



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

May 03, 2024

Humphreys

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Humphreys



Humphreys County Courthouse

Original Compilation By: William C. McIntyre, Legal Specialist
Revised and Edited By: John Joseph King, Legal Specialist, 1985
Updated By: Stephen Austin, Legal Consultant, 2020

Chapter I - Administration

Budget System

Financial Reports

Private Acts of 1935 Chapter 276

SECTION 1. That in counties having a population of not less than 12,035 nor more than 12,045 according to the Federal Census of 1930, or any subsequent Federal Census, all public officials who are entrusted with the duties of receiving and disbursing public funds, shall prepare and publish, once each year, a complete and detailed statement of all funds received and disbursed by him or her, during the preceding year.

SECTION 2. That the reports or statements prepared and published under the provisions of this Act shall be clear and explicit, showing from what source of all money received comes, with proper classification of accounts, and for what purpose all money disbursed was spent, with proper classification of accounts also.

Classification of accounts of funds received to be made so as to show whether money received is for taxes collected, fees collected, or state funds distributed (and from what account). And the classification of accounts of funds disbursed to be made so as to show whether money was paid for salaries, labor, materials, machinery, office supplies and furnishings, fuel and lights, repairs, or transferred to other departments.

SECTION 3. That all public officials coming under the provisions of this act shall, after having prepared and published such reports, same to be published in the leading newspaper of said counties, and at the first of each calendar year covering the previous year of operations, pay for all the cost and expense of such publication.

SECTION 4. That all laws or parts of laws conflicting with this act be, and are hereby, repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 2, 1935

County Legislative Body

Private Acts of 1967-68 Chapter 106

COMPILER'S NOTE: The minimum compensation level for members of the County Commission is found at T.C.A. § 5-5-107.

SECTION 1. The per diem of members of the Humphreys County Quarterly Court shall be twenty dollars (\$20.00) for each day in attendance at meetings of the Quarterly Court. In addition, members of the Quarterly Court shall be paid a mileage allowance of ten cents (10¢) a mile for each mile traveled while going to and from a session of the Quarterly Court.

SECTION 2. Chapter 332 of the Private Acts of 1953 is repealed.

SECTION 3. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Humphreys County at or before the next regular meeting of the court occurring more than thirty (30) days after its approval by the Governor. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

SECTION 4. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 20, 1967.

County Mayor

Redesignating Title to County Executive

Private Acts of 2005 Chapter 4

SECTION 1. Pursuant to Tennessee Code Annotated, Section 5-6-101, the title of "county mayor" in

Humphreys County shall be redesignated as "county executive".

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

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

Passed: February 17, 2005.

Port Authority

Private Acts of 1965 Chapter 104

SECTION 1. That in order to facilitate transportation in Humphreys County, Tennessee, and to promote the navigation on the Tennessee River which borders Humphreys County, and to facilitate the movement and transfer to people, goods and merchandise, to, from, at and through the County of Humphreys, and to fully utilize the natural resources of said county, so that the same may be shipped and transported, and to provide for internal improvement in the development of the resources in Humphreys County and the State of Tennessee, and to promote the happiness and prosperity of the citizens, there is hereby established in Humphreys County, Tennessee, a Port Authority, to be known as "The Port Authority of Humphreys County, Tennessee," hereinafter designated as "The Port Authority," for the purpose of acquiring, constructing, operating and maintaining port and harbor facilities, ports, docks, wharves, piers, loading and unloading machinery, equipment and facilities, harbor and river front improvement, storage and transfer facilities, elevators, terminal and terminal facilities, navigation facilities, railroads, truck and track scales, switch yards, concentration yards, roads and bridges, truck and bus lines, airports and aircraft landing facilities, communication facilities related or incidental to such port and other facilities, or one or more or a combination of the same, and to provide that the same shall be under the jurisdiction, control and management of said Port Authority, to be constructed and conducted as hereafter provided. The authority of the Port Authority shall be limited to facilities and property of the Authority and an area within Humphreys County not to exceed more than two (2) miles from the shoreline of the Tennessee River.

As amended by: Private Acts of 1978, Chapter 201

SECTION 2. That the development, maintenance and operation of such facilities are hereby declared to be essentially public and governmental functions. The powers herein granted, in connection therewith, are declared to be public and corporate purposes and matters of public necessity.

SECTION 3. That the Port Authority shall consist of The Port Authority Commissioners, who shall be five in number, and such subordinate officers and employees as may be selected by said Port Authority Commissioners, as hereinafter provided.

SECTION 4. That the said Port Authority Commissioners shall have power, and they are hereby authorized:

- (a) To acquire, construct, purchase, operate, maintain, repair, rebuild, extend and improve, within an area in Humphreys County not to extend more than two (2) miles from the shoreline of the Tennessee River, the port and other facilities described in Section 1 hereof and any and all related facilities, equipment and appurtenances, necessary or convenient to the improvement of the access of Humphreys County, Tennessee, to all channels of commerce, and to make such facilities available to any person, firm, public or private corporation, to any other shipper, consignee or carrier, and to charge for their use and for any and all services performed by the Authority.
- (b) To accept donations to the Authority of cash, lands, or other property to be used in the furtherance of the purposes of this Act.
- (c) To accept grants, loans or other financial assistance from any federal, state, county or municipal agency, or in aid of the acquisition or improvement of any of the facilities herein provided for.
- (d) To purchase, rent, lease or otherwise acquire any and all kinds of property, real, personal or mixed, tangible or intangible, and whether or not subject to mortgages, liens, charges or other encumbrances, for the said County of Humphreys, which, in the judgment of The Port Authority Commissioners, is necessary or convenient to carry out the powers herein granted. Actions taken by the commissioners in accordance with this provision shall be financed through the reserves derived from the operations of the Port Authority. If the expenditure of any funds of Humphreys County becomes necessary to the operations of the Port Authority, such expenditure or obligation

must be approved by the county court.

(e) To make contracts and execute instruments containing such covenants, terms and conditions, as, in the judgment of said Commissioners, may be necessary, proper or advisable for the purpose of obtaining grants, loans or other financial assistance from any federal or state agency, for or in the aid of the acquisition or improvement of the facilities herein provided for; to make all other contracts and execute all other instruments including, without limitations, licenses, long or short term leases, mortgages and deeds of trust, and other agreements relating to property and facilities under its jurisdiction, and the construction, operation, maintenance, repair and improvement thereof, as in the judgment of said Board of Commissioners may be necessary, proper or advisable for the furtherance of the purposes of this Act, and the full exercise of the powers herein granted; and to carry out and perform the covenants, terms and conditions of all such contracts or instruments.

(f) To establish schedules of tolls, fees, rates, charges and rentals for the use of the facilities under its jurisdiction, and for services which it may render.

(g) To enter upon any lands, waters, and premises within two (2) miles of the Tennessee River within Humphreys County for the purpose of making surveys, soundings, and examinations in connection with the acquisition, improvement, operation, or maintenance of any of the facilities herein provided for.

(h) To promulgate and enforce such rules and regulations as the said Board of Commissioners may deem proper, for the orderly administration of The Port Authority, and the efficient operation of its facilities.

(i) To do all acts and things necessary, or deemed necessary or convenient to carry out the powers expressly given in this Act.

As amended by: Private Acts of 1978, Chapter 201

SECTION 5. That except as otherwise expressly provided in this Act, The Port Authority Commissioners shall have full and exclusive control of and responsibility for the administration of facilities constructed or acquired pursuant to this Act; provided, however, that said Authority may lease or license lands or facilities under its jurisdiction, for operation by private persons or corporations, as provided in Section 4(e) of this Act.

SECTION 6. The Port Authority, after obtaining the approval of the Humphreys County Court, may condemn on behalf of and in the name of Humphreys County, any land, easements, or rights of way, that, in the opinion of the Board of Commissioners and the county court, are necessary or convenient to carry out the purposes of this act. Title to property so condemned shall be taken in the name of the County of Humphreys, and the property shall thereafter be entrusted to said Authority, as the agent of the County of Humphreys, to accomplish the purpose of this Act. Such condemnation proceedings shall be pursuant to and in accordance with Sections 23-1401 through 23-1525, inclusive, of Tennessee Code Annotated, or as the same may be hereafter amended, or other eminent domain laws of the State of Tennessee, that may be hereafter enacted; provided, however, that where title to any property sought to be condemned, is defective, it shall be passed by the judgment or decree of the court; provided, further, that where condemnation proceedings become necessary, the court in which any such proceedings are filed, shall, upon application of the Port Authority, 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 a writ of possession shall issue immediately, or as soon and upon such term as the court, in its discretion, may deem proper and just.

As amended by:

Private Acts of 1978, Chapter 201

SECTION 7. That bonds issued pursuant to this Act, and income therefrom, shall be exempt from all state, county and municipal taxation, except inheritance, transfer and estate taxes. So long as title to land or rights therein acquired, or facilities constructed or acquired pursuant to this Act, remains in the County of Humphreys, such property, and the income therefrom, shall be exempt from all state, county and municipal taxation, provided, however, that such exemption shall not extend to the leasehold or other interest in such property which may be held by any private person.

SECTION 8. That neither the County of Humphreys, The Port Authority nor the Board of Commissioners, shall be required to obtain any certificate of convenience or necessity, franchise, license, permit, or other authorization from any bureau, board, commission, or other like instrumentality of the State of Tennessee, or any political subdivision thereof, in order to acquire, construct, purchase, operate or maintain any of the facilities authorized by this Act.

SECTION 9. That neither the Tennessee Public Service Commission, nor any other board or commission of like character, hereafter created, shall have jurisdiction over The Port Authority, with respect to the

management and control of the facilities authorized by this Act, including the establishment of rates, fees and charges or otherwise.

SECTION 10. The initial members of the Board of Commissioners of the Port Authority shall be elected by the Quarterly County Court for staggered terms. One (1) member shall be elected for a term of one (1) year. One (1) member shall be elected for a term of two (2) years. One (1) member shall be elected for a term of three (3) years. One (1) member shall be elected for a term of four (4) years. One (1) member shall be elected for a term of five (5) years. As the term of each initial member expires, the county court shall elect a successor for a full term of five (5) years. Each member shall serve until his successor is elected and qualified. Only one (1) commissioner serving on the board may be a county magistrate.

The Quarterly County Court of Humphreys County, at the expiration of the terms of commissioners, shall nominate and elect successor commissioners. In the event of the death or resignation of a commissioner prior to the expiration of his term, a successor shall be elected by the Quarterly County Court at its next regular meeting to fill the unexpired portion of the term. All commissioners shall be eligible for reelection.

Before entering upon their duties, all Commissioners shall take and subscribe to an oath of office, as provided by the constitution and law for county officers, and the same shall be filed with the County Court Clerk.

A majority of the Commissioners shall constitute a quorum and the Commissioners shall act by vote of a majority present at any meeting attended by a quorum, and vacancies among the Commissioners shall not affect their power and authority, so long as a quorum remains. Within thirty days after this Act becomes effective, the Commissioners shall hold a meeting to elect a Chairman. The Commissioners shall hold regular meetings at least once every ninety days, and at such regular time and place as the Commissioners may by resolution determine, and may hold such additional meetings, either regular or special, as may be determined by the Board of Commissioners.

Special meetings may be called and held upon such notice and in such manner as the Board of Commissioners may, by resolution, determine. Save as otherwise expressly provided, the Board of Commissioners shall establish their own rules of procedure.

The Commissioners shall designate a secretary and a treasurer, or the same individual as secretary and treasurer, and such secretary and/or treasurer, may or may not be a Commissioner or Commissioners. The secretary shall attend all regular and special meetings and keep minutes thereof. The minutes of said meetings shall be available for inspection by the public at the office of the Authority, at all reasonable times.

The Board of Commissioners, by resolution, shall require the Treasurer or Secretary- Treasurer, if he is one and the same person, to execute a bond with approved corporate surety, for the faithful performance of his duties and the accounting of all monies and revenues that may come to his hands, as such, in such penalty as the Board shall specify, by resolution. Said bond shall be filed with the County Court Clerk and registered in the Register's Office, as required of county officers.

The Board of Commissioners, by resolution, may require all other subordinate officers, or employees, to execute such fidelity bond for the faithful performance of their duties and the accounting of funds that may come to their hands, in such an amount, with such conditions and such sureties, as the Board of Commissioners may determine.

All members of the Board of Commissioners shall serve as such without compensation, but they shall be allowed necessary traveling and other expenses while engaged in the business of the Authority, as may be provided and approved by the Board, payable from the funds of the Authority, or such funds as may be appropriated by the Quarterly County Court of Humphreys County, Tennessee. The members of the Board shall be paid such amount for attendance at board meetings as may be fixed by resolution of the Quarterly County Court of Humphreys County, Tennessee.

As amended by: Private Acts of 1978, Chapter 201

SECTION 11. That the Port Authority Commissioners shall be removable only for good cause, and after preferment of charges, as provided by law for county officers.

SECTION 12. That the Port Authority Commissioners shall be authorized to employ and fix the compensation of such architects, attorneys, engineers, superintendents, consultants, professional advisors and other subordinate officers and employees, as may be necessary for the efficient management and operation of the Port Authority, and the operation of the facilities provided for in this Act, and who shall continue in the employment of the Authority, at the will and pleasure of the Board of Commissioners.

SECTION 13. That the County of Humphreys shall have power and authority to issue and sell its bonds to finance the acquisition, construction, improvement and/or expansion of the facilities herein authorized, and to refund bonds previously issued, or refinance indebtedness previously incurred for such purposes.

The County of Humphreys may, in all respects, provide for the rights of the holders of all bonds, including the manner in which future bonds may be issued on a parity with such bonds.

The bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times, not exceeding forty (40) years from their respective dates, may be in such denomination or denominations, may be in such form either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be sold or hypothecated in such blocks, may be subject to such terms of redemption with or without premium, may be declared or become due after the maturity date thereof, and may be in such amount as may be provided by resolution or resolutions of the Quarterly County Court of Humphreys County, Tennessee. Such bonds may be issued for money or property, at public or private sale, for such price or prices and at such rate or rates of interest, and may be hypothecated in such manner as said Quarterly County Court may determine, but the interest cost to maturity of the bonds, when issued for property (at the value determined by said Quarterly County Court, which determination shall be conclusive), or the money received for any issue of said bonds, shall not exceed the maximum rate fixed by law, payable semi-annually. Such bonds shall have all the qualities and incidents of negotiability.

Pending the preparation of the definitive bonds, interim receipts or certificates in such form, and with such provisions, as the Quarterly County Court may determine, in the resolution authorizing said bonds, may be issued to the purchaser or purchasers of bonds sold pursuant to this Act. Said bonds and interim receipts of certificates, shall be fully negotiable. In case any of the officers, whose signatures or counter-signatures, appear on such bonds shall cease to be such officers before the delivery of the bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as though such officers had remained in office until the bonds had been delivered. Such bonds may be issued, notwithstanding and without regard to any limit or restriction on the amount or percentage of indebtedness, or of outstanding obligations of Humphreys County, contained in any other statute, general or special; provided, however, no general obligation bond may be issued by the county for or through the Port Authority unless such bond issue has been approved by the voters of Humphreys County in an election held substantially in compliance with the provisions of Tennessee Code Annotated, Sections 54-803 and 54-807. [This section of the code has been repealed.]

In case of bonds payable solely out of the revenues of The Port Authority, it shall be the duty of the Quarterly County Court of Humphreys County, Tennessee, to provide, by resolution, for the issuance of such bonds, as requested by The Port Authority Commissioners. Prior to a vote by the Quarterly County Court of Humphreys County, authorizing the issuance of bonds to be financed wholly or in part through tax levies by the Quarterly County Court, the Port Authority Commissioners shall prepare and submit to the Quarterly County Court a recommendation that bonds in a stated amount be issued hereunder, supported by a report on the need for, and projected use of the facilities for the financing of which such bond issue is proposed, including a review of alternate solutions, if any, and a justification of the solution proposed.

Bonds may be issued as direct and general obligations of the County of Humphreys, payable out of its general income and revenue, or at the election and subject to the determination of The Port Authority Commissioners, may be made payable only out of the revenues from the facilities of The Port Authority. In case the bonds are issued as general obligations of the County, it shall be the duty of the Quarterly County Court of said County of Humphreys to levy a tax each year, over and above the taxes levied for general county purposes, to pay the interest and principal of said bonds, as they mature, provided, however, that in case the revenues derived from the operation of the facilities herein provided for, are sufficient to pay the interest and principal of said bonds, or a part thereof, as they may severally mature, then a special levy for the full payment of said interest and principal shall not be required, but the Quarterly County Court shall each year levy an amount of tax, which, when added to the amount of revenue derived from the operation of said facilities, then on hand and available for the purpose will be sufficient to pay the interest and principal maturing prior to the collection of the next succeeding tax levy. Said bonds shall be sold at public or private sale, and in such manner as may be determined by resolution of the Quarterly County Court, authorizing their issuance. Said bonds shall contain a recital that they are issued pursuant to and in accordance with this Act, and such recital shall be conclusive evidence of their legality.

No general obligation bonds of Humphreys County or bonds obligating the revenues of the county shall be issued without such issuance being approved by the qualified voters of the county. Such election shall be held in substantial compliance with the provisions of Tennessee Code Annotated, Sections 54-803 through 54-807. [This section of the code has been repealed.]

As amended by: Private Acts of 1978, Chapter 201.

SECTION 14. That in order to secure the payment of any of the bonds issued pursuant to this Act, the

interest thereon, or in connection with such bonds, the Quarterly County Court of Humphreys County, Tennessee, shall have power, as to such bonds, to the extent not inconsistent with the mandatory provisions of this Act:

- (a) To pledge the full faith and credit and unlimited taxing power of the County of Humphreys to the punctual payment of the principal of and interest of such bonds.
- (b) To pledge all or any part of the revenue derived from the operation of the facilities authorized.
- (c) To provide for the terms, form registration, exchange, execution and authentication of such bonds.
- (d) To provide for the replacement of lost, destroyed or mutilated bonds.
- (e) To covenant as to the use and disposition of the proceeds from the sale of such bonds.
- (f) To covenant as to the rates and charges for the use of facilities of the Port Authority, and for its services.
- (g) To redeem such bonds, and to covenant for their redemption and to provide the terms and conditions thereof.
- (h) To covenant and prescribe as to what happenings or occurrences shall constitute "events of default," and the terms and conditions upon which any or all of such bonds shall become or may be declared due, before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.
- (i) To covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation.
- (j) To vest in a Trustee or Trustees, the right to receive all or any part of the income and revenues pledged and assigned to or for the benefit of the holder or holders of bonds issued hereunder and to hold, apply, and dispose of the same, and the right to enforce any covenant made to secure or pay, or in relation to the bonds; to execute and deliver a trust agreement or trust agreements, which may set forth the powers and duties, and remedies available, to such trustee or trustees, and limiting the liability thereof, and describing what occurrences shall constitute "events of default," and prescribing the terms and conditions upon which such trustee or trustees, or the holder or holders of bonds of any specified amount or percentage of such bonds, may exercise such rights and enforce any and all such covenants and resort to such remedies as may be appropriate.
- (k) To make covenants other than and in addition to the covenants herein authorized, of like or different character, necessary or advisable to effectuate the purpose of this Act.
- (l) To execute all instruments necessary or convenient in the exercise of the powers herein granted, or in the performance of its covenants or duties.

SECTION 15. That any holder or holders of bonds, including trustee or trustees for holders of such bonds, shall have the right, in addition to all other rights:

- (a) By mandamus or other suit, action or proceeding in any court of competent jurisdiction, to enforce his or their rights against the County of Humphreys, The Quarterly County Court, The Port Authority, The Port Authority Commissioners, or any other proper officer, agent or employee of any of them, including, but without limitation, the right to require the County, The Quarterly County Court, The Port Authority, The Port Authority Commissioners and any proper officer, agent or employee of any of them, to assess, levy and collect taxes, and to fix and collect rates and charges adequate to carry out any agreement as to, or pledge or taxes or Authority revenues, and to require the County of Humphreys, the Quarterly County Court, The Port Authority, The Port Authority Commissioners, and any officer, agent or employee of them, to carry out any other covenants and agreements, and to perform its and their duties under this Act.
- (b) By action or suit in equity to enjoin any acts or things, which may be unlawful or in violation of the rights of such holders of bonds.

SECTION 16. That the Quarterly County Court of Humphreys County, Tennessee, shall have power, by resolution, to confer upon any holder or holders of a specified amount or percentage of bonds, including a trustee or trustees for such holders, the rights, in the event of an "event of default" as defined in such resolution or as may be defined in any agreement with the holder or holders of such bonds, or the trustee or trustees thereof:

- (a) By suit, action or proceedings in any court of competent jurisdiction, to obtain the appointment of a receiver of the Authority's facilities or any part or parts thereof. If such receiver be appointed, he may enter and take possession of such facilities or part or parts thereof, and operate and

maintain the same, and collect and receive all revenues thereafter arising therefrom, in the same manner as the Authority itself might do, and shall deposit such monies in a separate account or accounts, and apply the same in accordance with the obligations of the County of Humphreys, issued under this Act, as the court may direct.

(b) By suit, action or proceedings in any court of competent jurisdiction, to require the Quarterly County Court of Humphreys County, Tennessee, or the Port Authority Commissioners, to act as if they were the trustees of an express trust.

Any such resolution shall constitute a contract between the County of Humphreys, and the holders of bonds of such issue.

SECTION 17. That all expenses incurred by The Port Authority Commissioners in the making of surveys, estimates of cost and of revenue, employment of engineers, attorneys or other employees, the giving of notices, taking of options, selling of bonds, and all other preliminary expenses of whatever nature, which said Commissioners deem necessary in connection with or precedent to the acquisition or improvement of any of the facilities herein provided for, and which they deem necessary to be paid prior to the issuance and delivery of the bonds issued pursuant to the provisions of this Act, may be met and paid out of the general funds of the County of Humphreys, not otherwise appropriated or from any other fund available, as may be provided by the Quarterly County Court.

All such payments from the general or other funds shall be considered as temporary, noninterest bearing loans, and shall be repaid immediately upon sale and delivery of the bonds, and claim for such repayment shall have priority over all other claims against the proceeds derived from the sale of such bonds.

SECTION 18. That the Quarterly County Court of Humphreys County, Tennessee, is authorized to appropriate to The Authority from the general funds of Humphreys County, Tennessee, or such other funds as may be unappropriated, to pay the expenses of the Port Authority Board of Commissioners, or expenses or operation of any of the facilities authorized by this Act, and said Quarterly County Court is authorized and empowered to levy a tax, in addition to all other taxes, upon all taxable property within the county, sufficient to pay the appropriation made by it to The Port Authority.

SECTION 19. That all monies derived from the issuance of bonds hereunder, together with any federal or other grant or loan made, for the purposes of this Act, shall be paid to the Treasurer of The Port Authority. The Treasurer shall deposit such monies, together with all the receipts from the Authority operations, in a separate bank account or accounts, separate from all other county funds, and shall keep adequate record of all such receipts and their sources. The Treasurer shall pay out such monies only on vouchers signed by such Authority officials as The Port Authority Commissioners shall, by resolution, designate to sign such vouchers. No such vouchers for the payment of any such monies shall be issued except upon the resolution or order of said Commissioners, a certified copy of which shall be filed in the office of the Treasurer.

