results.
10. Private Acts of 1917, Chapter 93, made it unlawful in Weakley County for any person or persons to shoot, kill, or injure by any method or means whatsoever any quail or partridge except within the times and seasons herein specified. Open season would run from December 15 to the following February 15. Violators could be fined from \$5 to \$50 with the fines going to the school fund.
11. Private Acts of 1917, Chapter 657, declared it illegal in Weakley County for any person or persons having control and custody of horses, mules, donkeys, cattle, sheep, goats and swine, or other livestock, to permit the same to run at large in the county. Damages inflicted and the cost of the upkeep and feeding of the animals were made a lien upon them which could be enforced as any other lien.
12. Private Acts of 1929, Chapter 384, made it unlawful for any person, firm, or corporation, in Weakley County, to take, catch, or kill, any fur bearing animal by means of a snare, steel trap deadfall, or any other device, except by dogs and gun. Anyone convicted of the same could be fined from \$50 to \$100.

13. Private Acts of 1933, Chapter 297, declared a closed season in Weakley County for fishing for fish of every kind and character from September 1 to December 1 of each year. This Act was repealed by Private Acts of 1933, Chapter 849.
14. Private Acts of 1933, Chapter 738, made it unlawful for a period of three years after the passage of this act for any person to take, capture, or kill, any pheasant or pheasants in Weakley County. Fines for violations ranged from \$50 to \$100.
15. Private Acts of 1935, Chapter 699, stated that any person who had heretofore engaged in the practice of veterinary medicine, with or without a license, in Weakley County, for a period of 15 years or more, and who is a person of good moral character, is hereby authorized to continue the said practice in their counties of residence, provided they obtain from the County Court Clerk a certificate of good moral character and file the same with the State Board of Veterinary Examiners. This Act applied only to Weakley County.
16. Private Acts of 1951, Chapter 694, declared it to be unlawful in Weakley County for any person to hunt, trap, kill, capture, or otherwise take pheasants of any type, or description. Anyone doing so would be guilty of a misdemeanor and could be punished accordingly. This act was repealed by Private Acts of 1961, Chapter 283.
17. Private Acts of 1953, Chapter 457, stated that it would be legal in Weakley County for any person to kill, or take, bullfrogs at any time of the year and by any means or method. This act was repealed by Private Acts of 1961, Chapter 284.
18. Private Acts of 1957, Chapter 196, authorized the Quarterly Court of Weakley County to elect a livestock inspector to serve for two years whose duty it would be to make an inspection and examination of the livestock in said county and to treat such as may be found ailing so as to reduce the danger of an infectious or contagious disease. The inspector would contract with the owner for his services, the county declaring itself to be exempt from responsibility. The inspector had power to vaccinate all animals. Mack Stalcop was named as the first inspector to serve until September 1, 1958. The Quarterly Court could appoint more than one inspector, if needed. This Act was repealed by Private Acts of 1975, Chapter 97.

Chapter III - Bond Issues

Bond Issues - Historical Notes

Debts

A listing of the acts which authorized various bond issues for Weakley County is included below for reference purposes, although these acts are no longer current. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1929, Chapter 104, validated and confirmed all the prior proceedings of the Quarterly Court held in connection with the issuance of \$57,000 in Funding Bonds, at 4 3/4% interest, and maturing at the rate of \$19,000 on January 1, 1934, January 1, 1939, and January 1, 1944. This Act made all the actions legal and binding notwithstanding the lack of any statutory authority to do so at the time. The Quarterly Court must levy a special tax to repay these bonds as long as any were outstanding.
2. Private Acts of 1929, Chapter 123, was the enabling legislation for the Weakley County Quarterly Court to issue tax anticipation notes from time to time in an amount not to exceed 80% of the annual tax levy which notes shall become due within one year from date of issuance at an interest rate not to be greater than 6%. The notes were payable at such place as the County Judge, acting with the County Court Clerk, shall designate. The notes must be signed by the County Judge and County Court Clerk and the money placed in the hands of the Trustee and disbursed in the same manner as the taxes anticipated by the issuance of said notes.
3. Private Acts of 1931, Chapter 414, allowed the Quarterly Court of Weakley County to issue and sell up to \$60,000 in negotiable notes, at an interest rate not to exceed 6%, and to mature one year from issue, to refund outstanding notes in a like amount issued under the authority of Private Acts of 1929, Chapter 91, now due and payable. These notes were made the general obligations of the county and could be issued without a referendum. The details of a valid bond issue were incorporated in the Act and a tax levy to amortize them was made the
4. Private Acts of 1931 (2nd Ex. Sess.), Chapter 81, validated, confirmed, and legalized all prior actions of the Weakley County Quarterly Court in regard to the issuance of \$35,000 of notes in

renewal of tax anticipation notes for 1930 at 6% interest, payable in 12 months. The entire amount was the legal, binding, and incontestable obligation of the County, and it was incumbent upon the Quarterly Court to provide for the payment of these notes from the 1931, or subsequent tax levies.

5. Private Acts of 1933, Chapter 38, was the authority for the Quarterly Court of Weakley County to issue up to \$110,000 in coupon bonds, at an interest rate of 6%, or less, and to mature over a period not to exceed 15 years, to pay and retire a like amount of outstanding debts of the county which would be selected by the Quarterly Court. Essential details were present and a tax levy was required.
6. Private Acts of 1937, Chapter 287, allowed the Weakley County Quarterly Court to issue up to \$60,000 in 6%, 20 year, bonds, the details of which would be contained in a Resolution of the Court. The proceeds would be deposited with the Trustee who would pay outstanding warrants, notes, and other evidences of debt which have been determined to be valid and legal obligations of the county. All disbursements must be approved by the County Judge before being paid. Provision for a tax levy was included.
7. Private Acts of 1939, Chapter 217, amended Private Acts of 1937, Chapter 287, by increasing the amount of bonds authorized to be issued from \$60,000 to \$115,000, all of which would be used to retire and pay off outstanding debts of the county, including any claims for Western State Hospital for the Insane which have been confirmed and approved by the County Judge.
8. Private Acts of 1951, Chapter 69, page 192, ratified and validated all the prior actions of the Weakley County Quarterly Court in connection with the issuance of \$100,000 in general purpose bonds, dated January 1, 1951, declaring the same to be the legal, valid, and incontestable obligations of the county, which would be used to retire the floating debt of \$30,000 in the general fund of the County, and for debts incurred in obtaining rights of way for county roads. All details essential to a valid bond issue were included.

Public Works

1. Private Acts of 1929, Chapter 841, Section 2, authorized the Quarterly Court to borrow money against the credit of the County to repair any public works damaged by floods, fires, and tornadoes. The Court was further authorized to levy a tax to cover such expenditures. This Act was repealed by Private Acts of 1975, Chapter 97.

Roads

1. Private Acts of 1927, Chapter 743, permitted the Weakley County Quarterly Court to issue up to \$1,100,000 in coupon bonds, at an interest rate of 6%, or less, to mature over a period of no longer than 30 years, to build, repair, and improve roads, bridges, and culverts in the county. All details, including the form of the bonds, were present and a mandatory tax levy was provided. The act created the "Weakley County Pike Commission" to which were named D. E. Brock, George M. Brooks, J. R. Eskridge, R. W. Bandy, and I. L. Banks, who would be in immediate charge of the project. A list of 18 roads was set out on which the various amounts of work was to be done, but the Commission was granted some latitude in the timing and manner in which the work was to be accomplished. Each Commissioner would be paid \$4 per day served as such but for no more than four days per month. All of the above was dependent upon approval by the voters in a referendum.
2. Private Acts of 1945, Chapter 354, allowed the Quarterly Court of Weakley County to issue and sell up to \$400,000 in coupon bonds at an interest rate no greater than 4% and to mature no later than 20 years from issue, whose proceeds would be used to construct, build, maintain, and repair roads and bridges in the County. The bonds could be issued by Resolution of the County Court and without having a Referendum. The Court was instructed to make a special tax levy to repay these bonds as long as any were unpaid. These bonds were exempted from taxation by other government entities.

Rural Electrification

1. Private Acts of 1939, Chapter 486, was the authority for the Weakley County Quarterly Court to issue and sell up to \$750,000 in bonds, at an interest rate not to exceed 5%, which would be called the "Weakley County Rural Electrification Bonds". These bonds, when issued, would be repaid solely from revenue derived from the sale of electric power from the distribution system to be built by the proceeds of the bond issue. The Weakley County Board of Public Utilities would supervise the electrical system. All the expenses necessary and incidental to the objective expressed could be paid out of these funds which account would be kept separate from all others. A tax levy was not authorized.

Schools

1. Private Acts of 1927, Chapter 172, recited in the preamble that the State of Tennessee had passed an act for the establishment of a school to be called the Tennessee Junior College which would be located in Martin in Weakley County in the facilities of the Hall-Moody School which were made available for this purpose free of encumbrances. Control of the College would be under the University of Tennessee, but, added funds are needed, however, to bring all of it about. This act allows the Quarterly Court of Weakley County to issue interest bearing coupon bonds to furnish the said school funds to the University of Tennessee in an amount not to exceed \$100,000, at 6% interest, or less, and the same to be amortized over a period no longer than 30 years. The proceeds would be used to acquire additional lands, buildings and equipment for the College. All other details were present and a tax levy was required to be levied by the Court. See *University of Tennessee v. Peoples Bank*, 157 Tenn. 87, 6 S.W.2d 328 (1928).
2. Private Acts of 1929, Chapter 91, authorized the Superintendent of Public Instruction and Chairman of the County Board of Education to borrow money and issue promissory notes bearing interest not in excess of 6%, and in amounts not exceeding 80% of the annual levy, and to mature within one year of date of issuance. The proceeds would be used to pay the salaries of teachers and other necessary expenses for the maintenance of public schools. The Quarterly Court must pass an authorizing resolution prior to the issuance of the notes. This Act was repealed by Private Acts of 1975, Chapter 97.

Schools - Districts - Dresden Special School District

1. Private Acts of 1925, Chapter 362, permitted the holding of a referendum election on Saturday, April 25, 1925, in the Dresden Special School District to ascertain the will of the people therein concerning the issuing of \$17,000 in school bonds, \$15,000 of which would be used to complete the high school building in the town of Dresden, and \$2,000 to pay the debts which have been lawfully incurred. If approved, the bond's rate of interest could not exceed 6%, nor the maturity period go past 20 years. A special tax rate of 25 cents per \$100.00 would be levied each year as long as any bonds remained outstanding.
2. Private Acts of 1931, Chapter 740, was the authority for the Dresden Special School District to issue up to \$5,000 in coupon bonds, to construct a combination gymnasium and auditorium, at an interest rate not to exceed 6%, and to mature in 20 years, or less. All the details necessary to validate a bond issue were in the act and a tax levy of ten cents per \$100 was required until the bonds were paid off. All the provisions of this Act were dependent upon the successful outcome of a referendum held for that purpose.
3. Private Acts of 1937, Chapter 856, authorized the Board of School Trustees of the Dresden Special School District to issue up to \$20,000 in bonds, at an interest rate or 6%, or less, and to mature in 20 years, or sooner, to provide funds to pay debts which have been incurred by the District. All the essential details were included and the proper tax levy mandated. This Act was repealed by Private Acts of 1939, Chapter 160,
4. Private Acts of 1939, Chapter 161, was the enabling legislation for the Board of School Trustees for the Dresden Special School District to issue up to \$20,000 in bonds, at an interest rate not to exceed 5%, and to mature over a period no longer than 20 years, to pay all the outstanding unfunded, or floating debts of the School District. All the details and the tax levy mandate were included, including a tax levy of 30 cents per \$100 was authorized and levied until the said bonds were amortized.
5. Private Acts of 1945, Chapter 355, was the authority for the Board of School Trustees of the Dresden Special School District to issue and sell up to \$15,000 in bonds, at 3%, or less, interest, and to mature no later than July 15, 1955, to provide for the payment and retirement of some other outstanding bonds heretofore issued. A tax levy of 30 cents per \$100 property valuation would be required as long as any of these bonds remained unpaid. This tax levy was substituted for the one authorized by Private Acts of 1925, Chapter 362.

Schools - Districts - Gleason Special School District

1. Private Acts of 1927, Chapter 297, amends Private Acts of 1915, Chapter 207, and Private Acts of 1917, Chapter 549, so as to confer the authority upon the Directors of the Gleason Special School District to issue and sell up to \$35,000 in bonds, at an interest rate of 6%, or less, and to mature no later than 25 years from issue, to purchase a site, erect and equip a school building in the District and to liquidate \$8,000 in outstanding debts for the said school district. A referendum was required prior to the issuance of the bonds. A special tax levy of 40 cents per \$100 was required to amortize the bonds, and Section 7 of both Acts was amended to set up a tax rate of 25 cents per \$100 and a \$1 poll tax on people 21 to 50 years of age. No personal property would be

exempt from the tax levy.

2. Private Acts of 1929, Chapter 747, amended Private Acts of 1915, Chapter 207, as amended, by conferring upon the Directors of the Gleason School District the power to issue and sell up to \$6,000 in additional bonds for the District to complete the school and equip it. Interest would not exceed 6% and the bonds would mature at \$1,000 annually through 1952. A tax rate of 50 cents per \$100 was established to repay the bonds as long as any are outstanding.
3. Private Acts of 1945, Chapter 416, validated, ratified, confirmed and legalized all the prior actions of the Board of Directors of the Gleason Special School District on January 31, 1945 and February 9, 1945, which authorized the issuance of \$30,000 in refunding bonds so that the School District could refund a like amount of outstanding debts, the same being declared to be the legal and incontestable obligations of the School District. A continual annual tax rate of 50 cents per \$100 property valuation would remain in force until the same are repaid with interest. If the tax should produce a surplus, the same would likewise be used to take up outstanding bonds.

Schools - Districts - Greenfield Special School District

1. Private Acts of 1939, Chapter 514, was the authority for the Greenfield Special School District to issue and sell its negotiable bonds up to \$11,000 to build, improve, and furnish public school buildings in the area. The interest rate could not exceed 5%, nor the maturity period be longer than 1955. The form of the bonds and the details of the issue were all contained in the law. A tax levy of 15 cents per \$100 property valuation was required to be levied to amortize the bonds, which would be in addition to all other taxes. The Act authorizes dealing with the American National Bank in Nashville.
2. Private Acts of 1941, Chapter 537, was the authority for the Greenfield Special School District to sell its negotiable coupon bonds up to \$7,000 at an interest rate of 6%, or less, and to mature no later than 6 years from its issue to pay off some of the outstanding indebtedness of the District. All essential details were present and a mandate given to levy an additional tax of 25 cents per \$100 property valuation each year until the bonds are paid.
3. Private Acts of 1949, Chapter 800, abolished the Greenfield Special School District except that the tax levy would stay in effect until all debts including outstanding bonds were paid.

Schools - Districts - Sharon Special School District

1. Private Acts of 1929 (Ex. Sess.), Chapter 22, was the authority to hold a referendum vote on Friday, January 10, 1930, to ascertain the will of the people on the question of issuing \$20,000 in bonds to pay the floating indebtedness of the said school District. The ballot would be simply "For" or "Against", and, if the vote favors the issue, the same will be made under the conditions stipulated in the Act. The rate of interest could not exceed 6% and the bonds, plus interest, must be paid no longer than 20 years from the issuing date. The Board by Resolution shall fix all the essential details in accordance with this Act and the general law, and a special additional tax levy of 60 cents per \$100 must be made until the bonds are paid.
2. Private Acts of 1931, Chapter 110, recited in the preamble that the building in the Sharon Special School District was severely damaged by fire and had been repaired at a cost of \$20,000, which amount was borrowed by the Directors. As the bonds authorized by Private Acts of 1929 (Ex. Sess.), Chapter 22, have not been issued despite a favorable referendum since some doubt has been raised concerning the validity of Chapter 22, this Act authorized the School District to issue \$20,000 in bonds at an interest rate of 6%, or less, to be repaid according to the schedule in the Act and which contained the essential details of valid bond legislation. A tax levy of 25 cents per \$100 was required to be levied in the District with the Trustee handling the money and keeping the records.
3. Private Acts of 1937, Chapter 812, amended Private Acts of 1913 (Ex. Sess.), Chapter 35, so as to make the boundaries of the District coincide with the boundaries of the 8th Civil District. The tax rate was fixed at 60 cents per \$100, 25 cents of which would be used to pay the bonded indebtedness of the District and the remainder used to improve and repair the school buildings and for general operating expenses.
4. Private Acts of 1941, Chapter 480, authorized the Sharon Special School District to issue its negotiable bonds up to \$25,000, which would mature in blocks over a 20 year period, at an interest rate which was not to exceed 4%, so that its present debts could be repaid out of the current tax levy of sixty cents per \$100.
5. Private Acts of 1959, Chapter 52, amended Private Acts of 1941, Chapter 480, by changing the tax rate from 60 cents to 25 cents, and in Section 2 by providing that the surplus, if any, produced by the tax levy specified over and above the amount to retire the bonds, may be used

to supplement County and State funds for carrying on the educational program of the said school District.

6. Private Acts of 1969, Chapter 57, amended Private Acts of 1913 (Ex. Sess.), Chapter 35, Section 7, by changing the 25 cent allocation of the 60 cent tax levy set aside to amortize bonds, to be reduced to ten cents for a period of one year commencing January 1, 1969. This Act was repealed by Private Acts of 1975, Chapter 97.

Chapter IV - Boundaries

Creation of the County

Act of 1823 Chapter 112

SECTION 1. That a new county, to be called and known by the name of Weakley county, shall be, and is hereby, established west of Henry county; beginning at the north-west corner of Henry county, running west with the state line, to a point four miles west of the north-west corner of range two, fractional section ten, in the thirteenth district; thence south to the fourth sectional line in said district, running parallel with the range line; thence east with the fourth sectional line, to the second range line in the twelfth surveyor's district; thence north with said range line, to the beginning.

SECTION 2. That for the due administration of justice, the court of Pleas and Quarter- Sessions and circuit courts of said county, until otherwise provided for by law, shall be holden at the house of John Tyrrell, under the same regulations and restrictions, and shall have and exercise the same powers and jurisdiction, as are or shall hereafter be prescribed for the several counties in this state.

SECTION 3. That it shall be the duty of the sheriff of said county to hold an election at the place of holding courts in said county, on the first Thursday and Friday in February next, for the purpose of electing field officers for said county, which shall be conducted under the same rules and regulations as are prescribed by law in similar cases; and the militia of said county shall compose the _____ regiment, and be attached to the _____ brigade.

SECTION 4. That the election of company officers for said county shall be held at such places as the commandant of the militia of said county may think proper to appoint, which said election shall be held on the _____ Monday in _____ next, under the same rules, regulations and restrictions as are prescribed in like cases.

