



May 07, 2024

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# Hickman

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

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](http://www.ctas.tennessee.edu)

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## Hickman



Hickman County Courthouse

**Revised and Edited By:** Steve Lobertini, Codification Specialist, and Theodore Karpynek, Administrative Assistant, 1996

**Updated By:** Elaine Turner, 2005

# Chapter I - Administration

## County Legislative Body

### Private Acts of 1947 Chapter 37

#### **SECTION 1.**

(a) A county budget commission is hereby created for Hickman County, composed of six (6) members, together with the county executive, who shall serve as a member of the commission, but without the right to vote, except in case of ties. (b) The six (6) members shall be selected in the following manner:

(1) The county executive shall appoint four (4) members of the Hickman County Legislative Body, who shall then be subject to ratification by the Hickman County Legislative Body. The legislative body may approve all four (4) of the commissioners, or may approve less than four (4). Whenever the county legislative body does not approve one (1) of the commissioners so appointed by the county executive, then the county executive shall select another commissioner to so serve, and that commissioner shall be subject to ratification by the county legislative body. The county executive shall continue to appoint commissioners until such time as the county legislative body approves four (4) members. All these members shall be members of the county legislative body. (2) The Superintendent of Schools of Hickman County shall appoint a member who may be a member of the school board, but who does not have to be. That member shall, likewise, be approved by the county legislative body; and likewise, if the county legislative body does not approve such a member, then the superintendent of schools shall appoint another member and such other members until a member is appointed by the school superintendent who is ratified by the legislative body. (3) The Road Superintendent of Hickman County shall appoint a member who may be a member of the road commission, but who does not have to be. That member shall, likewise, be approved by the county legislative body; and, likewise, if the county legislative body does not approve such a member, then the road superintendent shall appoint another member and such other members until a member is appointed by the road superintendent who is ratified by the legislative body.

(c) The appointments provided herein shall be made at the January meeting of the Hickman County Legislative Body, and their ratification or rejection shall be accomplished at such January meeting.

(d) All references in this chapter to the "Hickman County Quarterly Court" or "quarterly court" shall be deemed references to the "Hickman County Legislative Body", "county legislative body", or "legislative body".

As amended by: Private Acts of 1985, Chapter 2

**SECTION 2.** Four (4) members of the Hickman County Budget Commission, together with the county executive, shall constitute a quorum.

As amended by: Private Acts of 1985, Chapter 2

**SECTION 3.** That it shall be the duty of said Commission to meet at the courthouse at the county seat on the first Monday in May, 1947, for the purpose of making a careful investigation of the financial affairs, and financial needs of the county for the preparation of a budget and the computation of tax levies to be submitted to the County Court at its July quarterly term for the year 1947, and each year thereafter they shall meet on the first Monday of May and as often as called to meet by the Chairman.

Each department of the county government, and each division thereunder is required to submit an itemized statement of its needs for a period of twelve months beginning July 1st and ending June 30th, to said Commission at its annual meeting the first Monday in May. It shall be the duty of said Commission to make a thorough investigation of each department or branch, and each subdivision thereunder, of the county government, and for said purpose said Commission shall have the authority to examine the records and books of all county officials and to issue subpoena and compel the attendance of witnesses.

Said Commission shall, after a detailed investigation of the needs of each branch or department of the county government, prepare a budget which shall show in detail the exact financial condition of each branch or department of the county government showing the amount of money expended during the past year for each branch or department, and the purpose for which same was expended; the imperative needs of each branch or department of the county government for the current year; the total amount expended by the county government in the past year, and the total amount necessary for the current year, and the rate of taxation necessary in order to provide the amount of revenue necessary and actually needed to

economically and efficiently administer the functions of each department of the county government. The said budget shall show the total tax rate necessary to levy and the rates for each particular purpose.

It shall be the duty of the Commission to examine the tax books and determine the aggregate of the assessment for the preceding year and to determine the probable aggregate of the assessment for the current year, in order that an accurate computation of the rate of taxation necessary may be ascertained. For the purpose of determining these matters the Commission shall have the power to subpoena the Tax Assessor, or other informed person, as a witness. It shall be the duty of the Commission also to determine from the collections of the previous year the probable amount of revenue that will be collected from sources other than county taxes.

In addition to meeting in the courthouse, the commission may meet in any other place designated by the county executive.

As amended by: Private Acts of 1985, Chapter 2

**SECTION 4.** [Deleted by Private Acts of 1985, Chapter 2].

**SECTION 5.** The commission shall report its budget and the tax rates recommended, to the Hickman County Legislative Commission at such time as to allow the Hickman County Legislative Body to consider the budget and pass on the budget at some period of time more than ten (10) days after it is first presented.

It shall be the duty of the commission in the event of an increase recommended in the expenditure of any branch or department of the county government over that expended by such branch or department for the previous year to set out in details the reasons which justify or necessitate the increase.

As amended by: Private Acts of 1985, Chapter 2

**SECTION 6.** Each member of the Hickman County Legislative Body shall be furnished with a copy of the proposed budget and tax recommendations at such time as to allow them at least ten (10) days to consider the budget and tax recommendations prior to the budget being voted on by the county legislative body.

As amended by: Private Acts of 1985, Chapter 2

**SECTION 7.** The county clerk shall read the report of the commissions in open session at the June term before the tax levy is made for the current and subsequent years, and the legislative body shall act upon the report and each separate item thereof that calls for expenditures of tax monies; provided, however, that this presentation may be made at some other time besides the June meeting, but must be made at a time more than ten (10) days prior to the July meeting of the Hickman County Legislative Body.

It shall be the duty of the Hickman County Legislative Body in fixing the tax rates for the current and subsequent years to do so with proper regard for the recommendation of the commission, but the commission is hereby declared to be advisory only, and no action taken by the commission shall preclude any action by the legislative body in the manner of making out and determining the budget, or for making the various tax levies, or from changing any action of the commission, whether in whole or in part, in any way the legislative body deems right and proper.

Ratification of any budget of the Hickman County Legislative Body may be made only after ten (10) days have elapsed from the time the county commissioners have had an opportunity to see the budget in full.

As amended by: Private Acts of 1985, Chapter 2

**SECTION 8.** That there shall be included in each annual budget report the amount of bonded indebtedness of the county and the various departments thereof, and warrants outstanding, the amount of interest due on each issue to be paid the current or subsequent year, and the amount of bonds or warrants to be retired during said current or subsequent year and the amount available to meet said payments.

**SECTION 9.** Each member of the commission, except those from the county legislative body who are otherwise compensated, shall receive as compensation for their services such sums per day as may be fixed by the county legislative body at the term which elects them, to be paid for only such days as they actually serve, not to exceed ten (10) days per any one (1) year, and this amount shall be paid out of the general funds of the county. The county executive shall serve as secretary, or he may designate someone to serve as secretary to the commission. The county executive shall be responsible for all clerical duties of the commission, including public notices of the meetings and notification of the commission members as provided herein. All commissioners of the Hickman County Legislative Body shall be notified of the location and time of each meeting of the Hickman County Budget Commission.

As amended by: Private Acts of 1969, Chapter 41

Private Acts of 1985, Chapter 2

**SECTION 10.** That all purchases or contracts made in excess of the adopted budget shall be void and unenforceable against the county, either under the terms of the contract or otherwise, provided, however,

the Quarterly County Court at either a regular or called session may amend the current budget by adopting, approving or ratifying such contract.

**SECTION 11.** That the Quarterly County Court of said county, after the adoption of a budget, may amend, change or modify same, either in whole or in part and to either increase or decrease it, at its discretion by a majority vote.

**SECTION 12.** That the head of each department or branch of the county government, included herein after the adoption of a budget at the July term of the Quarterly County Court of said county, shall in a well bound book enter the amount set aside for said branch or department and each activity thereof, and shall keep a daily record showing the unused balance of the department and of each governmental activity and in case of any amendment or change of said budget by the Quarterly County Court shall note therein such change or amendment.

**SECTION 13.** That it shall be unlawful for any public official of said county after any such budget has been adopted as provided by the provisions of this Act to obligate or expend county funds in excess of said budget or any item thereof and any official or employee who exceeds the budget so provided for his department of the county government, shall be guilty of a misdemeanor and be punished as such, and in addition thereto shall be personally liable to the county for any such overage and be subject to removal from office at the suit of any taxpayer or county officer.

Nothing contained in this section shall be construed to prohibit a department head from transferring funds from one line item within his budget to another line item within his department's budget.

As amended by: Private Acts of 1985, Chapter 2

**SECTION 14.** That the provisions of this Act are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases or parts be held unconstitutional or void, or so as applied to any person, then the remainder of this Act shall continue in full force and effect, it being the legislative intent thereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

**SECTION 15.** That this Act take effect from and after its passage, the public welfare requiring it. Passed: January 20, 1947.

## County Mayor

### Acts of 1907 Chapter 451

**SECTION 1.** That the office of County Judge of the county of Hickman be, and the same is hereby, established in said county.

**SECTION 2.** That said County Judge shall be a citizen of said County, and shall have resided in said County for at least five years prior to the date of his election; he shall be at least thirty years of age; he shall be learned in the law, and shall be a man of good moral character.

As amended by: Private Acts of 1915, Chapter 109

**SECTION 3.** That immediately after this Act takes effect the Governor shall fill said office by appointment, the person appointed to hold his office until the first regular election for county officers occurring after the passage of this Act.

**SECTION 4.** That at the first regular election for county officers occurring after the passage of this Act the said County Judge shall be elected by the qualified voters of Hickman County.

**SECTION 5.** That the term of office of said County Judge shall be eight years from the first day of September following his election.

**SECTION 6.** That said County Judge shall be commissioned in the same manner of other Judges of the State, and before entering upon the duties of the office he shall take and subscribe to the same oath and be qualified in the same manner prescribed by law for Chancellors and Circuit Judges of this State, and shall also enter into a bond in the sum of five thousand dollars, conditioned to faithfully discharge the duties of his office and to account for all moneys and county property that shall come into his hands as such County Judge.

**SECTION 7.** That said County Judge shall not be precluded from practicing law in any of the courts of this State, except in the County Court of Hickman County and in cases appealed from his decision.

**SECTION 8.** That the County Judge herein created shall have and exercise all the powers, jurisdiction, and authority which now belong to and are exercised by the Chairman of the County Court of said county, and he shall also have all the powers, jurisdiction, and authority now conferred by law upon the County

Judges, the office of Chairman of the County Court of Hickman County being hereby abolished.

**SECTION 9.** That said County Judge shall have the power and authority to grant fiats or writs of attachment or injunction or certiorari and supersedeas and all other extraordinary writs that the Chancellors and Circuit Judges of this State have the power to grant, and also to hear and determine cases on writs of habeas corpus, and he shall also have the right to appoint receivers.

**SECTION 10.** That all vacancies in the office of County Judge of Hickman County shall be filled in the same manner as vacancies in the offices of Chancellors and Circuit Judges; and when from sickness or other causes said County Judge is unable to hold his court or attend to the duties of his office, temporary appointments shall be made to fill his office in the same manner as now prescribed by law for Chancellors and Circuit Judge under similar contingencies.

**SECTION 11.** That the salary of the County Judge of Hickman County shall be Two Thousand Dollars (\$2,000.00) per annum, and the same shall be paid quarterly out of the general funds of the county. Provided, however, that the County Judge shall maintain an office in the Courthouse.

As amended by: Private Acts of 1945, Chapter 437

**SECTION 12.** That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after the first day of January, 1908, the public welfare requiring it.

Passed: April 10, 1907.

## Joint Property

### Private Acts of 1935 Chapter 729

**SECTION 1.** That all Counties in the State of Tennessee with a population of not more than 13,620 and not less than 13,613, according to the Federal Census of 1930, or any subsequent Federal Census, be and the same are hereby enabled to own property jointly with an [sic] municipal corporation within said Counties.

**SECTION 2.** That the said Counties may contract with the users of its municipal buildings now in existence or that may hereafter be in existence, or any that may be built jointly by the said Counties and the Municipal Corporation within said Counties. And the authority to so contract, regulate and control said buildings, may be [sic] resolution of the Quarterly County Courts of said Counties be delegated to such authority as the same may direct; and in general to co-operate with the Board of Mayor and Aldermen of the Municipal Corporations with their boarders with whom they may jointly own property; and to especially give said Counties just such authority as may be necessary to properly own, operate and control the same. Provided, however, that nothing herein shall permit said counties to own and acquire said property except as now provided by law.

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

Passed: April 22, 1935.

## Administration - Historical Notes

### Budget System

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

1. Private Acts of 1945, Chapter 392, created a three-member budget committee in Hickman County which would be composed of the county judge, the county trustee, and a third member to be elected by the quarterly county court. The elected member of the budget committee was to be the same person as the elected member of the purchasing committee. The compensation for the third member would be set by the court but could not exceed \$100 a year. The county judge was designated as the budget director, and the fiscal year was to begin on July 1 of each year. The road superintendent, the board of education, the county judge, and other county officials were required to file budget requests for their departments by April 1 of each year, or at least 45 days prior to the beginning of the fiscal year. The budget committee was to prepare the budget by following the steps outlined in the act. The completed budget was to be presented to the quarterly county court at its July session along with an appropriation resolution and a tax levy resolution. The appropriation resolution was to set limits for spending by various departments, subject to



approval by the county judge. Provisions for emergency expenditures were included. A budget accounting system was to be set up and maintained by the office of the county judge, where all records were to be kept. A budget secretary and assistants could be employed to assist the director in implementation of the system. All departments were required to keep records of funds received and disbursed, and report same to the county judge. Failure to do so would be deemed a misdemeanor and subject to a fine.

2. Private Acts of 1947, Chapter 36, expressly repealed Private Acts of 1945, Chapter 392, above, in its entirety.
3. Private Acts of 1957, Chapter 220, was the legal authority for the Hickman County Quarterly County Court to transfer up to \$75,000 from the debt service or sinking fund account to another account to be known as the building account. Withdrawals from said building account could be made to defray the expenses of necessary maintenance of public buildings, provided, however, that no school buildings were to be included in the maintenance program. This act was rejected by the quarterly court and never became effective.
4. Private Acts of 1959, Chapter 79, authorized the quarterly county court of Hickman County to transfer the sum of \$10,000 from the debt service or sinking fund account to the general funds account to be used for promoting the industrial and commercial development of the county. Again, no school buildings were to be included in any program resulting from this act. This act was properly ratified by the Hickman County Quarterly County Court.

### **County Attorney**

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

1. Acts of 1909, Chapter 340, created the office of county attorney in Hickman County, who would represent the county in the criminal courts, being given the same power and authority as the attorney general of the judicial circuit, plus, the county attorney would represent the county in all its legal business. He would be paid fees in costs up to \$250 annually, plus \$2.50 for each case in which he represented the state and no costs were adjudged. He would also be paid a reasonable and just amount for services to the county other than these. The county judge would appoint someone qualified to serve as county attorney until the next general election when he would be elected by popular vote. This act was repealed by the one following.
2. Private Acts of 1927, Chapter 69, expressly repealed Acts of 1909, Chapter 340.

### **County Clerk**

The following act once affected the office of county clerk in Hickman County. It is included herein for historical purposes.

1. Private Acts of 1933, Chapter 605, fixed the salary of the county court clerk of Hickman County (identified by the use of the 1930 Federal Census figures) at \$1,800 per year, payable monthly, provided that the fees from the said office were sufficient to pay that amount. The county court was authorized to supplement that sum to furnish additional help or pay for extra expenses. The county court could also require the county court clerk to execute bond with a surety company, the premium of which would be paid from the general county fund.

### **County Legislative Body**

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

1. Acts of 1807, Chapter 44, established a court of pleas and quarter sessions upon the creation of Hickman County which court would meet at the home of William Joslin on Pine River in the said new county, until adjourned to a better place.
  1. Acts of 1807, Chapter 53, assigned Hickman County to the Robertson District which also embraced the counties of Robertson, Dickson, and Stewart as well. The quarterly court in Hickman County would meet on the third Monday in January, April, July and October the same dates being currently observed.
  2. Acts of 1809, First Session, Chapter 93, scheduled the terms of court for all the courts of pleas and quarter sessions in the state. Hickman County's Quarterly Court would continue to meet on the third Monday in January, April, and October.
  3. Acts of 1811, Chapter 124, changed the opening dates of the terms of the court of pleas and quarter sessions in Hickman County to the second Monday in January, April, July and

October.

4. Acts of 1812, Chapter 68, Section 6, returned the terms of court for the court of pleas and quarter sessions in Hickman County to the third Monday in January, April, July and October.
5. Acts of 1813, Chapter 134, rearranged the schedule for the court terms of the courts of pleas and quarter sessions in many of the counties including Hickman whose court would begin its terms on the second Monday in February, May, August and November.
6. Acts of 1817, Chapter 138, Section 3, rescheduled the terms of the Hickman County Quarterly Court to the second Monday in January, April, July and October.
7. Private Acts of 1819, Chapter 154, Section 2, fixed the opening dates for the sessions of the quarterly court of Hickman County on the third Monday in January, April, July and October.
8. Public Acts of 1819, Chapter 6, Section 6, declared that the justice of the peace for Hickman or Wayne counties attend the first session of the court of pleas and quarter sessions in Hardin County for the purpose of administering to the justices of Hardin County the necessary oaths.
9. Private Acts of 1820, Second Session, Chapter 98, Section 2, changed the court terms of the pleas and quarter sessions court of Hickman and Perry County. Hickman County's court would start its regular sessions on the second Monday in January, April, July and October.
10. Private Acts of 1822, Second Session, Chapter 143, ratified and confirmed the proceedings of the court of pleas and quarter sessions of Hickman County at the July session which was held at Vernon, in the same manner as if the court had been authorized to assemble at that place. Hereafter, the county and the circuit court would meet and hold court at the courthouse in Vernon.
11. Private Acts of 1822, Second Session, Chapter 210, Section 3, authorized the county court of Hickman County to make an appropriation and direct the trustee to pay over to the umpires appointed by the legislature in 1821, to fix on a site for the seat of justice in Hickman County, the sum of \$4.00 per day for each day there were employed in going to and returning from, and fixing on a site in said county.
12. Public Acts of 1827, Chapter 44, Section 2, provided that the court of pleas and quarter sessions of Perry, Humphreys, Stewart, Hickman and Henry counties, a majority of the justices being present and in favor of the same, might, on the first day of the first term of the year, select three of their number to hold court for the rest of that year under the same rules and regulations governing the full court, and, more specifically, under the same rules and regulations applicable to the Rutherford County Court. This court would be the quorum court of the county.
13. Acts of 1851-52, Chapter 262, Section 7, authorized the election of an additional justice of the peace for the first civil district of Hickman County. His powers and jurisdiction were to be co-extensive with other justices of the peace.
14. Acts of 1861, Second Session, Chapter 11, in light of the fact that a larger amount of state tax was assessed and collected than was authorized by law, this act authorized the county court of Hickman County to appropriate the money collected in any manner it deemed necessary.
15. Private Acts of 1913, Chapter 212, provided that in Hickman County and several other counties, (all identified by the use of the 1910 Federal Census) each justice of the peace would be entitled to receive as compensation for his services the sum of \$2.50 per day for attendance at any regular or special session of the court, plus a travel allowance of five cents per mile for each mile traveled in going to and from his residence to the county seat.
16. Private Acts of 1923, Chapter 87, rescheduled the opening dates of the terms of the Hickman County Quarterly Court to the second Mondays in January, April, July and October.
17. Private Acts of 1927, Chapter 59, expressly repealed Private Acts of 1923, Chapter 87 and then scheduled the opening dates of the quarterly county court terms to be on the first Mondays in January, April, July and October.
18. Private Acts of 1937, Chapter 803, stated that in Hickman County each justice of the

peace who was duly elected, qualified, and acting as such would be paid \$3.50 for each day of attendance at any regular, called, or special session of the quarterly county court, on warrant signed by the county court clerk and countersigned by the county judge. The intention of the act, as expressed therein, was to increase the per diem pay of each justice of the peace from \$1.50 to \$3.50 per day without interfering with any travel allowance or mileage provision in existence.

19. Private Acts of 1945, Chapter 469, fixed the compensation of the justice of the peace in Hickman County at \$4.50 per day for each day of attendance at any regular, called or special session of the court, which amount would be paid upon warrant signed by the county court clerk and approved by the county judge. The intention therein was to increase the per diem payments without adjusting the mileage allowance.
20. Private Acts of 1955, Chapter 93, would have set the per diem payments of the Hickman County Justice of the Peace at \$10 for each day's attendance at the sessions of the quarterly county court, and, in addition, he would be paid five cents per mile for each mile traveled to attend the sessions. This act was rejected by the Hickman County Quarterly Court and never became law .
21. Private Acts of 1965, Chapter 163, stated that justices of the peace were to be paid \$10 per day for their attendance at sessions of the quarterly county court and were to also be paid 5¢ per mile for each mile traveled in attending those sessions.

### **County Trustee**

The following acts once affected the office of county trustee in Hickman County, but are no longer operative.

1. Private Acts of 1929, Chapter 83, directed the county trustee of Hickman County to keep all school money coming into his hands separate and apart from other funds and to deposit them in a bank account designated as "School Funds". Thereafter, it would be unlawful to expend any of these funds except for school purposes. A violation of this act could bring about fines of up to \$100 for each offense, a forfeiture of the office and any imprisonment which might be handed down by the judge.
2. Private Acts of 1931, Chapter 755, required the county trustee of Hickman County to keep all county road or highway funds, including the funds derived from the state gas tax, separate and apart from other county funds. The trustee was to give additional bond to cover said funds and could pay these funds out only on warrants drawn and signed by the chairman of the county board of highway commissioners, countersigned by the county road superintendent and approved by the county judge or chairman. The trustee was further obligated to furnish to the county board of highway commissioners monthly statements showing the balance of the road account. The trustee, for failure to abide by the terms of this act, could be fined from \$100 to \$500, imprisoned at the discretion of the judge and forfeit the office.
3. Private Acts of 1933, Chapter 604, fixed the compensation of the Hickman County Trustee at \$1,800 each year, payable in equal monthly amounts. The quarterly court was given the authority to supplement this amount as was necessary to provide the trustee with assistance or help pay any extraordinary expenses. The quarterly county court could require the trustee to make bond, and pay the premium for the trustee out of the general county funds.
4. Private Acts of 1933, Chapter 606, stated in the preamble that the bond of the Hickman County trustee was set at \$150,000, which was four or five times double the amount of money handled in the office; therefore, the amount of the bond was reduced to \$75,000 for all purposes.

### **Purchasing**

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

1. Private Acts of 1945, Chapter 391, created a three-member purchasing committee in Hickman County, composed of the county judge, who would be chairman; the county trustee, who would be secretary; and, one other member to be appointed by the quarterly county court. The committee would contract for and purchase all supplies and materials for the county government, and purchase or rent any and all real estate belonging to Hickman County. All items over \$150 had to be purchased by sealed bid and in accordance with the procedures established in the act, but competitive prices had to be sought in all purchases. Emergency purchases could be made without observing the restrictions herein, provided that a statement from the committee explaining the necessity for the emergency purchases was included with the purchase order.

Members of the committee could not have any personal interest in any contract or transaction. The compensation of the committee member selected by the quarterly county court was to be fixed by resolution of said court and paid out of the general fund of the county.

2. Private Acts of 1947, Chapter 35, expressly repealed Private Acts of 1945, Chapter 391.

### **General Reference**

The following private or local acts constitute part of the administrative and political history of Hickman County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1809, First Session, Chapter 7, provided for the election by the people of five commissioners at an election to be conducted by the sheriff on the first Monday in March next, who would set up a permanent seat of justice in Hickman County. The commissioners would purchase no less than 30 acres as near the center of the county as possible and lay the same off into streets, alleys, and lots, reserving two acres in square form for the public square. Lots would be sold to best bidders under conditions stipulated in the act. The proceeds of the sales were to be used to erect a courthouse, prison, and stocks in the said town and the court could levy a tax if necessary to secure sufficient funds. The town herein laid off and provided for would be called Vernon which would be the place for holding the county court in Hickman County.
2. Acts of 1815, Chapter 44, required that public inspections of tobacco, hemp, flour, lard, butter, and other commodities, which were intended for exportation, be made and warehouses established in which to do so. In Hickman County the warehouse would be built and the inspections take place at or near the mouth of Lick's Creek.
3. Private Acts of 1819, Chapter 46, was the enabling legislation for the commissioners of the city of Vernon in Hickman County to sell additional lots in the city.
4. Private Acts of 1819, Chapter 67, recited in the preamble that Robert Murray, of Hickman County, had obtained a license to peddle goods, wares, and merchandise in Williamson County but had since removed with his family to Hickman County, therefore, this act authorized Murray to do the same in Hickman County without having to buy a new license.
5. Private Acts of 1819, Chapter 76, extended the time allowed for the opening and clearing of Lick Creek in Hickman, and other counties, to navigation.
6. Private Acts of 1819, Chapter 121, appointed several notaries public for different Tennessee counties calling them by name. Eli B. Hornback and Garrett Lane were designated as notaries for Hickman County.
7. Private Acts of 1822, Second Session, Chapter 210, declared it to be lawful for Milton Dixon to charge Hickman County at the rate of \$3.00 per day necessarily devoted to running the lines and centering the same under the direction of commissioners appointed by the general assembly. Dixon could file and prove his claim before any justice of the peace if the county court authorized and appropriated the money to be paid to him.
8. Private Acts of 1823, Chapter 73, was the authority for the commissioners appointed to establish a seat of justice for Hickman County to sell the courthouse and the jail in the town of Vernon, on a credit of twelve months taking bond and security from the highest bidder, after having advertised the sale in the required manner.
9. Private Acts of 1823, Chapter 105, appointed Edward Nunnally, James Young, Jonathan J. Stanfield, Robert Anderson, and Eli Hornbeck, as commissioners, to sell and dispose of the remaining lots in Centerville under the terms and conditions expressed in the act. The funds realized from the sale would be used to pay for the courthouse, prison, and stocks in Centerville. Then commissioners would contract for and supervise the construction of the above, and, if insufficient money was raised by the sale of lots, a tax could be levied to complete the program. The county court and circuit courts would continue to meet in Centerville and all previous laws in conflict herewith were repealed.
10. Private Acts of 1825, Chapter 243, was the legal authority for Randall Depriest, of Hickman County, to hawk and peddle goods, wares, and merchandise in the county without having to purchase a license to do so.
11. Private Acts of 1829-30, Chapter 37, permitted Nancy Harlin, wife of Jeremiah Harlin, who had departed from the state of Tennessee and his whereabouts were unknown, to do all things in regard to their property as if her husband was still located in the state.
12. Private Acts of 1829-30, Chapter 105, emancipated Prudence Pugh, wife of Joel Pugh, of Hickman County conferring upon her the authority to make and enter into contracts in her own name, to

- sue and be sued, and have all the privileges of a feme sole. No property held by her would be liable to, or subject to, the claims of any creditors of Joel Pugh.
13. Private Acts of 1829-30, Chapter 214, Section 2, allowed Eli B. Hornbeck, of Hickman County, to hawk and peddle goods, wares, and merchandise in Hickman County without having to secure a license.
  14. Private Acts of 1831, Chapter 46, Section 2, declared that Rebecca M'Intosh, wife of Nimrod N'Intosh of Hickman County, may sue and be sued, plead and be impleaded, and that all the property she may acquire by purchase, gift or devise, shall not be liable to the debts, contracts, engagements or forfeitures of her husband.
  15. Private Acts of 1831, Chapter 102, authorized Joseph Davy of Hickman County to convey all the right, title, claim and interest, that he or his wife Hannah Davy may have to land on the waters of the Sugar Fork of Bigby in Maury County. Furthermore, if Joseph Davy made any conveyance, it was good and valid in law and equity as if made and signed by his wife according to the law regulating conveyances from feme coverts, any law, usage or custom to the contrary notwithstanding.
  16. Private Acts of 1831, Chapter 107, released and discharged John R. Carter, of Hickman County, from the payment of a certain judgment rendered against him in Hickman County in 1930, provided Carter paid the cost accrued in the case.
  17. Private Acts of 1831, Chapter 155, Section 2, authorized John Bullock of Hickman County to enter, by virtue of occupancy upon the general plan of the eighth district, any quantity of vacant and unappropriated land not exceeding one hundred and fifty acres on Lankford's Branch of Swan Creek for the purpose of building a mill, and the erection of such other machinery as he may think proper. Provided, however, that Bullock build a gist mill or saw mill on said land, within the period of eighteen months, otherwise the claim to said land shall be void and of no effect.
  18. Private Acts of 1831, Chapter 261, authorized Gabriel Fowlkes of Hickman County to make void an entry of twenty eight acres, founded on a register of West Tennessee. He also had the liberty of sinking the same on any occupant claim south and west of the congressional reservation line, which he may be entitled to, any law, usage, or custom to the contrary notwithstanding.
  19. Public Acts of 1831, Chapter 43, Section 6, provided that the cashier of the Bank of Tennessee would 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 portions of the \$60,000 heretofore set aside for internal improvements in Middle Tennessee which money could in turn be loaned out by county officials. The share of each county would be based on the ratio of that county's population to the population of all combined.
  20. Public Acts of 1831, Chapter 69, Section 2, was the legislation which enabled Daniel J. McGuire, of Hickman County, to barter any stoneware made by himself for goods, wares, merchandise, at wholesale, or retail, without the necessity of obtaining a license in Hickman County to do so.
  21. Private Acts of 1832, Chapter 92, Section 5, stated that part of the internal improvement fund, and the interest accrued on it, which was set apart by the general assembly, would be paid over by the cashier of the Bank of Tennessee to the chairman of the board of common school commissioners for Hickman County, or to his order, all of which was to be used for the benefit of the common public schools in the county under the same rules and regulations applied to other counties making a similar disposition of the fund.
  22. Private Acts of 1833, Chapter 19, Section 2, repealed that portion designated as Section 2 of the act which gave to Daniel J. McGuire the privilege of retailing goods, wares, and merchandise, and of bartering stoneware in Hickman County.
  23. Private Acts of 1833, Chapter 25, permitted Samuel Ratliff, of Hickman County to hawk, peddle, and sell at retail goods and merchandise in Hickman County without purchasing a license.
  24. Private Acts of 1833, Chapter 39, allowed John J. Williams, of Hardin County, to hawk and peddle his merchandise in the counties of Hickman, Lawrence, Wayne, Hardin and McNairy without the necessity of a license, and, in addition, to keep and operate a grocery store in Savannah, in Hardin County.
  25. Private Acts of 1833, Chapter 188, allowed Richard Cook, of Dickson County, to sell his goods, wares, and merchandise in Dickson County and Hickman County without having to obtain a license.
  26. Private Act of 1833, Chapter 189, was the enabling legislation for John Briggs, of Hickman County, to enter and lay down on the general survey plan of Hickman County on the Fall Branch of the

