



May 06, 2024

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# Bedford

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Dear Reader:

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

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

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## Bedford



Bedford County Courthouse

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

**Updated by:** Stephen Austin, Legal Consultant, 2020

## Chapter I - Administration

### Auto Racing Commission

#### Private Acts of 1955 Chapter 398

**SECTION 1.** That in counties of this State having a population of not less than 23,600, nor more than 23,700, by the Federal Census of 1950, or any subsequent Federal Census, there is hereby established an Automobile Racing Commission and no person, firm or corporation shall conduct an automobile race without a permit from said Commission.

At its next regular term occurring more than 30 days after final legislative action hereon, the quarterly county court of any county to which this act may apply, shall select three qualified persons to constitute such Commission. They shall serve at the will of such court and shall receive no compensation but shall be entitled to their reasonable expenses.

Any person, firm or corporation desiring to conduct automobile races in the county to which this act applies shall make application to such Commission for a permit therefor. The application shall state the time and place of the proposed race or races and their probable duration but no permit shall serve to allow any such race on Sunday.

On hearing of such application, the Commission shall consider the public welfare, to what extent a nuisance will be created thereby, by noise or otherwise, to what extent traffic congestion will occur on public thoroughfares and whether the same will interfere with the public peace and tranquility to such an extent that it should not be allowed and a fee of \$1.00 to go to the general fund of the county shall accompany each application for a permit hereunder. Permits shall issue in the sound discretion of the Commission, subject to the above restrictions and limitations.

**SECTION 2.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the quarterly county court of any county to which it may apply on or before the next regular meeting of such quarterly county court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

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

Passed: March 17, 1955.

### County Register

#### Recordation of Deeds

#### Private Acts of 1947 Chapter 576

**SECTION 1.** That the County Register of the County of Bedford, State of Tennessee, shall not record any deed conveying real estate in said County unless same bears the stamp of the Tax Assessor of said County, certifying that said Tax Assessor has copied the names of the vendor and vendee in said deed of conveyance for the purpose of making proper corrections on his roll of assessments.

**SECTION 2.** That it shall be the duty of the Tax Assessor of Bedford County to be present in person, or to have a deputy present, at his office in the Courthouse during office hours. It shall be the further duty of the Tax Assessor to stamp or to cause to be stamped all deeds presented at his office, with a stamp showing that he has copied the name of the vendor and vendee in said deed of conveyance for the purpose of making proper corrections on his roll of assessments. It shall be the duty of the Tax Assessor to correct his tax rolls in all such cases so that the tax rolls of Bedford County will be kept up to date and will show the correct owners of real estate to the end that property may be assessed in the name of the true owners thereof. Failure of the Tax Assessor of Bedford County to comply with the provisions of this Act shall constitute misconduct in office and subject him to removal from office under Sections 1877 et seq. of the Code of Tennessee.

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

Passed: February 28, 1947.

## Fees

### Private Acts of 1947 Chapter 816

**SECTION 1.** That all fees collected or received by the County Trustee, County Court Clerk, Clerk and Master, Circuit Court Clerk, and County Register in Bedford County, Tennessee, shall be paid into the General Fund of said County monthly, and a warrant shall be issued monthly to said public officials against said fund for the payment of the compensation of said officials as now authorized by law. No fees in excess of the salary as now authorized shall be paid said public officials before the payment of the same has been approved by the Quarterly County Court. Unless said approval is obtained by the Quarterly County Court all fees in excess of the salary of the officials mentioned herein shall remain in the General Fund of said County.

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

Passed: March 13, 1947.

## Public Service Commission

### Private Acts of 1967-68 Chapter 247

**SECTION 1.** The Quarterly County Court of any county of this State having a population of not less than 23,125 nor more than 23,175 according to the United States Census of Population of 1960, or any subsequent U. S. Census of Population, is authorized to provide essential public services as defined in this Act and in the manner herein provided.

**SECTION 2.** The term "essential public service" as used in this Act means the making available or supplying by anyone, with or without consideration, any labor or facilities or commodities or combinations thereof to all or to any substantial portion or class of the residents of the community which service fosters the health, well-being, happiness, progress or peace of persons in the community and includes but is not limited to

- (a) ambulance service,
- (b) cemeteries,
- (c) funeral parlors and embalming services,
- (d) nursing homes,
- (e) recreation facilities,
- (f) transportation services,
- (g) family counseling service,
- (h) services for the mentally retarded and the mentally ill,
- (i) fire protection,
- (j) trash and garbage disposal, and
- (k) job placement

**SECTION 3.** For the purposes of carrying into force the provisions of this Act, the Quarterly County Court of any county to which this Act may apply is authorized to establish a County Public Service Commission composed of five (5) members. The County Judge shall be Chairman of the Commission and the other four (4) members shall be members of the County Court, elected by the Court. 15 Each Commissioner shall hold office for three (3) years from the time of his election. Each Commissioner shall serve without compensation but shall receive such expense allowance as the County Court may from time to time authorize by resolution.

**SECTION 4.** The commission shall be established by resolution of the Quarterly County Court at such time as the court finds that there is a need for the Commission.

**SECTION 5.** When established, the Commission shall meet in regular meeting on the dates set by the resolution creating the Commission and at such other times as it may by resolution provide. Called meetings may be held upon three (3) days written notice issued by the Chairman of the Commission or by any three (3) Commissioners for such purposes as are set out in the call. The Commission by by-laws, approved by the County Court, shall establish its own rules of procedure.

**SECTION 6.** It shall be the duty of the Commission to keep abreast of the availability, non-availability,

and adequacy of the public services available to the citizens and residents of the county which it considers necessary for their health and welfare and it shall, upon the request of the Quarterly County court or upon its own motion report to the Quarterly County Court concerning the availability, quality and status of said services in the county and its recommendations regarding the services.

**SECTION 7.** The County Public Service Commission with the approval of the Quarterly County Court is authorized, either singly or with either one or more municipalities within the County or in conjunction with any governmental authority, public agency or private agency, corporation or person to do the following:

- (a) To operate and maintain any public service project for public purposes or for the benefit and use of its inhabitants, with or without a charge or profit.
- (b) To construct any public service project.
- (c) To accept from any Federal or State Agency grants for or in aid of the construction of any public service project.
- (d) To contract debts for the construction of any public service project, to borrow money, and to issue its bonds to finance such construction, and to provide for the rights of the holders of the bonds and to secure the bonds as hereinafter provided.
- (e) To acquire by purchase, gift, lease or other contract, real or personal property, tangible or intangible or any right or interest in any property, and to hold and dispose of any such property or interest in any such property, in connection with any public service project.
- (f) To make contracts and execute instruments containing such terms, provisions and conditions as in the discretion of the commissioners may be necessary, proper or advisable for the purpose of carrying out any public service project provided by this Act; to make all other contracts and execute all other instruments necessary, proper or advisable in or for the furtherance of any public service project; and to carry out and perform the terms and conditions of all such contracts or instruments.
- (g) Subscribe to and comply with any federal aid act and any rules and regulations made by any Federal or State Agency or private foundation with regard to any grants or loans, or both, from any Federal or State Agency, or private foundation.
- (h) To perform any acts authorized under this Act through, or by means of its own officers, agents and employees or by contract with private corporations, firms or individuals.
- (i) To subsidize or assist, upon terms, conditions and standard requirements set by the Commission, any person, agency, or other legal entity, whether public or private, providing public services or proposing to provide public services. Such assistance or subsidy shall include but not be limited to providing necessary financing, equipment, tools, vehicles, or other real or personal property needed to raise the standards of such services to the level the Commission considers desirable to assure adequate services to the residents of the county.
- (j) To exercise, for the purpose of obtaining a grant loan or other financial assistance from any Federal or State Agency pursuant to or by virtue of any Federal Aid Act, any power conferred by this Act independently or in conjunction with any other power or powers conferred by this Act or heretofore or hereafter conferred by any other law.
- (k) To do all acts and things necessary or convenient to carry out the powers expressly given in this Act.
- (l) To cooperate with and receive grants from the State or other Agency operating under the authority of the State, having funds available for cooperation in constructing, acquiring, improving, extending, operating and maintaining any public service project or projects.

**SECTION 8.** Upon the approval by the County Court of any public service project proposed by the Commission, the Quarterly County Court shall have the power for such purposes to levy a property tax, to appropriate from the general fund, or otherwise provide funds for the public service project or projects in lieu of or as a supplement to revenue derived from or to be derived from the public service project or projects, and for the operation and conduct of the Public Service Commission. The Commission shall make such reports to the Quarterly County Court in such detail and at such times as the Court may direct.

**SECTION 9.** 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 this end the provisions of this Act are declared to be severable.

**SECTION 10.** This Act shall have no effect unless it is approved by a two-thirds (b) vote of the Quarterly County Court of any county to which it may apply at or before the next regular meeting of the Court occurring more than thirty (30) days after its approval by the Governor. Its approval or non-approval shall

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

**SECTION 11.** This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 18, 1967.

## Purchasing

### Private Acts of 1945 Chapter 357

**SECTION 1.** That in all counties within this State, having a population of not less than 23,145 and not more than 23,160, according to the Federal Census of 1940 or any subsequent Federal Census, the County Judge or Chairman of such counties is hereby designated as the County Purchasing Agent, whose duty it shall be to purchase any and all supplies and equipment for the use of county officials, employees or departments and to enter into contracts for the purchase of the same and who shall be charged with the full responsibility of carrying out all of the provisions of this Act, and who shall have sole power and authority to contract for and purchase materials, supplies and equipment of every kind whatsoever, including insurance, for the use of all officials, agents, servants, departments, or agency of, supported by or under the control of the county government or for which the county may be chargeable. The said County Purchasing Agent shall likewise have the sole power and authority to arrange for the purchase or rental of any and all real estate, machinery, or other equipment where said purchases or rentals are to be paid out of any funds belonging to the County or any department or agency thereof.

**SECTION 2.** Be it further enacted, That all purchases or contracts for the purchase of supplies, equipment or material for the use of any official, employee or department or agency of the county government, the estimated value of which shall exceed five thousand dollars (\$5,000) shall, except in emergencies or instances as hereinafter provided, be made by the County Purchasing Agent only after he shall have received at least three written competitive bids for such purchases or contracts for purchase of such supplies, equipment or materials and such purchases or contracts for purchases shall be made only in accordance with the lowest and best bids or bidders. For purchases or contracts with an estimated value between two thousand five hundred dollars (\$2,500) and five thousand dollars (\$5,000), the County Purchasing Agent shall receive three written quotes. Any purchase below two thousand five hundred dollars (\$2,500) shall require the customary purchase order. Said County Purchasing Agent may reserve the right to reject any and all bids, either in whole or in part, when he shall deem advisable to so reject the same, and when two or more bids are submitted at the same price and for the same character, kind and quality of supplies, equipment or materials, he may in his discretion award the contract to either of such bidders or may apportion the requirements between or among the respective bidders.

Whenever in the opinion of said County Purchasing Agent or any official or agency of the county needing such supplies, equipment, or materials, an emergency requires the immediate purchase, the Purchasing Agent may purchase or contract to purchase such supplies, equipment or materials without the necessity of competitive bids, and said Purchasing Agent may likewise dispense with competitive bids in all instances where he is unable to obtain competitive bids, but in such instances the said Purchasing Agent shall certify to the County Court of such counties that an emergency existed that required the waiving of competitive bids or that he was unable to obtain the necessary competitive bids for the supplies, equipment or materials so purchased.

As amended by:  
                                     Private Acts of 1972, Chapter 358  
                                     Private Acts of 1980, Chapter 192  
                                     Private Acts of 1993, Chapter 8  
                                     Private Acts of 2001, Chapter 14

**SECTION 3.** That the Purchasing Agent shall keep a complete record of all purchases or contracts, with copies of the original bids submitted in writing, the names of the bidders together with the amounts of their respective bids, which records shall at all times be open to inspection by any interested party.

**SECTION 4.** That neither the County Purchasing Agent nor any agent, assistant or employee of the county shall be financially interested, or have any personal beneficial interest, either directly or indirectly, in the purchase of any supplies, materials or equipment for the county, nor in any firm, partnership, association or individual furnishing any such supplies, equipment or materials; nor shall the County Purchasing Agent or any assistant, agent or employee accept or receive, directly or indirectly, from any person, firm, corporation or association to whom any contract may be awarded, by rebate, gift or otherwise, any money or other thing of value or contract for future reward or compensation.

The said County Purchasing Agent may require security to accompany bids and fix the amount thereof; may govern the procedure for the delivery and storage of supplies, equipment or materials; may govern the method of requisition by any county official, agency or department of the county, and shall have the



authority to regulate the distribution of articles, parts, supplies, equipment or materials among the county officials or departments; may prescribe the forms for estimates, requisition, orders, contracts and security; may establish definite or regular periods for submitting estimates or requisitions; may dispose of or trade in obsolete, excess or unsuitable supplies, equipment or materials, and salvage or transfer them to other agencies or departments of the county; may provide hearing for complaints with regard to the quality, grade or brand of supplies, equipment or materials; and may do and perform all other acts and things necessary or requisite to fully comply with the provisions of this Act.

**SECTION 5.** That the provisions of this Act shall not apply to the purchase or contracts for purchase of any supplies, equipment or materials that are deemed and sold as Surplus War Commodities, offered for sale or sold by the United States Government.

**SECTION 6.** That the supplies, equipment or materials required by the County Board of Education in such counties are expressly excluded from the provisions of this Act and the purchase or contracts for the purchase of all such supplies, equipment or materials shall be made under such rules, regulations and requirements as the said County Board of Education may from time to time determine and under its exclusive supervision and control.

**SECTION 6-A.** That the provisions of this Act shall not apply to the County Highway Commission of this County.

As amended by: Private Acts of 1947, Chapter 567

**SECTION 7.** That any official named in this Act or any other official, agent, servant or employee of the county who shall fail or refuse to comply with the provisions of this Act or to perform the duties required of him by this Act, shall be guilty of a misdemeanor, punishable by a fine of not more than Fifty (\$50.00) Dollars and be subject to removal from office.

**SECTION 8.** That the provisions of this Act shall be deemed severable and if any portion of this Act shall be declared void or invalid, the remaining portion shall not be affected thereby.

**SECTION 9.** That all Acts or parts of Acts in conflict with the provisions of this Act be and the same are hereby repealed.

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

Passed: February 22, 1945.

## Utility District

### Private Acts of 1998 Chapter 129

**SECTION 1.** (a) For the purpose of providing funds to construct and operate a waste water treatment plant and water and sewage lines to service residential and commercial development in northern Bedford County, including the new State Fire Code Enforcement School, the Bedford County Utility District of Bedford County, Tennessee, in addition to the powers otherwise granted by law, shall have the power and is hereby authorized in accordance with Tennessee Code Annotated, Section 7-82-501 et seq., to issue revenue bonds and bond anticipation notes in the maximum principal amount outstanding at any time of not more than two million seven hundred thousand dollars (\$2,700,000) to be payable from the revenues generated by the operation of such facility. The proceeds of such bonds and notes shall be applied by the utility district as it deems necessary, to provide sufficient funds to carry out the purposes of this act, to provide for the payment of interest on the bonds and notes for a reasonable time after issuance, to establish reserves to secure bonds and notes, and to provide for the payment of costs of issuance of such bond and notes. The utility district shall proceed with preparation of the necessary documents pertaining to the issuance and sale of such debt. In connection with the issuance of debt, the State Funding Board shall be empowered to secure professionals such as bond counsel, underwriter, and trustee. The bonds and notes shall be in one (1) or more series, shall bear such date or dates, and shall mature at such time or times not exceeding forty (40) years from the date of issue of such original note.

Resolutions authorizing such bonds and notes shall specify interest rates; denominations; registration, if required; terms of registration, if appropriate; manner of execution; medium and place for payment; terms of redemption, if authorized; and such other terms and provisions as determined to be deemed necessary and appropriate. The utility district shall sell the debt at either public or private sale, at such price as it determines.

(b) The utility district shall have power, and is hereby authorized in accordance with Tennessee Code Annotated, Section 7-82-501 et seq., to issue from time to time renewal notes, and bonds to pay notes issued in anticipation of such bonds, and whenever it deems refunding expedient, to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded have or have not matured, and to

issue bonds partly to refund bonds then outstanding and partly for any other authorized purpose. Such refunding bonds and renewal notes may be issued without further authorization. The refunding bonds shall be sold and the proceeds applied to the purchase, redemption or payment of the bonds to be refunded.

(c) No person executing the bonds or notes of the utility district shall be liable personally on the bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof.

(d) Any pledge by the utility district made pursuant to this act shall be valid and binding from the time when the pledge is made, the moneys or property so pledged and subsequently received by the utility district shall immediately be subject to the lien or such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the utility district, irrespective of whether such parties have notice thereof. No recordation is required of either the resolution or any other instrument by which such pledge is created.

(e) The bonds and notes of the utility district shall not be invalid due to any irregularity or defect in the proceedings for the issuance or sale thereof. Such bonds and notes shall recite that they have been authorized pursuant to the laws of the state, including particularly this act, which recital shall be conclusive evidence of their validity and the regularity of their issuance.

(f) Bonds and notes of the utility district shall not constitute a general obligation debt or a pledge of the faith and credit of the utility district and the bonds and notes shall be payable solely from the revenues and moneys pledged for their payment. All such bonds and notes shall contain a statement to the effect that they are not a general obligation bond or debt of the utility district, but are payable solely from the revenue and moneys pledged to the payment thereof.

(g) The utility district does hereby covenant and agree with the holders of any bonds or notes of the utility district that it will not limit or alter the rights hereby vested to fulfill the terms of any agreements made with the holders thereof, or in any way impair the rights and remedies of such holders until such bonds or notes, together with interest thereon, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.

(h) Whether or not the bonds and notes issued under this act are of such form and character as to be negotiable instruments under the provisions of the negotiable instruments law, such bonds or notes shall be and hereby are made negotiable instruments within the meaning of and for all purposes of the negotiable instruments law, subject only to the provisions of the bonds or notes for registration.

(i) The utility district with the holders of the bonds and notes, in consideration of the acceptance of and payment therefor, the bonds and notes and the income therefrom and all moneys received or to be received by the state and pledged to pay or to secure the payment of such bonds and notes shall at all times be free from taxation by the state or any local governmental unit or other political corporations or subdivisions thereof, except for inheritance, transfer and estate taxes.

(j) Bonds and notes issued pursuant to this act shall be and are hereby declared to be legal and authorized investments for banks, savings bonds, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, guardians and all public funds, or security for deposit of such funds, of the state, local government unit or other political corporations or subdivisions of the state.

(k) Pending application of the proceeds of bonds or notes to fund construction costs of the project authorized herein, such proceeds shall be held in trust for the benefit of the holders of such bonds or notes, as the case may be. The utility district is authorized to establish a special trust fund for each issue of bonds or notes sold under the authority of this act. The utility district hereby covenants and agrees that from and after the issuance of bonds or notes under this act, moneys derived by the utility district from revenues generated by the projects funded with the proceeds of the bonds and notes are pledged to the payment of such bonds or notes. The proceeds shall be paid into the particular fund established for the issuance of bonds or notes to which such moneys are pledged, and such moneys shall be accounted for separately from all other moneys and shall be applied by the utility district solely for the purpose of paying principal of and interest and premium, if any, on such issue of bonds and notes issued and paying all other costs incidental to the issuance of such bonds and notes.

**SECTION 2.** The proceeds of any and all issues of bonds herein authorized shall be allocated to the Bedford County Utility District of Bedford County, Tennessee, to be allocated and expended for the purpose of building and operating a waste water treatment plant and water and sewer lines to service residential and commercial development in northern Bedford County including the new State Fire Enforcement Code School.

**SECTION 3.** The proper authorities heretofore enumerated and charged with the duty of expending such funds shall have authority to proceed with the projects authorized herein. No contract, including a contract for architectural services involving a project authorized by this act which is subject to the approval of the

State Building Commission shall be entered into unless the contract is approved by the State Building Commission.

**SECTION 4.** 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 5.** This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 12, 1998.

## Administration - Historical Notes

### County Legislative Body

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

1. Acts of 1813, Chapter 134, Section 2, changed the starting dates for the quarterly county courts of several counties, establishing them for Bedford County as the fourth Monday in January, April, July and October.
2. Acts of 1817, Chapter 138, Section 3, stated that the quarterly county court of Bedford County would begin in the future on the first Monday in January, April, July, and October and the court in Bedford County would stay in session two weeks, or longer, or until the docket was completed.
3. Private Acts of 1820 (2nd Sess.), Chapter 68, recited that some doubt had arisen as to whether or not James Norvell, of Bedford County had been properly commissioned as a Justice of the Peace, and since he had performed many acts of that nature, this could cause quite a lot of harm, if the doubts were true, this act states that the judicial acts done by Norvell during his years as a justice of the peace are hereby ratified and made legal in the same way and to the extent as if he were properly commissioned, and directions are given that a proper commission be issued to him in order to clear up all doubt.
4. Private Acts of 1824 (2nd Sess.), Chapter 136, stated that the quarterly county court in Bedford County would be held on the first Monday in February, May, August, and November, beginning with the first session in October, 1824. The sheriff, and all the officers will continue in office until the first Monday in February, as prescribed and all process shall be made to conform thereby.
5. Private Acts of 1826, Chapter 78, regulates and sets the time for the meetings of the quarterly county court or the courts of pleas and quarter sessions, in several counties, including Bedford, and the counties named would select through the county court three of their number at the January term to hold the quorum courts during the year.
6. Private Acts of 1955, Chapter 331, provided that the justices of the peace in Bedford County be paid \$5.00 dollars per day for their attendance upon each session of the quarterly county court, and additionally, a per diem allowance may be set by the quarterly county court to provide compensation for reasonable and necessary expenses incurred in carrying out their duties.
7. Private Acts of 1967-68, Chapter 82, would have amended Private Acts of 1955, Chapter 331, published herein, by increasing the per diem pay of justices of the peace from \$5.00 to \$25.00 per day for each days attendance at the quarterly county court but this act was not acted on by local authorities and therefore never became a law.

### County Mayor

The following acts once applied to the office of county judge in Bedford County and are summarized herein for historical purposes. The office of county judge was abolished following the 1978 amendments to the Tennessee Constitution and the implementing legislation, Public Acts of 1978, Chapter 934.

1. Private Acts of 1927, Chapter 432, established the office of county judge in Bedford County with a term of six years, except for the judge elected in August 1927 who held office until the first Monday in January 1931. The county judge was required to be thirty years old and a resident of Bedford County for two years and the State of Tennessee for five years preceding election. The county judge served as chairman of the quarterly county court composed of the justices of the peace and as judge of the monthly county court with jurisdiction over administrators, executors, guardians, wards, trustees, wills, dower, partition, and all matters testamentary. The county judge was made judge of the juvenile court. The county judge was also granted control over the county roads Additionally, the county judge served as the accounting officer of the county and had

authority to draw warrants upon the county treasury. The annual compensation was set at \$1,800.

