



November 19, 2024

Henry

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.

Sincerely,

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Henry



Henry County Courthouse

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Chapter I - Administration

Budget System

Private Acts of 1983 Chapter 137

SECTION 1. Chapter 315 of the Private Acts of 1980 creating a system of accounting and budgetary procedures is hereby repealed.

SECTION 2. This Act shall be known as the "1983 Accounting and Budgeting Procedures Law".

SECTION 3. GENERAL ORGANIZATION AND PROCEDURES.

(a) **FISCAL YEAR.** There is hereby created a fiscal year for the county and for each office, department, institution, activity, and agency thereof, which fiscal year shall begin on the first day of July of each year and shall end on the 30th of June next following. This fiscal year shall constitute the budget year, and the year for accounting and reporting of each and every fund, office, department, institution, activity, and agency of Henry County; but the aforesaid provision shall be in addition to, and not in lieu of, any accounting and reporting now required of any official by general law.

(b) **GENERAL FISCAL PROCEDURES.** The system of fiscal procedure, control, accounting, and budgeting herein provided shall conform to generally accepted principles of governmental accounting and shall be in substantial agreement with the recommendations of the National Council of Governmental Accounting and as prescribed by the state comptroller of the treasury, state commissioner of education and other state and federal agencies.

(c) **BUDGET AND FINANCE COMMITTEE.** A county budget and finance committee is hereby created. The committee shall consist of six (6) members, no more than three (3) of whom shall be county commissioners, who shall be elected by the county commission at its regular January session of each year or at any subsequent session. The original budget and finance committee shall consist of six (6) members who shall be selected by the county commission as the initial membership of the budget and finance committee. Two (2) of those initial six (6) members shall be selected for a one (1) year term, two (2) of those initial members shall be elected for two (2) year terms and two (2) of those initial members shall be elected for three (3) year terms. Thereafter, at the expiration of a committee member's term the county commission shall elect his successor for a three (3) year term. In the event of a vacancy on the budget and finance committee, the county commission, after all proper notice required by law, shall proceed to fill that vacancy for the remainder of the unexpired term thereof. In addition to these six (6) members, the county executive shall be the ex-officio chairman of the budget and finance committee, provided however, that the county executive as such chairman shall vote only in the case of a tie. A majority vote shall be deemed to be a majority of the votes cast on any particular matter without regard to total membership of the committee or the members present but not voting. The director of accounts and budgets shall be the ex-officio non-voting secretary of the budget and finance committee.

(d) **GENERAL RESPONSIBILITIES OF MEMBERS OF THE BUDGET AND FINANCE COMMITTEE.** The budget and finance committee is hereby authorized to establish and submit to the county commission for approval policies, procedures, and regulations in addition to the specific provisions of this law, for implementing a sound and proficient financial system for administering the funds of the county.

(e) [Deleted by Private Acts of 1998, Chapter 118]

As amended by: Private Acts of 1998, Chapter 118

(f) **DIRECTOR OF ACCOUNTS AND BUDGETS.** The county executive shall have the authority to appoint or dismiss, subject to the approval of the county commission, a director of accounts and budgets. The person hired for this position shall be qualified by training and experience in the field of accounting to perform his duties in a proficient manner and in accordance with generally recognized governmental accounting principles. The compensation of the director of accounts and budgets shall be included in the annual budget recommendations by the budget and finance committee subject to the approval of the county commission's budget appropriation.

(g) **GENERAL RESPONSIBILITIES OF THE DIRECTOR OF ACCOUNTS AND BUDGETS.** The director of accounts and budgets shall install and maintain an accounting and financial managements system in accordance with state laws and regulations, to restrictions of this private act and other acts of Henry County, and to the policies and regulations of the budget and finance committee and the county commission. He shall assist other county officials in achieving a proficient financial management system for the county, as established by the budget and finance committee according to subsection (d) of this

section.

(h) BONDING OF DIRECTOR OF ACCOUNTS AND BUDGETS AND PERSONNEL OF THE OFFICE. A blanket bond of a minimum of fifty thousand dollars (\$50,000.00) for dishonest acts and faithful performance shall be executed in accordance with the law for the director of accounts and budgets and personnel of the office. The bond may be for more than fifty thousand dollars (\$50,000.00) subject to the approval of the budget and finance committee and the appropriations of the county commission and shall be recorded in the office of the register of deeds in the same manner as are the bonds of all county officials.

SECTION 4. BUDGETARY PROCEDURES. It shall be the duty of each official, office, department, institution, agent or employee of the county government to furnish in writing such information, in such form and at such time as may be requested by the budget and finance committee and to implement such budgetary procedures as contained in this Act.

(1) BUDGET ESTIMATES. Subject to the provisions of Section 10 hereof, the county highway commissioners shall, on or before the first day of May of each year, file with the director of accounts and budgets an itemized statement of the funds estimated to be required for the county road program for the ensuing fiscal year and for the construction, operation, repair and maintenance of the highway department, together with an estimate of the highway and road funds expected to be received during such fiscal year along with supporting documentation.

Subject to the provisions of Section 10 hereof, the county board of education shall, after preparing its annual budget as now provided by law, file such budget together with supporting documentation including projected revenues on or before the 15th day of May with the director of accounts and budgets for inclusion in the complete budget document to be presented to the budget committee.

The county executive and director of accounts and budgets shall, on or before the 15th of April of each year, file with the office of accounts and budgets an itemized statement of the amounts which they estimate are necessary to be expended from the county general fund, the debt service funds and from all other funds (excluding highway funds, school funds, and funds derived from the sale of bonds) together with an estimate of revenue to be received during the next fiscal year along with supporting documentation.

Each of the other operating departments, institutions, offices, and agencies shall file with the director of accounts and budgets on or before April 15th of each year a detailed estimate of its requirements for expenditures from the county's funds for the ensuing fiscal year, together with an estimate of any county revenues to be received by such agency, office or department along with supporting documentation.

The director of accounts and budgets shall, on or before June 1st of each year file a consolidated budget document with the budget and finance committee showing an itemized statement of the amounts estimated by the various departments and officials to be required for the efficient operation of the county government from the county general fund, the debt service funds, highway funds, school funds and all other funds, together with an estimate of the revenues estimated to be received by each of the funds during the next fiscal year and an estimate of such funds at the beginning of the fiscal year.

(2) ADOPTION OF BUDGET BY COMMITTEE - CONTENTS. On or before June 15th the budget and finance committee shall review and propose the annual budget. The budget shall contain an itemized and classified plan of all proposed expenditures and estimated receipts for the ensuing fiscal year, and shall conform to the uniform classification of accounts established by the director of accounts and budgets, first approved by the Comptroller of the Treasury. It is expressly provided that the classification of expenditures and receipts of any and all county school funds for any purpose, administered by the county board of education and the county superintendent of schools shall conform to the classification of accounts as prescribed by the State Commissioner of Education.

Opposite each item of estimated revenue the budget department shall show in opposite parallel columns the amount actually collected for the last completed fiscal year, a revised estimated amount for the current fiscal year, and the estimate for the ensuing fiscal year. All departments working in conjunction with the accounts and budgets department will estimate expenditures for the current and ensuing fiscal year, and supply these figures to the budget department.

Likewise opposite each item of proposed expenditure, the budget document shall show the amount actually expended for such item during the last completed year, the probable amount which will be spent during the current fiscal year and the proposed appropriations or expenditure estimate for the ensuing fiscal year.

In preparing the budget, the budget and finance committee may revise as it deems necessary the

total amount of each major category the estimated budget requests made by the various departments, officials, offices, institutions and agencies of the county. The line items in various account categories of the county board of education's budget shall be left to the county board of education. All departments shall be entitled to a hearing before the budget and finance committee with reference to the contemplated changes in the total amount of the estimated budget.

The budget and finance committee shall certainly and fully provide in the budget for all requirements for debt service, interest and bond maturities and for any cash deficit in any fund at the beginning of the fiscal year, and shall propose a tentative tax rate for the fiscal calendar year.