- Swan any vacant and unappropriated land up to 200 acres on which to build a grist and saw mill, provided he could obtain good and clear title to the land.
27. Private Acts of 1833, Chapter 302, stated that those citizens who now, or might hereafter, live in that part of Humphreys County and Perry County which was in the Brown's Bend of Duck River, were authorized and required to perform civil and military duty of every kind whatsoever in Hickman County, and to enter their lands and other property for taxation by Hickman County whereupon they would all be exonerated from performing the same in any other county in the state.
  28. Public Acts of 1833, Chapter 18, Section 3, authorized Madison C. Napier and Epps Jackson to enter and jointly lay down, in the eighth surveyor's districts in Hickman County, a factory for the manufacture of iron.
  29. Public Acts of 1833, Chapter 25, made it possible for any person wishing to build a mill on any of the waters in the counties of Hickman, Lawrence, Wayne, Hardin, and McNairy, or in any other county west of the Tennessee River, to do so provided no nuisance was created or maintained on either side of the river and the free navigation of the stream was not obstructed.
  30. Public Acts of 1833, Chapter 34, set up the Planters' Bank in Nashville with branches in nearly all Tennessee counties including one to be located at Centerville under the supervision of Robert Charter, Henry Nixon, Robert Shegog, Eli B. Hornbeak, John Phillips, and Millington Easley.
  31. Public Acts of 1833, Chapter 76, was the legal authorization for William Irwin, of Hickman County, to hawk and peddle goods, wares, and merchandise, in Hickman County, and Wayne County without a license, but Irwin was to take an oath before a justice of the peace that the sales were for his benefit and for no one else's benefit.
  32. Acts of 1837-38, Chapter 188, was the legislative authority for the Hickman County Court to receive, lay out, appropriate, and expend the internal improvement fund belonging to the said county, regardless from what source it might have come, and in such manner and to the extent as a majority of the justices in the court might direct. Any person failing to comply with the terms of this act could be prosecuted for a misdemeanor.
  33. Acts of 1841-42, Chapter 34, Section 25, required the entry-takers of the counties of Lawrence, Giles, Hickman, Wayne, and Maury to account for all the money received by them in payment for vacant lands in their counties to the comptroller of the state at Nashville by the first Monday in September of each year. Said accounting was to be audited and settled by the comptroller and certified by him to the state treasurer. The entry-taker was to then pay the money over to the state treasurer. Grants to all the vacant lands in those counties were to be issued by the county register under the general rules and regulations of the state.
  34. Acts of 1847-48, Chapter 90, recited in the preamble that some defects existed in the method of selecting the commissioners of the poor in Hickman County, resulting in some waste in the county; therefore, this act directed the Hickman County Court to appoint the commissioners of the poor for a three-year term. The commissioners were to appoint a superintendent for the facilities. The commissioners were also given the authority to contract with the lowest bidder for the care and maintenance of the paupers. Any person caught trespassing on the property of the poor house was guilty of a misdemeanor and could be fined accordingly.
  35. Acts of 1847-48, Chapter 192, Section 3, attached the counties of Hickman and Humphreys to the Nashville bank district and gave each of the counties a director in the Bank of Tennessee, to be appointed in the same fashion and have all the powers and immunities as other bank directors.
  36. Acts of 1849-50, Chapter 183, Section 5, authorized the entry-taker of Hickman County to keep his office at his own house and all acts heretofore done by the entry-taker at any place other than this were ratified, confirmed, and validated.
  37. Acts of 1853-54, Chapter 317, Section 3, was the legal authority for the president and directors of the Bank of Tennessee to appoint an additional director for the branch bank at Columbia, who was to be a resident of Hickman County.
  38. Acts of 1855-56, Chapter 174, stated that after the passage of this act, the surveyor of Hickman County was to do and perform all the duties which were previously the responsibilities of the entry-taker of the county, and he was to receive all the fees and emoluments arising from performance of said duties. The position of entry-taker in the county was abolished.
  39. Public Acts of 1868-69, Chapter 25, created a five-member board of county commissioners for Hickman County who would serve four-year terms and be initially appointed by the governor until their successors could be elected by popular vote. Any vacancy would be filled by appointment by the remaining members of the board. After being sworn and bonded, the commissioners were to

- meet on the first Monday in each month to transact all business which was previously that of the county court. Magistrates of the county were relieved of all power and authority. The president of the board of county commissioners was to be paid \$125, and the other members were to be paid \$75, annually.
40. Public Acts of 1869-70, Chapter 6, Section 6, specifically repealed the act creating a county commissioner or board of county commissioners for Hickman and Dickson County.
  41. Private Acts of 1869-70, Chapter 47, Section 26, authorized the incorporation of the "Hickman County Agricultural and Mechanical Association", for the purposes of promoting improvements in agriculture, promotion of mechanic arts, improvement of rural economy, and dissemination of useful knowledge on all of the above.
  42. Public Acts of 1879, Chapter 156, remitted to the people of Hickman County all the state revenue collected in the county for the years 1878 and 1879 so that they might be enabled to complete the Nashville & Tuscaloosa Railroad to Centerville.
  43. Public Acts of 1881, Chapter 144, empowered the state comptroller to receive and accept the sum of \$2,938.37 from J.N. Puckett as payment in full of accounts due the state from when he was revenue collector for Hickman County; provided, the amount was paid within the specified time, along with any accrued court costs.
  44. Private Acts of 1917, Chapter 762, made it the duty of the Hickman County Quarterly Court to appoint a committee of three citizens at the July, 1917, term who would audit the financial affairs of every office and department of the county government. One of the committee members was to be a lawyer, another with knowledge of bookkeeping, and one other citizen. The committee was mandated to audit the affairs of the county back to 1902; could appoint counsel to assist it; could subpoena witnesses; and, conduct hearings. The committee was to make reports and recommendations for action by the quarterly court, and was to be paid a reasonable compensation out of the county general funds. If the court refused to appoint the committee, any ten citizens of voting age could file a petition in chancery court to appoint such a committee. The cost of the audit was to be adjudged against the county.
  45. Private Acts of 1923, Chapter 711, was a ratification of a land grant made to the predecessors in title of William Garner to land located in the twelfth civil district of Hickman County. Garner had purchased the land pursuant to a decree of the chancery court.
  46. Private Acts of 1931, Chapter 284, removed the disability of infancy of Mary Frances Coble, of Centerville, Hickman County, and conferred upon her all rights, privileges and obligations due an adult.
  47. Private Acts of 1931, Chapter 772, removed the disabilities of infancy of Lucile Adair, of Hickman County, conferring upon her all the characteristics of adulthood.
  48. Private Acts of 1931, Chapter 830, emancipated Wylodean Peeler Totty, of Centerville, from the disability of infancy and gave her all the rights and privileges of an adult.
  49. Private Acts of 1933, Chapter 164, removed the disabilities of infancy of Marjorie Elmo Atkinson Roberts, of Hickman County, giving her all the attributes of an adult.
  50. Private Acts of 1933, Chapter 800, emancipated Ruth Agnes Turner, of Hickman County from the disabilities of infancy.
  51. Private Acts of 1935, Chapter 69, removed the disabilities of infancy of Ezra Booker of Hickman County.
  52. Private Acts of 1935, Chapter 162, removed the disabilities of minority of Martha Joe Allen, of Hickman County, giving her full rights and obligations of an adult.
  53. Private Acts of 1935, Chapter 238, removed the disabilities of minority of Bertie Lou Coble, a resident of Hickman County.
  54. Private Acts of 1935, Chapter 327, declared Maudie Bell Taylor Slater to be an adult.
  55. Private Acts of 1935, Chapter 514, removed the disabilities of infancy of Connie Stanfill, of Hickman County.
  56. Private Acts of 1935, Chapter 515, removed the disability of minority of Sarah Stanfill, of Hickman County.
  57. Private Acts of 1935, Chapter 735, declared Mary Ruth Johnson, of Hickman County, to be an adult.
  58. Private Acts of 1935, Extra Session, Chapter 157, removed the disabilities of infancy from Rashe Elkins, Jr. of Hickman County.

59. Private Acts of 1937, Chapter 419, removed from Maude Lancaster Cude, of Nunnally, Tennessee, the disabilities of minority.
60. Private Acts of 1937, Chapter 420, removed the disabilities of minority of Edna Earline Easley, of Nunnally, in Hickman County, Tennessee.

## Chapter II - Animals and Fish

### Foxes

#### Private Acts of 1951 Chapter 537

**SECTION 1.** That in counties of this State having a population of not less than 13,300 nor more than 13,400 according to the Federal Census of 1950 or any subsequent Federal Census, it shall be lawful hereinafter to hunt and take foxes throughout the entire year, either red foxes or gray foxes, any other law to the contrary notwithstanding.

**SECTION 2.** That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 15, 1951.

### Livestock - Fence Law

#### Private Acts of 1947 Chapter 105

**SECTION 1.** That in all Counties of the State having a population of not less than 14,870 nor more than 14,873 by the Federal Census of 1940, or any subsequent Federal Census, it shall be unlawful for any owner or any agent or employee of any owner, having the control or management of horses, mules, cattle, sheep, swine, goats or other livestock, to permit or allow such livestock to run at large in such Counties.

**SECTION 2.** That the owner, or the agent or employee of such owner of such livestock who has violated the preceding section of this Act shall be liable in damages jointly for the value of any property destroyed or damaged by such livestock; and that to secure payment of the damages done by such livestock, the party damaged shall have, and is hereby expressly given, a lien on the animal or animals doing the damage and may enforce said liability and either by suit for damages against the owner and his agent or employee, or by attachment of stock, or both, before any Justice of Peace, or in a court of record in the Counties included in the provision of this Act.

**SECTION 3.** That any person upon whose lands, whether such lands shall be held by owner or tenant, such stock may trespass, shall have a right to take up and confine said livestock, giving it reasonably good food and attention, and be entitled to reasonable compensation for such food and attention, to be enforced and collected by a lien upon such stock, as hereinabove provided in Section 2, providing, however, any person so taking up and confining said livestock, belonging to another, shall, if the owner thereof is known by him, give such owner notice thereof within twenty-four hours, and if such owner is not known he shall publish notice thereof containing the description of such animal for three consecutive weeks in a local newspaper, such expense to be paid by the owner and secured in the same manner as other claims as provided herein.

**SECTION 4.** That where livestock running at large in violation of this Act are killed, maimed or injured upon the public highways while not in charge of the owner, his agents or employees, then and in either of these events, no claim for damages for the killing, maiming or injuring of said stock shall lie against any person, firm or corporation in any of the Courts of this State.

**SECTION 5.** That any person violating the provisions of this Act, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$5.00 and not more than \$50.00 for every violation thereof, by any Justice of the Peace of the Counties aforesaid; said Justice of the Peace is hereby given jurisdiction to hear evidence and assess fines within the above limits in an amount which, in his judgment, the offense may merit, and an appeal shall lie from his judgment as in other cases to the Circuit Courts of the County. All fines collected under the provisions of this Act shall be and become a part of the elementary school funds of the County in which the offense is committed and the fine assessed.

**SECTION 6.** That all laws and parts of laws in conflict herewith be and the same are hereby repealed and that this Act shall take effect from and after the first day of October, 1947.



Passed: January 30, 1947.

## Livestock Inspectors

### Private Acts of 1953 Chapter 339

**COMPILER'S NOTE:** The population range specified in this act does not encompass the population for Hickman County for the year indicated: Hickman County's actual population in the year 1940 was 14,873. However, because Hickman County is named as the county to which this act applies [both in the caption and the language of the act itself], the act is deemed to be applicable to Hickman County.

**SECTION 1.** That in Hickman County, Tennessee with a population of not less than 13,350 nor more than 13,370 by the Federal Census of 1940 or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of one year, one animal inspector. In case a licensed veterinarian or licensed veterinarians shall be located in said county, then the Quarterly County Court shall be under the obligation to elect such inspector from such licensed veterinarians to the extent of the number in said county. It shall be the duty of such livestock inspector to make an inspection and examination of the livestock in said county and to treat such as may be found ailing or sick with the view of promoting the spread of health among such stock and to reduce the danger of infections or contagious diseases. Such animal inspector may contract with the owner or owners of any diseased livestock found by them for the treatment thereof by such inspector, the compensation therefore to be mutually agreed upon between the parties. Such livestock inspector may be compensated by the Quarterly County Court of such counties to which this Act applied in an amount not to exceed Ten (\$10.00) Dollars per annum for the inspector so appointed.

Election thereof may be made by the Quarterly County Court at any regular term and the person so elected shall hold office for a period of one year from the date of such election. The said county shall not be liable for the default or negligence of any such livestock inspector where such County Court has used care and caution in the selection thereof, but nothing herein shall exempt such inspector personally for the negligence in the performance of his duties.

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

Passed: March 31, 1953.

## 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 Hickman 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 1889, Chapter 171, was a statewide law making it unlawful to hunt and kill deer from August 1 until January 1 of each year for one's own consumption and at no time could deer be lawfully killed for profit. Section 2 made the same prohibitions applicable to quail and partridges when hunted and killed for profit [except on one's own land, and then only for personal consumption] between November 1 and the following March 1. Fines for violators were from \$5.00 to \$25.00 for the first offense, \$25.00 to \$50.00 for subsequent offenses, plus imprisonment of up to three months, at the discretion of the trial judge. Constables and justices of the peace were called on to enforce this law. Several counties, including Hickman, were exempted from the application of this law.
2. Private Acts of 1897, Chapter 182, declared it lawful for the people residing in Hickman County to catch fish in barrel or hoop nets, or to kill them with gigs in any of the streams of running water within the county limits, but the fish could not be caught or killed between March 15 and May 15 of each year.
3. Private Acts of 1897, Chapter 321, amended Public Acts of 1895, Chapter 127, by making it lawful for any resident of the state to catch fish for use on his own table, but not otherwise, in the Cumberland River, Tennessee River, Mississippi River, Obion River, Forked Deer River, Big Sandy River, and Duck River, as the same might run in Bedford and Hickman counties. They could be caught by any means except poison and explosives. These acts are cited in Freeman v. State, 118 Tenn. 95, 100 S.W. 723 (1907).
4. Private Acts of 1901, Chapter 256, required that any non-resident of Hickman County fishing in any of the county's streams was to have the written consent of the owner of the land upon which they were fishing. Violators were to be fined from \$5.00 to \$10.00.
5. Private Acts of 1901, Chapter 328, amended Private Acts of 1897, Chapter 182, item 2, above, by

- adding language which exempted Swan Creek from the provisions of the Act in Hickman County. This act was repealed in item 7, below, thus making it subject to the general fish law.
6. Acts of 1903, Chapter 96, made it unlawful to fish in any stream in Hickman County during the period of time known as the "spawning season", from March 20th through the coming May 19th. This act would not interfere with punishment for violating the fish law and fines for disobedience to this act ranged from \$10 to \$50. This act was repealed by the following act.
  7. Acts of 1905, Chapter 271, declared it to be legal for any resident of Hickman County to catch fish, for use on his own table, in barrel or hoop nets, and to kill fish with gigs in any of the running streams of the county except during the time from April 20 until June 20 of each year. Citizens also had the right to catch fish in Duck River at any time using any means except explosives, poisons, traps or brush drag nets, and further, could sell or give away the same for use in the county. Private Acts of 1901, Chapter 328, and Acts of 1903, Chapter 96, were both specifically repealed.
  8. Private Acts of 1911, Chapter 162, made it contrary to law for professional fishermen to take fish for selling in any manner, regardless of any permit or license, in Hickman County (identified by the population figures of 1910). Fines for violations of this law could range from \$25 to \$50. Citizens of the county could take fish for their own use with rod and line; a trotline; with baskets; hoop nets; seines with meshes no smaller than 1¼"; or, with their hands, during June, July, August, and September. In Duck River, seines up to 100 feet long were permitted. Enforcement of this act was left to the game and fish wardens. This act was repealed by Private Acts of 1919, Chapter 264.
  9. Private Acts of 1917, Chapter 662, declared it unlawful to kill quail in Hickman County except from December 1st until the following January 15th. Further, it was illegal to fish with a seine in any of the streams of the county except Duck River. Violators were to be fined from \$5.00 to \$25.00.
  10. Private Acts of 1919, Chapter 34, amended Private Acts of 1917, Chapter 662, Section 1, by extending the open season on quail from December 1st to February 1st of each year.
  11. Private Acts of 1919, Chapter 264, specifically repealed Private Acts of 1911, Chapter 162, which regulated fishing in Warren and Hickman counties.
  12. Private Acts of 1925, Chapter 747, stated that at the next regular or primary election in Hickman County there was to be included upon the ballot the question of a "No Fence Law" on which all qualified voters could vote. If the election resulted in favor of the "No Fence Law", the operation of the act was to be deferred for one year thereafter, when it would become the duty of all parties owning or possessing livestock to keep said stock enclosed.
  13. Private Acts of 1929, Chapter 547, declared that, in Hickman County, (identified by the 1920 Federal Census figures) it was lawful to have and keep in one's possession squirrels, quail, coons, foxes, opossums, and other wild fur bearing animals, or birds, for pets. The general law of the state, which conflicted with this act, was repealed as it applied to Hickman County.
  14. Private Acts of 1929, Chapter 553, made it lawful in Hickman County to fish in any of the streams which flow through the county with wire, split wooden or cotton hoop baskets for home use or consumption, but not for purposes of sale or shipment. Every person acting under this act must comply with other existing laws and have the permission of the land owner if on someone else's property. Failure to comply could bring about fines from \$5.00 to \$25.00 before any justice of the peace who was given jurisdiction over this law.
  15. Private Acts of 1931, Chapter 610, made it illegal in Hickman County for any nonresident person to hunt, fish or kill any species of game. A non-resident of the county could do as any other citizen on the land he owned or leased in the county, or while he was a guest in the home of a resident but only during those times prescribed under the general law of the state as open seasons. Non-residents were prohibited from selling or shipping any of the above beyond the bounds of the county. Fines for violations could run from \$10 to \$50 and grand juries were granted inquisitorial powers under this law.
  16. Private Acts of 1931, Chapter 762, rendered it lawful to fish in any of the streams flowing through Hickman County with wire, split wooden or cotton hoop baskets, for home use or consumption, but not for sale and shipment. Any person doing so under the terms of this act was obliged to comply with all the other laws of this nature concerning Hickman County. Those convicted of violations could be fined from \$5.00 to \$25.00 before any justice of the peace in the same manner as any other misdemeanor case. All conflicting laws were repealed.
  17. Private Acts of 1931, Chapter 763, was a duplicate of Private Acts of 1931, Chapter 610.
  18. Private Acts of 1933, Chapter 232, provided that all people could lawfully fish in Hickman County

- without having to buy a license, but must observe all the regulations of the state and the closed seasons as the same were scheduled under state law. Residents could take and capture carp, red and black horse fish, suckers, and buffalo by grab hooks from a line attached to a fishing pole at all seasons of the year in the said county, provided they had written permission from the owner of lands through which the streams passed. It was likewise lawful to trap, sell, and buy red and gray foxes from November 15 through the following February 15, and rabbits could be killed at any time during the year. A resident was required to buy a license and pay \$2.00 in order to sell fish to other residents.
19. Private Acts of 1933, Chapter 462, made it a legal act in Hickman County for resident citizens to hunt and catch game without a license, but this act applied only to residents. It was also lawful to buy and sell furs and hides in the County without a license. This act was not to be construed to confer any rights or benefits to Hickman County residents other than the ones above mentioned.
  20. Private Acts of 1935, Chapter 583, was substantially a repetition of the provisions of Private Acts of 1929, Chapter 547 which allowed residents of Hickman County to have and keep in their possession squirrels, quail, coons, foxes, opossums, or any other wild fur bearing animals and birds as pets. All conflicting acts were repealed.
  21. Private Acts of 1935, Chapter 763, was a revision of Hickman County's game and fish laws. It was lawful for residents to hunt and fish without a license, but not during closed seasons, and provided that all other game and fish laws were to be observed. Residents were allowed to take and capture carp, red and black horse fish, suckers, and buffalo by grab hooks at any time, but permission from the land owner must be secured when fishing off one's own land. It was lawful to catch, trap, buy, and sell red and grey foxes between November 15th and the following February 15th, while rabbits could be killed at any time. To take any game fish between April 15th and June 15th each year was contrary to the law. Commercial fishermen were required to buy licenses for \$2.00, and a fee of \$5.00 per basket for basket fishermen was established. Any resident of Hickman County could hunt without a license, provided all other laws were strictly observed. All conflicting laws were repealed.
  22. Private Acts of 1937, Chapter 331, authorized J.F. Cotner, a resident of Hickman County and a practitioner of veterinary surgery for a number of years, being a person of good moral character, and over 21 years of age, to continue in the practice of veterinary surgery under the same regulations as others in the County. Cotner was required to file proof of the above-stated facts with the state board of veterinary examiners who would thereupon issue him a license to practice veterinary medicine and surgery in Hickman County.
  23. Private Acts of 1937, Chapter 404, directed the election commission of Hickman County within ten days from the passage of this act to hold an election on the question of a "No Fence Law". The substance of this act was essentially the same as that of Private Acts of 1925, Chapter 747
  24. Private Acts of 1937, Chapter 783, provided that it would not thereafter be unlawful for any person to take fish in Hickman County where such fish were taken by hook and line (excluding trotlines), using natural bait, without having to procure a license to do so.
  25. Private Acts of 1941, Chapter 106, made it the duty of the Hickman County Election Commission to issue notice within seven days after passage of this act to hold an election. Said election was to be held 10 to 20 days after issuance of said notice for the purpose of ascertaining the will of a majority of the voters of the county upon the question of a "No-Fence Law". The cost of holding said election was to be paid for in the same manner as general elections. Within five days after the election, results were to be certified to the Hickman County Representative and Senator in the general assembly.
  26. Private Acts of 1945, Chapter 293, allowed Horace M. Copley, of Centerville, being of good moral character, over 21 years of age, and a practicing veterinarian for over six years, to continue the practice of veterinary medicine in Hickman County. A certified copy of this act was all that he needed as a license to practice.
  27. Private Acts of 1955, Chapter 406, stated that after the effective date of this act it was to be lawful to use a hoop net or basket for the taking of game fish. Said nets or baskets were required to have a muzzle of not more than 30 inches in diameter and a length of not more than seven feet. The mesh could be no smaller than 1¼ inches. Nothing herein was to be construed as legalizing commercial fishing or permitting the sale of game fish under any circumstances in Hickman County. This act was repealed by Private Acts of 1965, Chapter 290.
  28. Private Acts of 1963, Chapter 144, would have specifically repealed Private Acts of 1951, Chapter 537, but was rejected by the Hickman County Quarterly Court and thus had no effect.

29. Private Acts of 1965, Chapter 290, expressly and entirely repealed Private Acts of 1955, Chapter 406.

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

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

#### **Debts**

1. Acts of 1909, Chapter 76, was the legal authority for the Hickman County Quarterly Court to issue and sell up to \$50,000 in bonds, at an interest rate of no more than 4½%, and which would mature no later than 20 years from the date of issue. The purpose was to provide funds to pay off the outstanding debts of the county which consisted of bridge, jail, and other warrants which had been issued and unpaid. All the essential details of valid bond legislation were included in the act with the obligations that a tax levy be made each year to amortize the bonds and that proper and adequate records be kept of all transactions.
2. Private Acts of 1911, Chapter 94, was the enabling legislation for the quarterly county court of Hickman County to issue up to \$50,000 in bonds, at an interest rate not to exceed 5%, and to mature no later than 20 years from the date of issue, to furnish the money with which outstanding debts consisting of bridge, jail and other unpaid warrants could be liquidated. All funds were to be handled by the county trustee and the county judge was mandated to keep proper records. All the essential details were included in the act.
3. Private Acts of 1915, Chapter 197, allowed the Hickman County Quarterly Court to issue up to \$15,000 in bonds, at an interest rate of 5%, or less, which were to be amortized over a maturity schedule not to exceed 30 years, to provide the funds to pay off all the debts represented by bridge warrants. All details of the form of the bonds and the method of issue and sale were contained in the act. The trustee was to handle all the funds and the county judge was to keep proper records of same. A tax levy for the sinking fund was mandated, and if there was any surplus from the sale of said bonds, the same would be kept in the sinking fund.
4. Private Acts of 1927, Chapter 518, authorized the quarterly county court of Hickman County to issue the county's negotiable bonds up to \$32,000 at an interest rate of 5½%, or less, maturing over a schedule of \$2,000 annual payments until paid off. These funds would be used to refund some 6% courthouse warrants previously issued. All the essential details to issue general obligation bonds were contained in the act.
5. Private Acts of 1927, Chapter 831, allowed Hickman County's Quarterly County Court to issue and sell bonds in an amount not to exceed \$20,000, at an interest rate of 5½%, or less, which would be liquidated at the rate of \$2,000 annually for the purpose of paying off outstanding warrants. The bonds were to be general obligation bonds, the details of which were to be incorporated within a resolution of the court. The mandatory tax levy for the sinking fund was required.
6. Private Acts of 1929, Chapter 598, permitted the Hickman County Quarterly Court to issue up to \$50,000 in bonds, at a rate not to exceed 5½%, and to mature in 25 years or less, to retire certain outstanding debts of the county, evidenced by warrants. The effectiveness of this act depended upon its approval by the people voting in a referendum. All valid bond issue details were included in the act.
7. Private Acts of 1941, Chapter 103, ratified, confirmed, validated, and approved all the prior actions of the quarterly court of Hickman County in connection with the issue and sale of \$50,000 of funding bonds, dated January 1, 1941, at 3% interest, payable semi-annually on January 1 and July 1 of each year. These bonds were declared to be the general and incontestable obligations of the county, notwithstanding any lack of statutory authority for the issuance of said bonds.
8. Private Acts of 1945, Chapter 123, authorized the Hickman County Quarterly Court to issue and sell \$75,000 in bonds at a maximum rate of interest of 4%, maturing at a schedule to be set by the court, said bonds were to be sold by a committee made up of the county judge, county trustee, and county court clerk. The use of the proceeds was not to affect the legality of the bonds.

#### **Municipal Building - Workhouse**

1. Private Acts of 1935, Chapter 191, was the enabling law for the mayor and aldermen of

Centerville to issue up to \$25,000 in bonds under the conditions stipulated in the act and for the purpose of matching a like amount from Hickman County with which to erect a County-Town Municipal or Work House Building. The interest rate was pegged at 5%, or less, and the maturity schedule at 20 years. The mayor and aldermen of Centerville and the quarterly court of Hickman County had both adopted resolutions incorporating the above pursuant to a referendum in which three-fourths of the people voting approved the same.

2. Private Acts of 1935, Chapter 192, stated in the preamble the same facts reported in Item 1, above, insofar as they related to Hickman County. This act was the authority for the county to issue up to \$25,000 in bonds at a maximum interest rate of 6%, and a maturity schedule not to exceed 20 years. This act authorized the county judge to appoint a three-member committee to supervise the bond issue for the county, and also authorized the quarterly court to levy and collect a sufficient ad valorem tax on real property and a special privilege tax on businesses to pay the interest on the bonds.

## **Roads**

1. Acts of 1909, Chapter 537, required that an election be held in the county to determine whether or not a bond issue not to exceed \$100,000 would be made to build turnpikes and otherwise improve public roads in Hickman County. A 20 day notice of the said election must be made which would be held under the general election laws of the state. The returns must be certified to the county judge by the election commission, and, if favorable, the judge would cause the bonds to be issued under the terms and conditions specified in the act, which included a maximum interest rate of 5%, and a mandatory tax levy to amortize the bonds. The county court would select the turnpikes to be built, or improved, but all of them must radiate from Centerville. The county court would appoint three commissioners to supervise all phases of the program who would make periodic inspections of the roads and report their status to the court.
2. Private Acts of 1913, Chapter 54, was the authority, subject to approval by the people in a referendum held for that purpose, to issue and sell up to \$200,000 in bonds, at an interest rate of 5%, or less, which would mature over a schedule not to exceed 50 years from the date of issue. The referendum ballot would contain simple "For Road Bonds" or "Against Road Bonds" votes. If the vote was favorable, the bonds were to be sold under the direction of the county judge, the county trustee, the county court clerk, and J. B. Walker and Sam Whitson, who were named in this bill. The act further designated a road commission. The commissioners could appoint a secretary at \$15 a month and draw \$1.50 per day for their own services. They could also hire an civil engineer who would be paid an amount not to exceed \$2,000 annually. Several roads were listed in the act on which these funds were to be spent first, and the engineer was obligated to issue specifications for each road which were to be strictly observed.
3. Private Acts of 1913, Chapter 240, amended Private Acts of 1913, Chapter 54, Section 5 (Item 2, above), by changing the time limit within which the required referendum was to be held on the question of the bond issue, from 40 days to 120 days, and by allowing people to vote in the election without a poll tax receipt. Section 13 was amended to give the road commission the power to select the roads which were to be improved, provided the commission gave the county court clerk at least twenty days' notice of the identity of these roads by filing a list of the same with him.
4. Private Acts of 1921, Chapter 955, was the enabling act for the quarterly county court of Hickman County (identified by the use of the 1920 Federal Census figures) to appropriate for the purpose of road construction and highway improvement any county money not otherwise set aside; and, if none was available, the court was empowered to issue short term notes, or bonds in the required amount of the appropriation. The amount of money borrowed, or bonds issued, could not exceed 3% of the total property values in the county. The details of the bond form and sale were included, including a maximum interest rate allowable of 6%, and a maturity schedule which was not to exceed 40 years. All the road work would be under the supervision of the quarterly court, which could appoint from three to five of their members to be in immediate charge. The commissioners were to be compensated at a rate of \$3 per day for each day devoted to these purposes. The detailed method of letting and supervising contracts and of acquiring rights-of-way were provided.
5. Private Acts of 1923, Chapter 200, expressly and entirely repealed Private Acts of 1921, Chapter 955.
6. Private Acts of 1933, Chapter 165, recited in the preamble that Hickman County owed large sums of money on bonds which had been previously issued for road purposes. This indebtedness had contributed greatly to a rise in property taxes which were overburdening the farmers. Since the

county had a good road system which could be maintained by the gasoline tax, this act authorized the county trustee to take one-half of the gasoline tax funds and apply it to the payment of any deficit, or overdraft, in the account of the Hickman County Highway Commission. When this account was paid up to date, the trustee was to continue to apply these funds to the "Special Sinking Fund" to pay off other bonds issued in the road programs

## Chapter IV - Boundaries

### Creation of the County

#### Acts of 1807 Chapter 44

**SECTION 1.** That there shall be a new county laid off to be contained within the following bounds, (to wit:) Beginning one mile north of the south east corner of the eighth section, in the sixteenth range, in the first district, and on the western boundary line of Williamson county; running thence, west, to the east boundary line of Stewart county, thence south with said line, to the southern boundary of the state; thence with the state line, east, so far that a line at right angles north, shall strike the south west corner of the county of Maury; thence with the lines of said county of Williamson to the beginning; within which bounds shall be contained, a new and distinct county by the name of Hickman, in memory of Edwin Hickman, deceased.