2. Private Acts of 1937, Chapter 393, authorized the county judge of Bedford County to grant fiats for writs of injunction, attachment, replevin, certiorari and supersedeas, habeas corpus and all other writs to the same extent that chancellors and circuit judges were authorized. The county judge was granted concurrent jurisdiction with the chancery and circuit courts to try all suits to encroach or entrench upon the corpus of estates of minors or other persons under disability, where the amount involved is \$1,000 or less.
3. Private Acts of 1947, Chapter 725, amended Private Acts of 1927, Chapter 432, to provide additional annual compensation of \$1,200 for the county judge for services as fiscal agent of the county. Beginning, September 1, 1950, the total annual compensation of the county judge became \$3,000 and no extra compensation was to be paid for services as fiscal agent.
4. Private Acts of 1953, Chapter 422, amended Private Acts of 1947, Chapter 725, to remove the prohibition against extra compensation for the county judge's service as fiscal agent of the county.
5. Private Acts of 1980, Chapter 241, amended Private Acts of 1927, Chapter 432, to remove the county judge as judge of the juvenile court if a vacancy occurs in the office of county judge, or by September 1, 1982, whichever is earlier. Juvenile jurisdiction is transferred to the general sessions court.

### **County Trustee**

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

1. Private Acts of 1915, Chapter 199, provided that the bond to be made by the county trustee of Bedford County using the 1910 Federal Census figures, would be \$20,000 for the state taxes and bond for the county tax would be \$30,000. No other or further bonds would be required of this official.

### **General Reference**

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

1. Acts of 1811, Chapter 35, stated that the surveyor's office for the second district which was then located in Jefferson County, a great distance from the second district, was therefore an inconvenience for the citizens of the district. After January 1, 1812, the surveyor of the second district would move his office promptly to Shelbyville in Bedford County, moving all the records of the office to Shelbyville with him.
2. Acts of 1815, Chapter 2, permitted Charles Fain to sell spiritus liquors in Bedford and in Rutherford counties without the necessity of having to obtain a license therefor or of paying any state and county taxes but he was required to give a bond as other merchants of this sort were.
3. Acts of 1815, Chapter 27, permitted William McGee to erect a warehouse on his lands in Bedford County for the public inspection and safekeeping of tobacco, and other articles, to be located at or near the junction of the Barren and the Garrison Forks of Duck River. Any other person who desired to erect a warehouse on their own land in Shelbyville and at Fishing Ford, under the same regulations applying to other warehouse's operation. All hog lard, butter, hemp, flour, and kiln dried meal were to be inspected before being shipped out of the county.
4. Private Acts of 1819, Chapter 16, incorporated the city of Shelbyville under the mayor and alderman form of government. The sheriff of Bedford County would hold an election to elect seven aldermen on the first Monday in November, 1819, who would then choose one of their own number as mayor.
5. Private Acts of 1821, Chapter 83, directed the quarterly county court of Bedford County at its January Session to appoint three commissioners to settle accounts with the commissioners of the Duck River Navigation project for all the money received by them to open the Duck River's navigation in Bedford County. After a five day notice had been given, the commissioners must pay over all the funds in their hands, or the county trustee would bring suit against them. The trustee would place the money in the regular county accounts to be applied to county purposes.
6. Private Acts of 1821, Chapter 221, stated that the building of dams on the Duck River has proved a great utility and navigation on the river had improved greatly thereby, therefore anyone who is in the process of building a dam in Bedford or Maury County across Duck River shall proceed to

erect the same in accordance with the rules and regulations under which the others were built. James Breen could raise his mill dam five feet, as he had petitioned, if he would first build at his own expense a first class road below the dam and intersect the old road. The commissioners would be appointed to inspect and to supervise the work.

7. Private Acts of 1825, Chapter 295, provided that the commissioner of common schools of Bedford County pay Robert B. Harrison the sum of forty dollars and fifty-seven and one half cents, the amount of cost paid by him in the case *Madamus vs. John B. Hogg* surveyor of the second district and which was decided in the circuit court of Bedford County.
8. Private Acts of 1826, Chapter 34, authorized the entry taker of Bedford County to permit Thomas Powers to enter upon any vacant land, still unappropriated, in the said county to the amount of \$22.50 of coverage which would be allowed for that sum under existing rules and regulations, said land to be located north and east of the congressional reservation line.
9. Private Acts of 1826, Chapter 89, appointed William Gilcrist, William Murfree, Farwick Frazier, Thomas A. Peacock, Jeremiah Dial, E. Ragsdale, and William Sample as commissioners to open and manage a lottery to raise up to \$1500.00 which would be applied to making salt in Bedford County. They would be governed by the same rules promulgated for an authorized lottery in Columbia and Franklin for the purpose of building masonic halls.
10. Private Acts of 1826, Chapter 118, authorized James Strut and Alexander Strut, both citizens of Bedford County, to build a mill on Duck River in Bedford County, near the Maury County line, provided that the erection of the mill shall not obstruct the navigation of the river, or violate any requirement imposed by the state for the same purposes.
11. Private Acts of 1827, Chapter 247, Section 4, permitted Samuel Morris to file a petition for a divorce from his wife Malinda before the circuit court of Bedford County.
12. Private Acts of 1829-30, Chapter 2, authorized John Stone, a resident of Bedford County, to hawk and peddle wares throughout the state without the necessity of obtaining a license, or paying any taxes. He was required to take an oath that this privilege was for his benefit and none others.
13. Public Acts of 1831, Chapter 46, appointed John C. Caldwell, John Sutton, and Samuel Phillips to the board of internal improvement for the counties of Davidson, Rutherford, and Bedford, with the authority to open books on stock subscriptions for a turnpike from Nashville to Shelbyville, via Murfreesboro. As soon as \$20,000 was subscribed in stock, the Board could apply for the \$60,000 which had been set aside for the internal improvement of those counties. These commissioners would run the company until 1833 and then others would be elected by the people to take their places. School funds were also permitted to be invested in the company. This act is mentioned in *Heath v. Manire*, 114 Tenn.107, 84 S.W. 809 (1905).
14. Private Acts of 1831, Chapter 59, Section 3, gave the authority to Robert Cannon, John Eakin, Samuel Phillips, Jacob Greer, and Richard Sims to raise and manage a lottery to raise no more than \$5,000 to build a bridge across the Duck River near Shelbyville. It was made incumbent upon them to devote all money raised by the lottery faithfully to the purpose mentioned.
15. Private Acts of 1831, Chapter 88, authorized the administer of the estate of Samuel Hannah to convey three hundred acres of land lying on M'Bride's Creek in Bedford County to William S. Watterson.
16. Private Acts of 1831, Chapter 106, instructed John Sutton, the entry taker of Bedford County, to record all entries in his office which were received by his predecessor in office, James R. White, and which he failed to record. Sutton was required to number all entries and the county trustee would pay him 12½ cents each for doing so.
17. Private Acts of 1831, Chapter 122, granted Unice Cummings, wife of John B. Cummings of Bedford County, all the rights, privileges and immunities of a *feme sole*, except that of intermarrying with another man.
18. Private Acts of 1833, Chapter 130, authorized Elizabeth Anderson of Bedford County to transact all the business of her husband William Anderson. Nothing in the act was construed as to interfere with the rights of matrimony which existed between the Andersons.
19. Private Acts of 1833, Chapter 134, authorized Moses F. White of Bedford County to hawk and peddle without obtaining a license or paying a tax.
20. Private Acts of 1833, Chapter 158, authorized Heseekiah Ray of Bedford County and his successors, to send his or their children to any free school that was taught under the superintendence of the board of common school commissioners.
21. Private Acts of 1833, Chapter 285, dissolved the bonds of matrimony which existed between

- Elizabeth A. Jarratt of Bedford County and her husband George S. Jarratt.
22. Acts of 1839-40, Chapter 143, permitted the county trustees of Bedford, Rutherford, and Davidson counties to demand and receive from the Nashville, Murfreesboro, and Shelbyville Turnpike Company such monies as each may be entitled to get from the investment of the internal improvement funds of these counties in the stock of the said company. The trustees were required to apportion these funds among the common public schools of each county according to the scholastic population.
  23. Acts of 1843-44, Chapter 163, Section 5, directed the surveyor of Bedford County to take the books and papers out of the office of the late surveyor of the second district and certify them where of occasion arose. Such certification shall be valid to support the same in any court of law.
  24. Acts of 1853-54, Chapter 73, provided that all the entries in the books of the entry taker of Bedford County are validated and to the same extent as if they were made by the regular entry taker. This act then abolished the office of entry taker in the county. The county register shall take charge of all the books and records and discharge all the duties of the entry taker then required by law to be performed. The register shall keep separate books for the entry taker's offices.
  25. Private Acts of 1867-68, Chapter 46, created the agricultural society for Bedford County with an authorized capital of \$20,000, divided into \$50.00 shares. The society would be located near or in Shelbyville and several commissioners are named in the act to open books for the subscription of stock in the society. The commissioners were empowered to make rules and regulations for the society's conduct, to sponsor fairs and exhibitions, and to promote agriculture, mechanics, dairy products, etc. The commissioners named were William Little, James S. Newton, Anderson S. Wehle, Dr. William H. Christopher, Thomas Tompkins, Junior, William M. Goggin, Wilston M. Gill, Rufus A. Caldwell, Col. Robert Terry, Joshua R. Hin, William J. Shafner, Alex Cartnell, William A. Allen, W. W. Summers, L. P. Fields, John Thomas, James M. Isaner, Joseph Kelly, Thomas Ogilvie, George W. Bell, William Taylor, J. W. Maxwell, Thomas H. Caldwell, James L. Scudder, Robert Frinham, William Cowan, and Robert Sutton.
  26. Private Acts of 1868-69, Chapter 46, Section 53, amended Private Acts of 1867-68, Chapter 46, above, creating the agricultural society of Bedford County, by increasing the authorized capital of the society to \$50,000 and granting permission to it to own, and hold, up to 15 acres of land.
  27. Public Acts of 1875, Chapter 48, Section 4, allowed the county court of Bedford County to elect a notary public for the town of Wartrace which would be in addition to the number now authorized by law.
  28. Public Acts of 1897, Chapter 124, was the harbinger of the present state acts establishing the high and low salary ranges for various county offices according to the population of the county. The act deprived the county officials of their fees, although their salaries would continue to come from them, and placed all of them on a salary to be paid monthly out of regular county funds. Reports stating the amount of fees were required to be filed and the act contains many features of the current laws on that subject. This particular act was declared unconstitutional in *Weaver v. Davidson County*, 104 Tenn. 315, 59 S.W. 1105 (1900).
  29. Private Acts of 1917, Chapter 196, provided that the county court of Bedford County, using the population figures of the 1910 Federal Census, may elect females over the age of 21, and otherwise qualified, who were citizens of the county, to the office of notary public, possessing the same powers and obligations as any other notary. They shall execute the same bond, take the same oath, perform the same duties, and be subject to the same limitations as others in like offices.
  30. Private Acts of 1917, Chapter 451, placed a lien upon any lot of ground, or tract of land, upon which a well may be bored, or dug, under a contract with the owner thereof, in favor of the one so doing this work until such time as the contract price is paid in full. The lien provisions would include all lands of, and work for, married women as well and would be enforced as other liens were enforced under the law.
  31. Private Acts of 1935, Chapter 71, removed all the disabilities of infancy from Mrs. Zella B. Riddle and gave her the authority to conduct her affairs in the same manner as any adult male.
  32. Private Acts of 1935, Chapter 96, also removed the disability of minority from Paul Scott Welch, then 19 years of age, so that he may conduct all matters of business as if he were 21 years of age or older.
  33. Private Acts of 1935, Chapter 594, removed the minority of William Joseph Hale, of Bedford County.

34. Private Acts of 1972, Chapter 359, would have repealed Private Acts of 1955, Chapter 398 (published herein), dealing with the automobile racing commission, but was rejected or disapproved at the local level by the quarterly county court and never became effective.

## Chapter II - Animals and Fish

### Foxes

#### Private Acts of 1951 Chapter 430

**SECTION 1.** That in counties of this State having a population of not less than 23,565 nor more than 23,575 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.

**SEC. 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 8, 1951.

### Fish

#### Private Acts of 1963 Chapter 162

**SECTION 1.** That it shall be unlawful for any person to engage in grabbling for fish in Bedford County. For the purposes of this Act the word "grabbling" is defined as meaning the taking of fish with the hands from any water in Bedford County.

**SECTION 2.** That this Act shall have no effect unless the same shall have been approved by a two-thirds (b) vote of the Quarterly County Court of Bedford County on or before the next regular meeting of said Quarterly County Court occurring more than thirty days (30) after its approval by the Governor. Its approval or non-approval shall be proclaimed by the presiding officer of said Quarterly County Court and shall be certified by him to the Secretary of State.

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

Passed: March 15, 1963.

## Animals and Fish - Historical Notes

### Fish

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 Bedford 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 1887, Chapter 130, amended the state game laws to the extent that it would be lawful in Bedford County to trap and net both turkeys and partridges except that partridges must not be trapped or netted between March 1 and September 15, and turkeys must not be netted or trapped from May 1 to September 15, of each year. The fines scheduled for violations were \$2.50 for each partridge and \$5.00 for each turkey netted or trapped out of season.
2. Private Acts of 1897, Chapter 269, declared it to be unlawful for any person to hunt, kill, net, trap, shoot, wound, or capture quail, or partridges, in Bedford County at any time or season of the year for a period of five years after the passage of this Act. It was likewise declared to be unlawful to destroy the nest or eggs of the same during the same time span. Fines ranged from \$5.00 to \$25.00 for the first offense and from \$25.00 to \$50.00 for the second, and subsequent offenses.
3. Private Acts of 1897, Chapter 314, exempted Bedford and Marshall counties from all the provisions of Public Acts of 1895, Chapter 127, a statewide law for the protection of fish, except insofar as that act prohibited the catching, killing, or wounding of fish by the use of poison, or explosives.
4. Private Acts of 1905, Chapter 309, amended Subsection 7, of Section 3, of Laws of 1903, Chapter 169, a statewide game law by making it lawful to kill squirrels in Lincoln and Bedford counties at any season of the year by repealing that portion of the state act as it applied to these two counties.



5. Private Acts of 1913 (Ex. Sess.), Chapter 47, made it unlawful for any person to kill, or take quail in Bedford County, using the 1910 Federal Census figures, from January 1 to December 1, each year. Fines for violation were set from \$5.00 to \$10.00 and all laws in conflict herewith were repealed.
6. Private Acts of 1917, Chapter 718, made it lawful to catch non-game fish in Bedford County using the 1910 Federal Census figures, by using fishbaskets, if the meshes were no smaller than two inches in size, and also by grabbling with hook and line, but those fish which are designated as game fish by the State of Tennessee when caught in this manner, shall be immediately returned to the water. Failure to comply with this act could lead to fines up to \$50.00 and jail sentences up to six months.
7. Private Acts of 1925, Chapter 108, declared it to be unlawful for any person, firm, or corporation, owning, or having in charge any horses, mules, cattle, sheep, swine, or goats, to wilfully and knowingly, or negligently, permit the same to run at large in Bedford County. The law gave the person damaged a lien on the trespassing stock and the cost of taking up and caring for the invading animals could be added to the lien. Additionally the owner was guilty of a misdemeanor which subjected him to fines from \$5.00 to \$25.00 for each offense.
8. Private Acts of 1925, Chapter 482, amended Public Acts of 1923, Chapter 102, Section 40, by making it unlawful to seine for fish in any stream in Bedford County with a seine whose mesh is larger than one inch during the month of July in each year. This act was repealed by the one following.
9. Private Acts of 1927, Chapter 41, specifically and entirely repealed Private Acts of 1925, Chapter 482, which provided for the seining of fish in the streams of Bedford County.
10. Private Acts of 1927, Chapter 702, provided that any resident owning, keeping, or harboring on the premises any dog over four months old shall pay a license fee of \$1.00 for males and \$3.00 for females but may pay a kennel license fee of \$10.00 and keep up to twelve dogs, or pay \$15.00 and keep unlimited numbers. This act was made to apply to Bedford, Maury, Montgomery, and Wilson counties. The county trustee would collect the license fees and issue metal tags for the dogs which were to be worn on the collar at all times. Replacement tags could be had for twenty-five cents. The trustee was also required to record and keep specified information about the dogs which would be reported to the state along with 25% of the license fee money. Game wardens were directed to take up loose animals and any person having stock injured by these strays would have a lien for damage on the property of the animals owners. See Darnell v. Shapard, 156 Tenn. 545, 3 S.W.2d 661 (1928).
11. Private Acts of 1929, Chapter 31, amended Private Acts of 1927, Chapter 702, above, by striking out the language which made the act applicable to Bedford, Maury, and Montgomery counties, leaving it in force only in Wilson County.
12. Private Acts of 1935, Chapter 267, declared it to be lawful for any person in Bedford County to hunt, take, possess or kill foxes. It was lawful to do so upon the land of another without first having to obtain permission. This privilege is granted only to bona fide residents of the county and to persons owning or controlling land by lease agreements. Fines for non-compliance herewith ranged from \$5.00 to \$50.00.
13. Private Acts of 1935, Chapter 268, made it legal for any resident of Bedford County to hunt, chase, trap, kill, catch, or take any wild animals, wild birds, fowl, or fish, without a license of any kind being required, but one could not do so upon the land of another without first obtaining permission to do so. All non-residents, or non-owners of land, or bona fide lessees, shall pay the annual \$2.00 fee to the county court clerk which funds shall go to the schools. Any person in violation hereof could be fined from \$5.00 to \$50.00 for each offense.
14. Private Acts of 1935, Chapter 269, declared it lawful for all persons, firms, and corporations, in Bedford County to buy and sell the fur of wild animals without the necessity of having to obtain a license.
15. Private Acts of 1957, Chapter 176, amended Section 1, of Private Acts of 1955, Chapter 189, by providing that in all counties where local sportsmen maintain a hatchery for the purpose of stocking or restocking the streams with all species of sucker and red horse fish, it shall be unlawful for any person to snare, or to snatch with a hook, any of the above species of fish in the streams stocked from said hatchery between September 1 and March 1. This act was rejected at the local level and did not become a law.

## Chapter III - Bond Issues



## Bond Issues - Historical Notes

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

### **Courthouse**

1. Private Acts of 1867-68, Chapter 71, authorized the Bedford County Quarterly Court to issue \$50,000 in bonds to rebuild the county courthouse which was destroyed by fire in 1863 (during the Civil War). No mention is made of a maximum rate of interest allowed but there is a maturity period of ten years specified.
2. Private Acts of 1935, Chapter 312, allowed the quarterly county court of Bedford County to issue \$170,000 in 5%, thirty year bonds with which to erect and furnish a courthouse in the city of Shelbyville. All the essential details are included for a valid general obligation bond issue as well as the requirement of a tax to be levied for the sinking fund to amortize the bonds.

### **Debts**

1. Public Acts of 1866-67, Chapter 41, Section 3, permitted Hawkins County to issue coupon bonds for the amount of its debts, provided that two-thirds of the quarterly court vote to do so and also that no debt be paid which was incurred in aid of the rebellion. Section 3 extended the same privilege under the same conditions to Bedford and Marshall counties.

### **Hospital**

1. Private Acts of 1919, Chapter 177, authorized the quarterly county court to issue \$25,000 in 5% bonds, with a permissible maturity schedule running from five to fifteen years, with all the essential details of the issue incorporated, to build, equip, and maintain a hospital in Shelbyville. The act created a board of control whose members would be elected by the county court for staggered terms of two, four, and five years, and who would be governed by such rules as may be from time to time promulgated by the court. The county judge, or chairman, would be a member of the board, and the county court clerk would serve as the clerk. The hospital would be built in memory of those who lost their lives during the World War I, and those veterans who were still living were entitled to free medical service and attention at this hospital.
2. Private Acts of 1947, Chapter 255, allowed the quarterly court of Bedford County to issue \$250,000 in bonds which would mature no later than thirty years, at an undisclosed rate of interest to acquire a site for, and to erect and equip a hospital in conjunction with neighboring counties, the city of Shelbyville, or any other agency of government which might have funding available. The bonds were declared to be general obligation bonds which would be exempt from taxation by other governments. All essential details were present in this act.

### **Roads**

1. Private Acts of 1925, Chapter 678, recited that a \$200,000 bond issue had been sold in Bedford County to build certain roads, one of which had been built under the program, and now the remainder of the work on the other two was to be done by the state and there was a large unexpended surplus in the bond issue which under the law, could not be used except for the purposes stated in the enabling legislation. This act allowed the county court to spend the remainder of the funds to acquire turnpike companies, and, should any be left when this was done, to expend it on the other county roads.
2. Private Acts of 1941, Chapter 506, permitted the issuance by the quarterly county court of \$100,000 in bonds, at an interest rate not to exceed 3%, and to mature upon a schedule to be established by the quarterly court which would be used to purchase and acquire rights of way for any and all roads to be built in the county. The trustee would handle the money and be accountable therefor.

### **Schools**

1. Private Acts of 1929, Chapter 717, recited in the preamble that the general assembly had authorized a Junior College of Middle Tennessee to be located in Shelbyville on the condition that the city would contribute \$50,000 to the program. It now appears that the whole project needs additional funds and that the same would be of great benefit to the people of Tennessee and of Bedford County. Therefore, the quarterly county court of Bedford County is authorized to issue and sell \$300,000 in 6%, thirty year bonds, to furnish the funds with which to acquire lands, buildings, and equipment for education, manual arts, agricultural and home economic studies. All the details were fixed and the tax levy required.

2. Private Acts of 1939, Chapter 277, validated and legalized all the prior actions of the quarterly court of Bedford County taken in connection with the issuance of \$45,000 in school bonds, dated February 1, 1939, with interest at 2½%, payable semi-annually through 1955. The decisions of the court were ratified even though no authority existed at the time the action was taken. The full faith and credit of Bedford County were pledged towards their payment.

## Chapter IV - Boundaries

### Creation of County

#### Acts of 1807 Chapter 37

**SECTION. 1.** That a new county be, and the same is hereby established south and southwest of, and adjoining the said county of Rutherford, by the name of *Bedford*, in memory of Thomas Bedford deceased; which said county shall begin at the south west corner of Rutherford, and south east corner of Williamson county on the Duck-river ridge, and run thence with said Williamson county line, to the line of the county of Maury; thence along the same southwardly to the south boundary of the state; thence eastwardly to the east boundary of Rutherford county; thence along the same to the ridge that divides the waters of Duck river from those of Cumberland; thence along the same westwardly, to the south east corner of Williamson county, leaving Rutherford county its constitutional limits; and all that tract of territory included in the above described lines, shall be included within the said county of Bedford; and all the lands north of the first described line on Duck river ridge where the said line intersects White county line, then north with said line until it strikes the corner of Rutherford and Wilson county line at a place known by the name of Rush spring, then to follow the old line of Rutherford county, as by law established, shall be and remain the county of Rutherford.

**SEC. 2.** That for the due administration of justice, the first court, and all subsequent courts shall be held in said county of Bedford, until the end of the next General Assembly, at the improvement lately made and occupied by Mrs. Payne, near the head of Mulberry creek, and all courts held in and for said county of Bedford, shall be held by commission to the said justices, in the same manner, and under the same rules and restrictions, and shall have and exercise the same powers and jurisdiction as are or shall be prescribed for the courts of the several counties in this state.

**SEC. 3.** That the courts of Bedford shall be held regularly by the justices of said county, on the fourth Mondays of December, March, June and September, annually.