SECTION 5. That the sheriff of said county, in the days prescribed by law, shall hold an election at the place of holding court, for the purpose of electing a Governor, members of the State Legislature, members of Congress, and electors to elect a President and Vice President of the United States, under the same rules and regulations as are prescribed by law.

Passed: October 21, 1823.

Change of Boundary Lines

Acts of 1837-38 Chapter 245

SECTION 1. That all that portion of Weakley county, which lies south of the South Fork of Obion river, shall hereafter be attached to and constitute a part of the county of Gibson, and that all that portion of Gibson county, which lies north of the South Fork of Obion river, shall be attached to and constitute a part of the county of Weakley, and that said river shall hereafter be the dividing line between said counties.

SECTION 2. That that part of Weakley county hereby attached to the county of Gibson, shall be attached to and compose a part of civil district number fourteen in said county of Gibson, and that portion of Gibson county attached to Weakley county, shall be attached to and compose a part of civil district number twelve in said county of Weakley.

As amended by: Private Acts of 1837-38, Chapter 265

SECTION 3. That the citizens living in that part of Weakley county hereby attached to Gibson county, and that the citizens living in that part of Gibson, which is by this act attached to Weakley county, shall vote with the county to which they are by this act attached, for electors of president and vice president, for members of congress, for governor of the state, for members of the general assembly of the state, and for all county officers both civil and military.

Passed: November 4, 1837.

Chapter 1870 Chapter 103

SECTION 1. That the boundary line between the counties of Weakley and Obion, be, and the same is hereby so changed as to run and be established as follows: The said dividing or boundary line shall run northwardly, as at present established, to a stake in the middle of the channel of the north fork of Obion river; thence up said north fork of Obion river along the middle of the channel of the same, eight miles and ten poles, to a stake in the middle of the said channel; thence northwardly four miles and fifty-one poles, to a stake in the Clinton road; thence north sixteen degrees, west two miles one hundred and eighty-eight poles, with said road to a stake in the line which separates the States of Kentucky and Tennessee; and that portion of Weakley County lying north and west of the line hereby established, is hereby detached from the county of Weakley and attached to the county of Obion, and shall hereafter form a part of said county of Obion, and shall be subject to the jurisdiction of the County Court of Obion County, and to the jurisdiction of the Common Law and Chancery Courts, at Union City, from and after the passage of this Act; but the Chancery and Circuit Courts of Weakley County, respectively, shall have jurisdiction to try, hear and determine all suits now pending in either of said courts, as fully in all respects as if this Act had not been passed.

SECTION 2. That the Revenue Collector of Weakley county shall collect the State and county taxes in that part of Weakley county which is hereby attached to Obion County, for the year 1870, and pay the same over to the same authority, and in the same manner as if this Act had not been passed; and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: June 18, 1870.

Boundaries - Historical Notes

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

1. Acts of 1824, Chapter 167, appointed Race Williams as the Surveyor to run and mark the line between Weakley County and Obion County and Williams would be allowed and paid a reasonable compensation for his services which would be paid equally by the two counties.
2. Acts of 1849-50, Chapter 83, declared that all the citizens in Carroll County adjacent to Weakley County bounded as follows: "Beginning at the north west corner of Carroll county, running with said county line east, to a distance of two miles, thence south to the Obion river, thence down said river as it meanders to the west boundary line of said county, thence with said line to the beginning", are permitted to vote on whether they would like to become a part of Weakley County, or not. The County Court of Carroll County was directed to hold an election for that purpose.
3. Acts of 1867-68, Chapter 13, changed the boundaries between Weakley County and Obion County beginning on the county line where it crosses the North Fork of the Obion River, running up the said River with its meanderings to Davis' Mills; thence north with the road leading from the mill with the line of the Civil District to the State line; thence west with the State line to the Obion County line; thence south to the beginning.
4. Acts of 1867-68, Chapter 20, amended Acts of 1867-68, Chapter 13, so that the line would run up the North Fork of the Obion River with its meanders to a point one mile above Davis' Mill; thence north to the Clinton Road; thence with the Clinton Road to the State line. This section was repealed by Acts of 1868-69, Chapter 5.
5. Acts of 1867-68, Chapter 82, changed the lines between Obion and Weakley Counties to start from the north bank of the North Fork of the Obion River, the east bank of Davis' Mill, running a north direction so as to leave the land of A. H. Walker in Obion County, thence in a north direction so as to strike the Clinton Road opposite G. W. Cannon's gate; thence with the Clinton Road to the State line. This section was repealed by Acts of 1868-69, Chapter 5.
6. Acts of 1889, Chapter 76, changed the boundaries between Weakley and Obion Counties so as to include the lands of J. W. Boyd and Company in Obion County, beginning at a point where the present county line road strikes the J. W. Boyd and Company's north boundary line; running thence north with the Boyd's north boundary line one-half mile to the State Line Road separating Tennessee and Kentucky; thence with the said State Line Road one-fourth of a mile to where the present County line now strikes the State line.
7. Private Acts of 1931, Chapter 445, moved the lines between Weakley and Obion Counties which run between the 16th Civil District of Obion County and the Second and Third Civil Districts of Weakley County from the meanderings of the North Fork of the Obion River to the canal recently cut therein to straighten the said River, the said canal to be and constitute the north boundary of

Weakley County and the south boundary of Obion County.

Chapter V - Court System

General Sessions Court

Mental Health Commitment Jurisdiction

Private Acts of 2007 Chapter 43

COMPILER'S NOTE: This act purports to amend Private Acts of 1955, Chapter 357, which according to our records did not receive the required local approval and never went into effect. This act also purports to increase the compensation of a judge mid-term, which may be subject to challenge under Article VI, Section 7 of the Tennessee Constitution which prohibits increasing or diminishing the compensation of judges during the time for which they are elected.

SECTION 1. Chapter 357 of the Private Acts of 1955, and any other act amendatory thereto, is amended in Section 2, by designating the existing language as subsection (a) and by adding the following language as subsection (b):

(b)(1) Pursuant to Tennessee Code Annotated, Section 16-15-501(c), the General Sessions Court of Weakley County shall be granted mental health commitment jurisdiction in accordance with the provisions of this subsection. The court shall have jurisdiction to exercise the duties and powers set forth in Tennessee Code annotated, title 33, chapter 6, part 4, regarding the emergency custody and hospitalization of persons believed to be mentally ill, due to a mental hospital or treatment source being located in the county. (2) Upon granting of mental health jurisdiction, the base compensation of the judge for the General Sessions Court, as adjusted by any applicable cost-of-living increases and other supplements, shall be increased by five thousand dollars (\$5,000) per annum, even if the salary increase should compute to a level in excess of the cap described in Tennessee Code Annotated, Section 16-15-5003(b)(3), in accord with applicable provisions of Tennessee Code Annotated, Section 16-15-5003(g).

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Weakley County prior to August 31, 2007. Its approval or nonapproval shall be proclaimed by the presiding officer of Weakley County 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: May 3, 2007.

Private Acts of 1990 Chapter 200

SECTION 1. Pursuant to Tennessee Code Annotated, Section 16-15-5003(g), effective September 1, 1994, the base compensation, as adjusted by any applicable cost-of-living increases, of the General Sessions Judge of Weakley County shall be increased by the sum of five thousand dollars (\$5,000) per annum. Such compensation shall be paid out of the general fund of the county.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Weakley County prior to August 31, 1990. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body 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 upon being approved as provided in Section 2.

Passed: April 12, 1990.

Juvenile Court

Private Acts of 1982 Chapter 255

SECTION 1. As used in the Act, unless the context otherwise requires:

- (a) "Court" means the Juvenile Court of Weakley County.
- (b) "Judge" means the Judge of the Juvenile Court of Weakley County.
- (c) "Clerk" means the County Clerk of Weakley County.

SECTION 2. There is created in Weakley County a Juvenile Court to be known and styled as the Juvenile Court of Weakley County. Such Court shall be a Court of record and shall be presided over by a Judge who shall have the qualifications and salary provided by this Act.

SECTION 3. A Judge for such Court shall, upon the approval of this Act, be elected as provided herein and shall serve until his successor is elected and qualified. Such Judge shall be licensed to practice law and possess all qualifications as required by law. At the next Regular Election of county officials to be held in August, 1982, and every eight (8) years thereafter, a person possessing all qualifications as required by law shall be elected for a term of (8) years. The person elected Judge shall take and subscribe to the same oath of office as that prescribed for Judges of Circuit Courts. In the event the office of Judge shall become vacant by reason of death, resignation, retirement, or other reasons before the expiration of the term of office or before a successor is elected and qualified, such vacancy shall be filled as provided by law.

SECTION 4. The Weakley County Clerk shall serve as Clerk of the Weakley County Juvenile Court and any of such Clerk's Deputies shall also be Deputies for the Juvenile Court created by this Act.

SECTION 5. Effective September 1, 1982, the Judge and Clerk of such Juvenile Court shall have all of the jurisdiction, powers, duties, and authority of other Juvenile Court Judges and Clerks as provided in Tennessee Code Annotated, Title 37 or any other general law.

SECTION 6. The salary of such Judge shall be determined and set by the county legislative body. Said Judge shall serve on a part-time basis. The county legislative body shall also determine whether other Court personnel shall serve on a full-time or part-time basis. The county legislative body shall set such judicial salary prior to any election for such position.

SECTION 7. The Juvenile Court Judge shall be allowed to participate in the practice of law in all other courts within the court system and shall not be prohibited from performing any services in any of such courts.

SECTION 8. The Judge is authorized to make a promulgate rules and regulations for the administration and efficient operation of the Court and to fix the times and places at which all persons within the jurisdiction of the Court shall have their causes set for disposition.

SECTION 9. The Judge shall, pursuant to the laws and regulations of Weakley County, appoint such personnel as may be necessary to efficiently carry on the business of the Court. All such appointments shall be limited by the total appropriations made for such personnel during each fiscal year.

SECTION 10. The Sheriff of Weakley County shall furnish the necessary deputies and special deputies to attend and dispense with the business of the Court.

SECTION 11. The county legislative body shall provide the Court with facilities adequate and sufficient to allow the Court to perform its duties.

SECTION 12. All unfinished and pending matters in the court or courts exercising Juvenile Court jurisdiction on the date this Act takes effect shall be transferred to the Court created by this Act at the close of business on the day preceding September 1, 1982. On such date all official books, records and other documents pertaining to any matter within the jurisdiction of the Juvenile Court shall be delivered to such Court.

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 application 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 Weakley County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Weakley County legislative body and certified by him 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, it shall become effective upon being approved as provided in Section 14 of this Act.

Passed: March 4, 1982.

Private Acts of 2006 Chapter 110

WHEREAS, Chapter 255 of the Private Acts of 1982 created a separate juvenile court in Weakley County; and WHEREAS, Tennessee Code Annotated, Section 37-1-203, provides that the general sessions court shall exercise juvenile court jurisdiction except in counties or municipalities wherein juvenile courts are specially provided for by law; now, therefore, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. In the event the office of juvenile judge of Weakley County shall become vacant for any reason, effective immediately upon that vacancy Chapter 255 of the Private Acts of 1982 shall be repealed. Upon repeal of Chapter 255 of the Private Acts of 1982, the general sessions court of Weakley County shall, from that date forward, exercise juvenile court jurisdiction and have all duties, powers and authority of a juvenile court as provided in Tennessee Code Annotated, Title 37, or any other general law.

SECTION 2. In the event that Chapter 255 of the Private Acts of 1982 is repealed, the base compensation of the general sessions judge of Weakley County, as adjusted by any applicable cost-of-living increases and any other supplements to that salary, shall be increased by twenty thousand dollars (\$20,000) per annum.

SECTION 3. 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 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Weakley County prior to August 31, 2006. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body 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 upon being approved as provided in Section 4.

Passed: May 25, 2006.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following act once affected jurors or boards of jury commissioners in Weakley County, but is no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1951, Chapter 362, created a Board of Jury Commissioners for Weakley County, made up of three members who must be discreet, a householder and a freeholder of the County, not an attorney, County officer, Justice of the Peace, Constable, nor have any suit pending in the courts at the time. Vacancies would be filled by temporary appointment of the County Judge. The Commissioners would be appointed by the Chancellor, Circuit and Criminal Judge, and County Judge of the County for 3 year terms, and they would be sworn by the oath prescribed in the Act. The Circuit Court Clerk would serve as Clerk and he likewise would be sworn by the oath prescribed in the Act. The Commissioners would meet on the second Monday in April, and biennially thereafter, and select from the tax rolls and election sheets at least 500 names, and as many more as may be practical, from which all jury lists would be drawn for all the courts sitting in the County. Provisions were incorporated to produce special jury panels and to supply jurors for depleted venires. The names would be entered alphabetically in a book provided by the Circuit Court Clerk and the list would be certified by all three Commissioners. The number opposite the name of the juror in the book would be written on a card and the cards placed in a metal box which would be locked and sealed, and opened only in presence of Commissioners, or the Judges. Not less than 10 days prior to the opening of the Court, the box would be brought in and opened in the presence of the Board, and a child under ten years of age would draw out of the box the number of names required by law or order by the Judges. These names would likewise be recorded and the list certified to the Judge as the panels for that term of Court. No less than five days before Court the Clerk would send the names to the Sheriff who would summon the jurors to Court. Only the Judges could excuse a juror from service and then only for the reasons cited in the Act. This Act was repealed by Private Acts of 1975, Chapter 97.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Weakley 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, provided that the Chancery Court shall be held by one of the Judges of the Supreme Court of Errors and Appeals at the present places for holding the Supreme Court at least once each year. The Court of Equity would be held at Rogersville on the first Monday in November, at Knoxville on the third Monday of November, at Charlotte on the fourth Monday in December, at Sparta on the second Monday in December, at Nashville on the fourth Monday in January, and at Columbia on the second Monday in January, each session to last for two weeks unless the docket is completed sooner.
2. Acts of 1824, Chapter 14, stated that the Justices of the Supreme Court of Errors and Appeals would arrange among themselves to hold at least two sessions of the Chancery Court in each section per year. The Courts would be held at Greeneville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Charlotte, and at Jackson, for all counties west of the Tennessee River, on the second Monday in April and October.
3. Acts of 1825, Chapter 32, charged the Justices of the Supreme Court by mutual arrangement to hold a Chancery Court at Paris in Henry County for the equity cases arising in Perry, Henderson, Carroll, Henry, Weakley, Obion, Gibson, and Dyer Counties which court would meet twice each year for two weeks on the third Monday in April and October. The Judges would appoint a Clerk and Master for this Court.
4. Acts of 1827, Chapter 79, divided Tennessee into two Chancery Divisions, the Eastern which contained the courts meeting at Rogersville, Greeneville, Kingston, Carthage, and McMinnville, and the Western Division which had in it the courts at Franklin, Columbia, Charlotte, Jackson, and Paris. The Judges of the Supreme Court were divested of original chancery jurisdiction.
5. Acts of 1835-36, Chapter 4, reorganized the judicial system into three Chancery Divisions pursuant to the 1835 Constitution. Each Division was further separated into Districts. Each Division would have a Chancellor for the Courts, appointed by joint ballot of the General Assembly for an eight year term, who would be commissioned by the Governor and could interchange among themselves. The First District of the Western Division contained Weakley and Obion Counties and its Court would be held at Dresden on the fourth Monday of March and September. The Chancellor would appoint a Clerk and Master for his division to serve a six year term.
6. Acts of 1837-38, Chapter 14, abolished the Chancery Courts at Paris, Dresden, Trenton, Jackson, Lexington, Bolivar, and Clarksville, making it the duty of the Clerks and Masters of those Courts to transfer the records to the Clerk and Master at Huntington. A new Chancery District was formed in the Western Division which would hereafter be composed of the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Benton, Perry, Henderson, and Madison. Court would meet in Huntington, in Carroll County, on the first Monday in February and August. The Chancellor of the Western Division would appoint a Clerk and Master for the new District who would have a Deputy at the county seat of each County in the District.
7. Acts of 1837-38, Chapter 110, stated that hereafter the counties of Henry, Obion, and Weakley, would constitute a separate Chancery District whose Court would meet at Dresden on the third Monday in February and August of each year. The Clerk and Master at Paris would deliver the records in all cases to the Court at Dresden.
8. Acts of 1839-40, Chapter 33, delineated Tennessee into four Chancery Divisions. The new fourth division would be in middle Tennessee and the Act did not appear to affect Weakley County.
9. Acts of 1851-52, Chapter 167, changed the time for holding the Chancery Court at Dresden from the third Monday in February and August to the fourth Monday in May and November.
10. Acts of 1851-52, Chapter 178, changed the terms of the Chancery Court at Dresden to the fourth Monday in May and November.
11. Acts of 1855-56, Chapter 158, set up the opening dates of the terms of the Chancery Courts in the Western Division which was composed of the counties of Henry, Obion, Dyer, Gibson, Fayette, Tipton, Hardeman, Lauderdale, Madison, Haywood, and Weakley whose court terms would begin on the second Monday in January and July.
12. Acts of 1857-58, Chapter 88, re-structured the entire lower court system of equity jurisprudence into the Eastern, Middle, Western, Fourth, Fifth, and Sixth Divisions. The Western Division contained the counties of Henry, Obion, Dyer, Madison, Haywood, Hardeman, Fayette, Tipton, Lauderdale, Gibson, Shelby, and Weakley where the Chancery Court would still meet on the second Monday in January and July at Dresden.
13. Acts of 1865-66, Chapter 20, set up a Ninth Chancery District which was made up of the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, and Benton. The present Chancellor would continue to hold the court until one is appointed. Court would begin its terms at Dresden in

Weakley County on the fourth Monday of January and July.