**SECTION 2.** That for the administration of justices in said county of Hickman, the justices of the peace in said county, shall hold a court of pleas and quarter sessions, on the first Mondays in the months of January, April, July and October in each and every year; which courts shall be held at the house where William Joslin at present resides, on Pine river, and shall have the same power and jurisdiction, and be subject to the same laws, rules and regulations as the other courts of pleas and quarter sessions within this state.

**SECTION 3.** That elections shall be held in said county, for governor of the state, members of congress, members of the state legislature, and electors to elect a president and vice president of the United States, at the place of holding court in said county, on the days and under the same laws, rules and regulations as are prescribed for such elections as in other cases; and it shall be the duty of the sheriff of the county of Hickman, to meet the sheriff of the county of Dickson, on the succeeding day, at the court-house in the town of Charlotte, and compare the votes so taken in said county of Hickman, which shall compose part of the election of the said county of Dickson and Robertson, so far as respects the representative for said counties; and the votes for senator shall in like manner be annexed to the votes of Dickson county, and be compared as heretofore prescribed by law; and in like manner for member to congress, and an elector to elect a president and vice- president of the United States, and governor for this state.

**SECTION 4.** That the sheriff of Hickman county shall hold an election on the first Thursday and Friday in May next, for the purpose of electing one colonel and two majors of the militia in said county, under the rules and regulations prescribed by law for electing such officers; and said officers when elected and commissioned, shall have the same power and authority, and shall perform the duties prescribed to colonels and majors by the laws in force regulating the militia of this state, and the said militia shall compose the thirty-sixth regiment and be a part of the sixth brigade.

**SECTION 5.** That the county of Hickman shall be, and compose a part of the district of Robertson, and shall send two jurors to the superior court at Clarksville, to be appointed by the county court as in other cases.

**SECTION 6.** That the sheriff of Dickson county shall have full power and authority to collect any arrearages of taxes which may remain unpaid by any of the citizens of Hickman county, and this act shall be in force from the first day of January next.

December 3rd, 1807.

### Change of Boundary Lines

#### Private Acts of 1822 (Second Session) Chapter 96

**SECTION 1.** That all that tract of country lying North of the following described bounds shall be, and remain a part of Hickman county (to wit,) beginning at the south east corner of Hickman county made by the commissioners on the old Natchez road, and running with said road to Grinder's old stand on said road, thence eastwardly on the top of said ridge, with its different meanders between the head waters of Swan and Buffalo, and extending on with said

ridge between the head waters of Cane creek and Trace creek, and thence with a ridge so as to include Racoon creek in Hickman county, to the east boundary line of Perry county; thence north with Perry county line to the north-west corner of Hickman county.

**SECTION 2.** That all the balance of territory being north of Lawrence county and south of [the] aforesaid described line shall be and remain a part of Lawrence county.

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

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

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

August 17, 1822.

## Private Acts of 1835-36 Chapter 46

**COMPILER'S NOTE:** Section 2 of this act is the only section that effects Hickman County, the rest of the sections are therefore not printed herein.

**SECTION 2.** That all that territory and country now lying in the county of Hickman, within the following boundaries, shall hereafter belonging 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 Tumbling creeks strikes the river; thence 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.

Passed: February 2, 1836.

## Acts of 1837-38 Chapter 211

**COMPILER'S NOTE:** Section 1 of this act did not effect Hickman County and is therefore not printed herein.

**SECTION 3.** That the county line between the counties of Maury and Hickman, be and the same is hereby so altered as to include within the limits of Hickman county the following described territory, to wit: beginning at the ford at Gordon's ferry, where the Natchez road crosses Duck river, on the south bank of said river, running thence up said river with its meanders to the mouth of Fall branch; thence up said branch with its main channel to where the same strikes the Natchez road, thence northerly with said road to the beginning.

**SECTION 4.** That the citizens residing in said limits shall enjoy all the advantages and be subject to all the duties and liabilities that are enjoined or secured to the citizens of Hickman county.

Passed: January 24th, 1838.

## Acts of 1843-44 Chapter 38

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

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

**SECTION 3.** That John Aiken and Albert G. Cooper of the county of Maury, Shadrick Morris and James



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

**SECTION 4.** It shall be the duty of said commissioners, as soon as they ascertain that there is territory and population sufficient to constitute a new county under the requirements of the third section of this act, after first giving twenty days notice in two or more public places, of the time and place in each of the fractions proposed to be stricken off from the counties of Maury, Lawrence, Wayne and Hickman, that they will open and hold an election in each of the fractions proposed to be taken off from the counties aforesaid, for the purpose of ascertaining whether a majority of the voters, residing in the several fractions, are in favor of, or opposed to the establishment of said county of Lewis; and all persons qualified to vote for members of the General Assembly, who have resided in the fractions aforesaid six months immediately preceding the day of election, shall be entitled to vote, and each voter who desires to vote for the establishment of the new county, shall have on his ticket the words New County, and those desirous to vote against the new county, shall have on their tickets the words Old County; and if upon counting the ballots, the judges of the several elections in said fractions, shall return that a majority of each of the fractions have voted for the new county, then the county of Lewis shall be, and the same is hereby established, with all the powers, privileges and advantages, and subject to all the liabilities of other counties in this State.

**COMPILER'S NOTE:** The remaining Sections of this Act involved only Lewis County.

Passed: December 21, 1843.

## Acts of 1851-52 Chapter 189

**SECTION 1.** That the line between the counties of Perry and Hickman, be changed as follows, to wit: Beginning at a point on the Ridge between Cain creek and Brush creek, at the head of Dicky's branch, running thence north, so as to leave Isaac Depreast west of said line, crossing Cain creek, and continuing one half mile north of said creek, there to corner, and run from said corner west or north-west to the Perry county line, so as to include all the citizens living on Cain creek, below where said line crosses the creek, above said Depreast's, and that all the territory stricken off of Hickman County by changing the line as above described, be, and is hereby attached to the county of Perry.

**SECTION 2.** That all persons residing within the territory attached to the county of Perry, by the first section of this act, shall be entitled to all the rights and privileges, and subject to all the liabilities and penalties of other citizens of Perry county. Provided, It does not reduce the county of Hickman below its constitutional limits, and it shall be the duty of the county court of Hickman county to appoint a surveyor to run out said county, whenever the county of Perry shall have deposited with the county court clerk, of Hickman county, money sufficient to pay all the cost and expense for running out said county.

**COMPILER'S NOTE:** Section 3 did not concern Hickman County.

Passed: February 25, 1852.

## Acts of 1853-54 Chapter 138

**SECTION 1.** That the line between the counties of Perry and Hickman be changed as follows--to-wit: Beginning on the present county line, twenty poles north of William Watson's; thence East, to Abisha Curl's, so as to include said Curl in Perry county; thence southeast to Owen Morgan's; thence south-east to Jno. Sutherland's, on the Cave branch; thence southeast to David Carry's, including all of said persons and places in Perry county; thence south-west so as to leave Alexander Joice in Hickman county; and thence so as to leave John Sisco's in said county of Hickman; thence south to the county line on the dividing ridge between Cane and Brush Creeks; and all the territory stricken from Hickman county by changing the line as above described, be, and the same is hereby attached to the county of Perry.

**SECTION 2.** That the persons residing within the territory attached to the county of Perry by the first section of this act, shall be entitled to all the rights and privileges, and subject to all the liabilities and penalties of other citizens of Perry county; and that this act shall take effect from and after the tenth day of March next.

**SECTION 3.** That it shall be the duty of the county surveyor of Perry county to run and mark the line



between said counties of Hickman and Perry, as set forth in the first section of this act; and it shall be the duty of the county of Perry to pay for the same. Provided, said change does not reduce said county of Hickman below its constitutional limits.

Passed: March 3, 1854.

## Private Acts of 1897 Chapter 270

**SECTION 1.** That the line now dividing the counties of Hickman and Lewis be so changed as to include within the county of Lewis, all of the lands, farms, and homes embraced within the following metes and bounds, to-wit: Begins at the crossing of the Coon creek and Linden roads, the common corner of Perry and Hickman and Lewis Counties, running thence north 12 degrees, west five hundred (500) poles to a pile of stones; thence north 65 degrees, east four hundred and twenty-four (424) poles to a white oak; thence north 19 degrees, east one hundred and eighteen (118) poles to a spotted oak; thence north 74 degrees, east forty-two (42) poles to a stake; thence north 31½ degrees, east one hundred and six (106) poles to a chestnut tree; thence south 63 degrees, east fifty-six (56) poles to a stake on steep point; thence north 81½ degrees, east seventy poles to a spotted oak; thence north 4 degrees, east one hundred and four (104) poles to the center of Cane creek; thence with the meanderings of said creek about north 60 degrees, west about one hundred and sixty (160) poles to a point opposite the cross fence between John E. Sisco and A.J. Pace; thence north 15 degrees, east, with Sisco's line, one hundred and thirty (130) poles to a hickory; thence north 83 degrees, east thirty-seven (37) poles to a hickory; thence south 45 degrees, east twenty-two (22) poles to a white oak; thence north 64 degrees, east thirty-eight (38) poles to a spotted oak; thence south 79 degrees, east fifty (50) poles to the pathway on top of ridge that divides the Deprust branch from Pace Branch; thence with the meanderings of said pathway, a course varying from north 45 degrees, east to north four hundred and eighty (480) poles to a large stone on south side of road running from Kimmins to Pleasantville; thence with said road and the Beaverdam road, a course varying from north 85 degrees, east to south 50 degrees, east fifteen hundred and sixty (1,560) poles to the Lewis County line, westerly of Kimmins; surveyed January 21, 22, and 23, 1897. All bearings read from magnetic meridian with instrument that reads 3 degrees, 18 minutes easterly of true meridian.

W. J. Hale, *County Surveyor*.

Lewis County, Tennessee;

W.W. Brown,

J.P. Talley,

Will Goodman,

W.E. Humphreys,

C.C.

Including in the said county of Lewis the lands, farms, and homes of the following, to-wit: G. W. Skelton, Sr., R. A. Mitchell, G. W. Hinson, G. W. Skelton, Jr., Thos. James, E. C. Bastian, L. W. Hinson, J. R. Duncan, P. K. J. Hensley, W. H. Crowe, Bryant Mathis, D. C. Anderson, S. J. Downing, Elisha Talley, S. H. Hinson, A. H. Wylie, Budd Mathis, J. E. Sisco, E. M. Hinson, Richard Willis, W. W. Brown, D. D. Humphreys, C. W. Mooday, A. T. Wylie, J. P. Talley, Ruben Mathis, W. H. Bastian, J. H. Brown, W. W. Quillin, J. A. Sisco, R. Lee Hinsley, William James, John Harper, D. L. Hinson, W. A. Pace, F. J. Cheatham, J. A. Goodman, C. A. Lancaster, "land" by Union Bank and Tr. Co., Executor; J. H. Sisco, W. A. James, J. M. Carson, Solomon Hinson, J. D. Brown, J. E. McCullon, W. T. Duncan, W. J. Garrette, Jonathan Duncan; and also all other farms and lands and homes embraced within said metes and bounds, as hereinbefore expressly set forth.

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

Passed: March 12, 1897.

## Public Acts of 1899 Chapter 264

**SECTION 1.** That the line between the counties of Hickman and Lewis be, and the same is hereby, changed as follows: Beginning at a stake in the line as now established on the south side of Cane creek, at what its [sic] is known as Jenkins' ford, and on the south side of DePriest's branch and the public road, runs thence N. 82 degrees east 140 poles to a stake; thence N. 75 degrees east 36 poles to A. J. DePriest's line; thence with his south boundary line to a black walnut stump near the south side of the road; thence with the south boundary of A. J. Brown's land to A. J. DePriest's other tract of land; thence with his south boundary line to his corner; thence with J.D. Brown's south boundary line to a black walnut on the south said of the south side of the Centreville road, thence N. 65 degrees east 32 poles, to a stooping black oak with white oak pointers; thence N. 41 degrees east 80 poles to a stake with hickory pointers; thence N. 31 degrees east 134 poles to a small black gum in the Hickman and Lewis county line, near Joseph Horner's house.

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

Passed: April 15, 1899.

## Boundaries - Historical Notes

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

1. Acts of 1809, First Session, Chapter 7, stated that on the first Monday of next March an election would take place in Hickman County to elect five commissioners to establish a permanent seat of Justice in the county. The commissioners, after being sworn by the oath in this law, would select a place as near the central portion of the county as possible and proceed to acquire at least 30 acres of land at that point which they would lay off into streets, alleys, and lots, reserving 2 acres in square form for the public square. The lots were to be sold and the money used to build the courthouse, prison, and stocks in the county seat, and, if the funds were insufficient, the quarterly court could levy a tax to complete these structures. The commissioners would be compensated at the court's direction and the town herein provided for would be called Vernon.
2. Acts of 1809, First Session, Chapter 31, created Humphreys County and mentioned Hickman County several times in the description of the new county. However, it seems there were no territorial changes in Hickman County as a result of this act.
3. Private Acts of 1819, Chapter 108, appointed David Lowe, Joel Walker, John T. Primm, and Joseph Lynn, as commissioners, to run and mark the boundary line of Hickman County so as to reduce its land area below the constitutional limit of 625 square miles. The commissioners would appoint a surveyor, not a Hickman County resident, to run and mark the line aforesaid, beginning at the point stipulated in the act. The commissioners would assist the surveyor as chain bearers while running the line. After said line has been run and the reduction in the area made, the commissioners would select a site as near the center as possible for the county seat, purchase at least fifty acres and lay the same out in streets, alleys, lanes, and lots, reserving two acres in the most convenient place for the public square. The commissioners must be sworn and bonded and then would sell the lots under the minimum conditions established in the act, using the proceeds to build a courthouse and prison in the town. Nothing herein would be construed as removing Vernon from consideration as the county town. The line run by William B. Ross as the dividing line between the counties of Dickson and Hickman would remain as such, and the town herein directed to be laid off would be called Canton. If the commissioners could not agree on a location then Col. Robert Weakley, of Davidson County, Major James Fentress, of Montgomery County, and Col. Archer Cheatham, of Robertson County, would be called in as umpires to settle the question.
4. Private Acts of 1819, Chapter 149, Section 2, declared that all of that part of the county north of Wayne County and south of Hickman County was annexed as a part of Wayne County to be governed by the same regulations as were other parts of the county.
5. Private Acts of 1821, Chapter 150, appointed Henry Harden, Edward Nunley, David Curry, and James McNealy, as commissioners, to superintend the running and marking of the boundary line of Hickman County so as to reduce the area of that county to its constitutional limits. The commissioners were to employ a competent surveyor to run the line starting at the point designated in the act and to make a chart of it. The commissioners would assist the surveyor as chain bearers and markers. The center of the county was to be located using the method prescribed in this act and the commissioners would acquire 50 acres, laying the area of into streets, alleys, lanes, and lots which would be sold to finance the construction of a courthouse, prison, and stocks on the two acres reserved for the public square of the city to be named Centerville. Sterling Brewer, Dickson County, James Fentress, Montgomery County, and George Isham, Lawrence County, were designated umpires to settle any controversy which might arise. The county and circuit courts would meet at Centerville as soon as facilities were available.
6. Private Acts of 1822, Second Session, Chapter 145, named James Young and William Carothers, Senior, as two more commissioners who would have same authority as the others appointed to select a county seat for the county. If they could not agree, the quarterly court, a majority being present, would choose one or more added commissioners to break the tie. The county court would adjourn to Centerville at any time after the lots were sold, and all writs and process returnable to Vernon would be changed to Centerville.
7. Private Acts of 1822, Second Session, Chapter 210, allowed Molton Dixon to charge the county of Hickman the rate of \$3.00 for each day necessarily engaged in running the lines and centering the same, and employed in making out maps for Hickman County.
8. Acts of 1845-46, Chapter 62, Sections 4 and 6, changed the lines between Hickman County and

Perry County by attaching to Perry County the territory described therein. An election was to be held for all qualified voters living within that territory to vote for or against being attached to Perry County.

9. Acts of 1853-54, Chapter 92, altered the lines between Hickman County and Maury County so as to include the farm and residence of Phillip Hoover in Hickman County. He was to have all the rights and privileges as all other citizens of the county.
10. Acts of 1855-56, Chapter 55, changed the boundaries between Hickman and Lewis counties so as to include the lands and dwelling of Jesse G. Thompson in Lewis County.
11. Private Acts of 1857-58, Chapter 85, Section 24, placed the land and residence of William P. Kelly wholly within the fourteenth civil district of Hickman County.
12. Private Acts of 1857-58, Chapter 129, Section 6, changed the line between Hickman County and Maury County so that the portion of land belonging to Phillip Hoover which was located in Maury County would thereafter be included in Hickman County.
13. Private Acts of 1859-60, Chapter 100, Section 7, altered the county line so as to include those citizens residing on Russell's Creek in Perry County.
14. Private Acts of 1859-60, Chapter 135, Section 11, changed the county line between Hickman and Lewis counties so as to include the plantation belonging to Simeon Smith out of Hickman County over into Lewis County.
15. Public Acts of 1866-67, Chapter 28, detached the lands of Clement C. Dyer from Hickman County and attached them to Perry County.
16. Public Acts of 1867-68, Chapter 60, Section 7, realigned the boundaries between Hickman County and Perry County so that the properties of Amos S. Keltan would be entirely within Perry County.
17. Public Acts of 1868-69, Chapter 31, restored all the lands taken from the counties of Maury, Hickman, Lawrence, Wayne, and Perry to form Lewis County back to the original county and repealed the act creating Lewis County and those conflicting with this act. Lewis County was later reconstituted.
18. Public Acts of 1869-70, Chapter 30, reconstituted Lewis County and repealed the above act. Details for administrative and judicial procedures were included which reinstated all the Lewis County officials and courts as they formerly existed.
19. Public Acts of 1869-70, Chapter 88, repealed Section 2 of the act which restored Lewis County to the counties from which it was taken, restoring the line between Perry County and Hickman County as it formerly existed, and the property and polls within the area would be listed for the year 1870 in Hickman County.
20. Public Acts of 1871, Chapter 103, rearranged the boundary lines between Hickman County and Lewis County so that all the lands owned by Jesse M. Grinnell, near the mouth of Indian Creek in Lewis County, provided the legal and constitutional rights of Hickman County were not interfered with.
21. Public Acts of 1883, Chapter 59, changed the boundary lines between Maury County and Hickman County so that a small portion of land belonging to R. C. Gordon, as particularly described in the act would be included wholly within Maury County.
22. Public Acts of 1883, Chapter 87, moved the residences and lands of N. E. Andrews and Clay Andrews, which were located on Plunder's Creek, in the sixth civil district of Hickman County out of Hickman County and into Dickson County.
23. Public Acts of 1889, Chapter 37, transferred the real properties belonging to A. W. Weatherly out of Hickman County and into Lewis County.
24. Public Acts of 1889, Chapter 133, took the lands of James F. Buttrey, about 112 acres in all, out of Hickman County and placed them into Williamson County, the said lands being bounded on the east by the county line.
25. Private Acts of 1901, Chapter 285, provided that the county surveyors of Hickman County and Perry County with one chain carrier from each county, none of whom were allowed to have any personal interest in this matter, or the officials connected with it, would meet within 90 days from the passage of this act and resurvey and mark the line between the counties extending north from where the same crosses Cane Creek to its northern terminus, beginning at the point where the line is known to cross Duck River, or at some other point well known north of the creek. The parties would be sworn and bonded before commencing this undertaking. If the two surveyors failed to agree they would choose a third surveyor and a majority of the three would determine

- the line. Proper reports and accurate maps must be made as the program progressed.
26. Private Acts of 1901, Chapter 300, detached the lands belonging to Moses Tidwell and J.L. Brown from Hickman County and attached the same to Dickson County.
  27. Acts of 1903, Chapter 53, moved all the lands owned by Charles Cagle out of Perry County and into Hickman County.
  28. Private Acts of 1913, Chapter 152, changed the boundaries between Hickman County and Williamson County so that the residences and lands of Z. J. Sullivan and John A. Greer were removed from the fourth civil district of Hickman County and placed in the first civil district of Williamson County.

## Chapter V - Court System

### General Sessions Court

#### Private Acts of 1953 Chapter 537

**SECTION 1.** That there is hereby created a Court of General Sessions for Hickman County. Said Court shall have the jurisdiction in civil and criminal cases conferred by law on Justices of the Peace and Justice of the Peace in said County are hereby divested of all jurisdiction in civil and criminal cases. Provided that any Justices of the Peace of said County may issue criminal and search warrants against and accept appearance bonds from any person charged with an offense committed in said County, but all process issued by Justices of the Peace shall be returnable to said Court of General Sessions. The authority of said Justices of the Peace in their capacity as members of the Quarterly County Court, or in the performance of the rights of matrimony is in no manner impaired by this Act.

Hickman County shall provide a court room and all necessary furnishings and supplies for said Court of General Sessions, to be paid for out of the general funds of said County. The Judge of said Court of General Sessions shall hold Court in the court room so provided, but in his discretion he may hold Court in any part of Hickman County that he deems to be more convenient and accessible to the litigants and witnesses.

**SECTION 2.** That before the issuance of any warrant in any civil case, the Plaintiff shall secure the costs by executing a cost bond with good security in a sum not less than \$25.00, or by making a cash cost deposit of not less than \$5.00 nor more than \$25.00, or shall take the oath prescribed for poor persons, and on motion, the Court may increase the amount of such bond or deposit.

**SECTION 3.** That the rules of pleading and practice, form of writs and process, and stay of and appeals from judgments in civil cases of said Court shall be the same as applicable to Justices of the Peace.

**SECTION 4.** That in all matters the costs and fees of said Court of General Sessions shall be the same as those provided by law for Justices of the Peace. The fees and compensation due for services rendered by said Court of General Sessions shall be paid to the Clerk of said Court and by him accounted for as provided by general law.

**SECTION 5.** That separate dockets shall be kept for civil and criminal cases. Upon the civil docket shall be entered the style of each case, the date of issuance of the warrant or process, and the return of the process, in brief form, action of the Court on the case, both interlocutory and final orders, judgments, executions, garnishments, lists of the fees of the Court, the Sheriff, his Deputies, Constables, Game Wardens and State Highway Patrolmen for their services, fees of witnesses for attendance, et cetera, and credits for payments upon judgment and upon the costs. All cases shall be indexed and the dockets shall be substantially in the form of those of Justices of the Peace. The criminal docket shall be kept in like manner.

**SECTION 6.** That there shall be one Judge for said Court who shall possess the same qualifications as required for Judges of inferior courts. The compensation of said Judge shall be \$3,000.00 per year, payable in equal monthly installments out of the general funds of the County. C. B. Murphee shall serve as Judge until the next regular election. At the regular election for county officers in August 1954 the qualified voters of Hickman County shall elect a Judge who shall serve from September 1 following his election until September 1, 1958. At the regular election for judicial officers in August 1958, and every eight years thereafter, the qualified voters of Hickman County shall elect a Judge who shall serve eight years from September 1 following his election.

**SECTION 7.** That if the Judge of said Court fails to attend, cannot preside in a pending case or for any

reason hold court a majority of the Attorneys present in such court may elect one of their number, who has the qualifications of such Judge, and when elected he shall take the same oath and have the same authority as the regular Judge of said court to hold the court and perform all of the duties of such Judge for the occasion.

**SECTION 8.** That in the case of a vacancy for any cause, the Governor shall have the power to appoint some qualified person to fill such vacancy until the first day of September following the next biennial August election occurring more than thirty days after the vacancy occurs or until his successor is qualified.

**SECTION 9.** That the Clerk of the Circuit Court of said County shall serve as Clerk of said Court of General Sessions. He and his Deputies shall have concurrent authority with the Judge thereof to issue warrants and other processes and writs, other than those which the law requires to be issued only by a judicial officer.

**SECTION 10.** That the Sheriff of said County or any Deputy Sheriff or Constable thereof, shall serve legal process, writs and papers issued from said Court with the same authority as provided by law in regard to Courts of Justices of the Peace.

**SECTION 11.** That this Act shall in no wise impair the right, title or interest of any Justice of the Peace of said County to any unpaid fees or funds in which he had a right or interest, in any proceedings, judgment or suit, whether said cause is disposed of or pending when this Act becomes effective.

**SECTION 12.** That all official dockets, records and papers in cases that are undisposed of or pending in the offices of Justices of the Peace of said County at the time this Act becomes effective shall be delivered to said Court of General Sessions. The official dockets, records and papers in possession of Justices of the Peace of said County in cases that have been completed, shall be turned over to said County, as provided by law. The Court of General Sessions shall have authority to hear and determine all undisposed of cases arising in the Courts of Justices of the Peace of said County as if such cases had originated in said Court of General Sessions.

**SECTION 13.** That none of the provisions contained in this Act shall be construed to prohibit the Judge of said Court of General Sessions from practicing law in the Chancery, Circuit, County, and Appellate Courts of this State, except in cases having their origin in said Court of General Sessions.

**SECTION 14.** That this Act is declared to be severable and if any provision of the same is held to be unconstitutional such holding shall not affect the remainder of this Act.

**SECTION 15.** That this Act shall take effect May 1, 1953, the public welfare requiring it.

Passed: April 7, 1953.

## Court System - Historical Notes

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

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

1. Acts of 1905, Chapter 461, provided for a four-member board of jury commissioners in Williamson County who would be appointed by the circuit judge, or judges, or the judges having criminal jurisdiction. They must be resident householders, non-attorneys, no state or county official, and have no suit pending in the courts, all of whom would serve four year terms on the board. The members must be sworn by the oath in the act and would select one of their members as chairman, and the circuit court clerk would be the clerk. Biennially on the first Monday in July, or 30 days after, the board would meet and select from the tax rolls, as other public sources, a list of honorable, upright citizens containing one-fifth of the number who voted in the last presidential election, but no more than 4,000 names, nor less than 250 names, who would constitute the jury lists for the next two years. Their names would be entered alphabetically in a book provided by the clerk and the list certified by the board members. Two-fifths of this number would be chosen by the board as grand jurors and their names were to be compiled and certified. Their names would also be placed on cards and the cards deposited in two separate boxes which were to be locked and sealed and not opened except in the presence of the board or the judge. The number of names required by law would be drawn from the box and then placed in second compartment after serving for two weeks as jurors. At least five days before court began the sheriff would summon the jurors who could not be excused except by the judge. Provisions were incorporated for raising special panels of jurors and for replenishing the box if the same should become exhausted. Names of jurors were not to be revealed under any circumstances until they were summoned for duty.

2. Private Acts of 1911, Chapter 642, amended Acts of 1905, Chapter 461, by adding the proper population figures to make Chapter 461 applicable to Hickman County as effectively and in all respects as it had been applied to Williamson County.
3. Private Acts of 1917, Chapter 427, also applied to Williamson County (by the 1910 Federal Census figures) but was also adopted by Hickman County. This act set up a fourmember board of jury commissioners with the same qualifications as before, appointed by the circuit judge. Two were to serve until for two years and two for four years, and then each pair for four-year staggered terms thereafter. They were to select a chairman from among themselves after being sworn in according to the oath in the act and the circuit court clerk, sworn to confidentiality, was to be the secretary. On the first Monday in June, or within 20 days after, they were to select a number of names equal to one-fifth of those voting in the presidential election from the tax rolls of the county, or from other sources of public information. These would serve as petit jurors for the next two years. Two-fifths of this number was to be chosen as grand jurors. The administrative details corresponded to those mentioned in the 1905 Act, above, insofar as the selection of names and summoning of jurors were concerned.
4. Private Acts of 1923, Chapter 86, made all the provisions of Private Acts of 1917, Chapter 427, above, applicable to Hickman County as fully as if enacted for that county.
5. Public Acts of 1937, Chapter 196, was the legal authority for the Judge of the seventeenth judicial circuit to appoint minute clerks in the counties of his circuit who would hold office for two years. The appointment was to be made at the same time the foreman of the grand jury was appointed, so that their terms would coincide. The minute clerk was to be a member of the grand jury with equal power and authority as other members, and was to keep minutes of meetings and record events as they transpired. The minute clerk was to be paid \$4.00 per day for each day the grand jury was in session out of the county treasury. The judge was to fill any vacancy which might occur.
6. Public Acts of 1939, Chapter 67, amended Public Acts of 1937, Chapter 196, Section 6, by adding a provision which removed Hickman County from the terms and conditions of that act, thus leaving no minute clerk for the grand jury to be appointed in that county.
7. Private Acts of 1949, Chapter 132, provided that in Hickman County, (identified by the use of the 1940 Federal Census figures) the foreman and clerk of the grand jury were to be paid at the rate of \$8.00 per day for time actually spent in the discharge of their duties, and the other jurors, both grand and petit, was to be compensated at \$4.00 per day for each day served. However, no pickup juror would be entitled to compensation unless serving for more than one day.
8. Private Acts of 1953, Chapter 133, provided that in Hickman County, grand juries were to be composed of 13 members who would elect one of their number as foreman. Each foreman so selected was to possess the same qualifications, perform the same duties and receive the same compensation as was provided for the foremen of grand juries under the general law of the state. Each grand jury foreman would hold office for and during the term of court for which he was selected.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Hickman 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, Second Session, Chapter 13, directed the judges of the supreme court of Tennessee to hold a court of equity at least once each year at the same places of the supreme court. The chancery court was to be held at Rogersville on the first Monday in 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 to last for two weeks unless the dockets were cleared up sooner.
2. Public Acts of 1824, Chapter 14, expanded the supreme court to five judges by adding two more, and established the locations of the court sessions at Knoxville, Sparta, and Nashville. Section 7 made it the duty of the Judges to arrange among themselves to hold the chancery court twice each year also, at Greenville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Jackson, and at Charlotte for the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman where the terms could begin on the third Monday in June and December. All clerks would act accordingly on bonds and process.
3. Public Acts of 1827, Chapter 79, divided Tennessee into two chancery divisions, the Eastern

Division containing the courts held at Rogersville, Greenville, Kingston, Carthage, and McMinnville, and the Western Division composed of the courts of Franklin, Columbia, Charlotte, Jackson, and Paris.