**SEC. 4.** That it shall be the duty of the sheriff of said county of Bedford, to hold an election at the place of holding courts in said county of Bedford, on the first Thursday and succeeding day in March next, for the purpose of electing one colonel and two majors for the said county of Bedford, under the same rules and regulations as are prescribed by law in similar cases; and the militia of said county of Bedford shall constitute the twenty eight regiment, and be attached to the fifth brigade.

**SEC. 5.** That the elections for company officers for the county of Bedford, shall be held at such places as the commandant of said county may think proper to appoint; which said elections shall be held on the fourth Monday in June next, under the same rules, regulations, and restrictions as are prescribed in like cases.

**SEC. 6.** That said county of Bedford, be a part of the district for electing a governor, representative or representatives to congress, electors to elect a president and vice-president of the United States, and members of the general assembly, to which it hath heretofore belonged, and that the elections be held at the place of holding courts in said county; at the time and in the manner by law directed, and that the sheriff or returning officer, make a return of polls at the court-house in the town of Jefferson, on the day next succeeding each election, to the sheriff or returning officer for the county of Rutherford, and upon comparing the votes, they shall declare the candidate for the representation of said counties of Rutherford and Bedford, who may have the highest member of votes duly elected, and give a certificate accordingly; and it shall be the duty of the sheriff of Rutherford county, to make the return for senator of said district, as heretofore directed by law.

**SEC. 7.** That the sheriff or collector of public taxes for the county of Rutherford, shall have full power, and authority to collect any taxes that are yet unpaid, from any person or persons in said county of Bedford, and to collect any money that may be due on writ of Fieri Facias, that is at this time in the hands of said sheriff of Rutherford County, in as full and ample a manner as if the said county had remained a part of Rutherford county.

**SEC. 8.** That said county of Bedford shall in all cases, be considered and remain part of Mero district and

send two jurors to Mero superior court; and Rutherford county shall send two jurors less than formerly compelled by law to do.

December 3, 1807.

## Change of Boundary Lines

### Acts of 1809 (First Session) Chapter 37

**Sec. 1st.** That the southern boundary line of Williamson county, from the point where the north east corner of Maury county corners on the said line, shall be altered so as to run due east from the said point to the eastern boundary line of Williamson county, and the inhabitants south of said line shall become a part of Bedford county, *Provided*, That the sheriff of Williamson county may still collect the taxes which are due from said inhabitants, in the same manner as if they had not been attached to Bedford county.

**Sec. 2nd.** That Newton Cannon be appointed a surveyor to run and mark the said line as directed to be altered, and shall be allowed two dollars per day for the said service, to be paid by the citizens living in that part of Williamson county which is struck off by this act, and added to Bedford.

**Sec. 3.** That this act shall be in force from the first day of December, in the year 1809.

8th Nov. 1809.

### Acts of 1809 (First Session) Chapter 51

**1st.** That the lines and boundaries of Bedford county shall be as follows, (to wit:) Beginning on the north east corner of Maury county, and running south with the eastern boundary line thereof to the extreme height of the ridge; dividing the waters of Duck river from the waters of Elk river; thence eastwardly on the extreme height of said ridge, to the present eastern boundary line of the said county of Bedford; thence north to the southern boundary line of Rutherford county; thence westwardly with the said line to the southern boundary line of Williamson county; and thence with the said line of Williamson to the beginning.

**Sect. 2nd.** That John Atkinson, William Woods, Bartlett Martin, Howel Dawdy, Daniel McKissick, be, and they are hereby appointed commissioners to fix on a place on Duck river, within two miles of the centre of said county on a line east and west at the farthest, and as much nearer the actual centre east and west, as a suitable situation can be procured; and the said commissioners shall purchase one hundred acres of land at the place which they may fix upon as aforesaid, and shall receive a title to the same in *fee simple*, to themselves and their successors in office, and shall lay off the said hundred acres of land into a town, to be known by the name of *Shelbyville*, reserving near the centre thereof a public square of two acres, on which the court-house and stocks shall be built, likewise reserving any other lot they may think proper, for the purpose of having a Jail built thereon, for the use of the said county of Bedford.

**Sect. 3rd.** That the said commissioners shall sell the lots of said town at public sale, on a credit of twelve months, giving due notice thereof in one of the public news-papers printed in Nashville, and shall take bond with sufficient securities from the purchasers of said lots, payable to themselves and successors in office, and shall make titles, in fee simple, to the respective purchasers of said lots.

**Sect. 4th.** That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of the said commissioners, for defraying the expenses incurred in the purchase of the tract of land on which the town above mentioned is directed to be laid off, also for defraying the expenses of building a court-house, prison and stocks.

**Sect. 5th.** That the said commissioners shall superintend the building of the said court-house, prison and stocks, and shall let the court-house to the lowest bidder, advertising the same sixty days in one of the news-papers printed in Nashville, setting forth the dimensions of which it is to consist, and the materials of which it is to be built, and shall take a bond with sufficient securities from the person to whom the said court-house is let, payable to themselves and successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of his contract, and if the proceeds of the sales of said lots is not sufficient for the purposes above mentioned, it shall be the duty of the county court of Bedford to lay a tax not exceeding the amount of state tax levied in said county, to be applied to the objects aforesaid, and to be continued until all arrearages are paid off.

**Sect. 6th.** That the said commissioners, before they enter on the duties of their appointment, shall give a bond in the sum of five thousand dollars each, payable to the chairman of the county court of Bedford, and his successors in office, for the use of said county, conditioned for the faithful performance of the trust reposed in them, and shall likewise take the following oath: I, A.B. do solemnly swear (or affirm)

that as a commissioner to act for the county of Bedford, I will do equal and impartial justice to the citizens of said county, to the best of my skill and ability, *So help me God*---and the said bond shall be filed in the clerks office for the county of Bedford, and shall not be so construed as to make any one of the commissioners security for another.

**Sec. 7th.** That until the town above mentioned is laid off, the court of Bedford county shall be held at the dwelling house of Amos Balch, and all matters, causes and things, now depending in the county court of Bedford, shall be tried and determined at the house of the said Amos Balch, in the same manner as if they had been originally returnable to that place.

**Sec. 8th.** That a majority of the commissioners by this act appointed, shall in all cases be competent to perform the duties by this act assigned them, and if any one neglects or refuses to act, a majority of the justices of said county of Bedford, may appoint another in his place, and when the said commissioners shall have performed the duties above enjoined upon them, they shall lay before the county court of Bedford a full statement of all their proceedings, and the said county court shall make them a reasonable compensation for their services.

**Sec. 9th.** That this act shall be in force from and after the first day of January, in the year one thousand eight hundred and ten.

## Private Acts of 1822 (Second Session) Chapter 109

**Sec. 1.** That all that part of the county of Lincoln be, and the same is hereby attached to the county of Bedford, (to wit:) Beginning at the eastern height of the main ridge, west of Samuel Mc'Culloch's, the present county line; thence running eastwardly along a road on the extreme height of a ridge dividing two small branches of the east for of Mulberry creek, which line to continue until it will include the plantation of Jonathan Floyd; then running east of north until it will strike the present county line between the plantation of John Adkins and Lewis Martin.

**Sec. 2.** That the persons who are stricken off from Lincoln county and attached to Bedford county, shall be at an equal expense of running of said line.

**Sec. 3.** That the county courts of Bedford and Lincoln shall, at their first courts after the first of January next, or some other term thereafter appoint some competent person as a commissioner and surveyor to run and mark said line between said counties; and that nothing herein contained shall be so construed as to prevent the sheriff or any officer of Lincoln county from collecting any arrearages of tax or other dues which may be necessary for them to collect and now in suit.

Passed: August 20, 1822.

## Private Acts of 1835-36 Chapter 35

**SECTION 1.** That a County is hereby established on the west of Bedford, the east of Maury, the northeast of Giles, and the northwest of Lincoln, to be known and distinguished by the name of Marshall in honor of and to perpetuate the memory of John Marshall, late Chief Justice of the United States, to include the territory contained in the following described lines, running the courses and distances hereinafter described, to wit: Commencing at a point eleven and a half miles due west of Shelbyville, running northwardly and southwardly to the Williamson and Lincoln county lines, leaving to Bedford county four hundred and seventy-five square miles and no more; thence west with the Williamson county line between Williamson and Bedford counties to the Maury county line; thence to a point five miles north of Duck river, in a line due north from the point twelve miles east of Columbia; thence south to said twelve miles point, east of Columbia, to a stake in Carthel's field; thence three hundred and four poles south to two ironwoods; thence south nine and a half degrees west two miles to a hackberry and black walnut; thence south nineteen and a half degrees west two miles to a sugar tree and ironwood; thence south twenty-eight and a half degrees west two miles to a point in Dr. Anderson's field; thence south thirty-eight degrees west two miles to a point in John Vincent's lot; thence south forty-seven and a half degrees west two miles to a sugar tree and ash, near Holt's mill; thence south fifty-seven degrees west two miles to a point in Thomas Cheatham's lot; thence south two miles and one hundred and twenty-eight poles to Giles county line on the ridge; thence eastwardly along the line between the counties of Maury and Giles, eight miles one hundred and thirty-two poles, on a straight line to the Buckeye, corner of Bedford, Lincoln, Maury and Giles counties; thence south along the line between Lincoln and Giles seven miles; thence south eighty-eight and a half degrees east four miles and two hundred and twenty-four poles to two sugar trees; thence north thirty-two and a half degrees east two miles to a stake in a field; thence north forty-two degrees east two miles to a beech; thence north fifty-one and a half degrees east two miles to a chinquapin oak, in Baty's field; thence north sixty-one degrees east two miles to a cherry tree, in Petersburg; thence north seventy and a half degrees east 2 miles to two sugar trees, near Wm. J.

Davidson's; thence north five and a half degrees west two miles and one hundred and seventy-six poles to a chinquapin oak, on the Elk ridge, being the line run and marked by Hugh B. Bigham, including within the above described boundaries all the territory contained within the several lines, amounting to about three hundred and fifty-one square miles.

**SEC. 3.** That all officers, civil and military, in said county, shall continue to hold their offices and exercise all the functions thereof, until their successors are elected according to the provisions of the amended constitution and the laws made in pursuance thereof. And said county of Marshall shall elect her officers, civil and military, under the amended constitution, under the same rules and regulations, and in the same manner, as other counties in this State; and the said county of Marshall shall possess equal powers and privileges, in all respects, as other counties: *Provided*, nothing in this act shall be so construed (as) to deprive the counties of Bedford, Maury, Lincoln and Giles from having and exercising jurisdiction over the territory composing said county and the citizens thereof, in as ample manner as is now possessed, until the election and qualification of county officers for said county, as provided for by law: *Provided*, also, that nothing in this act shall be construed to prevent the courts in the counties of Bedford, Maury, Giles and Lincoln from rendering judgments, or the sheriffs of said counties from selling under such judgments, any lands or other property within the bounds of said county of Marshall, for taxes, cost and charges, for any preceding year; nor to prevent said sheriffs from collecting any taxes already due for any preceding year; nor to levy and sell under any execution issued from any judgment already rendered, or to be rendered on any suit commenced anterior to the organization of said county, in as ample manner as if this act had not been passed.

**COMPILER'S NOTE:** Sections 2 and 4 through 21 did not apply to Bedford County and therefore, are not included in this act.

Passed: February 20, 1836.

## Private Acts of 1835-36 Chapter 36

**SECTION 1.** That a new county be and the same is hereby established, by the name of Coffee, in honor of the late General John Coffee, east of Bedford, west of Warren and north of Franklin, adjoining said counties, and composed of parts of the same: -beginning at the store house of William Norton, in Hoover's gap, in the line between Rutherford and Bedford; thence south, eight degrees east, ten and a half miles, to a point twelve miles east of Shelbyville; thence south six and a half miles, to a corner in Franklin county; thence east eight and a half miles, to a point twelve miles north of Winchester; thence south, eighty degrees east, four miles; thence north, forty-five degrees east, thirteen miles sixty-four poles; thence north three hundred and four poles; thence north, thirty degrees west, two miles and one hundred and fifty poles; thence north, sixty degrees west, one mile and one hundred and sixty poles; thence north, thirty degrees west, two miles; thence north, eighty-five degrees west, three miles and two hundred poles; thence north, twenty degrees west, six and a half miles; thence south, seventy-one degrees west, six miles and seventy poles; thence north, eleven degrees west, one thousand and thirty poles, to the Bedford corner; thence south, forty-four degrees west, along the line between Rutherford and Bedford, one hundred and ninety-two poles; thence south, along said line, one hundred and twenty-eight poles; thence a continuation with said line and ridge, with its meanders, to the beginning.

**SEC. 2. COMPILER'S NOTE:** This section did not apply to Bedford County and therefore, is not included in this act.

**SEC. 3.** That all officers, civil and military in said county, shall continue to hold their offices, and exercise all the powers and functions thereof, until other be elected under the provisions of the amended constitution and the laws made in pursuance thereof. And the said county of Coffee, shall elect her officers, civil and military, under the amended constitution, at the same time and under the same rules and regulations, and in the same manner that may be provided by law for the elections of officers in other counties in this State. And the said county of Coffee shall be placed upon an equal footing, possess equal powers and privileges, in all respects, as other counties in this State; *Provided*, nothing in this act contained shall be so construed as to deprive the counties of Bedford, Warren and Franklin, from having, holding and exercising jurisdiction over the territory composing said county of Coffee and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers under the amended constitution, *Provided*, also, nothing in this act contained shall be so construed as to prevent the counties of Bedford, Warren and Franklin from entering up judgments, or the sheriffs of said counties from selling, under such judgments, any lands within the bounds of said county of Coffee, for taxes, costs and charges, for the past or any preceding year; nor to prevent the sheriffs of either of said counties of Bedford, Warren and Franklin from collecting from the citizens of said county of Coffee, any taxes due for the past or any preceding year.

COMPILER'S NOTE: Sections 4 through 14 did not apply to Bedford County and therefore, are not included



in this act.

Passed, January 8th, 1836.

## Acts of 1837-38 Chapter 272

**SECTION 1.** That the line heretofore run and marked, and now known as Cotner's line commencing at a point eleven and one half miles due west from Shelbyville, and running thence due north to the Williamson county line, and the line run and marked, and known as Bigham's line, commencing at the same point, and running thence in a southwardly direction to the Lincoln county line, be, and the same is hereby established and made the dividing line between the said counties of Bedford and Marshall.

**SEC. 2.** That nothing in this act shall prevent the sheriff of Marshall county from collecting any taxes or money due on judgments and executions, which may be in his hands for collection at the time of the passage of this act, within the territory over which the county of Marshall at this time exercises jurisdiction, but in all cases he shall proceed to collect the same as though this act had not been passed.

Passed: January 17th, 1838.

## Public Acts of 1883 Chapter 166

**SECTION 1.** That the line between the counties of Bedford and Rutherford be changed as follows: Beginning in the Byles road west of the village of Middleton, at Carroll Lamb's southeast corner; thence east with said road to Beverly Harris' northeast corner; thence south to A. H. McCan's southwest corner; thence east to A. H. McCan's southeast corner; thence south to C.G. McLean's southwest corner; thence east with the road between C.G. McLean and C.L. Cooper to C. L. Cooper's northeast corner; thence south to J. M. Worth's southwest corner; thence east with the road running to the Murfreesboro and Shelbyville turnpike, just north of T. S. McFerrins, to where the county line now crosses said road, east of B. A. McLean's; thence with the county line as it now is.

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

Passed March 23, 1883.

## Public Acts of 1899 Chapter 380

**SECTION 1.** That the county line between Bedford and Rutherford counties be changed as follows: About 1 1-2 miles west of the village of Midland, in Rutherford county, at a point in the Byles road, where the county line going east reaches the northwest corner of J. M. Williams' farm, let it be turned southeast and north around said Williams farm until it comes to where the line now leaves said farm, going east between the farms of A. H. McLain and B. N. Davis, both deceased; thence east with the line, and as it now runs till it reaches the northwest corner of that part of B.A. McLain's farm, which lies south of the dirt road running east from the Midland and Shelbyville dirt road to the Murfreesboro & Shelbyville turnpike; thence southeast and north around the above described part of B.A. McLain's farm to its northeast corner; thence with the meanderings of the ridge dividing the waters of Stone and Duck rivers as the line now runs, so as to include in Rutherford county all of J. M. Williams' farm, and that part of B. A. McLain's farm which now lies in Bedford county, and south of the road above mentioned.

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

Passed: April 20, 1899.

## Private Acts of 1917 Chapter 202

**SECTION 1.** That the county line between the Counties of Bedford and Coffee be so changed, that the lands lying east of the Garrison Creek be detached from Bedford County and added to Coffee County, by beginning in the county line of the southeast corner of Dr. Jim Mason's farm and running south with the center of Garrison Creek to the mouth of McBride's Branch.

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

Passed: March 13, 1917.

## Private Acts of 1923 Chapter 339

**SECTION 1.** That the line between the counties of Bedford and Coffee be and the same is hereby changed so as to include in Coffee County the following described strip or parcel of land: Beginning at a point in the line between the Counties of Bedford and Coffee forty feet west of the center of the public road leading

from Beech Grove to Murfreesboro, and running thence in a northerly direction parallel with the center of said road a uniform distance of forty feet from the center thereof to the line between the Counties of Rutherford and Coffee.

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

Passed: March 21, 1923.

## Private Acts of 1959 Chapter 310

**SECTION 1.** That the line between the counties of Bedford and Moore be, and the same is, hereby changed by detaching from the County of Bedford and attaching to the County of Moore all of the hereinafter described territory: A tract or parcel of land now lying in the 24th civil district of Bedford County, adjacent to, and just north of the line between the counties of Bedford and Moore containing 481.5 acres, more or less, and composed of properties owned by the following: Beginning at a point in the line between the County of Bedford and Moore in the center of an old pike, the same being the southwest corner of the Lawson Norman land and the southeast corner of the land of Miss Grace Mullens, both of which lie in the Twenty-fourth Civil District of Bedford County. Thence with the center of an old road So. 87 deg. E. 770 Ft; thence No. 50 deg. E. 473 ft.; thence No. 58 deg. 45 min. E. 246 ft.; thence No. 41 deg. E. 185 ft.; thence N. 1 deg. E. 512 ft.; thence No. 7 deg. E. 571 ft. to the corner of a fence, the same being Lawson Norman's northeast corner; thence with Norman's north line and Farrar's south line S. 85 deg. 30 min. W. 319.5 ft. to a stone; thence N. 58 degs. W. 724 ft.; thence W. 63 deg. 30 min. W. 120 ft.; thence No. 86 deg. 30 min. W. 2109 ft. crossing Highway No. 82 to the northeast corner of the C.S. and Ruby Wiseman land; thence No. 75 deg. W. 224 ft.; thence N. 65 deg. W. 251 ft.; thence No. 27 deg. 13 min. W. 292 ft. to a stone; thence S. 52 deg. W. 317 ft. to a stone, the northwest corner of the Lenoard and Daisy Bennett land; thence S. 83 deg. 15 min. W. 136 ft.; thence S. 47 deg. 45 min. W. 399 ft.; thence N. 24 deg. 30 min. W. 34 ft.; thence with an old fence and with Cowan's south line north 86 deg. 15 min. W. 1946 ft. to the corner of an old fence; thence with Cowan's east line S. 6 deg. 30 min. W. 2053 ft. to the corner of a fence in the north margin of the Wiseman Road; thence with the north margin of said road and the south line of Cowan's land N. 35 deg. 30 min. W. 61 ft.; thence N. 40 deg. 30 min. W. 112 ft.; thence N. 44 deg. 35 min. W. 509 ft.; thence N. 46 deg. w. 920 ft.; thence N. 81 deg. 30 min. W. 334 ft.; thence No. 69 deg. 45 min. W. 165 ft.; thence N. 59 deg. 45 min. W. 162 ft.; thence N. 68 deg. 30 min. W. 436 ft.; thence crossing said Wiseman Road and running with the west margin of Bonner Road and the east boundary of Mullens land S. 5 deg. W. 988 ft. to the southeast corner of Mullens land; thence N. 86 deg. W. 913.5 ft.; thence S. 4 deg. W. 365.7 ft.; thence with the south boundary of Mullens land and the north boundary of the Earl Bonner land N. 85 deg. 30 min. W. 2505.4 ft.; thence with the west boundary of Earl Bonner land S. 4 deg. 30 min. W. 1576 ft.; thence with the boundary line between the counties of Bedford and Moore S. 52 deg. 15 min. E. 717.4 ft.; thence S. 86 deg. 30 min. E. 1666.5 ft.; thence S. 4 deg. 30 min. W. 89.8 ft.; thence S. 85 deg. 30 min. E. 1300 ft. to a stone; thence S. 85 deg. 30 min. E. 600 ft. to the corner of a fence; thence N. 1203 ft. to the corner of a fence; thence S. 85 deg. 45 min. E. 2323.5 ft. to the corner of a fence; thence N. 5 deg. 30 min. E. 153 ft. to the corner of a fence; thence S. 81 deg. 30 min. E. 2009 ft. to the corner of a fence; thence S. 5 deg. W. 759 ft. to the southwest corner of Bedford Wiseman's one-acre tract; thence S. 80 deg. 30 min. E. 829.8 ft. to the southeast corner of Bedford Wiseman's one-acre tract; thence N. 11 deg. 30 min. W. 192.7 ft; thence N. 11 deg. 30 min. E. 191.4 ft.; thence N. 40 deg. 45 min. E. 462 ft.; thence continuing with the line between the counties of Bedford and Moore north 1 deg. W. 214.5 ft.; thence N. 73 deg. E. 94.4 ft.; thence N. 48 deg. 30 min. E. 888.4 ft.; thence S. 88 deg. E. 642.2 ft. to the point of beginning containing approximately 620 acres. The following property, now located in the Twenty-fourth Civil District of Bedford County, is included in the above described tract;

J. Earl Bonner and wife, Clara W. Bonner-----	137.6
James Hice and wife, Nuel Hice-----	132 (Approx.)
Leonard Bennett and Daisy Bennett-----	135 (Approx.)
C. S. Wiseman and wife, Ruby Wiseman-----	45.5
Miss Grace Mullens-----	29
Lawson Norman and wife, Clara Parks Norman-----	140 (Approx.)

A one-acre tract of Bedford Wiseman

**SECTION 2.** That this Act shall have no effect unless the same shall be approved by a two-thirds vote of both the Quarterly County Courts of Bedford and Moore Counties on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this state. Its approval or non-approval shall be proclaimed by the presiding officers of each of the bodies having jurisdiction to approve or the reverse and shall be certified by him to the Secretary of State.

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

Passed: March 19, 1959.

## Private Acts of 1963 Chapter 170

**SECTION 1.** That the county line between Bedford and Rutherford County be and the same hereby is changed whereby and so as to detach from Bedford County and attach to Rutherford County the following described land: "A body of lands, title to which is in James Threet and wife by two certain deeds of conveyance, and Glen Lane and wife by one certain deed of conveyance (1) deed from A. E. Travis and wife to James Threet and wife recorded in the Register's Office of Bedford County, Tennessee, December 17, 1957, in Deed Book 74, page 82; and (2) the easterly 200 feet of the tract deeded from Frank L. Farris and wife to James Threet and wife recorded in the Register's Office of Bedford County, Tennessee, March 24, 1962, in Deed Book 85, page 283; and (3) deed from James Threet and wife to Glen Lane and wife recorded in the Register's Office of Bedford County, Tennessee, January 3, 1963, in Deed Book 87, page 290, which body of lands as a whole is bounded on the North by the Rutherford-Bedford County line and the lands of Faulk; on the South partly by the lands of Estle Threet and Rutherford-Bedford County line and the lands of Bryant; on the East by the Rutherford County Line and the lands of Bryant, Zumbro and Faulk; and on the West by the lands of James Threet being approximately 4 acres.