14. Acts of 1866-67, Chapter 25, changed the court dates in the 9th Chancery Division, moving the Court at Dresden in Weakley County to the first Monday in March and September.
15. Acts of 1870, Chapter 32, arranged the State of Tennessee into twelve Chancery Districts of which the Eleventh District contained the counties of Dyer, Obion, Lake, Weakley, Gibson, Etheridge, Carroll, and Henry.
16. Acts of 1870, Chapter 47, scheduled the terms of Court for every Chancery Court in every County of the State. Weakley County would convene the Chancery Court at Dresden on the fourth Monday in March and September.
17. Acts of 1870-71, Chapter 88, reset the opening dates for the Chancery Courts for some of the counties in the 11th Chancery Division including Weakley County whose court would hereafter meet on the second Monday in January and July. The other counties changed were Henry, Carroll, Obion, Lake, Dyer, and Gibson.
18. Acts of 1885 (Ex. Sess.), Chapter 20, was a complete reorganization of the lower Court system in Tennessee. The State was divided into 11 Chancery Divisions and the Tenth Division had in it the counties of Fayette, Tipton, Haywood, Lauderdale, Dyer, Obion, Weakley, and Gibson. The Chancery Court in Weakley would start its terms on the second Monday in January and July. This Act was part of the litigation in *Flynn v. State*, 203 Tenn. 337, 313 S.W.2d 248 (1958).
19. Acts of 1889, Chapter 23, rescheduled the terms of Court for the Counties in the 10th Chancery Division, naming the counties of Obion, Fayette, Gibson, Haywood, Tipton, Lauderdale, Dyer, and Weakley where the Court at Dresden would continue to meet on the second Monday in January and July. This Act was repealed by Acts of 1895, Chapter 99.
20. Acts of 1895, Chapter 99, reset the opening dates for the terms of the Chancery Courts in the 10th Chancery Division which was composed of the counties of Haywood, Tipton, Obion, Fayette, Gibson, Dyer, Lauderdale, and Weakley. Weakley County's Chancery Court would start at Dresden on the third Monday in January and the second Monday in July.
21. Acts of 1899, Chapter 427, was a major revision of the lower judicial system of the State, organizing the equity courts into ten Chancery Divisions. The Counties of Dyer, Obion, Lake, Weakley, Gibson, Lauderdale, Fayette, Haywood, Tipton, and Hardeman were all assigned to the 9th Chancery Division. Weakley County Chancery Court would meet on the second Monday in February and August. This Act, as to the 9th Chancery Division, was repealed by Acts of 1903, Chapter 591.
22. Acts of 1903, Chapter 591, rearranged the opening dates for the counties in the 9th Chancery Division, naming the counties of Dyer, Gibson, Obion, Lake, Haywood, Fayette, Lauderdale, Tipton, and Weakley where the Chancery Courts would begin its terms on the third Monday in January and July.
23. Private Acts of 1911, Chapter 147, amended Acts of 1903, Chapter 591, so as to cause the Chancery Court at Dresden in Weakley County to meet on the fourth Monday in January instead of the third Monday.
24. Private Acts of 1931, Chapter 181, provided that hereafter the Chancery Court of Weakley County in the 9th Chancery Division would begin its terms of court on the first Monday in May and November.

Chancery Court - Clerk and Master

The reference list below contains acts which once applied to the clerk and master in Weakley County. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1915, Chapter 337, set the annual salary of the Clerk and Master of the Chancery Court in Weakley County at \$1,200, provided the Clerk and Master filed a sworn, itemized statement by the fourth Monday in January with the County Judge, or Chairman, showing all the fees collected in that office. If the fees were less than the salary above, the County was required to pay the difference, but, if the fees collected exceeded the salary, the Clerk and Master was allowed to retain the fees.
2. Private Acts of 1919, Chapter 274, made it lawful for females over the age of 21 and residents of the County appointing them to serve as Deputies in the office of the Clerk and Master of Weakley County, being given all the rights and responsibilities as others serving in that capacity. This Act was repealed by Private Acts of 1975, Chapter 97.
3. Private Acts of 1931, Chapter 736, made it lawful in Weakley County for the Chancellor to make

an allowance to the Clerk and Master, not to exceed 7% of the amount collected, for the services of the Clerk and Master in receiving, collecting and paying over delinquent taxes where bills to collect the same have been filed in Chancery Court.

Circuit Court

The following acts were once applicable to the circuit court of Weakley County but now have no effect, having been repealed, superseded, or having failed to win local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1823, Chapter 11, provided for a 9th Judicial Circuit in Tennessee which would be composed of the counties of Perry, Henderson, Carroll, and Henry, and all other counties west of Carroll and Henry that are to be organized. A circuit judge would be elected by the General Assembly.
2. Acts of 1823, Chapter 41, fixed the schedule of court terms for the courts in the 8th and 9th Judicial Circuits. The Circuit Court for Weakley County would open on the first Monday in May and November.
3. Acts of 1823, Chapter 112, which created Weakley County, also provided that the Circuit Court of the County would meet at the house of John Tyrrell until the same were adjourned to a better and more convenient place, and would operate under the same rules and regulations as other Circuit Courts.
4. Acts of 1824, Chapter 53, stated that the Circuit Courts of Weakley, Obion, Dyer, and McNairy County were authorized to adjourn their courts to such place in the county as may suit their convenience, if a majority of the Justices agreed to the move.
5. Acts of 1824, Chapter 102, regulated the terms of the Circuit Courts in the 8th and 9th Judicial Circuits. The terms of the Circuit Court in Weakley County would begin on the fourth Monday in May and November.
6. Acts of 1825, Chapter 318, rescheduled the court terms of the Circuit Courts in the 8th and 9th Judicial Circuits. The 9th Judicial Circuit contained the counties of Perry, Henderson, Carroll, Henry, Obion, Dyer, Gibson, and Weakley where the Circuit Court would start its terms on the first Monday in April and October.
7. Acts of 1826, Chapter 43, reset the opening dates for terms of the Circuit Court in several counties in the Western District including Weakley County whose Circuit Court would begin its terms on the third Monday in May and November.
8. Acts of 1835-36, Chapter 5, reorganized the entire system of Circuit Courts in the State pursuant to the 1835 Constitution, newly formed and adopted. Eleven Judicial Circuits were formed in which the Courts would hold three terms annually instead of two. Weakley County, whose courts would meet on the second Monday in February, June, and October, was assigned to the 9th Judicial Circuit which also had in it the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, and Benton.
9. Acts of 1837-38, Chapter 116, changed the Circuit Court terms for the counties in the Ninth Judicial Circuit switching Weakley County to the first Monday in February, June, and October instead of the second Monday.
10. Acts of 1857-58, Chapter 21, rearranged the schedule of opening dates for the terms of the Circuit Court in several counties listed in the Act among which was Weakley County whose Courts would open hereafter on the third Monday in February, June, and October, provided, however, that the next term of the Court in Weakley County after the passage of this Act would be in accord with the old schedule, and then changed. This Act was repealed by Acts of 1857-58, Chapter 93.
11. Acts of 1857-58, Chapter 93, changed the terms of the Court in Weakley County to begin at Dresden on the second Monday in February, June, and October.
12. Acts of 1857-58, Chapter 98, divided Tennessee into sixteen Judicial Circuits. The 13th Judicial Circuit was made up of the counties of Benton, Henry, Humphreys, Carroll, and Weakley where the Circuit Court would continue to meet on the second Monday in February, June, and October.
13. Acts of 1865-66, Chapter 10, scheduled the terms for the Circuit Courts in the 13th Judicial Circuit which was composed of the Counties of Carroll, Benton, Henry, Humphreys, and Weakley. Court terms in Weakley remained on the second Monday in February, June, and October.
14. Acts of 1867-68, Chapter 1, transferred Weakley County from the 13th Judicial Circuit to the 16th Judicial Circuit, but Court would continue to meet as provided by law.
15. Acts of 1867-68, Chapter 38, reset the terms of the Circuit Courts in the 16th Judicial Circuit but

left Weakley County's Circuit Court to begin on the second Monday in February, June, and October.

16. Acts of 1870, Chapter 31, was enacted subsequent to the 1870 State Constitution and completely revised the Circuit Courts of the State into fifteen regular and one special, Judicial Circuits. The 12th Judicial Circuit included the counties of Benton, Henry, Weakley, Carroll, Etheridge, Obion, Lake, and the Special Court at Union City, in Obion County.
17. Acts of 1870, Chapter 46, set up the schedule of court terms for every Circuit Court in every county in the State of Tennessee. Weakley County's Circuit Court terms would begin in Dresden on the second Monday in February, June, and October.
18. Acts of 1883, Chapter 98, changed the times for holding the Circuit Courts at Troy in Obion County and at Dresden in Weakley County. The Courts at Dresden would convene on the second Monday in February, and the third Monday in June and October.
19. Acts of 1885 (Ex. Sess.), Chapter 20, was a major revision of the entire lower court system in the State. Fourteen regular, and one special, Judicial Circuits were formed. The 12th Judicial Circuit contained the counties of Obion, Weakley, Henry, Carroll, Gibson, Crockett, Haywood, and Benton. Court terms would start in Dresden in Weakley County on the second Monday in February, and the third Monday in June and October.
20. Acts of 1887, Chapter 94, amended Acts of 1885 (Ex. Sess.), Chapter 20, by changing the terms of the Circuit Courts in the counties of the 12th Judicial Circuit. The Circuit Court terms in Weakley County would commence on the first Monday in February, June, and October.
21. Acts of 1889, Chapter 15, rearranged the terms of the Circuit Courts in some of the counties of the 12th Judicial Circuit, naming Obion, Carroll, Henry, Gibson, Crockett, Haywood, and Weakley Counties, where, the terms of the Circuit Court would begin on the first Monday in February, June, and October.
22. Acts of 1891, Chapter 153, added Lake County to the 12th Judicial Circuit and directed the Judge of the 12th Judicial Circuit to hold the Chancery Court of Lake County. Section 3 scheduled the terms of Court for the counties in this revamped Circuit. The Circuit Court at Dresden in Weakley County would meet on the third Monday in February, June, and October.
23. Acts of 1899, Chapter 427, was a complete reorganization of the lower judicial system in Tennessee. The State was divided into 14 Judicial Circuits assigning to the 14th Circuit the Counties of Obion, Lake, Dyer, Lauderdale, Tipton, Fayette, and Weakley. The Circuit Court terms in Weakley County would open on the first Monday in April, August, and December.
24. Acts of 1905, Chapter 304, set up the terms of the Circuit Courts in the 14th Judicial Circuit which now had in it the counties of Obion, Lake, Dyer, Benton, and Weakley. Courts would take up the docket at Dresden in Weakley County on the first Monday in April, August, and December.
25. Acts of 1907, Chapter 485, changed the court terms for some of the Circuit Courts in the 14th Judicial Circuit but Weakley County would continue to meet on the first Monday in April, August, and December.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Weakley County Circuit Court Clerk. They were repealed, superseded, or never received local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1903, Chapter 255, fixed the annual salary of the Circuit Court Clerks throughout the State based on the Federal Census of 1900. The Circuit Court Clerk of Weakley County would have been paid \$1,000 a year under this law. The Clerk was required to file a sworn, itemized statement annually with the County Judge, or Chairman, showing the total amount of fees collected in the office. If the fees were less than the salary, the County must pay the difference but, if the fees exceeded the salary, the Clerk could retain the excess as his own.
2. Private Acts of 1915, Chapter 217, stated that the Circuit Court Clerk in Weakley County shall be paid a salary of \$1,200 per year, provided the Clerk file not later than January 10, of each year, a sworn, itemized statement with the County Judge, or Chairman, showing the total amount of fees collected in the office. If the fees collected failed to equal the salary, the County must make up the difference, but, if the fees exceeded the salary, the Clerk would keep the excess as his own.
3. Private Acts of 1917, Chapter 810, was a virtual duplicate of Private Acts of 1915, Chapter 217, fixing the annual salary of the Circuit Court Clerk at \$1,200.
4. Private Acts of 1919, Chapter 274, declared that all females in Weakley County over the age of 21

and a resident of the County were eligible to serve as Deputy in the office of the Circuit Court Clerk with all the authorities and responsibilities as other Deputy Clerks. This Act was repealed as it applied to Weakley County by Private Acts of 1975, Chapter 97.

5. Private Acts of 1923, Chapter 661, set the salary of the Circuit Court Clerk at \$1,200 per year provided he files a sworn, itemized statement of the fees collected by January 10 of each year. If the fees are less than the salary, the County pays the difference; if the fees exceed the salary the Clerk may keep the excess.
6. Private Acts of 1927, Chapter 747, raised the annual salary of the Circuit Court Clerk of Weakley County from \$1,200 to \$1,500, of which one-third would be paid on or before 10th day of May, one-third on or before the 10th day of September, and one-third on or before the 10th day of January. A sworn, itemized statement must be filed with County Judge, or Chairman, showing the fees collected in the office. If the fees are less, the County pays the difference, but if the fees are more the excess shall go to the County instead of to the Clerk.
7. Private Acts of 1931, Chapter 111, raised the annual salary of the Circuit Court Clerk from \$1,500 to \$2,000, payable \$500 on or before the 10th day of January, April, July, and October. A sworn, itemized statement of fees collected must be filed each quarter. If fees are less, the County will pay the difference. This Act was repealed by Private Acts of 1975, Chapter 97.

District Attorney General - Assistants and Criminal Investigators

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

1. Acts of 1823, Chapter 11, set up the 16th Solicitorial District in the State which contained the counties of Obion, Gibson, Weakley, and Dyer, who would elect a Solicitor.
2. Acts of 1835-36, Chapter 28, provided that each Solicitorial District would hereafter coincide with and have the same boundaries as each Judicial Circuit. An Attorney General would be selected for each district by a joint vote of the General Assembly. The Attorney General was also required to give opinions on questions of law relating to the duties of County officials without charge.
3. Public Acts of 1967, Chapter 254, created an office or position of Criminal Investigator for the Fourteenth Judicial Circuit. This Act was superseded by the general law codified at T.C.A. 16-2-506.
4. Public Acts of 1971, Chapter 138, created the office of Assistant District Attorney for the Fourteenth Judicial Circuit. This Act was superseded by the general law codified at T.C.A. 16-2-506.
5. Public Acts of 1978, Chapter 848, created the office of District Attorney General for the Thirty-First Judicial Circuit. This Act was superseded by the general law codified at T.C.A. 16-2-506.

General Sessions Court

The following acts once affected the general sessions court of Weakley County, but are no longer in effect and are included herein for reference purposes.

1. Private Acts of 1955, Chapter 357, created a Court of General Sessions for Weakley County and directed the Sheriff to provide adequate space and facilities for the Court at the Courthouse in Dresden. The County Judge was obligated to provide furnishings and equipment for the Court. Jurisdiction was divested out of the Justices of the Peace and conferred upon this Court in all respects except the Justices of the Peace could continue to issue search warrants and criminal warrants which would all be returnable to the General Sessions Court. Court would be in session daily except on Sundays and holidays, operating under the same procedural rules as did Justices of the Peace. Criminal jurisdiction in misdemeanor cases was established in this Court. All costs, fees, and mileage payments would remain as they were prior to the enactment of this Act. Separate dockets would be kept for the civil and criminal division of the Court. The first Judge of this Court would be appointed by the Governor and approved by the County Court. This Judge would serve until the next one was elected on the first Thursday in August, 1956, for two years, and then in August, 1958, for eight years. The salary was \$6,000 annually and the Judge must devote full time to the office. The Circuit Court Clerk would serve as the Clerk of the Court and be paid \$1,200 a year extra for his services. This Act was rejected by the Quarterly Court of Weakley County and thus never became law under the Home Rule Amendment to the Constitution of Tennessee.
2. Private Acts of 1961, Chapter 243, gave the Judge of the General Sessions Court, and the Court, concurrent jurisdiction with the Chancery and Circuit Courts in suits for divorce and annulment,

alimony, custody of children, as fully as when the same powers and jurisdiction were exercised by those Courts. This Act was rejected by the Quarterly Court of Weakley County and never became effective.

3. Private Acts of 1965, Chapter 144, gave the General Sessions Judge of Weakley County the same power to grant fiats and to issue writs of attachment, injunction, certiorari and supersedeas, and all other writs of extraordinary process which Chancellors and Circuit Judges may issue. The Court was further given concurrent jurisdiction with the Chancery Court in actions to allow guardians to encroach upon the corpus of estates. The Court was also enabled to determine questions of title in partition suits, homestead and dower, and insolvent estates, and to ratify the sales of property for infants and incompetents. The Court would also have concurrent jurisdiction to issue writs of habeas corpus, to hear divorce cases, and to serve as Juvenile Court and Probate Court for the County. The Judge would be paid \$2,500 a year extra for his services. This Act was rejected by the Quarterly Court and thus rendered null and void.
4. Private Acts of 1990, Chapter 170, amended the Private Acts of 1955, Chapter 357, and all other acts amendatory thereto, relative to the compensation of the general sessions judge of Weakley County. This act never received local approval.

Chapter VI - Education/Schools

Board of Education

Private Acts of 2002 Chapter 80

SECTION 1. Chapter 128 of the Private Acts of 1994, and all other acts amendatory thereto, is hereby repealed.

SECTION 2. Weakley County shall be divided into nine (9) school districts of substantially equal population, which shall be identical to the county commissioner districts established by resolution of the county legislative body from time to time.

SECTION 3. The Weakley County Board of Education (the board) shall consist of nine (9) members, with one (1) member of the board being elected by the qualified voters in each school district, on a nonpartisan basis. Board members shall be elected to staggered four-year terms so that every two (2) years the terms of nearly one-half (1/2) of the members of the board shall expire, with the odd-numbered districts expiring at the same time, and the even-numbered districts expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. During the transition from ten (10) districts, as provided under prior law, to the nine (9) districts provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms. In order to maintain a board with districts staggered into four-year terms as evenly as possible, the board shall be elected from the newly designated districts as follows: At the August 2002 general election, one (1) member shall be elected from each of Districts 2, 4, 6, and 8 to four-year terms. At the August 2004 general election, one (1) member shall be elected from each of Districts 1, 3, 5, 7, and 9 to four-year terms. Thereafter, all members shall be elected to four-year terms at the appropriate August general election.

SECTION 5. The board shall have the same powers, duties, privileges, and qualifications as the board of education established pursuant to Title 49 of Tennessee Code Annotated.

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 legislative body of Weakley County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body 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 as provided in Section 7.

Passed: February 14, 2002.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Weakley County but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1935 (Ex. Sess.), Chapter 11, amended Section 8, Private Acts of 1933, Chapter 224, by inserting a new Section which raised the per diem of the members of the Board from \$4 to \$7 and of the Chairman from \$5 to \$10. This Section was repealed by Private Acts of 1975, Chapter 99. Private Acts of 1933, Chapter 224, was repealed by the Private Acts of 1994, Chapter 128.
2. Private Acts of 1955, Chapter 270, amended Private Acts of 1933, Chapter 224, by inserting a new Section 2 with new Districts, and by adding a paragraph to Section 3 which named Roy B. Crowder as a member of the Board from School Zone #8, to serve until his successor is elected in the 1956 August election. This Act was properly ratified by the Quarterly Court. Private Acts of 1933, Chapter 224, was repealed by the Private Acts of 1994, Chapter 128.
3. Private Acts of 1972, Chapter 216, amended Private Acts of 1933, Chapter 224, by dividing Weakley County into seven school zones and designating the member of the School Board from each zone. Private Acts of 1933, Chapter 224, was repealed by the Private Acts of 1994, Chapter 128.
4. Private Acts of 1978, Chapter 174, amended Private Acts of 1933, Chapter 224, by increasing the number of school zones from seven to ten, and changing the terms of office from four years to those stated in the Act and then for six years. Private Acts of 1933, Chapter 224, was repealed by the Private Acts of 1994, Chapter 128.
5. Private Acts of 1994, Chapter 128, was repealed by Private Acts of 2002, Chapter 80, changing the number of school districts in Weakley County from ten to nine.