4. Public Acts of 1835-36, Chapter 4, implemented the 1835 Constitution by organizing the chancery courts of the state into three divisions, each to be presided over by a chancellor instead of a supreme court judge, and each division was further separated into districts. The twelfth district of the Middle Division comprised the counties of Dickson, Humphreys, and Hickman. Rules for chancery procedures were also promulgated in this act which included court terms at Charlotte on the fourth Monday in March and September.
5. Acts of 1837-38, Chapter 14, Section 3, made a separate chancery district out of the counties of Dickson, Humphreys, Hickman, Stewart, Montgomery, and Cumberland whose court would convene at Charlotte on the fourth Monday in March and September. The chancery courts previously established at Paris, Dresden, Trenton, Jackson, Lexington, Bolivar, and Clarksville were all abolished.
6. Acts of 1851-52, Chapter 178, fixed the terms of court for the chancery courts in every county in the Middle Division of Tennessee. These counties were Wayne, Lawrence, Giles, Marshall, Humphreys, Dickson, Robertson, Maury, Williamson, Stewart, Montgomery, Davidson, and Hickman whose chancery court would open on the first Monday in March and September.
7. Acts of 1851-52, Chapter 345, Section 2, made Hickman County into a separate chancery district whose court would be held by the chancellor of the Middle Division at Centerville on the fourth Monday in April and October of each year. The chancellor would appoint a clerk and master for the new court.
8. Acts of 1853-54, Chapter 54, created the fifth and the sixth chancery division in Tennessee. The sixth chancery division contained the counties of Carroll, Benton, Humphreys, Dickson, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne, and Lawrence. The chancellor would name a clerk and master for all the counties in the division which didn't have one.
9. Acts of 1855-56, Chapter 112, Section 5, rescheduled the terms of court for the counties in the sixth chancery division. The chancery court would begin its regular terms in Hickman County at Centerville on the second Monday in March and September.
10. Public Acts of 1857-58, Chapter 31, Section 2, repealed the former act which fixed the terms of the chancery court as applied to Hickman County and then established the second Monday in March and September as the dates for opening court terms which were the same dates as before.
11. Public Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, fourth, fifth, and sixth chancery divisions. The sixth chancery division was made up of the Counties of Carroll, Henderson, McNairy, Hardin, Wayne, Lawrence, Dickson, Humphreys, Benton, Decatur, Perry, and Hickman whose court would begin its regular terms on the second Monday of March and September at Centerville.
12. Public Acts of 1857-58, Chapter 90, Section 3, provided that court terms for the chancery court of Hickman County would commence on the second Monday in March and September and all conflicts were repealed.
13. Private Acts of 1857-58, Chapter 93, Section 5, stated that the terms of the Hickman County Chancery Court would hereafter start on the fourth Monday in April and the first Monday in November of each year.
14. Private Acts, 1857-58, Chapter 169, Section 2, stated that bills may be filed in the chancery court at Centerville, by or against the citizens of Lewis County.
15. Public Acts of 1866-67, Chapter 4, Section 4, scheduled the chancery court terms for the counties in the fifth chancery district which was composed of the counties of Dickson, Humphreys, Henderson, McNairy, Hardin, Wayne, Lawrence, Decatur, Perry and Hickman where the chancery court terms would begin on the second Monday in March and September.
16. Public Acts of 1867-68, Chapter 64, amended the act which created the fourth chancery division by adding Hickman County and Lawrence County to it. Court terms were then scheduled for the counties of Lawrence, Giles, Maury, Williamson, Marshall, and Hickman whose court was set to open on the second Monday in February and August at Centerville.
17. Public Acts of 1869-70, Chapter 23, attached Lawrence County and Hickman County to the fifth chancery division of the state where the terms of court would commence as now provided by law.
18. Public Acts of 1870, Chapter 32, was a complete realignment of the chancery courts in Tennessee into twelve chancery districts. The ninth chancery district had in it the counties of Benton,



- Hickman, Henderson, McNairy, Lawrence, Dickson, Humphreys, Decatur, Lewis, Perry, Hardin and Wayne.
19. Public Acts of 1870, Chapter 47, scheduled the terms of chancery court for every county in the state according to chancery divisions. Regular terms of the chancery court in Hickman County would begin on the third Monday in January and July.
  20. Public Acts of 1870-71, Chapter 10, reset the chancery court terms in the ninth chancery division scheduling the terms of court in Hickman County to start on the fourth Monday in January and July at Centerville.
  21. Public Acts of 1873, Chapter 5, changed court terms for the chancery courts in the ninth chancery division. Terms of court for Hickman County would begin on the first Monday in March and September.
  22. Public Acts of 1879, Chapter 88, rescheduled the opening dates for the chancery courts in the ninth chancery division. The ninth division was made up at this time of the counties of Lewis, Perry, Hickman, Decatur, Henderson, McNairy, Hardin, Wayne, Lawrence, Dickson, Humphreys, and Benton. Court terms would open at Centerville in Hickman County on the third Monday in February and August.
  23. Public Acts of 1881, Chapter 162, changed the opening dates for the chancery court terms of the counties in the ninth chancery division. Chancery court would begin regular sessions in Hickman County on the first Monday in March and September.
  24. Acts of 1885, Extra Session, Chapter 20, was a major reorganization of the lower court system of Tennessee in which eleven chancery divisions were formed. The seventh chancery division contained the counties of Maury, Giles, Lawrence, Lewis, Wayne, Hickman, Hardin, Perry, Decatur, Dickson and Benton. Court terms would begin at Centerville on the first Monday in March and September. This act, and many others, were reviewed by the supreme court in Flynn v. State, 203 Tenn. 341, 313 S.W.2d 249 (1958).
  25. Public Acts of 1887, Chapter 5, amended Acts of 1885, Extra Session, Chapter 20, to change the chancery court terms in all the counties of the seventh chancery division which are listed in the act. Hickman County would start on the fourth Monday in February and the first Monday in September.
  26. Public Acts of 1899, Chapter 427, was the next massive reorganization of Tennessee's lower judicial system. Ten chancery divisions were created of which the sixth division contained the counties of Sumner, Robertson, Cheatham, Montgomery, Stewart, Houston, Dickson, Humphreys, Hickman and Wilson. Court terms would begin in Hickman County on the first Monday in January and July.
  27. Acts of 1903, Chapter 277, rearranged the opening dates for the chancery courts in the counties of Cheatham, Dickson, Houston, and Hickman whose chancery court would meet on the Tuesday after the first Monday in January and July.
  28. Acts of 1905, Chapter 286, changed the terms of chancery courts in the sixth chancery division. The chancery court for Hickman County would open its doors in regular session on the first Tuesday after the first Monday in January and July. The sixth chancery division contained the counties of Robertson, Montgomery, Cheatham, Wilson, Dickson, Sumner, Stewart, Houston, Humphreys and Hickman.
  29. Acts of 1907, Chapter 144, amended Public Acts of 1899, above, so that the chancery court of Hickman County would begin its terms on the fourth Tuesday in January and July, all process being made to conform to the change.
  30. Private Acts of 1913, Extra Session, Chapter 46, fixed the times for holding the chancery court in Hickman County as the fourth Tuesday in January and the Tuesday after the first Monday in July.
  31. Private Acts of 1919, Chapter 455, rearranged the times of court for the chancery courts in the sixth chancery division, which was composed of the counties of Cheatham, Dickson, Houston, Montgomery, Robertson, Stewart, Sumner, Wilson, Humphreys, and Hickman. The court in Centerville was to meet on the Tuesday after the first Monday in July and the Tuesday after the fourth Monday in January.
  32. Public Acts of 1931, Second Extra Session, Chapter 38, was the last reorganization of the lower court structure of Tennessee to appear in the volumes of private acts. Most changes to follow would be in the form of code amendments. This act formed fourteen chancery divisions across the state, assigning the counties of Montgomery, Robertson, Cheatham, Stewart, Houston, Dickson, Sumner, Humphreys, Wilson, and Hickman to the sixth chancery division. Chancery court terms in



Hickman County would continue to open on the Tuesday after the fourth Monday in January, and the Tuesday after the first Monday in July.

33. Public Acts of 1941, Chapter 27, rescheduled the terms of the chancery courts in the sixth chancery division. Hickman County Chancery Court was to convene in Centerville on the fourth Monday in January and July, and the second Monday in April and October.

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

The reference list below contains acts which once applied to the clerk and master in Hickman County.

1. Acts of 1909, Chapter 376, fixed the annual salary of the clerk and master of the chancery court of Hickman County, identified by the use of the 1900 Federal Census figures, at \$500, provided a sworn, itemized statement was filed with the county judge, or chairman on January 1 and July 1 of each year showing the correct amount of all the fees collected in the clerk and master's office. If the fees collected were less than the salary, the county would pay the difference to the clerk and master but if the fees exceeded the salary, the clerk and master would retain the excess.
2. Private Acts of 1911, Chapter 480, was almost an exact duplicate of the act in Item 1, above, except that the clerk and master's annual salary was required to be paid in equal payments on January 1 and July 1. All other terms and conditions remained as they were.
3. Private Acts of 1919, Chapter 716, contained the same operational provisions as the two acts, above, but increased the annual salary of the clerk and master from \$500 to \$600.
4. Private Acts of 1945, Chapter 395, amended Private Acts of 1919, Chapter 716, by increasing the annual salary of the clerk and master of Hickman County from \$600 to \$1,200.

### **Circuit Court**

The following acts were once applicable to the circuit court of Hickman 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, First Session, Chapter 49, divided the state into five judicial circuits of which the fifth circuit contained the counties of Montgomery, Dickson, Hickman, Humphreys, Stewart, and Robertson. The circuit courts would hold two terms each year at the courthouse in Hickman County on the second Monday in March and September.
2. Acts of 1817, Chapter 138, established court terms in the fourth, fifth, and sixth judicial circuits. In Hickman County the circuit court terms would begin on the first Monday in March and September.
3. Private Acts of 1819, Chapter 154, rescheduled the terms of the circuit court for several counties in West Tennessee including Hickman whose circuit court would take up its docket on the second Monday in March and September.
4. Private Acts of 1822, Second Session, Chapter 143, ratified all the proceedings of the quarterly court in Hickman County held at Vernon in July, the same as if the court had been authorized to meet there and, provided further that the county court and circuit court would meet and hold court hereafter at the courthouse in Vernon in Hickman County.
5. Public Acts of 1835-36, Chapter 5, formed eleven judicial circuits in Tennessee pursuant to the 1835 Constitution. The seventh circuit included the counties of Dickson, Hickman, Humphreys, Stewart, Montgomery, and Robertson. Court terms would begin in Hickman County on the third Monday in February, June, and October, since the circuit courts would hereafter hold three terms each year instead of two.
6. Acts of 1837-38, Chapter 3, Section 5, created the fourteenth judicial circuit with the counties of Lawrence, Wayne, Hardin, Perry, Carroll, and Benton, and added Hickman County to the eighth judicial circuit where court would meet in Centerville on the second Monday in March, July, and November.
7. Acts of 1837-38, Chapter 116, reorganized term schedules for several counties' circuit courts. Section 4 was concerned with the eighth judicial circuit but Hickman County's schedule was not changed.
8. Acts of 1837-38, Chapter 296, Section 2, declared it the duty of the judge of the seventh judicial circuit to hold the next term of the Hickman County Circuit Court, and it was likewise the responsibility of the attorney-general of that circuit to prosecute the cases in the name of the state.

9. Acts of 1841-42, Chapter 119, Section 4, directed that the next circuit court for Hickman County would be held at the time prescribed by law and thereafter the terms of court would begin on the third Monday in April, August, and December of each year.
10. Acts of 1845-46, Chapter 21, Section 7, rescheduled the court terms for the eighth judicial circuit which now included the counties of Lewis, Giles, Maury, and Hickman whose circuit court would meet on the fourth Monday in March, July, and November.
11. Acts of 1845-46, Chapter 39, made it lawful to hold the circuit court in any house, or building, on the order of the circuit judge, if the courthouse was in disrepair and unavailable. The act also reset the opening dates for circuit court terms in the eighth judicial circuit. Hickman County's Circuit Court would meet in regular session on the fourth Monday in March, July, and November. All the clerks were to govern themselves accordingly.
12. Acts of 1847-48, Chapter 132, Section 3, changed the terms of the circuit court in Hickman County to the third Monday in April, August, and December.
13. Acts of 1849-50, Chapter 9, reset the terms of the circuit court in Marshall County and Hickman County. The circuit court in Hickman County would start its regular terms on the fourth Monday in March, July, and November.
14. Acts of 1849-50, Chapter 205, attached Hickman County to the fourteenth judicial circuit after the passage of this act fixing the court terms to commence on the fourth Monday in February, June, and October. This act would not affect the district of the attorney general of the eighth judicial circuit who would continue to prosecute in the courts of Hickman County.
15. Acts of 1851-52, Chapter 105, changed the circuit court terms in Perry, Wayne, and Hickman counties. The court terms would begin in Hickman on the third Monday in February, June, and October.
16. Public Acts of 1857-58, Chapter 98, divided Tennessee into sixteen judicial circuits of which the twelfth circuit included the counties of Wayne, Lawrence, Hickman, Perry, Decatur, McNairy, and Hardin. Hickman County's Circuit Court would meet on the third Monday of February, June, and October.
17. Public Acts of 1865, Chapter 37, set the times of court for all the counties in the twelfth judicial circuit which were Wayne, Hickman, Perry, Decatur, Henderson, McNairy, and Hardin. Court terms would start in Hickman County on the fourth Monday in April, July, and October.
18. Public Acts of 1865-66, Chapter 14, rearranged the terms of the circuit courts in the twelfth judicial circuit for the counties of Wayne, McNairy, Hardin, Perry, Decatur, and Hickman where the terms were to start on the fourth Monday in March, July, and November.
19. Private Acts of 1865-66, Chapter 129, Section 9, transferred Hickman County from the twelfth judicial circuit to the eleventh judicial circuit and scheduled court terms for the fourth Monday in January, July, and November.
20. Public Acts of 1867-68, Chapter 64, Section 2, changed circuit court terms in the counties of Lewis, Lawrence, and Hickman in the eleventh judicial circuit. Hickman County's Circuit Court would convene on the first Monday in February, July, and November.
21. Public Acts of 1867-68, Chapter 67, Section 2, set the court dates for the circuit court of Hickman County on the first Monday in February, June, and October.
22. Public Acts of 1868-69, Chapter 15, Section 6, added Hickman County and Lewis County to the twelfth judicial circuit scheduling the court terms for Hickman to fall on the first Monday in April, August, and December at Centerville.
23. Public Acts of 1870, Chapter 31, was a total realignment of the circuit courts in Tennessee into fifteen regular, and one special, circuits. The twelfth judicial circuit included the counties of Hardin, Wayne, Lewis, Hickman, Perry, Decatur, Henderson, and McNairy.
24. Public Acts of 1870, Chapter 46, set up the terms of the circuit courts for every county in Tennessee according to the judicial circuits to which they had been assigned. In Hickman County circuit court terms were to begin on the fourth Monday in January, May, and September.
25. Public Acts of 1871, Chapter 17, changed the opening dates for the terms of the circuit courts in the eleventh judicial circuit which included the counties of Wayne, Lewis, Perry, Decatur, Henderson, McNairy, Hardin, and Hickman where the court would convene on the third Monday in January, May, and September.
26. Public Acts of 1871, Chapter 70, changed the opening dates for the terms of the circuit court in Hickman County to the first Monday in February, June, and October.

27. Public Acts of 1875, Chapter 18, changed terms of the circuit court in several of the counties in the eleventh judicial circuit but Hickman County's Circuit Court would continue to meet on the first Monday in February, June and October.
28. Public Acts of 1881, Chapter 83, changed the opening dates of the circuit court terms of all the counties in the eleventh judicial circuit except Hickman.
29. Public Acts of 1881, Extra Session, Chapter 2, set up different times for the courts to meet in the eleventh judicial circuit. Hickman County would open the circuit court on the third Monday in February, June, and October in Centerville. Other counties in the circuit were McNairy, Hardin, Wayne, Lewis, Perry, Decatur, and Henderson.
30. Acts of 1885, Extra Session, Chapter 20, divided Tennessee into fourteen regular, and one special, judicial circuits. The counties of Maury, Giles, Lawrence, Wayne, Hardin, Lewis, and Hickman were assigned to the ninth judicial circuit. The courts in Hickman would convene on the first Monday in April, August, and December.
31. Public Acts of 1887, Chapter 54, changed the terms of court in the ninth judicial circuit for the counties of Maury, Lewis, Hardin, Wayne, Lawrence, Giles, and Hickman whose court would meet on the second Monday in February, June, and October.
32. Acts of 1891, Extra Session, Chapter 20, took Hickman County out of the ninth judicial circuit, Dickson County out of the tenth judicial circuit and joined them with Cheatham County and Williamson County from the seventh judicial circuit to form the new nineteenth judicial circuit. Terms of court would remain as they were then scheduled.
33. Public Acts of 1895, Chapter 173, set the terms for the circuit courts in Cheatham County and Hickman County whose court would begin its regular terms on the first Monday in February and June and on Tuesday after the first Monday in October. The acts creating, and their amendments, the nineteenth judicial circuit were repealed.
34. Public Acts of 1899, Chapter 154, abolished the nineteenth judicial circuit which the act stated was composed of the counties of Hickman, Dickson, Cheatham, and Williamson, and repealed all prior laws, and the amendments, which created it.
35. Public Acts of 1899, Chapter 409, Section 6, attached Cheatham County and Hickman County to the seventh judicial circuit whose judge would hold court in Hickman County on the third Monday in January, May, and September, the judge of the second court being designated as the one to preside.
36. Public Acts of 1899, Chapter 427, closed out the 19th century with a complete revision of the lower court system in Tennessee. Fourteen judicial circuits were brought about with the counties of Maury, Giles, Lawrence, Wayne, Lewis, Perry, and Hickman being included in the eleventh judicial circuit. Circuit court terms would start in Hickman County on the first Monday in March, July, and November.
37. Acts of 1903, Chapter 18, scheduled the terms of court for the counties in the eleventh judicial circuit. The circuit court of Hickman County would commence its regular terms on the third Monday in March, the first Monday in September, and the second Monday in December. All outstanding process and bonds were to be made to conform to the above.
38. Acts of 1907, Chapter 559, created a criminal court in Hickman County whose jurisdiction was co-extensive with the county lines and would exist over all misdemeanors and felonies in the same fashion as formerly existed in the circuit court. The clerk of the circuit court would be the clerk of the criminal court and transfer the records of all pending cases to the new court. The sheriff was required to wait upon the new criminal court and the Judge was authorized to summon jurors. The court would meet on the Wednesday following the first Monday in each month and continue until the docket was cleared. The judge of the county court would be the judge of the criminal court but would not be paid anything for his services, and the county attorney would prosecute in the name of the state. This act was repealed by the Private Acts of 1911, Chapter 438.
39. Acts of 1909, Chapter 165, amended Acts of 1907, Chapter 559, Section 15, Item 38, above, by making the appeals from the new criminal court go to the supreme court of the state.
40. Private Acts of 1911, Chapter 438, expressly repealed Acts of 1907, Chapter 559, and directed that all cases pending in that court were to be transferred back to the circuit court of Hickman County.
41. Public Acts of 1913, Chapter 2, detached Cheatham County from the ninth judicial circuit and Hickman and Lewis counties from the eleventh judicial circuit, and attached all three counties to

- be a part of the judicial circuit of Williamson County, which was to be know and designated as the seventeenth judicial circuit.
42. Private Acts of 1919, Chapter 813, altered the times for holding circuit courts in the seventeenth judicial circuit, which included the counties of Williamson, Lewis, Cheatham, Perry, and Hickman. Circuit court terms would start in Hickman County on the first Mondays in March and August and the second Monday in December.
  43. Private Acts of 1929, Chapter 600, stated that after the passage of this act the circuit court in Hickman County in the seventh judicial circuit was to be held on the first Mondays in March, August, and December.
  44. Public Acts of 1931, Second Extra Session, Chapter 26, amended Public Acts of 1931, Chapter 39, so that the terms of the circuit court would start in Hickman County on the first Monday in March, August, and December as they had done previously.
  45. Public Acts of 1931, Second Extra Session, Chapter 38, was the last act of this nature to appear in the volumes of private acts, all future changes taking the form mostly of code amendments. This act formed twenty judicial circuits in the state assigning the counties of Williamson, Lewis, Cheatham, Perry, and Hickman to the seventeenth judicial circuit. This court would hold its regular terms in Hickman County on the first Monday in March and August, and the second Monday in December.
  46. Private Acts of 1933, Chapter 405, changed the times for the circuit court to convene in Hickman County on the first Monday in March and on the second Mondays of August and December of each year.
  47. Private Acts of 1935, Chapter 505, directed that the regular terms of the circuit court in Hickman County convene on the first Monday in March and August and on the second Monday in November of each year.
  48. Public Acts of 1949, Chapter 230, reset the opening dates for the circuit courts in some of the counties in the seventeenth judicial circuit, but did not change Hickman County's terms.
  49. Public Acts of 1967, Chapter 7, fixed the times of court for the seventeenth judicial circuit scheduling the circuit court terms for Hickman County to begin on the fourth Monday in February, and the first Monday in August and November.
  50. Public Acts of 1974, Chapter 709, created an additional judge for the seventeenth judicial circuit, to more equally distribute the work. The two circuit judges were to preside over two separate divisions. The circuit judge elected to hold Division I was deemed to be the senior circuit judge and the presiding judge of the circuit. The circuit judge of Division II was to have the primary responsibility with the seventeenth judicial circuit for the selection and handling of grand juries, the appointment of foreman thereof and the primary responsibility for disposing of the criminal cases of the district. The primary responsibility of the circuit judge of Division I was for handling all other matters within the jurisdiction of the seventeenth judicial circuit. Either of the circuit judges might sit for the other, as provided by general statute. The presiding judge was to be vested with exclusive authority to make and promulgate rules of the court and to appoint clerks as vacancies occurred in all of the counties of the seventeenth judicial circuit. The additional judge whose office was created was also empowered to appoint a suitable stenographer to assist him, and said secretarial assistant was to be compensated from the treasury of the state.

### **Circuit Court - Clerk**

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

1. Acts of 1843-44, Chapter 89, amended Acts of 1841-42, Chapter 34, by making it the duty of the circuit court clerks in the counties of Lawrence, Hickman, Wayne, Giles, and Maury to examine the books of the entry-takers in those counties on the first Monday in September of each year and report their findings to the state comptroller on or before the 15th day of the same month. Entry-takers were compelled to account to the comptroller on or before the 20th day of the same month.
2. Acts of 1903, Chapter 255, was a salary act applicable statewide, based on population figures, wherein the annual salaries of the clerks of the circuit court were established in accordance with the population class of the county in which the clerk served the public. The act retained the requirement that a sworn, itemized statement had to be filed showing all the fees collected in the office. If the fees were less than the salary the county paid the difference but if they exceeded the salary the clerk could retain the excess as his own. This act concerned circuit court clerks only,

and in Hickman County the circuit court clerk would receive \$750 per annum.

3. Private Acts of 1921, Chapter 458, provided that the clerks of the circuit court in Hickman County (identified by the 1920 Federal Census figures) would receive \$1,000 per year as compensation, provided a sworn, itemized statement showing all the fees collected in the office was filed with the county judge or chairman on January 1 and July 1 of each year. The county would pay any insufficiency between the fees and salary and the clerk could keep the overage.
4. Private Acts of 1927, Chapter 19, fixed the salary of the Hickman County Circuit Court Clerk at \$1,000 per year, payable monthly by the county judge or chairman, upon warrants drawn out of the county general funds. The circuit court clerk was to also be allowed to keep all the fees of his office as his own property and as additional compensation.
5. Private Acts of 1931, Chapter 694, seemed to be a reenactment of Private Acts of 1927, Chapter 19, above. The annual compensation of the clerk was \$1,000 plus all the fees and emoluments of the office. See *Kyle v. Covley*, 170 Tenn 547, 98 S.W.2d 85 (1936).
6. Private Acts of 1949, Chapter 166, amended Private Acts of 1927, Chapter 19, by increasing the annual salary of the circuit court clerk from \$1,000 to \$1,500.

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

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

1. Acts of 1817, Chapter 65, laid off the State of Tennessee into ten solicitorial districts, assigning the counties of Maury, Lawrence, and Hickman to the ninth solicitorial district.
2. Private Acts of 1819, Chapter 154, Section 3, formed a new solicitorial district composed of counties of Hickman, Wayne, Hardin, and Perry. The solicitor general of the new district would be appointed by the joint ballot of both houses of the general assembly.
3. Public Acts of 1835-36, Chapter 28, made each solicitorial district in the State of Tennessee to coincide with and be coextensive with each judicial circuit having criminal jurisdiction.
4. Acts of 1903, Chapter 421, stated in the preamble that the redistricting act of 1899 set the terms of the circuit courts in Hickman County and Montgomery County at the same time and the regular attorney general could not attend both courts and had therefore preferred to attend Montgomery County's Court, and, as a consequence of these circumstances judge John W. Childress had named John H. Cunningham to serve as the attorney general of the Court of Hickman County during that session. This act directed that Cunningham be paid \$150 for his services in this regard.
5. Public Acts of 1971, Chapter 140, was a special public act which created the office of assistant district attorney general for the seventeenth judicial circuit, to be appointed by the district attorney general of said circuit. The act set forth the requirements for the office; stated that its duties and functions were to be assigned and directed by the district attorney general; and, that compensation was to be as provided by general law of the state.
6. Public Acts of 1976, Chapter 512, was a second special public act which created an additional office of full-time assistant district attorney general for the seventeenth judicial circuit, to be appointed by the district attorney general of said circuit. The remainder of the act was essentially the same as the act which created the position initially.
7. Public Acts of 1978, Chapter 726, created the position of criminal investigator for the district attorney general of the seventeenth judicial circuit, to be appointed and directed by said district attorney general, and compensated as provided by general law. The criminal investigator was to have the same powers and authority as deputies of the county sheriffs

### **Secretarial Assistance**

The following acts are no longer in effect but are listed here for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1949, Chapter 76, amended Public Acts of 1939, Chapter 13, by raising the stenographic expense sum to \$1,200. Said sum was to be paid from the general fund of the state, not otherwise appropriated.
2. Public Acts of 1963, Chapter 279, was a special public act which amended Public Acts of 1939, Chapter 13, above, by setting the annual salary of the stenographer authorized therein at \$3,000.

## Chapter VI - Education/Schools

### Board of Education

#### Private Acts of 2002 Chapter 108

**SECTION 1.** Chapter 234 of the Private Acts of 1992, and all other acts amendatory thereto, are hereby repealed.

**SECTION 2.** Hickman County shall be divided into seven (7) school districts of substantially equal population, which shall be coextensive with the county legislative body districts established by resolution of the county legislative body from time to time.

**SECTION 3.** The Hickman County Board of Education (the "board") shall consist of seven (7) members, with one (1) member of the board being elected by the qualified voters in each school district on a non-partisan basis. Board members shall be elected to staggered four (4) year terms, with districts 4, 5 and 6 expiring at the same time and districts 1, 2, 3, and 7 expiring at the same time. Persons elected in the regular August general election shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

**SECTION 4.** During the transition from five (5) to seven (7) members, all incumbent board members shall remain on the board until the expiration of their current terms. To establish staggered terms as provided in Section 3, new board members shall be elected as follows: At the regular August 2002 election, one (1) board member shall be elected to a four (4) year term from each of districts 4, 5 and 6, and one (1) board member shall be elected to a two (2) year term from district 7. At the regular August 2004 election, one (1) board member shall be elected to a four (4) year term from each of districts 1, 2, 3 and 7. Thereafter, board members shall be elected to four (4) year terms as their terms expire.

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

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

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Hickman County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Hickman County and certified 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: March 27, 2002.

### Bus Driver Contracts

#### Private Acts of 1945 Chapter 483

**SECTION 1.** That County Boards of Education in counties of this State having a population of not less than 14,800 persons, nor more than 14,900 persons, according to the Federal Census of 1940, or any subsequent Federal Census, be and they are hereby authorized to contract with drivers of school busses for a period of not to exceed three years from the beginning of the first scholastic year in which such contracts shall be effective. Such contract shall be on forms prescribed by the State Department of Education and when entered into shall be filed in the office of the County Superintendent of Education and be available as a public record. Provided, however, that such contracts shall be voidable at the option of the County Board of Education if may or filed within two months next preceding the going out of office of a majority of the County Board of Education, authorizing such contract.

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

Passed: February 23, 1945.

### Fairgrounds Lease

## Private Acts of 1957 Chapter 201

*Whereas*, the County Board of Education of Hickman County is the owner of a certain parcel of land which is deemed suitable for the holding of a County Fair; and

*Whereas*, numerous public spirited citizens of that County are most desirous of holding an annual County Fair; and

*Whereas*, the parcel of land now owned by the County Board of Education is by far the most desirable parcel of land for such purpose;

*Now, therefore*,

**SECTION 1.** That the County Board of Education of Hickman County is hereby authorized to lease to any non-profit corporation or association desirous of conducting a County Fair in Hickman County the above mentioned tract of land for so long a period during each calendar year as may be necessary to enable such corporation or association to conduct a County Fair, for such consideration as may seem adequate to the Board of Education. Provided, however, that the County Board of Education shall not be liable to said corporation or association or any other person for any damages arising from the condition of the leased premises.

**SECTION 2.** That this Act shall be void and of no effect unless within 6 months from the date of final legislative action thereon the same shall be approved and ratified by a two-thirds majority of the Quarterly County Court.

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

Passed: March 11, 1957.

## Superintendent of Public Instruction

## Private Acts of 1929 Chapter 119

**SECTION 1.** That hereinafter the County Superintendent of Public Instruction in and for Counties having a population of not less than 16,210 and not more than 16,230, according to the Federal Census of 1920, or any subsequent Federal Census, shall be elected by the qualified voters of said County at the Regular Election to be held on the first Thursday in August, 1930, and every two years thereafter, whose term of office shall begin on January 1, 1931, and continue for two years and until his successor is elected and qualified, whose qualifications shall be the same as now fixed by law, which certificate of evidence of qualification shall be filed with the Chairman or Judge of the County Court of said County, and whose duties shall be the same as now defined by law and whose compensation shall be that provided and allowed under the law.

**SECTION 2.** That all laws and parts of laws in conflict with this Act shall be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 4, 1929.