SECTION 20. That the revenues derived from the operation of the port, storage and transfer facilities, and any and all other facilities herein authorized, shall be applied and used as follows:

- (1) The payment of all operating expenses of The Port Authority.
- (2) The payment of the interest on the bonds issued pursuant to the provisions of this Act, and the principal of said bonds, as they severally mature, and/or payments into the sinking fund reserves for this purpose.
- (3) The establishment of necessary reserves for contingencies, depreciation, maintenance, replacement of said port, storage, transfer facilities and any and all other facilities, or other purposes, as may be required under any bond indenture or as The Port Authority Commissioners may deem necessary or desirable.
- (4) Any revenue remaining after all the above items have been provided for, shall be held and used for the further development of and for additions to the Authority facilities, and for the acquisition or construction of new facilities, which may become necessary or desirable to further the purposes of this Act.

As amended by: Private Acts of 1978, Chapter 201

SECTION 21. That except as otherwise herein expressly provided, all contracts of The Port Authority shall be entered into and executed in such manner as may be prescribed by the Board of Commissioners, but no contract or acquisition by purchase, of equipment, apparatus, materials or supplies, involving more than Five Hundred Dollars (\$500.00), or for construction, installation, repair or improvement of the property or facilities, under the jurisdiction of the Board of Commissioners, involving more than One Thousand Dollars (\$1,000.00) shall be made except after said contract has been advertised for bids, provided that advertisement shall not be required when:

Repair, parts, accessories, supplemental equipment or services are required for supplies, or services previously furnished or contracted for, in which case such purchase of supplies or procurement of services shall be made in the open market in the manner common among business men:

Provided, further, That in comparing bids and in making awards, the Commissioners may consider such features as quality and adaptability of supplies or services, the bidders' financial responsibility, skill, experience, record of integrity in dealing, ability to furnish repairs and maintenance service, the time of delivery, or performance offered, and whether the bidder has complied with the specifications.

Provided, further, That in the employment of architects, engineers and attorneys, or other professional advisors for personal service, no advertisement or bids shall be required, but the Board of Commissioners may employ or select such architects, engineers, attorneys or professional consultants and advisors, as in the judgment of the Commissioners best meet the qualifications for rendering such services.

Provided, further, That after advertisement for bids, as provided in this section, if no acceptable bid is received, the Port Authority Commissioners may reject any and all bids, or the Board of Commissioners may negotiate with contractors or suppliers, to secure the construction of facilities, or the purchase of equipment, apparatus, materials or supplies at the best possible price, or the Board of Commissioners may construct such facilities, by "Force Account Construction," that is, the Board of Commissioners may employ the necessary engineers, supervisors and other personnel, purchase necessary materials, equipment and supplies, to construct such facilities authorized by this Act, with its own employees.

As amended by: Private Acts of 1978, Chapter 201

SECTION 22. That The Port Authority may use any property, right of way, easement or other similar property right necessary or convenient in connection with the acquisition, improvement, operation or maintenance of the facilities herein authorized, held by the State of Tennessee, any county or municipality in the State of Tennessee, provided such municipality shall consent to such use.

SECTION 23. That the Quarterly County Court of Humphreys County, Tennessee, with the approval of The Port Authority Commissioners, may dispose of all or substantially all of the land and real property acquired under the provisions of this Act, upon a vote for such disposal, of a majority of all the members of the Quarterly County Court. Any such vote shall be taken at a meeting duly and regularly called for the purpose of considering the question of the disposition of such property.

The Port Authority Commissioners may dispose of personal property of said Authority, when, in the judgment of said Board of Commissioners, it is advantageous to or necessary, for the efficient operation of said Authority, to dispose of the same, or when said personal property is being replaced by new or more efficient property of like character, or when said personal property is no longer necessary for the operation of the Authority.

SECTION 24. That the powers, authority and rights conferred by this Act shall be in addition and supplemental to, and the limitations imposed by this Act shall not affect the powers conferred by any other general, special or local law.

SECTION 25. 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 26. That this Act is remedial in nature, and shall be liberally construed, to effect its purpose of facilitating the removal and transfer of people, products and goods to, from, at and through Humphreys County, and to improve the access of Humphreys County to all channels of commerce, and to encourage the industrial development and growth of Humphreys County, and the use of the natural resources of Humphreys County, including the navigation of the Tennessee River. Such liberal construction, however, shall apply only to the area within Humphreys County lying within two (2) miles of the Tennessee River.

As amended by: Private Acts of 1978, Chapter 201

SECTION 27. 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 Humphreys County, Tennessee. Its approval or nonapproval shall be proclaimed by the County Judge, countersigned by the County Court Clerk, and shall be certified by them to the Secretary of State.

SECTION 28. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 3, 1965.

Administration - Historical Notes

County Clerk

The following acts once affected the office of county clerk in Humphreys County. They are included herein for historical purposes.

1. Acts of 1853-54, Chapter 99, ratified and confirmed all the acts heretofore accomplished by any person in the names of the County Court Clerk and County Register of Humphreys County which were done pursuant to the verbal authority of these county officials. The acts were to be as valid and binding as though performed by the officials themselves.
2. Private Acts of 1919, Chapter 7, made women over the age of 21 and residents of the county where they were appointed eligible to serve as a Deputy Clerk in any of the courts of Humphreys County. They would have all the rights and privileges, and be subject to all the obligations of any other Clerk of the respective court.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Humphreys 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 Tennessee county, who would be elected for four years by the people, be learned in the law, and be sworn and commissioned as any other judge. Quorum Courts were abolished and all their duties transferred to the County Judge who would also take over the responsibilities of the Chairman of the County Court. The jurisdiction of the court was specified in the Act. The Judge would also be the general agent and accounting officer of the county. His duties as such, and the authority granted to him, were all enumerated in this Act. The County Judge would receive five dollars per day plus any additional amount granted by the Quarterly Court as his compensation. This Act was repealed by Public Acts of 1857-58, Chapter 5.
2. Public Acts of 1887, Chapter 162, created the office of county judge for Humphreys County. This act was superseded by general law.
3. Private Acts of 1919, Chapter 778, provided that the County Judge of Humphreys County in addition to all the other duties, powers, and jurisdiction conferred upon him in Public Acts of 1887, Chapter 162, would also have the power to grant writs of attachment and injunctions in suits brought in the Chancery Court and the Circuit Court, to confirm land sales in partition suits, and to exercise concurrent jurisdiction with the Chancery Court in all respects. The compensation of the Judge would be \$1200 annually which would be in lieu of all other earnings, the same to be paid monthly out of the regular county funds. This Act was repealed by Private Acts of 1923, Chapter 356.
4. Private Acts of 1935, Chapter 405, granted the County Judge of Humphreys County the same powers as Chancellors and Circuit Judges to grant writs of habeas corpus and to hear and determine cases arising thereon. The County Judge was given concurrent jurisdiction with the Chancellor in certain specified areas. These judicial powers were removed by Private Acts of 1981, Chapter 137.
5. Private Acts of 1953, Chapter 477, stated that the County Judge of Humphreys County for his services as Financial Agent and Chief Accounting Officer of the county, would be paid \$1,500 a year, payable monthly upon a warrant issued by the Judge upon the Trustee, coming out of the general fund of the County, which amount would be in addition to all other compensation for the Judge.

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Humphreys 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 1809, Chapter 31, which created Humphreys County, also provided that the Court of Pleas and Quarter Sessions would meet at the house of Samuel Parker, Jr. in the said county on the first Monday in February, May, August, and November until otherwise provided for by law. The said term to run up to six judicial days if necessary.
2. Acts of 1809, Chapter 93, scheduled the opening dates for the regular terms of the Courts of Pleas and Quarter Sessions for every county in Tennessee. The Court would meet in Humphreys County on the fourth Monday in January, April, July, and October.
3. Acts of 1817, Chapter 138, Section 3, established the times for the regular terms of the County Court of Humphreys County on the fourth Monday in January, April, July, and October.
4. Public Acts of 1827, Chapter 44, Section 2, provided that the Court of Pleas and Quarter Sessions

of the counties of Perry, Humphreys, Stewart, Hickman, and Henry, a majority of the justices being present and in favor thereof, could select three of their number on the first day of the first term of the year who would hold court for the remainder of the year with all the authority, jurisdiction, and the regulations of the full court.

5. Public Acts of 1835-36, Chapter 6, established a court in every county of the State to be held by the justices of the peace which would meet on the first Monday in every month and hold court until the business of the same were complete. Three Justices would constitute a quorum to hear the probate of wills and related matters of estate administration but no jury trials could be held by this Court. The County Court was given the authority to select one of their number as Chairman for a one year term who would preside over this Court. The Court was empowered to levy a tax for county purposes.
6. Acts of 1837-38, Chapter 228, directed the County Court of Humphreys County to move from Reynoldsburgh to Waverly effective March 1, 1838.
7. Public Acts of 1867-68, Chapter 65, created a three member Board of County Commissioners, initially selected by the governor to staggered terms, who would be elected by the people to three year terms. The member with the most seniority would serve as President. The Board would hold four sessions annually at the times prescribed for holding the regular terms of the Quarterly Court. The Clerk of the County Court would be the Recorder of said Board. All of the powers and duties which were then vested in the Quarterly Court would hereafter be vested in the Board of County Commissioners. The President would receive \$150 and the other two members \$100 as compensation for their services. The Quorum Courts were abolished and the Magistrates were relieved of all their duties and obligations. This Act was repealed as to Humphreys County by Public Acts of 1868-69, Chapter 40, Section 17.
8. Public Acts of 1869-70, Chapter 49, repealed Public Acts of 1867-68, Chapter 65, and all other Acts establishing County Commissioners and revived all laws which may have been repealed thereby.
9. Private Acts of 1911, Chapter 544, provided that each Justice of the Peace in Franklin County and Humphreys County would be paid \$2.50 per day for each day of attendance at the regular and called sessions of the Quarterly County Court, plus whatever mileage was allowed by law. These sums would be paid on the warrant of the County Judge out of regular county funds.
10. Private Acts of 1919, Chapter 474, stated that in Humphreys County each and every Justice of the Peace would be paid \$3.50 per day for their services rendered in attendance at regular meetings and called sessions of the Quarterly County Court, which amount would be in addition to any mileage payments authorized by law. The money would be paid out of the regular county funds on the warrant of the County Judge.
11. Private Acts of 1937, Chapter 604, authorized Humphreys County to pay their Justices of the Peace the same per diem they receive for attendance at the meetings of the Quarterly Court for all services rendered by them on committee appointments by or under the direction of the court, which payments were not to exceed five days for any one magistrate in one year.
12. Private Acts of 1939, Chapter 259, amended Private Acts of 1937, Chapter 604, by raising the limit on the number of extra meetings for which a Justice of the Peace could be paid in Humphreys County from five to ten.
13. Private Acts of 1945, Chapter 108, declared that Justices of the Peace in Humphreys County would be paid \$2.50 per day for their attendance at the regular sessions of the Quarterly Court, plus a mileage allowance of five cents per mile for each mile traveled going from their homes to the meetings and return. This Act was repealed by Private Acts of 1953, Chapter 332.
14. Private Acts of 1953, Chapter 332, set the per diem allowance for the Justices of the Peace in Humphreys County at \$7.50 per day for each day of attendance at the sessions of the Quarterly County Court, and, in addition, they would be paid a mileage allowance of five cents per mile for each mile traveled going to and from their homes and the meeting place. This Act was repealed by Private Acts of 1967-68, Chapter 106.

County Register

The following act once affected the office of county register in Humphreys County, but is no longer operative.

1. Acts of 1853-54, Chapter 99, ratified and confirmed all the acts heretofore done by persons in the names of the County Court Clerk and Register of Humphreys County which were performed pursuant to verbal authority from these officials to the same extent as if they had been performed by the officials themselves. This Act would not affect any title to land involved in any lawsuit

pending in the county.

Port Authority

1. A Private Act related to the Humphreys County Port Authority is listed below. 28. Private Acts of 1983, Chapter 133, would have amended Private Acts of 1965, Chapter 104, by increasing the number of Port Authority Commissioners from five to seven but this Act was not approved by the local authorities and never took effect.
2. Private Acts of 1984, Chapter 154, which would have increased the number of Port Authority Commissioners, corrected references to various county officials and make other changes, according to the official records of the Secretary of State was not acted upon by local authorities and is therefore not in effect and not reprinted herein.

Purchasing

The following act once affected the purchasing procedures of Humphreys County, but is no longer operative.

1. Private Acts of 1976, Chapter 266, would have established the "County Purchasing Law of Humphreys County" but the Act was not approved by the Quarterly Court and consequently never took effect. The Act set up a six member County Purchasing Commission, composed of the Finance Committee of the Quarterly Court, the County Judge, and a special financial advisor to the Commission who would be appointed by the County Judge. The Commission would supervise all purchasing for the County, would appoint an experienced and qualified county employee as the Purchasing Agent for a four year term, and promulgate rules to govern purchasing practices. The Purchasing Agent's salary would be fixed annually by the Quarterly Court, and he would have an office equipped and furnished by the County, and could exercise the specific powers granted in the Act. \$1,000 was the limit which could be purchased without bids, and all purchasers exceeding that amount must be solicited for bids in the manner stipulated in the Act. Emergency purchases were excepted from the several general rules enumerated in this Act.

General References

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

1. Acts of 1811, Chapter 26, provided that an election would be held on the first Monday in March 1812 to elect five Commissioners who would establish the county seat in Humphreys County, having regard for the constitutional limits of the County and the center of the same. The Commissioners would select 50 acres, or more, lay off the same into lots, alleys, and streets, reserving two acres, or more, in the center for the public square on which would be built the Court House, Prison, and stocks. Lots were to be sold to be best bidder for cash and the proceeds used to erect the buildings. All the Commissioners for this town, to be called Reynoldsburg, would be sworn and bonded before entering upon the duties of their offices.
2. Acts of 1815, Chapter 44, established a system for public inspection of tobacco, hemp, flour, lard, butter and other commodities which were intended for exportation which included the erection of warehouses for their storage. In Humphreys County the warehouse and the inspection would be in the town of Reynoldsburg.
3. Acts of 1815, Chapter 167, appointed Francis Murry, Michael Dickson, James Gordon, Joshua Williams, and Burwell Lasly as Commissioners for the town of Reynoldsburgh. The Commissioners would choose from their own body a Chairman, Treasurer, and a Clerk. The Commissioners could call upon the inhabitants to fix the roads and could also levy taxes and appropriate and expend the financial resources of the town.
4. Private Acts of 1823, Chapter 121, recited in the preamble that several buildings in Reynoldsburg had been placed mistakenly on streets or on the public square area, this Act named William W. Mallory, Alexander McClure, John Thompson, James Rutherford, and James R. McMeans as Commissioners with the power and authority to alter the streets of the City in such a way that the private properties would not be injured which had mistakenly encroached upon the street rights of way. The County Court was required to compensate the Commissioners with a reasonable amount of pay.
5. Private Acts of 1825, Chapter 126, granted to James Rutherford, Robert Jarman, Lewis B. Powers, and David B. Carnes, Commissioners in Humphreys County, full power to demand that the Clerks of the County Court and the Circuit Court pay to them all the money in their offices which was

- derived from the sale of lots in the town of Reynoldsburgh, or other towns. The Commissioners could have a judgment against the said Clerks if they failed to comply with the terms of this Act.
6. Private Acts of 1826, Chapter 23, provided that upon proof of one witness in a court of record of the genuineness of the signature of John Tinnen on the bill of sale to one John Pavat, for a slave named Lundon, and another named Delila, the same were to be recorded by the court and admitted to registration.
 7. Private Acts of 1826, Chapter 144, named Enes Ury, Robert Jarman, John Thompson, Dorsey P. Hudson, Conrad Stephens, John Pavatt, and Greene B. Flowers, as the managers of a lottery who would draft a scheme to raise a sum of money not to exceed \$5,000 to build a road through the Tennessee River bottoms opposite Reynoldsburgh in Humphreys County, and to build a bridge over Cypress Creek in said Tennessee bottom on the road leading to Huntington, Jackson, and Paris from Reynoldsburgh.
 8. Private Acts of 1827, Chapter 19, declared that Samson, a free man of color, and his wife, Nancy, would hereafter be legally named Samson Black and Nancy Black.
 9. Public Acts of 1831, Chapter 43, Section 6, directed the cashier of the Bank of the State of Tennessee to place to the credit of the Counties of Montgomery, Dickson, Robertson, Sumner, Davidson, Stewart, Humphreys, Perry, Hickman, Williamson, Lawrence, Wayne, Hardin, and Wilson, their respective shares of the \$60,000 heretofore set aside for the internal improvement of Middle Tennessee. This money could be loaned out to the Counties on approval of the officials of the Bank.
 10. Public Acts of 1831, Chapter 44, required each county west of the Tennessee River on the first day of the first session of the Quarterly Court in each year to appoint three suitable people in the county to serve for one year as the Board of County Commissioners for Internal Improvement. The Board would select a President and a Secretary, and would be in charge of the application of internal improvement funds available to the county to the improvement of the roads and rivers. Section 8 of this Act made the same apply to the counties of Humphreys, Hardin, and Perry.
 11. Public Acts of 1832, Chapter 17, directed that so much of the Internal Improvement Fund as was allocated to Humphreys County would be under the control of the County Court and appropriated by them either to the common school fund of the county or to the internal improvement programs of the county. The Bank of the State of Tennessee would pay over to the Court the amount of money due Humphreys County.
 12. Private Acts of 1832, Chapter 73, Section 5, provided that the counties of Perry, Hardin and Humphreys would be included within the distribution of \$30,000 heretofore set aside for the internal improvement of several counties west of the Tennessee River. These three counties would receive one-half of the sum already allocated to the other counties.
 13. Private Acts of 1833, Chapter 53, Section 3, was legislative authority of Zachariah Wyatt, of Henry County, to enter and lay down on the general plan of the Twelfth Surveyor's District in one or more tracts, but not over five tracts, any amount of vacant and unappropriated land unfit for cultivation, which would include any bank or banks of iron ore, west of the Tennessee River in Humphreys County and Henry County, all of which could not exceed 5,000 acres. He was then required to put into operation works for the manufacture of iron.
 14. Private Acts of 1833, Chapter 88, allowed Hudson Davidson, of Humphreys County, to remove an entry of three acres of land which was made in the 12th Surveyor's District, Range 8, Section 3, in the name of Meredith Holcome, so that the entry could cover a mill seat on Bird Song Creek, provided Davidson could prove to the Surveyor that the title to the said land rested in him.
 15. Private Acts of 1833, Chapter 138, authorized the managers of a lottery authorized by Private Acts of 1826, Chapter 144, to pay over to the common school commissioners the sum of money raised in said lottery.
 16. Acts of 1847-48, Chapter 192, Section 3, attached the counties of Hickman and Humphreys to the Nashville Bank District and to whose Board of Directors would be appointed one Director from each of the counties. These Directors were to be appointed as the other Directors had been.
 17. Private Acts of 1857-58, Chapter 126, stated that after the passage of this Act the office of Entry Taker in the counties of Lawrence, DeKalb, White, Macon, Decatur, Grundy, Humphreys, and Wilson, were abolished. The County Surveyors in those counties would hereafter do and perform all the duties of Entry Taker and receive all the fees and emoluments of that office which were payable under the law.
 18. Private Acts of 1866-67, Chapter 2, incorporated J. O. Shackleford, J. G. Lucas, John T. Winfrey, and Dr. Gold as both the "Johnsonville Lumber and Shingle Company" and also as the

"Johnsonville Coopering Company." These incorporators, plus their associates, would also comprise the corporate founders of the "Johnsonville Brass and Iron Foundry and Plow Company."

19. Public Acts of 1875, Chapter 56, recited in the preamble of the destitute conditions and of the poverty stricken people who needed relief in certain counties. This Act was the authority for the counties of Stewart, Montgomery, Houston, Dickson, Cheatham, Humphreys and Benton to issue bonds or borrow money to supply the wants of their respective citizens, but the amount was limited to \$10,000 and the interest rate could not exceed 6%. The County Courts would control the expenditure of the money and were authorized to levy a tax to repay the money borrowed.
20. Private Acts of 1909, Chapter 305, was the authority for the counties to appoint a committee of three members of the County Court who with the County Judge and County Trustee would constitute the County Finance Committee which would negotiate with the Banks on the interest rate proposed to be paid to the county on deposits of the county funds, those offering to pay the highest rate being the designated repository of the county bank accounts. Humphreys County and Shelby County were exempted from the provisions of this Act.
21. Public Acts of 1919, Chapter 129, amended Private Acts of 1909, Chapter 305, by removing the exception in favor of Humphreys County thus making that county subject to the provisions of the Act.
22. Private Acts of 1919, Chapter 414, made it lawful in Humphreys County for the Quarterly Court to allow such compensation to members of the standing committees of the Court, viz: the Finance Committee, the Claims and Auditing Committee, as the court in its judgment would consider reasonable and proper, but no member of any committee would be paid more than \$25 extra compensation in any one year.
23. Private Acts of 1933, Chapter 328, removed all the disabilities of minority from May Lanchester Stringer, of Humphreys County.
24. Private Acts of 1933, Chapter 806, removed all the burdens of infancy from Tom C. Morris, of Humphreys County, arising from the fact that he was not 21 years of age so that Morris might become eligible to be commissioned as a Notary Public in Humphreys County, in the same manner as if he were 21 years old.
25. Private Acts of 1935, Chapter 728, stated that in Humphreys County all burial associations were authorized to furnish ambulance service to their policy holders in all cases where it was necessary for any policy holder to be carried to any hospital, or infirmary, for treatment, if such necessity was certified by the attending physician, and this conveyance was the only ambulance service that could be rendered in such case. This Act was repealed by Private Acts of 1953, Chapter 557.
26. Private Acts of 1937, Chapter 318, stated in the preamble that the town of Waverly was in the process of constructing a garment factory at an estimated cost of \$45,000, which would eventually employ between 250 and 400 people, which condition would prove to be of great benefit to the citizens of Humphreys County, and that special training for these employee prospects at a cost of \$1,500 would be needed in the county, this Act authorized the Quarterly Court to appropriate \$1500 from the county general fund to be spent to train, or aid in the training of operators to work in the said garment factory, the same to be paid on the voucher of the County Judge.
27. Private Acts of 1937, Chapter 602, stated that in Humphreys County the compensation of county officers would be such compensation as was provided by the general salary law or local statutes but in such county no court would have the power or authority to supplement the compensation of any officer, the provisions of Section 10743, of the Code of Tennessee notwithstanding.

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 Humphreys County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1870, Chapter 19, prohibited seining, netting, basketing or trapping in any stream, pond or reservoir in the counties of Rutherford, Davidson, Robertson, Montgomery, Cheatham, Williamson, Maury, Stewart, Cannon, Marion, Warren and Dickson. Citizens of the counties accepting the provisions of this Act would not be entitled to fish in other counties with seines, traps or baskets.