Districts - Chesnut- Glade School District

The following private acts are included for historical value only.

1. Private Acts of 1919, Chapter 325, established a special and independent school district in the 17th and a portion of the 13th Civil Districts of Weakley County to be called the "Chestnut-Glade Special School District," the boundaries of which are described in the Act. The District would be managed by a five member Board of Directors to which the Act names B. A. Golden, Charles L. Taylor, T. V. Rawls, W. E. Morgan and E. I. Brundige, as the first members. Vacancies would be filled by the remaining members of the Board. The members must be over 25 years of age and freeholders and householders. The Board would select a President, a Secretary, and a Treasurer, but the Treasurer would not be a Board member. Members would serve staggered terms initially and then their successors would serve terms of five years. The powers and duties of the Board were enumerated in the Act. The County Trustee would apportion the county school funds to the district based on the scholastic census. A special tax of 50 cents per \$100 property valuation and a \$1 poll tax on those between ages of 21 and 50 were levied to provide additional funds for the schools. All children of school age in the District may attend free of charge but others must pay the tuition rate decided by the Board. The Board members were not to be paid except the Secretary for taking the scholastic census. This Act was repealed by Private Acts of 1935, Chapter 717.
2. Private Acts of 1921, Chapter 884, exempted the Chestnut-Glade School District from the provisions of Public Acts of 1920 (Ex. Sess.), Chapter 22, which changed the rate of taxation for school districts in the State.
3. Private Acts of 1935, Chapter 717, abolished the Chestnut-Glade Special School District and transferred the management, control, and ownership of the school to the County Board of Education operating under the general laws of the State without liability on the part of the County Board for any of the existing debts of the School District, but one acre of land including the teacher's residence was reserved from the transfer. All laws relative to the School District were repealed except the law levying the taxes would remain in force until the debts are paid.
4. Private Acts of 1939, Chapter 598, recited in the preamble of the abolition of the School District and of the continuation of the tax levy until the debts were paid, and that the debts are now paid and a small sum remains in the hands of the County Trustee, therefore, this Law authorized the transfer of the balance of the money in the Chestnut-Glade School District to the County General Education Fund.

Districts - Dresden Special School District The following private acts are included for historical value only.

1. Private Acts of 1913 (Ex. Sess.), Chapter 44, formed a special school district in portions of the 7th Civil District and the 24th Civil District of Weakley County, including the town of Dresden, to be designated as the "Dresden Special School District". The affairs of the District would be managed and controlled by a five member Board of School Trustees, who would be elected to two year terms by the people on the first Thursday in August, 1914. This Act appointed D. A. McWherter, R. T. Lewis, W. T. Killibrew, W. A. McCuan, and C. L. Henderson, as the first Board who would serve until their successors were elected and qualified. Board members must be at least 30 years old, residents of the District, of good moral character and have at least a primary public school education, and they must select a President, Clerk, and Treasurer. No member would be paid except the Clerk could be compensated for taking the scholastic census. The powers of the Board were enumerated in the Act. They could levy a tax of twenty cents per \$100 and a \$1 poll tax on males between the ages of 21 and 50, to supplement the funds coming from the County Trustee. The Board was authorized to establish and support a high school with a four year curriculum. This Act was repealed by Private Acts of 1951. Chapter 295.
2. Private Acts of 1915, Chapter 266, amended Private Acts of 1913 (Ex. Sess.), Chapter 44, by changing the boundaries of the Dresden School District according to the description contained in the Act. The tax rate was increased from 20 cents to 30 cents per \$100, and arrangements were made for the Railroad Commission of the State to assess all the railroad and public utility property in the District for taxation.
3. Private Acts of 1917, Chapter 354, amended Private Acts of 1913 (Ex. Sess.), Chapter 44, by adding some additional area to the School District as the same was described in the Act, by changing Section 2 so as to make women eligible to serve on the Board of Trustees, and providing for the office of Vice-President of the Board, and in Section 3 by creating the position of Truant Officer and authorizing the Board to select the individual and fix his compensation.
4. Private Acts of 1919, Chapter 373, amended Private Acts of 1913 (Ex. Sess.), Chapter 44, by adding some additional areas to the school district as the same was described in the Act, located on the southern side; by setting up certain duties for the Tax Assessor in regard to making up a separate tax list of the properties in the district which shall contain the information specified herein for which he may charge up to \$7.50.
5. Private Acts of 1921, Chapter 632, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, which changed the rate of taxation for 1920, and subsequent years, by exempting the Dresden Special School District from its application.
6. Private Acts of 1921, Chapter 743, amended Private Acts of 1913 (Ex. Sess.), Chapter 44, by adding some additional areas to the Dresden School District as the same was described in the Act.
7. Private Acts of 1921, Chapter 837, was similar to Private Acts of 1921, Chapter 632, which exempted the District from Public Acts of 1920 (Ex. Sess.), Chapter 22.
8. Private Acts of 1925, Chapter 681, amended Private Acts of 1925, Chapter 362, by changing the date for the referendum election from April 25, 1925, to July 2, 1925.
9. Private Acts of 1935 (Ex. Sess.), Chapter 10, amended Private Acts of 1913 (Ex. Sess.), Chapter 44, Section 3, by adding a provision that the Board of Trustees were authorized to borrow up to \$10,000 to build a gymnasium, or other buildings which the said Board may consider necessary for the use and benefit of the schools operating under their authority.
10. Private Acts of 1951, Chapter 295, abolished the Dresden Special School District and repealed Private Acts of 1913 (Ex. Sess.), Chapter 44. All funds and assets of the School District were transferred to the public school account of Weakley County to be used as are other school funds.

Districts - El Bethel School District

The following private act is included for historical value only.

1. Private Acts of 1920 (Ex. Sess.), Chapter 104, formed the El Bethel Special School District in portions of the 9th Civil District, the 15th Civil District, and the 16th Civil District, as the same was particularly described in the Act. The District would be operated under the supervision and control of a five member Board of Directors, who must be at least thirty years of age, a resident and freeholder of the District, of good moral character, and have at least a common school education. Oscar Coats, N. B. Abernathy, H. Pope, B. L. Pittman, and P. B. Moseley, were named to serve as the first Board, and any vacancies would be filled by the remaining members of the Board, for the unexpired term of 2 years. These officers would serve until their successors, elected in the regular election in August, 1922, would assume office. The powers and duties of the

Board were specifically enumerated in the Act. A property tax rate was authorized of 25 cents per \$100 and a poll tax of \$1 on males between the ages of 21 and 50 to supplement the funds from the Trustee's scholastic census count to keep the schools open for nine months of the year. All children in the District between ages of 6 and 21 could attend these schools free of charge, and non-residents may attend by paying the tuition charge fixed by the Board. Proper records must be kept in the District and the Board shall not employ anyone who is not qualified to perform according to the State's standards. This Act was repealed by Private Acts of 1921, Chapter 260.

Districts - Gardner Special School District

The following private acts are included for historical value only.

1. Private Acts of 1919, Chapter 746, created the Gardner Special School District in the 3rd Civil District of Weakley County, describing the boundaries of the District in the Act. The District would be managed by a seven member Board of Directors, who are incorporated herein as a body politic, who shall be twenty-five years of age, or older, freeholders residing in the District, of good moral character and have at least an elementary school education. T. B. Smally, Walthe Gray, A. L. Hester, John A. Gardner, S. P. McClien, A. R. Ennis, and L. M. Watson, were appointed to the first Board of Directors to serve until their successors were elected by the people of the District at the regular August, 1920, election to two year terms. Section 5 contains 12 specific grants of power and responsibilities. The County Trustee was directed to pay them their pro rata share of school funds as based on the scholastic census in the area and, in addition, a tax levy of 20 cents per \$100 of property valuation and \$1 poll tax on those between the age of 21 and 50 were both authorized to supplement these funds so as to keep the schools open for eight months each year. Records must be kept and special conditions met before paying out the money. All children living in the District between the ages of 6 and 21 may attend free and others may be taken care of if the tuition charge determined by the Directors is paid. No Director would be paid except the Secretary for the school census and no person would be hired unless they were qualified and met prescribed standards. This Act was repealed by Private Acts of 1941, Chapter 183.
2. Private Acts of 1920 (Ex. Sess.), Chapter 71, amended Private Acts of 1919, Chapter 746, by reducing the tax rate specified from 20 cents to 10 cents per \$100 property valuation. This Act was repealed by Private Acts of 1921, Chapter 950, and by Private Acts of 1941, Chapter 183.
3. Private Acts of 1921, Chapter 950, restored the 20 cent rate of taxation and the \$1 toll tax as was originally fixed by the 1919 Act creating the District. This Act was repealed by Private Acts of 1941, Chapter 183.
4. Private Acts of 1941, Chapter 183, abolished the Gardner Special School District transferring the management, control, supervision, and assets of the District to the County Board of Education in Weakley County. All funds on deposit in the Trustee's office shall be transferred over to the General Education High School Account.

Districts - Gleason Special School District

The following private acts are included for historical value only.

1. Acts of 1907, Chapter 138, created a special school district in the 11th and 23rd Civil Districts of Weakley County, including within its limits the town of Gleason, beginning at Burch Atkin's; thence to Colonel Mitchum's; thence to Widow Dickerson's; thence to Captain Smith's; thence to Tom Taylor's; thence to Para Lee Walter's; thence to Will Armour's; thence to J. L. Alexander's; thence to Reverend Neal's; thence to W. B. Edmondston's; thence to Henry Larkins'; thence to W. B. Deason's; and back to the beginning. The Act nominated T. A. Lovelace, J. C. Oliver, and C. C. Wooldridge as School Directors, who would serve until the next general election. The County Trustee was directed to pay over the area's pro-rated share of school funds.
2. Acts of 1907, Chapter 548, amended Section 2, Acts of 1907, Chapter 138, by striking out the names of the school Directors and inserting in their place the names of J. L. Alexander, J. L. Lovelace, and J. B. Brummett, and by making the Act effective immediately instead of on January 1, 1908, as previously provided.
3. Acts of 1909, Chapter 215, fashioned the Gleason Special School District out of the 11th and 23rd Civil Districts of Weakley County as described in the Act. T. A. Lovelace, A. C. Edwards, and R. W. Bandy were named School Directors to serve until their successors could be elected by the people. The County Trustee shall pay to the District their pro-rated share of school funds in the hands of the County Trustee according to the scholastic census.
4. Private Acts of 1915, Chapter 207, formed the Gleason Special School District in part of the 11th and 23rd Civil Districts of Weakley County, including the town of Gleason, as described in the Act. The District would be supervised and governed by a five member Board of Directors, who must be

at least 30 years of age, residents and freeholders of the District, of good moral character and possessing at least a common school education. L. A. Lovelace, I. J. Latum, W. B. Edmondson, A. M. Dunlap, and R. I. Haley, were appointed as the first Board to serve until their successors were elected and took office for two year terms. Section 5 had eleven specific grants of power and responsibilities for the Board. A property tax of 40 cents per \$100 and a poll tax of \$1 for those between the ages of 21 and 50 were levied to provide funds for the operation of the schools. The District would also receive its pro-rata share of the school funds from the County Trustee. All children living in the District could attend school free of charge, others must pay tuition to attend. Only qualified people, meeting state standards, would be employed in the District. This Act was repealed by Private Acts of 1957, Chapter 8.

5. Private Acts of 1917, Chapter 549, created a Gleason Special School District in part of the 11th and 23rd Civil Districts of Weakley County as described in the Act which included the town of Gleason. A five member Board of Directors was incorporated who must be 30 years old, or more, a resident of the District, a freeholder, of good moral character, and have at least a common school education. W. B. Edmondson, C. P. Smyth, M. E. Fanning, J. C. Oliver, and A. M. Dunlap, were named to the first Board to serve until their successors were properly elected to two year terms. Nine specific grants of powers are contained in Section
6. The Trustee would supply the District with its pro-rata share of the school funds. A tax of 20 cents per \$100 property valuation and \$1 poll tax were authorized and levied by this Chapter.
7. Private Acts of 1921, Chapter 953, exempted the Gleason Special School District from the application of Public Acts of 1920 (Ex. Sess.), Chapter 22, a general law which revised some aspects of the taxing process.
8. Private Acts of 1923, Chapter 168, amended Private Acts of 1917, Chapter 549, so as to exclude the 57 acre tract of land known as the C. H. Flats tract, now C. A. Vorville's tract, from the boundaries of the Gleason Special School District.
9. Private Acts of 1953, Chapter 478, amended Private Acts of 1927, Chapter 297, by deleting Section 5 in its entirety. Section 5 set up a tax rate of 25 cents per \$100 and \$1 poll tax in the School District.

Districts - Greenfield Special School District

The following private acts are included for historical value only.

1. Acts of 1909, Chapter 190, formed the Greenfield Special School District in the 9th Civil District of Weakley County, which embraced the city of Greenfield and which would be enlarged at any time the city was enlarged. The Trustee was directed to pay over to the Treasurer of the City of Greenfield the pro-rated share of school funds according to the scholastic census. The Mayor and Aldermen were empowered to levy additional taxes for school purposes. The Schools would be directly supervised by a popularly elected Commission composed of six members to be designated as the Board of Education of the City of Greenfield. All public school property became the property of the School District.
2. Private Acts of 1911, Chapter 477, amended Acts of 1909, Chapter 190, Section 2, by directing the County Trustee to apportion and pay over to the Treasurer of the City of Greenfield, upon the written order of their Board of Education, and, in proportion to their scholastic census, its prorated share of all school funds in his hands at the time this Act becomes effective. Section 4 was amended to the effect that all the school directors would be elected by the Mayor and Aldermen of the city and not by the people as soon as the terms of the present Board members expire.
3. Private Acts of 1925, Chapter 350, created the Greenfield Special School District which included portions of the 9th and 22nd Civil Districts and the city of Greenfield. The boundaries were described in the Act. The District would be managed and supervised by a seven member Board of School Trustees, 30 years of age, or older, residents and freeholders of the District, of good moral character and having a primary school education who shall be elected by the people at the regular August, 1926, election for 2 year terms. W. A. Barton, E. M. Shannon, John B. McAdams, G. C. Thomas, B. F. Adcock, J. R. Hatcher, and John Dunlap, were named as the first Board who would serve until their successors were elected. The Board would employ all school personnel. A tax rate of 30 cents per \$100 property valuation, and \$1 poll tax on those between the ages of 21 and 50, were both authorized and levied. The tax assessor would prepare a separate list for the District and the Railroad Commissioners will assess the railroad and public utility properties for taxation. Tax assessor may charge up to \$5 each year for his list. One or more high schools with a four year curriculum may be operated and maintained. The Act was repealed by Private Acts of 1949, Chapter 800.

4. Private Acts of 1929, Chapter 852, amended Private Acts of 1925, Chapter 350, in Section 6 by inserting a provision that the Board of School Trustees would have the power to admit all persons of school age who are non-residents of the District, or the County and State, to admission in the said school free of charge.
5. Private Acts of 1939, Chapter 516, amended Private Acts of 1925, Chapter 350, by reducing the authorized tax rate from 30 cents to 15 cents on each \$100 property valuation.
6. Private Acts of 1943, Chapter 362, amended Private Acts of 1925, Chapter 350, by striking the provision for a tax rate levy of 30 cents per \$100.00 and by amending Section 1 of Private Acts of 1939, Chapter 516, by striking 30 cents and inserting 15 cents.
7. Private Acts of 1943, Chapter 363, was the enabling legislation for the Greenfield Special School District to issue and sell its notes in the amount of \$4,956.20, to pay off and discharge the outstanding debts of the District. Five promissory notes were to be issued, each in the amount of \$991.24, at 4% interest, and due within 5 years, one being paid off each year. A tax of 15 cents per \$100, in addition to all other taxes, must be levied as long as the notes were not paid. The Governor vetoed this Act but the same was overridden and the Act became an effective law.

Districts - Magnolia Seminary Special School District

The following private acts are included for historical value only.

1. Private Acts of 1919, Chapter 536, created the Magnolia Seminary Special School District which embraced the 22nd Civil District in Weakley County and included the Magnolia Seminary School and the Brock's Chapel School, as described in the Act. The Board of Directors would consist of five members, all residents of one year, or more, freeholders, 25 years old, or older, of good moral character, and who would select a President and Secretary from its own members and a Treasurer from elsewhere. The first Board was composed of G. A. Maness, W. T. Tillman, W. T. Campbell, T. H. Maness, and J. B. Simmons, to serve until their successors, elected at the general August, 1920, election would take over and serve two year terms. Section 5 contained twelve specific grants of power to the Board to supervise and operate the District. To enable the school to continue for at least 7½ months as a free school during the year, an additional tax of 40 cents per \$100 property valuation, and \$1 poll tax for those between the ages of 21 and 50 were authorized and levied. All children residing in the District between the ages of six and twenty-one may attend the schools free of charge and the Board had the power to contract with persons over that age and with non-residents for their admittance to the schools. This act was repealed by Private Acts of 1923, Chapter 314.
2. Private Acts of 1920 (Ex. Sess.), Chapter 72, amended Private Acts of 1919, Chapter 536, by reducing the authorized tax rate from 40 cents to 10 cents.

Districts - Martin School District

The following private act is included for historical value only.

1. Acts of 1909, Chapter 157, created a special school district in the Second Civil District of Weakley County, which contained the city of Martin within the boundaries described in the Act. It was further provided that whenever, in the future, the city of Martin should be enlarged, the school district would likewise be increased to that extent. The County Trustee was directed to pay over to the School District its pro rata share of school funds according to the scholastic population. The Mayor and Aldermen of Martin were authorized to levy a tax from year to year to supplement the amount of funds the District would be paid by the Trustee, to lengthen the term of the school year, and for any other beneficial purpose. The Schools are to be controlled by a five member Board of Education who would be elected by the Mayor and Aldermen at their regular meeting in May, 1909. They may also pass such laws and ordinances as were necessary to promote the best interests and welfare of the schools in the District and its pupils. This Act was repealed by Private Acts of 1975, Chapter 97.

Districts - Mount Pelia Special School District

The following private acts are included for historical value only.