## Education/Schools - Historical Notes

### Board of Education

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

1. Acts of 1907, Chapter 236, set up a board of education in every Tennessee County, abolishing the position of school directors in the county, and required the quarterly court to divide the county into five districts from each of which one member of the board of education would be elected by the people in the district. The duties of the chairman, the secretary, and the other members of the board were all itemized. The school superintendent would be ex officio secretary to the board. A local board of three members would be elected in each district as an advisory board to serve two year terms whose responsibilities were likewise stipulated in the act which included the formation of a scholastic census and the keeping of attendance records. The act did not apply to city school systems and nine counties, not including Hickman, were exempted from this law in Section 17. See Whitthorne v. Turner, 155 Tenn. 303, 293 S.W. 147 (1927).
2. Acts of 1909, Chapter 302, amended Public Acts of 1873, Chapter 25, a statewide educational act, beginning with Section 10, and created a county board of education composed of one member from each civil district, the county judge, or chairman, and the superintendent of public

instruction who would be ex officio chairman of the board. Members would be elected by the people on the first Thursday in August, 1910, to serve two year terms. The superintendent would fill any vacancies until the next general election. The duties of the chairman, the secretary, and the members of the board were all itemized in the act, including the taking of an annual scholastic census. Proper and accurate reports were required to be submitted in accordance with the terms of this act. This act was applicable to Hickman and nine other counties by the quotations of population figures denoting them.

3. Private Acts of 1911, Chapter 564, amended Acts of 1907, Chapter 236, by striking out several of the federal census population figures that were listed at the end of the original act, thus making said act applicable to counties falling within those population figure ranges. This amendment had no effect on Hickman County, as the act was already applicable to said county.
4. Public Acts of 1915, Chapter 48, amended Private Acts of 1911, Chapter 564, by striking out one set of population figures and inserting the population figure range which contained that population figure for Hickman County for 1910, thus making the original act no longer applicable to Hickman County.
5. Private Acts of 1929, Chapter 671, established a board of school commissioners in Hickman County, consisting of seven members, one from each of the seven school districts described in the act which were composed of whole civil districts. The members would be elected to two year terms in August, 1930, and the quarterly court would fill all vacancies until the next general election. All candidates for the board were to be qualified as set forth therein, and were to be paid \$5.00 per day for each day actually served, up to 15 days annually. The board was to meet in regular session on the first Monday in March, June, September, and December. The superintendent of schools was to be ex officio secretary of the board. The board was to have overall supervision and control of all public schools, the old board being abolished as of September 1, 1930.
6. Private Acts of 1933, Chapter 468, amended Private Acts of 1929, Chapter 671, Section 3, paragraph 3, above, by striking the \$5 per day compensation for members of the school board and inserting \$4.00. The act also created an eighth school district by taking the second civil district out of the third school district and the fifteenth civil district out of the seventh school district and combining the two to form a new school district.
7. Private Acts of 1937, Chapter 136, amended Private Acts of 1929, Chapter 671, Section 3, by requiring that the per diem compensation for the members of the board of school commissioners be paid, in the future, out of the elementary school funds of the county in place of the general funds of the county.
8. Private Acts of 1945, Chapter 396, amended Private Acts of 1929, Chapter 671, Section 2, by creating an eight-member board of school commissioners, one to be elected by the people from each of the eight school districts, with four to serve two-year terms, and four to serve four-year terms. Hickman County was divided into eight school districts, composed of whole civil districts. No justice of the peace, or county officer, was to be eligible to serve as a member. Members would be paid \$4.00 a day for each day devoted to attendance at meetings of the board and to other duties, not exceeding 15 days each year.
9. Private Acts of 1955, Chapter 98, provided that in Hickman County (identified by the use of the 1950 Federal Census), members of the board of education were to be paid the sum of \$10 per day for each and every day actually attended at all board meetings, and, in addition, the sum of five cents per mile for each mile necessarily traveled to attend the meetings. This act was rejected by the quarterly court and therefore never took effect in Hickman County.
10. Private Acts of 1959, Chapter 146, stated that members of the board of education in Hickman County would be paid for their attendance at all meetings of the board of education \$10 per day for each and every day actually attended plus five cents per mile for each mile traveled between home and the meetings of the board. This act recited that the governor returned this bill unsigned after keeping it five days, which placed it in effect, but, then the quarterly court of Hickman County failed to ratify it and thus nullified it entirely.
11. Private Acts of 1965, Chapter 272, also stated that members of the board of education of Hickman County (designated by the 1960 Federal Census population figure) were to be paid for their attendance at all meetings of the board of education the sum of \$10 per day, and also the sum of 5 cents per mile for each mile necessarily traveled to attend said meetings. This act was subsequently repealed by the current act in force, Private Acts of 1992, Chapter 234.
12. Private Acts of 1969, Chapter 85, amended Private Acts of 1945, Chapter 396, by redistricting Hickman County into five school districts which were composed of whole civil districts. The present



commissioners were to remain in office until their terms expired and then one commissioner would be elected from each of the five school districts. This act was to repeal Private Acts of 1929, Chapter 671, in its entirety, but was rejected by the Hickman County Quarterly Court and never became law.

13. Private Acts of 1992, Chapter 234, and all other acts amendatory, divided Hickman County into 5 school districts and provided for the number, election and terms of members of the board of education. This act was repealed by Private Acts of 2002, Chapter 108.
14. Private Acts of 1992, Chapter 242, was to have divided Hickman County into five school districts and repeal Private Acts of 1929, Chapter 671; Private Acts of 1933, Chapter 468; Private Acts of 1937, Chapter 136; Private Acts of 1945, Chapter 396 and Private Acts of 1965, Chapter 272, but that act was never ratified locally and therefore never became law.

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

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

1. Private Acts of 1933, Chapter 603, set the compensation of the county school superintendent of Hickman County at \$1,800 annually, provided the state portion of the amount would be matched by the county, and, if the amount paid by the state was more than one-half of the above salary, the salary would be that amount plus a matching amount by the county but never at any time would the salary be less than \$1,800. The compensation would be paid in equal monthly installments.
2. Private Acts of 1933, Chapter 661, was the legal authority for the county superintendent and chairman of county school board to vote at all meetings of the county school board in case there was a tie vote but not otherwise. The chairman of school board, who was elected by the people the same as the other members, was also empowered to vote at school board meetings on all questions.

### **General References**

The following acts constitute part of the administrative and political heritage of the educational structure of Hickman County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1809, First Session, Chapter 109, named James Barr, Hugh Ross, William Wilson, John Holland, John McCaleb, Alexander Gray, and William Ward, as the trustees of Johnson Academy which was incorporated in Hickman County having perpetual succession and a common seal.
2. Private Acts of 1825, Chapter 241, named added trustees for various county academies across the state, among whom were Eli Hornbeck, Samuel Sebastian, James Scott, Henry Nixon, and Alexander Gray for Centerville Academy in Hickman County.
3. Private Acts of 1832, Chapter 92, Section 5, provided that part of the internal improvement fund, and the interest on it, which was set apart by the general assembly, would be paid over by the cashier of the Bank of Tennessee to the chairman of the board of common school commissioners for Hickman County, or to his order, but the money must be used for the good of the common schools in the county under the same rules and regulations applicable to similar uses in other counties.
4. Acts of 1837-38, Chapter 124, Section 10, incorporated Robert Shegog, William N. Holt, Millington Easley, Thomas W. Easley, William H. Caruthers, Bassell B. Satterfield, and Jacob Humble, as the trustees of Vernon Academy in Hickman County. The same act also named David B. Warren, James D. Easley, John G. Easley, and Samuel Sebastian as trustees and incorporators of Centerville Academy in Hickman County under the same rules and regulations as Arrington Academy in Williamson County.
5. Acts of 1839-40, Chapter 102, named the official county academies for every county in the state. In Hickman County the official county academy was Centerville Academy to which the funds of the state would be paid as such. Section 13 repealed the 1838 Act which named the trustees of Centerville Academy.
6. Acts of 1841-42, Chapter 174, Section 3, validated and confirmed the election of the trustees for Centerville Academy in Hickman County as the same was conducted by the county court at its July, 1840, term. The nomination of all the trustees was pronounced as good and valid as if prescribed by law at the time.
7. Acts of 1845-46, Chapter 16, was the enabling act for the incorporation of Samuel B. Moore, William G. Clagett, A. M. Williams, William H. Foster, and John B. Gray, as the trustees of the

- Centerville Female Academy with all the incidental powers and privileges common to corporations and the trustees could make any and all by-laws not inconsistent with the laws of the state.
8. Acts of 1845-46, Chapter 189, Section 7 and 8, declared that the taxes levied for county purposes, on property and polls in the territory attached to Perry County from Hickman and Wayne counties, for the year 1846, be collected by the sheriffs or revenue collectors of Hickman and Wayne counties, and paid to the trustee of Perry County for the use and benefit of Perry County. Furthermore, the act directed that the trustee of Hickman County to ascertain from the common school commissioners the scholastic population at the last enumeration and pay over to the trustees of Perry and Decatur counties its portion of the school fund.
  9. Acts of 1849-50, Chapter 87, divided Centerville Male Academy into two branches, one for males, and the other branch for females, which branches would be separately organized and share equally in all funds. A. M. Williams, S. B. Moore, C. Johnson, R. E. Grinder, and Pleasant Walker, were named as trustees for the latter school. Funds could be appropriated to build the female branch, if necessary.
  10. Acts of 1853-54, Chapter 208, Section 5, divided the Centerville Male Academy in Hickman County into two branches, one for males and the other for females. Each division would share equally in all the funds becoming available to the academy.
  11. Acts of 1855-56, Chapter 237, declared that the limits of the town of Centerville would hereafter constitute a common school district hereafter numbered 45. All the children residing in the district must be included within the scholastic population and all the educational funds were to be shared equally by the Centerville Male and Female Academies.
  12. Private Acts of 1869-70, Chapter 90, was the enabling legislation which incorporated H. Williams, O. A. Nixon, W. M. Johnson, H. Claggett, and Leonidas Walker, and their successors as the "Centerville Female Academy," being granted all the incidental corporate privileges. The board of trustees was given the authority to make all the regulations and by-laws necessary for the orderly management of the school and its internal discipline.
  13. Public Acts of 1891, Chapter 189, was the legislative authority for the trustee of Hickman County to lend out the school funds, which were there in hand, or which might thereafter come into his hands, which funds were in excess of the amount required to carry on and maintain the common schools of the county for a period of one year, provided, that the security for any loan was first approved by the county court before the loan was made.
  14. Public Acts of 1895, Chapter 78, directed W. P. Coleman, W. M. Baxter, A. Norris, W. P. Clarke, and J. B. Walker, who were the directors of the Centerville Academy, to sell the real property owned by the school in the western portion of the town of Centerville for the best price obtainable and to pay the county trustee the amount previously spent on the building out of school funds. The remainder of the sale price would be paid into the common school fund for the use and benefit of the schools in general. Any dispute which might arise concerning any part of the transaction would be settled by the quarterly court.
  15. Private Acts of 1897, Chapter 309, authorized D. L. Johnson, J. C. Rodgers, and J. D. Cooper, who were the directors of the forty-second school district in Hickman County to sell on the best terms obtainable all the land remaining which belonged to the school district. The said land was located on the east side of Big Swan Creek in the twelfth civil district of Hickman County. The directors were obligated to pay all the debts of the district owned on the existing school building and to complete and furnish the same. The terms of the transaction must be acceptable to the superintendent of public instruction in the county.
  16. Acts of 1905, Chapter 292, established the Goodrich Special School District in Hickman County as the same was legally described in the act, which included the town of Goodrich. The new school district would be known as District #16 in the county and would enjoy all the rights and privileges, and be subject to all the regulations as other school districts were. The new school district would receive its pro rata share of school funds now on hand and hereafter to be disbursed in the seventh school district.
  17. Acts of 1905, Chapter 471, set up an additional school district in Hickman County beginning at the mouth of Mill Creek in the seventh civil district running east to Graham Station, including Clويد Plunkett's residence; south through Nunnelly Ore Miles by the old Warner Iron Company's washer to W. S. Nunnelly's line to Goodrich School District line at Bird's Creek to the mouth of the same; with the Piney River to Bob Bowen's line; northwest to the head of Pretty Creek, thence northeast to the point of the beginning. The new district would have all the rights and privileges and be subject to same regulations as similar school districts. The superintendent of public instruction in Hickman County would appoint three school directors to serve until their successors could be

- elected at the next general election. This district would be known as "School District #58".
18. Acts of 1907, Chapter 166, created a special school district in the fifth civil district of Hickman County which would be called the "Bon Aqua School District", beginning at the northeast corner of the fifth civil district in the south boundary line of the county, running with the said county line to Bear Creek at John Dunagan's farm; south so as to include Dunagan, William Tucker, and E. C. Tidwell to Boyard's Place on the Nashville and Pinewood Road; east with the said road to McCord Place on the road and thence north to the beginning. The act named W. G. Ligon, V. C. Weems, and W. R. Shouse to serve as directors until their successors could be elected at the next regular election. The directors were required to meet and organize themselves within 30 days after passage of this act and to report the scholastic census of the new district.
  19. Acts of 1907, Chapter 260, established a new special "School District #18" in Hickman County beginning in the Dickson County - Hickman County line at Joe's Branch; west with the said line to the east boundary of the fifth civil district; south with that line to the head spring of Mill Creek; southeast with the Columbia Road to Mill Creek Road; with the road east to the Nashville-Centerville Road and with that road to a point near Mrs. Sallie B. Stanfield's residence; thence north to the beginning. The act named S. A. Gentry, Alfred Tidwell, and J. T. Bateman to serve as school directors until their successors could be elected by popular vote at the next general election in the county. The scholastic census of the new area would be made and reported whereupon all the school funds would be divided proportionately.
  20. Private Acts of 1911, Chapter 566, provided that, in Claiborne, Union, and Hickman counties, each school would constitute a separate and distinct school district. The county board of education was to lay off the county into school districts, each of which was to have three Trustees who were to be elected by the people. The elections were to be held under existing election laws and the three receiving the highest number of votes in each district were to be the trustees. The trustees were to choose the teachers and other school employees but the board of education was to set their salaries. No teacher was to be selected by the county board of education over the objections of the trustees in that district.
  21. Private Acts of 1913, Chapter 205, organized the "Coble School District" in the ninth civil district of Hickman County which was bounded as described therein. The initial school directors were named to serve until their successors were elected by popular vote at the next general election. The new district would have all the rights of other school districts including an apportionment of school funds by the county trustee according to pupil population, as the same was reported and confirmed by the school directors.
  22. Private Acts of 1919, Chapter 448, amended Private Acts of 1911, Chapter 566, Section 1, by removing Claiborne County and Union County from its provisions, and leaving this act applicable only to Hickman County.
  23. Private Acts of 1925, Chapter 440, authorized the county judge in Hickman County (identified by the 1920 Federal Census) to appoint three commissioners for each school in the county. Said appointments were to be made annually and no later than May 1. The commissioners appointed were to recommend to the county board of education the teacher to be employed for the school for the coming year. The commissioners were to generally supervise the school, but were to serve without compensation.
  24. Private Acts of 1929, Chapter 670, authorized and empowered the county board of education in Hickman County to establish a system of three-year high schools in the county wherein the same subjects would be taught as were then being taught in four-year high schools. Said schools, if established, were to be operated and managed according to plans laid down by the state board of education. The county board of education was to appoint teachers, provided that any teacher so engaged had a high school certificate. Any additional teachers would have to be paid out of high school funds. The program and the curriculum was to be such that a student could transfer from a three-year high school to a four-year high school, and vice versa, without examination.
  25. Private Acts of 1929, Chapter 735, abolished the office of attendance officer for the schools in Hickman County. The compulsory school attendance law was to be enforced in that county by the county superintendent of public instruction and the sheriff and constables of the county were to execute all process arising at his instance. The sheriff and constables were to be paid the normal fees for serving the process, which was to be taxed as costs in the case.
  26. Private Acts of 1931, Chapter 274, provided that, in Hickman County, the county judge should appoint three commissioners for each school in the county, each year and no later than May 1. The commissioners so appointed were to recommend the teachers and other school personnel for that school year. The commissioners were to generally supervise the school and to serve without

compensation.

## Chapter VII - Elections

### Districts - Reapportionment

### Civil Districts

### Private Acts of 1969 Chapter 39

**SECTION 1.** That the Civil Districts of Hickman County be, and the same are hereby rearranged into ten (10) Civil Districts of approximately equal population, and numbered one (1) through and including ten (10) which respective Districts are more particularly described as follows, to-wit:

#### DISTRICT I

District I is composed of former Districts as follows, to-wit: a part of District I, a part of District 7, all of District 8, all of District 9, a part of District 11, and a part of District 10.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 40-NW; 40-NE; 40-SE; 41-SE; 41-NE; 41-NW; 40-SW; and 40-NW.

- (1) Beginning at a point in the Hickman-Humphreys County lines, the same being the northwest corner of Hickman County, in the middle of Duck River, and runs with and across said river in a northeasterly direction with the Hickman-Humphreys County line to the southeasterly edge of the road leading down Beaver Creek on the northwesterly side of and near by Interstate Highway 40, a corner in District 2.
- (2) Thence in a southerly direction, with District 2, crossing Interstate Highway 40, and with the Sugar Creek Road, and leaving the Sugar Creek Road, and following the ridge between Beaver Creek and Sugar Creek to the Salt Lick Monument and continuing down the ridge that separates the middle fork of Sugar Creek from Pretty Creek to the Spot Monument, and continuing with the ridge, crossing the Nunnally to Only Road at the road leading to the Rockfield Church at the headwaters of Possum Hollow.
- (3) Thence in a southeasterly direction following the water course of Possum Hollow into Piney River just below and across the river from Bird Creek.
- (4) Thence down Piney River, with its meanders, to Duck River.
- (5) Thence up Duck River with its meanders, leaving District 2 at Walker Hollow, and with District 7, to a point below the mouth of Bear Creek, at the mouth of Lower Fishing Hollow, a corner in District 8.
- (6) Thence up said Lower Fishing Hollow in a southwesterly direction with District 8 approximately 2,000 feet to the middle point and up the same to the top of the ridge, a corner in District 10, and continuing in the same general direction with District 10, passing approximately 1,000 feet northwest of the Byers' Cemetery, to Beaverdam Creek.
- (7) Thence down Beaverdam Creek with its meanders approximately 1,500 feet to the water mark of the hollow branch, between the Thornton and Prince Hollow which branch crosses the Overby farm.
- (8) Thence up said branch with its meanders, crossing Overby farm to the head of the hollow, and continuing on to the top of the ridge between Thornton Hollow and Prince Hollow. (9) Thence with the ridge separating Thornton Hollow and Prince Hollow in a southwesterly direction, to the ridge separating Milum Branch and Wades Branch, and continuing on in the same general direction with the ridge separating Milum and Wades Branch to the road leading from Milum Branch to Wades Branch.
- (10) Thence in a northwesterly direction down the ridge between the waters of Peters Branch and Sulphur Fork on the southwesterly side and Blue Water on the northerly side to a point at the junction of the Blue Water Road with the Sulphur Fork Creek Road, on Sulphur Fork Creek.
- (11) Thence in a southwesterly direction crossing the Sulphur Fork Creek and up Powder Mill Hollow Road with its meanders to the ridge road at BM MLB 1207.
- (12) Thence in a northwesterly direction with said ridge road which divided the waters of Morgan

Branch and Cave Branch from Powder Mill and Hurricane Branch to a point in Highway 50, at the observation or look out tower.

(13) Thence in a southwesterly direction with Highway 50, a short distance to Tringulation Station "Cobel".

(14) Thence leaving said highway and running in a general southwesterly direction down the ridge between the waters of Lower Sinking Creek and Morgan Branch, to a point in the Hickman-Perry County lines, on the ridge south of Lower Sinking Creek.

(15) Thence in a general northerly direction with the Hickman-Perry County line, and the Hickman and Humphreys County line to the point of beginning.

## DISTRICT 2.

District 2 is composed of former Districts as follows, to-wit: the greater portion of the 6th, a part of the 5th, a part of the 7th, and a part of the 1st.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 40-NE; 40-SE; 49-SW; 49-NW and 40-NE.

(1) Beginning at the N.E. corner of District 1, in the Hickman-Humphreys County line, in the southwesterly edge of the road leading down Beaver Creek, on the northwesterly side of and near by Interstate Highway 40, the northeasterly corner of District 1, and runs thence with the easterly boundary line of District 1, as follows: in a southerly direction crossing Interstate Highway 40 and runs with the Sugar Creek Road, leaving the Sugar Creek Road and following the ridge between Beaver Creek and Sugar Creek Road to the Salt Lick Mounment [sic], and continuing down the ridge that separates the middle fork of Sugar Creek from Pretty Creek to the Spot Monument, and continuing with the ridge, crossing the Nunnelly-Only Road at the road leading to the Rockfield Church, at the headwaters of Possum Hollow.

(2) Thence in a southeasterly direction following the water course of Possum Hollow into Piney River, just below and across the river from Bird Creek.

(3) Thence down Piney River, with its meanders, to Duck River.

(4) Thence up Duck River with its meanders to a point at the mouth of Walker Hollow, the northwest corner of District 7.

(5) Thence running with District 7, in an easterly direction, up Walker Hollow, with its meanders to Grinders Switch.

(6) Thence crossing the railroad, and running in a southeasterly direction with the water course of a hollow, to Duck River, approximately 1,300 feet above the old Shipp's Bend Bridge.

(7) Thence up Duck River to a point 1,500 feet northwest of Highway 100 Bridge at the boundary line of the city limits of the Town of Centerville, Centerville, Tennessee, in the boundary line of District 6.

(8) Thence with the city boundary and District 6, in a northerly direction until it reaches a point in the Bell Branch Road, in District 5.

(9) Thence leaving the city boundary and road and runs in a northeasterly direction with District 5, running down a side hollow 3,800 feet to the water mark in Rushy Hollow, and with Rushy Hollow meanders in a northerly direction to Bell Branch, and then up Bell Branch with its meanders in an easterly direction to the mouth of Bell, Barn and Duncan Hollows.

(10) Thence in a straight line approximately 7,600 feet in a northwesterly direction crossing the ridge between Bell Branch and Mill Creek to the mouth of Hog Joint Hollow on Mill Creek, the southwesterly corner of District 3.

(11) Thence with District 3, and running up the main water course of Hog Joint Hollow, in a northwesterly direction to the railroad fill.

(12) Thence with the railroad, in a general northeasterly direction, approximately 5,800 feet to a point on top of the ridge in the northerlymost part of that bend in the railroad.

(13) Thence in a northerly direction a straight line, crossing the Pinewood-Lyles Road, Little Spring Creek and the ridge between Little Spring Creek and Big Spring Creek, approximately 13,600 feet to the mouth of Martin Fork Branch, on Big Spring Creek.

(14) Thence down Big Spring Creek in a westerly direction to the mouth of Wild Hog Hollow, and up Wild Hog Hollow, with the westerly fork to the Missionary Ridge Road, and crossing the Missionary Ridge Road on to Simmons Hollow and with its meanders in a northerly direction to Bear Creek.

(15) Thence due north to the Dickson and Hickman County line.

(16) Thence with the Hickman-Dickson County line and the Hickman-Humphreys County line in a westerly direction to the point of beginning.

### DISTRICT 3.

District 3 is composed of former Districts as follows, to-wit: a part of District 5, a part of District 6, and a part of District 7.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 49-NW; 49-NE and 49-NW.

(1) Beginning at the N.E. corner of District 2, in the Hickman Dickson County line, approximately 2,200 feet east of Turkey Creek, and runs thence in an easterly direction with said Hickman-Dickson County line, to the railroad, the northwest corner of District 4.

(2) Thence with the railroad in a southerly direction, approximately 4,400 feet, and leaving the railroad at a water mark, crossing one county road and stopping at the intersection of said water mark, with the second county road.

(3) Thence in an easterly direction approximately 2,200 feet to the mouth of north fork of Big Spring Creek, on Big Spring Creek.

(4) Thence in a southeasterly direction approximately 2,600 feet to a road intersection on the Bon Aqua Springs to Foriest Store Road.

(5) Thence in a southerly direction, crossing Bristol Cave Branch, in all approximately 4,300 feet, to a point on an arc with a radius of 1,800 feet, the center of which is Bon Aqua Junction, the point being halfway between Highway 46 and Highway 100.

(6) Thence following an arc with a radius of 1,800 feet from Bon Aqua Junction, crossing Highway 100 to the Bon Aqua to Willow Spring Road, and the Bon Aqua to Mill Creek Road, to a point in the hollow west of the Bon Aqua to Mill Creek Road.

(7) Thence in a southerly direction with the water mark of said stream to Mill Creek, a northeastern corner of District 5.

(8) Thence with District 5, down Mill Creek with its meanders to the mouth of the hollow that heads up to Patton's Park.

(9) Thence up said hollow that heads out at Patton's Park to a point immediately west of Patton's Park, a point on Highway 100.

(10) Thence in a westerly direction crossing Highway 100, a straight line to the intersection of the north fork of Mill Creek and the Lyles to Wrigley Road.

(11) Thence with said Mill Creek in a southwesterly direction to its intersection with the main spur line of the railroad and the power line.

(12) Thence with the center of the power line right of way in a northwesterly direction to its intersection with the railroad.

(13) Thence with the railroad in a southwesterly direction to Bates' Crossing.

(14) Thence in a southerly direction following the water course of Bradford Hollow to its mouth at Mill Creek.

(15) Thence up Mill Creek to the mouth of Randolph Hollow, and up Randolph Hollow approximately 1,300 feet to the forks of the road.

(16) Thence in a straight line in a westerly direction approximately 11,500 feet to a point at the mount of Hog Joint Hollow in the east boundary line of District 2.

(17) Thence running with District 2, up the main water course of Hog Joint Hollow, in a northwesterly direction to the railroad fill.

(18) Thence with the railroad, in a general northeasterly direction, approximately 5,800 feet to a point on top of the ridge in the northerlymost part of that bend in the railroad.

(19) Thence in a northerly direction a straight line, crossing the Pinewood-Lyles Road, Little Spring Creek and the ridge between Little Spring Creek and Big Spring Creek, approximately 13,600 feet to the mouth of Martin Fork Branch on Big Spring Creek.

(20) Thence down Big Spring Creek to the mouth of Wild Hog Hollow, and up Wild Hog Hollow, with the westerly fork to the Missionary Ridge Road, and crossing the Missionary Ridge Road to Simmons

Hollow with its meanders to Bear Creek.

(21) Thence due north to the Dickson-Hickman County line.

#### DISTRICT 4.

District 4 is composed of former Districts as follows, to-wit: a part of District 2, a part of District 4, and a part of District 5.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 49-NE; 49-SE; 56-SW and 49-NE.

(1) Beginning at the N.E. corner of District 3, in the railroad, and runs with said railroad, in a southerly direction, approximately 4,400 feet, and leaving the railroad at a water mark, and running with the same, crossing one county road, and stopping at the intersection of said water mark with the second county road.

(2) Thence in a northeasterly direction, approximately 2,200 feet to the mouth of the north fork of Big Spring Creek on Big Spring Creek.

(3) Thence in a southeasterly direction approximately 2,600 feet to a road intersection on the Bon Aqua Springs to Foriest Store Road.

(4) Thence in southerly direction, crossing Bristol Cave Branch, in all approximately 4,300 feet to a point on an arc with a radius of 1,800 feet, the center of which is Bon Aqua Junction, the point being halfway between Highway 46 and Highway 100.

(5) Thence following an arc with a radius of 1,800 feet from Bon Aqua Junction, crossing Highway 100, the Bon Aqua to Willow Springs Road, and the Bon Aqua to Mill Creek Road to a point in the hollow west of the Bon Aqua to Mill Creek Road.

(6) Thence in a southerly direction with the water mark of said stream to Mill Creek, a northeastern corner of District 5.

(7) Thence in a southeasterly direction, a straight line, approximately 4,600 feet, to a point in the upper fork of Cooper Hollow.

(8) Thence in a southwest direction with the water mark of Cooper Hollow to the Cooper Hollow Road, and crossing said road and continuing on a straight line, approximately 8,800 feet, crossing the Gossett Hollow Road to the intersection of the Vandber Hollow Road and the Littlelot Road.

(9) Thence crossing the Littlelot Road in a southeasterly direction, approximately 8,400 feet, crossing the Cooper Hollow Road to the intersection of Russell Branch with power line right-of-way.

(10) Thence with the power line in a southwesterly direction approximately 7,600 feet, crossing Hassell's Creek to a point approximately 1,000 feet northeast of the Littlelot Road.

(11) Thence in a southeasterly direction approximately 8,100 feet, crossing Shop Hollow Road, Rockhouse Hollow, and another road leading to the Wrigley Cemetery location, to the upper fork of Neely Branch, in the boundary line of District 9.

(12) Thence with the line of District 9, down Neely Branch, in an easterly direction to Hassell's Creek.

(13) Thence in a northeasterly direction, a straight line, approximately 5,400 feet to a driveway intersection with the Primm Springs Road, approximately 1,300 feet southeast of the New Antioch Church.

(14) Thence crossing the Primm Springs Road, running in a northeasterly direction a straight line, approximately 3,900 feet to the mouth of Jones Creek on Tatum Creek.

(15) Thence crossing Tatum Creek and following the dividing ridge between Tatum Creek and Lick Creek in a northeasterly direction to an intersection in a ridge road, leading from Garner's Hill to Lick Creek.

(16) Thence in an easterly direction a straight line, crossing Gin Branch, Locust Fork of Lick Creek, and striking the Hickman County line at the Maury-Williamson County corner, the northeast corner of District 9.

(17) Thence with the Hickman-Williamson County line in a northerly direction to the Hickman-Dickson County corner, and with the Hickman-Dickson County line, in a westerly direction, to the beginning.

#### DISTRICT 5.

District 5 is composed of former Districts as follows, to-wit: a part of District 1, a part of District 2, a part

of District 5, and a part of District 7.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 49-SW; 49-NW; 49-NE; and 49-SE and 49-SW.