(3) PUBLICATION OF PROPOSED BUDGET AND TAX RATE PUBLIC HEARING. On or before June 15th of each year the budget and finance committee shall cause a synopsis of the proposed budget, and a statement of the tax rate required to finance the proposed budget, to be published in a newspaper having the general circulation in the county. The publication shall also contain a notice of a public hearing to be conducted by the budget and finance committee at which any citizen of the county shall have the right to appear and state his views on the budget.

Such public hearing shall be held by the budget and finance committee not later than ten (10) days prior to the beginning of the fiscal year.

Following such public hearing, the budget and finance committee shall make the final revision of the budget document and notify each department of any revisions in their budget document. The Board of Education shall on or before seven (7) days prior to the July term of the county commission adjust the line item required by changes made by the budget and finance committee and report back to the budget committee.

(4) PRESENTATION OF BUDGET TO COUNTY COMMISSION - ALTERATION OR REVISION - ADOPTION - TAX LEVY. The budget and finance committee shall present the budget of the county commission at the regular June session each year or at a special session called for this purpose prior to the beginning of the new fiscal year. The proposed budget shall be accompanied by a budget message explaining the financial program and outlining the services, work and activities to be financed by the proposed budget and a brief discussion of the means proposed for financing the expenditure program set forth in the budget. With the proposed budget, the Budget and Finance Committee shall deliver to the county commission a budget appropriation resolution and a tax levy resolution.

The county commission may alter or revise the proposed budget except as to provisions for debt service requirements and for other expenditures required by law, but the county commission shall finally adopt a budget in June. Provided, however, that prior to the adoption of the budget any county official, board, or commission shall be entitled to a hearing before the county commission with reference to any changes in budget requests or estimates.

The budget, the appropriation resolution, and the tax levy resolution, as adopted, shall be spread upon the minutes of the county commission.

(5) EXPENDITURES - LIMITATIONS AND RESTRICTIONS - DISBURSEMENT WARRANTS - IMPOUNDMENT OF APPROPRIATIONS. The appropriations made in the appropriation resolution, or any amendment thereto, shall constitute the limit to expenditures for the various purposes and from the several funds of the county for the fiscal year covered by the resolution, and no expenditure shall be made or obligation created in excess of such limitation. Provided further, that any resolution presented to the county commission in any fiscal year, after the original appropriation resolution has been adopted and the tax rate for the year fixed by the commission, which provides for an appropriation in addition to those made in the original budget appropriation, shall specifically provide by tax levy or otherwise sufficient revenue or other funds to meet expenditures to be made in consequence of such additional appropriation.

Provided, further, that of (sic) at any time during the fiscal year it shall become apparent that the revenues of any of the county's funds together with its unencumbered cash balance at the beginning of such year, will not be sufficient to equal the amount of the original appropriations, it shall be the duty of the director of accounts and budgets to impound the appropriations from such fund in such amount as shall appear necessary, subject to the written approval of the budget and finance committee and such other requirements as provided by law.

The appropriations made by the county commission, as provided above, shall constitute authorization for expenditures unless otherwise limited by the county commission. Expenditures may be made and obligations created against any appropriation to an aggregate total of the amount appropriated for such item except that each department or agency shall file with the budget and accounting director a copy of each purchase order at the time of origination with a notation

indicating to which specific account it is to be charged. In addition, the expenditures and encumbrances against the amounts appropriated shall be made only in consequence of an order issued by the proper authority and subsequent approval of the invoice by the director of accounts and budgets; except that payrolls and bills for telephones, water, gas, electric and other utility services, and such other exceptions as approved by the budget and finance committee, shall first be checked and approved for payment by the various departments or otherwise as provided by law and county obligations imposed by law shall be approved by the proper authority before being submitted to the director of accounts and budgets for payment. No expenditures made or obligations created in any manner shall be valid or binding against the county except as provided by law.

(6) BUDGET AMENDMENTS. If the need shall arise, the budget and finance committee, with the consent of any official, head of any department or division which may be affected may make transfers and adjustments within the smallest budgetary itemization of any subdivision. Any other transfers or adjustments shall be submitted to the budget committee for its recommendation to the county commission. Budget amendments should be timely and enacted before the expenditure of such funds.

(7) MONTHLY REPORT OF DIRECTOR. The director of accounts and budgets shall make a report at the end of each month showing the condition of the budget. This report shall show for each item of appropriation, and/or allotment thereof, the total expenditures for the month and the year to date, the amount of outstanding encumbrances and the amount of the unencumbered balance. The report shall also show for each fund an itemized statement of the revenues and receipts estimated for the year, the amount of the collections of each item for the month and the year to date and the unrealized portion of the estimate. Each department head, elected official, and board member shall be furnished copies of monthly reports for their respective departments, upon request, as soon as the same is available. A quarterly report shall be presented by the director of accounts and budgets at a regular session of the county commission. At such time he shall advise the county commission of the condition of the budget, and of any adjustment or reduction of appropriations which should be made, and shall recommend any other action which, in his opinion, the county commission should take in order that the budget shall be kept in balance.

(8) CHANGE IN REQUIRED DATES. Any date referred to in Section 4 may be extended for any reason sufficient to the budget and finance committee, for such time as allowed by the budget and finance committee upon application for an extension by the department or agency concerned and the granting of such an extension not less than five (5) working days in advance of the deadline date involved.

SECTION 5. FISCAL PROCEDURE SYSTEM. There shall be set up and maintained in the office of the director of accounts and budgets a system of fiscal procedure, control and centralized accounting, hereinafter set out and described, which shall be under the administrative control and direction of the director of accounts and budgets; but such system shall be conducted in full accordance with the general law of this state respecting the duties and responsibilities of the county executive as fiscal agent of the county and respecting the statute duties and responsibilities of the county board of education as well as the responsibilities and duties of the county highway department.

(1) DUTIES AND POWERS OF DIRECTION - RECORDS, ACCOUNTS AND REPORTS - DISBURSEMENT WARRANTS - PAYROLL SYSTEM. It shall be the duty of the director of accounts and budgets to post and otherwise keep the records of the central accounting system; to verify all bills, invoices, payrolls and claims against the county before payment; and to check the settlements and reports of the various officials and department heads of the county government.

The director shall, also, after careful pre-audit of invoices, bills, and claims against the county or any of its funds, prepare disbursement warrants on all county funds. It will be the responsibility of the director of accounts and budgets to inform any requesting department of expenditure requests that appear to be inconsistent with original appropriations. It will, also, be the responsibility of the director of accounts and budgets to inform the budget and finance committee of any such invoices that cannot be resolved by the director and the requesting department.

The director shall administer all funds in accordance with the laws affecting this county and as prescribed for such agencies as described in Section 3(b).

The director shall establish a payroll system for the entire county, and maintain a complete set of records, and set up a check and balance system for pre-audit and post audit of all payrolls. The director is hereby authorized to maintain a special county payroll account at a local bank in which disbursement warrants for the total net payroll may be deposited and against which payroll checks for the net earnings may be issued to each county employee.

(2) RECEIPT OF FUNDS - RECEIVABLE WARRANTS. Excepting taxes such as the county trustee is authorized to collect, the payment of all monies to the county trustee by any collectors authorized by statute, or by anyone on account due the county, shall be made only by issuance of a receivable warrant signed by the county executive instructing the trustee to receive the amount named, for which the trustee shall issue his receipt, duplicate of which shall be delivered to the director of accounts and budgets to be used by him in posting the accounting records.

All monies received for each department or fund as established by law shall be deposited in such fund and distributed and used according to law.

(3) PAYMENT OF OBLIGATIONS - DISBURSEMENT WARRANTS. Before any obligation against the county shall be paid or any disbursement warrant or voucher issued, a detailed invoice, receivable copy of the purchase order, or such document indicating receipt of merchandise or service should be approved by the head of an office, department or agency for which the obligation was made and be filed with the director of accounts and budgets. The director shall establish a system for making a careful pre-audit of such invoice, purchase order, or other documents, including a comparison with any encumbrance document previously posted or filed authorizing such obligation, and shall approve for payment only such items as appear to be correct, properly authorized, and not exceeding the otherwise unencumbered balance of the allotments or appropriations against which they are chargeable. Disbursement warrants shall be promptly prepared for all such approved obligations by the director of accounts and budgets office, signed in accordance with Section 5(4), and mailed or delivered to the payees thereof.