1. Private Acts of 1919, Chapter 742, established the Mount Pelia Special School District which embraced a portion of the 3rd and 14th Civil Districts of Weakley County, and a portion of the 7th Civil District of Obion County which was described in the Act. The officers of the District would be a five member Board of Directors, incorporated herewith, whose members must be 25 years old, or more, residents of the District, freeholders, of good moral character, and have at least an elementary school education. M. R. Hilliard, J. P. Miller, W. A. Parish, C. B. Poyner, and W. C. Maxwell were named to the first Board to serve until their successors were elected on the second

Monday in March, 1921, for two year terms. Section 5 had 12 specific grants of power for the Board to exercise in their supervision of the District and the scholastic census is required to be taken and reported as soon as possible. To keep the school open for eight months as a free school each year, a tax levy of 20 cents per \$100 property valuation, and a \$1 poll tax is levied, and authorized for future years. Children between the ages of 6 and 21 may attend the school free if they reside in the District and others may attend by contract and tuition with the Board. No compensation for Directors except the Secretary may be paid lawful compensation for taking the scholastic census. This Act was repealed by Private Acts of 1941, Chapter 182.

2. Private Acts of 1920 (Ex. Sess.), Chapter 51, amended Private Acts of 1919, Chapter 742, by deleting Section One and inserting a new description of the District which omitted the portion in Obion County and included portions of the 3rd and 14th Civil Districts in Weakley County. The money in the hands of the Trustee of Obion County which belongs to the School District would be paid over to the Hazelwood School District and the Cane Creek School District in Obion County. This Act was repealed by Private Acts of 1941, Chapter 182.
3. Private Acts of 1921, Chapter 805, amended Section 1, Private Acts of 1919, Chapter 742, by omitting all the territory of the Mount Pelia Special School District which was located in Obion County and inserting the description of the area embraced by the School District which was now located entirely within Weakley County. This Act was repealed by Private Acts of 1941, Chapter 182.
4. Private Acts of 1941, Chapter 182, abolished the Mount Pelia Special School District. All the debts and obligations of the school district have been paid and discharged and there remains a balance of \$96.24 in the hands of the Trustee which are from delinquent taxes, this amount will be transferred to the General Education High School Account for use as other school funds. All property was transferred to the County Board of Education.

Districts - Palmersville Special School District

The following private acts are included for historical value only.

1. Private Acts of 1919, Chapter 135, formed a special school district in the 5th Civil District of Weakley County which embraced the village of Palmersville within its boundaries, and which would be called the Palmersville Special School District containing such area as was described in the Act. The District would be supervised and operated by a five member Board of Directors, who were incorporated herewith, who must be 25 years of age, or older, a resident freeholder of the District, of good moral character, and possess at least a common school education. The Act appointed U. Pentecost, W. G. Riggins, W. L. Lafon, T. C. Pentecost, and J. M. Buckley, as the first Board, who would serve until their successors were elected to two year terms by the voters of the District at the general August election in 1920. The powers and duties of the Board were specifically mentioned in twelve paragraphs of Section 5, among them being one to establish and maintain a high school in Palmersville with a four year course of study. The Trustee was directed to pay to the District its pro-rated share of local and State funds based on the scholastic census count. In order to supplement these funds and to continue the schools for 9 months in the year as free, public schools, a tax levy is made of 50¢ per \$100 property valuation and \$1 poll tax on all persons between the ages of 21 and 50, and no personal property in the District shall be exempt. The children residing in the District between the ages of six and twenty-one may attend school free of charge, older students, or nonresidents may contract to attend on the terms and tuition price set by the Board. The Board had the authority to employ all personnel but they must be as qualified to do their jobs as the state standards.
2. Private Acts of 1921, Chapter 853, changes the description appearing in the first Section of Private Acts of 1919, Chapter 135, as to the area encompassed in the District.
3. Private Acts of 1929 (Ex. Sess.), Chapter 21, abolished the Palmersville Special School District and transferred the management of the same to the County Board of Education operating under the general laws of the State. All the laws relative to the District are repealed except those imposing taxes which will continue until all the debts of the District are paid.
4. Private Acts of 1931, Chapter 196, recited in the preamble of the abolition of the Palmersville School District and the continuing obligation of the District to pay its debts, of which there is one due the Weakley County Bank of Dresden of \$2,627.63, the balance of money used on the school building, which is long overdue and unpaid, and the tax revenue derived from the District is insufficient to pay the debt, and it is undesirable to have the property foreclosed against, therefore the County Board of Education of Weakley County is authorized to assume and pay this obligation and to account for this in its next budget submitted to the Quarterly Court.
5. Private Acts of 1933, Chapter 134, recited virtually the same facts in this preamble as was set out

in the foreword of the Private Acts of 1931, Chapter 196, except the debt owed to the Weakley County Bank has been reduced to \$2,215.51. This Act confers the power and authority on the County Board of Education to deliver a trust deed conveying the real estate and school property of the former District to secure the indebtedness due the Weakley County Bank.

6. Private Acts of 1939, Chapter 596, stated in the preamble that the Palmersville School District was abolished, subject to the payment of its debts, and that the ownership of all the school property in the District was transferred to, and accepted by, the Board of Education of Weakley County, assuming all debts and obligations, and the right to tax was reserved by the District until all debts were paid. Now, all the debts have been liquidated and a small balance of the tax money remains in the hands of the Trustee and there are a few more delinquent taxes to be collected. This Act authorized the Trustee to transfer all the funds now in the account and accruing in the future to the General Education Account to be spent as the remainder of that account is spent.

Districts - Ridgeway Special School District

The following private acts are included for historical value only.

1. Private Acts of 1919, Chapter 300, created the Ridgeway Special School District which shall be a special and independent school district in the 17th Civil District of Weakley County embracing the area described in the Act. The District would be governed and managed by a five member Board of School Trustees, who were incorporated, and who would serve 2 year terms after being elected in August, 1920. The act named P. P. Ridgeway, George C. Frost, G. C. Holladay, Lon Bruce, and Curt Muzzall to serve as Trustees until the elected Trustees could take office. The Trustees would select a Chairman, Secretary, and Treasurer, but no member shall be paid except the Secretary for preparing the scholastic census. The Treasurer shall be sworn and bonded as provided in the Act. The Board has the power to employ and discharge all school personnel, professional and otherwise. A special tax of 50 cents per \$100 would be levied to support the schools and to insure its operation for the regular school year, and a poll tax of \$1 would be paid by all people between ages of 21 and 50 in the District. The Board may establish and maintain elementary and high schools in the District as their needs may dictate and may allow students outside the district to attend upon payment of a tuition charge which the Board shall determine. The Board must cause proper school records to be kept which meet the standards of the State education department. This Act was repealed by Private Acts of 1931, Chapter 453.
2. Private Acts of 1920 (Ex. Sess.), Chapter 82, amended Private Acts of 1919, Chapter 300, by reducing the tax rate in the Ridgeway Special School District to 25 cents per \$100 of assessed valuation and by granting the Board of Trustees the power to use the school funds to build a new school building or repair the old building and for purchasing furniture and equipment.
3. Private Acts of 1931, Chapter 453, abolished the Ridgeway Special School District and transferred the management, control, and ownership of the school in the said District to the County Board of Education.
4. Private Acts of 1939, Chapter 597, recited that the Ridgeway Special School District had been abolished, the management and control of the school transferred to the County Board of Education, that there were no outstanding debts or obligations in the school District, and a small sum of money remained in the hands of the Trustee. This Act authorized the transfer of the money from that account to the General Education Fund of the County.

Districts - Sharon Special School District

The following private acts are included for historical value only.

1. Private Acts of 1913 (Ex. Sess.), Chapter 35, established a special school district in the 8th Civil District of Weakley County whose description, as written in the Act, included the town of Sharon and the District will hereafter be called the "Sharon Special School District." The District would be controlled and managed by a five member Board of Directors, which was herewith incorporated, whose members shall be 30 years of age, or older, residents and freeholders of the District for at least one year, of good moral character, and have at least a common school education. J. A. Moore, D. J. Nowlin, W. E. Tansil, W. H. Simpson, and Charley Thompson were named as the first Board members who would serve until their successors are elected to two year terms in the general August election, 1914. There were eleven specific grants of power in Section 5 of the Act for the Board to exercise in their management role. In order to operate the schools as free, public schools for at least nine months of the year, a tax levy of 40 cents per \$100 property valuation and a \$1 poll tax on males between the ages of 21 and 50, were levied to supplement the pro rata share of the State educational funds which the Trustee is directed to pay to the District. All Children residing in the District between the ages of six and twenty-one may attend the school

free of charge, but others must pay the tuition rate set by the Board. No Board member would be paid except the Clerk and then only for preparing the scholastic census. The Board must employ qualified people only.

2. Private Acts of 1919, Chapter 51, amended Private Acts of 1913 (Ex. Sess.), Chapter 35, by reducing the property tax rate in the District from 40 cents to 10 cents, and the poll tax from \$1 to 25 cents.
3. Private Acts of 1919, Chapter 488, amended, Private Acts of 1913 (Ex. Sess.), Chapter 35, by changing the description of the area in the school District so as to exclude the territory described in the 1913 Act. Section 7 was amended to raise the tax levy to 25 cents per \$100 on property and to 75 cents on the poll taxes.
4. Private Acts of 1921, Chapter 912, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, which was a general law enacting some changes in the taxing processes of the State, so as to exclude the Sharon Special School District from the application of its provisions.
5. Private Acts of 1925, Chapter 400, amended Private Acts of 1913 (Ex. Sess.), Chapter 35, by increasing the tax levy in the Sharon Special School District to 35 cents per \$100 on property and to \$1 for the poll taxes, the previous rates being 25 cents and 75 cents, respectively.
6. Private Acts of 1929 (Ex. Sess.) Chapter 23, amended Private Acts of 1913 (Ex. Sess.), Chapter 35, by changing slightly the boundaries of the School District so as to encompass the entire 8th Civil District, and by naming W. H. Simpson, J. W. Overton, J. A. Roberts, C. B. Brooks, and J. G. Stoker, as the members of the Board until the regular August election of 1930 can produce their successors.
7. Private Acts of 1931, Chapter 811, amended Private Acts of 1913 (Ex. Sess.), Chapter 35, by revising the tax rate for the School District to 25 cents per \$100 on property and \$1 on the polls of people between the ages of 21 and 50.

Districts - Sidonia Special School District

The following private acts are included for historical value only.

1. Private Acts of 1919, Chapter 758, formed the 19th Civil District of Weakley County into a special school district designated as the "Sidonia Special School District." The officers of the District would be a five member Board of Directors, who are at least 30 years of age, residents for one year, freeholders, of good moral character, and have at least a common school education. The Board may have a President and a Clerk from its own members and a Treasurer who shall not be a member of the Board. The Act named W. E. Adams, A. W. Hunley, J. F. Erwin, W. J. Bailey, and Delmer Fisher to the first Board who would serve until their successors, elected at the regular August election in 1920, would take office on the first Monday in September for two years. This Act makes grants of 12 specific powers in Section 5, one of which is to establish and maintain a high school in Sidonia. The Trustee was ordered to pay to the Treasurer the pro-rata share of this District's County and State educational funds. To supplement these funds and assure that the schools will be open for seven months at least as free public schools, a tax was levied of 40 cents per \$100 property tax and a \$1 poll tax was placed on males between the ages of 21 and 50. All school funds would be under the direction and control of the Board. All children residing in the District shall attend the school free of charge while between the ages of six and twenty-one, but otherwise, a tuition charge in an amount set by the Board must be paid to attend. Sufficient records must be kept of all the activities of the District. This Act was repealed by Private Acts of 1921, Chapter 537.

Districts - Webb School District

The following summary is offered for historical purposes.

1. Private Acts of 1919, Chapter 134, created the Webb Special School District in the 5th Civil District of Weakley County which contained the territory described in the Act. The District would be operated and managed by a five member Board of School Trustees, who would be elected to two year terms by the people of the District on the first Thursday in August, 1920. Until then, the Act named J. C. Wiggins, B. B. Howard, B. F. Webb, S. J. McWherter, and J. T. Shobe to serve as Trustees. No one would be paid except the Secretary, chosen by the members, who would be compensated for producing the scholastic census. The Board had the authority to levy a property tax of 50 cents per \$100, and a poll tax of \$1 on everyone between the ages of 21 and 50, to supplement the school funds paid by the Trustee based on the pro rata number of students in the District. The Tax Assessor was required to prepare a separate tax list for the use of the school district officials. All school property would be held in the name of the Trustees for the use and benefit of the District.

Superintendent or Director of Schools

After the passage of the Education Improvement Act of 1991, the elected office of superintendent of public instruction (county superintendent of education) was phased out. Replacing the superintendent is a director of schools, who is an employee of the county board of education; however, the continued use of the title superintendent is permitted. The director of schools is employed by the board under a written contract of up to four years duration under T.C.A. § 49-2-203(a). The duties of the director of schools are enumerated in T.C.A. § 49-2-301. The acts referenced below once affected the office of superintendent of education in Weakley County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1929, Chapter 91, was the authority for the Superintendent of Public Instruction and the Chairman of the Board of Education in Weakley County to borrow money and to issue promissory notes bearing interest in amounts not exceeding 80% of the annual levy, not in excess of 6% interest per annum and to become due and payable no later than one year after issue. The proceeds of the notes would be used to pay the salaries of teachers and the other necessary expenses for the maintenance of the public schools, provided, however, the Quarterly Court adopted a Resolution authorizing the same before the money is borrowed. The money would be placed to the credit of the Trustee and disbursed only upon proper order. The loans shall in no case exceed twelve months and shall be paid out of tax money raised for school purposes. This Act was repealed by Private Acts of 1975, Chapter 97.
2. Private Acts of 1931 (2nd Ex. Sess.), Chapter 5, provided that the twelve year certificates of qualifications for the position of County Superintendent of Schools issued under the authority of Public Acts of 1911, Chapter 69, as amended, shall be renewed for another period of twelve years if the holder of the certificate has served as the County Superintendent of Schools in some county, or counties, for not less than four years during the life of the certificate. This Act repeals any portion of Public Acts of 1925, Chapter 115, the general education law of the State, which might be in conflict with it. This Act was repealed by Private Acts of 1975, Chapter 97.
3. Private Acts of 1941, Chapter 476, declared that the Superintendent of Public Instruction would be elected by the people of Weakley County under the present applicable election laws for a term of four years, the first election hereunder to be in August, 1942, and the person elected would take office on September 1, 1942. Vacancies would be filled by special election for the unexpired portion of the term. This Act was repealed by Private Acts of 1975, Chapter 97.
4. Private Acts of 1995, Chapter 8, repealed Private Acts of 1929, Chapter 837, and all other acts amendatory thereto.

General References

The following acts constitute part of the administrative and political heritage of the educational structure of Weakley 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 241, Section 2, incorporated William H. Johnson, Richard Porter, Archilaus M. Hughes, Simpson Organ, and John Charlton, as the Trustees for an academy to be located in the town of Dresden in Weakley County.
2. Acts of 1829, Chapter 177, appointed William Fitzgerald, Mears Warner, Pulaski B. Bell, Martin Lawler, and John Charlton, as the Trustees for a charitable school for Weakley County. The Trustees were given a preferment on 50 acres of land in the 12th Surveyor's District, Range 1, Section 7, and, upon the building of a school house on the said acreage, the Trustees would have the preference for entry. Any vacancy in the Trustee's ranks shall be filled by selection of the County Court.
3. Acts of 1831, Chapter 16, Section 25, stated that nothing in this Public Act on Common Schools would be so construed as to prevent any future General Assembly of the State from making such disposition of the school funds heretofore allotted to Henry, Carroll, Weakley, Gibson, Dyer, and Obion Counties, as they may from time to time elect to direct.
4. Acts of 1835-36, Chapter 132, established the "Dresden Female Academy", naming Benjamin Bondurant, Jubilee Rogers, Perry Vincent, William H. Johnson, William Fitzgerald, James H. Moran, Richard C. Williams, Thomas C. Edwards, David P. Caldwell, Pulaski B. Bell, John A. Gardner, and John Charlton, as the Trustees for the incorporated school. Vacancies would be filled by the remaining Trustees, who were granted all the powers incidental to corporate institutions. The Trustees of the Dresden Male Academy were directed to pay over to this school one-half of all the interest earned on the funds of the school, January 1, of each year.

5. Acts of 1839-40, Chapter 102, designated the county academy for every county in the State. In Weakley County, Dresden Academy was named as the official county academy. The County Court was obligated to appoint Trustees for the academy to serve two year terms.
6. Acts of 1857-58, Chapter 27, Section 12, stated that the Board of Trustees of the Dresden Female Academy, or a quorum thereof, would meet on May 1, 1858 and proceed to elect, by voice vote, or by written ballot, five Trustees who would in the future constitute the Board of Trustees. and who would be vested with all the powers, authority, and responsibilities as was the original Board.
7. Acts of 1869-70, Chapter 64, Section 23, incorporated John Somers, B. D. Irvine, John J. Drewry, John A. Rogers, George R. Brasfield, M. D. Cardwell, J. L. McGlothlin, W. C. Scott, and B. B. Edwards, as the Trustees of the Dresden High School with all the powers to manage and operate the same. The Trustees may open books and sell stock in this corporation at \$25 share, and, when \$3,000 has been subscribed in stock, they may organize for business. A Trustee must be 21 years old, male, and a resident of Weakley County. The Trustees of the Dresden Male Academy and the Trustees of the Dresden Female Academy had the authority to sell all the lands of the Dresden Male Academy and the Dresden Female Academy, and their assets, the proceeds to be used for the benefit of the above High School. The new high school must be located within Dresden and would be for the benefit of both boys and girls.
8. Acts of 1869-70, Chapter 64, Section 31, incorporated A. M. Smyth, C. Harris, J. G. Thomason, Dr. G. H. Burnett, J. W. Bandy, J. P. Alexander, R. F. McSpadden, A. J. Swain, R. Covington, William Phillips, J. A. Webb, and J. M. Finch, as the Trustees of the Masonic Male and Female Institute, of Gleason in Weakley County.
9. Acts of 1907, Chapter 236, counties abolished the District Directors of all the counties in the State except in those counties expressly excluding themselves whose number did not include Weakley County. The County Court must divide the County into five school districts from each of which one member of the County Board of Education, would be appointed by the Court. The County Superintendent would serve as the Secretary of the Board of Education. The appointed members would serve until their successors elected in the general election of August, 1908, by the people of each district, shall take office. The County Superintendent would fill vacancies on the Board. The duties of the Chairman, the Secretary, and the members of the Board were all enumerated in the Act. The members would be paid from \$1.50 to \$3 per meeting day as fixed by the Court. Each District would also have a three member Advisory Board, elected by the District's people to two year terms, whose duties were also specified in Section 14. The Act did not apply to city School Systems. Nine counties exempted themselves from the provisions of this law.