2. Public Acts of 1870, Chapter 38, made it unlawful to hunt or kill deer with guns or dogs within the limits of the Counties of Benton and Humphreys from January 1 to September 1 of each year. It was likewise against the law to trap or take fish with a net or seine in any of the waters of Benton and Humphreys Counties from January 1 until October 15 of each year. Justices of the Peace were given jurisdiction over violations which could result in fines from \$10 to \$25, one-half of which would go to the county and one-half to the prosecutor. This Act was repealed by Public Acts of 1871, Chapter 31.
3. Public Acts of 1871, Chapter 9, repealed that portion of Public Acts of 1870, Chapter 9, relating to the prevention of seining, basketing, netting or trapping in the counties of Maury, Dickson, Warren, Marion, Benton, Cannon and Humphreys.
4. Public Acts of 1889, Chapter 171, was a statewide law making it unlawful to hunt and kill deer for profit, but one could kill deer for their own use and consumption from August 1 until January 1 of each year. Several counties, including Humphreys, exempted themselves from the application of this state law.
5. Public Acts of 1895, Chapter 127, made it unlawful to catch, kill or wound any fish in any of the streams, lakes, rivers or ponds in the State except by rod or line, or trot line.
6. Private Acts of 1897, Chapter 276, amended Public Acts of 1895, Chapter 127, so as to make it lawful to take fish from any of the lakes, streams, rivers, and ponds in the counties of Wayne, Perry, Humphreys, Marshall, Union, and Campbell by gig and by grabbing with the hands except during the months of March, April, and May.
7. Public Acts of 1899, Chapter 33, amended Private Acts of 1897, Chapter 276, so as to make it unlawful to take or catch fish in any of the lakes, streams, or ponds, except the Tennessee River which would still be governed by the existing laws, in the Counties of Perry and Humphreys in any manner except by hook and line or trot line.
8. Private Acts of 1901, Chapter 297, made it a misdemeanor, punishable by fines of from \$5 to \$10 for each offense, for any person or persons who were non-residents of Humphreys County, Perry County, and Wayne County, to hunt or fish on the lands of any person in those counties without first obtaining the written consent or permission of the owner.
9. Private Acts of 1901, Chapter 395, made it unlawful for any person to hunt, kill or wound any deer in Humphreys County for a period of six years following the passage of this Act. Fines for violation of this Act's provisions ranged from \$10 to \$100 for each offense. Grand juries were given inquisitorial powers over violations.
10. Private Acts of 1901, Chapter 426, stated that after the passage of this Act it would be lawful for any resident citizen of Humphreys County to take and catch fish from the Tennessee River, the Duck River, and the Buffalo River of Humphreys County in any way or manner, except by means of poison, dynamite or other high explosives. Those portions of Public Acts of 1895, Chapter 127, and Public Acts of 1899, Chapter 33, in conflict with this Act were repealed.
11. Private Acts of 1907, Chapter 489, declared that the ownership and title to all fish in the State, not held by private ownership legally acquired, was held by the State in its sovereign capacity. It was made unlawful to catch or kill fish by any means except by angling with rod and line or trot line. All laws for the protection or preservation of fish were repealed.
12. Private Acts of 1909, Chapter 254, declared it to be lawful for resident citizens of Humphreys County to take and catch fish from the Tennessee River, the Duck River, and the Buffalo River flowing in the County by trot line, gigging, bait, net, or a seine no longer than 12 feet and with a mesh no smaller than 1/2", for which no license fee would be required. Those provisions of Private Acts of 1907, Chapter 489, which conflicted with the terms of this Act were repealed.
13. Private Acts of 1909, Chapter 519, declared that the game, animals, wild birds and fish within the borders of Tennessee belonged to the people of the State in their collective sovereign capacity. This Act set the open season on certain animals, and created the Tennessee Department of Game, Fish and Forestry. Humphreys and Overton Counties were specifically exempted from the provisions of this Act.
14. Private Acts of 1911, Chapter 661, made it unlawful to take or catch fish in any of the running streams or lakes of Humphreys County except by baited hook and line, or trot line, and not with them even from March 1 until June 10 of each year. Fish could be caught in the Tennessee or Duck Rivers by means of baskets, seines or nets at any time. This Act was repealed by Private Acts of 1913, Chapter 229, and by Private Acts of 1921, Chapter 931.
15. Private Acts of 1913, Chapter 229, declared it to be contrary to the law to take or catch fish from any running stream or lake in Humphreys County except by baited hook and line or trot line, and

- not even with them from March 1 until June 10 of each year. Fish could be taken from the Duck River, the Buffalo River, the Tennessee River, and in Clear Lake by any means except by poison and explosives. Hog and white suckers could be caught with grab hooks by county residents from June 10 to March 1 of each year. Offenders could be fined from \$25 to \$50, and be placed in jail for up to 30 days in the discretion of the Judge.
16. Private Acts of 1921, Chapter 405, was an Act by which many of the 95 counties of Tennessee, including Humphreys, exempted themselves from the somewhat stringent regulations concerning the owning, keeping and harboring of dogs which were enacted as a general law of the State in Public Acts of 1919, Chapter 61.
 17. Private Acts of 1921, Chapter 503, stated that in Humphreys County, Stewart County, Dickson County, Houston County, and Perry County, it would be unlawful for any person to shoot, kill or injure by any means whatever, any quail, partridge or dove except as provided in this Act. Open season for birds ran from November 15 through January 15; squirrels and rabbits could be killed at any time of the year, as well as wild ducks, wild geese, and other migratory birds. One must have written permission from the owner in order to hunt upon the lands of another person. All violators could pay from \$10 to \$25 for each offense which would become part of the county school fund.
 18. Private Acts of 1923, Chapter 609, made it unlawful in Humphreys County for the owner or the person in control of cattle and swine to permit male cattle, which were 6 months old or more, or swine boars who were three month old or more, to run at large in the county. This Act also set fines from \$5 to \$25 upon conviction but the efficacy of the Act depended upon the approval of a majority of the people voting in a referendum.
 19. Private Acts of 1925, Chapter 196, made it the duty of the Election Commission of Humphreys County to hold an election within 30 days after the passage of this Act at all the precincts in the five Civil Districts of the County on the question of a stock law, or a no-fence law. No poll tax would be required in order to vote. The Commission was directed to canvass and tally the vote and to certify the results to the delegation in the General Assembly representing Humphreys County.
 20. Private Acts of 1927, Chapter 20, provided that within 30 days after the passage of this Act, the Election Commission of Humphreys County would hold an election on the question of a stock law, or no fence law. The Commission would further count the votes and certify the result to the Humphreys County delegation in the General Assembly.
 21. Private Acts of 1927, Chapter 356, declared it to be unlawful to take or catch fish in any of the running streams or lakes in Humphreys County by any means or device except by baited hook and line, or trot lines. No fishing by any means was permitted from March 1 through June 10 each year. Fish could be taken from the Duck, Buffalo and Tennessee Rivers, and from Clear Lake, by seines of not less than 2 inches mesh, and, provided the other conditions of closed season, placement of nets, and non-retention of certain kinds of fish were all observed. White suckers and hog suckers could be caught with grab hooks from June 10 until the following March 1. Offenders were subject to fines of \$25 to \$50, and imprisonment in the county jail.
 22. Private Acts of 1929, Chapter 67, directed that within 30 days after the passage of this Act it would be the duty of the Humphreys County Election Commission to hold an election in all the precincts of the five Civil Districts of the county for the purpose of ascertaining the attitude of the voters regarding a stock law, or no fence law. Proper notice of the election must be given and the result certified by the Commission to the representatives of Humphreys County in the General Assembly of the State.
 23. Private Acts of 1929, Chapter 930, declared it to be unlawful for anyone having the control and management of horses, mules, donkeys, cattle, sheep, goats, and swine to allow them to run at large in Humphreys County. Damage done by trespassing animals would constitute a lien against them.
 24. Private Acts of 1931, Chapter 69, made it illegal in Humphreys County to take or catch fish in any of the running streams of the County by any means or device other than a baited hook and line, or a trot line, and not even with them during the time between March 1 and June 10 when the season was closed entirely. However, fish could be taken from the Duck, the Buffalo, and the Tennessee Rivers and from Clear Lake by any means except poison, dynamite, or other explosive. Hog suckers and white suckers could be caught with grab hooks from June 10 to March 1 following. Nets and seines were prohibited from being placed near the mouth of streams, nor could any fish longer than 6 inches be retained when caught in minnow nets. Fines ranged from \$25 to \$50, plus thirty days in jail for violators.
 25. Private Acts of 1931, Chapter 156, directed the Humphreys County Election Commission to call

and hold an election in all precincts on Saturday, March 7, 1931, to ascertain the will of the voters in the County regarding the repeal of the stock law, or the no-fence law. The Commission would canvass the votes and certify the results to the delegation representing Humphreys County in the General Election.

26. Private Acts of 1933, Chapter 479, permitted the citizens of Humphreys County to fish and hunt without having to obtain a license to do so during such open seasons as designated in this Act, provided permission was first obtained from the owner of the land. It was lawful for the citizens of the county to take fish of any kind from any stream, creek or brook except by poison, explosives, artificial bait or lure, gig, spear, or seine, but minnows could be taken by net for bait purposes. No fish could be caught between April 1 and June 15 each year. The above did not apply to the Duck, Buffalo, and Tennessee Rivers where anything could be used except poison and explosives. Fur and hair bearing animals could be taken except in the closed seasons. Commercial fishermen had to procure a license from the County Court Clerk at \$16 per annum to ply their trade. There would be no hunting or fishing on Sunday and game birds could be killed for food but not to sell. Non-residents must obtain a license at \$5 fee in order to hunt or fish. This Act was repealed by Private Acts of 1935, Chapter 726.
27. Private Acts of 1935, Chapter 704, stated that any person who had heretofore engaged in the practice of veterinary medicine in Humphreys County with or without a license for a period of 15 years, or longer, prior to the effective date of this Act, who was of good moral character, was hereby authorized to continue the said practice in that County, provided that a certificate of good moral character was obtained from the County Court Clerk and filed with the State Board of Veterinary Examiners.
28. Private Acts of 1935, Chapter 725, declared it to be lawful in Humphreys County for all residents to fish and hunt in the said county by buying a privilege license to do so at a cost of \$1 per year. One could fish for the market by paying a privilege fee of \$5 per annum. All regulations of the General Game and Fish Laws were to be observed except: (1) there would be no closed season on rough fish in the Buffalo River, the Duck River, and the Tennessee River, (2) there would be a closed season on game fish from March 1 to June 15 each year, (3) there would not be a closed season on mussels, (4) there would be an open season on opossums from November 15 to February 15, and on squirrels from June 1 to December 15, (5) seines and baskets were permissible in the Duck River and Tennessee River, and (6) it would be illegal for anyone to hunt and fish on Sunday.
29. Private Acts of 1935, Chapter 727, limited the appropriation for the employment of county agricultural agents to \$600 per year in Humphreys County.
30. Private Acts of 1937, Chapter 721, made it lawful in Humphreys County for residents to fish and hunt by paying a \$1 license fee per year, and to fish for market by a \$5 annual license fee. This would not interfere with an owner's or tenant's right to fish without charge on one's own land. Violations would be punished under the terms of the general laws of this State.
31. Private Acts of 1961, Chapter 318, declared it to be lawful to hunt and kill squirrels in Humphreys County during the period beginning August 1 and extending through January 1 following. Any person convicted of killing squirrels at any other time of the year was guilty of a misdemeanor and could be fined from \$10 to \$25. This Act was not approved by the Quarterly County Court and, therefore, never became an effective law under the Home Rule Amendment to the State Constitution

Chapter III - Bond Issues

Bond Issues - Historical Notes

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

Bridges

1. Public Acts of 1887, Chapter 96, was the enabling legislation for the Humphreys County Quarterly Court to issue bonds in an amount up to \$10,000 with which to build a free bridge across the Duck River in the County. The interest rate could not exceed 3% and the bonds would mature in one, two, and three years after issue. The County would not have the authority to receive any toll, or any other sort of remuneration for passage over the bridge when it was built.

Courthouse

1. Private Acts of 1947, Chapter 341, was the authority for the Quarterly Court of Humphreys County to issue and sell up to \$133,000 in interest bearing coupon bonds, which funds would be used to remodel the Courthouse. The interest rate would be determined by the Quarterly Court and the maturity schedule was not to exceed 30 years after the date of issue. A tax levy was required to retire these bonds as long as any were outstanding.

Debts

1. Private Acts of 1935 (Ex. Sess.), Chapter 37, authorized the Quarterly Court of Humphreys County to borrow money and to issue and sell its bonds therefore, in an amount up to \$20,000 to pay the outstanding floating indebtedness of the county, including the county's account with Central State Hospital for the Insane in Nashville. A staggered maturity schedule of the bonds was included in the Act, while the interest rate could not exceed 3 1/2%. A mandatory tax levy for these general obligation bonds appeared in the Act.
2. Private Acts of 1937, Chapter 357, empowered the Quarterly Court to issue up to \$40,000 in bonds, at an interest rate of 4% or less, which would be used to pay the outstanding debts of the County which was evidenced by notes, transfers from the sinking fund, and its account due Central State Hospital. The bonds would mature at the rate of \$3,000 per year until all were liquidated, payment being made on May 1 annually. A tax levy was required as long as the bonds were outstanding.
3. Private Acts of 1937, Chapter 735, ratified, validated, and confirmed all the prior actions of the Humphreys County Quarterly Court held in connection with the issue and sale of \$30,000 in refunding bonds, at 3 1/4% interest, and maturing in three years. All actions were declared legal and binding upon the County notwithstanding the lack of any statutory authority. These were to be general obligation bonds issued in conformity with the details of the resolutions for which a tax levy must be made annually as long as any were due and unpaid.

Jail

1. Private Acts of 1947, Chapter 342, was the enabling law for the Quarterly Court of Humphreys County to issue and sell up to \$73,000 in coupon bonds, at an interest rate to be decided upon by the Court, and to mature no later than 30 years from the date of issue. The proceeds would be used to construct and equip a jail for Humphreys County. A tax levy was required for the sinking fund in order to repay the bonds.

Poor Relief

1. Public Acts of 1875, Chapter 56, recited in its preamble that in many counties of the State the needs of the poor had exceeded the capabilities of private charity, and that their suffering was due in part to a crop failure. This Act authorized the County Courts of the counties of Stewart, Montgomery, Houston, Dickson, Cheatham, Humphreys and Benton to issue bonds or borrow money to supply the wants of their needy citizens. The Counties could issue bonds or borrow up to \$10,000, at a rate not to exceed 6%. The Quarterly Court was authorized to levy a tax to repay the principal and interest on the bonds or loans.

Roads

1. Private Acts of 1909, Chapter 362, provided that within one year from the passage of this Act and after a twenty day notice to the voters, a referendum would be held in Humphreys County to determine if a majority of the qualified voters in the county were in favor of a bond issue of up to \$100,000 with which to build turnpikes and improve the public roads. The interest rate was not to exceed 5%, nor the maturity period go beyond 30 years from the date of issue. The referendum would be held under the general election laws of the State. All the essential details, including a mandatory tax levy, were included in the terms of the act. A list of twelve roads was specified in the Act, which would have priority of expenditures with the entire program being supervised by three commissioners who were to be named by the Quarterly Court.
2. Private Acts of 1915, Chapter 125, was subject to approval by the voters in a referendum before the Humphreys County Quarterly Court could issue \$250,000, in 30 year coupon bonds, to make, establish, and improve the twelve highways in Humphreys County stipulated in the Act. All the details for holding the election and, if approved, for issuing the bonds were included. The interest rate was limited to 5% or less, and a tax levy was required.
3. Private Acts of 1917, Chapter 515, provided for a referendum election in the County with a simple "For" or "Against" ballot, held under the regular election laws of the State, or the approval of the Quarterly Court for the issuance of up to \$175,000 in bonds, at an interest rate not to exceed 5%, and to mature according to the schedule in the Act, with which to build, macadamize, or gravel the highways specified in Private Acts of 1915, Chapter 125.

4. Private Acts of 1919, Chapter 540, authorized the Quarterly Court of Humphreys County to issue and sell up to \$100,00 in coupon bonds, at an interest rate of 6% or less, which would be used to repair public roads and bridges after 20% of the issue had been spent on necessary road machinery. The bonds would be paid on the first day of May and November each year according to the schedule set up in the act. Accurate records of all transactions must be kept and a tax levy made for a sinking fund. The bond sale must conform to the details contained in the Act and the proceeds expended on the details specified. Some roads were enumerated in the Act on which the amounts specified would be spent.

Schools

1. Private Acts of 1939, Chapter 608, was the authority for Humphreys County, acting through the County Judge, to issue and sell up to \$6,500 in its negotiable interest bearing notes to provide the funds for the payment of High School warrants issued prior to June 30, 1937, which were outstanding and unpaid. The rate of permissible interest could not exceed 3% and the notes would mature within one year from the date of issue.

Chapter IV - Boundaries

Creation of the County

Acts of 1809 Chapter 31

SECTION 1. That a new county be and is hereby established on the south of Stuart, and adjoining the counties of Dickson and Hickman on the west, to be known by the name of HUMPHREYS; bounded as follows, (to wit) Beginning at the mouth of White Oak creek, on the bank of the Tennessee river, thence east to the dividing ridge between the waters of Tennessee and Cumberland rivers, thence with the said dividing ridge to Dickson county line, thence with said line to the line of Hickman, and thence with said line of Hickman to Duck river, thence south and west for compliment.

SECTION 2. That the first court, and all subsequent courts, of said county of Humphreys, shall be held at the house of Samuel Parker, Junior, until otherwise altered or provided for by law. And all courts held in and for said county of Humphreys shall be held by commissions to the said justices in the same manner and under the same rules and restrictions, and shall have and exercise the same powers and jurisdiction as are or shall be prescribed for the courts of the several counties in this state.

SECTION 3. That the first court of pleas and quarter sessions held for the county of Humphreys, shall commence and be held on the first Monday of February, May, August and November, in each and every year, and may be held six judicial days if necessary.

SECTION 4. That it shall be the duty of the Sheriff of the said county of Humphreys to hold an election at the place of holding courts in the same, on the second Thursday and succeeding day in February next, for the purpose of electing one colonel and two majors for the said county of Humphreys, under the same rules, regulations and restrictions as are prescribed by law in similar cases; and that the militia of the said county of Humphreys shall compose the thirty eighth regiment of this state, and shall be a part of the fifth brigade.

SECTION 5. That the elections for company officers for the county Humphreys, shall be held at such places as the commandant of said county may think proper to appoint, which said elections shall be held on the third Saturday in March next, under the same rules, regulations and restrictions as are prescribed in like cases; and elections of members of the General Assembly, Governor and members of Congress, and electors to elect a President and Vice-President of the United States, shall be held at the place of holding courts in said county of Humphreys, on the same days on which elections for the same purpose are authorized to be held; and the Sheriff of said county of Humphreys shall meet the Sheriff of Stuart County, on the succeeding day at Rostin, or place of holding a separate election in Stuart county, and with him the Sheriff of Stuart county shall examine the respective polls of election for both counties, and the said Sheriff of Stuart county shall make the returns of both counties as he is bound by law to make, to the Sheriff of Montgomery.

SECTION 6. That the county of Humphreys shall in all cases be considered as a part of the district of Robertson.

SECTION 7. That it shall and may be lawful for any judge of the superior court, or any justice of the peace in this state, to attend at the place of holding court in said county of Humphreys, when said county is about to be organized, and administer the oaths of office to the officers thereof.

SECTION 8. That nothing herein contained shall be so construed as to prevent the Sheriff of Stuart County from collecting the taxes that have been already laid in said county, and he is hereby authorized to collect the same, and all arrearages of taxes in the same manner as if said county of Humphreys had not been laid off, any law to the contrary notwithstanding.

Passed: October 19, 1809

County Seat

Private Acts of 1833 Chapter 125

Whereas, it is represented to this General Assembly, that a majority of the citizens of Humphreys County are desirous to locate their county seat at some other and more healthy situation than where it now is: For remedy whereof,

SECTION 1. That the sheriff of Humphreys county is hereby directed to open and hold an election at all the precincts in the county of Humphreys, on the first Monday in March next, for the purpose of receiving votes for or against the removal of the county seat of said county; and the sheriff aforesaid, is hereby required to do and perform all things necessary to carry said election into effect and operation, in the same way that is prescribed now by law for carrying on elections.

SECTION 2. That the present county seat shall be put in nomination, and an eligible situation in the vicinity of Kirkman's ferry; and if a majority of the citizens of said county shall vote for the removal of the county seat, from the place where it is now located, Mitchell Childreas, Isaac Lucas, Edmund F. Wells, Solomon Copeland, James S. Sayle and Allen Box, shall, and they are hereby, appointed commissioners for the purpose of laying off a town, at the place where a majority of the citizens aforesaid shall designate, or in the opinion of the commissioners (a majority acting) shall be best for the interest of the county.

SECTION 3. That so soon as it shall appear that a majority of the citizens of said county are in favor of moving the county seat, it shall be the duty of the commissioners to designate the place for said town, and proceed immediately to lay off said town, on the lands of any individual they can make the best contract with for the situation of said town; and the commissioners aforesaid, are hereby empowered with all the rights and privileges that the commissioners of Reynoldsburch were originally empowered with, and shall have the same powers of suing and being sued, contracting and being contracted with, to sell and dispose of all the present public buildings and public square, to lay off said town, under the same rules, regulations and size that Reynoldsburch is now incorporated under, and possess the same power of contracting for public buildings, and do and perform all things necessary to sell and dispose of the lots and perfect titles to the same, in as full and ample a manner as any other commissioners in laying off county towns are entitled to.

SECTION 4. That if the county seat of said county shall be moved as contemplated by this act, from and after the first day of June next, the place so designated by the commissioners, shall be, and is hereby, known as the county seat of Humphreys County, and shall be called Waverly. All writs, process, and other legal proceedings, shall be returned at said town, from and after the first day of June next; and all courts now holden for said county at Reynoldsburch, shall, from and after the first day of June next, be held at Waverly, at the same time that is now prescribed for holding courts in said county.

Passed: November 16, 1833

Private Acts of 1835-36 Chapter 48

SECTION 1. That Isaac Lucas, Jas. M. Parker, William M'Castland, George Peoples and Hiram M'Elzeas, be, and they are hereby appointed commissioners for the county of Humphreys, with full power and authority to purchase and fix on a suitable site within four miles of the centre of said county, taking the public convenience and good into consideration, for the purpose of locating the county seat of said county, which shall hereafter be known by the name of Waverly.

SECTION 2. That before any of the commissioners hereby appointed shall proceed to perform any of the duties herein required, they shall take and subscribe the following oath before some justice of the peace for said county: I _____ do solemnly swear that I will well and truly execute and perform all the duties enjoined on me by law, as commissioner to fix on a permanent seat of justice in the county of Humphreys, to the best of my skill and ability. And in case any or either of the aforesaid commissioners shall fail or refuse to act under the provisions of this appointment, the county court of said county is hereby directed to fill such vacancy by appointing some person who shall not reside further than five miles from the person who shall fail or refuse to act, and the county court shall have full power and authority to fill such vacancy as they may occur, requiring the individual so appointed to be under the

same regulations as the commissioners appointed by this act.