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

Passed: March 18, 1963.

## Public Acts of 1975 Chapter 70

**SECTION 1.** A portion of a tract of land of Joe Farrar and wife, Frances Farrar, now situated in Bedford County, hereunder described, is removed from Bedford County into Moore County, and the county line between Bedford County and Moore County at this place shall hereafter run with the boundaries of said tract so as to exclude the said lands from Bedford County and include the same in Moore County. The tract of land is generally bounded and described as follows: Bounded on the North by Hilltop Road and Daniel Road; on the East by the Daniel Road and Riddle; on the South by Riddle and Farrar; and on the West by Farrar; containing 65.8 acres, be the same more or less, and being all that portion of an original tract lying on the south side of the Hilltop and Daniel Road, which original tract contained 108-1/2 acres, more or less, which original tract was conveyed to J. W. Womble by R. C. Gordon and wife by deed dated October 13, 1927 and recorded in Deed Book 33, page 7, Register's Office of Bedford County, Tennessee, the northern portion of this tract was that day conveyed to William Eugene Gant and wife.

**SECTION 2.** This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: April 21, 1975.

## Public Acts of 1975 Chapter 214

**SECTION 1.** John N. Steioff and wife, Marie S. Steioff own the hereinafter described tract of land located and situated mainly in the 25th Civil District of Bedford County, Tennessee with a portion of said tract located and situated in the 5th Civil District of Coffee County, Tennessee and a portion of said tract located and situated in the 10th Civil District of Moore County, Tennessee and these portions of such tract of land are removed from Coffee County and Moore County into the 25th Civil District of Bedford County and the county line between Bedford County and Coffee County and Moore County at this place shall hereinafter run with the boundaries of said tract so as to exclude the said lands from Coffee and Moore Counties and include the same in the 25th Civil District of Bedford County such that the entire tract of land hereunder described shall be located and situated in the 25th Civil District of Bedford County. That tract of land is generally bounded and described as follows:

BEGINNING at a pipe near an old railroad brake shoe protruding from the ground at a decayed dogwood stump near the west edge of an old road extending from the Tullahoma-Normandy Road near a gravel pit; thence North 04 Deg. East, 1,647 feet along the west boundary line of the Mitchell property to a pipe; thence North 75 Deg. 20 Min. West 2,000.6 feet along the south boundary line of the Mitchell property to a pipe; thence North 15 deg. West 950 feet more or less, along the west boundary line of the Mitchell property to a pipe; thence North 89 deg. West, 445 feet, more or less, along the south boundary of what is known as the Taylor property to a pipe; thence South 02 deg. 17 min. West, 700 feet, more or less, along the East boundary of the Carr property to a pipe; thence South 02 deg. 17 min. West, 3,077.7 feet, along the east boundaries of the Carr and Short properties to a pipe; thence south 85 deg. 30 min. East 657.3 feet along the north boundary of the Short property to a pipe; thence South 07 deg. 40 min. West, 990 feet, along the east boundary of said Short property to a pipe; thence North 51 deg. 58 min. East 2,816.4 feet along the northwest boundary of the Weaver place to the point of beginning, and containing



183 acres, more or less, being the same property conveyed to John. N. Steioff and wife, Marie S. Steioff, by deed of Guy W. Leming and wife, Martha Leming dated January 23, 1960.

**SECTION 2.** This Act shall take effect on becoming a law, the public welfare requiring it.

PASSED: May 13, 1975.

## Acts of 1809 Chapter 51

**1st.** That the lines and boundaries of Bedford county shall be as follows, (to wit:) Beginning on the north east corner of Maury county, and running south with the eastern boundary line thereof to the extreme height of the ridge; dividing the waters of Duck river from the waters of Elk river; thence eastwardly on the extreme height of said ridge, to the present eastern boundary line of the said county of Bedford; thence north to the southern boundary line of Rutherford county; thence westwardly with the said line to the southern boundary line of Williamson county; and thence with the said line of Williamson to the beginning.

**Sect. 2nd.** That John Atkinson, William Woods, Bartlett Martin, Howel Dawdy, Daniel McKissick, be, and they are hereby appointed commissioners to fix on a place on Duck river, within two miles of the centre of said county on a line east and west at the farthest, and as much nearer the actual centre east and west, as a suitable situation can be procured; and the said commissioners shall purchase one hundred acres of land at the place which they may fix upon as aforesaid, and shall receive a title to the same in *fee simple*, to themselves and their successors in office, and shall lay off the said hundred acres of land into a town, to be known by the name of *Shelbyville*, reserving near the centre thereof a public square of two acres, on which the court-house and stocks shall be built, likewise reserving any other lot they may think proper, for the purpose of having a Jail built thereon, for the use of the said county of Bedford.

**Sect. 3rd.** That the said commissioners shall sell the lots of said town at public sale, on a credit of twelve months, giving due notice thereof in one of the public news-papers printed in Nashville, and shall take bond with sufficient securities from the purchasers of said lots, payable to themselves and successors in office, and shall make titles, in fee simple, to the respective purchasers of said lots.

**Sect. 4th.** That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of the said commissioners, for defraying the expenses incurred in the purchase of the tract of land on which the town above mentioned is directed to be laid off, also for defraying the expenses of building a court-house, prison and stocks.

**Sect. 5th.** That the said commissioners shall superintend the building of the said court-house, prison and stocks, and shall let the court-house to the lowest bidder, advertising the same sixty days in one of the news-papers printed in Nashville, setting forth the dimensions of which it is to consist, and the materials of which it is to be built, and shall take a bond with sufficient securities from the person to whom the said court-house is let, payable to themselves and successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of his contract, and if the proceeds of the sales of said lots is not sufficient for the purposes above mentioned, it shall be the duty of the county court of Bedford to lay a tax not exceeding the amount of state tax levied in said county, to be applied to the objects aforesaid, and to be continued until all arrearages are paid off.

**Sect. 6th.** That the said commissioners, before they enter on the duties of their appointment, shall give a bond in the sum of five thousand dollars each, payable to the chairman of the county court of Bedford, and his successors in office, for the use of said county, conditioned for the faithful performance of the trust reposed in them, and shall likewise take the following oath: I, A.B. do solemnly swear (or affirm) that as a commissioner to act for the county of Bedford, I will do equal and impartial justice to the citizens of said county, to the best of my skill and ability, *So help me God*---and the said bond shall be filed in the clerks office for the county of Bedford, and shall not be so construed as to make any one of the commissioners security for another.

**Sec. 7th.** That until the town above mentioned is laid off, the court of Bedford county shall be held at the dwelling house of Amos Balch, and all matters, causes and things, now depending in the county court of Bedford, shall be tried and determined at the house of the said Amos Balch, in the same manner as if they had been originally returnable to that place.

**Sec. 8th.** That a majority of the commissioners by this act appointed, shall in all cases be competent to perform the duties by this act assigned them, and if any one neglects or refuses to act, a majority of the justices of said county of Bedford, may appoint another in his place, and when the said commissioners shall have performed the duties above enjoined upon them, they shall lay before the county court of Bedford a full statement of all their proceedings, and the said county court shall make them a reasonable compensation for their services.

**Sec. 9th.** That this act shall be in force from and after the first day of January, in the year one thousand eight hundred and ten.

## Boundaries - Historical Notes

### **Boundaries**

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

1. Acts of 1807, Chapter 72, created Franklin County in an area south and east of Warren and Bedford counties but the act did not alter the boundaries of Bedford County.
2. Acts of 1809, First Session, Chapter 48, created Lincoln County south of Bedford County but did not change the lines of Bedford County although it was mentioned in some lines.
3. Private Acts of 1831, Chapter 153, appointed James Bright of Lincoln County and John T. Neal of Bedford county as commissioners to run and mark so much of the line between Lincoln and Bedford counties as they may find necessary to establish the true boundary between them. The trustees of each county will compensate them as the county court may direct.
4. Acts of 1843-44, Chapter 74, changed the boundary line between Bedford County and Rutherford County in the following fashion, "beginning at the southeast corner of Williamson County and running east so as to include Richard Nance, John Dunn, Theophilus Leathers, and Samuel G. Holden, and the lands on which they reside in Rutherford County.
5. Acts of 1849-50, Chapter 144, changed the boundary lines between Bedford and Rutherford counties so as to include S. H. Little and William Smotherman, and the lands upon which they live in Rutherford County.
6. Acts of 1855-56, Chapter 173, Section 2, transferred the entire farm belonging to E. G. Hamilton out of Marshall County and into Bedford County.
7. Acts of 1859-60, Chapter 135, Section 5, moved the farm and the dwelling belonging to Ben Webb out of Bedford County and into Rutherford County.
8. Public Acts of 1866-67, Chapter 9, Section 3, altered the lines between Bedford and Marshall counties so as to place all the lands of Thomas W. Brints in Marshall County. This act was repealed by Public Acts of 1867-68, Chapter 20.
9. Public Acts of 1867-68, Chapter 13, Section 7, changed the boundaries between Bedford and Rutherford counties so as to include the lands of William Williams and C. H. Lamb in Rutherford County.
10. Public Acts of 1867-68, Chapter 20, stated that so much of Public Acts of 1866-67, Chapter 9, Section 4, which changed the lines between Bedford and Marshall counties is repealed effective immediately.
11. Public Acts of 1871, Chapter 34, transferred all the lands and improvements of S. H. Thomas and E. H. Hale from Bedford County into Rutherford County, a general description being given.
12. Public Acts of 1887, Chapter 108, moved all the tract known as the Bayless Davis tract, owned by Samuel Bobo from Bedford County into Moore County, beginning at a point on the county line near the east boundary of Joseph Hastings, on or near the waters of Thompson Creek and running to a point in the public road near to and just above the residence of Samuel Faris on Thompson Creek, moving from the twenty-fourth civil district of Bedford into the tenth civil district of Moore County.
13. Public Acts of 1887, Chapter 207, transferred the properties of W. B. Smith and Mrs. Sarah Syers out of Coffee County and into Bedford County.
14. Public Acts of 1889, Chapter 112, moved the farm belonging to Racine England out of Marshall County and into Bedford County.
15. Public Acts of 1893, Chapter 28, changed the lines between Bedford and Rutherford counties so as to include all the properties of W. H. and J. L. Stephenson, and a lot on which stood a Baptist Church house, in Bedford County.
16. Public Acts of 1895, Chapter 8, transferred from Bedford into Coffee County all the lands belonging to Johnson Warren, which were bounded on the north by Mankin, and on the west, south, and east by Jacobs.
17. Public Acts of 1895, Chapter 216, detached the farms of Mike Crawell, W. A. Crawell, Jasper W. Dickens, W. H. Moon, J. W. Hopkins, and J. P. Crawell from Marshall County and attached them all to Bedford County. The description stated that the line began in the lane between the farms of J.

- P. Hopkins and Mrs. B. F. Wilson, thence west between the farms of J. P. Crawell and John W. Lite to the middle of Duck River, thence up the said river to the Bedford County line.
18. Private Acts of 1897, Chapter 256, transferred from Coffee County into Bedford County all the lands of J. C. Brixey as they are bounded on the north by E. Huffman on the south by Elkins' heirs, on the east by T. J. Gambell, and on the west by Duck River.
  19. Public Acts of 1899, Chapter 413, moved all the lands belonging to J. N. Sullivan out of Moore County and into Bedford County.
  20. Private Acts of 1901, Chapter 388, repealed Public Acts of 1899, Chapter 413, above, thus returning the land of J. N. Sullivan to Moore County.
  21. Acts of 1907, Chapter 326, moved the lands and residence of J. L. Ervin from Bedford County into Moore County.
  22. Acts of 1907, Chapter 490, provided that the lines between Bedford and Marshall counties shall be changed so as to include the lands now owned by J. E. Hopkins and Mrs. Sallie Brown, and situated in the eleventh civil district of Bedford in Marshall County and the properties belonging to Sandy Moon and Elgin Cooper, now situated in the first civil district of Marshall County are transferred into Bedford.
  23. Acts of 1909, Chapter 481, so changed the boundaries between Bedford and Moore counties as to include the lands of E. H. Allen in Moore County.
  24. Private Acts of 1915, Chapter 675, transferred the farm and residence belonging to J. F. Boyce from Bedford County into Rutherford County.
  25. Private Acts of 1917, Chapter 754, detached all the properties belonging to R. E. Epps from the twentieth civil district of Rutherford County and attached them to Bedford County.
  26. Private Acts of 1921, Chapter 168, transferred the farm and residence belonging to R. M. Gordon out of the third civil district of Coffee County into the first civil district of Bedford County.
  27. Private Acts of 1923, Chapter 344, moved that portion of the farm belonging to E. C. Shearin out of the eighth civil district of Rutherford County and placed it in the tenth civil district of Bedford County.
  28. Private Acts of 1923, Chapter 543, changed the line between Bedford and Rutherford counties that the lands belonging to J. L. Hoover were moved out of the first district of Bedford County and into the twenty-fourth district of Rutherford County. This act was repealed by Private Acts of 1927, Chapter 219.
  29. Private Acts of 1925, Chapter 575, changed the county line between Rutherford and Bedford counties by detaching the lands of B.G. Bingham, et al., which contained 170 acres, from Rutherford County and attached the same to Bedford County.
  30. Private Acts of 1927, Chapter 219, specifically repealed Private Acts of 1923, Chapter 543 in its entirety, restoring the Hoover properties to Bedford County.
  31. Private Acts of 1927, Chapter 740, detached that portion of the farm belonging to R. W. McMichael from the sixteenth civil district of Coffee County and attached the same to the first civil district of Bedford County.
  32. Private Acts of 1931, Chapter 141, changed the lines between Bedford and Coffee counties so as to place all the lands of H. H. Good, now in Coffee County, and containing about 20 acres, bounded on the north by Walker and McMichael, on the south by H. H. Good; on the east by Mattie Walker, and on the west by H. H. Good, into Bedford County.
  33. Private Acts of 1935, Chapter 127, transferred the 103 acre farm belonging to the Davis Brothers which is now in Bedford County into Rutherford County.
  34. Private Acts of 1937, Chapter 556, moved the farm of W. O. McMillian, containing about 170 acres, and the farm of William Finn, about 146 acres, out of the sixteenth civil district of Coffee County into Bedford County, provided, however, that, if the lands transferred herein are not used for a lake, or lakes, then this act becomes inoperative and the same remain in Coffee County.
  35. Private Acts of 1945, Chapter 109, detached the lands belonging to Mrs. Laylon Mullins from the twenty-second civil district of Bedford County and attached the same to the ninth civil district of Moore County, a general description of the land being set out in this act

## Chapter V - Court System

## Clerk and Master

### Private Acts of 1949 Chapter 152

**SECTION 1.** That the Clerk and Master for each county within the State of Tennessee having a population of not less than 23,100 and not more than 23,175, according to the Federal Census of 1940 and any subsequent Federal Census, be and he is hereby authorized and empowered to employ a clerk or stenographer to assist him in the duties of his office at a salary of One Hundred (\$100.00) Dollars per month, payable to said clerk or stenographer on the first day of each month hereafter out of the general funds of the County in which he is Clerk and Master, such payments to be made by warrants drawn by the County Judge or Chairman out of the County Treasury.

As amended by: Private Acts of 1951, Chapter 414

**SEC. 2.** That all laws and amendatory laws thereto in conflict with this Act be and the same are hereby repealed.

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

Passed: February 10, 1949.

## General Sessions Court

### Private Acts of 1947 Chapter 41

**SECTION 1.** That there is hereby created and established a Court in and for Bedford County, Tennessee, which shall be designated Court of General Sessions of Bedford County, Tennessee. Said County shall provide a court room in the Town of Shelbyville, Tennessee, dockets, furnishings and necessary supplies for the equipment and maintenance of said Court, and pay for same out of the general funds of said County.

The Judge of the Court of General Sessions of Bedford County, Tennessee, shall hold said Court in the court room so provided; and in his discretion the Judge of said court may hold Court or try a case or cases in any part or locality of Bedford County that he deems to be more convenient and accessible to the litigants and witnesses.

**SECTION 2.** That the Court of General Sessions of Bedford County, Tennessee, shall be and is hereby vested with all of the jurisdiction and shall exercise all of the authority conferred by the General Assembly of Tennessee upon Justices of the Peace in civil and criminal cases, suits and actions; and the Justices of the Peace of said County are hereby divested of all such jurisdiction and authority, but any Justice 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 the district for which such Justice of the Peace was elected except in the Civil District containing the County Seat, in which District all such process shall be issued from the Court of General Sessions. But all process issued by Justices of the Peace shall be returnable to the Court of General Sessions of Bedford County, Tennessee.

The authority of said Justices of the Peace of Bedford County, Tennessee, in their capacity as members of the Quarterly County Court, or in the performance of the rites of matrimony, is in no wise affected by this Act.

As amended by: Private Acts of 1947, Chapter 232

**SECTION 3.** That before the commencement of any civil actions in said Court, the plaintiff shall be required to secure the costs by executing a cost bond with solvent security in a penalty of not less than \$25.00, or by making a cash deposit of not less than \$5.00, nor more than \$25.00, as may be deemed proper by the Judge or Clerk of said Court, or if a resident of the State of Tennessee, may in lieu thereof take and file the oath prescribed for poor persons, and on motion of the defendant, or on its own motion, the Court may have the amount of any such bond or cash deposit increased; and in the case of the issuance of extraordinary process such bond or oath shall be executed and filed as is required under the general laws for extraordinary process in Justice of the Peace Courts.

**SECTION 4.** That said Court shall be in session daily, except Sundays and legal holidays, and shall also be in session each Saturday from 7:00 o'clock P.M. until 9:00 P.M., for the examination and hearing of persons charged with a criminal offense, the taking and fixing of bail for the appearance of the accused or ordering their discharge or commitment to jail as required by law; and said Court may, by agreement of the parties, try any civil or criminal cases on any legal holiday or at night, and may be in session on Sundays for the examination, commitment to jail, or the taking or fixing of bail for the appearance of the accused in criminal cases.

**SECTION 5.** 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 of Justices of the Peace.

**SECTION 6.** 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 other compensation of the Sheriff, his Deputies, Constables, Game Wardens and State Highway Patrolmen for the execution of writs and process of said Court, and the attendance and mileage of witnesses shall be the same in said court as those provided by law for the Courts of 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 hereinafter provided. Said costs, fees, and mileage of witnesses, the fees, commissions and emoluments of the Sheriff, his Deputies, Constables, State Highway Patrolmen, Game Wardens and other officers, for services to said Court, and the fines and forfeitures adjudged by it shall be handled, accounted for and disbursed as required by law.

**SECTION 7.** That the Court herein created is hereby vested with full jurisdiction to try and determine and render final judgment in all misdemeanor cases brought before said Court upon warrant wherein the person charged with such misdemeanor offense enters a plea of guilty or requests trial upon the merits and expressly waives in writing indictment, presentment, grand jury investigation and jury trial. In such cases the trial shall proceed before the Court without the intervention of a jury and the Court shall enter such judgment and, as an incident thereto, may inflict such punishment within the limits provided by law for the particular offense as he may deem proper under the particular circumstances of such case; but nothing herein shall be construed as undertaking to grant such Judge the power to impose a fine in excess of Fifty (\$50.00) Dollars upon any citizen of this State. Provided further, that the Court herein created shall have no jurisdiction to try on a plea of not guilty any defendant charged with a misdemeanor for which the maximum punishment prescribed is a fine in excess of Fifty (\$50.00) Dollars, or imprisonment, or both fine and imprisonment.

Any defendant aggrieved by any judgment rendered under the provisions of this Section may, immediately upon the rendition of such judgment, appeal to the next term of the Circuit Court of Bedford County. A defendant appealing shall execute bond in the amount of Two Hundred Fifty (\$250.00) Dollars, with sureties to be approved by the General Session Judge, conditioned on his appearance at the next term of the Circuit Court of Bedford County and from day to day until his case is finally disposed of; or, upon the failure to execute such bond, a defendant appealing shall be imprisoned to await the action of the Circuit Court. On appeal the case shall be tried before a jury on the original warrant indictment or presentment, but nothing herein shall be construed as to deprive a defendant of the right to waive jury trial on appeal.

Juvenile Court jurisdiction under Tennessee Code Annotated, Title 37, for all delinquency and unruly child cases which may result in the confinement of a juvenile or other deprivation of the juvenile's liberty, is hereby vested in the court of General Sessions of Bedford County. Such judge shall have all the rights, powers and jurisdiction of the Juvenile Court Judges as provided in Tennessee Code Annotated, Title 37, and such judge shall regularly conduct such court proceedings in such county in accordance with the provisions of Tennessee Code Annotated, Title 37. If a vacancy occurs in the office of County Judge, or by September 1, 1982, whichever is earlier, the Court of General Sessions of Bedford County shall be vested with jurisdiction to try and to render final judgement in all cases in which Juvenile Courts have exclusive original jurisdiction pursuant to Tennessee Code Annotated, Title 37, Chapter 2.

As amended by: Private Acts of 1951, Chapter 310  
Private Acts of 1980, Chapter 241

**SECTION 8.** That it shall be the mandatory duty of the Judge of the Court of General Sessions when a defendant is brought before such Court upon arraignment or trial, to advise such defendant of his constitutional right to the aid of counsel, the right to be tried only upon presentment or indictment by a Grand Jury, the right to make a statement in reference to the accusation or the right to waive such statement, and the right to a trial by jury. Upon the defendant agreeing in writing to waive the right to be put to trial only by presentment or indictment by a Grand Jury, and the right to be tried by a jury of his peers, such Courts may proceed to hear and determine said case as is provided in Section 7 hereof. Such waiver shall be in writing, signed by the defendant, written on or attached to the warrant, and in the form and of contents substantially as follows:

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

(Signed) \_\_\_\_\_

Attest:

---

Clerk"

**SECTION 9.** That separate dockets shall be kept by the Clerk, under the direction of the Court, for civil and criminal cases. Upon the civil docket shall be entered the style of each case, the date of issuance of the warrant or process, and the return of the process, in brief form, action of the Court on the case, both interlocutory and final orders, judgments, executions, garnishments, lists of the fees of the Court, the Sheriff, his Deputies, Constables, Game Wardens, and State Highway Patrolmen for their services, fees of witnesses for attendance, et cetera, and credits for payment upon the judgment and upon the costs. All cases shall be indexed and the dockets shall be substantially in the form of those of Justices of the Peace.

The criminal docket shall be kept in like manner, and shall also contain the information provided for in Section 10 of this Act.

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

**SECTION 10.** That no warrant or information charging a person with an offense against the laws of the State shall be delivered from said Court to any peace officer for the arrest of such person until after an entry in the Criminal Docket has been made by the Clerk or Judge showing the names of the person or persons accused, the prosecutor, the officer to whom to be delivered and his signature upon said docket showing receipt of such process. All of such warrants, information, dockets, and other records of said Court of General Sessions shall be available to the District Attorney-General for any legal purpose.