A duplicate copy of all disbursement warrants, with all original invoices and other supporting documents attached thereto, shall be kept on file in the office of the director of accounts and budgets.

(4) SIGNING OF DISBURSEMENT WARRANTS AND PAYROLL CHECKS.

All disbursement warrants drawn on the county trustee for the obligations of the county executive, the county highway department, and the county department of education, shall be signed in accordance with the law. After the disbursement warrants are prepared in the director of accounts and budgets office, the disbursement warrant shall be provided to each department for signing. Upon the signing of such warrant, the department head signing the disbursement warrant may keep one (1) copy for filing in such department. The original and all other copies of such warrant shall be returned to the director of accounts and budgets office for filing and mailing from such office.

In lieu of each department signing disbursement warrants, the departments may authorize the director of accounts and budgets to use a signature plate in accordance with the law and approval by the state Comptroller of the Treasury, provided a copy of such disbursement warrant is provided the department authorizing the use. If such signature plate is used, it shall be locked in a safe place when not in use or supervised by the person responsible for its safekeeping when in use. A record shall be maintained indicating when the signature plate is used, numbers of the warrants signed, and the person using such plate.

SECTION 6. Any official named in this Act, or any other official, agent, or employee of the county, who shall fail or refuse to perform the duties required of him under this Act, or who shall otherwise fail or refuse to conform to the provisions of this Act, shall be deemed guilty of a misdemeanor and subject to removal from office.

SECTION 7. It is mandatory upon the county commission to levy a tax rate which assumes that not more than ninety-four percent (94%) of all the total tax aggregate produced by such rate will be collected during the ensuing fiscal year, and which tax rate will produce, together with the usual miscellaneous revenues and any unexpended balances carried over from the preceding fiscal year, an amount at least equal to the amounts appropriated in the budget as adopted by the county commission.

As amended by: Private Acts of 1995, Chapter 114

SECTION 8. [Deleted by Private Acts of 1998, Chapter 118]

As amended by: Private Acts of 1998, Chapter 118

SECTION 9. The provisions of this Act do not apply to the budgeting and disbursement procedures for the Henry County general hospital district, the Henry County nursing home or the Henry County ambulance service except that those agencies are required to continue submitting proposed budgets for the approval of the county commission as has been done prior to the adoption of this Act and as is required by the respective private acts creating each of those agencies.

SECTION 10. [Deleted by Private Acts of 1998, Chapter 118]

As amended by: Private Acts of 1998, Chapter 118

SECTION 11. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county commission of Henry County. Its approval or rejection shall be proclaimed by the presiding officer of the county commission and certified by him to the Secretary of State.

SECTION 12. For the purpose of approving or rejecting the provision 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 11.

Passed: May 10, 1983.

County Attorney

Private Acts of 1967-68 Chapter 402

SECTION 1. The Quarterly County Court of Henry County shall have authority to elect an attorney licensed to practice in Tennessee, to serve as County Attorney. The County Attorney shall serve at the pleasure of the Quarterly County Court and his compensation shall be fixed by the Quarterly County Court.

SECTION 2. This Act shall have no effect unless it is approved by the Quarterly County Court of Henry County before December 1, 1968. Its approval or non-approval shall be proclaimed by the presiding officer of the Court and certified by him to the Secretary of State.

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

Passed: March 18, 1968.

County Mayor

Private Acts of 1919 Chapter 15

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the County Judges of the counties of this State having a population of not less than 25,430 and not more than 25,440 according to the Federal Census of 1910, or any subsequent Federal Census, shall receive, in addition to the salary now provided by law, for services as County Judge, the additional sum or amount of \$4,000.00 per annum for services as accounting officer, financial agent and general agent of such counties, said sum or amount of \$4,000.00 to be paid monthly out of the county treasury upon the judge's own warrant, and is to be in addition, as aforesaid, to the salary or salaries now allowed said County Judge in all counties falling within the provisions of this Act.

That in all Counties of this State to which this Act applies, it shall be the duty of the Quarterly County Court, to assign and allocate offices and office space, in the County Courthouse to County Officers and to such other public agencies as may be entitled to office space.

(a) Provided that the office space now used by any County Officer elected by the people of the County or the Quarterly County Court shall be changed without the Quarterly County Court first authorizing such changes by a majority vote of the members present at a regular session of such Quarterly County Court.

(b) Provided further that no person or persons, partnership or company, professional or layman, shall be allowed to use an office or office space in the County Courthouse, directly or indirectly for personal profit, professional fees, salaries or otherwise, except the salary lawfully paid for their respective County or public offices.

(c) Provided that it shall be the duty of the County Judge, upon receiving information that any office or space in the County Courthouse is used for personal profit by any occupant thereof, other than the lawful salary or fees to which such officer is entitled by law, to notify the Quarterly County Court.

SECTION 2. That the amount by which the compensation of each County Judge is increased by the provisions of this Act shall be deemed and treated as additional compensation for services as fiscal agent accounting officer and not as an increase in compensation as judicial officer.

SECTION 3. That the compensation herein provided be paid monthly out of the general funds of the respective counties upon a warrant drawn by the County Judges.

SECTION 4. That the provisions of this Act are hereby declared to be severable, and if any of its sections or provisions, clauses, or parts of clauses, sections or provisions be declared to be unconstitutional, them

the remainder of this Act shall remain in full force and effect, it being the legislative intent now here declared, that this Act would have been adopted if such void and unconstitutional parts hereof had not been included.

As amended by: Private Acts of 1939, Chapter 432
Private Acts of 1951, Chapter 195
Private Acts of 1953, Chapter 591
Private Acts of 1977, Chapter 160

SECTION 6. Be it further enacted, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed: January 22, 1919.

Private Acts of 1937 Chapter 895

SECTION 1. That in counties having a population of not less than 26,420, nor more than 26,440, the County Court may, at any regular session, employ stenographic and/or clerical assistants for the County Judge, to aid in the administration of the Social Security Law.

SECTION 2. That the County Court shall designate the number of such assistants to be employed and shall fix the amount of their compensation. Such assistants so employed shall be paid monthly at the rate fixed by the County Court and shall be paid upon warrant of the County Judge drawn upon the general county funds.

SECTION 3. That any assistants so employed shall have no fixed tenure of office and their employment may be terminated at the will of the County Court.

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

Passed: May 21, 1937.

Courthouse Janitor

Private Acts of 1921 Chapter 605

SECTION 1. That any County having not less than 27,151 population nor more than 27,250 by Federal Census of 1920 or any subsequent Census, the County Court thereof is authorized to create the office of Court House Janitor, and fill the place annually by an election of the Quarterly Court thereof.

SECTION 2. That such officer have charge of the Court House, to keep clean and in repair, and sanitary, and he is hereby made the general custodian of the Court House and Grounds.

SECTION 3. That the salary for the year shall be fixed prior to an election, and shall not be changed during said period.

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

Passed: March 31, 1921.

Northwest Tennessee Development Agency

Public Acts of 1967 Chapter 345

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

SECTION 1. That it is hereby created and established the Northwest Tennessee Development Agency, being a public body corporate and politic, and for the purpose of this Act it will be hereinafter referred to as the "Agency".

The Agency is created for the purpose of developing and effectuating plans and programs for comprehensive development, including the control and development of the water resources of the Big Sandy River, West Sandy Creek, Middle Fork of the Obion River, the combined Middle Fork and South Fork of the Obion River from that point of confluence to the point of confluence with the Rutherford Fork of the Obion River, the Middle Fork, South Fork, and Rutherford Fork of the Obion River from the points of their confluence to their subsequent confluence with the North Fork of the Obion River, and of the Obion River

proper from such point of its confluence with the Mississippi River, located in Benton, Henry, Obion, and Dyer Counties, Tennessee, and for the purpose of planning, developing, and constructing a fresh water canal, with the necessary lakes, locks, and dams in the watershed of and along the waters of the aforesaid rivers and creeks, and for the purpose of integrating plans, programs, and development activities with the overall development of the area described.