Chapter VII - Elections

Civil Districts

Private Acts of 1969 Chapter 52

SECTION 1. That a portion of the twenty-fifth Civil District of Weakley County be removed and placed into the twenty-fourth Civil District; the portion to be transferred from District 25 to District 24 is as follows: BEGINNING at a stake N.E.C. of the 7th Civil District westline of 24th District and S.E.C. of 25th District; runs thence west with Gardner road to old Dresden- Latham road; runs thence North and East with Old Dresden-Latham road to point where same intersects with Highway No. 118; thence North with Highway No. 118, to point where said highway crosses Strawbridge branch; thence Northeast with Strawbridge branch to South of the 4th District; thence East with South line of the 4th District to Cypress Creek; thence Southeast with Cypress Creek to N.W. Corner of 24th Civil District.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: April 7, 1969.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Weakley County, but are no longer operative regarding elections. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1835-36, Chapter 1, required the General Assembly to appoint five commissioners for

each county of the State to lay off the respective counties into districts of convenient size, regard being had to both territory and population, for the purpose of electing Justices of the Peace and Constables therein. The number of districts would depend on the population of the county and the formula in the Act. By Resolution #3, John M. Shultz, Martin Lawler, William Ridgeway, Robert R. Gilbert, and David Winston were named as commissioners.

2. Acts of 1837-38, Chapter 245, attached all that portion of Gibson County which lies north of the South Fork of the Obion River to Weakley County and designating said attached portion as Civil District 12.
3. Acts of 1905, Chapter 207, abolished the 21st Civil District in Weakley County and the territory in that Civil District as it was then established by law was annexed to the Second Civil District of the County. On the effective date of this Act, the Justices of the Peace in District 21 will deliver all their records and papers to the Justices in Civil District 2.
4. Private Acts of 1919, Chapter 128, changed the boundaries between the 5th Civil District and the 25th Civil District of Weakley County so as to include in the 5th Civil District the lands of W. J. Bowlin, N. B. Warren, W. S. Stewart, Willis Olds, T. T. Wright, J. J. Wright, Joe Smithwick, D. A. Simmons, W. E. Simmons, J. C. Simmons, Sam Simmons, W. T. Bram, E. N. Bram, Mrs. G. D. Mayo, Mrs. Martha Burton, Mrs. Lydia Mansfield, L. H. Normen, Boyd Deron, and Phil Smith.
5. Private Acts of 1923, Chapter 75, altered the lines between the 3rd Civil District and the 14th Civil District of Weakley County beginning at a point on the west boundary line of the 2nd Civil District at the northwest corner of the A. K. Vancleave farm and in the center of Cane Creek, running west with the meanderings of the Creek to Bomar's bridge which spans the said Creek on the Martin-Mount Pelia public road, and hereafter all that portion of the 3rd Civil District, lying south of Cane Creek is attached to the 14th Civil District and all that portion of the 14th Civil District between the two designated points lying north of Cane Creek is attached to the 3rd Civil District of Weakley County.
6. Private Acts of 1929, Chapter 836, changed the lines between the 9th, the 15th, and the 16th Civil Districts, by detaching the farms of N. B. Abernathy, Houston Swindell, Mrs. Anne Higgs, Mrs. Mary Williamson, Anthony Williamson, Henry Williamson, H. V. Drewery, Talma Capps, J. H. Drewery, J. R. Drewery, Mrs. Vera Martin, Monroe Earles, and Jesse Swindell from the 15th and 16th Civil Districts and attached them all to the 9th Civil District.
7. Private Acts of 1937, Chapter 696, allowed L. T. Roberts, Clint Roberts, W. A. Medlock, Tom Medlock, J. A. Connell, Hubert Connell, L. E. Drewry, and J. C. Phillips, who now live near or on the line between the 10th and 23rd Civil Districts but actually reside in the 10th Civil District to vote in the 23rd Civil District in all elections, which shall be their voting precinct until otherwise changed. This Act was repealed by Private Acts of 1975, Chapter 97, Page 388.
8. Private Acts of 1943, Chapter 169, permitted W. D. Stallcup and family, Bud Bynum and family, W. W. Hodges and family, J. M. Hodges and family, J. W. Hodges, Tom Bynum and family, R. B. Brasfield and family, and Mrs. Etta Brasfield who now live and vote in the 10th Civil District of Weakley County, to vote in the 23rd Civil District in all National, State, and County elections so long as they now retain their present place of residence.
9. Private Acts of 1947, Chapter 188, provided that all qualified voters within a certain described area in the Third Civil District of Weakley County, Tennessee, would hereafter vote at the established polling place in the 14th Civil District of said county which is now located at Mount Pelia.
10. Private Acts of 1975, Chapter 96, amended Private Acts of 1943, Chapter 169, by adding the names of Robert E. Fowler, Jane L. Fowler, Zelmer Williams, Dorothy Williams, Loyd Cooper, Francis Cooper, and Leighton Cooper to those authorized to vote in the 23rd Civil District.

Elections

The following is a listing of acts for Weakley 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 1824, Chapter 1, divided the State into eleven Presidential Electoral Districts assigning the counties of Wayne, Perry, Hardin, and all the counties west of the Tennessee River to the Eleventh District.
2. Acts of 1826, Chapter 3, apportioned the State for representation in the General Assembly into 20 Senatorial Districts and 40 Representative Districts. The Counties of Henry, Weakley, Obion, Carroll, Gibson, and Dyer would elect one State Senator. Henry and Weakley Counties would jointly elect one Representative counting the votes at Paris.

3. Acts of 1827, Chapter 17, formed Tennessee into eleven Presidential Electoral Districts. The Eleventh District was made up of the counties of Henry, Weakley, Obion, Carroll, Gibson, Dyer, Henderson, Madison, Haywood, Tipton, McNairy, Hardeman, Fayette, and Shelby.
4. Acts of 1832, Chapter 4, divided Tennessee into 13 U. S. Congressional Districts. The 12th U. S. Congressional District was composed of the counties of Haywood, Madison, Dyer, Obion, Gibson, Weakley, Henry, and Carroll.
5. Acts of 1832, Chapter 9, organized the State into fifteen Presidential Electoral Districts. The 15th District had in it the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Tipton, and Haywood.
6. Acts of 1833, Chapter 71, reapportioned the State into 20 Senatorial and 40 Representative Districts. The Counties of Carroll, Henry, Weakley, and Obion made up one Senatorial District with the votes to be counted at Dresden, and Gibson, Weakley, and Obion Counties would jointly elect one Representative, counting the votes at Winton.
7. Acts of 1833, Chapter 76, was the call for a Constitutional Convention of sixty delegates who would be elected on the first Thursday and Friday in March and would convene in Nashville on the following third Monday in May. Weakley and Obion Counties would elect one delegate jointly, counting the votes at Dresden.
8. Acts of 1835-36, Chapter 39, divided Tennessee into 15 Presidential Electoral Districts. The 15th District was composed of the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Tipton, and Haywood.
9. Acts of 1842 (Ex. Sess.), Chapter 1, divided the State into 25 Senatorial Districts and 50 Representative Districts for the General Assembly. The 21st Senatorial District had in it the counties of Henry, Weakley, and Obion and arranged for the polls to be counted at Dresden. Weakley County would elect one Representative alone.
10. Acts of 1842 (Ex. Sess.), Chapter 7, formed Tennessee into eleven U. S. Congressional Districts, placing in the Eleventh District the counties of Perry, Henderson, Madison, Carroll, Gibson, Weakley and Obion.
11. Acts of 1851-52, Chapter 196, formed ten U. S. Congressional Districts in the State. The 9th District contained the counties of Henry, Weakley, Dyer, Obion, Lauderdale, Tipton, Gibson, Carroll, and Henderson.
12. Acts of 1851-52, Chapter 197, apportioned the State for representation in the General Assembly. Weakley County would elect one Representative alone, and made up a Senatorial District with Henry and Obion Counties, counting the polls at Dresden.
13. Acts of 1865, Chapter 34, established 8 U. S. Congressional Districts in Tennessee in this post Civil War Act. The 7th District consisted of Henry, Benton, Weakley, Obion, Dyer, Gibson, Lauderdale, Henderson, and Carroll.
14. Acts of 1871, Chapter 146, was an apportionment of the State based on the 1870 Federal Census. Weakley County would elect one Representative alone and share another one with Carroll, Gibson, and Henry Counties. The 20th Senatorial District was made up of the counties of Henry, Weakley, Obion, and Lake.
15. Acts of 1872 (Ex. Sess.), Chapter 7, set up nine U. S. Congressional Districts in Tennessee. The 8th U. S. District contained the counties of Madison, Crockett, Haywood, Lauderdale, Dyer, Gibson, Weakley, Obion, and Lake.
16. Acts of 1873, Chapter 27, provided for ten U. S. Congressional Districts in Tennessee. The 9th District had in it the counties of Weakley, Obion, Lake, Dyer, Gibson, Crockett, Haywood, Tipton, and Lauderdale.
17. Acts of 1881 (Ex. Sess.), Chapter 5, established on a permanent basis that the number of Senators in the General Assembly would be 33 and the number of Representatives, 99.
18. Acts of 1881 (Ex. Sess.), Chapter 6, organized the State for representation in the General Assembly based upon Acts of 1881 (Ex. Sess.), Chapter 5, and the 1880 public census. Weakley County had one Representative for its representation alone and would share another with Henry County. Henry and Weakley would jointly elect one of Senator for the 27th District.
19. Acts of 1882 (Ex. Sess.), Chapter 27, organized ten U. S. Congressional Districts in the State. The ninth U. S. Congressional District consisted of the counties of Weakley, Gibson, Crockett, Haywood, Lauderdale, Dyer, Obion, and Lake.
20. Acts of 1891 (Ex. Sess.), Chapter 10, was the apportionment of the General Assembly which was

based on the 1890 census. Weakley County was awarded one Representative alone and would share another one with Carroll County as the 17th District, and the 28th Senatorial District was made up of the counties of Obion, Weakley, and Lake.

21. Acts of 1901, Chapter 109, rearranged the ten U. S. Congressional Districts in the State according to the 1900 census. The Ninth U. S. District comprised the counties of Gibson, Weakley, Obion, Lake, Dyer, Lauderdale, Haywood, and Crockett.
22. Acts of 1901, Chapter 121, apportioned Tennessee for the General Assembly. The 28th Senatorial District was made up of the counties of Lake, Obion, and Weakley. One representative was given to Weakley alone and a floater would be elected by Weakley, Carroll, and Henry Counties jointly as the 22nd District.
23. Private Acts of 1937, Chapter 798, made it unlawful in Weakley County for any legal voter to vote in any county primary election in more than one precinct but must vote in the precinct in which the voter resides; it was likewise unlawful for any voter under the age of 21 to vote, and it was unlawful for any officer or judge, to permit anyone to do so knowingly. Any person who induced anyone to commit any of the above acts was also guilty of a misdemeanor. Fines were provided for anyone violating the above prohibitions. This Act was repealed by Private Acts of 1975, Chapter 97, page 388. This Act was declared unconstitutional in the case of *State v. Matthews*, 173 Tenn. 302, 117 SW2d (1938), because the body of the Bill was broader than the caption.

Chapter VIII - Health

Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Private Acts of 1937, Chapter 462, recited in the preamble that D. W. Taylor is the co-owner of a drug store and has worked in it for 10 years, and the physicians and many others have displayed their confidence in his ability to compound medicines, etc. This Act states that if the said D. W. Taylor shall file proof with the State Board of Pharmacy that he knows medicines, that he is a resident of Weakley County and a person of good moral character, the Board shall issue him a license to continue in the said business whereupon Taylor shall pay the proper fee.
2. Private Acts of 1937, Chapter 860, stated that D. R. Smyth had been the coowner of a drug store and worked therein for seven years, and that physicians and others had manifested confidence in his ability to compound drugs and to fill prescriptions, that he was of good moral character and a resident of Weakley County. The Act provided that, upon proof of the above circumstances the Board would issue him a license to continue this business and profession and he would pay the proper fee for the same.

Chapter IX - Highways and Roads

Road Law

Private Acts of 2012 Chapter 43

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

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

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

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

Passed: April 4, 2012.

Private Acts of 1949 Chapter 640

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

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

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

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

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

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

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

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

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

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

As amended by:

- Private Acts of 1972, Chapter 379
- Private Acts of 1978, Chapter 176
- Private Acts of 1979, Chapter 60
- Private Acts of 1982, Chapter 196
- Private Acts of 2002, Chapter 75

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

As amended by: Private Acts of 1979, Chapter 60

SECTION 3. The Board of Highway Commissioners shall elect at their first meeting in September a Chairman from among the members of the Board of Highway Commissioners to serve as presiding officer of the Commission for a term of one year. The Board of Highway Commissioners shall also elect a Vice-Chairman from among its members at the same meeting wherein a Chairman is elected. The Vice-Chairman shall serve for a term of one year and shall preside during the absence or inability of the Chairman. The county legislative body shall determine the compensation of the members of the Board of Highway Commissioners, prior to the beginning of their respective terms of office, which compensation

shall not be less than three hundred dollars (\$300) per month for any term beginning on or after September 1, 2002, and which compensation shall not be increased nor decreased during the term of office. The compensation of the Chairman and Board of Highway Commissioners shall be paid out of the highway funds of said county.

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

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

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

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

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

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

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

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

The Board of Highway Commissioners shall approve all contracts involving the purchase or trade of equipment involving items of more than two thousand five hundred dollars (\$2,500). All other contracts of more than five thousand dollars (\$5,000) shall be approved by the Board of Highway Commissioners. Prior to the approval of such contracts specified above bids will be solicited by advertising at least five days prior to the date upon which contracts are let, the advertisement to be made in such manner as the Highway Commission and Highway Supervisor may direct. In case of emergencies, or the repair of equipment, the Highway Supervisor may make purchases or contracts up to Five Thousand Dollars (\$5,000.00) with the approval of the Board of Highway Commissioners.

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

As amended by: Private Acts of 1979, Chapter 60
Private Acts of 1995, Chapter 33

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

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

As amended by: Private Acts of 1979, Chapter 60

Private Acts of 1995, Chapter 33

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

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

As amended by:

Private Acts of 1951, Chapter 546

Private Acts of 1957, Chapter 106

Private Acts of 1979, Chapter 60

Private Acts of 1995, Chapter 33

SECTION 9. At the regular August general election in Weakley County in 1982 and every four years thereafter, there shall be elected a Highway Supervisor to serve until his successor is elected and qualified commencing September 1 next following his election. The present Highway Supervisor shall exercise the same powers and duties as the Highway Supervisor to be elected in 1982 and thereafter under the provisions of this Act. Before entering the duties of his office the newly elected Highway Supervisor shall take the oath of office and execute bond in the sum required by general law in accordance with Tennessee Code Annotated Sections 54-403 and 54-1008, conditioned upon the faithful performance of his duties and for the proper accounting of all funds and property of the county or state coming under his control. In order to qualify for the office of Highway Supervisor, a person shall be a citizen of the United States, and a resident of Tennessee and Weakley County for at least two years, and not less than twenty-five years of age. In order to qualify for the office of Highway Supervisor, a person shall be a graduate of an accredited school of engineering, with at least two (2) years experience in highway construction or maintenance or a related field and/or be licensed to practice engineering in Tennessee; or shall have had at least four (4) years experience in a supervisory capacity in highway construction or maintenance; or a combination of education and experience equivalent to either of the above, as evidenced by affidavits filed in accordance with general law with respect to the popular election of the chief administrative officer of the county highway department, and filed with the highway committee of the county legislative body when the county legislative body is filling a vacancy in the office of Highway Supervisor. In no event shall the Highway Supervisor have less than a high school education or a general equivalency diploma (GED). In the event of a vacancy in the office of Highway Supervisor, during the time between the occurrence of the vacancy and the filling of the vacancy, the Chairman of the Board of Highway Commissioners shall temporarily exercise the powers of the Highway Supervisor. The Highway Supervisor shall be the chief administrative officer of the Highway Department as defined in the County Uniform Road Law codified in Chapter 10 of Title 54, Tennessee Code Annotated. The Highway Supervisor shall be in direct charge of all operations in the construction, maintenance, and repair of all highways and bridges in Weakley County. The Highway Supervisor is hereby authorized to employ and discharge for cause all general foremen, unit supervisors, job foremen, road hands and all other personnel employed by the Highway Department.

As amended by:

Private Acts of 1951, Chapter 546

Private Acts of 1953, Chapter 239

Private Acts of 1965, Chapter 14

Private Acts of 1965, Chapter 73

Private Acts of 1967-68, Chapter 444

Private Acts of 1971, Chapter 24

Private Acts of 1979, Chapter 60,

Private Acts of 1995, Chapter 33

SECTION 10. The Board of County Commissioners shall possess power of eminent domain for the

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

As amended by: Private Acts of 1979, Chapter 60

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

As amended by: Private Acts of 1979, Chapter 60

Passed: April 7, 1949.

Highways and Roads - Historical Notes

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

1. Acts of 1826 (Ex. Sess.), Chapter 131, declared that the County Court of Weakley County, a majority of the Justices being present, may apply the navigation tax, heretofore or hereafter collected, to the building of a road from Dresden to Mills Point. Obion County was allowed to aid the project with its own navigation tax funds. It was made the duty of the Treasurer of the Board of Trustees for the navigation of the streams in the Western District to pay over to Weakley County any funds he may have which may be used on this road. Rice Williams, John Jenkins, and John Charlton, were named as Commissioners to lay off and mark said road.
2. Acts of 1827, Chapter 44, appointed Benjamin Totten, John Charlton, John Jenkins, Robert Powel, Jacob Tokum, Wyatt Betts, and Benjamin Bondurant, as Commissioners to make a survey from Dresden in Weakley County to the State line in the direction of Mills Point on the Mississippi River for a turnpike road, and to devise a plan for construction of the road including bridges and causeways. When the said road has been started, they would determine the number of toll gates and the rates to be charged. The commissioners could contract to have the road constructed.
3. Acts of 1831, Chapter 206, authorized the Commissioners appointed under the authority of Acts of 1827, Chapter 44, to rescind the contract heretofore executed with John Thomas, Jr., to construct the turnpike road from Dresden in Weakley County to the State line in the direction of Mills Point on the Mississippi River. The Commissioners would proceed to advertise and to let an agreement to construct that part of the road lying between a point 100 feet south of the south bank of the North Fork of the Obion River at Finche's Bridge to the Obion County line under the same terms as before. The Act named Albert G. Bondurant as a Commissioner instead of Robert Powel and corrected the name of Jacob Tokum to Jacob Yocham.
4. Acts of 1837-38, Chapter 250, Section 5, named Robert Terry, John Drury, David Winston, Pulaski B. Bell, David P. Caldwell, James H. Moran, and Benjamin Bondurant, plus nine others who were residents of Carroll County, to open books and take stock subscriptions up to \$20,000 to build a mud or sanded turnpike from McLemoresville in Carroll County, through Christmasville, to Dresden in Weakley County. As soon as \$5,000 was subscribed in stock, the Commissioners could organize and begin work on this road as the McLemoresville and Dresden Turnpike Company.
5. Acts of 1837-38, Chapter 289, nominated ten gentlemen from Henry County, seven more from Obion County, and H. H. Bondurant, Zepheniah Harris, G. S. Elliott, W. G. Bowers, Jubilee Rogers, Thomas Glass, W. S. Scott, Samuel Irvine, Willis Johnson, John Thomas, James W. Taylor, John D. Love, Julian Frazer, and G. W. Cavit, all of Weakley County, to subscribe stock and open books up to \$50,000, to make and build a turnpike road from Paris to Dresden and to the Kentucky State line, in the direction of Mills Point when \$15,000 in stock is pledged, the work may begin, and the company would be known as the Paris, Dresden and Mill's Point Turnpike Company. The route shall be laid out so as to intersect the streets in Dresden, and there shall be no more than three toll gates between Paris and Dresden, one near the half-way point, one near Jesse Gardner's place, and one at William Maxwell's. The road would intersect other turnpike roads in the area.
6. Acts of 1851-52, Chapter 287, Section 21, incorporated John A. Gardner, William R. Ross, William

W. Gleason, William Scott, D. P. Caldwell, and Willis Nailing, as the Dresden and Hickman Turnpike Company, to build a road between Dresden, Tennessee and Hickman, Kentucky, who may start on the project as soon as \$5,000 in stock has been pledged and subscribed. If the road was merely a graded turnpike road, the toll gates would be at least 10 miles apart.