SECTION 3. That a majority of said commissioners shall constitute a board to transact business, and it shall be their duty as soon as they have fixed on a place for the seat of justice in said county, immediately to proceed to obtain a tract of land, not less than forty acres, to be conveyed to them by general warranty and in trust, for the purpose of laying off the said town of Waverly, and they shall lay the same off into convenient lots, lanes, streets and alleys, reserving therein on the most convenient and eligible place, two acres in a square form, to be called the public square, on which to erect the court house; and the said commissioners shall sell the lots so laid out, to the highest bidder for the same, at public sale, giving a credit to the purchaser of twelve months from the day of sale, and make deeds of conveyance to the purchasers respectively; but said sales of lots shall not take place until the time and place of the sale of said lots shall have been advertised four months in three newspapers printed in this State, and at the most public places in the county; and in all cases of sales of lots, the said commissioners shall take notes under hand and seal, payable to themselves and their successors as commissioners, with good and sufficient security for the purchase money of the respective purchasers.

SECTION 4. That the commissioners shall let out the building of the court house and jail of said town to the lowest bidder, and appropriate the money arising from the sale of the lots in payment of the same; and in case the proceeds of the sale of the said lots shall not be sufficient to build said court house and jail, the county court of said county shall have full power and authority to lay a tax on all taxable property from year to year, not exceeding one half of the State tax, to build said court house and jail, which moneys, when collected by the sheriff of said county, shall be paid to said commissioners or their successors on application.

SECTION 5. It shall be the duty of the commissioners aforesaid, before they enter into any of the duties enjoined on them by this act, enter into bond and security in the penal sum of five thousand dollars, payable to the chairman of the county court of said county and his successors in office, for the use of the county, faithfully to discharge their duty as commissioners for said county, and correctly account for all sums of money that may come into their hands as commissioners, and it shall be the duty of said commissioners to make full and perfect settlements of all their accounts with the county court once in each year.

SECTION 6. The county court of said county is hereby authorized to make such appropriations as compensation for said commissioners, as they shall from time to time think just and right.

SECTION 7. That when the commissioners aforesaid shall certify to the county court of said county, that the court house is in sufficient preparation and readiness to transact business in, it shall be the duty of the county court to order from henceforth, the courts of said county shall be held at Waverly; and all writs, bonds, processes and recognizances, shall be made returnable at the town of Waverly after the order of said court shall have been made.

SECTION 8. That the commissioners aforesaid shall, when they may think proper, expose to public sale, by giving ten days notice, the public jail of said county, for the use and benefit of the counties of Humphreys and Benton; and the said commissioners of each county shall, among themselves, determine the proportion due to each county, which decision and determination by the said commissioners shall be final between the two counties.

Passed: February 10, 1836.

Change of Boundary Lines

Public Acts of 1819 Chapter 2

SECTION 1. That the boundaries and lines hereinafter described, shall be and constitute the limits of Humphreys County, to wit; beginning at the mouth of White Oak creek, on the Tennessee River, where the upper line of Stewart county strikes said river; running thence a due west course to the top of the ridge dividing the waters of Sandy river from the water of the Tennessee; ---- thence southwardly on the top of said ridge, to a point thereon which will be at least twenty five miles south of the north boundary line of Humphreys county, hereinbefore mentioned, or so much farther, as that a line therefrom due east to the west boundary line of Hickman county and the other boundaries of said county of Humphreys which are herein after mentioned, will include six hundred and twenty five square miles; thence due east to the west boundary line of Hickman county; thence north and west with the lines of Hickman, Dickson and Stewart counties as heretofore described by law, to the beginning.

SECTION 2. That Robert Jarmon, David Wells, John Thompson, Dawsey P. Hudson, and Harmon Lytle, be, and they are hereby appointed commissioners, with authority to employ a surveyor, and have the lines of

the county of Humphreys, as above described, run out and marked as soon as may be convenient; and the county court of said county are hereby authorized to pay said commissioners and surveyor, such sum as said court may deem a sufficient compensation, for the services required of them by this act, out of any monies belonging to said county, not otherwise appropriated.

SECTION 3. That this act shall be in force from and after the passing thereof.

Passed: November 15, 1819.

Acts of 1820 Chapter 90

SECTION 1. That the boundaries of Humphreys county shall be as follows, to wit, beginning at the mouth of White Oak Creek, on the Tennessee river, where the upper line of Stewart County strikes said river, running thence west four miles and a half, thence south, fortyfive degrees west, ten miles and a half, thence due south to a point, that a line due east, intersecting the west boundary line of Hickman County, and the other boundaries of said Humphreys county, heretofore established by law, will include six hundred and twenty five square miles; thence due east to the west boundary line of Hickman County, thence north and west with the lines of Hickman, Dixon and Stewart as heretofore described by law to the beginning.

SECTION 2. That the territory by this description of boundary thrown off from Humphreys county on the south, shall be, and constitute a part of Perry County.

Passed: July 6, 1820

Private Acts of 1835-36 Chapter 30

COMPILER'S NOTE: Sections 3 through 11 concerned only Benton County and are not published in his volume.

SECTION 1. That from and after the first day of January, 1836, the county of Humphreys shall be and the same is hereby declared divided, making the Tennessee river the dividing line of said county.

SECTION 2. That there shall be a new county laid off including all that part or section of county, west of the Tennessee river, formerly included in the county of Humphreys, to be called. known and designated in this State by the county of Benton, to have and possess all the rights and privileges, known to any other county in this state, by any general law or usage.

SECTION 12. That nothing in this act contained shall be so construed as to prevent the county of Humphreys from entering up judgments, or the sheriffs of said county from selling under such judgments, any lands or other property within the bounds of the said county of Benton for taxes and charges that are due from the citizens of said county of Benton, for the present or any preceding year.

Passed: December 19, 1835.

Private Acts of 1835-36 Chapter 46

SECTION 1. That all that portion of Dickson county lying in the following boundaries, shall hereafter be attached to and belong to the county of Humphreys: ---Beginning at the south west corner of Dickson county, and thence running east with the south boundary line of said county of Dickson, to where the said line intersects the ridge that divides the waters of Hurricane creek from the waters of Garner's creek; thence with said ridge, to where said ridge intersects with the ridge that divides the waters of Cumberland and Duck rivers; thence north westwardly with said ridge, to the line that divides the counties of Dickson and Humphreys; thence south with said line to the beginning.

SECTION 2. That all that territory and county now lying in the county of Hickman, within the following boundaries, shall hereafter belong and (be) attached to the county of Humphreys to wit: ---Beginning in the line dividing the counties of Hickman and Humphreys, where the same first strikes Duck River, running south from the north west corner of Hickman; running thence up with the meanders of Duck river, with the main channel, to where the middle of the main ridge dividing the waters of Sugar and Trumbling creeks strikes the river; thence in a north easterly course, along the summit of said ridge, between the waters of said creeks, to the main ridge dividing the waters of Garner's and Little Hurricane creeks; thence along the summit of the same to the north boundary line of Hickman county; thence west with said line, to the north west corner of said county; thence south with the line dividing the counties of Hickman and Humphreys to the beginning.

SECTION 3. That the citizens residing within the aforesaid boundaries, shall still vote with the county from which they have been detached, until the next enumeration, for the members of the general

assembly, members to congress, governor and electors for president and vice president; Provided, the lines hereby directed to be run, shall not run within twelve miles and a half of the present county seats of said counties; and Provided, also, the said counties shall not be reduced below their constitutional limits.

SECTION 4. That all taxes and other public dues from citizens within the aforesaid boundaries, shall be collected in the same manner as heretofore; and the county courts are hereby authorized to render up judgment for the same, in the same manner as if the territory hereby detached still remained attached to their respective counties.

SECTION 5. That all officers, civil and military, shall remain in office, within the aforesaid boundaries, until elections shall take place by law, to supply the same; when it shall be lawful for the citizens within said boundaries to vote with and in all things be considered citizens of the county of Humphreys.

SECTION 6. That John Thompson, Isaac Little, Henry Luton and William McCastland, be and they are hereby appointed commissioners to survey, run out, and mark the boundaries as herein directed, and have a copy and plat of the same transmitted to the county courts of each county; which copy and plat shall be spread on the records of their county.

SECTION 7. That the said commissioners shall receive three dollars per day for each day they may be engaged in making the survey, hereby directed to be paid out of the county treasury of Humphreys County.

Passed: February 2, 1836.

Acts of 1839-40 Chapter 76

SECTION 1. That so much of the county of Stewart as lies within the following described bounds, (to wit:) beginning at a point where the line between Stewart and Humphreys counties crosses the dividing ridge between White Oak and Turkey creek, at the head of Varner's branch, running thence down said branch to White Oak creek, thence up White Oak creek with its meanders to the mouth of Lewis' branch, thence up said branch with its meanders to the forks of the same at or near Nimrod Croswell's, thence up the south fork of the same to the Tennessee ridge, thence along the top of said ridge to where the road leading up the Long branch of White Oak crosses the same, thence a due east course to the line of Dickson County, thence southwardly with said line to the north boundary of Humphreys county, thence with the line dividing Stewart and Humphreys counties to the beginning, be, and the same is hereby attached to the county of Humphreys, and that the citizens included in that portion of Stewart attached to the county of Humphreys shall have and enjoy all the rights and privileges of other citizens of Humphreys county.

SECTION 2. That all civil officers residing in that portion of Stewart county thus attached to the county of Humphreys shall continue in and hold their offices until the next regular election for county officers.

SECTION 3. That Alexander Brown, William O. Gwinn, Elisha Crosswell, William Rye and Alexander Irwin be, and they are hereby appointed commissioners, a majority of whom may act, to superintend the running and marking said line; and they shall have authority to appoint a competent surveyor, whose duty it shall be to run said line and make out two correct plats of said territory, one of which shall be deposited with the county court clerk of Stewart county, and the other with the county court clerk of Humphreys county; said commissioners and surveyors shall be entitled to the same compensation for their services that other persons are entitled to for performing similar services, to be paid out of any money in the hands of the trustee of Humphreys county not otherwise appropriated.

SECTION 4. That William O. Gwinn, Esq. shall open and hold an election at the house of Alexander Brown, Esq. on the 15th day of February, 1840, after first giving ten days notice by advertisement at two or more public places in the territory above named, and if there be a majority in favor of being attached as provided in the foregoing provisions of this act, then this act shall take effect, and not otherwise.

Passed: January 20, 1840.

Public Acts of 1870-71 Chapter 46

SECTION 1. That a new county be, and the same is hereby established out of the fractions of the territory composing the counties of Stewart, Humphreys, Montgomery and Dickson, to be known and designated by the name of the county of Houston, and shall be bounded as hereinafter provided.

SECTION 2. That the general boundaries of said county shall be as follows, towit: Beginning at a mulberry about six poles below the mouth of White Oak Creek, on Tennessee river; running east eleven miles, with the old Stewart and Humphreys county line, to a point due north from Waverly, eleven miles; thence east with a circle, keeping eleven miles from Waverly, seven miles; thence east six miles to the Dickson county line; thence north 21° east, by Norris' Mills, three and a half miles, to a sycamore on the

right bank of Bear Creek, about three hundred and fifty yards from Maj. Shelton's residence; thence north seven miles, to the Montgomery county line; thence west with said county line, four miles to the south-west corner of Montgomery county; thence north 19° west, with said county line to the Cumberland river; thence with said river and its meanders, seven miles, to the residence of Capt. Naylor, on the bank of said river, opposite the "Checkered House," and about eleven miles from Dover; thence south 70° west eleven miles, with a circle, keeping eleven miles from Dover, to a stake eleven miles due south of Dover, and about one quarter of a mile west of the last residence of John Barnes, deceased; thence north 73° west, with the same circle, six and one-half miles to Leatherwood Creek; thence down said creek, with its meanders, to the Tennessee river; thence up the said river, with its meanders, to the beginning, twelve and one-half miles, containing three hundred forty square miles.

COMPILER'S NOTE: The remainder of this Act concerned the establishment of Houston County and is not reprinted in this volume.

Passed: January 21, 1871.

Boundaries - Historical Notes

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

1. Acts of 1809, Chapter 36, appointed John Allen of Stewart County, and Dudley Hutson of Humphreys County as commissioners to run and mark the line between Stewart County and Humphreys County according to Acts of 1809, Chapter 31, for which services they would be compensated at the rate of up to \$2 per day.
2. Acts of 1809, Chapter 97, provided that so much of Dickson County as lay west of the Tennessee Ridge would be a part of Humphreys County; beginning on the said ridge where the dividing line between Stewart and Humphreys counties struck the Dickson County line, then south along the top of Tennessee Ridge so far as to include the waters of White Oak Creek in Humphreys County, and then west to the said Dickson County line.
3. Private Acts of 1821, Chapter 125, appointed David B. Carns, Joseph Ury, Hugh Ross, Dawsey P. Hudson and Benjamin Hudson, as commissioners, to employ a surveyor and two chain carriers to run and mark the lines of Humphreys County. They would begin at the northeast corner of the county near David Wells' and run west to the mouth of White Oak Creek, crossing the Tennessee River, and still running west four miles and one-half, thence south fortyfive degrees west ten miles and one-half, thence south so far that an east course would give Humphreys County 625 square miles. They would also calculate and take into Humphreys County that part of the head of White Oak which was taken off from Dickson County in the year 1809 and added to Humphreys County.
4. Private Acts of 1823, Chapter 251, changed the lines between the counties of Humphreys and Stewart beginning at the first ford on White Oak Creek below McKernan's Mill, thence north two miles, thence eastwardly to the northeast corner of Humphreys County, at or near David Wills', which lines would be the permanent dividing lines between the two counties.
5. Public Acts of 1867-68, Chapter 60, Section 6, moved the lands belonging to George Beard out of Humphreys County and into Perry County.
6. Public Acts of 1879, Chapter 57, Section 2, rearranged the lines between Humphreys County and Perry County so that the lands belonging to G. D. Hays, T. B. Smith, S.W. Goodman, J. H. Goodman, A. D. Goodman, A. G. Goodman, W. F. Goodman, J. M. Gray, J. L. Phelps, G. T. Phelps, and J. H. Wooten would all be included within Humphreys County wholly and the line would run as was generally described therein.
7. Public Acts of 1883, Chapter 93, changed the lines between Humphreys County and Dickson County commencing at the northwest corner of A. Vetter's farm, running north and crossing the Northwestern Railroad to the county line on the top of the Tennessee Ridge, so as to include the lands of W. Beckman and the tenants of W. A. Moody wholly within the confines of Dickson County.
8. Private Acts of 1935, Chapter 730, rearranged the boundary lines between Benton County and Humphreys County so that the lands of J. M. Porter and J. C. Porter, about 241 acres in all, and known as White Oak Island in the Tennessee River would be taken out of Humphreys County and placed into Benton County

Chapter V - Court System

General Sessions Court Clerk

Private Acts of 1961 Chapter 258

SECTION 1. That the Circuit Court Clerk of Humphreys County, Tennessee, shall be allowed the sum of Twelve Hundred Dollars (\$1200.00) per annum for his duties as Clerk of the Court of General Sessions of said County. Such sum shall be supplementary of and in addition to the amount allowed such clerk under the minimum state salary schedule as provided in Section 8-2405 [8-24-102] of the Tennessee Code Annotated for Circuit Court Clerks. Such additional sum for his duties as Clerk of the Court of General Sessions shall be paid by warrant of the Trustees from funds paid into the County from fines and costs collected by and through the said Court of General Sessions at the time and in the manner payment is made such clerk for his duties as Circuit Court Clerk under the provisions of the above said minimum salary Act. Provisions for payment of such additional amount is made pursuant to Section 16 of Chapter 109 of the Public Acts of 1959 creating such Court of General Sessions.

SECTION 2. That this Act shall have no effect unless the same shall be approved by a two-thirds vote of the Quarterly County Court of Humphreys County within sixty days after the approval of this Act by the Governor. The action of the Quarterly County Court hereon shall be proclaimed by the presiding officer thereof and shall be certified by him to the Secretary of State.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 14, 1961.

Night Clerk

Private Acts of 1967-68 Chapter 148

SECTION 1. There is created the position of night clerk of the court of general sessions of Humphreys County. The judge of the court of general sessions is authorized to name some suitable person to the position, to serve at the pleasure of the judge, and whose compensation shall be not less than one hundred dollars (\$100) per month, payable out of the general funds of the county. The Judge of the court of general sessions shall fix the hours of work of the night clerk, whose duties shall be to issue warrants, mittimus, to take bail, and to perform such clerical duties as might be directed by the court.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds vote of the quarterly county court of Humphreys County at or before the next regular meeting of the court occurring more than thirty (30) days after its approval by the governor. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the secretary of state.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 9, 1967

Probate and Juvenile Court

Private Acts of 1981 Chapter 137

COMPILER'S NOTE: Private Acts of 2020, Chapter 44, repeals Private Acts of 1981, Chapter 137, effective on a vacancy in the office of the incumbent judge or at midnight on August 31, 2022, whichever occurs first.

SECTION 1. There is hereby created a probate and juvenile court in and for Humphreys County, Tennessee to be known as the "Probate and Juvenile Court of Humphreys County, Tennessee".

SECTION 2. Such court shall have jurisdiction over all matters over which jurisdiction is now or shall hereafter be vested in probate or juvenile courts by the general laws of the State of Tennessee, including, but not limited to the jurisdiction as now vested in the County Court of Humphreys County, Tennessee by the general laws of the state and those judicial powers vested in the County Judge of Humphreys County, Tennessee by Chapter 162 of the Acts of 1887, and Chapter 405 of the Private Acts of 1935, and by Tennessee Code Annotated, Sections 16-16-107 through 16-16-119, inclusive; Tennessee Code Annotated, Title 30, Chapters 1 through 20, inclusive; Tennessee Code Annotated, Title 31, Chapters 1 through 8, inclusive; Tennessee Code Annotated, Title 32, Chapters 1 through 5, inclusive; Tennessee

Code Annotated, Title 34, Chapters 1 through 11, inclusive; Tennessee Code Annotated, Title 35, Chapters 1 through 11, inclusive; Tennessee Code Annotated, Title 36, Chapters 1 through 13, inclusive; Tennessee Code Annotated, Title 37, Chapters 1 through 17, inclusive; all to the extent that under such laws the jurisdiction thereunder was vested heretofore in any juvenile court or any county court or any court exercising the jurisdiction thereof formerly known as a Quorum County Court or Monthly County Court.

SECTION 3. The Office of County Judge of Humphreys County, Tennessee as heretofore created by Chapter 162 of the Acts of 1887 is hereby divested of any and all judicial powers as therein created and to the extent thereof such former act is repealed.

SECTION 4. The County Clerk of Humphreys County, Tennessee shall act as the Clerk of the Probate and Juvenile Court of Humphreys County, Tennessee as herein established and when acting as clerk of such court, shall be designated as the "Clerk of the Probate and Juvenile Court of Humphreys County, Tennessee". Such clerk shall acquire and maintain a seal for the court containing the designation "Clerk of the Probate and Juvenile Court of Humphreys County, Tennessee" and such minute books and other necessary records for such court as shall be necessary and required. The clerk shall charge all fees and be entitled to receive such fees and charges as shall be fixed by the general laws of the State of Tennessee from time to time for any county, probate or juvenile court in the State of Tennessee, and which such fees when collected shall be accounted for and disbursed as all fees and charges are similarly done by such courts. The County Clerk shall be empowered to designate one or more persons employed by him as deputies from time to time to be a deputy clerk for the court herein created.

SECTION 5. The judge of the court herein created shall have all jurisdiction to punish for contempt and to issue extraordinary writs and processes as now or shall hereafter be exercised by any judge or chancellor or any circuit or chancery court of the State of Tennessee.

SECTION 6. Appeals from the court herein created, or any contests of any will being probated therein, or the demand for a jury trial upon any issue therein provided shall be to the Circuit Court of Humphreys County, Tennessee or such other court as may by the general laws of the state be from time to time provided, or to such appellate court of the State of Tennessee as may be from time to time provided by law, all according to the general laws of the State of Tennessee.

SECTION 7. If the judge of the court herein created shall fail to attend or cannot preside in any pending case, or for any other reason shall not be able to hold court, he may designate in writing some person otherwise qualified to hold such court in his place and stead or in default thereof a majority of the attorneys then present may elect one of their number who has the qualifications of such judge, and when such person shall have been so appointed or elected, he shall take the same oath and have the same authority as the regular judge of such court to hold court and perform all of the duties thereof for such occasion. In addition thereto the judge of the court herein created and the Judge of the Court of General Sessions of Humphreys County, Tennessee, shall be empowered from time to time to interchange one for the other to hold such respective courts, provided that such General Sessions Judge shall at the time hold such qualifications as are required of the judge of the court herein created and as herein prescribed.

SECTION 8. In case of a vacancy for any cause in the office of the judge of the court herein created, the same shall be filled by an election and appointment of the County Commission of Humphreys County, Tennessee or some person otherwise qualified to fill such vacancy and which such person when so elected and appointed by the County Commission shall serve until the first day of September following the next biennial August election occurring more than thirty (30) days after such vacancy occurs and until such person's successor is duly elected and qualified.

SECTION 9. The court herein created shall at all times be treated and considered as a court of record. That such court shall be in continuous session without the intervention of any term or terms, it being provided herein that such court shall be held by the judge thereof at such time and during such periods as shall be required to provide for the orderly dispatch and disposition of all business properly coming before it.

SECTION 10. There shall be one judge for the court herein created who shall be a duly licensed lawyer within the State of Tennessee, and who shall be at least thirty (30) years of age at the time of his election or appointment and who shall otherwise have all the qualifications and shall have the same term as provided by the Constitution of the State of Tennessee for inferior court judges and who shall take the same oath that shall be required for other judges of the State of Tennessee.

SECTION 11. The compensation of the judge of the court herein created shall be in the same amount as the salary or compensation of the Judge of the Court of General Sessions for Humphreys County, Tennessee, from time to time, and such salary or compensation shall be payable in equal monthly installments out of the General Fund of Humphreys County, Tennessee.

SECTION 12. The County Commission of Humphreys County, Tennessee shall annually appropriate from

the General Fund of Humphreys County such funds as are necessary and appropriate for the orderly operation and administration of the court herein created.

SECTION 13. The County Commission of Humphreys County, Tennessee shall as of the effective date of this act, appoint, elect and name a qualified person to be the judge of the court herein created and which person when so named, appointed and elected shall hold such office until the 1st day of September 1982, next. That at the biennial August election held in August 1982 there shall be elected a judge for the court herein created for a term of eight (8) years beginning on September 1, 1982, next, and each eight (8) years thereafter at such biennial elections.

SECTION 14. This act shall not be construed to prohibit the judge of the court herein created from the private practice of law except that he shall be prohibited from practicing law in any matter over which the court herein created may exercise jurisdiction.

SECTION 15. The judge of the court herein created shall from time to time be authorized and empowered to adopt rules of practice and procedure for the court not otherwise inconsistent with the substantive and procedural laws of the State of Tennessee relative to matters within the jurisdiction of such judge, or that shall not otherwise be inconsistent with such rules as may be from time to time promulgated by any superior court having supervisory jurisdiction over the court herein created.