SECTION 2. That the organization of the Agency shall be as follows:

- (1) The Agency shall be governed by a Board of Directors consisting of eleven (11) members.
- (2) The Quarterly County Court of each of the above-named counties shall nominate by majority vote two (2) candidates for each directorship from the county. Candidates shall include persons active in municipal, industrial, agricultural, commercial, and citizen organizations, such as the Northwest Tennessee Development Agency, active in promoting comprehensive unified development of the resources and economic growth of the watershed area of the aforesaid rivers, creeks, and tributaries. The presiding officer of the governing body of each county shall certify such nominations to the Governor, who shall appoint from the nominations from each county one from each group of the two (2) nominated for each directorship. From the above, the Governor shall appoint one for a term of two years, one for a term of four years, one for a term of six years, and one for a term of eight years. However, such terms shall continue in all event until successors are appointed. Successors shall be appointed for terms of eight years. In the event of a vacancy on the Board, the Governor shall appoint a successor for the remainder of the unexpired term.
- (3) The Governor shall appoint a resident of one of the aforesaid counties as the eleventh (11) Director, to serve as such Director during the Governor's term of office.
- (4) The County Judges of Benton, Henry, Weakley, Obion, and Dyer Counties shall be ex-officio members of such Board of Directors.
- (5) The situs and place of business of the body corporate and politic, or Agency, herein created, shall be at Dresden, in Weakley County, Tennessee.
- (6) Upon the completion of its membership, the appointees and those designated as ex-officio members shall meet and organize at Dresden, Tennessee, electing a Chairman, Vice-Chairman, and Secretary-Treasurer, and set a regular time and place for the meetings of the Board.
- (7) Directors shall serve without compensation, except reimbursement for actual traveling expenses and other necessary expenses incurred in the performance of their official duties, such expenses to be reimbursed from such funds as may be available to the Agency.

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

- (1) General
 - (a) Perpetual succession in corporate name.
 - (b) Sue and be sued in corporate name.
 - (c) Adopt, use, and alter a corporate seal, which shall be judicially noticed.
 - (d) Enter into such contract and cooperative agreements with the Federal, State, and local governments, with agencies of such governments, with private individuals, corporations, associations, and any other organizations as the Board may deem necessary or convenient to enable it to carry out the purpose of this Act.
 - (e) Adopt, amend, and repeal by-laws.
 - (f) Appoint such managers, officers, employees, attorneys, and agents as the Board deems necessary for the transaction of its business, fix their compensation, define their duties, require bonds of such of them as the Board may determine. Salary of any such employees may be paid out of such funds as may be available to the agency from any source.
- (2) Formulation and Execution of Development Plans

The Agency is authorized to:

- (a) Investigate the resources of the watershed areas of the Big Sandy River, West Sandy Creek, Middle Fork of the Obion River, the combined Middle Fork and South Fork of the Obion River from their point of confluence to the point of confluence with the Rutherford Fork of the Obion River, the Middle Fork, South Fork, and Rutherford Fork of the Obion River from the point of their confluence to their confluence with the North Fork of the Obion River, and of the Obion River proper from such point to the point of its confluence with the Mississippi River, and determine the requirements for their full development, and for the control and development of the watershed areas thereof,

including, but not limited to, the building and constructing of a fresh water canal for the purpose of water transportation between the Tennessee and Mississippi Rivers, and for the further purpose of furnishing large quantities of water for manufacturing and industrial purposes, and for the better development of the economy of the general area.

(b) Develop and carry out a unified comprehensive program of resource development for the economic growth of the area. These plans shall be consistent with plans for state-wide economic development.

(c) In making such investigations and in formulating development plans, to seek and utilize the assistance of appropriate Federal, State, and local agencies and of private citizens and citizen organizations interested in the conservation and development of the resources of the area.

(d) Provide, develop, and help as appropriate the needed and feasible cooperative arrangements for the construction of water control structures, channel improvements, and facilities for navigation, drainage, irrigation, water conservation and supply, industrial development, recreation, and land improvement as a part of its comprehensive plans and, in aid of such activities, to accept loans and grants, or other assistance, from Federal, State, and local governments, or from the agencies of such governments.

(e) Arrange with any city, county, municipality, or supplier of utilities for the abandonment, relocation, or other adjustment of roads, highways, bridges, and utility lines.

(f) To particularly arrange and develop plans with the Corp of Engineers of the United States Army, Department of Defense, for the surveying, locating, and constructing of a navigable canal, on and along the aforesaid rivers and creeks, from the confluence of the Big Sandy River with the Tennessee River, over, through, and along the waters of the Big Sandy River, West Sandy Creek, Middle Fork of Obion River, and the combined waters of the Middle Fork, South Fork, Rutherford Fork of the Obion River to their confluence with the North Fork of the Obion River, and the Obion River proper to its confluence with the Mississippi River, so as to afford opportunity for the economic development of such areas.

(g) To arrange, develop, and make all necessary contracts and agreements with the Middle Fork Obion River Watershed District, of Henry and Weakley Counties, Tennessee, and with any and all other watershed districts within the aforesaid areas, or that may hereafter be created within such areas, or created on a tributary of any of the streams, herein above set out, which might be affected by the projects contemplated for this Agency.

(3) Land Acquisition:

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

(4) Management and Operation:

(a) Enter into contracts with municipalities, corporations, or other public agencies, or political subdivisions of any kind, or with others for the sale of water for municipal, domestic, agricultural, or industrial use of or any other services, facilities, or commodities that the Agency may be in a position to supply.

(b) Develop reservoirs and shoreline lands for recreational use and provide for their operation for this purpose directly or by concessionaires, lessees, or vendees, or shoreline lands.

(c) Sell or lease shoreline lands acquired in connection with the development of the watershed areas of the above-named rivers, streams, and creeks or the tributaries thereof, and included within the areas suitable to be developed by the Agency, for uses consistent with the Agency's development plan and subject to such restrictions as the Agency deems necessary for reservoir protection and to such requirements as to: (1) character of improvements and activities, and (2) time within which such improvements or activities shall be undertaken as the Agency deems appropriate to its overall development plan.

(d) Acquire or operate shoreline lands of reservoirs owned by the United States of America as the agent of the Federal agency having custody and control thereof under appropriate agreements with such agencies.

(e) Acquire, construct, or operate such other facilities or works of improvement as are necessary to effectuate the plans for comprehensive development of the area.

(f) To enter into contracts and agreements with The Tennessee Valley Authority, an agency of the United States Government, for the purpose of constructing facilities and works within the area embraced in this Act, including, but not limited to, the development of hydroelectric dams for the purpose of manufacturing electrical power.

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

(1) Financing

(a) Issue its bonds from time to time in an amount not to exceed a total of Ten Million Dollars (\$10,000,000) for the purpose of paying in whole or in part the cost of the acquisition of necessary land or interests therein and the development of the resources of the above-named rivers, streams, and creeks, and expenses incidental thereto;

(b) Secure such bonds by a pledge of all of any of the revenues which may now or hereafter come to the Agency from any source, by a mortgage or deed of trust of the Agency's land or any part thereof, or by a combination of the two; and

(c) May make such contracts in the issuance of such bonds as may be necessary to assure the marketability thereof.

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

(1) To contribute to the work of the Agency any amount or amounts of money that their respective governing bodies, acting in their sole discretion, shall approve to be paid from the general fund of the respective county or city. Quarterly County Courts and governing bodies of such cities or towns shall be empowered to levy and collect ad valorem taxes for such purposes, which are hereby declared to be for municipal and county public purposes.

(2) To issue their bonds as provided for counties in Sections 5-1101 through 5-1125, Tennessee Code Annotated, and for municipalities in Section 6-1601 through 6-1632, Tennessee Code Annotated, to obtain funds for the financing of public works by the Agency, or to secure advances made by Federal agencies for the construction of public works in the above-named rivers, streams, and creeks pursuant to cooperative agreements with the Agency.