- (1) Beginning at a point in the Bell Branch Road, in the northerly boundary line of the city limits of the Town of Centerville, Centerville, Tennessee, in the southeasterly edge of District 2, and runs with the same in a northeasterly direction, leaving the city boundary and road, and running down a side hollow approximately 3,800 feet to a water mark in Rushy Hollow and with Rushy Hollow meanders in a northerly direction to Bell Branch, and then up Bell Branch with its meanders in an easterly direction to the mouth of Bell Branch and Duncan Hollows.
- (2) Then in a straight line, approximately 7,600 feet in a northwesterly direction, crossing the ridge between Bell Branch and Mill Creek to the mouth of Hog Joint Hollow, on Mill Creek, the southwest corner of District 3.
- (3) Thence with the south boundary line of District 3, a straight line in an easterly direction approximately 11,500 feet to the forks of the road in Randolph Hollow.
- (4) Thence down Randolph Hollow, approximately 1,300 feet to the mouth of Mill Creek, and down Mill Creek in a westerly direction to the mouth of Bradford Hollow.
- (5) Thence in a northern direction following the water course of Bradford Hollow to its head, in the railroad, at Bates' Crossing.
- (6) Thence with the railroad in a northeasterly direction approximately 6,300 feet to its intersection with a power line.
- (7) Thence in a southeasterly direction with the power line to its intersection with the spur rail line and the north fork of Mill Creek.
- (8) Thence with Mill Creek in a northeasterly direction to its intersection with the Lyles- Wrigley Road.
- (9) Thence in an easterly direction, a straight line, crossing Highway 100 to a point immediately west of Patton's Park.
- (10) Thence down a water course in a southeasterly direction to its mouth at Mill Creek.
- (11) Thence up Mill Creek in a northerly direction to the mouth of a branch, meeting District 4 boundary line.
- (12) Thence with the boundary line of District 4 in a southeasterly direction a straight line approximately 4,600 feet to a point in the upper fork of Cooper Hollow.
- (13) Thence in a southwest direction with the water mark of Cooper Hollow to the Cooper Hollow Road, and crossing said road and continuing on a straight line approximately 8,800 feet, crossing the Gossett Hollow Road to the intersection of the Vanber Hollow Road and the Littlelot Road.
- (14) Thence crossing the Littlelot Road in a southeasterly direction approximately 8,400 feet, crossing the Cooper Hollow Road to the intersection of Russell Branch with the power line right-of-way.
- (15) Thence with the power line in a southwesterly direction approximately 7,600 feet, crossing Hassell's Creek to a point approximately 1,000 feet northeast of the Littlelot Road.
- (16) Thence in a southeasterly direction approximately 8,100 feet, crossing Shop Hollow Road, Rockhouse Hollow, and another road leading to the Wrigley Cemetery location to the upper fork of Neely Branch, in the boundary line of District 9, and continuing on with District 9, a straight line approximately 1,400 feet to the ridge top between Neely Branch and Slaughter Hollow.
- (17) Thence in a southwesterly direction with said ridge, crossing the Littlelot Road at the top of the Campbell Hill and running on the same general direction down the middle point to the south fork of Gerry Branch, and down the Gerry Branch water course to Duck River, the northeasterly corner of District 8.
- (18) Thence with District 8, down Duck River, with its meanders to a point 1,500 feet south of the Highway 100 Bridge, the eastern boundary of the city limits of the Town of Centerville, Centerville, Tennessee, the same being District 6, and with the same in a northerly direction to the point of the beginning.

#### DISTRICT 6.

District 6 is composed of former Districts as follows, to-wit: a part of District 1 and a part of District 7.



The following descriptions were compiled from TVA Maps of the 7.5 series, in the order named: 29-SW and the city map of Centerville, Tennessee, Highway Department of 1964, scale 1 inch equals 1,000 feet.

- (1) Beginning at the northeast corner of District 7, a point where old Highway 48 crosses Duck River (the old Centerville to Dickson Road), and runs thence in a southerly direction with the line of District 7 and the old Dickson Road to the center of West Swan Street.
- (2) Thence in an easterly direction with the center of West Swan Street, crossing North Central Avenue, and continuing on East Swan Street to the center of College Avenue.
- (3) Thence in a southerly direction with the center of College Avenue to the center of East Hackberry Street.
- (4) Thence in an easterly direction with the center of East Hackberry Street to intersection of Murphee Avenue.
- (5) Thence in a southerly direction with the center of Murphee Avenue to Church Street.
- (6) Thence in a westerly direction with the center of Church Street to the center of Columbia Avenue.
- (7) Thence in a southerly direction with the center of Columbia Avenue to the center of East Ward Street.
- (8) Thence in an easterly direction with the center of East Ward Street to the center of Hurt Avenue.
- (9) Thence in a northerly direction with the center of Hurt Avenue to the center of Cherry Street.
- (10) Thence in an easterly direction with the center of Cherry Street and its extension to Duck River, in the boundary line of District 5.
- (11) Thence down Duck River with its meanders, with District 5 line to the boundary line of the Fairfield addition to the Town of Centerville, approximately 1,500 feet south of Highway 100.
- (12) Thence following the easterly boundary line of the Fairfield addition to the Town of Centerville, in its entirety out around the northerly end in the Fairfield Community and back around the westerly side of said Fairfield addition to the Town of Centerville, to the point of beginning.

#### DISTRICT 7.

District 7 is composed of former Districts as follows, to-wit: a part of District 1. The following descriptions were copied from TVA Maps of the 7.5 Series; the city map of Center, Tennessee, Tennessee Highway Department of 1964, scale 1 inch equals 1,000 feet.

- (1) Beginning at a point in District 1 line, and a southerly corner in District 2 line, at the mouth of Walker Hollow, at Duck River, and runs thence in an easterly direction with the boundary line of District 2, up Walker Hollow, with its meanders to Grinders Switch.
- (2) Thence crossing the railroad, and running in a southeasterly direction with the water course of a hollow, to Duck River, approximately 1,300 feet above old Shipp's Bend Bridge.
- (3) Thence up Duck River to the old Highway 48 (old Centerville Dickson Road) to the boundary line of District 6.
- (4) Thence in a southerly direction with District 6, and the old Dickson Road to the center of West Swan Street.
- (5) Thence in an easterly direction with the center of West Swan Street, crossing North Central Avenue, and continuing on East Swan Street to the center of College Avenue.
- (6) Thence in a southerly direction with the center of College Avenue to the center of East Hackberry Street.
- (7) Thence in an easterly direction with the corner of East Hackberry Street to the intersection of Murphree Avenue.
- (8) Thence in a southerly direction with the center of Murphree Avenue to Church Street.
- (9) Thence in a westerly direction with the center of Church Street to the center of Columbia Avenue.
- (10) Thence in a southerly direction with the center of Columbia Avenue to the center of East Ward Street.
- (11) Thence in an easterly direction with the center of East Ward Street to the center of Hurt Avenue.
- (12) Thence in a northerly direction with the center of Hurt Avenue to the center of Cherry

Street.

(13) Thence in an easterly direction with the center of Cherry Street and its extension to Duck River, in the boundary line of District 5.

(14) Thence with District 5, up Duck River, in a southeasterly direction to old Filtration Plant Hollow, a northerly corner of District 8, at the end of Water Street.

(15) Thence up said hollow and Water Street with the center of same to General Avenue.

(16) Thence in a southerly direction with the center of General Avenue to Columbia Avenue.

(17) Thence south with the center of Columbia Avenue to Twomey Road.

(18) Thence west with the center of Twomey Road to Highway 100.

(19) Thence in a northerly direction with the center of Highway 100 approximately 2,200 feet to a point in said road.

(20) Thence in a westerly direction passing south of Harris property, to Indian Creek.

(21) Thence with Indian Creek in a northwesterly direction to Duck River.

(22) Thence down Duck River with its meanders to the point of beginning.

#### DISTRICT 8.

District 8 is composed of former Districts as follows, to-wit: a part of District 1, a part of District 2, a part of District 14, and a part of District 15.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 50-NE; 49-SE; 49-SW; the city map of Centerville, Tennessee, Tennessee Highway Department of 1964, scale 1 inch equals 1,000 feet, 49-SW; 40-SE; 41-NE; 50-NW and 50-NE.

(1) Beginning at the corner of Hickman, Lewis, and Maury County, at the southwesterly corner of District 9, and runs thence with the same in a northerly direction down Far Field Hollow to Blue Buck Creek, and down Blue Buck Creek with its meanders to the intersection of the Blue Buck Creek with Blue Buck Road, below Tinsley Hollow.

(2) Thence a straight line approximately 3,900 feet in a northerly direction, to a road intersection of the Nine Mile Ridge, approximately 5,800 feet north from Center Star.

(3) Thence in a northwesterly direction with the Nine Mile Ridge Road approximately 8,800 feet to an old road leading down the head of Willie Branch.

(4) Thence down Willie Branch with the meanders of the same to Orton Spring.

(5) Thence in a northeasterly direction, a straight line, approximately 7,000 feet to the mouth of Willie Branch, at Duck River.

(6) Thence down Duck River, with its meanders in a general northerly direction to the mouth of Gerry Branch, the southeast boundary of District 5.

(7) Thence with District 5, down Duck River, with its meanders to the old Filtration Plant Hollow, in District 7.

(8) Thence up said hollow and Water Street with the center of same to General Avenue.

(9) Thence in a southerly direction with the center of General Avenue to Columbia Avenue.

(10) Thence south with the center of Columbia Avenue to Twomey Road.

(11) Thence west with the center of Twomey Road to Highway 100.

(12) Thence in a northerly direction with the center of Highway 100 approximately 2,200 feet to a point in said road.

(13) Thence in a westerly direction passing south of Harris property, to Indian Creek.

(14) Thence with Indian Creek in a northwesterly direction to Duck River.

(15) Thence down Duck River with its meanders to the mouth of Lower Fishing Hollow, the easterly corner of District 1.

(16) Thence with the boundary line of District 1, up Lower Fishing Hollow in a southwesterly direction approximately 2,000 feet to the middle point and up the same to the top of the ridge, the northern-most point of District 10.

(17) Thence with the District boundary line of District 10 following the ridge between Beaverdam and Bear Creek in a southeasterly direction, crossing the Beaverdam to Bear Creek Road, and the

Beaverdam to Little Piney Road and continuing on the general direction on top of the ridge, passing east of the Cloverdale Club to Highway 100.

(18) Thence with the county road to Watson Switch crossing the railroad to a point approximately 600 feet east of the railroad in the county road.

(19) Thence in an easterly direction with the ridge road which divides Simmons Branch and Indian Creek to a road intersection on the headwaters of Tatum Hollow and Haw Branch and Indian Creek.

(20) Thence in a northeasterly direction down Haw Branch with its meanders to the Big Swan Creek Road at Swan Bluff.

(21) Thence in a southeasterly direction approximately 5,100 feet, crossing Big Swan Creek to the middle of an east to north bend in the county road.

(22) Thence in an easterly direction up the point to the top of the ridge separating Short Branch from Big Swan Creek.

(23) Thence in a southeasterly direction with the ridge separating Short Branch from Fall's Branch to the road leading from Fall's Branch to Maple Springs.

(24) Thence in a southeasterly direction approximately 3,500 feet to the point in York Hollow where the Hickman-Lewis County line crosses the same.

(25) Thence in a northeasterly direction with the Hickman-Lewis County line to the point of beginning.

#### DISTRICT 9.

District 9 is composed of former Districts as follows, to-wit: a part of District 2, all of District 3, a part of District 4, all of District 13, a part of District 14, and a part of District 15.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 56-SW; 57-NW; 50-NE; 49-SE and 56-SW.

(1) Beginning at a point, a corner in the Hickman, Maury, and Williamson County line, the southeast corner of District 4, and runs thence in a southerly direction with the Hickman- Maury County line to the Hickman, Maury, and Lewis County corner, in the old Natchez Trace Road on the ridge at the head of Far Field Hollow, the southeast corner of District 8.

(2) Thence in a northerly direction with the boundary line of District 8 down Far Field Hollow to Blue Buck Creek, and down Blue Buck Creek with its meanders to the intersection of the Blue Buck Creek with the Blue Buck Road below Tinsley Hollow.

(3) Thence a straight line approximately 3,900 feet in a northerly direction, to the road intersection of the Nine Mile Ridge, approximately 5,800 feet northwest from Center Star.

(4) Thence in a northwest direction with the Nine Mile Ridge Road approximately 8,800 feet to an old road leading down the head of Willie Branch.

(5) Thence down Willie Branch with the meanders of the same to Orton Spring.

(6) Thence in a northeasterly direction, a straight line, approximately 7,000 feet to the mouth of Willie Branch, at Duck River.

(7) Thence down Duck River, with its meanders in a general northerly direction to the mouth of Gerry Branch, the southeasterly boundary of District 5.

(8) Thence with District 5 boundary up Gerry Branch and its south fork taking the middle point at its head, crossing the Littlelot Road at the top of Campbell Hill, and continuing down the ridge between Neely Branch and Slaughter Hollow to a point approximately 3,000 feet northeasterly from the Littlelot Road.

(9) Thence a straight line in a northeasterly direction, 1,400 feet to the upper fork of Neely Branch, the southerly-most corner of District 4.

(10) Thence with the District 4 boundary line down Neely Branch in a northeasterly direction to Hassell's Creek.

(11) Thence in a northeasterly direction, a straight line, approximately 5,400 feet to a driveway intersection with the Primm Springs Road, approximately 1,300 feet southeast of the New Antioch Church.

(12) Thence crossing the Primm Springs Road, running in a northeasterly direction a straight line, approximately 3,900 feet to the mouth of Jones Creek on Tatum Creek.

(13) Thence crossing Tatum Creek, and following the dividing ridge between Tatum Creek and Lick Creek in a northeasterly direction to an intersection in a ridge road, leading from Garner Hill to Lick Creek.

(14) Thence in an easterly direction a straight line, crossing Gin Branch, to Locust Fork of Lick Creek, and striking the Hickman County line at the Maury-Williamson County corners, the beginning.

#### DISTRICT 10.

District 10 is composed of former Districts as follows, to-wit: a part of District 1, a part of District 10, a part of District 11, all of District 12, and a part of District 14.

The following descriptions were compiled from TVA Maps of the 7.5 Series, in the order named: 41-NW; 41-NE; 50-NW; 50-SW; 41-NE; 41-SE; 41-SW and 41-NW.

(1) Beginning on the ridge separating Morgan Branch from Lower Sinking Creek, at the point where the Hickman-Perry County line crosses, in the southwesterly corner of District 1, and runs thence in a northeasterly direction with the ridge and District 1 to Tringular Station "Cobel" on Highway 50.

(2) Thence in a northeasterly direction with Highway 50 to the intersection of a ridge road with Highway 50, at the observation or look out tower.

(3) Thence in a southeasterly direction with a ridge road separating Morgan Branch and Cave Branch from Powder Mill and Hurricane Branch, to MB MLB 1207.

(4) Thence in a northeasterly direction with the meanders of the old Powder Mill Hollow Road to Sulphur Fork Creek, a point at the junction of the Blue Water Road with the Sulphur Fork Creek Road, on Sulphur Fork Creek.

(5) Thence up the point south of the Blue Water Road in an easterly direction striking the top of ridge between Blue Water and Sulphur Fork Creek, and continuing in a southeasterly direction with the top of the ridge which divides the waters of Sulphur Fork Creek and Peters Branch from Blue Water and Milum Branch to the road leading from Milum Branch to Wades Branch.

(6) Thence in a northeasterly direction crossing said road, and running with the main ridge between Wades Branch and Milum Branch and down the ridge between the Thornton Hollow and Prince Hollow, and following the water course of a hollow, crossing the Overby farm to its mouth at Beaverdam Creek.

(7) Thence up Beaverdam Creek, with its meanders approximately 1,500 feet to a short side hollow, approximately 1,000 feet northwest of Byers' Cemetery.

(8) Thence in a northeasterly direction up the hollow and middle point to the top of the ridge, the eastern most corner of District 8.

(9) Thence with the district boundary line of District 8, following the ridge between Beaverdam and Bear Creek in a southeasterly direction, crossing the Beaverdam to Bear Creek Road, and the Beaverdam to Little Piney Road and continuing on in the same general direction, on top of the ridge, passing east of the Cloverdale Club to Highway 100.

(10) Thence with the county road to Watson Switch, crossing the railroad to a point approximately 600 feet east of the railroad in the county road.

(11) Thence in an easterly direction with the ridge road between Simmons Branch and Indian Creek to a road that divides Simmons Branch from Indian Creek to an intersection on the headwaters of Tatum Hollow and Haw Branch and Indian Creek.

(12) Thence in a northeasterly direction down Haw Branch to Big Swan Creek Road at Swan Bluff.

(13) Thence in a southeasterly direction approximately 5,100 feet, crossing Big Swan Creek to the middle of an east to north bend in the county road.

(14) Thence in an easterly direction up the top of the ridge separating Short Branch from Big Swan Creek.

(15) Thence in a southeasterly direction with the ridge separating Short Branch from Fall's Branch to the road leading from Fall's Branch to Maple Spring.

(16) Thence in a southeasterly direction approximately 3,500 feet to the point in York Hollow where the Hickman and Lewis County lines cross.

(17) Thence with the Hickman-Lewis County line in a westerly direction to the Hickman-Perry County line and with the Hickman-Perry County line to the point of beginning.

**SECTION 2.** That this Act shall have no effect unless and until approved or ratified by a two-thirds ( $\frac{2}{3}$ ) vote of the Hickman County Quarterly Court as soon after its enactment in the General Assembly as would be legal in General Session, or, if the Court should elect, then by special session. Its approval or non-approval shall be proclaimed by the presiding officer of the Hickman County Quarterly Court and shall be certified by him to the Secretary of State. And, upon approval and ratification by a two-thirds ( $\frac{2}{3}$ ) vote of the Hickman County Quarterly Court, the former Districts and their boundary lines shall cease, become and be null and void, and the new Districts and their boundary lines shall ipso facto become and be in full force and effect.

**SECTION 3.** That the present Justices of the Peace for Hickman County shall continue in office until Justices of the Peace are elected from the hereinabove described Districts and qualified, or, until their respective terms of office expires, whichever is sooner.

**SECTION 4.** That there shall be two (2) Justices of the Peace elected from each of the ten (10) Civil Districts hereinabove described and set forth. Each of said Justices of the Peace must be a resident, qualified voter of the District from which elected.

**SECTION 5.** That no additional Justices of the Peace will be allowed for any incorporated town or county towns or for any of the said Civil Districts embracing all or portions of any incorporated or county towns.

**SECTION 6.** That upon approval of this Act by the Hickman County Quarterly Court, the Hickman County Board of Election Commissioners shall call an election for Hickman County for the purpose of electing two (2) Justices of the Peace from each district hereinabove described as soon after its enactment by the General Assembly, and ratification or approval by the Hickman County Quarterly Court, as will be legal. Said Justices of the Peace so elected shall be sworn in and assume the duties of the office at the next regular meeting date of the Hickman County Quarterly Court following said election. When elected said Justices of the Peace shall hold office until September 1, 1972, following the general election of the State of Tennessee in the year of 1972, and thereafter for the regular term of six years.

**SECTION 7.** That the County Court of Hickman County, in quarterly session, may alter or change the lines of the Civil Districts of said County so as to suit the convenience of the citizens of said District, but not to upset the "one man, one vote" theory; but no Civil District, less than the ten Civil Districts hereby established, shall be created out of the territory of said County unless authorized by an Act of the General Assembly of the State of Tennessee.

**SECTION 8.** That Chapter 466 of the Acts of 1909, and all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, and ratification as provided for in Section 2 of this Act the public welfare requiring it.

Passed: March 25, 1969.

## Elections - Historical Notes

### Districts - Reapportionment

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

1. Public Acts of 1835-36, Chapter 1, required the general assembly to appoint commissioners in each county to divide the said county into civil districts, the number of districts depending on the population of the county. a county with 3,000 qualified voters would have 25 civil districts, 2,500 qualified voters meant 20 civil districts. Resolution #3 appointed Alfred Durdon, George Perry, John Depriest, Jonothan Reaves, and Alexander Graves, as the commissioners for Hickman County. Two justices of the peace and one constable would be elected in each district except the one with the county seat which would have three justices of the peace and two constables.
2. Acts of 1847-48, Chapter 152, Section 2, divided the third civil district of Hickman County making the Duck River the dividing line. All the district lying on the south side of the River would be No. 3 and all that lying north of the said river would be No. 13 where the election would be held at the house of John Bibb and the election would be held in the third in the same place as formerly.
3. Private Acts of 1857-58, Chapter 20, created the fourteenth civil district of Hickman County beginning one-quarter of a mile from Stanfill's Mills on the Williamsport Road, running to the nearest point of Swan Creek, leaving Mrs. Stanfill and John McGill in District #1; thence up the said creek with its meanders and on to the dividing ridge between Short and Fall Branch, thence with said ridge to the old Natchez Road; east with the same to the old well, thence on a line to what is called the Robert Totty Road where the same intersects the Williamsport and Centerville Road; thence back to the beginning. This civil district would have the same number of officers as

the others. The first election would be at Wheat's Shop in next March when the other elections take place.

4. Private Acts of 1859-60, Chapter 31, created the fifteenth civil district in Hickman County, beginning at the mouth of Buck Branch, running up said branch to the line of the fourteenth civil district; thence with that line west until it reaches what is called Tatty Road and thence with the road and the old green road to the river; thence up the river to the beginning. The place of voting, until decided otherwise, would be at or near the house of Nathaniel Young, Esquire, for all the county elections which would be conducted under the same laws as all other elections. This precinct would have regular election officers as the other voting places enjoyed.
5. Acts of 1905, Chapter 503, set up eight civil districts in Hickman County. The first civil district would remain as it was, the second district would include the old second and fourteenth district; the third district was composed of the old third and fifteenth district; the fourth civil district contained the old fourth and thirteenth districts; the fifth civil district had the old fifth and sixth districts; the sixth district included the old seventh and eighth; the seventh district was the old ninth and tenth and the eighth district was made up of the old eleventh and twelfth districts. The county court had the authority to rearrange the size of the civil districts but could not change the number. Two justices of the peace and one constable would be elected in each except in the first civil district which would have three justices of the peace and two constables.
6. Acts of 1909, Chapter 466, repealed Acts of 1905, Chapter 503, Item 5, above, and restored the fifteen civil districts of Hickman County as they existed before the passage of that law, dated August 1, 1906. Voting precincts would remain as they were constituted and the quarterly court could rearrange boundaries to a limited extent.

### **Elections**

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

1. Acts of 1807, Chapter 74, set up eleven presidential electoral districts in Tennessee of which the fifth district was composed of the counties of Davidson, Robertson, Montgomery, Stewart, Dickson, Williamson, Maury, Rutherford, Bedford, and Hickman. The presidential election would take place on the second Thursday in November, 1808.
2. Acts of 1809, First Session, Chapter 1, provided that an election would be held on the last Thursday and Friday of the present month to elect three representatives to the U.S. Congress from Tennessee, one to be elected in the Washington District, one to be elected in the Hamilton District, and one to be elected from the combined districts of Mero, Robertson, and Winchester. Hickman County was a part of the Robertson District whose votes would be tallied at Clarksville in Montgomery County.
3. Acts of 1812, Chapter 5, established eight presidential electoral districts in the state. The eighth district was made up of the counties of Robertson, Montgomery, Stewart, Dickson, Hickman, and Humphreys. Each district would elect one presidential elector. The votes in the eighth district would be counted and confirmed at Charlotte in Dickson County.
4. Acts of 1812, Chapter 27, divided the state into six U.S. congressional districts. The sixth Congressional district contained the counties of Robertson, Montgomery, Dickson, Humphreys, Hickman, Stewart, Maury, and Giles. Votes would be canvassed and polled at Charlotte in Dickson County.
5. Acts of 1812, Chapter 57, apportioned the representation of the general assembly of the state which was composed of 20 senators and 40 representatives. One senatorial district was made up of the counties of Robertson, Dickson, and Hickman whose votes would be canvassed at Charlotte in Dickson County. Hickman County and Dickson County would jointly elect one senator.
6. Acts of 1813, Chapter 14, directed that the sheriff would hereafter hold a separate election at the home of Zebulon Hassell on the waters of Lick Creek in Hickman County on the days appointed to hold other elections in the county and state. Any person caught voting here and at some other place also could be fined \$10.
7. Acts of 1815, Chapter 3, made it the duty of the sheriff of Hickman County to hold a separate election at the house of Crawford Goodwin on the waters of Tumbling Creek at the same time and in the same manner as other elections. Polls would be counted at Vernon.
8. Acts of 1817, Chapter 160, required the Hickman County Sheriff to hold a separate election at the place named in Maury County and also at the home of David Williams on Beaver Dam Creek which would be held under the election laws of the state.

9. Public Acts of 1819, Chapter 69, provided that the counties of Hickman, Lawrence, Wayne, and Hardin would constitute one of the twenty state senatorial districts and Lawrence County would combine with Hickman County to elect one of the four representatives. Polls would be counted and certified for representative in Vernon in Hickman County.
10. Public Acts of 1821, Chapter 46, Section 2, provided that the returning officers of the state senatorial district composed of the counties of Hickman, Lawrence, Wayne, Hardin, Shelby, and Madison, would meet on the second Monday after holding the election at Savannah in Hardin County.
11. Public Acts of 1822, Second Session, Chapter 1, established eight U.S. Congressional districts in Tennessee. The eighth district contained the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman.
12. Public Acts of 1823, Chapter 47, divided Tennessee into eleven presidential electoral districts for the presidential election which would take place on the first Thursday in October, 1824. The tenth district was made up of the counties of Montgomery, Robertson, Stewart, Dickson, Humphreys, and Hickman. Polls would be counted and certified at Charlotte in Dickson County.
13. Public Acts of 1824, Chapter 1, set up eleven presidential electoral districts in the state, assigning the counties of Robertson, Montgomery, Stewart, Dickson, Humphreys, and Hickman to the tenth electoral district. Polls would be counted at Charlotte in Dickson County.
14. Public Acts of 1826, Chapter 3, apportioned the representation in the general assembly of the state. The counties of Hickman, Lawrence, Wayne, Hardin, and McNairy were assigned to one of the twenty senatorial districts, counting the polls at Waynesboro in Wayne County. Dickson County and Hickman County would jointly elect one of the forty representatives. Polls would be compared at Charlotte in Dickson County.
15. Public Acts of 1827, Chapter 17, formed eleven presidential electoral districts in the state. The counties of Bedford, Maury, and Hickman constituted the ninth electoral district in which the polls would be counted and verified at Columbia in Maury County.
16. Public Acts of 1832, Chapter 4, divided Tennessee into thirteen U.S. Congressional districts. The eleventh congressional district contained the counties of Robertson, Montgomery, Stewart, Humphreys, Hickman and Dickson.
17. Public Acts of 1832, Chapter 9, formed fifteen presidential electoral districts in the state, allocating the counties of Maury, Hickman, Perry and Wayne to the twelfth electoral district. This presidential election was scheduled for the first Monday and Tuesday in November, 1832.
18. Public Acts of 1833, Chapter 71, apportioned the twenty senatorial seats and the forty positions of Representative among the counties of Tennessee. One senatorial district consisted of the counties of Hickman, Lawrence, Wayne, Hardin and McNairy whose votes would be compared and verified at Waynesboro. Dickson County and Hickman County would combine to elect one representative. These votes would be polled at the house of Thomas Petty on Piney Creek in Hickman County.
19. Public Acts of 1833, Chapter 76, provided for a State Constitutional Convention whose 60 delegates would be elected on the first Thursday and Friday in March and would meet in Nashville on the third Monday in May next. Hickman County, Lawrence County and Wayne County composed one district which would elect two delegates to the convention. The returns would be checked and confirmed at Catron's Iron Works in Lawrenceburgh.
20. Public Acts of 1835-36, Chapter 39, enacted under the new State Constitution, divided the state into fifteenth presidential electoral districts. The twelfth electoral district contained the counties of Maury, Hickman, Perry and Wayne.
21. Acts of 1842, Second Session, Chapter 1, divided Tennessee into twenty-five senatorial districts and fifty representative districts for the general assembly. The counties of Hickman, Lawrence, Wayne and Hardin composed one senatorial district whose votes would be compared and verified at Waynesborough. Hickman County would elect one of the fifty representatives alone.
22. Acts of 1842, Second Session, Chapter 7, set up eleven U.S. Congressional districts in Tennessee. The sixth U.S. Congressional district was made up of the counties of Hickman, Maury, Giles, Lawrence, Wayne and Hardin.
23. Acts of 1851-52, Chapter 196, established ten U.S. Congressional districts in Tennessee. The seventh district contained the counties of Giles, Lawrence, Wayne, Hardin, McNairy, Perry, Decatur, Benton, Humphreys, Hickman and Lewis.
24. Acts of 1851-52, Chapter 197, assigned the counties of Maury, Lewis, Dickson and Hickman to one of the twenty-five state senatorial districts, whose polls would be compared at Centerville in

- Hickman County. Hickman County would elect one of the fifty representatives alone.
25. Public Acts of 1865, Chapter 34, formed eight U.S. Congressional districts out of the post civil war turmoil and confusion in Tennessee. The sixth U.S. Congressional district included the counties of Lawrence, Wayne, Hardin, Decatur, Perry, Lewis, Maury, Hickman, Humphreys, Dickson, Montgomery and Stewart.
  26. Public Acts of 1871, Chapter 146, reapportioned the state legislature based upon the 1870 Federal Census in Tennessee. The sixteenth state senatorial district was composed of the counties of Hickman, Perry, Humphreys, Dickson, Cheatham and Houston. The counties of Hickman, Perry and Lewis would elect one representative jointly.
  27. Acts of 1872, Chapter 7, formed nine U.S. Congressional districts in Tennessee in the aftermath of the great Civil War. The sixth U.S. Congressional district contained the counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman and Dickson.
  28. Public Acts of 1873, Chapter 27, increased the number of U.S. Congressional districts in Tennessee from nine to ten. The seventh Congressional district consisted of the counties of Wayne, Lawrence, Giles, Lewis, Maury, Hickman and Williamson.
  29. Public Acts of 1881, Extra Session, Chapter 6, apportioned the counties of the state into senatorial and representative districts. The twenty-second senatorial district was composed of Hickman, Humphreys, Dickson and Houston counties. Hickman County would elect one representative.
  30. Public Acts of 1882, Second Session, Chapter 27, established ten U.S. Congressional districts in Tennessee. The seventh Congressional district included the counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman and Dickson.
  31. Public Acts of 1891, Chapter 131, was virtually a duplicate of Acts of 1882, Chapter 27, above, although this act was predicated upon the 1890 Census. There were ten U.S. Congressional districts and the seventh district was made up of the same counties listed above.
  32. Acts of 1891, Extra Session, Chapter 10, reapportioned the Tennessee General Assembly. Hickman County and Williamson County made up the eighteenth state senatorial district while Hickman County would elect one state representative alone. This, too, was based upon the 1890 Federal Census.
  33. Public Acts of 1901, Chapter 109, realigned the ten U.S. Congressional districts according to the 1900 Federal Census. The seventh district included the counties of Houston, Humphreys, Dickson, Hickman, Williamson, Lewis, Maury, Giles, Lawrence and Wayne.
  34. Public Acts of 1901, Chapter 122, apportioned the general assembly of the state for the last time until the late 1960's. The twenty-first senatorial district contained the counties of Hickman, Williamson and Cheatham. Hickman County would elect one representative alone.
  35. Private Acts of 1949, Chapter 441, set up two voting places in the first civil district of Hickman County in Centerville. One was at the courthouse, at which only those voters who resided outside of the corporate limits of Centerville were to vote. The other precinct was to be at the fire hall in Centerville, at which those voters living within the limits of Centerville in the first civil district were to vote.
  36. Private Acts of 1951, Chapter 454, expressly repealed Private Acts of 1949, Chapter 441, in its entirety.