**SECTION 11.** That all appeal bonds in civil cases, all bail bonds, recognizance bonds and appearance bonds of persons charged with original offenses for their appearance for arraignment or trial in said Court of General Sessions shall be taken by the Clerk for the Circuit Court. This provision shall in no wise abridge the authority of the Sheriff to take bonds as now provided by law.

**SECTION 12.** That there shall be one Judge for said Court, who shall be a duly and legally licensed lawyer in the State of Tennessee, with not less than three years experience in the general practice of law, and two years practice in Bedford County, Tennessee, and the oath shall be the same as that prescribed for Circuit Judges and Chancellors.

**SECTION 13.** A. Beginning September 1, 1974, the compensation of the Judge of the General Sessions Court of Bedford County shall be sixteen thousand dollars (\$16,000.00) per annum, payable in equal monthly installments out of the general funds of the county.

B. The Judge of the General Sessions Court of Bedford County shall devote all of his working time to the duties of his office and shall not engage in the practice of law in any capacity other than as general sessions court judge. The county legislative body may in its discretion increase such salary in order to compensate the Judge of the Court of General Sessions for the additional responsibilities assumed upon the vesting of Juvenile Court jurisdiction in such court.

As amended by:  
 Private Acts of 1949, Chapter 151  
 Private Acts of 1957, Chapter 250  
 Private Acts of 1974, Chapter 287  
 Private Acts of 1980, Chapter 241

**SECTION 14.** That in order to carry out the purpose and intent of this Act, and to establish the machinery for the operation of this Court of General Sessions, the Honorable J. D. Murphree, a member of the Bar Association of Shelbyville, Tennessee, and a citizen of Bedford County, Tennessee, is hereby appointed the first General Sessions Judge of said County, and he shall take office on March 1, 1947, and shall hold said office until the first election of a General Sessions Judge, as hereinafter provided.

The person named in this bill shall serve until September 1, 1948. At the regular August election, 1948, a Judge shall be elected for said Court by the qualified voters of said County to take office September 1, 1948, who shall serve until September 1, 1950. At the August election, 1950, there shall be elected by the voters of said County a Judge who shall hold office for a term of four years from September 1, 1950, and subsequent terms shall be for four years.

The Legislature declares that if the Court hereby created shall be held to be an inferior Court within the contemplation of Article VI, Section 4, of the Constitution and the Judge thereof entitled to a term of eight years, it would have enacted this statute with the term of the Judge fixed at eight years.

**SECTION 15.** 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 the duties of such Judge for the occasion. In the event of a temporary disability on the part of said Judge, he is hereby authorized to appoint a member of the Bar with the qualifications as herein stated, who shall hold Court in his stead during the period of his disability.

As amended by: Private Acts of 1951, Chapter 310

**SECTION 16.** That in a case of vacancy for any cause, the Governor of the State of Tennessee 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 elected and qualified.

**SECTION 17.** That the Clerk of the Circuit Court of said County shall act as Clerk of said Court of General Sessions, and when acting as Clerk of said Court, shall be designated "Clerk of the Court of General Sessions of Bedford County, Tennessee." The fees, commissions and emoluments of said Court of General Sessions shall accrue to said County, the Clerk of said Court shall receive as his compensation the sum of \$1,500.00 per annum, payable in equal monthly installments out of the general funds of said County, and shall pay to said County monthly all fees, commissions, and emoluments of said Court of General Sessions, and the same shall become a part of the general funds of Bedford County, Tennessee.

The Clerk of said court 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 shall be issued only by a judicial officer.

As amended by: Private Acts of 1949, Chapter 151

**SECTION 18.** 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 Justice of the Peace Courts.

**SECTION 19.** 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 20.** That all of the 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 in said County in cases that have been completed shall be turned over to said County, as provided by law.

**SECTION 21.** That said Court shall have the authority to hear and determine all undisposed of cases in the Courts of the Justices of the Peace of said County as if such cases had originated in said Court of General Sessions.

**SECTION 22.** That none of the provisions contained in this Act shall be construed to prohibit the Judge of the Court of General Sessions of Bedford County, Tennessee, from practicing law in the Chancery Courts, Circuit Courts, County Courts, and Appellate Courts of the State of Tennessee, except in cases having their origin in said Court of General Sessions of Bedford County, Tennessee.

**SECTION 23.** That the General Assembly of the State of Tennessee expressly declares that each section, subsection, paragraph, and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the General Assembly of the State of Tennessee declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

**SECTION 24.** That this Act shall take effect on March 1, 1947, after its passage, the public welfare requiring it.

Passed: January 22, 1947.

## Private Acts of 1953 Chapter 224

**SECTION 1.** That the Judge of the Court of General Sessions of Bedford County, Tennessee is hereby authorized and empowered to grant injunctions, attachments, writs of ne exeat and other extraordinary process.

**SECTION 2.** That an additional compensation of \$1,200.00 per annum, payable monthly, be paid the Judge of the Court of General Sessions of Bedford County, Tennessee, from the general county revenues.

**SECTION 3.** That the General Assembly of the State of Tennessee expressly declares that each section, subsection, paragraph, and provision of this Act is severable and that should any portion of this Act be

held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the General Assembly of the State of Tennessee declares that it would have been enacted this Act with such unconstitutional or invalid portions elided therefrom.

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

Passed: March 26, 1953.

## Court System - Historical Notes

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

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

1. Acts of 1817, Chapter 128, authorized the quarterly county courts to lay a tax on all taxable property in the county for additional compensation to those serving as jurors in the county and circuit courts of the 24 counties named, including Bedford County. A majority of the justices was required when the vote to lay the tax was taken.
2. Private Acts of 1819, Chapter 62, provided that after January 1, 1820, it was lawful for the county courts of Davidson, Sumner, Williamson, Giles, Rutherford, Bedford, and Maury county to appoint 37 jurors for each county who will attend the several courts to which they may be summoned under pain of penalty, and they will be entitled to compensation as the law directs.
3. Acts of 1907, Chapter 355, created a board of jury commissioners in Bedford County, using the 1900 Federal Census figures, which would be composed of three members, who were of good character, freeholders, not attorneys and who had no suit pending in court, appointed by the judge, or judges, of the county. Any member who is absent from meetings must produce a doctor's certificate. They would have to take an oath of secrecy and choose a chairman from their number. The clerk of the circuit court would serve as the clerk, also under oath of secrecy. The board would select from public sources a list of names equal to one-fifth of the total number of votes cast in the last presidential election but no less than 250 names nor more than 4000 in number which the clerk would enter in a special book and report to the judges. The names would also be placed on scrolls of paper, placed in a suitable box, locked and sealed. From ten to fifteen days before court the board would open the box and a child under ten years of age would draw out the number of names equal to the number of jurors, or as ordered by the court, in the presence of the board. These names would be kept by the chairman and delivered to the judge in open court. Grand and petit jurors would be drawn from these names. Provisions were also made for special juries and special jury panels were to be drawn. The sheriff would summon the jurors, none of whom could be excused except by the judge and only for the causes stated in the law. See *Darvell v. State*, 123 Tenn. 666, 134 S.W. 308 (1911).
4. Private Acts of 1943, Chapter 77, stated that the compensation of jurors in Bedford County, would be \$3.00 per day for each day's attendance.
5. Private Acts of 1945, Chapter 195, provided that the foreman of the grand jury in Bedford County receive \$5.00 per day as compensation for his services for each day the grand jury is actually in session. The compensation was paid out of the county treasury.
6. Private Acts of 1945, Chapter 197, amended Acts of 1907, Chapter 355, above, by increasing the per diem of the members of the board of jury commissioners from \$2.00 to \$3.00 per day, repealing all laws which might be in conflict.
7. Private Acts of 1951, Chapter 318, expressly repealed Acts of 1907, Chapter 355, in its entirety.
8. Private Acts of 1951, Chapter 319, created another board of jury commissioners for Bedford County, adding a qualification that no more than two of the three members could be from the same political party, setting the term of office at two years beginning on January 1, 1951. The number of names to be chosen from public sources could not be less than 1000 nor more than 1500, all of which would be placed in a book and certified to the judge. The remainder of the law was substantially the same as the 1907 Act except that the circuit court clerk would deliver the list of jurors to be summoned at least five days before court started and the per diem payments for the members of the board would be \$4.00 per day.
9. Private Acts of 1953, Chapter 423, amended Private Acts of 1951, Chapter 319, above, by striking out all of Section 15 which set the per diem for the board of jury commissioners and added a provision which would pay the board members \$10.00 a day for each day actually engaged in



making up the jury list and \$6.00 per day for their attendance when drawing names from the jury box for the regular panels.

### **Chancery Court**

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

1. Acts of 1807, Chapter 37, which created Bedford County, also provided that the courts would be held at the improvements lately made by Mrs. Payne at the head of Mulberry Creek, until further arrangements are made.
2. Public Acts of 1822 (2nd Sess.), Chapter 13, stated that the judges of the supreme court would make the arrangements necessary to hold an equity court once a year at least in the places specified in the act. A court would be held at Sparta on the second Monday in December and at Columbia on the second Monday in January. The equity cases in Bedford could have been assigned to either place but the act does not specify the counties for each location's court.
3. Public Acts of 1824 (2nd Sess.), Chapter 14, provided that there would be two more justices of the supreme court and chancery court would be held by these justices at least twice a year henceforth at those places named in the law. The court at Columbia would hear the causes from Maury, Bedford, Lincoln, Giles, Lawrence, Wayne, and Hardin counties on the first Monday in March and September.
4. Public Acts of 1827, Chapter 79, Section 3, divided Tennessee into two chancery divisions. The Eastern Division was composed of the courts held at Rogersville, Greenville, Kingston, Carthage, and McMinnville and the Western was made up of the courts held at Franklin, Columbia (to which Bedford County was assigned), Charlotte, Jackson, and Paris.
5. Public Acts of 1835-36, Chapter 4, required that the state be laid off into three chancery divisions and a chancellor would be appointed for each division. Bedford County was designated as the sixth district of the Middle Division and court would be held at Shelbyville on the second Monday of February and August.
6. Acts of 1839-40, Chapter 21, established the dates to begin the chancery court in the fourth division at Shelbyville on the fourth Monday in June and December.
7. Acts of 1839-40, Chapter 33, divided Tennessee into four chancery divisions, the fourth division being made up of the courts at Livingston, Carthage, McMinnville, Winchester, Lebanon, Murfreesboro, and Shelbyville.
8. Acts of 1843-44, Chapter 161, changed the chancery court terms in the fourth division. The courts at Shelbyville would begin on the fourth Monday in February and August, and all process would be made to conform to those dates.
9. Acts of 1851-52, Chapter 87, provided that the chancery court at Shelbyville would hereafter be held on the Thursday after the fourth Monday in February and August and remain in session until all the cases were heard.
10. Acts of 1853-54, Chapter 38, Section 2, set the terms of the chancery court for several counties. The chancery court at Shelbyville for Bedford County will commence on the second Monday in March.
11. Acts of 1853-54, Chapter 55, Section 8, stated that the chancery court at Shelbyville for Bedford County would hereafter be held on the Friday after the fourth Monday in February and August, apparently correcting the deficiency of the above act.
12. Public Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, fourth, fifth, and sixth chancery divisions, probably necessitated by the creation of several new counties. Bedford County was assigned to the fourth division along with Wilson, Macon, Jackson, Putnam, Smith, Coffee, Franklin, Lincoln, Sumner, DeKalb, Warren, Van Buren, Grundy, Cannon, and Rutherford counties. The time of holding the chancery court at Shelbyville was set to the first Monday of February and August.
13. Private Acts of 1857-58, Chapter 93, scheduled the chancery court of Bedford County to begin at Shelbyville on the fourth Monday in February and August.
14. Public Acts of 1867-68, Chapter 36, provided that the chancery court of Bedford County would begin its terms on the third Monday in March and September.
15. Public Acts of 1870, Chapter 32, reorganized the lower judicial structure in Tennessee into twelve

chancery districts of which the fourth was made up of the counties of Franklin, Lincoln, Bedford, Rutherford, Cannon, Coffee, Warren, and Grundy.

16. Public Acts of 1870, Chapter 47, set the schedules for the chancery court terms for every county in Tennessee. Bedford County would start the chancery court at Shelbyville on the first Monday in March and September.
17. Acts of 1885 (Ex. Sess.), Chapter 20, separated Tennessee into eleven chancery divisions. The fourth was made up of the counties of Warren, Cannon, Rutherford, Franklin, Lincoln, Moore, Marshall, and Bedford whose court terms would begin on the first Monday in March and September. This act was the subject of litigation in the *Flynn v. State*, 203 Tenn 341, 313 S.W.2d 249 (1958), although only the criminal court in Shelby County was involved in the case.
18. Public Acts of 1899, Chapter 427, reorganized the entire lower judicial structure of Tennessee into ten chancery divisions. The fifth chancery division was composed of the counties of Rutherford, Marshall, Williamson, Lincoln, Lawrence, Maury, Giles, Lewis, Wayne and Bedford whose terms would begin on the third Monday in February and August.
19. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, again divided the state into fourteen chancery divisions of which the fifth division contained the counties of Rutherford, Marshall, Bedford, Moore, Lincoln, Giles, Maury, and Lawrence. Chancery court terms would begin in Shelbyville on the third Monday in February and August.

### **Clerk and Master**

Referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1913, Chapter 150, fixed the salary of the clerk and master of Bedford County at \$1,200 per year, provided that sworn itemized statement is filed with the county judge, or chairman, on January 1 of each year, showing all the fees collected in that office. If the fees are less than the salary, the county will pay the difference to the clerk and master; if the fees are more than the salary, the clerk and master may retain them.
2. Private Acts of 1921, Chapter 519, stated that the clerk and master of the chancery court of Bedford County, using population figures of 1920 Federal Census, shall receive the sum of \$1,500 as an annual salary, provided that a sworn itemized statement showing all the fees collected in that office is filed with the county judge, or chairman, in January. If the fees collected are less than the annual salary, the county shall pay the difference out of the regular funds. If the fees exceed the salary, the clerk and master may retain them.
3. Private Acts of 1927, Chapter 352, provided that the salary of the clerk and master of Bedford County would be \$2,100 annually, payable quarterly. The requirement for filing the sworn statement remained and the provision for the county paying the difference, if any, and the clerk and master keeping the excess, if any, were incorporated.

### **Circuit Court**

The following acts were once applicable to the circuit court of Bedford 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 (1st Sess.), Chapter 49, divided the state into five judicial circuits of which the fourth was composed of the counties of Davidson, Wilson, Rutherford, Williamson, Maury, Giles, Lincoln, and Bedford. Court would be held twice annually in each county exercising such jurisdiction as was expressly conferred upon them in this law. Court would begin at the courthouse in Bedford County on the fourth Monday in April and October. The five circuit judges would be elected by ballot in both houses of the general assembly and be commissioned by the governor. They would be paid \$1,000 a year salary, and each would appoint a clerk for the business of the court in each county.
2. Acts of 1812 (Ex. Sess.), Chapter 68, changed the times for holding the circuit courts in several of the counties. Bedford County would start the circuit court on the third Monday in March and September.
3. Acts of 1817, Chapter 65, created a new sixth judicial circuit consisting of Lincoln, Giles, Maury, Bedford, and Lawrence counties, the judge for which would be elected by the general assembly.
4. Acts of 1817, Chapter 118, repealed specifically Acts of 1817, Chapter 65, above, in its entirety returning those counties to the circuits from which they were taken to form the new sixth circuit.
5. Acts of 1817, Chapter 138, established new starting dates for the circuit courts in the third, fourth, fifth, and sixth judicial circuits. Bedford would begin the circuit court terms on the first

Monday in June and December.

6. Public Acts of 1821, Chapter 52, made it the duty of the clerks to transfer to the appellate court at Nashville all causes which may be pending on appeal from the counties composing the sixth judicial circuit which would include Bedford. If they had not been carried up the causes shall in the future be taken to Columbia on appeal.
7. Public Acts of 1822, Second Session, Chapter 14, stated that the court of errors and appeals shall finish the term of that court for the fourth judicial circuit at Nashville and then hold the court for all the counties in the sixth judicial circuit at Columbia.
8. Public Acts of 1829-30, Chapter 52, Section 4, created a new eleventh judicial circuit composed of the counties of Warren, Franklin, Bedford, Rutherford, and Wilson.
9. Public Acts of 1833, Chapter 33, provided that the next term of the circuit court in Bedford County which was scheduled to begin on the first Monday in December is hereby postponed until the fourth Monday in December and will remain open until all the court's business is finished.
10. Public Acts of 1835-36, Chapter 5, divided Tennessee into eleven judicial circuits. The fifth circuit was made up of the counties of Wilson, Rutherford, Coffee, Franklin, and Bedford whose court terms would start on the first Monday of April, August, and December, the court being required to have three terms annually now.
11. Acts of 1839-40, Chapter 21, Section 2, established the terms of circuit court in those counties comprising the fifth judicial circuit. Bedford County would continue to open the circuit court terms on the first Monday of April, August, and December.
12. Acts of 1847-48, Chapter 125, Section 5, stated that the next term of the circuit court in Bedford County would start on the fourth Monday in March, and all process would be issued in conformity with that date.
13. Public Acts of 1857-58, Chapter 98, delineated Tennessee into sixteen judicial circuits of which the seventh circuit was made up of Wilson, Cannon, Rutherford, and Bedford counties. Bedford County would begin the terms on the first Monday in April, August, and December.
14. Public Acts of 1870, Chapter 31, reorganized Tennessee into fifteen regular and one special circuit. The seventh judicial circuit was made up of the counties of Rutherford, Cannon, Wilson, and Bedford.
15. Public Acts of 1870, Chapter 46, set the court terms for the circuit courts in all the counties of Tennessee. Bedford's court would continue to begin on the first Monday in April, August and December.
16. Public Acts of 1879, Chapter 66, changed the court dates for the circuit court terms at Shelbyville to the first Tuesday in April, August, and December with the directive that all process would be made to conform to those dates.
17. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the state into fourteen regular and one special judicial circuit. The eighth judicial circuit contained the counties of Wilson, Rutherford, Cannon, Marshall and Bedford whose court would start on the second Monday in March, July and November.
18. Public Acts of 1887, Chapter 213, changed the circuit court terms for Rutherford, Marshall, and Bedford counties. Bedford was scheduled to open the circuit court on the Tuesday after the first Monday in April, August, and December.
19. Public Acts of 1899, Chapter 427, reorganized the lower judicial structure of Tennessee into 14 judicial circuits. The eighth circuit was made up of the counties of Wilson, Rutherford, Bedford, Marshall, Cannon, and Williamson. Court terms would begin in Shelbyville on the Tuesday after the first Monday in April, August, and December.
20. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, reorganized the entire lower court system in Tennessee, dividing the state into twenty judicial circuits. Rutherford, Marshall, Cannon, and Bedford counties composed the eighth judicial circuit. Court terms in Bedford remained on the Tuesday after the first Monday in April, August, and December.

### **Circuit Court Clerk**

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

1. Acts of 1903, Chapter 255, established the salary for circuit clerk's only, which was patterned after other acts which established the salaries of various county officials according to their

population classes. These salaries ranged from \$500 to \$5,000 per year. According to our information on population, the circuit court clerk of Bedford County would have received a salary of \$1,000 per year.

2. Private Acts of 1921, Chapter 512, provided that the circuit court clerk of Bedford County, using the 1920 Federal Census figures, would be paid an annual salary of \$1,200, but, a sworn, itemized statement showing all the fees collected in the office must be filed in January with the county judge or chairman. If the fees collected were less than the salary, the county would pay the difference to the clerk out of the regular county treasury but, if the fees exceeded the salary, the clerk was permitted to keep the excess.
3. Private Acts of 1927, Chapter 309, amended Private Acts of 1921, Chapter 512, above, by increasing the annual salary of the circuit court clerk from \$1,200 to \$1,500.
4. Private Acts of 1941, Chapter 471, allowed the circuit court clerk of Bedford County to employ a clerk, or stenographer, to assist him in the duties of his office at a salary of \$300 annually, payable out of the general funds of the county on a warrant by the county judge.
5. Private Acts of 1945, Chapter 216, amended Private Acts of 1941, Chapter 471, in Section 1 by increasing the salary of the stenographer, or clerk, to the circuit court clerk from \$300 to \$600 a year.
6. Private Acts of 1947, Chapter 814, amended Private Acts of 1927, Chapter 309, Item 3, above by raising the salary of the circuit court clerk from \$1,500 to \$1,800 per year.

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

The following acts once affecting Bedford County 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. Acts of 1817, Chapter 65, Section 3, assigned Franklin, Lincoln and Bedford counties to the eighth solicitorial district.
2. Public Acts of 1963, Chapter 265, created the office of assistant district attorney general for the twenty-third judicial circuit, who would serve at the pleasure and direction of the attorney-general for the circuit and be paid as the others were paid under general law.
3. Public Acts of 1968, Chapter 527, created the office of an additional assistant district attorney general for the twenty-third judicial district, who would serve at the pleasure and direction of the attorney-general for the circuit and be paid as the others were paid under general law.
4. Public Acts of 1976, Chapter 526, created the office of criminal investigator for the twentythird judicial circuit who would serve at the pleasure and direction of the attorney-general for the circuit and be paid as the others were paid under general law.
5. Public Acts of 1977, Chapter 401, repealed Public Acts of 1976, Chapter 526 and created one additional full-time position of assistant district attorney general for the district attorney general of the twenty-third judicial circuit.

#### **General Sessions Court**

The following act once affected the general sessions court of Bedford County, but is no longer in effect and is included herein for reference purposes.

1. Private Acts of 1974, Chapter 287, amended Private Acts of 1947, Chapter 41, by stating that on September 1, 1974 the salary of the judge of the general sessions court of Bedford County shall be \$16,000 per annum, payable in equal monthly installments out of the general funds of the county, and that the judge would devote all his working time to the office and shall not engage in the practice of law except as the general sessions court judge. Our information from the secretary of state's office is that this act was not acted on by the quarterly county court of Bedford County thus preventing it from becoming effective.

## **Chapter VI - Education/Schools**

### **Board of Education**

### **Private Acts of 1974 Chapter 293**

**SECTION 1.** There is hereby created the Board of Education of Bedford County to be composed of nine

(9) members to be elected by the qualified voters of the respective educational districts established by Section 2 of this Act. The members of such Board of Education must reside in the district of Bedford County which they represent.

**SECTION 2.** There are hereby created nine (9) educational districts which shall be the same as the nine (9) magisterial districts, as Bedford County may now be constituted or may hereafter be constituted. Such educational districts shall be numbered the same as the magisterial districts. Each educational district shall be entitled to one (1) member on the board of education.