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

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

SECTION 8. That for purpose of coordinating its activities with the needs and undertakings of other local organizations and groups, the Board of Directors may establish an advisory board consisting of the Chairman of the Agency Board (who shall be chairman of the Advisory Board), and of sufficient members to represent adequately so far as possible industry, commerce, agriculture, the general public, any official planning and developmental bodies in the locality, and organized citizen groups working for the development of the aforesaid rivers, streams, creeks, and tributaries.

SECTION 9. That there is hereby appropriated out of the Treasury of the State of Tennessee to the Agency created by this Act, the sum of Ten Thousand and no/100 Dollars (\$10,000) for the purpose of aiding in the organization and development of the programs initiated and proposed by the Board of Directors of the Agency, and particularly to promote the building of a fresh water transportation canal, including local and dams, as defined and set forth in this Act, by the Corp of Engineers, United States Army, Department of Defense, and of the building and construction of dams, reservoirs, and other necessary facilities for the production of hydroelectric power by the Corp of Engineers, The Tennessee Valley Authority, or any other agency of the Federal Government, or of the State of Tennessee, under the authority of the "State Rural Electrification Authority Law," the same being Sections 65-2301 [65-23-101] through 65-2323 [65-23-123], Tennessee Code Annotated, or the Tennessee Rural Electrification Authority, when and if organized by authority of Sections 65-2301 [65-23-101] through 65-2323 [65-23-123], Tennessee Code Annotated, provided, however, that the funds or portions thereof, so appropriated, shall be paid out only upon a voucher approved by the member of the Board of Directors appointed by the Governor under the terms of this Act and subject to the approval of the Governor.

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

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

Passed: May 25, 1967.

Purchasing

Sealed Bidding Procedures Act

Private Acts of 1995 Chapter 10

SECTION 1. This act shall be known as the "Sealed Bidding Procedures Act for Henry County".

SECTION 2. The General Assembly hereby declares that Henry County, Tennessee is in need of a systemized procedure for the public opening of sealed bids on county purchases so as to increase efficiency and promote public confidence in the county purchasing process.

SECTION 3. (a) In all instances of purchasing by the submission of sealed bids, whether involving the county general fund, the county highway fund, the county school fund, or the Henry County Medical Center the following procedures shall apply:

(1) Any public advertisement inviting sealed bids shall indicate the date, time, and place where such bids shall be opened, and such advertisement shall indicate that such event may be attended by the general public; and

(2) The provisions of subdivision (1) to the contrary notwithstanding, the county official who would otherwise be supervising the public opening of the sealed bids may postpone such public opening until another date, time, or place provided that such postponement shall be announced orally at the date, time, and place originally advertised or by the posting of a notice of postponement at the place originally scheduled on or before the date and time previously announced.

(3) As to either method, the announcement of the postponement of the opening shall state the date, time, and place that the postponed opening of sealed bids shall occur.

(b) Nothing in this act shall be construed as requiring an immediate or public decision on the awarding of any purchase contract, or the immediate or public determination of any other ultimate decision regarding the purchase. Nothing in this act shall be construed as limiting in any way the right of the county to reject any and all bids to the extent the county otherwise has such right under public law.

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

SECTION 5. For purposes of approving or rejecting the provisions of the act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

Passed: February 27, 1995.

Administration - Historical Notes

Budget System

1. Private Acts of 1939, Chapter 431, provided for the Quarterly County Court of Henry County to elect a three member Budget Committee for each calendar year. The Budget Committee would prepare and submit to the Quarterly County Court a plan for all proposed expenditures and all estimated revenues for the ensuing year. Any county official found to be in violation of any provision set forth in this act was subject to personal liability, fines and/or removal from office depending on the particular violation.
2. Private Acts of 1951, Chapter 545, amended Private Acts of 1939, Chapter 431, above, by increasing the salary of the Secretary to the Budget Committee from \$1,200 to \$1,800 annually.
3. Private Acts of 1957, Chapter 314, amended Private Acts of 1951, Chapter 545, above, by increasing the salary of the Secretary to the Budget Committee from \$1,800 to \$2,400 annually.
4. Private Acts of 1971, Chapter 16, amended Private Acts of 1939, Chapter 431, above, by changing the membership of the Budget Committee from three members to seven members and by increasing the salary of the Secretary to the Budget Committee to \$7,200 annually.
5. Private Acts of 1974, Chapter 276, amended Private Acts of 1939, Chapter 431, above, to authorize the Quarterly County Court to fix from time to time the compensation of the Secretary to the Budget Committee.
6. Private Acts of 1977, Chapter 161, amended Private Acts of 1939, Chapter 431, above, to allow the Quarterly County Court to elect a Secretary for the Budget Committee to serve at the pleasure of the Quarterly County Court and keep all records of the Budget Committee and perform such office and secretarial duties as might be assigned by the Budget Committee.
7. Private Acts of 1978, Chapter 258, amended Private Acts of 1977, Chapter 161, Section 12, above, to allow the Quarterly County Court to elect each year at the April term a Secretary for the Budget Committee to keep all records and to perform such office and secretarial duties assigned. The Quarterly County Court was authorized to fix from time to time the compensation of the Secretary.
8. Private Acts of 1979, Chapter 76, amended Private Acts 1939, Chapter 431, above, by increasing the percentage of tax payments the County Commissioners could expect to be paid in setting the Budget from eighty to ninety percent.
9. Private Acts of 1980, Chapter 315, repealed all prior acts and provided for the Board of County Commissioners at the January, 1981 regular session of the Board and at the end of each succeeding calendar year to elect a seven member Budget Committee. The Budget Committee would prepare for and submit to the Board of County Commissioners a proposed budget for the ensuing fiscal year. Any county official found to be in violation of any provision set forth in this act was subject to personal liability, fines and/or removal from office, depending on the particular violation.
10. Private Acts of 1983, Chapter 137, repealed Private Acts of 1980, Chapter 315, above.

County Clerk

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

1. Private Acts of 1822, Chapter 91, authorized the Ranger, the Register and the Clerk of Henry County Court to keep their books and papers of record separately at any house in the county which best suited their convenience for safe keeping, until a court house was completed or until some other provision was made by law. The act authorized the Justice of the Peace for the County to continue the courts at the same location pending the erection of a new courthouse.
2. Private Acts of 1825, Chapter 98, provided for James Hicks, the presiding County Court Clerk and James Jones, the Circuit Court Clerk, to keep their records and offices in their respective homes, any law to the contrary notwithstanding. However, the act provided that the said officials could not reside more than one-quarter of a mile from the town of Paris.

County Legislative Body

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

1. Private Acts of 1822, Chapter 91, authorized the Ranger, the Register and the Clerk of Henry County Court to keep their books and papers of record separately at any house in the county

- which best suited their convenience for safe keeping, until a courthouse was completed or until some other provision is made by law. The act authorized the Justice of Peace for the county to continue to hold the courts at the same location pending the erection of a new courthouse.
2. Private Acts of 1824, Chapter 102, provided that the County Court of Henry County would meet on the second Monday in March, June, September and December.
 3. Private Acts of 1825, Chapter 98, allowed James Hicks, the presiding County Court Clerk and James Jones, the Circuit Court Clerk of Henry County to keep their records and offices in their respective homes. The act required that the officials live no more than one-quarter of a mile from the town of Paris. than one-quarter of a mile from the town of Paris.
 4. Public Acts of 1827, Chapter 44, authorized the Justices of the Courts of Pleas and Quarter Sessions of Perry, Humphreys, Stewart, Hickman, and Henry Counties to elect three members amongst themselves to hold the County Court every year. Said Court was to operate under the same rules, regulations and restrictions as the Courts of Rutherford County were then under.
 5. Private Acts of 1827, Chapter 65, authorized the Court of Pleas and Quarter Sessions in Dickson, Sullivan, Weakley, Hawkins, Hamilton, Smith, Henry and Rhea Counties to select from their County Court three of their members to act as a Quorum Court.
 6. Public Acts of 1831, Chapter 57, ordered that anyone who had the official papers of Thomas Read, a former Justice of the Peace in Henry County, to return the papers to the County Court Clerk, whose duty it was to receive the same and issue executions on the judgments entered by Read and to do all other things required by law for County Court Clerks with reference to the official papers of the Justices of the Peace.
 7. Public Acts of 1833, Chapter 11, provided for the Quarterly County Court of Henry County to be held on the fourth Monday in March, June, September and December.
 8. Private Acts of 1919, Chapter 411, allowed the Justices of the Peace attending regular or called sessions of the Quarterly County Court of Henry County to receive \$3 per day for their attendance at the sessions plus receive an allowance for their mileage, ferriage or toll, as was permitted under the law.
 9. Private Acts of 1959, Chapter 296, set the per diem for Henry County Justices of the Peace attending Quarterly Court at \$10 and set the mileage allowance for the Justices at eight cents per mile travelled to and from the courthouse and their place of residence. Any Justice of Peace living within two miles of the courthouse was not allowed to receive mileage.