7. Acts of 1853-54, Chapter 323, Section 9, allowed Henry, Weakley, and Obion Counties to take stock in the Nashville and North-Western Railroad, or in any other railroad they may choose.
8. Acts of 1869-70, Chapter 69, Section 5, repealed specifically all laws and parts of laws, chartering a turnpike across the north fork of the Obion River in Weakley County on the direct road leading from Dresden to Hickman, Kentucky, and the heirs of Abner Boyd and D. P. Caldwell are hereby released from any obligations to maintain the said pike, and it shall be unlawful for anyone to collect any toll on this road.
9. Acts of 1901, Chapter 136, was a general road law applying to all counties in Tennessee under 70,000 in population. The County Court of each county would elect one Road Commissioner from each Road District, which would be co-extensive with each Civil district, for two year terms. They would have general supervision over all the public roads, bridges and overseers in their district. The County Court would assign road hands to each District, to work under the supervision of the Commissioner and the overseers he appointed, who would be taken from males between the ages of 21 and 45, who would work the days established by the Court or pay a seventy-five cents commutation fee. The County Court would also levy a special road tax of 2 cents per \$100 property valuation for each day of work set up for the road hands, but up to two-thirds of this tax could be worked out. Some basic specifications for roads were included and the roads had to be classified, primarily according to width, and also be indexed. The district Commissioner would receive and dispose of petitions to open, close, or change a road following the outline contained in the Act. The County Court could designate the roads to be built and maintained by contract rather than by the compulsory labor of road hands, using the bid procedures stipulated in this Act. The Commissioners would be paid the same per diem rate as the Justices of the Peace, up to 12 days a year. This case was part of the litigation in *Carroll v. Griffith*, 117 Tenn. 500, 97 SW2d 66 (1906).
10. Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, in several minor particulars, but substantially in those provisions relative to the petitions to open, close, or change a road, especially when the exercise of eminent domain was necessary to the disposition of the petition.
11. Acts of 1907, Chapter 466, applied to Henderson and Weakley Counties. The Act created a three member Board of Commissioners appointed by the Quarterly County Court, including the County Court Clerk as an ex-officio member, all of whom would serve without compensation for two years. If any failed to serve, the County Judge could appoint a replacement. All the members would be sworn and bonded and would have the supervision of roads, bridges, and culverts in the County, would hear and dispose of all the petitions to open, close, or change roads in the county, exercising the power of eminent domain when needed, and who might purchase items for the department, solicit bids, and award contracts according to procedures in the Act. The Commission was obligated to classify the roads according to the width specified, to index and record their status, to observe the basic specifications established in the Act, and to prosecute any person refusing to work on the roads. All males, outside cities, between the ages of 21 and 50 must work at least six days on the roads, or pay 50 cents a day for each day not worked. The County Court was required to levy a road tax of not less than 20 cents per \$100 property valuation, and another tax of five cents or more, on privileges, all of which would be used on highways, and bridges. All road work must be done between April and October except in cases of repair. The annual salary of the Commissioners could be fixed by the County Court between \$600 and \$800 and could not be changed during the term. No Justice of the Peace or county officer, except the Clerk, could serve as a Commissioner.
12. Acts of 1909, Chapter 205, made it the duty of the Quarterly Court to elect a Board of Commissioners consisting of three members, including the County Court Clerk as an ex-officio member, to serve for two years. The Commission provided for by Acts of 1907, Chapter 466, would serve until the election of their successors. The County Judge would appoint someone to take the place of a Commissioner not serving. All of the Commissioners must be sworn and bonded, would be in charge of all the roads, bridges, and culverts, must index and classify the roads according to width, and would handle all the petitions to open, close, or change roads. The details of compulsory road work were the same as those contained in the Acts of 1907, Chapter 466. Roads must be worked between April 1 and September 15, except for repairs. The salary of the commissioners, the requirement to keep records, and the schedule of fines for obstructions in roads and violations of this Act were the same as Acts of 1907, Chapter 466.

13. Private Acts of 1911, Chapter 135, provided that the Quarterly Court of Weakley County at its January term in 1911, would elect a Board of Commissioners composed of three persons, one of whom would be the County Court Clerk, who would serve without compensation until January, 1913. Two Commissioners would be elected at the August, 1912, general election who would take office in January, 1913 for two year terms. The details of the remainder of this Road Law coincide with the details in Acts of 1909, Chapter 205, on road hands, taxes, records, reports, and fines. This Act was specifically repealed by Private Acts of 1913, Chapter 344, and by Private Acts of 1915, Chapter 121.
14. Private Acts of 1913, Chapter 344, enacted a new Road Law for Weakley County. The Quarterly Court would elect a Road Commissioner for each Civil District to hold office until January 1, 1915. Each Civil District would elect by popular vote in August, 1914, a Commissioner for that District who would take office in January, 1915, for two years. In the event anyone failed to qualify, or serve, the County Judge would appoint a successor. The details of this long Act contained a repetition of most of the details of the preceding Acts on compulsory road labor, and other subjects except the items following. All applications to open, close, or change a road would be made to the District Commissioner who would have the authority to dispose of the matter. The Quarterly Court would let contracts on roads by sealed bid and in cooperation with the District Commissioner, all bids to be awarded on the third Monday in March, and the County Judge would report on this item at the April meeting of the Quarterly Court. Road hands could not be forced to work for more than three days in one week, and the Road Commissioners would be paid \$2 per day for all days worked in the discharge of their duties, not less than 10, nor more than 25 in one year.
15. Private Acts of 1915, Chapter 121, required the Weakley County Quarterly Court to appoint a Road Commissioner for every Civil District who would serve until January 1, 1917 at which time a Commissioner elected by the people in the general August election 1916, would take over for the next two years. The Commissioners would be sworn and bonded, would be in charge of all roads, bridges, and culverts in their District, would purchase materials, award contracts for work, supervise the overseers whom they would appoint and whose segment of road could not exceed five miles in length, who would be responsible for tools and equipment in their District, who would dispose of petitions to open, close, or change roads, who would assess the damages initially in those eminent domain cases, and who would work the same number of compulsory days as other road hands and then be paid \$1.50 a day for all other days up to \$30 in one year. Commutation fees for road hands were increased to \$1 for each day not worked. The tax rates remained at 20 cents per \$100 and at 5 cents for privileges.
16. Private Acts of 1923, Chapter 618, established a five member Highway Maintenance Commission whose members would be appointed by the County Judge, or Chairman, for two years, one of whom must reside at the county site. Commissioners must be 30 years of age, have good business ability, and be sworn and bonded, nor would any be a State, County, City, or national office-holder, would select from their own number a Chairman and a Secretary, who would both be paid \$80 a year for their services and the other members would be paid \$60 a year. The Commission would expend the funds from the automobile license tax under State law upon any roads in the County as they might designate but bridges would not be included in any event. The members and their families were forbidden to have any interest in any contract or transaction. Bid procedures and contract awards were set up in the law which also required contractors to submit detailed statements before they could be paid for their work.
17. Private Acts of 1925, Chapter 172, formed a five member County Board of Highway Commissioners coming from various specified portions of the County but none could be a member of the County Court. The method of their selection was specified in the law and they would meet no more than once each month except in an emergency, and would be paid \$4 each for each meeting. The Act named J. T. Van Dyck as the Supervisor of Roads at a salary of \$150 per month and the Board, above, would name his successor to a 2 year term. The duties and powers of both the Commission and the Supervisor are outlined in the Act. The Board would furnish the Supervisor a Ford car to be used in the furtherance of his duties. The County was divided into five Road Districts, composed of whole Civil Districts, from each of which one Commissioner would come. The Board had the authority to regulate traffic and to employ legal counsel, when necessary.
18. Private Acts of 1925, Chapter 349, amended Private Acts of 1925, Chapter 172, in Section 7 by making the salary of the Road Supervisor payable out of regular county funds instead of out of the general road fund. Section 22 was changed so as to make the County Judge, by and with the advice of the Road Supervisor, responsible for declaring emergencies.

19. Private Acts of 1925, Chapter 549, amended Private Acts of 1925, Chapter 172, by rearranging some of the Civil Districts which went into the composition of the five Road Districts.
20. Private Acts of 1927, Chapter 202, amended Private Acts of 1925, Chapter 172, so as to provide for the appointment, or election, of the Board of Highway Commissioners as follows: on the first Monday in April, 1927, the County Court shall appoint a five member Board of Highway Commissioners, one for each of the five Road Districts, who would be nominated by the Justices of the Peace in that District, who would serve two years. The Act named C. B. Brasfield, J. R. Eskridge, John M. Gardner, Carl Parks, and Jack Elam, as the first members of the Board who would serve until their successors were appointed under the terms of this Act, but the Board members appointed hereunder shall not have the authority to replace J. T. Van Dyck, the Road Supervisor. This Act required the Board to submit a report to the Quarterly Court at its January meeting describing the work and accomplishments of the preceding year.
21. Private Acts of 1927, Chapter 656, provided that the Weakley County Road System would be under the control and direction of a seven member Board of Highway Commissioners who shall be residents of the Districts specified, and who could not be State, County, or City officials, who would be chosen by the Quarterly Court in a special session on May 7, 1927, each to be sworn and bonded and to serve two years. Each member was subject to removal from office under certain expressed conditions. The Board must convene to organize itself and make its operational rules and regulations within ten days after appointment. The Board would have a Chairman and Secretary selected by the members, would meet at least once each month and each member would be paid \$4 per meeting. The powers of the Board are enumerated as are the duties of the Secretary. The Board shall serve as the purchasing agent for the highway department. The Board would employ some suitable person as County Highway Supervisor to serve for two years, who would be in immediate charge of the department and be paid \$1,800 a year, discharging the responsibilities enumerated in the Act. Each Civil District would be a Road District, and a budget would be submitted at each meeting of the Quarterly Court for their approval.
22. Private Acts of 1929, Chapter 786, amended Private Acts of 1927, Chapter 656, by adding a paragraph that no bridge of a greater length than twelve feet, or a levee, shall be built in Weakley County without first being authorized by the Quarterly Court and any citizen desiring a levee to be built may file a petition with the Court and the Quarterly Court will then set in motion the machinery described in the Act to dispose of the petition. Some other details are changed in Sections 18, 24, 29, 30 and 34 as to the time schedules and by adding a provision to Section 13 that the Quarterly Court may purchase a car for the use and benefit of the County Road Superintendent and appropriate the money for its operation from the general road fund.
23. Private Acts of 1931, Chapter 171, amended Private Acts of 1927, Chapter 656, by adding a new second paragraph in Section 18 that all bridges and culverts shall be known as county projects the cost of which, both labor and materials, shall be paid from bridge and county general funds, provided that the labor may be furnished by the county road hands or employed by the Supervisor. The commutation fee was lowered from \$1 to 50 cents. The requirement that a budget be filed for the road department as specified in Section 38 of the Act was removed.
24. Private Acts of 1933, Chapter 641, amended Private Acts of 1927, Chapter 656, by inserting a new Section 13 into the Act that in the August election of 1934, and every two years thereafter, the people would elect a County Highway Supervisor who would have the general control and management of highways, who would be sworn and bonded, and who would take office on September 1, but the Supervisor elected hereunder would not take office until September 1, 1935. The annual salary was \$1,200 per annum, payable monthly out of the general funds on the warrant of the County Judge. The Quarterly Court was given the authority to buy him a car and pay the operational expenses. A new Section 12-A was added which required competitive bids on all purchase items over \$25 except in emergencies. A new Section 30-A was added requiring the Highway Supervisor and the Secretary of the Highway Commission to file a report on the conditions of the Department at least ten days before the Quarterly Court meets.
25. Private Acts of 1935, Chapter 361, repealed Sections 23 through 33, of Private Acts of 1927, Chapter 656, thereby abolishing the compulsory road work in Weakley County and added a provision that all funds levied for the construction of bridges and levees and for the building and maintaining of public roads, and all funds derived from the gasoline tax, shall be regulated and controlled in Weakley County by the County Highway Commission on the warrants of the Chairman of the Commission, attested by the Secretary. The amendment provided further that the Salary of the Road Supervisor shall be set by the Commission but must not exceed \$1,800 annually. The Commission was forbidden to create a debt greater than the amount of money coming into its hands since July 1, 1934. Fines could be levied against the commission if it did

exceed that amount.

26. Private Acts of 1939, Chapter 426, amended Section 2 of Private Acts of 1927, Chapter 656, by requiring that the County Judge of Weakley County shall ratify and confirm all the purchases by the Highway Department in the amount of \$250, or more. The Quarterly Court was given unlimited discretion in levying taxes for road purposes.
27. Private Acts of 1945, Chapter 233, set up a seven member County Highway Commission, one member coming from each of the Road Zones which were made up of whole Civil Districts. The County Judge would appoint, and the County Court must approve the initial members of the Commission who would serve staggered terms, as specified in the Act, and their successors would likewise be appointed by the County Judge and confirmed by the Court. The Commissioners must be sworn and bonded, could not be members of the Quarterly Court and only one member could come from each road zone. The County Judge would be the Chairman of the Commission whose members would be paid \$7.50 per day for each day served as such, payable out of the ordinary and regular highway funds of the county. The Commission must meet once each month at the Court House in the county seat but special meetings could be called at any time. All expenditures over \$100 had to be approved by the Commission. The Commission could enact its own rules and regulations, employ a Secretary, and all shall be subject to ouster proceedings as authorized under Sections 1877-1902 of the Code of Tennessee. The Commission was in charge of the roads, machinery, and equipment. The details for soliciting bids and awarding contracts were contained in the Law. The Commission was directed to file a report with the Quarterly Court on or before December 20 showing the year's work and a budget for the ensuing year must be submitted. They could employ a Road Superintendent for two year terms beginning January 1, 1947, who must be an experienced engineer, and at a salary not to exceed \$3,000. He would be in direct charge of all operations of the highway department. The Quarterly Court was authorized to levy a tax of between 25 cents and \$1 per \$100 of taxable property for road purposes.
28. Private Acts of 1961, Chapter 137, would have amended Private Acts of 1949, Chapter 640, by raising the salary of the Secretary from \$2,100 to \$3,000 per annum and made the compensation of the Road Supervisor \$5,700 per annum, but this Act did not receive local approval and consequently never became operative law.
29. Private Acts of 1967-68, Chapter 388, would have amended Private Acts of 1949, Chapter 640, by increasing the term of office of the Highway Commissioners from two to four years, however, this Act did not receive local approval and never became operative.

Chapter X - Law Enforcement

Law Enforcement - Historical Notes

Militia

Those acts once affecting Weakley 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 1824, Chapter 40, obligated the Sheriffs of Weakley, Obion, Dyer, Haywood, Tipton, Hardeman, and McNairy Counties to hold elections on the first Thursday and Friday in next November to select the field officers of the various militia units in these respective counties. The militia unit in Weakley County was designated as the 82nd Regiment and the militia units of Henderson, Carroll, Henry, Weakley, Obion, Dyer, and Gibson Counties composed the 13th Tennessee Brigade.
2. Acts of 1825, Chapter 69, was a revised militia law for Tennessee requiring service of all free men and indentured servants between the ages of 18 and 45. The Act contained a Table of Organization for all the militia units in the State and constituted a statement of all the regulations pertinent to the management and operation of this force. The counties of Henderson, Carroll, Henry, Obion, Dyer, Gibson, and Weakley were in the 13th Brigade, Weakley County being designated as the 82nd Regiment. The times of the annual muster of all the units were included in the Act. The 82nd Regiment would hold their annual county muster and drill on the fourth Saturday in September.
3. Acts of 1831, Chapter 47, was the authority for the commissioned officers of the 82nd Regiment composed of the militia of Weakley County at their next regimental muster, two-thirds of the commissioned officers begin present to lay off and establish a third battalion if the majority of the officers agree, any law to the contrary notwithstanding.

4. Acts of 1835-36, Chapter 21, was an enactment of the Militia Law of Tennessee made subsequent to the 1835 Constitution of the State. The Militia, composed of white males between the ages of 18 and 45, with the exception of some as was stipulated in the Act, was completely reorganized by this Act all across the State. A company was composed of one Captain, one First Lieutenant, one Second Lieutenant, one Ensign, three Sergeants, three Corporals, all of whom would be elected to serve five years, 45 privates, and two musicians. Weakley County had the 117th and the 118th Regiments and was part of the 19th Brigade which had in it the counties of Dyer, Weakley, and Gibson. Weakley County was also part of the 4th Division.
5. Acts of 1837-38, Chapter 157, was an amendment to the State Militia Law which scheduled the dates for the county musters and drills for every militia company in the State. The 19th Brigade, consisting of the units in Obion, Gibson, Dyer and Weakley Counties, would muster on the Thursday and Friday following the first Friday and Saturday in September of each year.
6. Acts of 1847-48, Chapter 142, set up the Regimental musters for the militia outfits in the 19th Brigade, so that the 117th Regiment in Weakley County would hold its county muster on the first Thursday in October and the 118th Regiment would muster on Friday, the next day following.
7. Acts of 1861 (2nd Ex. Sess.), Chapter 3, was the law under which the State of Tennessee raised, organized, and equipped its forces for the Civil War, placing all the armed service units in the State at the time on a war time basis.