**SECTION 3.** Until September 1, 1976, the following shall constitute and compose the Board of Education of Bedford County:

For the first educational district, Ivan Field who shall hold office until the July session of the Quarterly County Court in 1977; for the second educational district, Kenneth Phillips who shall hold office until the July session of the Quarterly County Court in 1978; for the third educational district, Belton Flippo who shall hold office until the July session of the Quarterly County Court in 1979; for the fourth educational district, W. J. Montgomery who shall hold office until the July session of the Quarterly County Court in 1974; for the fifth educational district, Ralph Bomar who shall hold office until the July session of the Quarterly County Court in 1975; for the sixth educational district, Dr. C. E. Archer who shall hold office until the July session of the Quarterly County Court in 1976; for the seventh educational district, Dr. Gerald Martin who shall hold office until the July session of the Quarterly County Court in 1979; for the eighth educational district, Richard Britton who shall hold office until the July session of the Quarterly County Court in 1975; for the ninth educational district, O. E. Wells who shall hold office until the July session of the Quarterly County Court in 1977.

When the term of the incumbent member for the fourth educational district expires, the Quarterly County Court shall appoint a member to hold office until the July session of the Quarterly County Court in 1980. As the terms of the other incumbent members expire, the Quarterly County Court shall have the power to make interim appointments to fill vacancy [sic] until September 1 following the next regular August election; provided, however, that such incumbent shall serve until his successor shall be elected by such court and qualified. After the expiration of such interim appointment following the expiration of the incumbent's appointive term of office, the member elected in the regular August election to fill such office shall serve a term of six (6) years. On and after September 1, 1976, the Board of Education shall be composed of the incumbent members on the effective date of this act whose terms of office have not expired and the new members elected pursuant to this act. Members of the Board of Education shall be elected for terms of six (6) years.

**SECTION 4.** The Board of Education shall have and exercise all powers, duties and obligations presently imposed by the general law; and the compensation shall be fixed by the quarterly county court as provided in Tennessee Code Annotated, Section 49-213.

**SECTION 5.** On and after the effective date of this act, the Quarterly County Court of Bedford County shall have the power to make interim appointments to fill any vacancies occurring on the County Board of Education prior to the regular general election which is to be held in August, 1976. The power of said Quarterly County Court shall be exercised in a manner heretofore provided for the election of a County Board Education by members of the Quarterly County Court, but persons so selected or chosen shall hold membership on the County Board of Education only for such time and until their successors shall be elected at the next general election and qualified. In the event a vacancy occurs on the County Board of Education of Bedford County after the regular general election of 1976, such vacancy being on account of the death, resignation or removal of residence of a member of said Board from the educational district from which said member was elected or any other cause or reason, the Quarterly County Court of Bedford County in regular or called session, a quorum being present, shall elect someone to fill said vacancy, and the person so elected or appointed shall serve until a successor is duly elected at the next regular general election.

**SECTION 6.** Nothing in this Act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which he was elected.

**SECTION 7.** Chapter 126 of the Private Acts of 1971 is repealed.

**SECTION 8.** 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 9.** This Act shall have no effect unless it is approved by a majority of the number of qualified voters of Bedford County voting in an election on the question of whether or not the Act shall be approved. The ballots used in the regular election to be held on August 1, 1974 shall have printed on them

the substance of this Act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this Act.

**SECTION 10.** 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 9.

PASSED: March 18, 1974.

## Education/Schools - Historical Notes

### **Board of Education**

The following acts once affected the board of education in Bedford 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, abolished the office of district director of the schools and provided for a board of education for every county in the state. The county court would divide each county into five school districts, composed of whole civil districts, from each of which one member of the board of education would be elected, and the county superintendent would serve as secretary. The duties of the chairman, the secretary, and members of the board were all enumerated in the act. Each member of the board would make a full and complete report of the schools in his district. The members would be compensated from \$1.50 to \$3.00 per day as determined by the county court. The voters of each district shall elect three advisory board members in each one whose duties and responsibilities are also set up. Some counties exempted themselves from the operation of this act but Bedford was not among them. This act was construed by the court in *Whitthome v. Turner*, 155 Tenn. 303, 293 Sev 147 (1927).
2. Acts of 1909, Chapter 302, applied only to ten counties and Bedford County was one of them. This law amended Public Acts of 1873, Chapter 25, beginning with Section 10. It provided that the county board of education would consist of one member from each civil district, the judge, or chairman of the county court, and the superintendent of public instruction, who would be the ex-officio chairman. Each district member would be elected by the people in the district from whose number a secretary would be chosen. The duties, powers and obligations of the chairman, the secretary, and the members are all specified in the law. Each member would get \$1.00 per day for each days attendance at board meetings and for each day spent in visiting schools.
3. Private Acts of 1915, Chapter 341, amended Acts of 1907, Chapter 236, Section 17, which exempted certain counties from the operations of that chapter by adding the population figures appropriate to exempt Bedford, Marshall and Henderson counties.

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

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

1. Private Acts of 1923, Chapter 19, established the office of superintendent of public instruction for Bedford County to be popularly elected at the regular August election for a term of four years. This act was superseded by the general law requiring an appointed director of schools as described above.
2. Private Acts of 1987, Chapter 71, attempted to repeal the Private Acts of 1923, Chapter 19, and provide for a new method of electing the superintendent of public instruction. The superintendent of public instruction was to be nominated by the board of education and elected by the board of commissioners of Bedford County. This act was never acted upon however, being disapproved on June 4, 1987.

## Chapter VII - Elections

## Elections - Historical Notes

### **Districts - Reapportionment**

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

substantive provisions.

1. Public Acts of 1867-68, Chapter 82, Section 8, provided that the seventh civil district of Bedford County be extended south so as to include all that portion of territory lying north of a direct line from Hall's old mills on Flat Creek to the mouth of a spring branch on Duck River near Doak's Tan Yard, in the twenty-first civil district of Bedford County.
2. Acts of 1907, Chapter 221, changed the lines between the tenth and eleventh civil districts of Bedford County so as to incorporate all the lands of W. T. Farris into the eleventh civil district.
3. Acts of 1907, Chapter 222, transferred all the lands belonging to C. L. Cooper from the fifth civil district into the ninth civil district of Bedford County.
4. Private Acts of 1913, Chapter 111, changed the boundary lines between the sixth, fourth, and third civil districts so as to include all the lands of E. E. Stovall, now located in the Fourth Civil District, and all the lands of W. G. Stokes now in the third and fourth civil districts, in the sixth civil district of Bedford County.
5. Private Acts of 1915, Chapter 238, changed the boundary lines between the eighth and the eleventh civil districts of Bedford County so as to transfer the farms of W. J. Smith, Joe E. Hall, George Fisher, P. S. Scales, J. H. Turner, Fannie Beavers, Tom Beavers, W. C. Williams, J. W. Turner, Better Turner, J. S. Green, Mike Wheeler, John Orr, and J.C. Wortham from the eighth civil district into the eleventh civil district.
6. Private Acts of 1915, Chapter 326, changed the north line of the seventh civil district where it reaches a point running west between the land of J. S. Johnson and J. L. Gassaway, where the partition fence between E. C. Halmontaller and J. S. Johnson intersects said north line, and with other changes so that all the lands of E. C. Halmontaller, G. W. Morton, J. W. McAnnally, George Davis, Stanley Davis, and Tom Talley are all in the seventh civil district of Bedford County.
7. Private Acts of 1915, Chapter 693, altered the existing boundary lines between the eighteenth and the twenty-first civil districts in order that the farm belonging to Carl A. Olaison, a part of which was already located in the twenty-first civil district, would all be in the twenty-first civil district instead of partially as it had been situated in the past.
8. Private Acts of 1917, Chapter 349, changed the lines between the 5th Civil District and the eighth civil district of Bedford County so as to embrace the farm of L. R. Smotherman entirely in the fifth civil district instead of the eighth civil district.
9. Private Acts of 1917, Chapter 495, changed the east line of the seventh civil district of Bedford County, using the 1910 Federal Census figures, and by means of a fairly detailed description of the involved area which adds up to the proposition that all the farm of Mrs. Emma Maupin and that portion of the farm of H. C. Ryall and wife, lying on the south side of the Duck River Turnpike are both included altogether in the seventh civil district and are removed from the third civil district.
10. Private Acts of 1921, Chapter 418, changed the lines between the eighteenth civil district and the nineteenth civil district so as to remove the farm belonging to R. J. Stevenson from the eighteenth civil district and place it in the nineteenth civil district.
11. Private Acts of 1921, Chapter 445, changed the boundaries existing then between the first civil district and the second civil district so that the 311 acre farm belonging to Hilary H. Good was taken out of the second civil district and placed into the first civil district.
12. Private Acts of 1921, Chapter 565, moved the farm belonging to T. F. Woodward out of the twentieth civil district of Bedford County and placed it in the nineteenth civil district.
13. Private Acts of 1923, Chapter 36, changed the boundary lines between the eighteenth civil district and the twenty-first civil district of Bedford County so that the portion of the eighteenth civil district composed of the farms of Joe H. Stephens, Mrs. J. L. Anderson, and John Cooper be and become a part of the twenty-first civil district.
14. Private Acts of 1929, Chapter 199, moved that portion of the farm of W. L. Taylor and C. B. Taylor lying west of the public road and containing 91 acres, more or less, out of the ninth civil district and into the fifth civil district.
15. Private Acts of 1931, Chapter 167, transferred the farms belonging to C. L. Cannon and E. M. Cannon out of the second civil district and into the third civil district of Bedford County.
16. Private Acts of 1931, Chapter 168, detached the farm belonging to David Hickerson from the twenty-fifth civil district of Bedford County and attached the same to the second civil district.
17. Private Acts of 1937, Chapter 765, changed the boundary lines between the fourth and the fifth

civil district of Bedford County so as to locate the entire farm property belonging to Robert Epps, now in the fifth district and containing 792 acres, in the fourth civil district.

18. Private Acts of 1979, Chapter 143, authorized the county legislative bodies of counties in the state with a population of not less than 25,000 nor more than 25,100 according to the 1970 Federal Census, to change the boundaries of the civil districts, but not to create any new districts nor abolish any existing districts.

## Elections

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

1. Acts of 1809, Second Session, Chapter 42, made it the duty of the sheriff, the deputy, or the coroner to hold an election at the house of Brice M. Garner near the mouth of Crane Creek on the Elk River; at the house of Joseph Walker, Esquire, on the waters of the Duck River, and one other at the house of William Adams at or near the Fishing Ford on Duck River to elect members of congress, and the general assembly, plus the governor of the state.
2. Acts of 1812, Extra Session, Chapter 5, divided Tennessee into eight electoral districts to elect a president and vice-president of the United States. Bedford, Davidson, and Rutherford counties composed the sixth district and elected one elector.
3. Acts of 1812, Extra Session, Chapter 27, separated the state into six U. S. congressional districts according to the population of 1810. The fifth U. S. congressional district contained the counties of Williamson, Bedford, Lincoln, Davidson, and Rutherford with the stipulation that the precincts would all remain as they were for holding local elections and elected one representative to Congress.
4. Acts of 1812, Extra Session, Chapter 57, apportioned Tennessee for representation in the general assembly into twenty senatorial districts and forty representative districts. Bedford and Rutherford counties would elect one senator between them and the polls would be counted at Charles McLean's house in Rutherford County. Of the forty representatives Davidson, Rutherford, and Bedford County would each elect two.
5. Acts of 1815, Chapter 66, required that the sheriff should open a precinct for elections at the house where Moses Bridges formerly lived, which is now the property of John Ewell, on the road leading from the town of Shelbyville to the spring pond in Franklin County. All who are qualified may vote at this place but anyone caught voting more than once would be fined a minimum of \$15.00. It was their duty to tally and report the number of votes.
6. Acts of 1815, Chapter 164, Section 4, provided that the sheriff, his deputy, or the coroner, should hold an election at the house of Robert Adams on Rock Creek in Bedford County for all future elections.
7. Public Acts of 1819, Chapter 69, reapportioned Tennessee for the general assembly. Bedford county would elect one of the twenty senators alone and elect two of the forty representatives alone.
8. Public Acts of 1822, Extra Session, Chapter 1, divided the state into eight U.S. congressional districts of which the sixth contained Bedford, Lincoln, Giles, and Maury counties.
9. Public Acts of 1823, Chapter 47, delineated the state into eleven electoral districts for presidential and vice-presidential elections. Bedford County and Maury County composed the eighth electoral district whose polls would be counted at Farmington and elected one elector.
10. Public Acts of 1824, Second Session, Chapter 1, separated the state again into eleven electoral districts leaving Bedford and Maury counties to form the eighth district.
11. Private Acts of 1825, Chapter 140, stated that hereafter it would be the duty of the sheriff of Bedford County to open and hold an election in the town of Farmington on the days appointed under the law for all future elections. All who are qualified to vote in any election shall also be permitted to vote at this precinct.
12. Public Acts of 1826, Chapter 3, provided that, in this apportionment of the state for representation in the general assembly, Bedford County would elect one of the twenty senators and also one of the forty representatives alone.
13. Public Acts of 1827, Chapter 17, created eleven electoral districts in the state for the election of the president and vice-president of the county. The ninth district was composed of Bedford, Maury, and Hickman counties and elected one elector.



14. Private Acts of 1831, Chapter 57, established among several others in the act a new precinct at the home of John Gregory in Bedford County at which all future elections would take place.
15. Private Acts of 1831, Chapter 216, Section 2, stated that the precinct elections established at John Gregory's be held at the Beech Grove in Bedford County, instead of at John Gregory's under the same regulations as provided for holding elections at other precincts.
16. Public Acts of 1832, Chapter 4, created thirteen U. S. congressional districts in the state of which the ninth district was made up of Bedford and Maury counties.
17. Public Acts of 1832, Chapter 9, divided the state into fifteen electoral districts for the election of a president and vice-president of the nation. Franklin County and Bedford County made up the tenth district.
18. Public Acts of 1833, Chapter 37, provided that in all future elections the sheriff of Bedford County would open and hold an election in the house of Jesse Stegald in Chapel Hill for the purpose of electing a president, vice-president, members of congress, the general assembly, and the governor.
19. Public Acts of 1833, Chapter 71, stated that in the apportionment of Tennessee for the general assembly, Bedford County would elect one senator and also one representative alone.
20. Public Acts of 1833, Chapter 76, provided that Bedford county would elect two delegates to the upcoming Constitutional Convention at Nashville at which 60 delegates would convene.
21. Public Acts of 1835-36, Chapter 39, assigned Franklin County and Bedford County to the tenth electoral district to cast votes for the president and vice-president. There were fifteen districts in all.
22. Acts of 1842, Extra Session, Chapter 1, delineated Tennessee into 25 senatorial districts for the general assembly of which the counties of Bedford and Marshall composed one, whose polls would be counted at Farmington, and, in addition, Bedford would elect one representative alone and share another with Marshall County.
23. Acts of 1842, Extra Session, Chapter 7, divided the state into eleven U.S. congressional districts. The fifth was made up of the counties of Franklin, Lincoln, Bedford, and Marshall.
24. Acts of 1851-52, Chapter 196, apportioned the representation in the Congress of the United States. The counties of Franklin, Bedford, Marshall, Lincoln and Maury composed the sixth congressional district.
25. Acts of 1851-52, Chapter 197, apportioned the representation in the general assembly of the state. Bedford County elected one representative in which the polls were compared at the courthouse. The counties of Bedford and Marshall composed one senatorial district in which the polls were compared at Farmington.
26. Public Acts of 1865, Chapter 34, created eight U. S. congressional districts for Tennessee immediately after the Civil War. The fourth district contained the counties of Rutherford, Cannon, Coffee, Lincoln, Franklin, Bedford, Marshall, and Giles.
27. Public Acts of 1871, Chapter 146, apportioned the senatorial and representative districts in the state. The counties of Bedford and Rutherford composed the tenth senatorial district and jointly elected one representative.
28. Acts of 1872, Extra Session, Chapter 7, realigned the eight Congressional districts of the state probably in accord with the 1870 Federal Census. The fourth district was made up of Franklin, Lincoln, Marshall, Bedford, Coffee, Cannon, and Rutherford counties.
29. Public Acts of 1873, Chapter 27, rearranged Tennessee into ten United States congressional districts of which the fifth district consisted of Franklin, Rutherford, Lincoln, Marshall, Moore, Bedford and Coffee counties.
30. Public Acts of 1881, Extra Session, Chapter 6, reapportioned the general assembly of the state. Franklin, Moore, and Bedford counties composed one senatorial district. Bedford would elect one representative alone and share another with Rutherford and Marshall counties.
31. Public Acts of 1882, Second Session, Chapter 27, established ten United States congressional districts in the State of Tennessee. The fifth district was made up of the counties of Cannon, Coffee, Franklin, Lincoln, Moore, Marshall, Bedford, and Rutherford.
32. Acts of 1891, Extra Session, Chapter 10, reapportioned the general assembly according to the 1890 Federal Census. Bedford would elect one representative alone and share a floater with Moore and Lincoln counties. The twentieth state senatorial district contained Bedford, Coffee, and Moore Counties in it.

33. Public Acts of 1891, Chapter 131, divided the state into congressional districts. The counties of Coffee, Lincoln, Moore, Rutherford, Marshall, Bedford, Cannon, and DeKalb composed the fifth congressional district of the state.
34. Public Acts of 1901, Chapter 109, divided the state into congressional districts. The counties of DeKalb, Cannon, Rutherford, Marshall, Bedford, Coffee, Moore and Lincoln composed the fifth congressional district of the state.
35. Public Acts of 1901, Chapter 122, placed Bedford, Coffee, and Moore Counties in the eighteenth state senatorial district and provided that Bedford would elect one representative alone and share another with Lincoln and Moore counties.
36. Private Acts of 1945, Chapter 194, stated that all primary election officers holding primary elections in Bedford County shall be entitled to receive as compensation for their services not less than \$1.00 per day nor more than \$2.50 a day which amount would be determined by the quarterly county court. A list would be made out by election officials of those working and warrants would be issued to them accordingly by the county trustee.
37. Private Acts of 1945, Chapter 196, stated that all judges, clerks, and officers holding the general elections in Bedford county would be paid as compensation for their services not less than \$1.00 per day nor more than \$2.50 a day, the same to be set by the county court. The election commissioners would certify the list of people working whereupon the county judge would cause appropriate warrants to issue to them.

## Chapter VIII - Health

No current private acts in force.

## Chapter IX - Highways-Roads

### Road Law

### Private Acts of 1975 Chapter 30

**SECTION 1.** Bedford County is hereby divided into nine (9) highway districts corresponding to the nine (9) magisterial districts in existence pursuant to the law applicable to such county in effect immediately prior to the passage of this act.

**SECTION 2.** There is hereby created and established the Bedford County Road Board, hereinafter referred to as the board, which shall be composed of nine (9) members, together with the County Road Superintendent who shall serve on the board as a non-voting ex officio member. The board shall be composed of one (1) member from each highway district, such member being a resident of the highway district from which he is elected. In the August, 1976 general election and every four (4) years thereafter, the qualified voters of each highway district shall elect one (1) member, hereinafter called a board member who shall hold office for four (4) years from the first of September following his election.

**SECTION 3.** There is hereby created the office of County Road Superintendent, hereinafter referred to as the superintendent. The superintendent shall be elected by the qualified voters of the county at the August, 1976 general election and shall hold office for four (4) years thereafter from the first of September following his election. The superintendent shall receive a salary equal to the salary paid to the County Court Clerk of Bedford County.

The superintendent shall be a person of skill and experience in highway or bridge construction work, having not less than five (5) years full-time experience and employment while engaged in such work, and shall be a person of good moral character. Any candidate for the office of superintendent shall file simultaneously with his qualifying petition with the county board of election commissioners a summary of his requisite experience which he believes entitles him to qualify for this office.

**SECTION 4.** One member of the board shall be elected to serve as chairman, and the chairman shall hold the office for a term of one (1) year or until his successor in office shall be elected. It shall be the duty of the chairman to preside over the meetings of the board, to countersign warrants and perform such other acts as may be directed by the board. The board shall conduct regular meetings at least once a month and may conduct special meetings upon call by the chairman, the superintendent, or any three (3) board members upon five (5) days' written notice to all board members. Each call for special meeting shall set forth the purpose for which such meeting is called and the character of business to be discussed and considered at such meeting. Any member may waive notice of such special meeting either before, at, or

after the meeting. Five (5) members shall constitute a quorum for the transaction of business at any regular or special meeting. The chairman shall have a vote in all matters coming before the board to the same extent as other members. Any vacancy in the office of chairman may be filled at any time by the board.

The meetings of the board shall be held in the Courthouse in the City of Shelbyville, and shall be public, but subject to change of place in case of emergency. Each board member shall be entitled to receive as compensation the sum of fifty dollars (\$50.00) per meeting but not to exceed a total annual compensation of six hundred dollars (\$600.00). A board member must be present at any board meeting in order to draw the fifty dollars (\$50.00) salary per meeting.

As amended by: Private Acts of 1989, Chapter 39

**SECTION 5.** Whenever a vacancy shall occur in the office of the Bedford County Highway Board or superintendent, then such vacancy shall be filled for the unexpired term of such office by election by the Bedford County Quarterly Court. In the event that the unexpired term of said office shall not terminate before the next general election, then said appointment shall expire on the date of the next general election, and the vacancy shall be filled thereafter by election as set forth herein.

**SECTION 6.** The superintendent shall have full and complete authority over the constructing, reconstructing, maintaining and supervising all county highways and public roads within said counties, as well as all culverts and bridges subject to the express limitations hereinafter set forth, and shall have full and complete control and authority over all monies and funds now available, or which may be hereafter available, for road and bridge purposes realized and derived from any source, save and except the express limitations on such authority hereinafter set forth. The superintendent shall have the exclusive and complete power to employ and discharge such employees as he may see fit, to administer the road and bridge system of Bedford County, to determine the nature and extent and location of any improvements to be made on the road and bridge system of Bedford County, and shall have authority to perform all other duties and functions in connection therewith.

The superintendent shall have the exclusive right and power to expend up to three hundred dollars (\$300.00) for any single item concerning the construction and maintenance of the road system of Bedford County and shall have the same authority to expend not over one thousand dollars (\$1,000.00) toward the construction and maintenance of any one bridge in Bedford County. All expenditures for a single item over three hundred dollars (\$300.00) regarding the Bedford County road system and over one thousand dollars (\$1,000.00) regarding the Bedford County bridge system must be approved by a majority vote of the board.

It shall be the duty of the superintendent to keep or cause to be kept an accurate and complete record of all receipts and disbursements and shall keep separate accounts and records of all purchases made for the building, repairing and maintenance of said roads and bridges as well as an account of all machinery and equipment purchased.

The superintendent shall make a detailed report to the County Court of Bedford County setting forth the financial status, including receipts and disbursements, made by him out of the County Road Fund. This report is to be made a regular meeting of the County Court of Bedford County, or at the request of a majority of the County Court; and such report shall be available for inspection by the public at all times at the office of the superintendent. It shall be the duty and responsibility of the board to establish a budget subject to approval by the County Court for each fiscal year, to insure that monies expended by the superintendent do not exceed the budget, and to approve or reject any request by the superintendent to expend in excess three hundred dollars (\$300.00) for any single item concerning construction and maintenance of the road system and any item in excess of one thousand dollars (\$1,000.00) towards the construction and maintenance of any one bridge in Bedford County. The Board's authority and jurisdiction shall be limited to the control of monetary expenditures stated herein and shall not be construed as to vest the Board with any power or authority over the method by which the superintendent shall discharge his responsibility and authority stated herein, except the superintendent shall submit to the board for their approval and concurrence all matters pertaining to and over planning, establishing, opening, closing and abandoning all county highway and public roads within the county.