## Chapter VIII - Health

### County Physician

### Private Acts of 1953 Chapter 183

**SECTION 1.** That in counties of this State having a population of not less than 13,300 and not more than 13,400, according to the Federal Census of 1950 or any subsequent Federal Census, the county physician elected pursuant to Section 5778 of the Supplement to the Code of Tennessee shall have all the powers and duties conferred upon County Boards of Health by Section 5775 of the Supplement to the Code of Tennessee and shall have power to enforce rules and regulations of the State Commissioner of Health and all State laws, rules and regulations pertaining to public health and sanitation.

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



Passed: March 19, 1953.

## Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Private Acts of 1925, Chapter 755, amended Public Acts of 1915, Chapter 50, Section 1, the general law of the state on the subject, so as to make any licensed physician qualified to hold the position of county jail physician or health officer in Hickman County (identified by the use of the 1920 Federal Census figure).
2. Private Acts of 1961, Chapter 162, was the legal authority for the quarterly county court of Hickman County to lease any county hospital constructed, or to be constructed, to any person, persons, firm, or corporation upon such terms as might be mutually agreed upon between the parties. This act was rejected by the Hickman County Quarterly Court and therefore never took effect.
3. Private Acts of 1963, Chapter 109, created a board of trustees in Hickman County, which was to have full charge of the operation of the Hickman County Hospital in Centerville. The board was to have complete authority and responsibility for the management and control of the hospital facilities and the selection of the hospital staff, being given nine specific grants of power in Section 2. The board was to have five members, who were to be paid \$5.00 per month, ten cents per mile for each mile traveled in the business of the hospital, and reimbursed for their legitimate expenses. The county judge was to serve as chairman of the board and the county attorney was to serve in an advisory capacity, only, but neither would have a vote on matters brought before the board. The county was divided into five zones from each of which one member of the board would be elected. The act named the first board of trustees, who along with all future members, were required to meet all the qualifications stipulated in the act. All vacancies were to be filled by the quarterly court until the next general election. The board was to meet on the fourth Tuesday of every month at such hour as the board might decide but the day and time of meetings could be changed by the board. The board was to hire a hospital administrator who was required to meet the standards prescribed in the act, perform the duties specified therein, be paid as the board determined and keep books which were to be independently audited at least once each year. The board was to report the financial status to the county court. If necessary, the quarterly court could levy a tax for the support and maintenance of the hospital. This act was rejected by the quarterly court of Hickman County, thus rendering the same ineffective.
4. Private Acts of 1967-68, Chapter 58, would have specifically repealed Private Acts of 1953, Chapter 183, relative to the authority of the county physician but was rejected by the quarterly court of Hickman County and never became law.

## Chapter IX - Highways and Roads

### Road Law

### Private Acts of 1947 Chapter 38

**SECTION 1.** That in all counties in this State having a population of not less than 14,860 nor more than 14,873, according to the Federal Census of 1940 or any subsequent Federal Census, there is hereby created a County Board of Highway Commissioners, to be composed of five members; and a County Road Superintendent, the said County Board of Highway Commissioners and the said County Road Superintendent to have general supervision and control over all the county roads, bridges and culverts, except such roads, bridges and culverts, and highways as are kept up and maintained by the State or Federal Government, and over all roads, highways, bridges and culvert funds and revenues raised and on hand, or that may be hereafter raised or received from any source for use according to the provisions of this Act. The County Board of Highway Commissioners as herein provided for shall be known and styled the "Hickman County Board of Highway Commissioners."

**SECTION 2.** For the purposes of this act, Hickman County is divided into seven (7) highway zones which shall be coextensive with the county legislative body districts established by resolution of the Hickman County legislative body from time to time. Beginning with the regular August elections in 2002, one (1) member of the Hickman County Board of Highway Commissioners shall be elected by the qualified voters in each highway zone. Board members shall be elected to four (4) year terms. Terms shall begin on the first day of September following the election and shall continue until a successor has been elected and qualified.

Vacancies on the Board of Highway Commissioners or in the office of road superintendent shall be filled in accordance with general law. In the event of a vacancy in the office of road superintendent, the Board of Highway Commissioners may appoint a temporary successor to perform the duties of road superintendent until the vacancy has been filled in accordance with general law.

As amended by: Private Acts of 1969, Chapter 81  
Private Acts of 1985, Chapter 49  
Private Acts of 2002, Chapter 85

**SECTION 3.** That the county board of highway commissioners shall, within ten days after taking office, meet and organize by electing one of its members as chairman and one as secretary, and the compensation and mileage allowances of the commission members shall be the same as those provided for members of the Hickman County legislative body.

As amended by: Private Acts of 1949, Chapter 133  
Private Acts of 1969, Chapter 81  
Private Acts of 1977, Chapter 26  
Private Acts of 1985, Chapter 49

**SECTION 4.** That each of said Commissioners shall, before entering upon the discharge of his duties, take and subscribe to an oath that he will perform the duties of the office faithfully, impartially and without prejudice against or bias favor to any section of the county or individual, and shall execute to the State of Tennessee a good and solvent bond, in the amount of Twentyfive Hundred Dollars (\$2,500.00), which bond is to be approved by the Judge or Chairman of the County Court. The County Road Superintendent shall execute a similar bond in like amount.

As amended by: Private Acts of 1953, Chapter 259

**SECTION 5.** That Walter V. Atkinson is hereby appointed County Road Superintendent to serve as such until September 1, 1948. At the regular August election to be held in 1948 a County Road Superintendent shall be elected for two years, and biennially thereafter, by the qualified voters of said county. The salary of said County Road Superintendent shall be \$5,400.00 per annum, payable monthly in equal installments, and shall be paid by the County Trustee out of the General Road Funds of the county on warrants signed by the Chairman of the County Board of Highway Commissioners, and approved by the County Judge or Chairman of the County Court. Said County Road Superintendent shall be required to furnish, at his own expense, an automobile to be used in the conduct of his official duties and to pay all repairs and upkeep thereon, provided, however, that the necessary gasoline and oil used by him in said automobile in the conduct of his official duties shall be furnished him by the County Board of Highway Commissioners and paid for out of the General Road Funds of the County, and the County Board of Highway Commissioners shall further furnish such Superintendent with a pickup truck belonging to the county for his official duties.

Said County Road Superintendent during the tenure of his office shall have charge and supervision of all the public roads, bridges and culverts of the County, and shall have charge and supervision of all road machinery, tools and implements used and to be used on said roads, bridges and culverts, and shall have the right to employ labor and hands to work on said roads, bridges and culverts and in quarries, gravel and chert pits or banks, and such labor and hands, when so employed, shall be under his control and he shall fix their compensation. The Superintendent shall not stop work in county unless authorized by the County Board of Highway Commissioners.

As amended by: Private Acts of 1949, Chapter 133  
Private Acts of 1953, Chapter 259  
Private Acts of 1957, Chapter 15  
Private Acts of 1957, Chapter 329  
Private Acts of 1963, Chapter 219  
Private Acts of 1971, Chapter 59

**SECTION 6.** That said County Board of Highway Commissioners shall maintain an office in the county seat of the county from which they are elected. The Board shall meet regularly on the first Monday of every month, and the Chairman may call one special meeting per month in addition to the regular meeting. A majority of the Commissioners shall constitute a quorum for the transaction of business. They shall keep a well bound book or books, which book or books shall be open at all reasonable times and hours to the inspection of any citizen or taxpayer of the County, in which shall be recorded in detail their transactions showing the amount of work done on each of said roads, bridges and culverts, the character thereof, and all disbursements therefor. They shall make a written report to each Quarterly County Court of the County, covering the preceding quarter, showing the amount of work done on each of said roads, bridges and culverts, the character thereof, and the amount of money expended therefor.

Said report to be signed and sworn to by all of said Commissioners, and by the County Road Superintendent, and to be published in some newspaper published at the county seat, the expense of the publication to be paid out of the road funds as other expenditures are paid.

As amended by: Private Acts of 1949, Chapter 133/td>

Private Acts of 1953, Chapter 259

**SECTION 7.** That said County Board of Highway Commissioners shall have the following powers and authority, among others set out in this Act, and under the limitations and conditions thereof, to-wit:

1. To lay out and classify all public roads of the County, to divide them into sections or divisions as may be necessary or convenient for the proper and convenient construction, repair, maintenance and upkeep to the same except State and Federal aid roads.
2. To open, close, change, restore and widen any of the public roads of the County, and to procure rights-of-way for such either by purchase, gift or by the exercise of eminent domain.
3. To employ the services of an attorney or attorneys whenever deemed advisable by them.
4. To work inmates of the county work house on the public roads, bridges and culverts of the County, and to enter into all proper arrangements with the Workhouse Commissioners, or other authorized party or parties to so work said inmates.
5. The Board shall have control of all rural road funds and shall spend the same as equally as possible among the five zones.
6. The Board shall have authority to employ and fix the compensation of a Clerk to check all invoices coming to the County Highway Garage and keep an accurate record of the same.

As amended by: Private Acts of 1949, Chapter 133/td>

Private Acts of 1953, Chapter 259

**SECTION 8.** That it shall be the duty of the County Road Superintendent:

1. To make regular inspections of all the public roads, bridges, and culverts of the County, except such as are maintained and kept up by the State and Federal Government; and to make a report to the County Board of Highway Commissioners at their regular meetings, showing the condition of all such roads, bridges, and culverts in the County.
2. To purchase all tractors, graders, plows, slips and any and all other road equipment and tools, and repair for same, as may be necessary for the proper construction, repairs, maintenance and upkeep of said roads, bridges and culverts, subject, however, to the approval of the County Board of Highway Commissioners.
3. He shall have the right and authority to appoint or employ as many overseers or foremen to aid and assist him in carrying out the purposes of this Act, as deemed advisable by him, who shall, at all times, be subject to his orders and be under his control.
4. To designate the location of all telephone or other poles so that said poles may not be placed where they will obstruct the flow of water or interfere with the working of said roads, or the travel thereon.
5. To have the exclusive right and power to expend all funds and revenue now on hand or that may be hereafter raised under this Act and any and all other funds and revenues available for such purposes for the proper maintenance, repair, construction and upkeep of said public roads, bridges, culverts, quarries, gravel and chert pits or beds, subject, however, to the limitation that any purchase by the Superintendent in excess of Three Hundred (\$300.00) Dollars shall be first approved by the Commission.
6. He shall have the right and authority when deemed best by him, to cooperate with the State Highway Department of Tennessee in all matters of interest to the county. Said Superintendent is given the exclusive authority to lay out and designate all farm to market roads in said county, recommend to and cooperate with the Highway Department of the State of Tennessee on all matters in connection with said Highway Program as the same as now set up and designated and on all matters and projects to be hereafter set up and designated.
7. To employ road hands not to exceed forty in number unless more are authorized by the County Board of Highway Commissioners. All road hands employed shall be bona fide residents of the county.

As amended by: Private Acts of 1949, Chapter 133/td>

Private Acts of 1953, Chapter 259

Private Acts of 1953, Chapter 490

**SECTION 9.** That it shall be the duty of the County Road Superintendent to dismiss from service upon the roads any hand who shall fail to do good and efficient work, or who shall hinder other hands, or who shall fail to obey any reasonable orders of said County Road Superintendent, overseer or foreman in charge.

**SECTION 10.** That it shall be the duty of said County Board of Highway Commissioners to require any abutting property owner who, by ditch, embankment, fence or otherwise, obstructs or changes the natural

flow of water so as to obstruct the drainage of any road in said County, to remove said obstruction, and in case said property owner fails or refuses to remove same within ten days after having been notified to do so, said County Board of Highway Commissioners is hereby authorized and empowered to enter upon the lands of such person, firm or corporation, and remove such obstruction, construct such ditches and embankments as may be necessary to restore the natural flow of water and protect the drainage of the road, charge the expense thereof to the land owner, and such charges shall be a lien upon the lands, and the Chancery Court of the County where the land is situated is hereby vested with full power and jurisdiction to enforce such lien or liens upon petition filed in Court by said County Board of Highway Commissioners for that purpose, and said County Board of Highway Commissioners are hereby authorized to institute such proceedings.

**SECTION 11.** [Deleted by Private Acts of 1997, Chapter 46]

**SECTION 12.** That it shall be a misdemeanor for any person or persons, firm or corporation to tie or swing water gaps or gates or in any way tie or fasten the same to any part of any bridge or bridges or culverts of the County, or abutments or posts thereof, and on conviction therefor shall be fined not less than Ten nor more than Twenty-five Dollars for each and every offense. Each day said water gaps or gates remains so tied or swung or fastened to any bridge, culvert, or any abutment or posts thereof, of the County, shall be and constitute a separate and distinct offense.

**SECTION 13.** That said County Board of Highway Commissioners shall have the right, power and authority to condemn, in their own names for the use of the Counties from which they are elected, under the laws of eminent domain any and all lands necessary for the locating of public roads, bridges and culverts, rock quarries, gravel or chert beds and other material necessary for the building, repairing, maintenance and upkeep of same, in the manner provided for the taking of private property by public corporations, and shall have the right to condemn private property for roads of ingress and egress to rock quarries, rock crushers, chert and gravel beds, setting machinery, road camps, etc., and in case of suit or other proceedings to delay or prevent the exercise of these powers, the County Board of Highway Commissioners may, on behalf of the County, give a satisfactory indemnity bond in a sum not more than double the amount of the estimated damages, and proceed with the work.

All expenses arising on account of the procuring of rights-of-way, land, rock quarries, gravel and chert beds, setting machinery, road camps, etc., whether by purchase, gift, exercise of eminent domain, or otherwise, including damages, shall be paid by the Trustee of the County, out of the general road funds of the County, upon orders signed by the Chairman of the County Board of Highway Commissioners, countersigned by the County Road Superintendent, and approved by the County Judge or Chairman.

**SECTION 14.** That all applications to open, change, close, and restore to the public use any and all public roads in Counties in this State coming under the provisions of this Act shall be made by written petition to the County Board of Highway Commissioners for said Counties. The said County Board of Highway Commissioners within ten days after the application has been filed with them, shall notify the person first named on the petition of the date at which they will be present at the beginning point mentioned in the petition to act on the application. The petitioners shall give five days written notice of the time and beginning point to all land owners to be affected by the proposed change. If an [sic] land owner affected by the proposed change is a non-resident, then ten days written notice to his agent or attorney residing in the County shall be a legal notice.

The said County Board of Highway Commissioners shall attend at the appointed time and place, and if the proper notices have been given, shall act upon the application, assess the damages against the County, if any, and report their action to the County Judge or Chairman, and with their report file the original petition, notices to the land owners, and the names of the material witnesses. In assessing damages, said County Board of Highway Commissioners shall take into consideration the incidental benefits to the landowners which may arise from the construction of the said road, and offset the same against incidental damages. They may adjourn the hearing from day to day, summon witnesses, and administer oaths to witnesses. The Judge or Chairman of the County Court shall consider the whole matter and make such orders opening, changing and closing and restoring to the public the proposed road as he may deem best for the interest of the public, and shall set aside a sufficient amount of any County funds available therefor to pay all damages to the landowners affected by said change. Any interested party may appeal to the next term of the Circuit Court; as to the amount of damages only; provided he shall perfect his appeal within ten days from the decision of the County Judge or Chairman. Said County Board of Highway Commissioners may of their own motion and by their own initiative, open, change, abandon, close or restore to the public use any road or roads in said Counties, without petition, by observing all the essential requirements as set out above in cases in petitions.

When any lands shall be condemned for road purposes the same may be taken at once, as in case of railroads and other common carriers, and the owners shall have recourse on the County for the damages

only, and the said County Board of Highway Commissioners may issue a writ of possession directed to the Sheriff of the County, commanding him to put the said road right-of-way into the possession of the County Board of Highway Commissioners.

**SECTION 15.** That said County Board of Highway Commissioners shall have the power and authority to, whenever they deem it to the advantage and interest of the County in matters pertaining to public roads, etc., of the County, employ the services of an attorney or attorneys, and pay a reasonable fee therefor, which fee shall be paid by the County Trustee, out of the general road funds of the County, or the gas maintenance fund as a road expense on an order signed by the Chairman of the said County Board of Highway Commissioners, countersigned by the County Road Superintendent and approved by the County Judge or Chairman.

**SECTION 16.** That it shall be the duty of the County Road Superintendent to work all able-bodied workhouse prisoners on the public roads, or in the quarries, and at the crushers, on the bridges and on the culverts in said Counties, until such prisoners have worked out their sentences, fines and costs.

The Highway Commission shall have the exclusive power to appoint any guard or guards necessary for the working of prisoners upon the public roads of the County. Provided, however [sic], that no guard or guards shall be appointed by the Highway Commission unless and until their appointment is approved by the Sheriff of the County.

Any guard or guards appointed and employed by the Highway Commission to supervise the working of prisoners upon the public roads of the County shall be capable of performing the duties of foreman and overseer on behalf of the Highway Department and shall be men of sound judgment, approved by the Sheriff as capable of just and humane treatment of prisoners and the efficient working of such prisoners.

The compensation of any guard or guards so employed by the Highway Commission and approved by the Sheriff shall be fixed by the Highway Commission and paid by them in like manner as other employees of the Highway Commission.

The purpose of this Act in regard to the County convicts is only to provide a method for working them on the County roads, bridges, culverts and in the quarries, and in all other respects the general law in regard to County convicts is not to be affected, and nothing in this Act is to be construed as altering it other than hereinabove stated.

**SECTION 17.** That all road taxes levied by the Quarterly County Court in said Counties, other than the Highway Maintenance Tax, upon real estate and personal property in said Counties shall be collected by the Trustee like other taxes and credited by him to the road funds of the various districts so that each district may have its own road funds which shall be expended on its roads by the County Board of Highway Commissioners. The Trustee shall pay out the said district funds only on orders drawn on the particular district funds, signed by the Chairman of the County Board of Highway Commissioners, countersigned by the County Road Superintendent and approved by the County Judge or Chairman.

**SECTION 18.** That all of said funds and taxes, including fines, provided for in this Act, and including all funds due the County from the State as highway funds, shall be paid into the hands of the Trustee of the County in which collected, except where otherwise provided, and shall be by him credited to the general road funds of the County, except where otherwise provided, and shall be paid out by said Trustee only on orders signed by the Chairman of the County Board of Highway Commissioners, countersigned by the County Road Superintendent and approved by the County Judge or Chairman.

**SECTION 19.** That the County Road Superintendent shall not contract with himself or any other County official in any manner, either directly or indirectly, for any material or labor or in any manner pertaining to the construction, maintenance and repair of bridges and roads, nor with anyone related to him by affinity or consanguinity within the third degree according to the civil law.

**SECTION 20.** That it shall be unlawful for any of the officials, designated herein, having charge of and the right to expend and disburse funds as provided in this Act, to issue a warrant or warrants against said fund, when there is no sufficient amount of such funds on hand to pay off and redeem the amount of such warrants thus issued.

**SECTION 21.** That any official, connected with said department as designated herein that they shall violate any provision of this Act, shall be deemed guilty of a misdemeanor in office, and upon conviction of same shall be subject to removal from office.

**SECTION 22.** That each section hereof shall be and constitute a separate act, and that if any part hereof shall be declared unconstitutional the remainder which is constitutional shall remain in full force and effect.

**SECTION 23.** That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

**SECTION 24.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 21, 1947.

## Highways and Roads - Historical Notes

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

1. Acts of 1813, Chapter 133, appointed Alexander Gray and Garret Lane of Hickman County, and Robert Hill, William Cathey and William Stocklard of Maury County as commissioners of the Duck River navigation, from Gordon's Ferry to the mouth thereof. The duties of the commissioners were described in addition to a tax which was to be levied by the Hickman County Court to raise \$110 for the commissioners.
2. Acts of 1843-44, Chapter 117, Section 3, named Samuel B. Moore, Robert Shegog, and Boling Gordon, of Hickman County, plus several others from Maury County, as commissioners to sell stock up to \$20,000 for the purpose of navigating the Duck River with steamboats. The private estate of the stockholders were declared to be liable for the debts of the company which remained unpaid.
3. Private Acts of 1859-60, Chapter 3, Section 8, appointed Pleasant Walker, Horatio Clagett, P. M. Hornback, George W. Stanfill, T. P. Bateman, William Grigsby, H. A. Shoule, J. P. Baird, S. J. George, James D. Easley, Stephen Worley, George Kennedy, and such others as they might select, as commissioners to open books and sell stock to build a turnpike road from Centerville to Columbia in Maury County when a sufficient amount of stock was sold the commissioners could then form a corporation under the terms and conditions best suited for their enterprise.
4. Private Acts of 1859-60, Chapter 127, Section 37, named William G. Clagett, S. J. George, G. W. Stanfield, J. R. Eason, L. P. Lotty, J. M. Baird, Z. Hassell, G. W. Brutton, N. C. Weems, W. Walker, B. Gordon, V. F. Bibb, J. G. Farkington, John Reeves, and G. Mayberry, as commissioners to open books and sell stock for building a turnpike road from Centerville in Hickman County to Nashville in Davidson County along such route as the commissioners considered the most practical. The commissioners were granted permission to incorporate with all the incidental rights and privileges thereto at whatever time in the course of these events which they considered expedient.
5. 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 of each county would select one road commissioner to serve two years from each road district in the county, the road districts being co-extensive with the civil districts. The road commissioner would be sworn, bonded, and be in charge of all the roads, bridges, road hands, tools, equipment, and materials used in or assigned to his area. He would be paid at the rate of \$1.00 per day but for no more than 10 days each year. The county court would fix the number of days the road hands would work at no less than five, nor more than eight, and set the price of one day's labor. The county court had the authority to levy a general road tax of two cents per \$100 for each day of work required by the road hands. The road commissioners would name the road overseers in their area and assign them to particular sections of road for which they would be responsible. Overseers would work the same number of days on the road as everyone else but would be paid for all over that number up to \$6.00 per year. All males, outside of cities, between the ages of 21 and 45 were subject to compulsory road work. The commissioners were to dispose of petitions to open, close, or change roads, would classify and index the roads in their districts, and would see to it that roads met the specifications stipulated in the act. This act was involved in the case of Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906).
6. Acts of 1905, Chapter 478, amended Public Acts of 1901, Chapter 136, Item 5, above, in several minor particulars but principally in the methods of acquiring rights-of-way and easements for roads especially when it became necessary to invoke the powers of condemnation.
7. Private Acts of 1917, Chapter 661, amended Public Acts of 1901, Chapter 136, Section 5 (Item 5, above), by adding a provision which allowed a road hand subject to compulsory labor on the county roads to commute by paying \$1.50 for each day missed instead of the seventy-five cents per day stipulated in that statewide act. This particular amendment applied only to Hickman County.
8. Private Acts of 1919, Chapter 415, stated that any person in Hickman County (identified by the 1910 Federal Census figures) who owned or had control over a wagon and team were required to

- furnish the wagon and team for no less than four days of labor upon the county roads, or they could commute by paying \$3.00 per day for each wagon or team they owned. The owner could drive the team himself, or designate another person to do so, or the owner could hire a driver, if desired. If he failed to do either, the overseer could appoint someone to drive the team, and the owner could be fined from \$10 to \$25 and be assessed \$2.50 for each day of noncompliance.
9. Private Acts of 1921, Chapter 979, gave the right to any person, firm, or corporation, present or future, who was then, or might at any time thereafter, operating a turnpike or toll road to demand and collect the tolls, as set forth in the act, for the public use of the road. The tolls ranged from five cents for a one-passenger motorcycle to \$1.25 for a five-ton truck.
  10. Private Acts of 1923, Chapter 383, created a three-member Pike Commission in Hickman County who would supervise the public pikes built and constructed under various bond issues, and were to be elected by the quarterly court to serve three-year terms. The commission was given the exclusive power to expend the maintenance funds set up for these roads. They were to be sworn and bonded upon entering office and should employ a Pike Superintendent (at a salary of no less than \$1,500 and no more than \$2,000 annually), who was to serve at their pleasure and under their direction. The superintendent was authorized to hire foremen to operate the machinery; to supervise the activities of the road hands; and, supervise the use of the tools, materials, and equipment. The commission was to keep detailed records of transactions and disbursements and make monthly reports of same to the quarterly county court. This act was repealed by the one following.
  11. Private Acts of 1927, Chapter 196, expressly repealed Private Acts of 1923, Chapter 383, in its entirety. The act established a three-member county board of highway commissioners and a county road superintendent to jointly have the general supervision over the county roads, bridges, and culverts. The act named the first board members, who were to serve staggered terms until their successors were elected for three-year terms. The board of highway commissioners were to meet within ten days after their election to organize; they would be paid as the quarterly court directed and could hire a clerk, or bookkeeper, and set the salary for the same. The commissioners were required to be sworn into office and execute performance bonds. The board was to employ a road superintendent (at a salary of no less than \$1,500 and no more than \$3,000 annually) who was to serve at the board's pleasure and under its direction. The board, which was in immediate charge of the road program, was to meet on the first Monday in each month and at such called meetings as might be necessary; it was to keep books on all the business transactions; and, was authorized to exercise the powers specifically set forth in Section
  12. The duties of the superintendent were enumerated in Section 8. All male residents between the ages of 21 and 45 were subject to compulsory road work and would be fined if the same was not observed. Owners of horses and wagons were also subject to road work under the conditions specified, or were to pay \$2.00 as a commutation fee for each day missed. Prisoners were to be worked on the road under certain specified conditions and under the supervision of the superintendent. The owner of every vehicle in the county using the county roads was required to first buy a permit from the county court clerk. Said permits were paid for by fees which were determined according to the weight and type of motor vehicle drive. Fines could be levied on those so disposed to violate the provisions of this act and every effort was to be made to spend the tax money in the area from which it was raised.
  13. Private Acts of 1929, Chapter 66, repealed Private Acts of 1927, Chapter 196, Section 23, which imposed a tax on every motor vehicle in Hickman County. Section 25 was rewritten to provide that justices of the peace would have jurisdiction in any and all cases relative to violations of the provisions of the law concerning road duty, and he was to have all the same powers vested in him as were provided by law in misdemeanor cases.
  14. Public Acts of 1929, Chapter 145, and Private Acts of 1929, Chapter 274, provided for the reimbursement to Hickman County (as designated by the 1920 Federal Census figure) of all funds which may have been expended upon any road or roads which were previously or subsequently designated as part of the state highway system. The county was required to submit claims for reimbursement, along with proof of the expenditures, to the commissioner of the department of highways and public works of the State of Tennessee, who would then certify the claims to the Tennessee Highway Reimbursement Board. The amount to be reimbursed could not exceed \$103,167.30, and the methods of payments to be followed were to be the same as those generally prescribed by law.
  15. Private Acts of 1929, Chapter 413, amended Private Acts of 1927, Chapter 196, Section 1, by increasing the membership of the board from three to five members; by revising Section 2 to describe the five road districts, or zones, into which the county was divided, and by naming the

- first commissioners under the expanded board; Section 3 fixed the commissioners' salaries at \$5.00 per day; Section 4 specified the amount of bond to be \$2,500; Section 5 fixed the county road superintendent's salary at \$1,800; and, Sections 6, 7, 8, 9, 11, 13, 21 and 28 were also revised to clarify the act.
16. Private Acts of 1929, Chapter 891, also amended Private Acts of 1927, Chapter 196, by rearranging Zones 4 and 5, set up in that act, as to the civil districts which comprised those zones. Section 2 was amended by naming L. W. Parker to the board from Zone 5 instead of Tom M. Mayberry; and, the county court was given the authority to fill any vacancy on the board no matter how it might have occurred.
  17. Private Acts of 1931, Chapter 764, which was applicable only to Hickman County, gave the board of highway commissioners the authority to expend on such roads and in such manner as they might decide the funds derived from and allocated to the county from the state gasoline tax.
  18. Private Acts of 1933, Chapter 243, which applied to Hickman County by virtue of the 1930 Federal Census figure, was the authority and power for the commissioner of highways and public works of Tennessee to give to farmers in the county lime-dust, debris or refuse accumulated at the lime crusher sites at no cost to the farmers and to provide ways and means for the distribution of same. An advisory board to be appointed by the governor was to supervise the distribution of said lime-dust.
  19. Private Acts of 1933, Chapter 754, amended Private Acts of 1929, Chapter 413, by reducing the amount to be paid to each board of highway commissioner from \$5.00 to \$4.00 for each meeting attended in the course of his duties.
  20. Private Acts of 1939, Chapter 169, amended Private Acts of 1927, Chapter 196, Section 5, by inserting almost an entirely new section naming Carl Peery as the county road superintendent who would serve until his successor was elected for a two-year term in the August, 1940, general election. The salary was \$1,800 per year, payable in equal monthly installments out of the county road funds. The superintendent was to furnish a car at his own expense and pay for all maintenance and repair, but gas and oil would be furnished by the county. Private Acts of 1929, Chapter 413, Section 5 (Item 14, above), was expressly repealed.
  21. Private Acts of 1939, Chapter 610, stated that in Hickman County (identified by the use of the 1930 Federal Census figure) the highway commission was to have the exclusive power to appoint any guards necessary for the working of prisoners upon the public roads of the county, but no guards were to be appointed by the commission unless and until their appointment was approved by the sheriff. Those guards appointed to serve were to be capable of performing as a foreman and overseer on behalf of the highway department. Compensation was to be fixed by the highway commission. See *Horner v. Atkinson*, 177 Tenn. 660, 152 S.W.2d 620 (1941), a case involving the Hickman County Road Law.
  22. Private Acts of 1945, Chapter 388, expressly repealed Private Acts of 1927, Chapter 196, the Hickman County Road Law, as the same was amended by Private Acts of 1929, Chapter 413, and Private Acts of 1939, Chapter 169.
  23. Private Acts of 1945, Chapter 390, was the next road law for Hickman County which required that the roads in the county be classified and the road superintendent keep in his office a chart of all the roads and report to the quarterly county court at each session on the conditions of the roads and the funds expended for the preceding quarter. The county road superintendent was to be elected and serve for two-year terms. He was to be skilled in road work of all kinds, of good moral character, and was to execute a performance bond upon assuming office. The superintendent was to be paid \$1,800 annually, in equal monthly installments, but furnish a car at his expense, with the county supplying him with gas and oil. He was to file an itemized statement of expenditures with the county court clerk. The superintendent was to have supervision and control of the road department, but was not to purchase any materials or equipment in an amount over \$50 without approval of the county judge or chairman, who was also designated to countersign all the warrants issued by the road superintendent. He was forbidden to lend any hand, equipment, or materials for private purposes unless paid in full by the property owner. The sheriff, who was in charge of the workhouse, was to deliver prisoners to work on the roads and the road superintendent was to employ the necessary guards. The superintendent was to have no interest in any contract or road work, and could employ a secretary or a bookkeeper, at \$80 per month. All violations of this act were misdemeanors and were punishable as fixed therein. This act was repealed by the one following.
  24. Private Acts of 1947, Chapter 34, specifically repealed Private Acts of 1945, Chapter 390, in its entirety.