County Mayor

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

1. Acts of 1855-56, Chapter 253, created the office of County Judge in every county in the state, the official to be elected by the people for four-year terms. The County Judge was to be learned in the law and sworn and commissioned as were other Judges. Quorum Courts were abolished and all the duties of those Courts were assigned to the County Judges who would preside over the sessions of the various county Quarterly Courts. The jurisdiction of the County Courts was specifically outlined in the act. The County Judge would be the accounting officer and general agent of the County and would be responsible for discharging the duties as enumerated in the act.
2. Public Acts of 1857-58, Chapter 5, repealed Acts of 1855-56, Chapter 253, above, in its entirety and restored the Quorum Courts to their former status.
3. Public Acts of 1867-68, Chapter 30, allowed Henry, Weakley and Obion Counties to elect a County Judge who would have the same rights and privileges as other County Judges. The act provided that the County Judge was to receive a salary of \$500 to be paid out of the county treasury. The County Judge was to be the Financial Agent for Henry, Weakley and Obion Counties.
4. Acts of 1909, Chapter 333, provided that the County Judge of Henry County would receive, in lieu of all other compensation then provided by law, the sum of \$1,000 annually, to be paid monthly out of the county treasury.
5. Private Acts of 1921, Chapter 873, empowered the Judge of the Henry County Court with jurisdiction concurrent with the Chancery Court in actions to allow guardians to encroach upon the corpus of the estates of minors, lunatics, idiots and others under disability when the value was \$500 or less.
6. Private Acts of 1923, Chapter 246, prohibited the County Judge and County Highway Engineer of

Henry County from knowingly issuing warrants on any general or special fund when there was at the time, an insufficient amount of money actually on hand with the County Trustee to cover the said warrant. The amount of money on hand with the County Trustee was to be ascertained on the first Monday in April of each year by either of the county officials above. They were to keep in their office an appropriate record of the warrants and the available funding. Any violation of this act carried a fine that ranged between \$50 and \$500 with the possibility of removal from office.

7. Private Acts of 1933, Chapter 188, authorized the County Judge or Chairman to be made the Purchasing Agent for all county purchases or supplies. All officials were required to make their requisitions for all purchases with the County Judge or Chairman, who would handle the various transactions and keep all the records.
8. Private Acts of 1935, Chapter 404, amended Acts of 1909, Chapter 333, above, by increasing the powers and duties of the County Judge in Henry County. The amendment empowered the County Judge with the same power and authority then conferred upon Chancellors and Circuit Judges in the State in granting extraordinary writs. The County Judge was authorized to appoint and discharge receivers, grant and dissolve injunctions, hear and determine cases upon writs of habeas corpus and to decree sales of lands or other property belonging to minors, lunatics, married women or other disabled persons. The amendment established that all appeals from county judgments and decrees would be made to the Supreme Court of this State.
9. Private Acts of 1939, Chapter 452, repealed Private Acts of 1933, Chapter 188, above, and designated the County Judge as the Purchasing Agent for all the departments of the Henry County government.

County Register

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

1. Public Acts of 1897, Chapter 124, provided for and regulated the salaries of county officials and clerks of the State Supreme Court. The act also provided for the appointment, removal, compensation and duties of the deputies and assistants of the various county officials. The salaries for the county officials were to be paid out of the fees received by their respective offices. Every designated county official and the clerks of the Supreme Court were required to file with the County Judge, the Chairman of the County Court or the Comptroller for the State, in the case of the clerks of the Supreme Court, an itemized statement of all fees, commissions, perquisites and emoluments received by virtue of the respective office. The various county officials and clerks of the Supreme Court were required to give bond to properly collect and account for fees and costs received by them by virtue of their respective offices. All county officials were required to keep a bound book of every fee, bill, emolument, compensation or perquisite provided for by this act. Failure to comply with the act constituted a felony and upon conviction imposed a fine ranging between \$500 and \$1,000 with imprisonment between one and five years.
2. Private Acts of 1911, Chapter 351, declared that women of lawful age and passing all other qualifications were eligible to serve in the office of the County Register of Henry County.

County Trustee

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

1. Acts of 1851-52, Chapter 201, authorized the County Court of Henry County to pay Matthew C. Bowles such sum of money as they deemed just and reasonable for extraordinary services and expenses performed and incurred by him as the County Trustee.

General Reference

The following private or local acts constitute part of the administrative and political history of Henry 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. Public Acts of 1821, Chapter 46, declared Henry County to be the 73rd Regiment in the State Militia, holding its regimental muster every year on the first Friday in October at the same place where court was held in the County. The act further provided for any Justice of the Peace for Henry County to attend court in Carroll County and administer oath to Justices of the Peace for Carroll County.
2. Private Acts of 1821, Chapter 201, appointed Sterling Brewer, James Fentress and Abram Maury as Commissioners to select and fix the site of the county seats of Henry, Carroll, Henderson and Madison Counties. The sites had to be within three miles of the center of the county if possible.

The Commissioners would procure at least fifty acres of land at the site and report their actions to the Quarterly County Courts of their respective counties. The County Court would appoint at least five Commissioners to receive this land who would lay off its streets, at least 90 feet wide and set aside four acres for a public square on which would be located the court house, the prison and stocks. The remaining lots would be sold and the funds used to construct the public buildings above.

3. Private Acts of 1822, Chapter 210, authorized the Quarterly County Courts to make an appropriation for the Commissioners who were in the process of selecting a site for the county seat.
4. Private Acts of 1823, Chapter 71, designated Paris as the permanent County Seat for Henry County.
5. Private Acts of 1823, Chapter 87, incorporated Paris and created a mayor-alderman form of government. The Sheriff would supervise an election on the first Monday in January, 1824, and each succeeding year to elect seven aldermen. The seven receiving the highest number of votes would be selected. The seven who were elected would then select one of their own number to be Mayor to serve a one year term. The act provided for a Constable to hold such position for one year once executing the required bond and the Sheriff was to collect and account for the taxes.
6. Private Acts of 1827, Chapter 12, established a division of the State Treasury Department for the western district of Tennessee. The Treasurer for said department would sit in the town of Jackson and would be appointed by joint ballot of both houses of the legislature. The Treasurer would be required to give bond. The Sheriffs, Collectors and other county officials would then be required to pay the sums they collected into the Jackson office in lieu of the Nashville office.
7. Private Acts of 1829, Chapter 189, authorized the County Court of Henry County to appoint three Commissioners to examine the situation concerning the courthouse, to investigate the manner in which the contract to build the courthouse had been complied with and to report to the County Court any injury those undertaking to build the courthouse suffered from the Commissioners failure to comply with their part of the agreement. The Court was authorized to levy a tax to pay any damages suffered which the Commissioners deemed to be necessary.
8. Private Acts of 1831, Chapter 266, permitted Memucan H. Howard and others to erect a mill or iron works across the Big Sandy River below Wyatt's Mill and above the mouth of West Sandy, provided the mill or non workers did not interfere with the operation of Wyatt's Mill.
9. Public Acts of 1832, Chapter 14, authorized the County Courts of Henry, Carroll, Gibson, Weakley, Obion and Dyer Counties to appoint Boards of Commissioners for Internal Improvement in their respective counties and to operate under the same rules and regulations which other such Boards were so operating.
10. Private Acts of 1832, Chapter 96, authorized William C. Rogers to lay off a town on 30 acres of his land in the vicinity known as Cross Roads. The town was to be called Caledonia. The act also authorized James W. Taylor, David Hogan, Thomas Bowdin, James Brooks, John D. Love, William Brooks and William Alexander to lay off a town on the land where John D. Love had a store. The town could be named Pleasant Town. Upon the purchase of land and receipt of deeds, the purchaser would be subject to state and county taxes.
11. Private Acts of 1833, Chapter 202, authorized Thomas T. Bailey to lay off a town on his own land, on the road from Paris to Huntingdon. The town would be called Baileysville and governed by the same regulations applicable to another community in Henry County called Naples. James Carter, Benjamin Peoples, Nelson Anderson, James Dinwoody and Dr. T. Travis were named as the Commissioners who would lay out the town of Baileysville. The act also permitted Abner Boyd to lay off a town on his land situated in the north west corner of Henry county, adjoining the Kentucky line and said town would be called Boydsville.
12. Private Acts of 1833, Chapter 235, authorized the County Court of Henry County at the January term each year to elect five internal improvement Commissioners for the county. The Commissioners would serve under the same rules, restrictions and liabilities as other Commissioners in the counties lying west of the Tennessee River. Three Commissioners constituted a quorum and could transact their necessary business. Prior law had provisions for the election of three commissioners.
13. Acts of 1837-38, Chapter 282, made it lawful for any person owning seats on Big Sandy River, suitable for mills or machinery of any kind worked by water power, to build dams across the river and to erect any kind of waterworks, as long the passage of boats was not impeded nor the navigation of the river injured.