**SECTION 7.** The superintendent and chairman, before entering upon the discharge of their duties, shall take and subscribe to an oath that they will perform the duties of their offices faithfully and impartially, and without prejudice against or in favor of any section of the county, or individual, and shall execute to the State of Tennessee a good and solvent bond in the amount of one hundred thousand dollars (\$100,000.00), payable to the State of Tennessee for the benefit of Bedford County, and that they will faithfully and impartially execute and perform all the duties imposed upon them without fear, favor, or partiality, and that they will honestly and faithfully expend and account for all monies coming into their hands, and honestly and faithfully discharge all duties required of them by law.

**SECTION 8.** The board and superintendent shall have the authority to purchase such equipment as they consider necessary to be used in the building and maintenance of the roads and highways of Bedford County and such equipment shall be paid for out of any road funds available to Bedford County; except all purchases of equipment of any character, as well as gas and other supplies, which shall contemplate the expenditure of more than five hundred dollars (\$500.00) shall be made by the superintendent and board jointly upon competitive bids and in such quantities as will give the county the benefit of the best possible prices. The superintendent shall have the right to make all necessary purchases of supplies, materials and equipment when the costs of the same do not exceed the limitations set forth in Section 6. The superintendent, upon emergency basis, may make an expenditure for the repair of equipment greater than the amount stated herein as limitations subject to subsequent full disclosure to the board of such expenditure and approval by the board of the same.

**SECTION 9.** Any and all funds now available or hereafter made available to Bedford County for use in highway, road and bridge construction or maintenance, irrespective of source from which such funds are realized, shall be received and disbursed by the board and superintendent, subject to the express limitations herein set forth. All funds expended by the board and superintendent or either of them shall be paid by the County Trustee only upon warrant, drawn by the superintendent and countersigned by the chairman of the board, and all such warrants shall indicate plainly the fund upon which the same is drawn and shall be supported by proper voucher or vouchers on permanent file with the office of the Superintendent.

The board and superintendent or either of them is hereby expressly forbidden to expend monies or funds or to incur or contract for any indebtedness the amount of which is in excess of its anticipated revenues for its fiscal year, however, the superintendent and board or either of them may purchase equipment on terms of installment with the express limitation that the aggregate amount of installments together with other expenditures do not exceed in total the estimated revenues for the applicable fiscal year.

**SECTION 10.** It is hereby declared to be unlawful for any member of the board or the superintendent to enter into any contract with themselves or each other or to be interested directly or indirectly in any matter in any contract pertaining to the construction, maintenance or repairs of the highways, roads and bridges and culverts within the county. No board member shall be permitted to hold any other elected county office, or to be employed by the Highway Department or to be employed in any capacity by any other governmental agency or office of Bedford County while serving in the capacity of a board member. Any violation of this section is declared to be a misdemeanor punishable by a fine of not less than fifty dollars (\$50.00) nor more than two hundred and fifty dollars (\$250.00), and by the removal from office, the judgment of conviction making a proper provision for such removal or forfeiture of office.

**SECTION 11.** The board is authorized to employ a secretary whose function will be to assist the board and the superintendent in the maintenance of their respective records. The secretary's salary shall be set by the board and shall be consistent with the time required for the discharge of the secretary's duties. The board shall be required to keep an accurate record of all proceedings or business transactions, and all other actions taken at the meetings of said board, both regular and special, said records to be reduced to a journal record and/or minute book which shall remain open for inspection by the public during the business hours at the office of the superintendent.

**SECTION 12.** The board shall cause to be made at least once a year an audit of the books of the superintendent, and shall pay for the same out of the funds in its hands not otherwise specifically allocated.

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

**SECTION 14.** Chapter 223 of the Private Acts of 1953, Chapter 397 of the Private Acts of 1955, Chapter 345 of the Private Acts of 1957, Chapter 274 of the Private Acts of 1965, Chapter 189 of the Private Acts of 1967, Chapter 385 of the Private Acts of 1968, and Chapter 221 of the Private Acts of 1970 are repealed.

**SECTION 15.** This Act shall have no effect unless it is approved by a two-thirds (b) vote of the Quarterly County Court of Bedford County at its next meeting, after approval of this Act by the Governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

**SECTION 16.** 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 September 1, 1976.

PASSED: April 2, 1975.

## Highways and Roads - Historical Notes

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

1. Public Acts of 1821, Chapter 6, required the county courts of the various counties in the state to classify and index all the public roads in the county which is always the first step in transportation planning. This was the forerunner of several statewide laws on roads which were to follow. Penalties for obstructing roads were included, also a first, and one could be punished for failure to observe the conditions of this act. There were three classes of roads, all related to width in this instance but later the type of surfacing was a factor, the third class being wide enough to pass two horses and riders on the way to mill or market.
2. Private Acts of 1823, Chapter 230, allowed the court of pleas and quarter sessions of Bedford County to levy a tax sufficient to produce \$400.00 a year for the next three years, or longer, to finance the building of a bridge over the Duck River at Shelbyville. The court would appoint three commissioners to supervise the project who, after executing bond for \$5,000.00, would acquire the site for the bridge on both banks of the river. The tax money collected would be turned over to the commissioners for this purposes, the surplus, if any, would be given to the trustee. Newton and Robert Cannon, of Williamson County, may build the bridge at their expense and be reimbursed by the county, if this method is preferred. The bridge must be kept in good repair at all times and the tolls specified in the act may be charged to those using the bridge, if all other terms and conditions are met.
3. Private Acts of 1829-30, Chapter 269, Section 8, authorized the county courts of Davidson, Williamson, Rutherford and Bedford to grant turnpike roads.
4. Private Acts of 1831, Chapter 216, made the bridge at Shelbyville toll free and appointed Jonathan Moseby a commissioner of said bridge.
5. Private Acts of 1833, Chapter 253, authorized Thomas O. Hunter to build a bridge across Duck River at or near the Fishing Ford in Bedford County, provided that the bridge shall not be built so as to obstruct the Ford at the said place, or to otherwise interfere with the free navigation of the river. The act named John Wortham, John Lane, John M. Lane, Odom Miller, and Abram Mayfield, as commissioners to supervise the work, and select the land on either bank on which the bridge would be built.
6. Acts of 1855-56, Chapter 201, amended an act creating the Shelbyville, Flat Creek, Mulberry and Fayetteville Turnpike Company by extending the date for completion of that road for two years and conferring also the privilege of contracting the remainder of the work out. If Bedford County builds the road to the Lincoln County line and Lincoln County fails to meet them, then Bedford is entitled to all the benefits of this act. When five miles of this road are completed, one toll gate may be installed but cannot be placed any nearer to Shelbyville than the Scull Camp Ford on Duck River.
7. Acts of 1855-56, Chapter 218, organized the Duck and Elk River Valley Railroad which would run from Shelbyville to the Alabama line via Lewisburg. Capital stock was limited to \$260,000 at \$100.00 a share. Commissioners were appointed from Marshall and Giles County and many details for the organization and management of the railroad which could form a connection with the Nashville and Chattanooga Railroad, if desired.
8. Acts of 1855-56, Chapter 244, Section 5, incorporated the Duck River Valley Railroad which would run from Shelbyville on the north side of the Duck River to a point intersecting with the Tennessee and Alabama Railroad in Maury County. Capital stock was pegged at \$260,000 or so much thereof as may be necessary to build the road. William Little, Robert Mathis, Sandy Moor, Thomas Jeffries, and J. Moor, all of Bedford County were listed among the incorporators, and the board of commissioners who would manage the road. Section 5 allowed the county courts of Bedford, Marshall, and Maury Counties to subscribe whatever amount of stocks in the company as was deemed advisable, provided, however, that the voters approved everything in a referendum conducted for that purpose.
9. Public Acts of 1901, Chapter 136, was a road law for every county in the state under 70,000 in population. The county court would select a road commissioner from each civil, or road, district, they being the same, who would be in charge of the roads and bridges in that area. The duties of the chairman, who would be selected by the members, the secretary, and the members

themselves were all fairly well spelled out. A special road tax of two cents per \$100.00 was levied which was to be in addition to other taxes. All males outside of cities between the ages of 21 and 45 were made subject to labor on the roads for a number of days to be determined by the county court, or pay a commutation fee for each day not worked. Some general specifications for roads were provided and roads would be classified into four classes, generally related to width. Petitions to open, close, or change a road could be filed with the commissioners who must dispose of them in accordance with the terms and conditions laid down in the act. County courts could designate roads to be worked by contract, employ someone skilled in road building, and could levy an ad valorem tax on each \$100.00 of taxable property not to exceed twenty cents. This act was the subject of litigation in Carroll V. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906).

10. Acts of 1905, Chapter 478, amended Public Acts of 1901, Chapter 136, in several minor particulars but primarily in the methods by which the petitions to open, close, and change roads were received and handled.
11. Private Acts of 1921, Chapter 642, provided that all turnpike corporations heretofore or hereafter chartered under the laws of Tennessee in Bedford County, using the 1920 Federal Census figures, were authorized to charge tolls ranging from ten cents for motorcycles, and other two wheeled vehicles, to \$1.25 for trucks weighing five tons or more. The board of directors of each company would indicate the company's acceptance of this toll schedule by the adoption of a resolution.
12. Private Acts of 1929, Chapter 403, created a county highway commission in Bedford County composed of S. T. Holt, B. G. White, J. F. Butts, T. H. Haynes, T. F. Woodward, and A. F. Parker, together with the county judge, or chairman. Their terms of office were specifically staggered until their successors could be elected, each for a term of six years. The county would be divided into six highway districts, and one commissioner would be elected from each district. The commission would meet regularly once each quarter and specially upon the call of the judge. They would have supervision of the roads and bridges, control of all highway funds, were required to classify the county roads, and dispose of petitions to open, close, or change roads for all of which the commissioners would be paid \$2.50 per day, and the judge \$50.00 per month, plus all necessary travel expenses. All males between 21 and 50 years of age outside cities were required to work five, 10 hour days, or pay \$1.50 per day missed, but they were to work in their districts where possible and the commutation money would be spent there. A special road tax of three cents per \$100.00 was authorized. The chairman of the board would be the agent of the county in transactions with other governments.
13. Private Acts of 1929 Extra Session, Chapter 13, repealed entirely Private Acts of 1929, Chapter 403, above. This act created a county highway commission composed of S. T. Holt, B. G. White, J. F. Butts, T. H. Haynes, T. F. Woodward, and A. F. Parker, along with the county judge, or chairman. These commissioners would serve until the regular August election in 1930, when their successors would be elected for six year terms. The county would be divided into six highway districts composed of no more than four whole civil districts. The commission would meet at the office of the county judge on Wednesday after the first Monday in January, April, July, and October. They would be in charge of all supplies and machinery and could work prisoners on the roads under certain conditions, could employ labor as needed, fix bridges up to \$500.00 in cost, above that requiring the approval of the county court.
14. Private Acts of 1933, Chapter 548, did not have a specific repealing clause, only a general one. The act names 25 members of the created highway commission from the road districts who were J. E. Lee, Dave Alderman, J. T. Stephens, Bob Breechboard, Ed Chunn, R. H. Brown, W. Amos Brown, Chairman, G. N. Parsons, John W. Jackson, Leon R. Taylor, Douglas Jeffries, Charley Patterson, Clarence Harrison, Crawford Tate, W. T. Solomon, Ed. L. Ward, J. T. Gaither, Thruston Farrar, and Thomas Ayers, who would serve until September 1, 1934, when their successors would be elected from their home districts. Members of the commission would draw \$2.00 per day for each day actually spent on the business of the commission and the chairman would be paid \$1200.00 a year plus gas and oil for his car. The chairman would appoint an overseer for each district who would also be paid \$2.00 for each day's work. The required road labor day was reduced to eight hours and the commutation rate to \$1.25 per day. There was a special road tax of two cents which could be adjusted upward by the county court, if need arose. The other terms of the act were the same as those preceding this one, none being left out.
15. Private Acts of 1935, Chapter 103, expressly repealed Private Acts of 1933, Chapter 548, in its entirety.
16. Private Acts of 1935, Chapter 104, also repealed Private Acts of 1933, Chapter 548, and enacted a new road law. This act returned the county highway commission to seven members, one from each of six road districts into which the county would be divided, plus the county judge, or

- chairman, and named E. H. Cannon, P. G. Anthony, J. T. Cartwright, T. H. Haynes, A. C. Harrison, and B. F. Simmons as members of the commission who would serve until the regular August election in 1935 produced their successors for six year terms. The county judge could vote only in case of tie when the commission met quarterly, or on special call of the chairman. Members would be paid \$2.50 per day actually spent in working while the chairman would be paid \$75.00 per month, plus travel expenses. The other terms were like the preceding acts except that the commission could employ a general foreman who would be experienced in road work, and bridges could be repaired up to \$1000.00 without approval of the county court. Males must work 5 days or pay \$5.00 as a commutation fee, and a special road tax of 2 cents per \$100.00 property valuation was authorized.
17. Private Acts of 1937, Chapter 87, amended Private Acts of 1935, Chapter 104, in Section 1 by providing that each road commissioner shall be elected from the road district in which he resides and, in case of a vacancy, a resident of that district must be appointed in his place. Their successors would be elected to six year terms in the August general election of 1942. This act also deleted Sections 12 and 13 from the original act.
  18. Private Acts of 1941, Chapter 521, amended Private Acts of 1935, Chapter 104, by striking Section 9 and inserting a new Section 9 which authorized the quarterly county court to build a county workhouse or to designate one, but, if the county jail was designated as the workhouse, the sheriff would have the care and custody of the prisoners, and, if they were to work on the roads, they would only be under the supervision of guards during that time and on the trips to and from work. The remainder of the time would be supervised by the sheriff. If the court built a workhouse and one was sentenced to it, the prisoners would be under the care, custody, and control of the county highway commission. The workhouse board was abolished and all their duties and powers were transferred to the county highway commission.
  19. Private Acts of 1943, Chapter 11, also amended Private Acts of 1935, Chapter 104, by striking the last paragraph out of Section 1 and inserting a new provision which limited the number of days for which a highway commissioner could be paid to 60 in each year. The compensation remained at \$2.50 a day for the commissioners and \$75.00 per month plus actual expenses for the judge, or chairman, while actually discharging highway duties. This act was repealed by Private Acts of 1947, Chapter 589.
  20. Private Acts of 1947, Chapter 479, amended Private Acts of 1935, Chapter 104, by creating a new seventh highway district comprised at that of the twenty-fifth civil district only, and named Earl B. West as commissioner from that district. The seven members would select their chairman from their own number who would serve for 6 months and be paid \$25.00 a month for services as such. The highway commission was required under this law to redistrict the county into the seven districts. The county judge would no longer be chairman or be entitled to vote, and his compensation was reduced from \$75.00 to \$50.00 per month, while the commissioner's per diem pay was increased from \$2.50 to \$4.00 per day and the yearly limit raised to 75 from 60. The terms of office was decreases from six to four years. Funds were to be distributed among the districts as equally as possible according to a formula established in the act.
  21. Private Acts of 1947, Chapter 589, repealed Private Acts of 1943, Chapter 11, which amended the current road law of Bedford County.
  22. Private Acts of 1947, Chapter 726, amended Private Acts of 1947, Chapter 479, by striking out the figures \$75.00 and \$50.00 from Section 1, thus leaving the compensation of the county judge as it was established prior to that act at \$75.00 per month.
  23. Private Acts of 1949, Chapter 581, amended Private Acts of 1935, Chapter 104, the Bedford County road law, by adding at the end of Section 3 a provision which authorized the county highway commission to borrow money to purchase equipment and machinery but only after the approval of the county judge was obtained, and to contract to repay the same in installments from any county highway funds coming into the hands of the commission. The borrowing for this purpose could not exceed \$60,000 nor could more than that amount be outstanding at any one time.
  24. Private Acts of 1951, Chapter 448, created a three member county highway commission who would be elected by the people at large to four year terms, except the people in Shelbyville could not vote on this matter. The county was to be divided into highway districts composed of whole civil districts. The qualifications of the commissioners were specified and their compensation was pegged at \$500.00 a year. The commission would meet on the first Saturday of every month unless called specially on five day's notice, of which meetings, minutes would be kept and made public. Commissioners must be sworn, make bond, select a chairman, and could be removed for



cause. They would employ a superintendent of highways by ballot whose salary could not exceed \$3600.00 annually, who must meet specified qualifications, and make a \$5000 bond, and whose first responsibility was to classify and index the public roads. The commission would have an office in the courthouse and could employ clerical assistance up to \$3000.00 a year. They could buy up to \$250.00 in purchases without bids, and could spend up to \$1000.00 on bridges without the approval of the county court. They were permitted to use workhouse prisoners on the roads if guards and transportation were furnished. An inventory of all supplies, machinery, and equipment was to be made and filed with the court. A road tax levy from two to five cents per \$100.00 property valuation, and a levy up to 30 cents per \$100.00 for bridges were allowed. The commission had the power of eminent domain, could not contract with themselves, or each other, and would be the agent of the county in all road transactions with other governments. All the provisions of Private Acts of 1935, Chapter 104, would remain in effect until September 1, 1952, when this law would become effective and Private Acts of 1935, Chapter 104 repealed.

25. Private Acts of 1953, Chapter 223, created a new road law for Bedford County. The seven highway districts of the county are retained by this act and the highway commission shall consist of one member from each district, elected for four years by the people in the district, to begin first at the regular August election in 1956. Present commissioners were continued in office until their terms expired. The districts could not contain more than three whole civil districts. The commissioners would be paid \$500.00, and the chairman, \$1200.00, each year out of regular highway money. Vacancies on the commission would be filled by the remaining members but only from the people of the vacated district. Commission could fix the time and date of their meetings but unless otherwise designated, they would meet on the first Saturday of each month at the courthouse in Shelbyville at 1:30 P.M. Commissioners could be removed for malfeasance in office, for cause, and, if absent wilfully for three meetings, the office could be declared vacant. The commissioners were required to execute \$5,000 bonds, and the chairman, who was selected at the September meeting for one year, must make \$15,000 bond. Their authority and jurisdiction are described in Section 12. The commission can employ a qualified superintendent of highways for a term not to exceed their own and a salary of \$3600 a year or less. Ten commission must classify and number the public roads and render a report on their status each quarter to the county court, who will appoint five of its members as an advisory committee to the commission. The superintendent would employ and supervise the necessary employees and laborers, and the commission could hire clerical assistance up to \$3,000.00 a year. The commission could make purchases up to \$100.00 without bids, and make repairs on bridges up to \$1000.00 without approval of the county court. The county jail was declared the workhouse and the sheriff would have care and custody of the prisoners at all times other than while working on the roads, or going or coming, when they would be under guards. The commission could not spend beyond the budget except machinery could be bought in an emergency in anticipation of revenues. No commissioner could be interested parties to contracts. This act was specifically repealed by the Private Acts of 1975, Chapter 30.
26. Private Acts of 1955, Chapter 397, amended Private Acts of 1953, Chapter 223, by striking Section 1 and dividing the county into three highway districts composed of whole civil districts, creating a commission consisting of one person from each district; by increasing the compensation of the commissioners to \$1500.00 a year, and of the chairman to \$1800.00; by raising the maximum salary of the road superintendent from \$3600.00 to \$4800.00; by changing references throughout the act so that two commissioners will constitute a quorum. Section 19 established a highway purchasing commission composed of the county judge, the county court clerk, and the county trustee who would supervise all purchases for highways. This act was specifically repealed by the Private Acts of 1975, Chapter 30.
27. Private Acts of 1957, Chapter 345, amended Private Acts of 1953, Chapter 223, by adding a provision to Section 5 which would pay the commissioners \$10.00 per meeting for all special, or called, meetings in addition to their other compensations, limited to three such meetings per month. Section 16 was amended so that the members of the advisory committee to the highway commission would be paid \$5.00 per day for every day actually spent in discharging their duties. These would both be paid out of any funds not previously allocated for other purposes. This act was properly ratified by the county court.
28. Private Acts of 1965, Chapter 274, amended Private Acts of 1953, Chapter 223, Section 13, by increasing the annual compensation of the superintendent of highways from \$4800 to \$6000.00. This act was specifically repealed by the Private Acts of 1975, Chapter 30.
29. Private Acts of 1967-68, Chapter 50, amended Private Acts of 1953, Chapter 223, Section 3, by setting the salary of all the commissioners of highways at \$1500.00 per year, including the

chairman; by deleting a provision in Section 5 which paid the commission \$10.00 a day, up to three days a month, for a special, or called, meeting, and by increasing the per diem rate of the advisory committee from \$5.00 to \$10.00. Our information indicates that this act was never acted on by local authorities, and, therefore, never became effective.

30. Private Acts of 1967-68, Chapter 189, amended Private Acts of 1953, Chapter 223, by adding a provision at the end of Section 3 which would reimburse the commissioners for all necessary and reasonable expenses incurred in the discharge of the obligations imposed upon them by the law, and by adding to Section 16 a similar provision for members of the advisory committee. This act was specifically repealed by the Private Acts of 1975, Chapter 30.
31. Private Acts of 1967-68, Chapter 385, amended Private Acts of 1953, Chapter 223, Section 18, by raising the ceiling placed on the amount of money to be expended on clerical assistance for the county highway commission from \$3000.00 to \$4500.00 annually. This act was specifically repealed by the Private Acts of 1975, Chapter 30.
32. Private Acts of 1970, Chapter 221, amended Private Acts of 1953, Chapter 223, Section 13, by increasing the annual salary of the superintendent of highways in Bedford County from \$6000.00 to \$10,000.00 which was ratified by the county court.
33. Private Acts of 1972, Chapter 328, was intended to be a new road law for Bedford County but was rejected at the local level by the county court and never became effective. Nine highway districts were created, and one member of the county road board, likewise created, would come from each district. The road superintendent would be an ex-officio, non-voting member of the board, whose members were to be elected in August, 1972, to four year terms. The superintendent of roads would be elected at the same time to a like term, at a \$10,000 a year salary. The members would select a chairman who would hold office for one year. The board would meet once a month at the courthouse in Shelbyville, and at such special meetings as may be necessary. They would be paid \$25.00 a meeting up to \$300.00 a year. The duties of the superintendent, who would be under \$15,000 bond, are specified, among which was the right to make purchases up to \$500.00 on equipment. All prior laws were repealed.
34. Private Acts of 1974, Chapter 289, amended Private Acts of 1953, Chapter 223, Section 13, by substituting a provision which would permit the expenditure up to \$5,100.00 for clerical assistance for the commission, and also by limiting the purchases of office supplies and equipment to the amount contained in the budget, and by increasing the amount the commission could buy without the necessity of bids from \$100.00 to \$300.00. This act was properly ratified by the quarterly county court.
35. Private Acts of 1975, Chapter 32, amended Private Acts of 1953, Chapter 223, Section 18, by substituting a whole new Section 18 by providing that the county highway commission shall have adequate spaces in the courthouse. The commission has the power to employ clerical assistance, and to purchase office supplies and equipment but the total amount expended for clerical help shall not exceed \$6,000 and the amount for office supplies and fixtures shall not exceed the amount contained in the budget appropriation. Our information indicates that this act was properly approved by the quarterly county court on April 14, 1975. It should be pointed out that this act amends Private Acts of 1953, Chapter 223, which was specifically repealed by Private Acts of 1975, Chapter 30, published herein as the road law. Both acts were passed on the same day, April 2, 1975.
36. Private Acts of 1975, Chapter 47, also amended Private Acts of 1953, Chapter 223, by deleting Section 18 and inserting a new section. This act provided for an office in the courthouse and authorized the commission to employ the necessary secretarial assistance at a salary not to exceed \$6,000.00. This act was not approved by the quarterly court, according to our information from the secretary of state's office, and therefore would not become effective.