SECTION 16. Every provision of this act is declared to be severable and should any portion of the same be held unconstitutional or invalid for any reason the same shall not affect the remainder of this act, it being the intent herein that such unconstitutionally declared portions shall be elided, and that the General Assembly declare that it would have thus enacted this act with such unconstitutional or invalid portions elided therefrom.

SECTION 17. This act shall not take effect unless it shall have been approved by a twothirds (2/3) vote of the County Commission of Humphreys County, Tennessee and such approval being certified and proclaimed by the presiding officer thereof.

SECTION 18. This act shall take effect, provided it shall have been approved as hereinbefore provided, upon the sooner occurrence of the following times, the public welfare requiring it.

(a) September 1, 1982, provided that for the purpose of filling the office of judge herein created by election of the people it shall be effective for purposes of candidates qualifying for election thereto as of the first day for qualifying as provided by the general election laws of the State of Tennessee; or

(b) Upon the death or resignation of the incumbent or vacancy otherwise occurring in the office of County Judge of Humphreys County, Tennessee as now exists pursuant to Chapter 162 of the Acts of the General Assembly of the State of Tennessee of 1887.

Passed: May 19, 1981.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Humphreys County, but are no longer operative.

1. Acts of 1817, Chapter 128, was the authority for the justices of the counties of Davidson, Smith, Franklin, Rutherford, Maury, Lincoln, Giles, Overton, Bedford, Wilson, Hickman, Sumner, Stewart, Humphreys, Williamson, Jackson, White, Montgomery, Warren, Robertson and Dickson at their first session in each year to lay a tax for the purpose of providing additional compensation of up to fifty cents per day to the jurors attending the county and circuit courts.
2. Private Acts of 1825, Chapter 279, stated that when any person in Humphreys County, Perry County or Roane County was summoned as a juror on the opposite side of the Tennessee or other river from which they lived, it would be the duty of the operators of any ferry where any of the jurors would necessarily cross the river for the purpose of attending the circuit or county court, to give them a certificate of the ferriage cost which could be filed with the County Trustee of the county for the purposes of reimbursement of these charges.
3. Private Acts of 1949, Chapter 198, fixed the pay of jurors serving on both the Grand Jury and the petit juries in Humphreys County at \$4 per day.
4. Private Acts of 1974, Chapter 256, amended Private Acts of 1949, Chapter 198, by adding a provision which set the compensation of the foreman of the grand jury in Humphreys County at \$25 per day.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Humphreys 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.

1. Public Acts of 1822, Chapter 13, required that the Judges of the Supreme Court of Errors and Appeals would hold a Chancery Court at least once each year in those places where the Supreme Court met. Court would open in 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. All court terms would be for two weeks unless the dockets were completed sooner except for Nashville where they could be held for six weeks.
2. Public Acts of 1824, Chapter 14, established the meeting places for the Supreme Court of Errors and Appeals at Knoxville, Sparta and Nashville. The Court was expanded to five Judges and it was their duty to arrange among themselves to hold the Chancery Courts at least twice each year at Greeneville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Jackson, and at Charlotte for the Counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman on the third Monday in June and December.
3. Public Acts of 1827, Chapter 79, divided Tennessee into two Chancery Divisions; the Eastern Division which included the courts at Rogersville, Greeneville, Kingston, Carthage, and McMinnville, and the Western to which were assigned the courts at Franklin, Columbia, Charlotte, Jackson, and Paris. The justices of the Supreme Court were divested of original chancery jurisdiction, and two Chancellors would be appointed by the General Assembly to preside over these courts.
4. Public Acts of 1832, Chapter 21, Section 5, changed the Chancery Court terms for the Courts at Carthage and at Charlotte where the Chancery Court would hereafter meet on the third Monday in May and November.
5. Public Acts of 1835-36, Chapter 4, established three Chancery Divisions in Tennessee and, then further divided each Division into Districts, all pursuant to implementing the new 1834 Constitution. Dickson County, Hickman County, and Humphreys County would make up the 12th District of the Middle Division. Court terms would begin at Charlotte on the fourth Monday in March and September. The courts would be held by Chancellors appointed by the General Assembly.
6. Acts of 1837-38, Chapter 14, Section 3, provided that the Counties of Dickson, Humphreys, Hickman, Stewart, Montgomery and Cumberland would compose one chancery district whose court would be held at Charlotte on the fourth Monday in March and September of each year.
7. Acts of 1841-42, Chapter 27, Section 2, changed Chancery Court terms in the District but the court at Charlotte would continue to meet on the fourth Monday in March and September.
8. Acts of 1845-46, Chapter 168, provided that the Chancellor of the Middle Division would hereafter hold the Chancery Court at Charlotte and Clarksville. Terms would begin in Charlotte on the third Monday in April and October.
9. Acts of 1847-48, Chapter 198, established a new Chancery District to be held at Dover in Stewart County by the Chancellor of the Middle Division on the first Monday in April and October. Citizens of Montgomery County and Humphreys County were given leave to file their chancery suits in Dover, if they desired.
10. Acts of 1851-52, Chapter 178, scheduled the court terms for Chancery Courts in the Middle Division. Terms would begin in Humphreys County on the first Thursday after the first Monday in March and September.
11. Acts of 1851-52, Chapter 181, Section 6, established a chancery court at Waverly in Humphreys County in the Middle Division of the State. The dates for holding the Court were left blank in the Act.
12. Acts of 1853-54, Chapter 54, created the Fifth and the Sixth Chancery Divisions in the State. The Sixth Chancery Division was composed of the counties of Carroll, Benton, Humphreys, Dickson, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne and Lawrence. A Chancellor would be elected by the people for the new Division.
13. Acts of 1853-54, Chapter 55, Section 4, changed the opening dates of the Chancery Court in Humphreys County to the first Monday in April and October, after a Judge was elected by the people of the Division.

14. Acts of 1855-56, Chapter 112, Section 5, rearranged the schedule of Chancery Court terms in the 6th Chancery Division. Court terms would begin at Waverly in Humphreys County on the Thursday after the third Monday in March and September.
15. Public Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, Fourth, Fifth, Sixth Chancery Divisions. The 6th Division included the Counties of Carroll, Henderson, McNairy, Hardin, Wayne, Lawrence, Dickson, Humphreys, Benton, Decatur, Perry, and Hickman. Court would begin regular terms in Humphreys County on Thursday after the third Monday in March and September at Waverly.
16. Public Acts of 1866-67, Chapter 4, Section 4, scheduled the opening dates of the Chancery Courts in the Fifth Chancery District which was composed of the post civil war counties of Dickson, Humphreys, Henderson, McNairy, Hardin, Wayne, Lawrence, Decatur, Perry, and Hickman. Humphreys County Chancery Court would begin its regular terms on the fourth Monday in March and September at Waverly.
17. Public Acts of 1870, Chapter 32, organized Tennessee into twelve Chancery Districts. The 9th District consisted of the counties of Benton, Hickman, Henderson, McNairy, Lawrence, Dickson, Humphreys, Decatur, Lewis, Perry, Hardin and Wayne.
18. Public Acts of 1870, Chapter 47, scheduled the opening dates for the Chancery Court terms for every county in Tennessee. In Humphreys County the Chancery Court terms would start on the second Monday in January and July.
19. Public Acts of 1870-71, Chapter 10, set the terms of the Chancery Court at Waverly in Humphreys County to begin on the third Monday in January and July.
20. Public Acts of 1873, Chapter 5, changed court terms for the counties in the 9th Chancery Division. Court would begin at Waverly in Humphreys County on the second Monday in June and December.
21. Public Acts of 1879, Chapter 88, changed the court terms in the Ninth Chancery Division which included the counties of Lewis, Perry, Hickman, Decatur, Henderson, McNairy, Hardin, Wayne, Lawrence, Dickson, Humphreys, and Benton. Court terms would commence in Humphreys County on the second Monday in June and December.
22. Public Acts of 1881, Chapter 162, rescheduled Chancery Court terms for the Ninth Chancery Division. Chancery Court would meet regularly in Humphreys County on the second Monday in June and December.
23. Acts of 1885 (Ex. Sess.), Chapter 20, was a revision of the entire lower judicial structure of the State. Eleven Chancery Divisions were formed of which the Eighth was composed of the Counties of Sumner, Robertson, Montgomery, Wilson, Stewart, Houston, Cheatham, Humphreys, and Trousdale. Court would open in Humphreys County on the second Monday in January and July. This Act, and many others, were reviewed by the Supreme Court in Flynn v. State, 203 Tennessee 337, 313 S.W. 2d 248 (1958).
24. Public Acts of 1899, Chapter 427, reorganized the entire lower court system in Tennessee, creating ten Chancery Divisions. The Sixth Chancery Division comprised the counties of Sumner, Robertson, Cheatham, Montgomery, Stewart, Houston, Dickson, Humphreys, Hickman, and Wilson. Court would meet in Humphreys County on the third Monday in June and December.
25. Private Acts of 1905, Chapter 286, rearranged the terms of Court in the Sixth Chancery Division. Chancery Court would commence its regular terms at Waverly on the third Monday in May and the first Monday in November.
26. Private Acts of 1919, Chapter 455, rearranged the court dates for some of the counties in the Sixth Chancery Division, but Humphreys County would continue on the third Monday in May and the first Monday in November.

Chancery Court - Clerk and Master

The following act once applied to the clerk and master in Humphreys County.

1. Private Acts of 1919, Chapter 7, made it possible for women over 21 years of age, and residents of the county in which they would be appointed, to serve as a Deputy Clerk in any of the courts of Humphreys County. They would have all the rights and privileges and be burdened with all the responsibilities and obligations as any other Deputy Clerks and Masters.

Circuit Court

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

1. Acts of 1809, Chapter 31, Section 6, in creating Humphreys County provided that the courts of the new county would be considered as part of the Robertson District.
2. Acts of 1809, Chapter 49, created five judicial circuits in the State of Tennessee. Circuit Courts would meet twice each year in the counties as designated, and there would be one judge appointed by the General Assembly for each of the Circuits. The Fifth Judicial Circuit was composed of the counties of Montgomery, Dickson, Hickman, Humphreys, Stewart, and Robertson. Circuit Court terms would begin in Humphreys County on the third Monday in March and September.
3. Acts of 1817, Chapter 138, scheduled the opening dates for all the terms of the Circuit Courts in the Third, Fourth, Fifth, and Sixth Judicial Circuit. Terms would start in Humphreys County on the third Monday in March and September.
4. Private Acts of 1819, Chapter 154, scheduled the terms of Circuit Court for several counties in West Tennessee with Humphreys County meeting on the third Monday in March and September.
5. Private Acts of 1820, Chapter 107, set the time for the Supreme Court of Errors and Appeals for the Fifth Judicial Circuit for which said appeals would be heard for the fourth Monday in June and December. Court would stay in session for two weeks unless the business of the Court was cleared sooner.
6. Public Acts of 1825, Chapter 31, provided that the Supreme Court of Errors and Appeals would hold a term at Reynoldsburgh in Humphreys County on the second Monday in March each year. All the appeals from the Fifth, Eighth and Ninth Judicial Circuits would be directed here.
7. Public Acts of 1827, Chapter 60, Section 2, set the time when the Supreme Court would hereafter sit at Reynoldsburgh in Humphreys county on the third Monday in May to which date all bonds and process would be made to conform.
8. Public Acts of 1831, Chapter 55, Section 6, provided that the Supreme Court at Reynoldsburgh would hereafter be held on the first Monday in June of each year.
9. Private Acts of 1831, Chapter 227, Section 4, stated that hereafter the Supreme Court at Reynoldsburgh would meet on the fourth Monday in May.
10. Public Acts of 1833, Chapter 14, provided that the Supreme Court of Errors and Appeals for the Fifth Judicial Circuit, now being held at Reynoldsburgh in Humphreys County, would hereafter be held at the Court House in Centerville, in Hickman County. All process and bonds were to be adjusted to conform to the above move. All the appeals arising in the future in the counties of Lawrence, Wayne, Hardin, Humphreys, Hickman, and Perry would go to the Court at Centerville. The Act which established the Supreme Court at Reynoldsburg was specifically repealed. The Court would meet on the first Monday in June.
11. Public Acts of 1835-36, Chapter 3, enacted to implement the requirements of the 1834 State Constitution, established a Supreme Court of three Judges, one from each of the grand divisions of the State. The Court would meet at least once annually in Knoxville, Nashville, and Jackson. The Middle Division of the Court was composed of Fentress, Overton, White, Warren, Franklin, Jackson, Smith, Wilson, Rutherford, Bedford, Lincoln, Sumner, Robertson, Davidson, Williamson, Maury, Giles, Lawrence, Wayne, Hickman, Dickson, Montgomery, Stewart, and Humphreys Counties.
12. Public Acts of 1835-36, Chapter 5, enacted after the adoption of the 1834 Constitution, established a new system of circuit courts which were to meet three times annually under a judge assigned to each Circuit. The Act organized eleven Judicial Circuits in Tennessee assigning the counties of Dickson, Hickman, Humphreys, Stewart, Montgomery, and Robertson to the 7th Judicial Circuit. Regular terms of the Circuit Court would commence in Humphreys County on the fourth Monday in February, June and October.
13. Acts of 1837-38, Chapter 228, provided that the Circuit Court and the County Court for Humphreys County would hereafter be held at the town of Waverly in Humphreys County and all writs, recognizances, and bonds were made returnable to Waverly in the same manner as they might have been made returnable originally to Reynoldsburg.
14. Acts of 1841-42, Chapter 27, rearranged the opening dates for the regular terms of the Circuit Courts in the Seventh Judicial Circuit. In Humphreys County the Circuit Court terms would begin on the first Monday in April, August and December of each year.
15. Acts of 1847-48, Chapter 49, scheduled changes for the terms of Circuit Court in the Seventh Judicial Circuit which would become effective after January 1, 1848. Counties affected were Montgomery, Robertson, Dickson, Stewart, and Humphreys whose circuit court would convene on

- the first Monday in March, July, and November.
16. Public Acts of 1857-58, Chapter 13, Section 8, moved Humphreys County to the Ninth Judicial Circuit from the Seventh Circuit. The Judge of the Ninth Judicial Circuit would hold the courts in Humphreys County after the passage of this Act.
 17. Public Acts of 1857-58, Chapter 21, reset the opening dates of the Circuit Courts for several individual counties including Humphreys County where the Circuit Court would start its regular terms on the third Monday in January, May and September.
 18. Public Acts of 1857-58, Chapter 98, was a realignment of all the Judicial Circuits in Tennessee into sixteen judicial circuits. The counties of Benton, Henry, Weakley, Carroll, and Humphreys composed the 13th Judicial Circuit. Regular Circuit Court terms were set to start in Humphreys County on the third Monday in March, July and November.
 19. Private Acts of 1857-58, Chapter 93, Section 2, repealed conflicting portions of Public Acts of 1857-58, Chapter 21, and set the Circuit Court terms in Humphreys County for the first Monday in March, July and November.
 20. Public Acts of 1859-60, Chapter 6, Section 5, stated that the Judge of the 13th Judicial Circuit would open and hold a special term of the Circuit Court of Humphreys County at the Court House in Waverly commencing on Thursday, December 15, 1859, and to continue until the business of the said Court was completed. All cases, both civil and criminal, originally scheduled for the November 1859 term would be heard at this special term.
 21. Public Acts of 1865-66, Chapter 10, rearranged the terms of court for the counties in the 13th Judicial Circuit. The Circuit included the counties of Carroll, Henry, Weakley, Benton, and Humphreys where the Court would meet on the second Monday in March, July and November.
 22. Public Acts of 1870, Chapter 31, reorganized the entire system of Circuit Courts in Tennessee into fifteen judicial circuits. The Tenth Judicial Circuit contained the counties of Robertson, Montgomery, Stewart, Cheatham, Dickson, Humphreys and Sumner.
 23. Public Acts of 1870, Chapter 46, scheduled the opening dates of the regular terms of the circuit court in every county in Tennessee. In Humphreys County the Court would start its regular terms on the fourth Monday in March, July and November.
 24. Acts of 1885 (Ex. Sess.), Chapter 20, was a revision of the entire lower court system of Tennessee. The State was divided into fourteen judicial circuits. The counties of Sumner, Robertson, Montgomery (civil cases only), Stewart, Houston, Dickson and Humphreys were designated as the Tenth Judicial Circuit. Terms of court would begin in Humphreys County on the fourth Monday in March, July and November.
 25. Public Acts of 1899, Chapter 427, reorganized the entire lower judicial structure of the State into fourteen Judicial Circuits. The Ninth Judicial Circuit contained the counties of Robertson, Montgomery, Stewart, Houston, Humphreys, Cheatham, Dickson, and Sumner. Circuit Court terms would begin in Humphreys County on the first Monday in January, May and September.
 26. Private Acts of 1903, Chapter 29, reset the terms of the Circuit Courts in the Ninth Judicial Circuit, composed of the counties of Sumner, Robertson, Cheatham, Montgomery, Houston, Stewart, Dickson, and Humphreys whose court would convene at Waverly on the second Monday in April, August and December.
 27. Private Acts of 1909, Chapter 329, amended Private Acts of 1903, Chapter 29, by rescheduling the terms of the Circuit Courts for the counties in the Ninth Judicial Circuit. Circuit Court terms would commence at Waverly on the third Monday in April, August and December.
 28. Private Acts of 1917, Chapter 293, amended Public Acts of 1915, Chapter 57, by resetting the opening dates of the Circuit Court terms in Humphreys county from the first Monday in August and December to the second Monday in August and December.
 29. Private Acts of 1925, Chapter 212, amended Public Acts of 1915, Chapter 57, by changing the terms of the Circuit Court in Humphreys County to the third Monday in April and the second Monday in August and December.
 30. Public Acts of 1957, Chapter 95, and Public Acts of 1976, Chapter 655, created the Twenty-first Judicial Circuit, added an additional judge, provided that the Senior Judge shall be the Presiding Judge, and provided for authority to hire a secretary for the new judge. T.C.A. 16- 2-506 and 16-2-509 provide that Humphreys County is in the Twenty-third Judicial District, provide the number of judges, and designate the presiding judge.

Circuit Court- Clerk

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

1. Private Acts of 1903, Chapter 255, fixed the annual salaries of the Circuit Court Clerks in Tennessee according to the population class of the County in which they served. According to census information for the year 1900, Humphreys County would have paid the Circuit Court Clerk \$500 a year. The Clerks must file a sworn, itemized statement with the County Judge or Chairman, by January 1, showing all the fees collected in the office for the preceding year. If the fees were less than the stipulated salary, the county would pay the difference. If the fees were more than the salary, the Clerk could retain the excess.
2. Private Acts of 1919, Chapter 7, provided that all women over twenty one years of age were eligible to serve as Deputy in the offices of any of the Clerks of the Courts in Humphreys county. They would have all the rights, privileges, responsibilities, and obligations as other Deputy Clerks.
3. Private Acts of 1919, Chapter 473, stated that in Humphreys County the Circuit Court Clerk would be paid as compensation the sum of \$800 per year, payable quarterly, on the warrant of the County Judge, or Chairman, provided a sworn, itemized statement was filed with the Judge, or Chairman, showing all the fees collected in the office during the quarter. If the fees were less than the salary, the County would make up the difference. The Clerks could not donate the fees to anyone, and must pay any Deputy Clerks out of their own salary.
4. Private Acts of 1925, Chapter 660, amended Private Acts of 1919, Chapter 473, by raising the annual salary of the Circuit Court Clerk of Humphreys County from \$800 to \$900.
5. Private Acts of 1931, Chapter 747, declared that in Humphreys County the Circuit Clerk would receive as compensation the sum of \$1,000 annually, payable quarterly out of the county treasury on the warrant of the County Judge, or Chairman, but the Clerk must file a sworn, itemized statement showing all the fees collected in the office with the County Judge, or Chairman, each quarter. If the fees were less than the salary, the County must supply the difference to the Clerk. The Clerk was required to pay the Deputies out of his salary.
6. Private Acts of 1935, Chapter 409, declared that in Humphreys County the Quarterly Court had the authority to appropriate sufficient money out of the county general funds to insure, or make the salary of the Circuit Court Clerk equal \$800 per annum. The Clerk must file a sworn, itemized statement at least ten days before the first Monday in January of each year with the County Judge or Chairman showing all the fees collected in the office for the preceding year. If the fees were less than the salary, the county must pay the Clerk the difference. All the fees exceeding the annual salary of the Clerk would become the property of the County and be paid into the general county fund.
7. Private Acts of 1937, Chapter 603, amended Private Acts of 1935, Chapter 409, by increasing the annual salary of the Circuit Court Clerk from \$800 to \$1,000.
8. Private Acts of 1961, Chapter 258, provided additional compensation of \$1,200 per annum to the Circuit Court Clerk of Humphreys County for his service as Clerk of the Court of General Sessions. This sum would be in addition to any amount authorized under the general law and would come from fines and costs collected in the Court of General Sessions

District Attorney General - Assistants and Criminal Investigators

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

1. Acts of 1817, Chapter 65, Section 3, laid the State of Tennessee off into ten Solicitorial Districts. The Tenth Solicitorial District was made up of the counties of Dickson, Stewart, Humphreys, Montgomery, and Robertson. The General Assembly would appoint one Attorney General for each District who would prosecute on behalf of the State.
2. Public Acts of 1821, Chapter 42, Section 3, set up the 13th Solicitorial District which included the counties of Humphreys, Henry, and Carroll. A new Solicitor General would be elected to prosecute in the name of the State in the new Solicitorial District.
3. Public Acts of 1835-36, Chapter 28, enacted pursuant to the new 1834 State Constitution, made each Solicitorial District in Tennessee coincide with each Judicial Circuit. The General Assembly would appoint one Attorney General for each District who would prosecute on behalf of the state.
4. Public Acts of 1929, Chapter 29, created the position of Assistant Attorney- General in the Ninth Judicial Circuit, who must be over 21 years of age, a licensed attorney, and a resident of the Circuit in which he was appointed. The Assistant was required to assist the Attorney-General, to attend the Grand Jury sessions, to prosecute offenses in the name of the State of Tennessee and

to perform such other duties as the Attorney-General might direct. The annual salary would be \$3,000, but this position would terminate and cease when the Attorney General of the Circuit recovered and returned to duty.

5. Public Acts of 1971, Chapter 56, Public Acts of 1972, Chapter 781, Public Acts of 1974, Chapter 527, and Public Acts of 1976, Chapter 519, created additional positions for assistant district attorneys general in the Twenty-first Judicial Circuit. Humphreys County is now part of the Twenty-third Judicial District according to T.C.A. 16-2-506, which also provides the number of judges, assistant district attorneys general, and investigators for the district.