14. Acts of 1837-38, Chapter 286, allowed the Superintendent of Public Instruction or any other officer or agent holding any balance of the internal improvement funds belonging to Henry County to pay those funds to any person authorized by the County Court to receive the funds. The balance of these funds could be applied to whatever public improvements or works the county court might deem appropriate.
15. Acts of 1849-50, Chapter 210, authorized the County Courts of Carroll, Benton, and Henry Counties to withdraw from the Bank of Tennessee at Trenton the unexpended funds of the appropriation to improve the navigation of the Big Sandy River. The funds were to be divided into three equal parts and paid over to the Trustees of the respective counties. The Trustees were to hold the funds until the respective County Court authorized the funds be spent on improving roads, bridges and causeways. Carroll and Benton Counties were allowed the option to invest their share of the funds in the stock of the Huntingdon and Tennessee River Turnpike Company.
16. Acts of 1853-54, Chapter 66, abolished the office of Entry Taker and provided that the Surveyor of Henry County would perform all the duties once performed by the Entry Taker and receive all the pay and emoluments arising from the performance of said duties.
17. Acts of 1853-54, Chapter 180, authorized Claiborne, Campbell, Anderson, Knox, Montgomery, Stewart, Henry, Gibson, Tipton, Shelby, and Madison Counties to take stock in railroads and to issue their bonds for said railroad subject to the same restrictions and privileges granted to the other counties named in an act passed February 28, 1852, incorporating the Nashville, Franklin, and Columbia Railroad Company.
18. Private Acts of 1869-70, Chapter 22, Section 7, provided that J.H. Travis, P. Loomey, F. F. Porter, S. H. Coldwell, W. P. Smallwood, Crawford Porter, H. Loving, James S. Brown, James M. Ray, W. F. Ray, E. D. Colyar, W. J. Hurt, W. Crawford, R. M. Kimball, R. L. Niles, E. B. Parker, James C. Leeper, J. M. Hudson, D. F. Alexander, H. F. Milton, John Hartsfield, S. C. Dobbins, H. J. Blanton, their associates and successors constituted a body politic and corporate under the name of the "Henry County Agricultural Association." The Association would run for a period of 99 years and had the authority to erect buildings, hold fairs and exhibitions, offer prizes and awards and engage in other activities to promote agriculture in the area. The act provided that the incorporators, or any five of them were authorized to act as commissioners and to elect by ballot a board of directors of which six would constitute a quorum. The directors would serve one year terms and select a president from among their numbers.
19. Public Acts of 1891, Chapter 86, ratified the exchange of stock owned by Henry County in the Memphis and Ohio Railroad Company with stock in the Louisville and Nashville Railroad Company, the former having merged with the latter. The act also ratified the action of the County Court in Henry County in transferring, selling and delivering \$55,000, par value, of the L & N Railroad Company stock to the Paducah, Tennessee and Alabama Railroad Company.
20. Public Acts of 1897, Chapter 124, provided for and regulated the salaries of county officials and clerks of the State Supreme Court. The act also provided for the appointment, removal, compensation and duties of the deputies and assistants of the various county officials. The salaries for the county officials were to be paid out of the fees received by their respective offices. Every designated county official and the clerks of the Supreme Court were required to file with the County Judge or Chairman of the County Court or the Comptroller for the State, an itemized statement of all fees, commissions, perquisites and emoluments received by virtue of their respective office. The various county officials and clerks of the Supreme Court were required to give bond to properly collect and account for fees, costs, commissions, perquisites and emoluments received by them by virtue of their respective offices. All county officials were required to keep a well bound book of each and every fee, bill, commission, perquisite and emolument received. Failure to comply with the letter or spirit of the act and to make the reports and exhibits or to falsify same was a felony and upon conviction carried a fine that ranged between \$500 and \$1,000 and imprisonment of one to five years.
21. Private Acts of 1925, Chapter 54, prohibited the County Court of Henry County from having the power to make appropriations for the county funds for cooperative farm demonstration work as was supposedly permitted in Private Acts of 1913 (1st Ex. Sess.), Chapter 27, or to other farm bureaus or other organizations, unless and until the question of making the appropriations had been submitted to an election by the qualified voters and the majority of the votes cast were in favor of the appropriation. The election officers would tally the votes and certify the result to the County Election Board who would in turn certify the same to the County Judge or Chairman.
22. Private Acts of 1925, Chapter 534, provided that any firm, partnership or corporation, doing the business of a telephone company in Weakley, Henry and Carroll Counties, should have control,

- power and authority over their lines in said counties in respect to enforcing their own rules and regulations concerning the collection of tolls, rents and fines, to the extent of disconnecting the lines of any subscriber, or renter, and to charge for reconnecting the same. For a subscriber to connect or attempt to reconnect a telephone line a fine ranging between \$25 and \$50 was fixed.
23. Private Acts of 1925, Chapter 597, authorized the County Court of Henry County to appropriate at their discretion and to pay out of the regular funds of the county, a sum not to exceed \$25 to any person or persons who may furnish information leading to the conviction of any person illicitly selling intoxicating liquor.
 24. Private Acts of 1927, Chapter 661, validated as legal and binding transactions, all sales, leases, rentals or other dispositions of municipally owned water, electric or other utilities for a consideration, when bargained for, sold and conveyed, leased, or rented by the municipalities in Dyer, Gibson, Weakley and Henry Counties.
 25. Private Acts of 1929 (Ex. Sess.), Chapter 70, repealed Private Acts of 1925, Chapter 54, above.
 26. Private Acts of 1933, Chapter 133, removed the disability of minority and infancy from Mary Frances Kirkland of Henry County, who was 20 years and 6 months old, conferring upon her all the rights, privileges and obligations of adulthood.
 27. Private Acts of 1933, Chapter 313, removed the disability of minority and infancy from Leon Chatman of Henry County, conferring upon him the right to conduct his affairs in the same manner as if he were 21 years of age.
 28. Private Acts of 1933, Chapter 607, fixed the annual salaries of several county officials in Henry County. The salaries for the Trustee and the County Court Clerk would be \$3,000 each. The County Judge and the Circuit Court Clerk salaries were set at \$1,500 each; and the Clerk and Master would receive \$2,200. The condition of filing a sworn itemized statement of all fees received in the offices of the respective officials was set. The County would be required to pay the difference between the fees and salary if the fees were less, but excess fees received in the office over the stated salaries would be paid into the county treasury.
 29. Private Acts of 1935, Chapter 52, removed the disability of minority and infancy from Henrietta Madison of Henry County, conferring upon her the right to conduct her affairs in the same manner as if she were 21 years of age.
 30. Private Acts of 1935, Chapter 120, removed the disability of minority and infancy from Robert Brown of Henry County, giving him the right to conduct his affairs in the same manner as if he were 21 years of age.
 31. Private Acts of 1935, Chapter 285, removed the disability of minority and infancy from J. C. Rowland of Henry County, conferring upon him the right to conduct his affairs in the same manner as if he were 21 years of age.
 32. Private Acts of 1935, Chapter 286, removed the disability of minority and infancy from Brent Dawson Rowland of Henry County, conferring upon him the right to conduct his affairs in the same manner as if he were 21 years of age.
 33. Private Acts of 1935, Chapter 375, removed the disability of minority and infancy from Mildred Fay Faust of Henry County, conferring upon her the right to conduct her affairs in the same manner as if she were 21 years of age.
 34. Private Acts 1935, Chapter 376, removed the disability of minority and infancy from Edward Harold Faust of Henry County, conferring upon him the right to conduct his affairs in the same manner as if he were 21 years of age.
 35. Private Acts of 1935 (Ex. Sess.), Chapter 158, removed the disability of minority and infancy from George Lee Curry of Henry County, conferring upon him the right to conduct his affairs in the same manner as if he were 21 years of age. Public Acts of 1935 (Ex. Sess.), Chapter 25, makes reference to this act.
 36. Private Acts of 1937, Chapter 362, authorized the County Highway Commission of Henry County to compensate the widow of B. C. Sykes, Lettye Skyes, in the amount of \$1,200, which was to be paid from the proceeds of any unexpended highway funds belonging to Henry County. Mr. Sykes was killed in an automobile accident caused by the County Highway Engineer.
 37. Private Acts of 1937, Chapter 414, removed the disability of minority and infancy from Grace Nells West of Henry County, conferring upon her the right to conduct her affairs in the same manner as if she were 21 years of age.
 38. Private Acts of 1937, Chapter 415, removed the disability of minority and infancy from Bertha and Bera Gibson of Henry County, conferring upon them the right to conduct their affairs in the same