25. Private Acts of 1955, Chapter 97, set the compensation of the members of the board of highway commissioners of Hickman County at \$10 per day and provided for mileage payments at the rate of 5 cents per mile. However, this act was rejected by the Hickman County Quarterly Court and never became effective law.
26. Private Acts of 1959, Chapter 30, would have amended Private Acts of 1947, Chapter 38, Section 3, by increasing the compensation of the board of highway commissioners from \$5.00 to \$10.00 per meeting; however, the act was rejected by the local authorities and never became law.
27. Private Acts of 1961, Chapter 173, would have amended Private Acts of 1947, Chapter 38, by providing for the election of a county road superintendent by the qualified voters of Hickman County, to serve for a term of four years. However, this act was rejected by the local authorities and never became law.
28. Private Acts of 1961, Chapter 340, provided that the rights-of-way of roads or highways under construction at the time of the act or thereafter, constructed with financial aid from the federal or state government, were to be fenced as was provided in this act. The board of highway commissioners was to furnish the owner of land adjacent to the highway under construction with enough materials for the construction of a fence along the entire right-of-way. The board was to decide the type, grade, and quality of fence and furnish materials accordingly. The owner was required to see that the fence was built from the materials furnished. If the fencing was supplied by the state or federal government, this act would not apply. The quarterly county court rejected this act, thus rendering it of no effect.
29. Private Acts of 1963, Chapter 221, would have amended Private Acts of 1947, Chapter 38 by calling for the election of a county road superintendent by the qualified voters of the county at the 1964 August election. Furthermore, the county road superintendent was to be elected for four years, however, this act was rejected by the local authorities of Hickman County and never became law.
30. Private Acts of 1963, Chapter 278, would have amended Private Acts of 1947, Chapter 38, by adding a new paragraph to section 7 to said act which would authorized the county board of highway commissioners to pay a gratuity to the surviving widow of any employee whose death resulted from an accident arising out of and in the course of his employment with the county highway department, from the gasoline tax funds in an amount not to exceed \$2,500.
31. Private Acts of 1970, Chapter 302, recited in the preamble the necessity to increase the compensation of the road superintendent in order to bring his salary in line with those of other county officials, and in essence, was to amend Private Acts of 1947, Chapter 38, by raising the salary to \$8,500 per year. However, this act was rejected and never became law.
32. Private Acts of 1971, Chapter 59, attempted to do the same thing as Private Acts of 1970, Chapter 302, above, by increasing the annual salary of the road superintendent from \$5,400 to \$8,500 but our information is that this act was never acted on by the Hickman County Quarterly Court.
33. Private Acts of 1981, Chapter 80, was to amend Private Acts of 1947, Chapter 38, in subsection 2 of Section 8 by removing the requirement of pre-approval by the county highway commission of certain purchases and placing a limitation of \$2,000 on purchases without approval. Subsection 5 of Section 8 was to be amended in the same way and Section 19 was to be deleted entirely. However, this act was disapproved on April 18, 1981

## Chapter X - Law Enforcement

### Law Enforcement - Historical Notes

#### **Jails and Prisoners**

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

1. Acts of 1809, First Session, Chapter 66, authorized the Justices in Montgomery County to lay a tax to raise the funds to build a district jail in Clarksville for the Robertson District. The quarterly courts of the counties of Robertson, Dickson, Hickman, Stewart and Humphreys were also given the right to levy a similar tax in the year 1810 to produce their share of the cost of the jail. Many details of the keeping and spending of the money were included in this law.
2. Acts of 1855-56, Chapter 209, Section 3, was the legal authority for the comptroller of the state to issue his warrant to John W. Lane, the Jailer of Hickman County, for \$80.00 which was the amount due Lane for boarding Samuel Tate, a prisoner kept in the jail at Centerville by order of

the circuit court of Perry County, which sum was omitted in the compilation of the costs in the case.

### **Militia**

Those acts once affecting Hickman 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, Second Session, Chapter 45, provided that the regiment of infantry in Hickman County would hold regimental musters at the courthouse of the said county on the fourth Thursday in October of each and every year. The musters of the battalions making up the regiment would be held at the same time and place.
2. Acts of 1815, Chapter 119, made all free men and indentured servants between the ages of 18 and 45 eligible for service in the militia of the county and state with the exception of a few in sensitive occupations being excused. Every county was organized into regiments under this sweeping new militia law and military code. The regiment in Hickman County was the thirtysixth and this regiment was combined with those in Dickson County, Stewart County, and Humphreys County to form the sixth brigade.
3. Public Acts of 1819, Chapter 68, rewrote and revised substantially the militia law of the state, leaving the eligibility qualifications to free men and indentured servants between the ages of 18 and 45. The organizational section designated Hickman County's Regiment as the thirtysixth regiment which, as a part of the sixth brigade, would hold the county drill and regimental muster on the third Saturday in September of each year.
4. Public Acts of 1824, Chapter 40, Section 8, stated that the company of volunteer infantry in Hickman County which was known and designated as the Centerville Domestic Blues were authorized to elect their company officers and to become an independent unit. They would be assigned to the thirty-sixth regiment and were allowed to design their own uniforms.
5. Public Acts of 1825, Chapter 69, reenacted the militia law and military code of Tennessee with some changes to accommodate the growing military organizations. Hickman County's Regiment would continue as the thirty-sixth regiment with regimental meetings to occur on the third Saturday in September annually. The sixth brigade was composed of Robertson, Hickman, Montgomery, Dickson, and Stewart counties.
6. Public Acts of 1825, Chapter 86, formed an additional regiment in Rhea County and rescheduled the muster dates for the units in the sixth brigade. Hereafter the thirty-sixth regiment in Hickman County would meet on the Thursday and Friday following the second Monday and Tuesday in June of each year.
7. Public Acts of 1826, Chapter 18, directed that the cavalry of the counties of Dickson, Stewart, and Hickman would make up the second squadron of the sixth brigade and would muster at the home of Alexander Dickson on Yellow Creek in Dickson County on the fourth Friday in September of each year.
8. Private Acts of 1826, Chapter 128, changed the name of the company heretofore known as the Centerville Domestic Blues to the "Houston Guards" and by that name all regulations and laws would be met in the future.
9. Private Acts of 1827, Chapter 248, Section 11, rescheduled the times for county drills and musters in the sixth brigade. Hickman County's Regiment, the thirty-sixth, would muster on the Thursday and Friday following the first Monday in October of each year for the county units and the other units would meet on the first Saturday after the first Monday in October of each year.
10. Private Acts of 1829-30, Chapter 74, was the legal authority for William Brown, John Brown, and William Isam, all of Brown's Bend on Duck River in the counties of Perry and Humphreys to perform civil and military duty in Hickman County and they were all exonerated from performing any of the same in the county of their residence.
11. Private Acts of 1831, Chapter 112, Section 2, provided that the volunteer company in Hickman County now known as the Houston Guards would hereafter be called the Union Guards and by that name they would have all the rights and privileges of any other volunteer company. Thirty people would be a number sufficient to organize and maintain the company.
12. Public Acts of 1835-36, Chapter 21, was the next substantial revision of the Tennessee Military Code and militia law. All the regiments in the state were designated by number with Hickman County now having the ninety-seventh and ninety-eighth regiments. Hickman County's units combined with the units in the counties of Hardin, Wayne and Lawrence to form the seventeenth brigade. The third division included the tenth, eleventh, twelfth, thirteenth and seventeenth

brigades. The above indicated the rapid growth of the state and the militia in it as population pressures moved westward.

13. Acts of 1837-38, Chapter 157, Section 3, was a lengthy amendment to the militia law dealing primarily with changes in the organizational structure and with the internal discipline of the units composing the expanding military order. The seventeenth brigade contained the counties of Wayne, Hardin, Lawrence and Hickman whose units would continue to hold their musters and drills on the first Friday and Saturday in September of each year. Regimental musters were set for the first Friday and Saturday in October of each year.
14. Acts of 1839-40, Chapter 56, condensed and revised a goodly portion of the State Military Law. The militia would be composed of free white males between the ages of 18 and 45 with the exception of a few occupations listed therein. All details of organization and equipment were contained in this law. Hickman County's units, the ninety-seventh and ninety-eighth regiments would continue to meet as previously scheduled on the first Friday and Saturday in October of each year.
15. Acts of 1845-46, Chapter 43, Section 3, rescheduled the dates for the regimental musters of the military units in the seventeenth brigade. The units in Hickman County would hereafter hold their regimental drills on the first Friday and Saturday following the first Monday in October of each year. The other counties in the seventeenth brigade were Wayne, Hardin and Lawrence.
16. Public Acts of 1861, Chapter 1, was a state wide militia law that assigned the militia in Hickman County as the ninety-seventh and ninety-eighth regiments.

### **Sheriff**

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

1. Acts of 1817, Chapter 126, directed that the ranger of Hickman County after the passage of this act would advertise all the estrays picked up for sale in some newspaper published in the fifth judicial circuit either at Nashville or Columbia, or both.
2. Private Acts of 1820, Second Session, Chapter 27, authorized and required the sheriff of Hickman County to advertise in some newspaper printed in Nashville any lands which were scheduled to be sold under execution or under other processes of the law.
3. Public Acts of 1824, Chapter 59, required and directed the sheriff and the ranger of Hickman County to advertise all executions of lands, and the sale of estrays, in a newspaper printed in the town of Columbia and the act which made the advertising of the same necessary in a newspaper in Nashville were repealed.
4. Private Acts of 1826, Chapter 140, allowed the sheriff of Hickman County two additional years in which to collect taxes which were in arrears and unpaid at the time. William Phillips, the sheriff, could proceed to do so under the same bond and security he now had.
5. Private Acts of 1827, Chapter 117, was the legal authority for the sheriffs of Hickman County and Hardin County to advertise in newspapers printed in Nashville and Columbia all the lands which were required to be advertised while under execution, or for tax sales.
6. Private Acts of 1827, Chapter 135, stated in the introduction that it had been represented to the general assembly on good authority that Gabriel Faulk through mistake had advertised lands to be sold for unpaid delinquent taxes which ad was on Sunday, and that the said taxes remain due and unpaid still, this act authorized Faulk, the sheriff and tax collector of Hickman County, to re-advertise the said lands and dispose of the same according to law. a written report of the disposition of the same had to be made to the court of pleas and quarter sessions of the county.
7. Private Acts of 1832, Chapter 25, was the authority for Gabriel Faulks, the late sheriff of Hickman County, to collect in the same manner as other taxes any taxes which might be due and unpaid during the time the said Faulks was the sheriff of Hickman County. The sheriff was directed to make a report of the disposition of all cases arising hereunder to the court of pleas and quarter sessions of Hickman County.
8. Private Acts of 1949, Chapter 442, was the legal authority for the quarterly court of Hickman County to appropriate no more than \$1,200 per year, payable at the rate of \$100 per month, to be paid to such special deputy sheriff as the sheriff of the county might designate. His duty was to enforce the law, keep the peace and order, and perform such special law enforcement duties as the sheriff or the quarterly county court might require of him. The amount paid to the said deputy was to be in lieu of all fees and commissions.

## Chapter XII - Taxation

### Hotel/Motel Tax

#### Private Acts of 1991 Chapter 41

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

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

**SECTION 2.** The legislative body of Hickman County is authorized to levy a privilege tax upon the privilege of occupancy in any hotel of each transient in the amount of five percent (5%) of the rate charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this act.

**SECTION 3.** The proceeds received by the county from the tax shall be retained by the county and deposited into the general fund of the county, to be designated and used for such purposes as specified by resolution of the county legislative body.

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

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

**SECTION 5.**

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

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

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

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

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

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

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

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

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

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

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

**SECTION 11.** The tax levied pursuant to the provisions of this act shall only apply in accordance with the provisions of Tennessee Code Annotated, Section 67-4-1425.

**SECTION 12.** 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 13.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the county legislative body of Hickman County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and shall be certified by such presiding officer to the Secretary of State.

**SECTION 14.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect upon being approved as provided in Section 13.

Passed: March 14, 1991.

## Land Development

## Private Acts of 2003 Chapter 21

**SECTION 1.** This act shall be know and may be cited as the Hickman County Land Development Privilege Tax. **SECTION 2.** As used in this act, unless a different meaning appears from the context:

- (a) "Appeals board" means the board established in Hickman County to hear appeals from the public regarding the Land Development Tax.
- (b) "Building" means any structure built for the support, shelter or enclosure of persons, chattels or movable property of any kind, which is to be used as a residence; the term includes a mobile home and those buildings identified in Section 2(f) and Section 2(l), but excludes those buildings specified in Section 6 below.
- (c) "Building inspector" means the person designated by resolution of the Governing Body of Hickman County who shall be responsible for ensuring a dwelling unit does not exceed the square footage paid for at the time of obtaining a certificate of occupancy.
- (d) "Capital improvement program" means a proposed schedule of future projects, listed in order of construction priority, together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local government operating expense, for the purchase, construction or replacement of the physical assets of the community are included.
- (e) "Certificate of occupancy" means a license for occupancy of a building or structure issued in Hickman County, whether by the county or by any city therein. Such certificate shall not indicate compliance with any federal, state or local building codes. (f) "Commercial" means the development of any property for the purpose of retail sales of goods and/or services.
- (g) "Development" means the construction, building, reconstruction, erection, betterment or improvement of land providing a building or structure which provides the floor area for residential, commercial or industrial use.
- (h) "Dwelling unit" means a room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease on a daily, weekly, monthly or longer basis; physically separated from any other room or rooms or dwelling units which may be in the same structure; and containing independent cooking and sleeping facilities.
- (i) "Floor area" means the total of the gross horizontal area of all floors, including basements, cellars or attics which is heated and/or air conditioned living space in dwelling units, or designed to be finished into heated and/or air conditioned living space in dwelling units at a future date, or all usable square footage for commercial and industrial use, regardless of it being heated and/or air conditioned.
- (j) "General plan" means the official statement of the Hickman County Long Range Planning Committee, adopted by the Governing Body, which sets forth goals and objectives for the development of public facilities in Hickman County.
- (k) "Governing Body" means the County Commission of Hickman County.
- (l) "Industrial" means the development of any property for the purpose of manufacturing a product for retail or wholesale distribution.
- (m) "Major street or road plan" means the plan adopted by the Hickman County Highway Commission and ratified by the Governing Body of Hickman County, showing among other things, "the general location, character and extent of public ways and the removal, relocation, extension, widening, narrowing, vacating, abandonment or change of use of existing public ways...".
- (n) "New" means new to Hickman County.
- (o) "Person" means any individual, firm, copartnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate or other group or combination acting as a unit, and includes plural as well as the singular number.
- (p) "Place of worship" means that portion of a building, owned by a religious institution which has tax-exempt status, which is used for worship services and related functions; provided, however, that a place of worship does not include buildings or portions of buildings which are used for purposes other than for worship and related functions or which are or are intended to be leased, rented or used for persons who do not have tax-exempt status.
- (q) "Public building" means a building owned by the State of Tennessee or any agency thereof; a political subdivision of the State of Tennessee, including, but not necessarily limited to, counties, cities, school districts and special districts; or the federal government or any agency thereof.
- (r) "Public facility or facilities" means a physical improvement undertaken by the county, including,

but not limited to, the following: roads and bridges; parks and recreational facilities; jails, workhouses and law enforcement facilities; schools; libraries; government buildings; fire stations; sanitary landfills; convenience centers; water, wastewater and drainage projects; airport facilities and other governmental capital improvements benefiting the citizens of the county and/or city.

(s) "Residential" means the development of any property for an inhabitable dwelling unit or units.

(t) "Subdivision regulations" means the regulations proposed by the Hickman County Highway Commission and adopted by the Governing Body of Hickman County, as subsequently amended, by which the County regulates the development of streets and roads in a proposed residential development.

**SECTION 3.** It is the intent and purpose of this act to authorize Hickman County to impose a tax on new residential, industrial and commercial development in the County payable at the time of issuance of a building permit or certificate of occupancy so as to ensure and require that the person responsible for new residential, industrial and commercial development shares in the burdens of growth by paying the person's fair share for the cost of new and expanded public facilities made necessary by such development.

**SECTION 4.** Engaging in the act of residential, commercial and industrial development within Hickman County, except as provided in Section 6 herein, is declared to be a privilege upon which Hickman County may, by resolution of the governing body, levy a tax in an amount not to exceed the rate set forth in Section 7.

**SECTION 5.** The Governing Body shall impose the tax authorized herein by resolution after adopting a capital improvements program indicating the need for the cost of public facilities anticipated to be funded, in part, by this tax and after finding that the need for such public facilities is reasonably related to new development in the County. The resolution of the Governing Body imposing this tax shall state the rate of tax on new residential, commercial and industrial development. The Governing Body shall, by resolution, adopt administrative guidelines, procedures, regulations and forms necessary to properly implement, administer and enforce the provisions of this act.

**SECTION 6.** This act shall not apply to development of:

- (a) Public buildings.
- (b) Places of worship.
- (c) Barns and outbuildings used for agricultural purposes.
- (d) Replacement structures for previously existing structures destroyed by fire or other disaster, natural or otherwise.
- (e) Additional to a single-family dwelling, including, but not limited to, modifying a single-wide mobile home into a double-wide mobile home.
- (f) A structure owned by a nonprofit corporation which is a qualified 501(c)3 corporation under the Internal Revenue Code.
- (g) Permanent residential structures replacing mobile homes where the mobile home is removed within thirty (30) days of the issuance of the certificate of occupancy for the permanent residential structure, provided, that the permanent structure is residence for the owner and occupant of the mobile home and that owner and occupant has resided on the property for a period of not less than three (3) years. Any net increase in the gross square footage, however, shall be subject to the tax.
- (h) Buildings moved from one site within the County to another site within the County, without changing ownership, and provided that the tax was already paid on the structure at the initial site.

**SECTION 7.** For the exercise of the privilege described herein, Hickman County may impose a tax on new residential, industrial and commercial development, including residential, industrial and commercial development in incorporated municipalities in the County. The tax shall be an amount not to exceed one dollar (\$1.00) per gross square foot for residential development and twenty-five cents (25¢) per gross square foot for industrial and/or commercial development, or a minimum tax of fifteen hundred dollars (\$1,500), whichever is greater.

**SECTION 8.** If a residential, industrial or commercial development for which this tax has already been levied is moved or torn down and is replaced by another larger structure, only the gross square footage which has been gained by such replacement shall be taxed.

**SECTION 9.** The tax established in this act shall be collected at the time of application for a certificate of occupancy for residential, industrial and commercial development. No certificate of occupancy as herein defined shall be issued in Hickman County unless the tax has been paid in full to the County or a

negotiable instrument, approved by the County Attorney and payable to the County, has been received.

**SECTION 10.** All tax funds collected shall be used for the purpose of providing public facilities, the need for which is reasonably related to new residential, industrial and commercial development and shall be deposited into the Adequate Facilities/Development Tax Fund.

**SECTION 11.** The authority to impose this privilege tax on new residential, industrial and commercial development in Hickman County is in addition to all other authority to impose taxes, fees, assessments or other revenue-raising or land development regulatory measures granted either by the private or public acts of the State of Tennessee, and the imposition of such tax, in addition to any other authorized tax, fee, assessment or charge, shall not be deemed to constitute double taxation.

**SECTION 12.**

(a) Any person aggrieved by the decision of the county building official or other responsible official concerning any aspect of this act may obtain review of the official's decision in the following manner:

(1) By payment of the disputed amount to Hickman County and by notifying the official that the payment is made under protest.

(2) By requesting an appeal of the decision of the official in written form within ten (10) days of the protest and payment. Appeals shall be heard by the Appeals Board, or any other statutorily designated board established to hear such appeals. A hearing shall be scheduled within forty-five (45) days of the written request for appeal.

(b) The Appeals Board shall act as a quasi-judicial body whose purpose is to determine the intent of the act, its applicability to the appellant and to rule upon the interpretation of the official. The board shall not be bound by formal rules of evidence applicable to the various courts of the State.

(c) Hearings before the board shall proceed as follows:

(1) The building official shall explain his or her ruling and the reasons for the ruling.

(2) The appellant shall explain his or her reasons for protesting the ruling.

(3) The board may request further information from any County official, including, but not limited to, the County executive, County commissioners or committee members, the County attorney, or the County building inspector. The board does not have the power to subpoena.

(4) The board shall deliberate and render a decision by a majority vote. Decisions shall be reduced to writing and copies shall be sent to all parties and shall become a part of the minutes of the board. Decisions of the Adequate Facilities Appeals Board shall be final, except that either the building official or the person aggrieved may seek review of the board's actions by certiorari and supersedeas to the Chancery Court of Hickman County, Tennessee, provided, that an application to the court is made within sixty (60) days of the written decision of the board.

**SECTION 13.** The provisions of this act shall not be changed or modified, including setting the rate, raising the rate or lowering the rate without a two-thirds (2/3) majority vote of the Hickman County Legislative Body.

**SECTION 14.** The provisions of this act shall in no manner repeal, modify or interfere with the authority granted by any other public or private law applicable to Hickman County.

This act shall be deemed to create an additional and alternative method for Hickman County to impose and collect taxes for the purpose of providing public facilities made necessary by new residential, industrial and commercial development in the County.

**SECTION 15.** If any provisions 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 16.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Hickman County before June 30, 2003. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Commission and certified by such officer to the Secretary of State.

**SECTION 17.** For the purpose of approving or rejecting the provisions of this act, it shall become 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 16.

Passed: March 20, 2003.



## Litigation Tax

### Private Acts of 1979 Chapter 70

**SECTION 1.** A litigation tax of ten dollars (\$10.00) shall be levied and taxed as a part of the costs in all actions in the general sessions court of Hickman County.

As amended by: Private Acts of 1982, Chapter 221

**SECTION 2.** The clerk of the court shall collect the litigation tax and report and pay over the same to the county general fund.

**SECTION 3.** This act shall have no effect unless approved by a two-thirds ( $\frac{2}{3}$ ) majority of the county legislative body of Hickman County before October 1, 1979, at a regular session or a special session called for that purpose or that and other purposes. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the secretary of state.

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

Passed: April 9, 1979.

## Severance Tax

### Private Acts of 1979 Chapter 92

**SECTION 1.** Hickman County by resolution of its county legislative body is authorized to levy a tax on all phosphate rock, ore, or other phosphate bearing material severed from the ground within its jurisdiction. The tax shall be levied for the use and benefit of Hickman County only and all revenues collected from the tax, except deductions for administration and collection provided for herein, shall be allocated to Hickman County.

Administration and collection of this tax shall be by the county clerk of Hickman 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 ten cents (10¢) per ton of phosphate rock, ore, or other phosphate bearing material severed from the ground in the county. Every interested owner shall be liable for this tax to the extent of his interest in such products. The owner shall become liable at the time the phosphate rock, ore, or other phosphate bearing material is severed from the earth and ready for sale, whether before processing or after processing as the case may be.

The tax is 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 phosphate rock, ore, or other phosphate bearing material severed from the earth and in its natural or unprocessed state. The tax levied shall be a lien upon all phosphate rock, ore, or other phosphate bearing material 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 judgments, encumbrances or liens whatsoever created.

**SECTION 3.** The tax levied by this act shall be due and payable monthly on the first day of the month next succeeding the month in which the phosphate rock, ore, or other phosphate bearing material is severed from the soil. For the purpose of ascertaining the amount of tax payable it shall be the duty of all operators in Hickman 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 phosphate rock, ore, or other phosphate bearing material severed from each production unit operated, owned or controlled by the taxpayer during the period covered, the amount of the tax and such other 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 six percent (6%) per annum from the date due until paid. A further penalty of fifty percent (50%) of the amount due may be added if the nonpayment of the tax is due to an intent to evade payment. If the nonpayment of the tax is due to an intent to evade payment, the person liable for such payment may be restrained and enjoined from severing phosphate rock, ore, or other phosphate bearing material from a production unit from which such rock, ore, or material has 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 Hickman County upon the request of the 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 office of the county clerk 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 wilfully 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 laws of this state. For 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 clerk is authorized to determine the tax liability of such person from whatever source of information may be available to him. As 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 is 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 phosphate rock, ore, or other phosphate bearing material in Hickman County less an amount of three percent (3%) of the tax 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 expenses of administration and collection, shall be remitted by the county clerk to Hickman County. These revenues shall become a part of the general funds of Hickman County, subject to appropriation by the county legislative body.

Any adjustment of taxes, penalties or interest with Hickman County which is deemed necessary in order to correct any error may be made on a subsequent disbursement to that county.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the county legislative body of Hickman County before September 1, 1979. Its approval or nonapproval shall be proclaimed by the presiding officer of the Hickman County legislative body and certified by him to the secretary of state.

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

Passed: April 19, 1979.

## Taxation - Historical Notes

### Tax Assessor

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

1. Private Acts of 1911, Chapter 411, amended the 1907 general law of the state, referenced above. This act set the annual salary for the tax assessors in several counties and purportedly included the tax assessor of Hickman County at an annual salary of \$600. (There is an obvious typographical error in the population figures within the act (the range for applicability is given as

- 16,524 to 16,030, but there is a notation in the margin of the private act publication that this act was intended to apply to Hickman County).
2. Private Acts of 1917, Chapter 352, set the annual salary of the Hickman County Tax Assessor at \$600, which would be paid out of the county treasury on the warrant of the county judge or chairman on July 1 of each year.
  3. Private Acts of 1919, Chapter 643, amended Private Acts of 1917, Chapter 352, Section 1, by increasing the annual salary of the Hickman County Tax Assessor from \$600 to \$800.
  4. Private Acts of 1921, Chapter 599, was the legal authority for the justices of the peace in Hickman County (identified by the 1920 Federal Census figures) to compensate the tax assessor of the county for additional work performed in 1921 by reason of having to re-assess many parcels of property, and to appropriate money for this purpose. No such appropriation or expenditure would be made unless a majority of the justices in attendance at a regular meeting were in agreement.
  5. Private Acts of 1945, Chapter 200, set the annual salary of the Hickman County Tax Assessor at \$1,800, payable in equal monthly installments, and provided for an office in the courthouse to be furnished to the assessor. He was obligated to be available three days a week and devote his full time to the position. Before any instrument of conveyance could be registered, the same was required to be presented to the tax assessor, who was to extract and record specified information from the instrument and was authorized to collect a fee of fifty cents for doing so. The assessor was to execute a special bond not to exceed \$2,000 for the faithful accounting of fees collected. The register could not legally record any instrument until the tax assessor had certified that he had examined such deed. This act was subsequently repealed by Private Acts of 1989, Chapter 7.
  6. Private Acts of 1957, Chapter 293, amended Private Acts of 1945, Chapter 200, by adding a provision to Section 1 that the tax assessor would be reimbursed up to \$50 each month for all the expenses necessarily and legitimately incurred in assessing property in the county. These expenses were to be paid by the county judge at the time of the payment of the monthly salary. This act was repealed by the one following.
  7. Private Acts of 1967-68, Chapter 422, expressly repealed Private Acts of 1957, Chapter 293, entirely.
  8. Private Acts of 1989, Chapter 7, specifically repealed Private Acts of 1945, Chapter 200

### **Taxation**

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

1. Acts of 1817, Chapter 128, made it lawful for the justices of the peace 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 the first session of each year, on the first day of the session, to levy a tax for the purpose of making additional compensation to the jurors attending the circuit courts and the county courts, a majority of the justices being present and voting therefore, but the additional compensation for the jurors could not exceed fifty cents per day.
2. Private Acts of 1822, Second Session, Chapter 138, authorized the county trustee of Dickson County to call on the county trustee of Hickman County for that part of the taxes collected by the Hickman County sheriff north of the Ross line. If the taxes were failed to be paid, a recovery could be had by a suit at law in the court of pleas and quarter sessions of either county.
3. Private Acts of 1826, Chapter 66, declared that a 50 acre tract of land entered upon by Horatio Clagett and granted by a registered grant, which said tract was presented to the Methodist Episcopal Church and included the Mount Pleasant meeting house in Hickman County was to be exempted from the imposition of state and county taxes as long as the same was used for religious purposes.
4. Acts of 1861 (Ex. Sess.), Chapter 11, stated that it appeared that a larger amount of state tax was assessed and collected in Hickman County than was authorized and sanctioned by the law, and the same was then in the hands of the collector, therefore, this act authorized the county court of Hickman County to appropriate the money collected in any manner they might deem necessary, whether to the payment of the state and county tax, or not.
5. Public Acts of 1870-71, Chapter 50, stated that the counties and cities of the State of Tennessee could impose taxes for county and municipal purposes in the following manner and upon the conditions (1) that all taxable property would be taxed according to its value upon the principles established for State taxation, and (2) that the credit of no county, or city, could be loaned to any

person, firm or corporation unless a majority of the county court, or municipal council, would first agree to submit the issue to a referendum vote wherein three-fourths of the voters vote in the affirmative to do so. Twenty-six counties exempted themselves from the requirement of the three-fourths ratification for the next ten years, but Hickman County was not one of them.

6. Private Acts of 1975, Chapter 2, levied a privilege tax or wheel tax in Hickman County. The motor vehicle tax, excepting farm vehicles, tractors, motor-driven bicycles, and government-owned motor-driven vehicles, was \$15.00 for each motor-driven vehicle and \$7.50 for motorcycles. Anyone operating a motor-driven vehicle for as long as 30 days on the roads of the county was subject to the tax, and failure to comply therewith was a misdemeanor for which fines could be imposed. The county court clerk was to collect the tax and issue the decals which represented payment thereof. Provisions were made for the transfer of the decal from one car to another and to replace the same when it was misplaced, or stolen. The revenue from the sale of the licenses would go into the sinking fund for the amortization of outstanding bonds. The act was amended by "Special" Public Acts of 1975, Chapter 23, which narrowed the population range to which the original act was made applicable. However, the original act was rejected by the quarterly court of Hickman County and never became an effective law.
7. Private Acts of 2000, Chapter 97, levied the Hickman County Land Development Privilege Tax. This act was disapproved by the county governing body

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