General Sessions Court

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

1. Private Acts of 1961, Chapter 9, fixed the amount of the annual salary of the Judge of the General Sessions Court in Humphreys County at \$4,800, payable in equal monthly installments out of the general funds of the county.
2. Private Acts of 1972, Chapter 385, amended Private Acts of 1961, Chapter 9, by increasing the annual salary of the General Sessions Court Judge from \$4,800 to \$10,000. This Act was not acted on by the Humphreys County Quarterly Court and consequently never became an effective law under the Home Rule Amendment to the State Constitution.
3. Private Acts of 1973, Chapter 101, created the positions of Night Clerk and Deputy Night Clerk of General Sessions of Humphreys County. The Judge would appoint only one Night Clerk, but could appoint as many deputies as were necessary. The compensation would be not less than \$100 per month each. This Act was not approved by the Quarterly Court and never took effect.
4. Private Acts of 1973, Chapter 131, amended Private Acts of 1961, Chapter 9, by setting the base salary of the Judge of the General Sessions Court at \$10,000 with a provision for a cost-of-living increase beginning September 1, 1974.

Chapter VI - Education/Schools

Board of Education

Private Acts of 1967-68 Chapter 456

SECTION 1. The county board of education of Humphreys County shall consist of one (1) member from, and residing in, each of the magisterial districts of Humphreys County which are now or may be hereafter established. The members of the board of education shall be elected, by the qualified voters of the magisterial district in which the member is from, and at the August, 1972 election, members shall be elected for the following terms:

- (1) The members from districts one (1) and three (3) shall be elected for a term expiring September 1, 1974;
- (2) The members from districts four (4) and seven (7) shall be elected for a term expiring September 1, 1976; and
- (3) The members elected from districts two (2), five (5) and six (6) shall be elected for a term expiring September 1, 1978.

At the expiration of the respective terms hereinabove set out, thereafter members and each magisterial district as their terms expire shall be elected by the qualified voters in the magisterial district in which he is from, for a full six (6) year term at the August election in even years, which term shall commence on September first (1st) following the election. Members of the county board of education shall meet the qualifications set forth in Tennessee Code Annotated, Section 49-209 [§ 49-2-202].

Candidates for the office of board of education member shall qualify at the same time as other officials of the county courts and the elections shall be subject to the same laws that govern similar elections.

As amended by: Private Acts of 1972, Chapter 285

SECTION 2. Chapter 117 of the Private Acts of 1935, as amended by Chapter 173 of the Private Acts of 1935, as amended by Chapter 503 of the Private Acts of 1935, as amended by Chapter 92 of the Private Acts of 1951, and Chapter 93 of the Private Acts of 1951, are hereby repealed.

SECTION 3. Nothing in this Act shall be construed as having the effect of removing any incumbent from

office or abridging the term of any official prior to the end of the term for which he was elected.

SECTION 4. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Humphreys County before August 1, 1968. 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 5. For the purpose of approving or rejecting the provisions of this Act, as provided in Section 4, it shall be effective upon becoming a law. For all other purposes, it shall become effective upon being approved as provided in Section 4.

Passed: April 3, 1968

Bus Contracts

Private Acts of 1941 Chapter 205

COMPILER'S NOTE: See also T.C.A. 49-6-2101 for general state law concerning the power of County Boards to provide transportation.

SECTION 1. That all County Boards of Education in all the Counties of the State having a population of not less than 12,035 nor more than 12,045, according to the Federal Census of 1930 or any subsequent Federal Census, be and the same are hereby empowered to make contracts for the conveyance of the public school pupils of said Counties to and from the public schools of same for a period of time not exceeding three years if so desired by such Boards; provided funds are made available each year for such transportation.

SECTION 2. That such contracts shall not be entered into until the Boards of Education of said Counties shall have first advertised for sealed bids for same for at least thirty days before any such contracts shall be entered into, reserving the right to reject any and all bids, at their discretion, and if none of the bids are satisfactory, these said Boards may enter into such contracts without further advertising for bids, provided they are able to contract with good, responsible parties on better terms than offered in such bidding.

SECTION 3. That before any such contract for such conveyances shall become valid and binding, the County Boards of Education shall require of each person so employed under such contracts to enter into a bond with good and solvent securities for the full amount of his such contract to convey all pupils on his route in a careful and as far as possible safe manner, and to keep his bus or vehicle used in such conveyance in good repair, and up to the standard as the State public school authorities shall prescribed, and to obey all rules and regulations of the County Board of Education of his County shall adopt or prescribe. And on the failure of anyone, so contracting to carry out his such contract, he may be dismissed by the County Board of Education employing him or their successors in office, after due notice is given him and an opportunity given him to be heard.

SECTION 4. That it shall be the duty of such County Boards of Education to examine all such buses or vehicles periodically and if they find any bus or vehicle used in the transportation of public school pupils that does not come up to the requirement and is not in a good, safe condition, they shall at once notify, in writing, the owner or operator of such bus or vehicle, and shall require of such owner or operator that he proceed, at once, to have such defect remedied, and on his failure to do so, then within a reasonable time, after receiving such notice he shall be dismissed from service, and his contract declared null and void, and the Board may proceed at once to employ someone else to take his place.

SECTION 5. That this Act take effect from and after July 1, 1941, the public welfare requiring it.

Passed: February 5, 1941.

Education/Schools - Historical Notes

Board of Education

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

1. Private Acts of 1907, Chapter 236, abolished the office of District Directors and established a County Board of Education and a District Board of Advisors in every Tennessee County which would manage and control the schools. The Quarterly County Court would lay off the county into five school districts as nearly equal as possible in population or territory, from each of which one

member of the school board would be elected, initially by the County Court, and subsequently by the people of their district. The Superintendent would serve as the Secretary to the Board. The duties of the Chairman, the Secretary, and the other Board members were specified in the Act. A three member Advisory Board was to be elected biennially by the people of the District and their duties were enumerated.

2. Private Acts of 1935, Chapter 117, provided that in Humphreys County the members of the County Board of Education would be elected by popular vote, first at the election on Saturday, March 2, 1935, who would hold office until their successors were elected in August, 1936, regular election for a term of two years. There would be five school districts which would be co-extensive with the five civil districts of the County. One member, who must meet all the qualifications in the general law, would be elected from each school district. This Act was repealed by Private Acts of 1967-68, Chapter 456.
3. Private Acts of 1935, Chapter 173, page 394, amended Private Acts of 1935, Chapter 117, by adding a provision that all the residents of Humphreys County who were qualified to vote in the gubernatorial election in November, 1934, or qualified to vote at the March 2, 1935 election, would be qualified to vote in the election of school board members as set up in that Act. This election would be held subject to all regulations and penalties as would be invoked in a Sheriff's race. This Act was repealed by Private Acts of 1967-68, Chapter 456.
4. Private Acts of 1935, Chapter 277, made it unlawful for the Humphreys County Board of Education to elect as teacher in any of the elementary or high schools of the County any person who is the wife or husband of another teacher. This prohibition further extended to any husband or wife who was receiving a salary in excess of \$900 per year from the public funds of the County or State. This Act would expire by its own terms four years after the date of its passage.
5. Private Acts of 1935, Chapter 503, amended Private Acts of 1935, Chapter 117, by adding a provision which added a member at-large to the County Board of Education making six members instead of five, who would have all the rights and privileges as other members. The County Judge, or Chairman, would appoint someone to serve in the new office until September 1, 1936 when his successor would take office for a two year term. The County Superintendent was authorized to vote on the selection of teachers in same manner as other Board members, but was not permitted to vote on any other matter or issue before the Board. This Act was repealed by Private Acts of 1967-68, Chapter 456.
6. Private Acts of 1945, Chapter 217, stated that in Humphreys County the per diem compensation of members of the County Board of Education would be \$2.50 per day for attending the sessions of the board, plus five cents per mile for each mile traveled going from the member's residence to the meeting place and return.
7. Private Acts of 1951, Chapter 92, amended Private Acts of 1935, Chapter 117, by adding a provision which created a Sixth School District by dividing the second School District by a north and south line at the Highway Bridge across Trace Creek on Highway 70 at the John Box property, about one mile east of Denver, the portion lying west of the line being the 6th District. A seventh member of the School Board would be elected by the people in the area who would take office on September 1, 1952 for a two year term. Charles Totty was appointed to serve on the school board until the election produced his successor in office. This Act was repealed by Private Acts of 1967-68, Chapter 456.
8. Private Acts of 1951, Chapter 93, regulated the voting in the 2nd Civil District of Humphreys County in which members of the County School Board were elected. This Act was repealed by Private Acts of 1967-68, Chapter 456.
9. Private Acts of 1970, Chapter 264, amended Private Acts of 1967-68, Chapter 456, to provide for one member of the school board to be elected by the people from each of the Civil Districts from which they were elected, and who must meet all the qualifications for the office which were established under the general law. This Act was not acted on by the Quarterly County Court of Humphreys County and therefore never became an effective law.
10. Private Acts of 1970, Chapter 291, was the authority for the County Board of Education to devise a system for testing children which would determine whether or not a child was an "exceptional child" as defined by Section 49-2901, Tennessee Code Annotated. Any child would be tested on the motion of his instructors. If the determination were favorable, the child would be transferred to the program for exceptional children which would not affect attendance records on which school aid was based. This Act was not approved by the Humphreys County Quarterly Court and never took effect under the provisions of this Home Rule Amendment to the Constitution of the State.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Humphreys County, but are no longer operative.

1. Private Act of 1919, Chapter 673, provided that in Humphreys County the minimum salary of the County Superintendent of Public Instruction would be \$1,000 per year and that full time must be devoted to duties and responsibilities of the office.
2. Private Acts of 1925, Chapter 707, provided that the County Superintendent of Public Instruction in Humphreys County would be elected by the qualified voters of the county at the regular August election. The term of office was set at four years.

General References

The following acts constitute part of the administrative and political heritage of the educational structure of Humphreys 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 1809, Chapter 77, established Academies in the counties of Maury, Giles, Lincoln, Bedford and Humphreys. In Humphreys County, John Aulstone, Robert Germine, Charles Yeas, Michael Dickson, and David H. Burton, were named as the Trustees of Tait Academy.
2. Acts of 1815, Chapter 172, named Francis Maury, William H. Burton, John Lane, James Craig, John Holland, William Leggitt, and Michael Dickson as the trustees of a lottery to be conducted for the benefit of Tait Academy in Humphreys County. The Trustees were empowered to raise up to \$3,000 for the Academy.
3. Private Acts of 1825, Chapter 127, established a county academy in Humphreys County which would be called Rural Academy, located near Reynoldsburgh, or within one mile of that town, which academy would have and enjoy all the privileges of other county academies. Enis Ury, Robert Jarman, Daniel Mason, William Larimer, and James R. McMeans, were named as the academy's Trustees.
4. Private Acts of 1832, Chapter 57, Section 2, declared that the Commissioners of the Common Schools who were appointed by the County Court of Humphreys County at its July term in 1832, would have and exercise all the powers and jurisdiction of Common School Commissioners of the said county as thoroughly as though they had been appointed at the time required by law.
5. Private Acts of 1832, Chapter 92, Section 6, ratified and confirmed the appointment of Steven C. Pavatt, Lemuel Herrin, James S. Sails, William McCaslin, Urbane Harris, George W. Farmer, and Jacob Browning as the Common School Commissioners for Humphreys County.
6. Private Acts of 1833, Chapter 138, was the authority for the managers of the lottery to be drawn in Humphreys County for the purpose of building a bridge across Cypress Creek in the said county to pay over to the Common School Commissioners the sum of money they received from the sale of lottery tickets, and it was made the duty of the school commissioners to receive the money and appropriate it for the use and benefit of the schools.
7. Acts of 1839-40, Chapter 102, named the official county academy for every county in the State for which each county could draw funds from the State. Rural Academy was designated as the official county academy in Humphreys County. The County Courts in each county was empowered to biennially appoint five trustees for their respective county academies.
8. Acts of 1847-48, Chapter 160, incorporated James H. Martin, William C. Young, T. C. Brevard, Hiram Box, and William McElwain of Humphreys County as the Trustees of the Chapel Hill Male and Female Academy. The County Court was empowered to name the Trustees of the Academy on the first Monday in April who would act for the next two years after their nomination.
9. Acts of 1853-54, Chapter 290, Section 20, was the enabling legislation which permitted the incorporation of J. W. Little, James Adams, W. S. Cloyd, D. H. White, Isaac W. Drake, P. F. Gould, and V. S. Allen as the Trustees of the Waverly Female Academy with all the incidental power and authority of educational corporations, including the right to promulgate rules for the internal management and control of the school.
10. Private Acts of 1859-60, Chapter 57, Section 15, incorporated Mitchell Trotter, N. C. Parish, M. McCauley, Abner Dickson, William C. Jackson, J. F. Waggoner, and W. W. Mosslee as the Trustees of the Ebenezer Male and Female Academy in Humphreys County. The Trustees would organize the school, sell stock in the corporation, collect the funds and generally oversee the construction of the academy.
11. Public Acts of 1873, Chapter 50, stated that the six State bonds of \$1,000 each which had been issued for the Spencer T. Hunt School Fund, belonging to Humphreys and Dickson counties, were

- to be canceled and filed in the Comptroller's Office, plus the interest accumulated, and the same would be regarded as a debt for the free public schools of those two counties. This fund was directed to be kept separate from other school funds and paid to the counties semi-annually.
12. Private Acts of 1901, Chapter 235, created School District #43 in the 14th Civil District of Humphreys County which was described as: beginning where the M. J. Hunter west line crosses Hurricane Creek Road; south to include the farms of W. T. Davis, I. H. Davis, and J. F. Davis to the old Jackson Road; east with the road to the 10th Civil District line; north with the line of the 10th Civil District and 14th Civil District to the north side of Blue Creek; west including the old Luke Matlock place, William Matlock, H. W. Dunn, Tyler Wallace, James Holland, A. J. Wallace, and the McCallum farms in School District #43; thence south including Mrs. C. Baker, and M. J. Hunter.
 13. Private Acts of 1903, Chapter 274, amended Private Acts of 1901, Chapter 235, by changing the boundaries of School District #43; beginning at the crossings of Jackson and Waverly Roads; north to Jake Tubbs' west boundary, with it to Hurricane Creek Road above Griffins; up McEwen Road to Mrs. Baker's northeast corner; west to Ike Johnson's north boundary line to the Wiley Road; southwest to William's and Sam Long's west boundary line to the Creek and then to Lon Timmon's west boundary line; thence south to Jackson Road and east to be beginning.
 14. Private Acts of 1903, Chapter 275, formed a School District out of portions of Humphreys County and Perry County; beginning on the bank of the Tennessee River at J. W. Bell's northwest corner, east with Bell's line to the dividing ridge between Clue Creek and Camp branch; thence with the ridge which divides the area from Blue Creek to the top of the ridge between Clear Creek and Crooked Creek; thence with the ridge to the head of Pond Hollow; thence to the head of Big Water's Branch; thence to a point due east of J. F. Hill's south boundary line; thence with Hill's line to the southwest corner on the bank of the Tennessee River; thence with the meanders of the River to the point of the beginning. The election commission was required to hold an election for three District Directors, and the school superintendents would furnish the number of the school children in the area to the Trustees of both the counties.
 15. Private Acts of 1905, Chapter 214, created the McEwen School District Number 19, out of parts of the Fifth Civil District and the Tenth Civil District of Humphreys County, as the area was described in the Act. All the public school property located within the prescribed area would become the property of the 19th School District. The County Superintendent of Public Instruction in Humphreys County would appoint the three School Directors who would serve until the next regular election for School Directors. Upon the filing of an accurate census with the proper authorities, the free school money of the county would be divided accordingly.
 16. Private Acts of 1921, Chapter 818, established a school district in the Second Civil District of Humphreys County which would be called the "Fairview Special School District" and which would embrace the area described in the Act. John B. Link, Howard Malcomb, and James Crockett were named as the first directors of the District who would serve until the next general election when their successors would be elected for a two year term. The powers and the duties of the Board of Directors were listed in the Act. The County Trustee was required to appropriate their share of the school funds as soon as the scholastic census was reported. In order to operate and maintain the schools for a period of nine months during the year, a school tax of fifteen cents per \$100 property valuation and a poll tax of \$1 were authorized which would both enure to the exclusive benefit of the school district. All resident children between the ages of six and twenty-one could attend the district schools free of charge but all others must pay a tuition charge to be set by the Board of Directors. The Board members would not be compensated in any way and would be responsible for employing principals, teachers, and all other school personnel. This Act was repealed by Private Acts of 1927, Chapter 17.
 17. Private Acts of 1921, Chapter 843, created the Tribble Special School District in the Second Civil District of Humphreys County, the area of which was described in the Act. The Act named W. N. McCrary, W. B. Richardson and James F. Fowlkes as the first Board of Directors for the District who would serve until their successors, elected in the next general election, would assume office for a two year term. The specific powers and responsibilities of the Board were listed in the Act. When the scholastic census was properly reported, all school funds would be pro-rated accordingly. A tax of 30 cents per \$100 property valuation and a poll tax of \$1 were both authorized to be levied in order to keep the schools open for at least nine months each year. All resident children between the ages of six and twenty-one were entitled to attend schools in the district free, while all others must pay tuition. The Board of Directors would not be paid. This Act was repealed by Private Acts of 1923, Chapter 610.
 18. Private Acts of 1923, Chapter 610, directed that all funds in the hands of the Tribble Special

School District Board be returned to the County Trustee of Humphreys County. All taxes in the District which were due and unpaid on May 15, 1923 would be paid to the Trustee who must keep these funds separate. All the debts of the school district would be paid from this special account. In the event any funds remained after all debts were paid, that money would be expended by the Board of Education of Humphreys County for the schools in that district.

19. Private Acts of 1927, Chapter 824, set aside \$10,000 out of the \$500,000 provided for in the Tobacco Tax Bill of the State to complete the construction of the consolidated Elementary and High School at McEwen in Humphreys County. The County School Board was required to make application for that amount to the proper authorities in which they were to specify exactly how that sum would be spent

Chapter VII - Elections

Civil Districts

Private Acts of 1915 Chapter 126

SECTION 1. That there be and are hereby created for and within the County of Humphreys in the State aforesaid in lieu of fifteen Civil Districts as now laid out, five Civil Districts only to be and are hereby declared commensurate with the five School Districts of said County.

SECTION 2. That the boundaries of said five newly created Civil Districts shall be as follows:

1. The territory of Districts Nos. 1, 11, 15 as embraced therein as now laid shall compose and constitute the First Civil District of said County or District No. 1.
2. The territory embraced in 2, 3 and 6th Civil Districts as now laid out shall embrace and constitute the Second Civil District or District No. 2 of said County.
3. The territory embraced in the 5th, 10th and 9th Districts as now laid out shall constitute the Third Civil District of said County.
4. The territory now embraced as laid out in the 7th, 8th and 14th Civil Districts shall constitute the 4th Civil District of said County.
5. The territory embraced in the 4th, 12th, and 13th Districts as now laid out shall compose and constitute the Fifth Civil District of said County.

SECTION 3. That the Justices of the Peace and Constables as now constituted shall hold their offices until the first Monday in June 1915.

SECTION 4. That an election be held in the said new Districts herein created in the manner provided by law for Justices of the Peace and Constables for the Districts created by this Act on the first day in May 1915, and after that as provided in the general election laws of the State.

SECTION 5. That for the convenience of the voters of the County all election precincts now established and existing in said County of Humphreys shall continue and shall be legal election precincts in and for the several districts of said County as herein established, and provided further that the School Districts and Road Districts in said County shall remain as now existing under the law until altered or changed by legal authority.

SECTION 6. That under the provisions of this Act there shall be one additional Justice of the Peace for Waverly, the County site and McEwen in said County, both being incorporated towns.

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

Passed: March 24, 1915

Elections - Historical Notes

Districts - Reapportionment

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

1. Private Acts of 1935, Chapter 131, made it the duty of the Election Commission to hold an election immediately after the passage of this Act to ascertain the will of the people of Humphreys

County on the question of abolishing the existing five Civil Districts established by Private Acts of 1915, Chapter 126, and restoring the former fifteen Districts. The Election Commissioners must canvass the vote and certify the results to the Humphreys County delegates in the Tennessee General Assembly.

2. Private Acts of 1959, Chapter 174, was not approved by the Quarterly Court of Humphreys County and never became an effective law under the Home Rule Amendment to the Constitution. This Act would have amended Private Acts of 1915, Chapter 126, by dividing the territory of the Second Civil District into two Civil Districts. The part of the Second Civil District which coincides with the Sixth School District as it was described in Private Acts of 1951, Chapter 92, would become the 6th Civil District. An election would be scheduled in the new portion to elect two Justices of the Peace and a Constable for the new district.
3. Private Acts of 1967-68, Chapter 457, directed the Humphreys County Quarterly Court, prior to the general election to be held on the first Thursday in August, 1972, to divide the County into no less than four and no more than eight Civil Districts of approximately equal population. The population of any one District would not vary over 10% from the other Districts. If the Court failed to act, the present number of the Justices of the Peace would remain the same but all the Justices must run at large. Each Civil District would elect two Justices of the Peace and one Constable except the District with the county seat which would elect three Justices of the Peace and two Constables. Private Acts of 1915, Chapter 126, was repealed with all its amendments, but this Act would not be construed as removing any Justices of the Peace from the incumbent office. This Act was not approved by the Quarterly Court and therefore remained ineffective

Elections

The following is a listing of acts for Humphreys County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes.

1. Acts of 1809, Chapter 31, which formed the new county of Humphreys directed the Sheriff to hold elections to select one colonel and two majors for the militia and later to choose the members of the General Assembly, the Governor, the President and Vice-President, and other offices on the days established for said elections.
2. Acts of 1812, Chapter 5, divided the State of Tennessee into eight Presidential Electoral Districts, each of which would select one Presidential Elector. The 8th District contained the counties of Robertson, Montgomery, Stewart, Dickson, Hickman, and Humphreys. The polls would be compared at Charlotte in Dickson County.
3. Acts of 1812, Chapter 27, formed six U. S. Congressional Districts in Tennessee, assigning the counties of Robertson, Montgomery, Dickson, Humphreys, Hickman, Stewart, Maury, and Giles to the Sixth U. S. Congressional District which would elect one Representative.
4. Acts of 1812, Chapter 57, apportioned the representation in the General Assembly of the State which consisted of twenty Senators and forty Representatives. Montgomery County, Stewart County, and Humphreys County made up one of the Senatorial Districts and would elect one senator. The Counties of Stewart and Humphreys would combine to elect one State Representative.
5. Acts of 1813, Chapter 7, required that the Sheriff of Humphreys County would hold a separate election at the house of Captain James Craig, on Blue Creek, for each election to be hereafter held in the County. The polls of this precinct would be canvassed at Reynoldsburgh.
6. Acts of 1817, Chapter 4, stated that the returning officers of the election district composed of the Counties of Stewart, Montgomery, and Humphreys who were formerly bound to meet at Roslin in Stewart County would hereafter meet at the house of Phillip Hornberger in Stewart County and be governed by the same rules and regulations as all other election officers.
7. Acts of 1817, Chapter 179, declared it the duty of the Sheriff or his Deputy of Humphreys County, on the days appointed by law for holding elections, to hold a separate election at the house of Benjamin Watts on the Buffalo River in the said county.
8. Public Acts of 1819, Chapter 69, designated the counties of Stewart, Perry, and Humphreys as one of the twenty State Senatorial Districts while Humphreys County and Perry County would jointly elect one of the forty Representatives in the State Legislature. All polls would be counted and compared at Reynoldsburgh.
9. Public Acts of 1821, Chapter 46, Section 2, provided that votes from the new Senatorial District of Stewart County, Humphreys County, Perry County, Henry County, Carroll County, and Henderson County would hereafter be counted at Reynoldsburgh in Humphreys County.