Offenses

The act briefly summarized below fell into this category in Weakley County.

1. Private Acts of 1913, Chapter 297, made it unlawful for any person or persons to enter the enclosed grounds of any Fair Association in Weakley County while such association is in session other than through the gates or openings prepared for that purpose and reason, and by paying the regular admission fee. This Act does not to apply to Fair officials, and employees, or those holding complimentary tickets. Violators of this law could be fined from \$5 to \$50.

Sheriff

The following acts have no current effect but are included here for reference purposes since they once applied to the Weakley County Sheriff's Office.

1. Acts of 1831, Chapter 152, granted to Jephtha Gardner, the security for John D. Calvert, the late Sheriff of Weakley County, the further time of one year to settle and pay over the State and County taxes which now remain due and unpaid by the said Calvert.
2. Private Acts of 1931 (2nd Ex. Sess.), Chapter 4, set the annual salary of the Sheriff of Weakley County at \$3,000, to be paid by the Chairman of the Court as were all county expenses, but the Sheriff may elect to receive the compensation established by Public Acts of 1921, Chapter 101. If the Sheriff elected to be paid as provided by this Act, he would notify the County Chairman to that effect.
3. Private Acts of 1931 (2nd Ex. Sess.), Chapter 17, authorized the Sheriff of Weakley County to appoint one First or Chief Deputy Sheriff who shall be paid \$150 a month salary out of which the Deputy Sheriff, appointed under this Act, shall pay all expenses in connection with the performance of his duties. If the Sheriff elected to be compensated under Public Acts 1921, Chapter 101, then the compensation provided for in this Act would not apply.
4. Private Acts of 1933, Chapter 674, fixed the annual salary of the Sheriff of Weakley County at \$3,500 if the fees, costs, and emoluments of the office amount to that much, but, if the revenue generated in the Sheriff's office is less than the salary mentioned above, the Sheriff's salary shall equal the amount of the fees collected in the office and no more.

Chapter XI - Libraries

County Governmental Library

Private Acts of 1978 Chapter 175

SECTION 1. That Weakley County is hereby authorized to establish, operate, and maintain a County Governmental Library for the use of Courts and Judges thereof, State, County and Municipal officials, attorneys and the public.

SECTION 2. That the County Judge of Weakley County shall have general charge and custody of said

library and may promulgate reasonable rules and regulations covering the operation and use of said Library. The Weakley County Judge is empowered to employ Librarians and assistants and to fix their salaries, and has full power to acquire by gift, loan, devise, or purchase the books and furnishings necessary for said Library.

SECTION 3. For the purpose of financing the library and providing funds for the improvement of the jail, courthouse grounds and facilities, there shall be taxed, as costs, in each criminal suit or case in any of the courts sitting in Weakley County a tax of two dollars (\$2.00).

SECTION 4. The litigation tax provided for herein shall be collected by the clerks of the courts in which criminal cases are filed. Each of said officials shall be accountable for the revenue and shall pay over to the county trustee on or before the fifteenth (15th) day of each month all county governmental library, jail facilities and courthouse improvement tax revenues collected in the preceding calendar month. The sum paid the county trustee shall be paid into the county general fund and used only for the purposes set out in this act. The county executive shall draw warrants on the county trustee for library, jail, and courthouse improvement expenditures, and the county trustee is hereby authorized and directed to make payment out of such fund upon the presentation of warrants so issued in compliance with the provisions of this act.

As amended by: Private Acts of 1997, Chapter 50.

SECTION 5. That if any clause, sentence, paragraph, section or part of this act shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Act, it being hereby declared to be the legislative intent to have passed the remainder of this act notwithstanding the part so held to be invalid, if any.

SECTION 6. That this Act shall have no effect unless the same shall have been approved by two-thirds of the Quarterly County Court of Weakley County on or before July 1, 1978. Upon such approval this Act shall become effective immediately, the Public Welfare requiring it. The approval or lack of approval by July 1, 1978, of this act shall be proclaimed by the presiding officer of the Quarterly Court of Weakley County and shall be certified by him to the Secretary of State as promptly as is reasonably possible.

SECTION 7. That this Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: February 1, 1978

Libraries - Historical Notes

1. Private Acts of 1970, Chapter 272, created a "Weakley County Governmental Library Commission," composed of one member to be appointed by the Judge of the Circuit Court, the Chancellor of the Chancery Court, the Judge of the General Sessions Court, two members who would be selected and appointed by the Weakley County Bar Association, and the Clerk and Master of the Chancery Court who would be a member ex-officio. The members would serve two year terms at no compensation, and vacancies occurring would be filled by the appointing authority of the vacated member. The purpose was to operate and maintain a county governmental library. The act added \$1.00 to the costs on all lawsuits in the Circuit, Chancery, and County Courts, and on all suits in the General Sessions Court fifty cents would be added to the costs and collected as such by the Clerks of the various Courts. Some guidelines and regulations were included. This act was rejected by the Weakley County Quarterly Court and therefore never became an effective law under the provisions of the Home Rule Amendment to the State Constitution.

Chapter XII - Taxation

Hotel - Motel Tax

Private Acts of 1988 Chapter 174

SECTION 1. For the purposes of this act:

- (a) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.
- (b) "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.

(c) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings or accommodations in any hotel.

(d) "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.

(e) "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.

(f) "County" means Weakley County, Tennessee.

(g) "Operator" means the person operating the hotel whether as owner, lessee or otherwise.

(h) "Clerk" means the county clerk of Weakley County, Tennessee.

SECTION 2. Weakley County is authorized to levy a privilege tax upon the privilege of occupancy in any hotel of each transient, in the amount of five percent (5%) of the rate charged by the operator.

SECTION 3. Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of his or her hotel and to be given directly or transmitted to the transient and shall be collected by such operator from the transient and remitted to Weakley County. 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 from or charged to him or her, and the operator shall receive credit for the amount of such tax if previously paid or reported to the county.

SECTION 4.

(a) The tax levied shall be remitted by all operators who lease, rent or charge for any rooms or spaces in hotels within the county, to the County Clerk or such other officer as may by resolution be charged with the duty of collection thereof, said 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 said tax from the transient at the time of the presentation of the invoice for said 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 in accounting for remitting the tax levied by these sections the operator shall be allowed two percent (2%) of the amount of the tax due and accounted for and remitted to the clerk in the form of a deduction in submitting his or her report and paying the amount due by such operator, provided the amount due was not delinquent at the time of payment.

SECTION 5. The clerk, or other authorized collector of the tax, shall be responsible for the collection of said 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 may audit each operator in the county 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 6. 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 7. Taxes collected by an operator which are not remitted to the county clerk on or before the due dates shall be 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 in addition for 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 hereby declared to be unlawful and shall constitute a misdemeanor punishable upon conviction of a fine not in excess of fifty dollars (\$50.00).

SECTION 8. It shall be 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 as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the county, which records the county clerk shall have the right to inspect at all reasonable

times.

SECTION 9. The county clerk in administering and enforcing the provisions of this act shall have 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 the county clerks. Upon any claim of illegal assessment and collection, the taxpayer shall have the remedies provided in Title 67, Tennessee Code Annotated, it being the intent of this act that the provisions of law which apply to the recovery of state taxes illegally assessed and collected under the authority of this act; provided further, the county clerk shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67-1-707 for the county clerks.

With respect to the adjustment and settlement with taxpayers, all errors of county taxes collected by the county clerk under the authority of this act shall be refunded by the county clerk. Notice of any tax paid under protest shall be given to the county clerk and the resolution authorizing levy of the tax shall designate a county officer against whom suit may be brought for recovery.

SECTION 10. The proceeds of the tax authorized by this act shall be allocated to and placed in the general fund of Weakley County.

SECTION 11. If any provision of this act or the application thereof to any person or circumstances 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 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Weakley County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by the presiding officer of the county legislative body to the Secretary of State.

SECTION 13. For the purpose of approving or rejecting the provisions of this Act, it shall become effective upon becoming a law. For all other purposes, it shall become effective upon being approved as provided by Section 13, the public welfare requiring it.

Passed: April 13, 1988.

Litigation Tax

Private Acts of 1978 Chapter 175

SECTION 1. That Weakley County is hereby authorized to establish, operate and maintain a County Governmental Library for the use of Courts and Judges thereof, State, County and Municipal officials, attorneys and the public.

SECTION 2. That the County Judge of Weakley County shall have general charge and custody of said library and may promulgate reasonable rules and regulations covering the operation and use of said Library. The Weakley County Judge is empowered to employ Librarians and assistants and to fix their salaries, and has full power to acquire by gift, loan, devise or purchase the books and furnishings necessary for said Library.

SECTION 3. For the purpose of financing the library and providing funds for the improvement of the jail, courthouse grounds and facilities, there shall be taxed, as costs, in each criminal suit or case in any of the courts sitting in Weakley County a tax of two dollars (\$2.00).

SECTION 4. The litigation tax provided for herein shall be collected by the clerks of the courts in which criminal cases are filed. Each of said officials shall be accountable for the revenue and shall pay over to the county trustee on or before the fifteenth (15th) day of each month all county governmental library, jail facilities and courthouse improvement tax revenues collected in the preceding calendar month. The sum paid the county trustee shall be paid into the county general fund and used only for the purposes set out in this act. The county executive shall draw warrants on the county trustee for library, jail, and courthouse improvement expenditures, and the county trustee is hereby authorized and directed to make payment out of such fund upon the presentation of warrants so issued in compliance with the provisions of this act. As amended by: Private Acts of 1997, Chapter 50.

SECTION 5. That if any clause, sentence, paragraph, section or part of this act shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Act, it being hereby declared to be the legislative intent to have passed the remainder of this act notwithstanding the part so held to be

invalid, if any.

SECTION 6. That this Act shall have no effect unless the same shall have been approved by two-thirds of the Quarterly County Court of Weakley County on or before July 1, 1978. Upon such approval this Act shall become effective immediately, the Public Welfare requiring it. The approval or lack of approval by July 1, 1978, of this act shall be proclaimed by the presiding officer of the Quarterly Court of Weakley County and shall be certified by him to the Secretary of State as promptly as is reasonably possible.

SECTION 7. That this Act shall take effect upon becoming a law, the public welfare requiring it.
Passed: February 1, 1978.

Severance Tax

Private Acts of 1982 Chapter 270

SECTION 1. A severance tax is hereby levied in Weakley County on sand, gravel, clay, and all other minerals that are severed from the earth for private commercial purposes. However, the tax shall not be levied on any mineral taxed under the provisions of Tennessee Code Annotated, Sections 67-5901 through 67-5905. The measure of the tax shall be fifteen (15 cents) per ton on all minerals severed from the ground in Weakley County that are subject to the tax levied by this act. The owner shall become liable for payment of the severance tax at the time the mineral is severed from the earth and transported from the mine. The tax is levied upon the severance of the mineral regardless of the place of processing or sale of the mineral or the fact that delivery may be made outside the county. The tax shall accrue at the time the sand, gravel, clay or other mineral is severed from the earth and in its natural or unprocessed state and transported from the mine. The tax levied shall be a lien upon all subject minerals severed in the county and any other property owned by the miner. Such lien shall be entitled to preference over all judgments, encumbrances or liens whatsoever created.

SECTION 2. The tax levied by this act shall be due and payable monthly on the first (1st) day of the first (1st) month next succeeding the month in which the mineral is severed from the soil. For the purpose of ascertaining the amount of tax payable it shall be the duty of all miners to transmit to the Weakley County Trustee, on or before the last day of the first (1st) month next succeeding the month in which the tax accrues, a return upon forms provided by the Trustee. The return shall indicate the month or period covered, the total number of tons of all minerals severed in Weakley County and transported from the mine, by all production units operated, owned or controlled by the taxpayer during the period covered, the amount of tax and such other information the Trustee may require. The return shall be accompanied by a remittance covering the amount of tax due as computed by the taxpayer.

SECTION 3. The tax levied by this Act shall become delinquent on the first (1st) day of the second (2nd) month next succeeding the month in which such tax accrues. When any operator shall fail to make any return and pay the full amount of the tax levied on or before such date there shall be imposed, in addition to other penalties provided herein, a specific penalty in the amount of ten percent (10%) of the tax due. Whenever a penalty is imposed there shall also be added to the amount of tax and penalty due interest thereon at the rate of ten percent (10%) per annum from the date due until paid. A further penalty of fifty percent (50%) of the amount due may be added if the nonpayment of the tax is due to an intent to evade payment. If the nonpayment of the tax is an intent to evade payment, the person liable for such payment may be restrained and enjoined from severing minerals from a production unit from which minerals have been severed and upon which the tax is due.

SECTION 4. All revenues collected under this Act by the Trustee shall be deposited in the general fund of Weakley County for general county purposes, or such other fund as may be designated by resolution of the Board of County Commissioners of Weakley County.

SECTION 5. 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 6. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of County Commissioners of Weakley County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Board of County Commissioners and certified by him to the Secretary of State.

SECTION 7. 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 on the first day of the month following the month wherein this Act receives approval as provided in Section 6.

Passed: March 11, 1982.

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 Weakley County Assessor. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1929, Chapter 170, required the Tax Assessor to keep an office open at the Court House, or some other convenient place, with himself or a Deputy being present, during reasonable business hours each day. All the tax books would be made up and issued from this office. All persons conveying interests in real estate were required to notify the Tax Assessor within 30 days and no instrument of conveyance could be lawfully registered until and unless it was accompanied by a certificate from the Tax Assessor acknowledging the above. No charge would be made for the certificate. The authority to appoint one or more deputies was granted to the Tax Assessor whose compensation would be \$3,000 a year, payable monthly, but the Assessor must pay all the Deputies appointed from this amount. This Act was repealed by Private Acts of 1975, Chapter 97.
2. Private Acts of 1953, Chapter 364, stated that the compensation of the Tax Assessor in Weakley County is hereby fixed at the sum of \$4,320 per year, payable in equal monthly installments out of the county treasury.
3. Private Acts of 1961, Chapter 259, would have fixed the annual salary of the Tax Assessor of Weakley County at \$5,500 but the Act was rejected by the Quarterly Court of the County and thus never become an operative law.

Taxation

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

1. Acts of 1824 (Ex. Sess.), Chapter 66, directed the Tax Collector of Henry County to pay over the public building tax collected by him to the Commissioners of the town of Paris but all the land west of the County Line, or lying in Weakley and Obion Counties which were taxed for public buildings by the County Court were released.
2. Acts of 1824 (Ex. Sess.), Chapter 128, declared it to be lawful for the Quarterly Courts of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Madison, Haywood, Tipton, and Hardeman Counties, a majority of the Justices being present, to levy a tax in the amount stipulated in the law to improve the navigation of the rivers in the Western District which flow into the Mississippi River, especially in the Obion and the Forked Deer Rivers.
3. Acts of 1826 (Ex. Sess.), Chapter 131, authorized the Weakley County Court to apply all present and future proceeds of the navigation tax towards building a road from Dresden to Mill's Point.
4. Acts of 1827, Chapter 222, was the authority for the County Court of Weakley County, a majority of the Justices being present, to levy a tax, not exceeding the State tax, on the taxable property and polls of the County which would be sufficient to defray and discharge the balance of the debt due for building the Court House of the County, which would be collected as other taxes were collected.
5. Acts of 1829, Chapter 194, provided that the County Courts of Weakley and Henry Counties appoint a Commission to examine and ascertain how much money the Sheriff of Henry County collected from the inhabitants of Weakley County as a public building tax in the year 1823 and, further, it was the duty of the Trustee of Henry County to pay over this amount of the tax to the Commission appointed herein. The Commission had the authority to make any motion and to invoke any remedy necessary to achieve the desired result.
6. Acts of 1870-71, Chapter 50, was a general law which declared that counties and cities may impose taxes for county and municipal purposes in the following manner: (1) all taxable property shall be taxed according to its value upon the principles established in regard to state taxation, and (2) the credit of no county, or city, may be given, or loaned, to any person, firm, or corporation, unless a majority of the Quarterly County Court shall first agree to submit the question to the people by a referendum, and that three-fourths of the people voting in the referendum shall approve. Several counties excluded themselves from the three-fourths approval requirement for the next ten years, saying that a simply majority would suffice during that time.
7. Private Acts of 1929, Chapter 841, stated that the Quarterly Court of Weakley County was empowered and vested with the right to levy a special tax rate to meet the expenses of paupers,

pauper coffins, expenses of the Western Hospital, lunacy inquests, Circuit Court expenses for jury service, jail expenses, boarding prisoners, salaries of officers, court employees, building and repairing bridges and levees. The Quarterly Court could also borrow money against the credit of the County for the repair and restoration of any public works in case of a flood, fire, or tornado, and to levy a tax to amortize such amounts. This Act was specifically repealed by Private Acts of 1975, Chapter 97.

8. Private Acts of 1931, Chapter 223, created the office of Delinquent Poll Tax Collector. The Collector would be appointed by the County Judge, or Chairman, to serve a term of two years. All poll taxes not paid to the County Trustee on or before May 1, 1931, and by March 1 every year thereafter, are declared to be delinquent taxes and shall be turned over to the Delinquent Poll Tax Collector for collection. He would be paid seventy cents, plus the regular fee for serving process, for each one. The Trustee shall make a list of unpaid poll taxes and give it to the Collector who shall likewise add any names who are in his own knowledge delinquent. This list was to serve as a summary judgment against those appearing on it. The Collector could only use the receipt book furnished to him by the Trustee and to do otherwise would be a misdemeanor. The Collector would pay over all the money collected to the Trustee of the County. The Collector had the right to inspect payrolls, records, and enter premises, to conduct hearings and issue subpoenas. This Act was repealed by Private Acts of 1931, Chapter 757.
9. Private Acts of 1931, Chapter 518, amended Private Acts of 1931, Chapter 223, Section 2, by providing that all poll taxes not paid by male citizens on or before May 1, 1931, and on or before March 1, thereafter following the years in which they become due, shall be turned over for collection to the Delinquent Poll Tax Collector, who must also report and proceed against all delinquents of whom he has knowledge.
10. Private Acts of 1937, Chapter 797, provided for the redemption of real estate sold for the payment of delinquent drainage assessments in Weakley County, provided such redemptions are made on or before January 1, 1940.
11. Private Acts of 1939, Chapter 426, Section 34, provided that the Quarterly Court of Weakley County may, in its discretion, when general tax levies are made, levy for road purposes to raise funds to repair and construct any road, bridge, or levee, it feels is necessary.
12. Private Acts of 1959, Chapter 287, levied a special tax on motor driven vehicles, except farm vehicles and bicycles, for the privilege of driving the same on the public roads, of \$5 per vehicle to be paid by the owner. Failure to comply was a misdemeanor. This Act was rejected by the County Court and never became operative.

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