## Chapter X - Law Enforcement

### Sheriff

### Private Acts of 1980 Chapter 305

**SECTION 1.** Any person elected to or appointed to fill a vacancy for the office of sheriff of Bedford County after the effective date of this Act shall meet the qualifications and requirements as provided in Tennessee Code Annotated, Section 38-1104.

**SECTION 2.** Any deputy employed by the sheriff of Bedford County after the effective date of this Act shall meet the qualifications and requirements as provided in Tennessee Code Annotated, Section 38-1104.

**SECTION 3.** This Act shall have no effect unless it is approved by a two-thirds (b) vote of the county legislative body of Bedford County before November 1, 1980. 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 17, 1980.

## Law Enforcement - Historical Notes

### Militia

Those acts once affecting Bedford County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1809 (2nd Sess.), Chapter 44, stated that the regiment of infantry of the Bedford County militia would hold a regimental muster at the courthouse on the second Thursday in October each year at which time their officers would be elected.
2. Acts of 1811, Chapter 93, was a long amendment to the state militia law. It provided that Giles, Lincoln, and Bedford counties would form the fifth brigade of the Tennessee Militia. The second regiment of Bedford County would be the forty-seventh regiment of the state and hold its regular county muster on the third Thursday in October. The remainder of the act was made up of general amendments to the state law.
3. Public Acts of 1815, Chapter 119, amended the general militia law of the state by designating officially all the regiments in the various counties. The two regiments in Bedford County were named the twenty-eighth and the forty-seventh regiment.
4. Public Acts of 1819, Chapter 68, revised and amended the militia laws of the state. The militia of Bedford County composed the twenty-eighth, forty-seventh and fifty-fourth regiments. The twenty-eighth regiment held regimental musters of the fourth Thursday of September, the forty-seventh on the third Thursday of October, and the fifty-fourth on the fourth Thursday of October. These regiments were all part of the tenth brigade.
5. Public Acts of 1825, Chapter 69, was the next militia law for the state. Bedford County composed the twenty-eighth, the forty-seventh, and the fifty-fourth regiment of the tenth brigade. The twenty-eighth regiment would hold its annual muster on the first Thursday after the first Wednesday in October; the forty-seventh would muster annually on the first Wednesday in October and the fifty-fourth on the first Friday after the first Wednesday in October of each and every year.
6. Private Acts of 1827, Chapter 248, altered the time of holding county drills in several counties of the state. Section 3 of the act formed the one hundred and third regiment of Bedford County. Regimental musters were held on the first Saturday after the first Tuesday in October annually. Furthermore, the calvary of Bedford County, which was attached to the tenth brigade, held regimental musters at the town of Shelbyville.
7. Private Acts of 1829-30, Chapter 286, divided the militia of Bedford County into the twentyeighth, the forty-seventh, the fifty-fourth, and one hundred and second, the one hundred and third, and the one hundred and ninth regiments and established the times for the annual county musters of each organization.
8. Private Acts of 1833, Chapter 176, established the sixteenth brigade in Bedford County.
9. Public Acts of 1835-36, Chapter 21, divided the militia of state into companies, battalion, regiments, brigades and division and prescribed the times and modes of electing officers. Bedford County composed the sixty-fifth, sixty-sixth and sixty-seventh regiments. Furthermore, the counties of Bedford, Marshall and Maury composed the twelfth brigade which composed the third division along with the tenth, eleventh, thirteenth and seventeenth brigades.
10. Acts of 1837-38, Chapter 157, Section 3, amended the state militia law by setting up county drills for the regiments in all the counties in Tennessee. Bedford County was assigned to the twelfth

brigade with Marshall and Maury counties and would hold county drills on the second Friday and Saturday in September of each year.

11. Acts of 1839-40, Chapter 56, revised the militia laws of state. The militia of Bedford County composed the sixty-fifth, sixty-sixth, sixty-seventh and one hundred and thirty-ninth regiments, all of which were part of the twelfth brigade.
12. Acts of 1861, Chapter 1, was an overall militia law for the state. The militia of Bedford County was composed of the same regiment and part of the same brigade as set forth by Acts of 1939-40, Chapter 56.

### **Sheriff**

The following acts have no current effect but are included here for reference purposes since they once applied to the Bedford County Sheriff's Office. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1815, Chapter 62, provided that as soon as Benjamin Bradford, sheriff of Bedford County, was ready to settle and pay those sums of money which he has collected as public tax, the treasurer shall give him credit for such sums as might have exceeded the amount for which he was liable and, if that amount is more than he owes, the treasurer shall pay him excess.
2. Acts of 1817, Chapter 89, required the treasurer of West Tennessee to pay \$110.00 to John Warner, sheriff of Bedford County, and his receipt therefor shall be a good voucher in the settling of accounts. The act did not specify the reason for paying the money.
3. Private Acts of 1823, Chapter 171, provided that John Houston, for deputy sheriff of Bedford County, be allowed \$20.50 as full compensation for his services and his expenses in going to and conveying Willie Garrett from the jail in Lincoln County to Bedford County; further, Price C. Steele be allowed the sum of \$15.25 for his services in the same undertaking. The receipt of both men shall be accepted as a good voucher in the payment and discharge of these obligations.
4. Private Acts of 1829-30, Chapter 253, stated that it would not be lawful for the sheriff, after his term, to collect the state and county tax, but when the county court selected their sheriff they shall, at the same time, select a tax collector who shall perform that function under the same regulations as other tax collectors.
5. Public Acts of 1831, Chapter 111, Section 4, required that the sheriff, tax collector, and ranger, of Bedford County, to publish all such advertisements as are required by law to be published in newspapers at Shelbyville.
6. Public Acts of 1835-36, Chapter 2, Section 7, called for the sheriff of Bedford County to hold elections for the election of justices of the peace, constables.
7. Private Acts of 1927, Chapter 714, stated that in order to provide fair and reasonable compensation to sheriffs, deputies and constables in Bedford County, using the 1920 Federal Census figures, all fines collected from the violators of laws pertaining to transferring, possessing, making or selling intoxicating liquors be divided evenly between the officer making the arrest and the county, which would be paid to the office when, and if, the fines were collected but would not be paid when the fines were worked out on the roads. This method of payment would be in lieu of all other compensation in such cases.
8. Private Acts of 1937, Chapter 506, amended Public Acts of 1937, Chapter 154, which was an act to provide for the relief of persons imprisoned who were too poor to pay or secure fines and costs imposed by the judgment of the court, so as to remove Bedford County from the application of any of its provisions.
9. Private Acts of 1949, Chapter 569, stated that the sheriff of Bedford County shall receive as compensation the sum of \$3,000 per year which shall be in the place and stead of all other fees and emoluments. The sheriff would get, in addition, the sum of \$500 a year as an expense allowance for expenses actually incurred in line of duty. The sheriff must furnish a sworn, itemized account to the county judge every month, and, if the fees, allowances, and income from commissions exceed \$5,000 per year, it is mandatory that the employment of deputies by approved by the chancery court as provided under the general law.

## **Chapter XI - Taxation**

### **Assessor of Property**

## Private Acts of 1947 Chapter 576

**SECTION 1.** That the County Register of the County of Bedford, State of Tennessee, shall not record any deed conveying real estate in said County unless same bears the stamp of the Tax Assessor of said County, certifying that said Tax Assessor has copied the names of the vendor and vendee in said deed of conveyance for the purpose of making proper corrections on his roll of assessments.

**SEC. 2.** That it shall be the duty of the Tax Assessor of Bedford County to be present in person, or to have a deputy present, at his office in the Courthouse during office hours. It shall be the further duty of the Tax Assessor to stamp or to cause to be stamped all deeds presented at his office, with a stamp showing that he has copied the name of the vendor and vendee in said deed of conveyance for the purpose of making proper corrections on his roll of assessments. It shall be the duty of the Tax Assessor to correct his tax rolls in all such cases so that the tax rolls of Bedford County will be kept up to date and will show the correct owners of real estate to the end that property may be assessed in the name of the true owners thereof. Failure of the Tax Assessor of Bedford County to comply with the provisions of this Act shall constitute misconduct in office and subject him to removal from office under Sections 1877 et seq. of the Code of Tennessee.

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

Passed: February 28, 1947.

## Private Acts of 1947 Chapter 724

**COMPILER'S NOTE:** The provisions of this act dealing with the minimum compensation of the assessor and the assessor's deputies may have been superseded by general law. See Tennessee Code Annotated §67-1-508.

**SECTION 1.** That the compensation of the Tax Assessor in all Counties of the State of Tennessee having a population of not less than 23,141 nor more than 23,161 according to the Federal Census of 1940 or any subsequent Federal Census be and the same is hereby fixed at the sum of Thirty-six Hundred (\$3,600.00) Dollars per annum, payable in equal monthly installments out of the General Fund of said County. Provided, however, that from and after the first day of September, 1968, the compensation of said tax assessor shall be Seven Thousand (\$7,000.00) per annum, payable in equal monthly installments out of the general fund of said county.

As amended by: Private Acts of 1965, Chapter 276

**SEC. 2.** That the said Tax Assessor is hereby authorized to receive an additional sum, in such amount as the Quarterly County Court may by resolution specify, as reimbursement for the expenses incurred by said Tax Assessor in the conduct of his office. And the said Quarterly County Court may require such report or records of the said Tax Assessor to substantiate his claim for expenses as to said court seems proper. Provided, however, that for the years 1965, 1966, 1967, and until September 1, 1968, the Tax Assessor shall be paid Eight Hundred Fifty Dollars (\$850.00) each quarter as reimbursement for his expense, to be paid on or before the 20th day following the preceding quarter, the first payment to be due April 20, 1965. Said quarterly reimbursement for expenses will be paid out of the general fund of said county and no claim nor substantiation thereof shall be required of said Tax Assessor.

As amended by: Private Acts of 1965, Chapter 276

**SEC. 3.** That said Tax Assessor must possess a general knowledge of the value of farm equipment, office equipment, manufacturing equipment and machinery, live stock, household furnishings, and transportation equipment.

**SEC. 4.** That said Tax Assessor must have the equivalent of a high school education, some practical experience in the buying and selling of real estate in said County, must be able to distinguish between the values of farm land, timber land, commercial property, industrial property, potential subdivision property, as well as complete and full knowledge of the cost of improvements located thereon and the replacement cost of said improvements.

**SEC. 5.** That the Tax Assessor must have been a resident and citizen of said County at least five years prior to his election to that office and must be a freeholder or householder.

**SEC. 6.** That the office of Tax Assessor shall be kept open to the public during the same office hours as other County offices except Sundays and holidays. Said office space shall be provided for by the Quarterly County Court of said County.

**SEC. 7.** That said Tax Assessor is hereby authorized to employ a secretary or stenographer and the person so employed shall be designated as Deputy Tax Assessor and shall take the same oath of office as prescribed for the Tax Assessor and shall receive as compensation a salary not to exceed Six Thousand

Dollars (\$6,000.00) per year to be paid in equal monthly installments from the General Fund of said County.

As amended by: Private Acts of 1967-68, Chapter 81  
Private Acts of 1970, Chapter 263  
Private Acts of 1975, Chapter 17

**SEC. 8.** That this Act shall take effect from and after September 1, 1948, the public welfare requiring it.  
Passed: March 12, 1947.

## Gaming and Amusement Devices

### Private Acts of 1983 Chapter 25

**SECTION 1.** Any person in any commercial business in Bedford County, Tennessee where gaming or amusement devices are used shall be subject to the provisions of this Act. Gaming or amusement devices include all coin-operated or token-operated electronic devices, machines, or games designed for the commercial entertainment or amusement of the user.

**SECTION 2.** There is hereby imposed a tax rate of fifty dollars (\$50) per year for each commercial game machine as described in Section 1. The tax shall be levied on each machine against the owner of the business where the machine is located.

**SECTION 3.** All tax proceeds accrued by the enforcement of this Act shall be deposited in the Bedford County General Fund.

**SECTION 4.** The Bedford County Tax Assessor is hereby authorized to promulgate and implement the regulations necessary to carry out the collection and distribution of the taxes established by this Act.

**SECTION 5.** This Act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the County Board of Commissioners of Bedford County before October 1, 1983. Its approval or nonapproval shall be proclaimed by the presiding officer of the Bedford County Board of Commissioners and certified by him to the Secretary of State.

**SECTION 6.** 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 5.

PASSED: March 3, 1983.

## Hotel/Motel Tax

### Private Acts of 2020 Chapter 37

SECTION 1. As used in this act:

(1) "Clerk" means the county clerk of Bedford County or such other officer as the legislative body of Bedford County may direct by resolution to collect the taxes authorized by this act;

(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 Bedford 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, campground, 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; and

(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 Bedford County may levy a privilege tax on occupancy of hotels located within the county but outside the boundaries of any municipality that has levied a tax on hotel occupancy prior to the county's levy, as permitted by Tennessee Code Annotated § 67-4-1425, upon the privilege of occupancy by each transient in any hotel in an amount not to exceed seven and one-half percent (7.5%) of the rate charged by the operator. The occupancy tax imposed is a privilege tax upon the transient occupying such room or other accommodation and is to be collected and distributed according to this act. The rate of the tax may be modified by the county legislative body; provided, that the rate must not exceed seven and one-half percent (7.5%). This privilege tax is in addition to all other taxes levied or authorized to be levied whether in the form of excise, license, or privilege taxes, and is in addition to all other fees and taxes now levied or authorized to be levied.

SECTION 3. The proceeds of the tax authorized by this act must be used to support local tourism and economic development. The county legislative body shall specify the use of the proceeds by resolution.

SECTION 4.

(a) Each and every operator shall add the tax to each invoice prepared by the operator for the occupancy of the hotel. The invoice must be given directly to or transmitted to the transient. The operator shall collect the tax from the transient and shall remit it to the clerk.

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

SECTION 5. All operators who lease, rent, or charge for any rooms or spaces in hotels within the county shall remit the tax collected from transients to the clerk not later than the twentieth 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 the 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 shall be that of the operator.

SECTION 6. The clerk is responsible for the collection of the tax and shall place the proceeds of the tax in accounts for the purposes stated in this act. The operator shall file under oath a monthly tax return with the clerk together with the number of copies reasonably required by the clerk for the collection of the tax. The report of the operator must include facts and information as may be deemed reasonable for the verification of the tax due. The clerk shall develop the form of the report and the county legislative body shall approve the report prior to its use. The clerk shall audit each operator in the county at least once per year and shall report on the audits made on a quarterly basis to the county legislative body. The county legislative body may adopt resolutions to provide reasonable rules and regulations for the implementation of the provisions of this act, including the form for 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 consideration, or that if added, any part will be refunded.

SECTION 8.

(a) Taxes collected by an operator that are not remitted to the clerk on or before the due date are delinquent. An operator is liable for interest at the rate of twelve percent (12%) per annum on delinquent taxes from the due date, and additionally for a penalty of one percent (1 %) for each month or fraction of a month the taxes are delinquent. The interest and penalty become a part of the tax required to be remitted.

(b) 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 an offense that constitutes a misdemeanor punishable upon conviction by a fine not in excess of fifty dollars (\$50.00). As used in this subsection, "each occurrence" means "each day".

(c) Nothing in this section prevents the clerk from pursuing any civil remedy available to the collector by law, including issuing distress warrants and the seizure of assets, to collect any taxes due or delinquent under this act.

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 as may be necessary to determine the amount of the tax as the operator may have been liable for the collection of and payment to the county, which records the clerk has the right to inspect at all reasonable times.

#### SECTION 10.

(a) The clerk in administering and enforcing the provisions of this act shall have as additional powers, those powers and duties with respect to collecting taxes under Tennessee Code Annotated, Title 67, or otherwise provided by law for the county clerks.

(b) Upon any claim of illegal assessment and collection, the taxpayer has the remedies provided in Tennessee Code Annotated, Title 67, it being the intent of this act that the provisions of law that apply to the recovery of state taxes illegally assessed and collected also applies to the tax levied under the authority of this act; provided further, the clerk possesses those powers and duties as provided in Tennessee Code Annotated § 67-1-707 for the county clerks. With respect to the adjustment and settlement with taxpayers, all errors of county taxes collected by the clerk under the authority of this act must be refunded by the clerk.

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

SECTION 11. If any provision of this act or the application of any provision of this act to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 12. This act shall have no effect unless it is approved by two-thirds (2/3) vote of the county legislative body of Bedford County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by the presiding officer of the county legislative body to the secretary of state.

SECTION 13. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective on the first day of the month following approval as provided in Section 12, the public welfare requiring it.

Passed: March 20, 2020

## Privilege Tax - Solid Waste Disposal

## Private Acts of 1991 Chapter 52

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

1. "Landfill" means land used for disposal of solid waste by filling or covering.
2. "Operator" means the person in charge of the operation of landfill in Bedford County.
3. "Person" means any and all persons, natural or artificial, including any individual, firm or association, and municipal or private corporation organized or existing under the laws of this state or any other state, and any state or local governmental entity.
4. "Solid waste" means any garbage, refuse, including without limitation, recyclable materials when they become discarded, or sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and any other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act (compiled at 33 U.S.C. Section 342), as amended, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954 (compiled at 42 U.S.C. Section 2011, et seq.), as amended.

**SECTION 2.** The legislative body of Bedford County, by resolution, is authorized to levy a tax for the privilege or disposing of solid waste at a landfill located in Bedford County at a rate not to exceed ten dollars (\$10.00) per ton of solid waste.

**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. This tax shall be used by Bedford County to offset expenses realized by the county resulting from a landfill operation within the county, including, but not limited to, road maintenance and repair, the employment of a qualified inspector or inspectors, vehicles, equipment

and test services for the purposes of monitoring and inspecting solid waste disposal in Bedford County.

**SECTION 4.** Such tax shall be collected by the operator of the landfill prior to authorizing the disposal of the solid waste at the landfill. Such tax shall be collected by such operator from the disposer of the solid waste, and shall be remitted to the county clerk as provided in this act.

**SECTION 5.**

(a) The tax levied by this act shall be due and payable monthly on the fifteenth (15th) day of the month next succeeding the month in which the solid waste disposal occurs, and shall be remitted to the county clerk of Bedford County not later than the fifteenth (15th) day of each month for the preceding month upon forms provided by the county clerk. The return shall be accompanied by a remittance covering the amount of tax due as computed by 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 county 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 county clerk shall be responsible for the collection of such tax. A monthly tax return shall be filed under oath with the county clerk by the operator with such number of copies thereof as the county 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 county clerk and approved by the county legislative body prior to use. The county 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.

**SECTION 7.** 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. 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.

All such penalties and interest imposed by this act shall be payable to and collectable by the county clerk in the same manner as if they were a part of the tax imposed and shall be retained by the county clerk's office to help defray the expenses of administration and collection.

**SECTION 8.** 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 performing solid waste disposal at a landfill in Bedford County. Restraining proceedings shall be instituted in the name of the county by the sheriff upon the request of the county clerk.

**SECTION 9.** 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, the county clerk is authorized to determine the tax liability of such person from whatever source of information may be available to him. An assessment made by the county clerk pursuant to this authority shall be binding as if made upon the sworn statement, report or return of the person liable for the payment of such tax. 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 10.**

(a) It is a violation of this act for 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, to fail to make the return, pay the tax, keep the records, or furnish the information at the time required by law or regulation. It is a violation for any person to willfully or fraudulently make and sign a return which he does not believe to be true and correct as to every material fact.

(b) Violations of the provisions of this act shall be punishable by a fine of not more than one thousand dollars (\$1,000). Each day the violation continues shall constitute a separate offense.

(c) For purposes of this section, "person" also includes an officer or employee of a corporation or a member or employee of a partnerships who is under duty to perform the act in respect to which a violation occurs.

**SECTION 11.** 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 county clerk has the right to inspect such records at all reasonable times.

**SECTION 12.** The county 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 county 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 county clerk under authority of this act shall be refunded by the county clerk. Notice of any tax paid under protest shall be given to the county clerk and the resolution authorizing levy of the tax shall designate a county officer against whom suit may be brought for recovery.

**SECTION 13.** 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 reports and monitoring and inspection of landfills, vehicles disposing of solid waste, and solid waste for disposal at such landfills to ensure compliance with all laws, rules and regulations governing the operation or maintenance of landfills and solid waste disposal.

**SECTION 14.** 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 15.** This act shall have no effect unless it is approved by a two-thirds (b) vote of the county legislative body of Bedford 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 16.** 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 15.

PASSED: March 20, 1991.

## Taxation - Historical Notes

### Gaming Amusement Devices

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

1. Acts of 1813, Chapter 16, stated that the commissioners heretofore appointed to regulate the town of Shelbyville in Bedford County may pass such ordinances as are necessary, may assess property for taxation and report the same to the county court, which taxes shall be collected by the sheriff in the normal manner. The sheriff was required to hold the election for the five commissioners.
2. Acts of 1815, Chapter 171, appointed Samuel King, William McGee, Howell Dowdy, Clement Cannon, Michael Fisher, James Dixon, and John Thompson as commissioners of Duck River navigation. The county court would appoint three citizens to view the river from Three Forks to the Maury County line and report back to the court. When this report is in, and accepted, the county court will lay a tax on all lands, lots, polls, taverns, inn keepers, et al, from year to year until sufficient money is raised to clear the river. No dam was to be erected on the river from the ford above Shelbyville to Fayetteville.
3. Public Acts of 1824, Second Session, Chapter 105, authorized the court of pleas and quarter sessions to lay a tax on all taxable property in Bedford County, not exceeding the state tax, for the next two years, to secure the necessary funds to purchase a site and erect a suitable house thereon for the accommodation of the poor in the county. The court was further vested with all the power and authority essentially and incidental to the accomplishment of this objective, such as to appoint commissioners and hire overseers.
4. Private Acts of 1915, Chapter 325, provided that the tax assessor of Bedford County, using the 1910 Federal Census figures, shall be paid the sum of \$1,000.00 per year, which shall be in the place and stead of all other fees, commissions, and income now allowed him by law.

## **Taxation**

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

1. Private Acts of 1831, Chapter 73, Section 3, stated that the entire state tax of Bedford County be remitted to Bedford County and to be applied in part to the building of the courthouse.
2. Private Acts of 1931, Chapter 14, authorized the quarterly county court of Bedford County to levy and collect an annual tax for general county purposes not to exceed forty-five cents on each \$100.00 of taxable property in the county.
3. Private Acts of 1991, Chapter 65, would have applied a hotel/motel tax on Bedford County, but according to the county clerk, the act was not ratified locally and therefore never became law.
4. Private Acts of 1991, Chapter 98, would have applied a hotel/motel tax on Bedford County, but according to the county clerk, the act was not ratified locally and therefore never became law.

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