10. Public Acts of 1822, Chapter 1, established nine U. S. Congressional Districts in Tennessee. The 8th District included the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman.
11. Public Acts of 1823, Chapter 47, formed eleven Presidential Electoral Districts in the State for the Presidential election which would take place on the first Thursday in October, 1824. The 10th Presidential Electoral District consisted of the counties of Montgomery, Robertson, Stewart, Dickson and Humphreys and would elect one elector.
12. Public Acts of 1824, Chapter 1, was almost a duplicate of Public Acts of 1823, Chapter 47, except that the date of the Presidential Election was set on the first Thursday and Friday in November, 1824.
13. Public Acts of 1826, Chapter 3, divided Tennessee into 20 State Senatorial Districts and 40 Representative Districts in the General Assembly. The Counties of Stewart, Humphreys, Perry, and Henderson would compose one election district and elect one Senator. The counties of Stewart, Humphreys and Perry would join together to elect one Representative.
14. Private Acts of 1826, Chapter 36, made it lawful in all the elections for the field officers of the militia in the Counties of Dickson, Jackson, Campbell, Claiborne, Stewart, Marion, Humphreys, and Hardin for the same to be held at the various places which would be determined by the county courts for other elections.
15. Public Acts of 1827, Chapter 17, divided the State into eleven Presidential Electoral Districts for the national election which would be held on the second Thursday and Friday in November, 1828. The Tenth Electoral District included the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Perry whose polls could be compared at Charlotte, in Dickson County.
16. Public Acts of 1832, Chapter 4, formed thirteen U. S. Congressional Districts in Tennessee of which the Eleventh Congressional District was made up of the counties of Robertson, Montgomery, Stewart, Humphreys, Hickman and Dickson.
17. Public Acts of 1832, Chapter 9, established fifteen Presidential Electoral Districts in the State. The 13th Electoral District was composed of the counties of Robertson, Montgomery, Stewart, Dickson and Humphreys.
18. Public Acts of 1833, Chapter 71, apportioned the representation of the State in the State Legislature. The counties of Stewart, Humphreys, Perry, and Henderson constituted one Senatorial District and the counties of Stewart, Humphreys, and Perry would jointly elect one of the 40 State Representatives.
19. Public Acts of 1833, Chapter 76, provided for a constitutional convention of sixty delegates who would be elected on the first Thursday and Friday in March, 1834, and convene in Nashville on the third Monday in May, 1834. The counties of Dickson, Stewart, and Humphreys composed one District in which two delegates would be elected. The Convention would prepare a new State Constitution.
20. Private Acts of 1833, Chapter 125, was the enabling legislation for an election to be held in Humphreys County on the question of moving the county seat.
21. Public Acts of 1835-36, Chapter 1, enacted pursuant to the requisites of the 1834 Constitution, required the General Assembly to appoint suitable people by Resolution to lay off all the counties into districts for the election of Justices of the Peace and Constables. Resolution #3, named John Thompson, William McCastland, Isaac Settle, James Teas, and William Gass to perform these duties in Humphreys County.
22. Public Acts of 1835-36, Chapter 2, Section 7, stated that the Sheriff of Humphreys County would hold the first election for the Justices of the Peace, Constables, and all officers whose election must take place in Benton County under the new 1834 Constitution.
23. Public Acts of 1835-36, Chapter 39, organized the State into fifteen Presidential Electoral Districts. The 13th District contained the counties of Robertson, Montgomery, Stewart, Dickson, and Humphreys.
24. Private Acts of 1835-36, Chapter 43, provided that the Sheriff of Humphreys County would open and hold an election on the fourth Monday in November, 1835, to receive the vote on the issue of dividing the County. It was the duty of the Sheriff to certify the results to the General Assembly of Tennessee.
25. Acts of 1839-40, Chapter 79, provided that hereafter each Congressional District of the State would also be an Electoral District for the election of the President and the Vice-President of the United States. Fifteen electors would be chosen, one from each of the thirteen districts and two

at-large.

26. Acts of 1842 (E.S.), Chapter 1, increased the representation in the Tennessee General Assembly to 25 Senators and 50 Representatives. One Senatorial District comprised the counties of Dickson, Stewart, Humphreys, and Benton. The counties of Humphreys and Benton would combine to elect one Representative. Polls were to be counted at Simmon's old store in Dickson County for the Senatorial District, and the Representative ballots would be tallied at Reynoldsburgh in Humphreys County.
27. Acts of 1842 (E.S.), Chapter 7, established eleven U. S. Congressional Districts in the State of Tennessee. The Ninth District included the counties of Robertson, Montgomery, Stewart, Dickson, Humphreys, Benton and Henry.
28. Acts of 1847-48, Chapter 101, provided that each Congressional District would be also a Presidential Electoral District and two additional Electors would be elected at-large in the State.
29. Acts of 1851-52, Chapter 196, formed ten U. S. Congressional Districts in Tennessee. The Seventh Congressional District included the Counties of Giles, Lawrence, Wayne, Hardin, McNairy, Perry, Decatur, Benton, Humphreys, Hickman and Lewis.
30. Acts of 1851-52, Chapter 197, divided the representation in the Tennessee General Assembly. The Counties of Benton, Humphreys, Perry, Decatur, and Henderson composed one State Senatorial District whose polls would be compared at the mouth of Morgan's Creek. Benton County and Humphreys County would share one Representative, comparing these votes at Reynoldsburgh.
31. Public Acts of 1865, Chapter 34, divided Tennessee into eight U. S. Congressional Districts in the aftermath of the Civil War. The Sixth Congressional District contained the counties of Lawrence, Wayne, Hardin, Decatur, Perry, Lewis, Maury, Hickman, Humphreys, Dickson, Montgomery, and Stewart.
32. Public Acts of 1867-68, Chapter 7, required that the votes polled in Humphreys County and in Benton County for the Representative in the General Assembly would hereafter be compared at Johnsonville on the Monday following the election.
33. Public Acts of 1869-70, Chapter 105, authorized a referendum on the question of a Constitutional Convention consisting of 75 delegates. The Convention could change, alter, revise, or rewrite entirely the Constitution of the State as it then existed. If approved, the Convention would meet in Nashville on the second Monday in January, 1870.
34. Public Acts of 1871, Chapter 146, reapportioned the General Assembly of the State of Tennessee which consisted of 25 Senators and 50 Representatives. The 16th State Senatorial District was composed of the Counties of Hickman, Perry, Humphreys, Dickson, Cheatham, and Houston. Humphreys County and Benton County would combine to elect one Representative.
35. Acts of 1872 (Ex. Sess.), Chapter 7, formed nine U. S. Congressional Districts in Tennessee. The Seventh Congressional District was made up of the counties of Montgomery, Houston, Stewart, Humphreys, Benton, Henry, Carroll, Henderson, Decatur, Perry, Hardin and McNairy.
36. Public Acts of 1873, Chapter 27, increased the number of the U. S. Congressional Districts in Tennessee from nine to ten. The Sixth U. S. Congressional District consisted of the counties of Davidson, Cheatham, Dickson, Humphreys, Stewart, Houston, and Montgomery.
37. Public Acts of 1881 (Ex. Sess.), Chapter 5, permanently fixed the number of Senators in the General Assembly at 33 and the number of Representatives at 99.
38. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the representation in the General Assembly. Humphreys County would elect one Representative and would elect one Senator in the Twenty-second District jointly with Hickman, Dickson and Houston Counties.
39. Public Acts of 1882 (Ex. Sess.), Chapter 27, created ten U. S. Congressional Districts in Tennessee assigning the Counties of Davidson, Robertson, Cheatham, Montgomery, Stewart, Humphreys, and Houston to the Sixth U. S. Congressional District.
40. Public Acts of 1891, Chapter 131, divided Tennessee into ten U. S. Congressional Districts. The Sixth U. S. Congressional District included the counties of Davidson, Robertson, Cheatham, Montgomery, Stewart, Humphreys and Houston.
41. Acts of 1891 (Ex. Sess.), Chapter 10, provided that Humphreys County, Wayne County, and Perry County would share one State Representative in the 15th District, and that Benton County, Humphreys County, Decatur County, and Hardin County made up the 24th State Senatorial District.
42. Public Acts of 1901, Chapter 109, established ten U. S. Congressional Districts in Tennessee. The

Seventh Congressional District contained the counties of Houston, Humphreys, Dickson, Hickman, Williamson, Lewis, Maury, Giles, Lawrence, and Wayne.

43. Public Acts of 1901, Chapter 122, reapportioned the Tennessee General Assembly. The 23rd State Senatorial District contained the counties of Dickson, Humphreys, Houston, and Stewart. Humphreys County and Perry County would jointly elect one State Representative in the 20th District.
44. Private Acts of 1917, Chapter 704, stated that no registration of voters would be required in Humphreys County as a prerequisite to the right to vote in any national, state, county, city, or precinct election. The ballot used in elections must be three inches wide and seven inches long as was then provided by general law.
45. Private Acts of 1949, Chapter 197, set the compensation of officers holding elections, both general, special and primary, in Humphreys County at \$2 per day.
46. Private Acts of 1951, Chapter 93, stated that all elections hereafter held in the 2nd Civil District of Humphreys County in which members of the County School Board were to be elected, all residents and qualified voters of the Second Civil District living east of the line running due north and south from the point where Trace Creek crosses Highway 70 would vote in some precinct located east of that particular line and all residents living west of the line in the Second Civil District would vote in some precinct west of the line.
47. Private Acts of 1953, Chapter 385, provided that in Humphreys County all polling places in the towns of Waverly, McEwen, and New Johnsonville would be open from 9:00 A.M. until 6:00 P.M. in all State, county, or municipal elections.

Chapter VIII - Health

Currently, there are no private acts.

Chapter IX - Highways and Roads

Road Law

Private Acts of 2012 Chapter 34

SECTION 1. Chapter 634 of the Private Acts of 1935, as amended by Chapter 540 of the Private Acts of 1937, Chapter 269 of the Private Acts of 1937, Chapter 195 of the Private Acts of 1943, Chapter 267 of the Private Acts of 1949, Chapter 372 of the Private Acts of 1955, Chapter 28 of the Private Acts of 1959, Chapter 150 of the Private Acts of 1967, Chapter 182 of the Private Acts of 1967, Chapter 187 of the Private Acts of 1969, Chapter 286 of the Private Acts of 1972, Chapter 33 of the Private Acts of 1993, and any other acts amendatory thereto, is hereby repealed.

SECTION 2. For the purpose of providing an efficient system of roads, highways, and bridges and the building, construction, reconstruction, maintenance and repair of roads, highways, and bridges in Humphreys County, Tennessee, the office of County Road Supervisor for the County is hereby created.

SECTION 3. The County Road Supervisor shall be deemed to be the chief administrative officer of the highway department, which builds and maintains the roads of the county in accordance with the County Uniform Highway Law, codified at Tennessee Code Annotated, Title 54, Chapter 7, Parts 1 and 2, as amended from time to time. The County Road Supervisor shall have the qualifications, term of office, duties, powers, authority and minimum compensation as provided by the County Uniform Highway Law and shall be subject to the same limitations, conditions, prohibitions and punishments as provided in the aforesaid County Uniform Highway Law. Vacancies in the office of County Road Supervisor shall be filled in accordance with Tennessee Code Annotated, Section 54-7-107 and all other applicable law. The County Road Supervisor in office on the effective date of this act shall continue to serve until the expiration of his term. At the August election in 2012, and every four (4) years thereafter, the County Road Supervisor shall be elected by a majority of the qualified voters of Humphreys County.

SECTION 4. The County Road Supervisor shall be responsible for proposing a budget for the highway department, for maintaining the inventory of the highway department, for signing all contracts on behalf of the highway department, and for making all purchases for the highway department, except that all purchases and contracts of ten thousand dollars (\$10,000) or more must be approved by a majority of the County Legislative Body. The County Road Supervisor shall have the authority to make expenditures from

the highway fund and to issue warrants drawn against the road fund of Humphreys County under his signature. All expenditures shall conform to the budget of the Humphreys County Highway Department as approved by the County Legislative Body. In performing these duties, the County Road Supervisor shall conform to all appropriate provisions of state law, including the County Uniform Highway Law, and to the appropriate local acts or resolutions. Should Humphreys County adopt some form of centralized purchasing pursuant to a local option general law or private act in the future, the provisions of this act as they relate to purchasing by the highway department shall be superseded by such act.

SECTION 5. All laws or parts of laws in conflict herewith are hereby repealed. 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 legislative body of Humphreys County. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Legislative Body and certified 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 upon being approved as provided in Section 6.

Passed: February 9, 2012.

Highways and Roads - Historical Notes

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

1. Public Acts of 1821, Chapter 6, was a statewide law which directed the Courts of Pleas and Quarter Sessions in every county to index and classify all the roads in their respective counties primarily according to the width of the road and the manner in which it was used. The width ranged from stage roads, the widest, down to those wide enough to permit the passage of horse and rider. Penalties were included for obstructing the roads and for a failure to comply with the terms of this Act. The Court was empowered to assign hands to keep the roads in good repair.
2. Private Acts of 1827, Chapter 241, was the authority for Joshua Williams, Dorsey P. Hudson, Wyatt Arnold, Thomas K. Wyly, and James Langford to open and cut a road from the south bank of the Tennessee River opposite Reynoldsburgh to Huntingdon in Carroll County. The road must be at least 30 feet wide and causewayed wherever the ground is swampy, and where the road crosses Cypress Creek a good bridge must be built. If the said road is out of repair for a period of three weeks, or longer, this condition must be reported by the Commissioners to the Humphreys County Court. The Act named Burwell Lashlea, Green B. Flowers, Jacob Browning, William Bloodworth, and James Rutherford as Commissioners for the said road who would exercise all the powers specifically granted to them in the law and by general statute.
3. Public Acts of 1833, Chapter 48, Section 7, authorized George Greer to build a turnpike road from Reynoldsburgh to Paris, specifying the route to be followed and setting up construction specifications which must be met. In case the road and the bridges were not kept in a good state of repair, a suit could be filed against the proprietors in the Humphreys County Court. A schedule of tolls for the use of the road was included in this Act. Abel Rushing and Dorsey P. Hudson, both of Humphreys County, were named as the Commissioners for this road who would examine it and periodically report its condition. Any person living in Humphreys County and working on the roads within ten miles of the said road was excused from the payment of tolls.
4. Acts of 1837-38, Chapter 290, appointed David Childress, John Massil, Isam Pavatt, Urbin Harris, Thomas Yates, Dismal Yates, A. Mathis, and Mitchell Childress, all of Humphreys County, and six citizens who were residents of Dickson County, as Commissioners, to sell stock of up to \$130,000, the proceeds of which would be used to build a macadamized, graded, graveled or sanded turnpike from Charlotte, in Dickson County, through Waverly to Reynoldsburgh in Humphreys County. All the essential details for the furtherance of the project were specified in the Act.
5. Acts of 1849-50, Chapter 26, was the enabling legislation for James J. Wyly of Humphreys County to open a turnpike road from his ferry landing on the Tennessee River near Reynoldsburgh and running the nearest and most practical route to Trace Creek at or near John Barnfield's place, and thence up the valley of the creek to the forks of the road near Dr. Isaac Pavatt's place, a distance of about six miles. The road must be at least 20 feet wide, well-drained, and with a permanent surface of gravel. Wyly would be liable for damages done in the construction of the road and,

when the road was completed, could set up a toll gate and charge the tolls stipulated in this Act. The County Court was directed to appoint a committee to inspect the road and report on its status at periodic intervals.

6. Acts of 1851-52, Chapter 234, named John B. Jones, of Henry County, Willis Rushing, Howard Williams, and Irving B. Carnes, as commissioners for a turnpike road running from Paris in Henry County to Reynoldsburgh in Humphreys County authorized by Public Acts of 1833, Chapter 48.
7. Acts of 1853-54, Chapter 103, incorporated James J. Wyly and authorized the corporation to build a turnpike road from the Tennessee River at Reynoldsburgh for a distance of 13 miles through Waverly in the direction of Charlotte in Dickson County; T. B. Gorin was also incorporated and authorized to run the same road from Wyly's terminus, for another 6 1/2 miles in the direction of Charlotte; J. H. Wyly was also incorporated and authorized to run the same road for another 6 1/2 miles beyond the end of Gorin's authorized road in the same direction. All the above were given the authority to erect toll gates on their segments of the road as soon as certain conditions were met. B. B. Spicer, C. E. Harris, V. S. Allen, _____ McCracken, and I. Luter were appointed as commissioners for the above named turnpike companies to lay out and supervise the construction of the roads.
8. Acts of 1855-56, Chapter 184, Section 15, gave the authority to the owner or owners of land lying upon Duck River in the White Horse Bend in Humphreys County to so change the channel of the river so as to run it through a sluice known as the cut off of White Horse Bend.
9. Public Acts of 1901, Chapter 136, was a general road law applicable to every county in Tennessee under 70,000 in population according to the 1900 Federal Census. The County Court would select one Road Commissioner for a two year term from each Road District in the County, the Road Districts being made co-extensive with the Civil Districts. The Commissioner would be sworn into office, bonded, and placed in charge of all public roads, bridges, and overseers in his district, and he would be compensated at the rate of \$1 per day not to exceed 10 days in one calendar year. The County Court would set the number of days between five and eight which the road hands would be required to work, and set a price on a day's labor. The Quarterly Court was permitted to levy a general road tax of two cents per \$100 property valuation for each day the road hands were compelled to work on the roads. Road Commissioners were to name the road overseers in their districts and supervise the overseers work on the portion of the road assigned to the overseer. Overseers would work the same number of days as road hands on the road, but would be paid \$1 per day up to \$6 for days over and above the compulsory number. All males between the ages of 21 and 45 were subject to road work. Road Commissioners had the power to hear and dispose of petitions to open, close, or change roads in their district. They would also classify and index the roads, and see to it that roads all met the basic specifications of this Act. This Act was involved in Carroll v. Griffith, 117 Tenn. 500, 97 SW 66 (1906).
10. Private Acts of 1905, Chapter 478, amended Public Acts of 1901, Chapter 136, in many minor particulars. The principal amendment dealt with the procedures to be followed in the acquisition of rights of way for public or private roads especially when it became necessary to invoke and use the powers of eminent domain to obtain the property.
11. Private Acts of 1915, Chapter 203, established a five member Highway Commission in Humphreys County and named W. B. Ridings, J. E. Fentress, James S. Anderson, James F. Fowlkes, and G. D. Ridings as the first members of the Commission. No Justice of the Peace would be eligible to serve, and the Quarterly Court would select their successors from the areas listed in the Act to two year terms. The Commissioners must be sworn into office, execute performance bonds, and would be paid \$2.50 a day, up to \$50 in one year, except the Secretary who would be paid up to \$100 a year. The Commission would meet on the first Saturday in January, April, July and October. They would have supervision over all the road projects in the County and the expenditure of road funds from all sources. They could employ a civil engineer to assist them at no more than \$300 annually, and they could purchase tools, materials, and equipment as needed. The offices of Road Commissioner and Overseer were abolished. All males between the ages of 21 and 50 must work five days on the roads or pay \$1 for each day missed. The Tax Assessor was directed to supply a list of road hands to the Commissioners. The County Court could levy a special road tax of not less than 10 cents nor more than 20 cents per \$100 property valuation to be used exclusively for the repair of pikes and their general upkeep, and an additional special tax of not less than 10 cents nor more than 35 cents per \$100 for working and repairing other roads. Petitions to open, close or change roads would be made to the Highway Commission.
12. Private Acts of 1917, Chapter 50, established a five member Highway Commission to serve for two years, who could not be holders of any other office, one of which would come from each Civil District. They would be selected by the Quarterly Court and be paid \$2.50 per day for each

meeting day up to \$50 each year, but the County Court would increase total annual payments to each to \$100 annually. The Commission would meet at least quarterly but was obligated also to meet whenever a meeting was properly called. They would be in charge of all road programs and funds, could purchase tools, materials, and equipment, and could employ a civil engineer at a salary not over \$300 a year, and such foremen as needed at \$1.50 per day. All males between 21 and 50 years of age were required to work 6 days on the roads each year or commute by paying \$5. Taxpayers were allowed to work out half of the general road tax which the Court could levy at no less than 25 cents and no more than 50 cents per \$100 property valuation.

13. Private Acts of 1919, Chapter 661, created the office of "County Road Supervisor", who would be appointed by the County Judge and confirmed by the County Court for a term of two years, who must meet the qualifications specified in this Act, who must devote full time to the position, and who would be paid between \$1,500 and \$2,000 annually. The Supervisor would be in general overall charge of the county road programs. The Supervisor must keep an office at the county site, and could hire a clerk or a bookkeeper to assist him at a salary between \$40 and \$80 per month but which must in all cases be ratified by the County Judge. The Supervisor would lay off the road sections in the road districts, which were coextensive in the Civil Districts, over which he could appoint overseers or foremen for a term of two years. Road work would start on October 1 of each year, for which all males between the ages of 21 and 50 were required to work six, 8-hour days, or pay \$2 for each day missed. The County Court could levy a road tax of between 30 and 60 cents per \$100 property valuation for the roads.
14. Private Acts of 1923, Chapter 493, amended Private Acts of 1919, Chapter 661, by establishing that said Road Supervisor's salary would be between \$600 and \$1,500 annually as set by the Quarterly Court, that he must meet all the qualifications stipulated in the act, devote full time to the duties of the office, and would be elected by the County Court to a one year term. The Quarterly Court would elect a County Road Advisory Commission of five citizen members to one year terms, and who would be paid \$3 per day not to exceed 12 days annually. All the necessary expenses of the Road Supervisor would be paid out of the general fund, but not until the voucher was approved by the Road Advisory Commission.
15. Private Acts of 1931, Chapter 691, amended Private Acts of 1919, Chapter 661, so as to provide that the salary of the County Road Supervisor would be paid out of the road fund instead of out of the county fund as was now being done.
16. Private Acts of 1931, Chapter 748, amended Private Acts of 1923, Chapter 493, by adding a provision that the Quarterly Court at any regular or called session could appropriate to the Road Supervisor in addition to his salary, as extra compensation for the expenditure of State and County Aid Funds, an amount not to exceed one percent of the total amount of the funds received in any one year. The amount of allowed expenses for clerical help was raised from \$200 to \$400.
17. Private Acts of 1933, Chapter 125, amended Private Acts of 1919, Chapter 661, by striking out "October" and inserting "January" in its place as the time road work would begin. The number of days of road work was reduced from six to four, the commutation price for one day's labor was changed from \$2 to \$1 and for wagons and teams from \$3.50 to \$1.50. The Quarterly Court was authorized to fix the amount of the hourly wage to be paid to drivers of wagons and teams.
18. Private Acts of 1935, Chapter 105, provided that the County Road Supervisor in Humphreys County would be elected by popular vote at an election on Saturday, March 2, 1935, and would take office at the expiration of the term of the current Road Supervisor. He would serve until his successor, elected in the August, 1936, general election would assume the office for two years. No person would be eligible to serve in this office unless he met all the qualifications established by law.
19. Private Acts of 1935, Chapter 174, amended Private Acts of 1935, Chapter 105, by adding a provision that all those voters who were eligible to vote in the Governor's election in November, 1934, would also be eligible to vote in this one. The election would be held under the same regulations and penalties as would be observed in a Sheriff's race in the County.
20. Private Acts of 1937, Chapter 269, provided that no person would be subject to road work or road duty in Humphreys County.
21. Private Acts of 1949, Chapter 267, set the annual compensation of the County Road Supervisor of Humphreys County at \$3,000, payable out of the road funds of the County. This Act was repealed by Private Acts of 1967-68, Chapter 150.
22. Private Acts of 1955, Chapter 372, which was properly ratified by the Quarterly Court of Humphreys County, provided that the annual salary of the County Road Supervisor would be set by the Quarterly Court, but was not to be less than \$3,000 nor to exceed \$4,000, all of which

would be paid out of the road funds of the County. This Act was repealed by Private Acts of 1967-68, Chapter 150.

23. Private Acts of 1959, Chapter 28, amended Private Acts of 1955, Chapter 372, by raising the limits of the annual compensation of the County Road Supervisor to between no less than \$4,000 nor more than \$5,000 as fixed by the County Court. This Act was repealed by Private Acts of 1967-68, Chapter 150.
24. Private Acts of 1961, Chapter 250, amended Private Acts of 1959, Chapter 28, by providing that in addition to the salary provided by the County for the Road Supervisor, he would also be reimbursed for expenses which were necessarily incurred by him in the performance of his duties in an amount which could not exceed \$1,000 annually. The County Judge would pay the expense account each month at the same time the regular salary was paid. This Act was rejected by the Quarterly Court and therefore never became an effective law because of the Home Rule Amendment to the State Constitution.
25. Private Acts of 1974, Chapter 178, which was rejected by the Humphreys County Quarterly Court and never took effect, would have raised the annual salary of the bookkeeper, clerk, or secretary, from \$4,800 to \$7,000.
26. Private Acts of 1935, Chapter 634, as amended by the Private Acts of 1937, Chapter 540, the Private Acts of 1937, Chapter 269, the Private Acts of 1943, Chapter 195, the Private Acts of 1949, Chapter 267, the Private Acts of 1955, Chapter 372, the Private Acts of 1959, Chapter 28, the Private Acts of 1967, Chapter 150, the Private Acts of 1967, Chapter 182, the Private Acts of 1969, Chapter 187, the Private Acts of 1972, Chapter 286, and the Private Acts of 1993, Chapter 33, which created the office of County Road Supervisor in Humphreys County was repealed by the Private Acts of 2012, Chapter 34, which rewrites the county road law to conform with the Tennessee County Uniform Highway Law.

Chapter XI - Public Utilities

Public Utilities - Historical Notes

The following act is included for historical purposes.

1. Private Acts of 1937, Chapter 684, established a drainage district to be known as the Cherry Bottom Drainage District in the Fifth Civil District of Humphreys County. John W. Daniel, W. L. Cudef and J. D. Bone were named as the initial Board of Directors until their successors were elected by the land holders of the District to two year terms. The Directors would have general control and management of the business affairs of the District, and would be vested with authority to make contracts for the maintenance, upkeep and improvement of a large drainage ditch and lateral tributaries that ran through the District from north to south then being constructed by the Works Progress Administration. The adjoining landowners were required to construct water gates and to keep the ditches on their land free from obstructions. The Directors would receive \$2 per day compensation for up to ten days per year for inspecting the ditches, and they would set the compensation of their employees. A special tax of up to \$1 per \$100 property valuation would be levied for two years against the lands in the district to repay the investors in the project, and thereafter a tax of up to 25 cents per \$100 property valuation would be levied in the District for the upkeep and maintenance of the project. This Act was declared unconstitutional as an unlawful delegation of the taxing power in Humphreys County v. Burch, 179 Tenn 562, 167 S.W.2d 992 (1943).

Chapter X - Law Enforcement

Constables

Private Acts of 1972 Chapter 377

COMPILER'S NOTE: See T.C.A. 8-10-108 for the law enforcement powers of constables in Humphreys County.

SECTION 1. Effective with the August, 1972 general election and each general election held every two

years thereafter, in Humphreys County, there shall be elected one (1) constable from each of the magisterial districts in Humphreys County except in the districts where the Humphreys County Court House is located, which shall elect two (2) constables. The term of office for each such constable shall be for two (2) years beginning on the first day of September next succeeding his election.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Humphreys County before August 1, 1972. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 3. For the purpose of approving or disapproving this Act it shall take effect on becoming a law, the public welfare requiring it. For all other purposes it shall take effect upon being approved as provided in Section 2.

Passed: April 7, 1972.

Law Enforcement - Historical Notes

Jails and Prisoners

The following acts once affected jails and prisoners in Humphreys County, but are no longer operative.

1. Acts of 1809, Chapter 66, was the basis for the Justices of the Peace in Montgomery County to lay a tax to build a district jail in the City of Clarksville for the Robertson District. The Courts of Pleas and Quarter Sessions of the Counties of Robertson, Dickson, Hickman, Stewart, and Humphreys were also authorized to levy a tax in the year 1810 in order to produce their respective shares of the cost of the District Jail.
2. Private Acts of 1823, Chapter 99, directed the Humphreys County Court to appoint commissioners to build a public jail, and directed the treasurer of Humphreys County to pay over to said commissioners all monies in his hands collected from the sale of the lots in Reynoldsburg. The commissioners would purchase a lot in Reynoldsburg for the purpose of erecting a jail.
3. Acts of 1837-38, Chapter 145, permitted the County Courts of Humphreys County and Benton County to sell the jails and public prisons and purchase others, and to sell, remove and rebuild their court houses. Humphreys County would divide the proceeds equally with Benton County.
4. Acts of 1855-56, Chapter 19, directed the Comptroller of the State Treasury to pay to James McGhee of Humphreys County the sum of \$31.12½ for keeping in jail certain negroes who were placed there at the instance of the State of Tennessee.

Militia

Those acts once affecting Humphreys 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 1809, Chapter 31, which created the County of Humphreys directed the Sheriff to hold an election for the purpose of electing one Colonel and two Majors in the Humphreys County Militia which would be the 38th Regiment in the Fifth Brigade.
2. Acts of 1811, Chapter 93, moved the militia of Humphreys County to the 6th Brigade.
3. Acts of 1815, Chapter 119, was a revised militia law which said the State Militia would be composed of free men and indentured servants between the ages of 18 and 45. The militia units of every county were organized into Regiments and Brigades. Humphreys County's unit was the 38th Regiment and along with those of the Counties of Stewart, Hickman, and Dickson made up the 6th Brigade.
4. Public Acts of 1819, Chapter 68,, was a new militia law which limited militia membership to free men and indentured servants between the ages of 18 and 45. Humphreys County retained its designation as the 38th Regiment in the 6th Brigade, and would hold the county muster and drill on the fourth Saturday in October of each year.
5. Public Acts of 1825, Chapter 69, divided and designated the units of the State militia which was composed of free men and indentured servants between the ages of 18 and 45. Humphreys County was designated the 38th Regiment which would muster on the fourth Friday in October each year. Humphreys County unit would join those of the counties of Wayne, Perry, Hardin, and McNairy to form the Eleventh Brigade.
6. Public Acts of 1826, Chapter 18, Sections 25 and 26, divided the 38th Regiment, the Humphreys County militia, into two divisions. Those who were located west of the Tennessee River in the County would form a new Regiment, but all commissioned officers were to continue in their same

rank and additional officers were to be elected.

7. Private Acts of 1827, Chapter 153, Section 4, provided that the new Regiment of the militia in Humphreys County and the new Regiment in Perry County would be numbered in their proper sequence by the Governor upon the certification to him by the Sheriff that the field officers of the Regiment had been elected and commissioned.
8. Private Acts of 1831, Chapter 124, stated that the 116th Regiment of Humphreys County would hold a regimental muster on the first Saturday in October of each year, subject to the same rules and regulations as though the time of holding the muster had not been changed.
9. Public Acts of 1835-36, Chapter 21, was a revised militia law for Tennessee which designated each county regiment by number. Humphreys County had the 95th Regiment and joined the units in Montgomery County and Stewart County to form the 15th Brigade. The Eighth, Ninth, Fourteenth, Fifteenth, and 16th Brigades constituted the Second Division.
10. Acts of 1837-38, Chapter 157, set up the schedules for the musters and drills for every militia unit in Tennessee. Humphreys County had the 95th Regiment which would drill on the second Saturday in October of each year. In the musters for the 15th Brigade, Humphreys County would muster and drill on the Monday and Tuesday following the first Friday and Saturday in September. The Brigade also included the Counties of Stewart and Montgomery.
11. Acts of 1839-40, Chapter 56, condensed and revised the State Militia Law which limited membership to free white males between the ages of 18 and 45. Humphreys County had the 95th Regiment which would hold its county muster and drill on the second Saturday in October of each year.

Sheriff

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

1. Public Acts of 1825, Chapter 36, Section 5, provided that any Coroner who might be hereafter appointed by the County Court of Humphreys County would not be compelled to take or receive any *capias ad satisfaciendum* on any judgment heretofore rendered against the Sheriff of the County and others jointly.
2. Private Acts of 1825, Chapter 136, made it lawful for the Sheriffs of the counties of Humphreys, Perry, and Hardin, the Rangers, and the other public officers to advertise the sale of lands to be sold under execution, or for taxes, and the sale of strays to be made in some public newspaper in the City of Jackson in Madison County.
3. Private Acts of 1825, Chapter 277, released Isaac Enloe, of Humphreys County, from the payment of a \$50 fine against him for being married to a girl under the age of 16. Enloe would be released upon the payment of the costs of the prosecution.

Chapter XI - Taxation

Hotel/Motel Tax

Private Acts of 1981 Chapter 135

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

- (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, governmental units, or any other group or combination acting as a unit.
- (b) "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designated for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, tourist court, tourist camp or campground, 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, lodging, or accommodations in a hotel for a period of less than thirty (30) continuous days.
- (d) "Transient" means any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings, accommodations in a hotel room or campground for a period of less than thirty (30) days.
- (e) "Consideration" means the consideration charges whether or not received, for the occupancy in

a hotel or campground valued in money whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property and service 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 or received from any person.

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

(g) "Tax collections official" means the county clerk.

SECTION 2. Humphreys County is hereby authorized to levy a privilege tax upon the privilege of occupancy in any hotel by a transient in an amount not to exceed five percent (5%) of the consideration charged by the operator. The tax imposed is a privilege tax upon the transient occupying such room and is to be collected and distributed as herein provided.

SECTION 3. The tax shall be added by each operator to each invoice prepared by the operator for the occupancy of his hotel. Such invoice is to be given directly or transmitted to the transient, a copy thereof filed by month and retained by the operator as provided in Section 7 hereof.

SECTION 4.

(a) The tax hereby levied shall be remitted by all operators who lease, rent, or charge for any rooms or campground space to the county clerk not later than the twentieth (20th) day of each month next following such collection from the transient. The operator is required to collect the tax from the transient at the time of the presentation of the invoice for occupancy, whether prior to, during or after occupancy, as may be the custom of the operator. 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 and remitted the tax levied by this act, the operator shall be allowed two percent (2%) of the amount of the tax due and accounted for and remitted to the county clerk in the form of a deduction in submitting his report and paying the amount due by him, provided, however, that the amount due was not delinquent at the time of payment.

(c) For the purpose of compensating the county clerk for collecting the tax, the county clerk shall be allowed two percent (2%) of the amount of tax remitted by hotel, motel, or campground operators or twelve thousand dollars (\$12,000.00) per annum whichever is less.

SECTION 5. No operator of a hotel, motel, or campground 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 be added to the rent, or that, if added, any part will be refunded.

SECTION 6. Taxes collected by an operator which are not remitted to the county clerk on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at a rate of twelve percent (12%) per annum, and in addition for a penalty on such taxes of one percent (1%) for each month or fraction thereof that such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. 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 be punishable upon conviction by a fine not in excess of fifty dollars (\$50.00).

Any fine levied herein shall be applicable to each individual transaction involving lodging services paid by a transient to the operator in those cases when the operator fails or refuses to pay the tax payable to the county clerk.

SECTION 7. It is the duty of every operator liable for the collection and payment of any tax imposed by this act to keep and preserve for a period of three (3) years all records necessary to determine the amount of such tax, which records the tax collection official shall have the right to inspect at all reasonable times.

SECTION 8. In administering and enforcing the provisions of this act, the tax official shall have as additional power the powers and duties with respect to collection of taxes provided in Tennessee Code Annotated, Title 67, or otherwise provided by law.

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedy provided in Tennessee Code Annotated, Section 67-2313, it being the intent of this act that the provisions of law which apply to the recovery of taxes illegally assessed and collected shall apply to the tax collected under the authority of this act; provided, the tax collection official shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67-2301, with respect to adjustment and settlement with taxpayers of all the errors of taxes collected by him under the authority of this act and to direct the refunding of same. Notice of any tax paid under protest shall be given the tax collection official. Any suit

for recovery shall be brought against such tax collection official.

SECTION 9. The county clerk shall faithfully account for, make proper reports of, and pay over to the trustee of the county at monthly intervals, all funds paid to and received by such clerk for the privilege tax.

SECTION 10. The proceeds of the tax imposed in this act, when collected and paid to the county trustee, shall become part of the county general fund, or such other fund as the county legislative body may direct.

SECTION 11. The privilege tax levied by this act shall be in addition to all other taxes or authorized to be levied whether in the form of excise, license, or privilege taxes, and shall be in addition to all other fees and taxes now levied or authorized to be levied.

SECTION 12. If any clause, sentence, paragraph, section or any part of this act shall be held or declared to be unconstitutional, it shall not affect the remainder of this act notwithstanding the part held to be invalid, if any, and to that end the provisions of this act are declared severable.

SECTION 13. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Humphreys County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified by him to the Secretary of State.

SECTION 14. For the purpose of approving this act as provided in Section 13, it shall take effect on becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on the first day of the month following ninety (90) days from approval as provided in Section 13.

Passed: May 21, 1981.

Litigation Tax

Private Acts of 1981 Chapter 66

SECTION 1. There is hereby created a litigation tax on the privilege of litigating a civil or criminal action in the Circuit, Criminal, or Chancery Courts, the court of General Sessions, Juvenile and any other Special Courts in Humphreys County. The amount of such tax shall be ten dollars (\$10.00) to be levied in Circuit, Criminal and Chancery Courts and five dollars (\$5.00) in General Sessions, Juvenile and all other Courts. As used in this Act, "cause of action" or "Action" includes, but is not limited to, all ex parte hearings, advisory hearings and adversary proceedings.

SECTION 2. The Clerks of the various Courts shall collect the litigation tax from the parties as part of the costs of the cause of action and such collections shall be made upon the disposition of such cause of action. Provided, however, the clerks shall not collect the litigation tax on such action if the Judge having jurisdiction over the action suspends the costs of the cause of action. The clerks shall collect the litigation taxes authorized by this Act and transfer such taxes to the County trustee on a monthly basis to be deposited with the trustee no later than the 10th day of the month immediately following the month of collection.

SECTION 3. Upon receipt of the funds of such litigation tax from the clerks, the county trustee shall deposit such funds in the County General Fund. Such funds shall be subject to appropriation by the County Legislative body for any County purpose.

SECTION 4. The litigation tax created by this Act shall be in addition to all other privilege taxes on litigation imposed by the laws of this state.

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

SECTION 6. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective on the first day of the month next following the approval of the County Legislative Body as provided in Section 5.

Passed: April 8, 1981.

Marriage License

Private Acts of 1981 Chapter 53

SECTION 1. In addition to all other fees, there is hereby imposed a fee of two dollars (\$2.00) upon the issuance of a license to marry in Humphreys County. This fee shall be collected by the clerk at the time of the issuance of the license and remitted by him to the county trustee as a part 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 county legislative body of Humphreys County before September 1, 1981. Its approval or nonapproval shall be proclaimed by the presiding officer of the Humphreys County 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: March 18, 1981.

Severance Tax

Private Acts of 1981 Chapter 148

SECTION 1. Humphreys County by Resolution of its county legislative body is authorized to levy a tax on all sand, gravel, limestone, phosphate rock, and all other mineral products severed from the ground within its jurisdiction. The tax shall be levied for the use and benefit of Humphreys County only and all revenues collected for the tax, except deductions for administration and collection provided for herein, shall be allocated to Humphreys County. Administration and collection of this tax shall be by the county clerk of Humphreys County who shall have the power to promulgate all rules and regulations necessary and reasonable for the administration of the provisions of this Act.

SECTION 2. The rate of the tax shall be set by the county legislative body, but shall not exceed five cents (5¢) per ton of sand, gravel, limestone, phosphate rock, or other mineral products severed from the ground in the county. Every interested owner shall become liable at the time the sand, gravel, limestone, phosphate rock, or other mineral product is severed from the earth and ready for sale, whether before processing or after processing as the case may be. The term "sand, gravel, limestone, phosphate rock, or other mineral product" shall mean, sand, gravel, limestone, phosphate rock, or any other mineral severed from the earth in the process of producing a saleable product by whatever means of severance used. It shall not include, however, any mineral taxed under the provisions of Tennessee Code Annotated, Section 67-5901 through 67-5905 [§ 67-7-110], Section 60-1-301 or any lime or limestone used for agricultural purposes. The tax shall be levied upon the entire production in the county regardless of the place of sale or the fact that delivery may be made outside the county. The tax shall accrue at the time the sand, gravel, limestone, phosphate rock, or other mineral product is severed from the earth and in its natural or unprocessed state. The tax levied shall be a lien upon all sand, gravel, limestone, phosphate rock, and other mineral products severed in the county and upon all property from which it is severed, including but not limited to mineral rights of the producer, and such lien shall be entitled to preference over all judgements, encumbrances or liens whatsoever created.

SECTION 3. The tax levied by this Act shall be due and payable on the first day of the month succeeding the month in which the sand, gravel, limestone, phosphate rock, or other mineral products are severed from the soil. For the purpose of ascertaining the amount of tax payable, it shall be the duty of all operators in Humphreys County to transmit to the county clerk on or before the fifteenth (15th) day of the month next succeeding the month in which the tax accrues a return upon forms provided by him. The return shall show the month or period covered, the total number of tons of each type of mineral, sand, gravel, limestone, phosphate rock, or other mineral product severed from each production unit operated, owned or controlled by the taxpayer during the period covered, the amount of the tax and such information as the county clerk may require. The return shall be accompanied by a remittance covering the amount of tax due as computed by the taxpayer.

SECTION 4. The tax levied by this Act shall become delinquent on the sixteenth (16th) day of the 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 eight percent (8%) 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 tax is delinquent for a period of sixty (60) days, or if the nonpayment of the tax is due to an intent to evade payment, the person liable for such payment may be restrained and enjoined

from severing sand, gravel, limestone, phosphate rock, or other mineral products that have been severed and sold and upon which the tax is due. Restraint proceedings shall be instituted in the name of the county by the district attorney general for the county at the request of the Humphreys County Clerk. All such penalties and interest imposed by this Act shall be payable to and collectible by the county clerk in the same manner as if they were a part of the tax imposed and shall be retained by the county clerk's office to help defray the expenses of administration and collection. Any person required by this Act to make a return, pay a tax, keep records, or furnish information deemed necessary by the county clerk for the computation, assessment, or collection of the tax imposed by this Act, who fails to make the return, pay the tax, keep the records, or furnish the information at the time required by law or regulation is, in addition to other penalties provided by law, guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for not more than one (1) year or both.

Any person who willfully or fraudulently makes and signs a return which he does not believe to be true and correct as to every material fact is guilty of a felony and subject to the penalties prescribed for perjury under the law of this state. For the purposes of this section the word "person" also includes an officer or employee of a corporation or a member or employee of a partnership who is under duty to perform the act in respect to which the violation occurs.

SECTION 5. When any person shall fail to file any form, statement, report or return required to be filed with the county clerk, after being given written notice of same, the county clerk is authorized to determine the tax liability of such person from whatever source of information may be available to him. An assessment made by the county clerk pursuant to this authority shall be binding as if made upon the sworn statement, report or return of the person liable for the payment of such tax; and any person against whom such an assessment if lawfully made shall thereafter be estopped to dispute the accuracy thereof except upon filing a true and accurate return together with such supporting evidence as the county clerk may require indicating precisely the amount of the alleged inaccuracy.

SECTION 6. All revenues collected from the severance of sand, gravel, limestone, phosphate rock, or other mineral products in Humphreys County less an amount to cover the expenses of administration and collection and all of the penalties and interest collected, which shall be retained by the office of the county clerk and credited to its current service revenue to cover the expense of administration and collection, shall be remitted quarterly to the county trustee of Humphreys County, not later than the tenth (10th) day of the month following the end of the calendar quarter. These revenues shall become a part of the general fund of Humphreys County, subject to appropriation by the county legislative body.

Any adjustment of taxes, penalties, or interest which is necessary to adjust any error in collection of disbursement may be made at subsequent collection or disbursement.

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

SECTION 8. For the purposes of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

Passed: May 16, 1981.

Taxation - Historical Notes

Wheel Tax

The following is a listing of acts pertaining to taxation in Humphreys County which are no longer effective.

1. Private Acts of 1975, Chapter 130, established a \$15 wheel tax on all motor vehicles using the roads in Humphreys County, except for farm vehicles, motorcycles and government vehicles. Anyone using the said roads for 30 days in any year was subject to payment of the tax. It was declared to be a misdemeanor when one failed to comply. The County Court Clerk had the responsibility of collecting the tax and issuing decals to be prominently displayed on vehicles as evidence of payment. Procedures were established in the statute whereby transfers of the decals could take place and those replaced which might have been lost or stolen. The proceeds of the tax would be placed into the general fund. This Act was not approved by the Quarterly County Court of Humphreys County and therefore was rendered null and void under the Home Rule Amendment to the State Constitution.
2. Private Acts of 1978, Chapter 287, established a \$25 privilege tax on motor vehicles in Humphreys County. The County Court Clerk would collect the tax and issue decals. The proceeds

of the tax would be allocated as follows: 12% to the city of Waverly, 4% to the city of McEwen, 4% to the city of New Johnsonville, and 80% to the general fund of Humphreys County exclusively for the county road department. All proceeds would be used for road maintenance and repair. This Act was not approved by the County Court and never took effect.

Taxation

The following is a listing of acts pertaining to taxation in Humphreys County which are no longer effective.

1. Private Acts of 1826, Chapter 100, was the authority for the Quarterly Court of Humphreys County to levy a tax in the amounts stipulated in the Act. The proceeds of this tax would be used to repair the Court House and to build a bridge across Cypress Creek. The tax could be continued for a period of three years.
2. Private Acts of 1833, Chapter 302, declared that those citizens of Humphreys and Perry Counties who reside in the Brown's bend of the Duck River were authorized to enter their lands and other property for taxation in Hickman County and be exempt from the same in their own county.

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