manner as if they were 21 years of age.

39. Private Acts of 1937, Chapter 418, removed the disability of minority and infancy from Mary Evelyn Farrar of Henry County, conferring upon her the right to conduct her affairs in the same manner as if she were 21 years of age.
40. Private Acts of 1937, Chapter 428, removed the disability of minority and infancy from Ralph A. Wasson of Henry County, conferring upon him the right to conduct his affairs in the same manner as if he were 21 years of age.
41. Private Acts of 1967-68, Chapter 46, established a Port Authority for Henry County to supervise the construction, acquisition, ownership, maintenance and operation of publicly owned ports, boat docks, airports, storage, transfer, transportation, water sports and recreational facilities in Henry County. The act also provided that the Port Authority was to promote and facilitate commercial and industrial development. The Port Authority consisted of five Port Authority Commissioners, who were authorized to issue and sell bonds and borrow money for the purpose of implementing the powers and responsibilities so conferred. The act specifically sets out the numerous powers of the Commissioners. The act was not approved by the County Court and did not become effective.

Chapter II - Animals and Fish

Joint City-County Animal Shelter Act

Private Acts of 1997 Chapter 73

SECTION 1. This act shall be known as the Joint City-County Animal Shelter Act for the City of Paris and Henry County.

SECTION 2. The General Assembly hereby declares that the City of Paris, Tennessee and Henry County, Tennessee are in need of a means for operating a joint City-County Animal Shelter, and Henry County is in need of a means to provide for the licensing of dogs and cats in Henry County, Tennessee and to provide for an annual fee regarding such licenses.

SECTION 3. The City of Paris, Tennessee and Henry County, Tennessee are authorized to enter into contractual arrangements with one another for the purpose of operating a joint City-County Animal Shelter. The city and county may contract between themselves for such matters as the allocation of costs, administrative responsibilities and powers relative thereto. Such contractual arrangements may provide for an animal shelter board to be comprised of representatives of the City of Paris and Henry County, Tennessee, to be nominated in such manner and for such terms as the contractual arrangement shall provide.

SECTION 4. Henry County, Tennessee is authorized to impose a per animal license fee for each dog and cat located in Henry County, Tennessee. This fee shall be in such amount as the County Commission, by resolution, shall determine from time to time and shall be on an annual basis. The County Commission, by resolution, shall provide for the County officers charged with the responsibility of administering and collecting such fee. The fee shall be due annually at the time the animal is vaccinated. The proceeds of such fee shall be used solely for the operation of an animal shelter.

SECTION 5. Stray dogs and cats found within Henry County, Tennessee, meaning those animals whose ownership cannot be determined or as to whom the owner refuses to take responsibility, will be impounded at the animal shelter as strays and held and disposed of under the policy guidelines of the board authorized to supervise the animal shelter.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Commission of Henry County. Its approval or nonapproval shall be proclaimed by the Presiding Officer of the County Commission and certified to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

Passed: May 26, 1997.

Animals and Fish - Historical Notes

The following is a listing of acts that at one time affected, but no longer appear to have any effect on, hunting, fishing or animal control in Henry 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 1877, Chapter 25, made it unlawful in several counties, including Henry County, to take or catch fish with seines, nets, traps, gigs or by any means other than by angling with hook and line from the water of any running streams in the State. Any owner of the land, governing or adjoining the waters where a violation occurred, had an action against the violator. The provisions of the act were not applicable to navigable streams in the State below the point of navigation.
2. Public Acts of 1889, Chapter 179, made it unlawful in several counties, including Henry County, for any non-resident person of the State to hunt, shoot, kill, catch or carry away game of any kind. A violation of the act was a misdemeanor with a fine of not less than \$50, half to go the prosecutor and the other half to the county.
3. Private Acts of 1897, Chapter 194, amended Public Acts of 1889, Chapter 179, above, making it lawful for a non-resident of the State to hunt game in Henry County, if the owner of the land gave his permission.
4. Public Acts of 1899, Chapter 291, permitted fish to be caught in the North Fork of the Obion River in Henry County with baskets and nets, provided the meshes of the nets were at least 1 1/2 inches. Wing nets were prohibited. Catching fish other than by hook and line was prohibited between March 15 and June 1 of each year.
5. Acts of 1901, Chapter 211, made it unlawful for any person or persons to catch fish in any of the waters of the Big Sandy River or its tributaries in Henry and Benton Counties, except by hook and line. Any violator would be guilty of a misdemeanor and fined accordingly upon conviction.
6. Acts of 1903, Chapter 126, repealed Acts of 1901, Chapter 211, above, by returning to the citizens of Henry and Benton Counties the privilege of fishing in the waters of the Big Sandy River and its tributaries in any manner, except by use of poisons, dynamite or other explosives.
7. Acts of 1909, Chapter 267, prohibited any person, firm or corporation in Henry County from shipping, receiving or consigning any quail, dead or alive. This act did not apply to the transportation of birds or game for propagation purposes. The exposing or offering for shipment of any quail would be prima facie evidence of guilt subjecting the violator to a fine ranging between \$1 and \$5 for each quail involved. The act permitted the shooting, catching or killing of squirrels between June 1 and March 1 of each year and permitted the owner of property to kill squirrel on his property at any time.
8. Acts of 1909, Chapter 338, amended Acts of 1907, Chapter 489, by permitting fishing in the portion of Big Sandy River lying within Henry County and in the tributary known as "West" or "Little Sandy River", as far up as Britton's Ford in Henry County. The act permitted fishing in the area by any person during any month except April and May and in any manner except by use of poison, dynamite, other explosives, or by such net or trap that would obstruct the free passage of fish up and down streams. Acts of 1907, Chapter 489, was a general law that regulated the protection and preservation of fish in the State.
9. Private Acts of 1915, Chapter 228, made it lawful for resident citizens of Henry County to take and catch fish in the Tennessee River and all other streams in Henry County by trot line, gigging, bait or by net or seine with meshes of not less than one inch. The act further provided that no fees or licenses were to be charged by the Department of Fish and Game to any person fishing in the above described manner.
10. Private Acts of 1917, Chapter 35, made it unlawful for any person owning or in charge of horses, mules, cattle, sheep, swine, goats, geese or ducks to willfully or knowingly permit such stock to run at large. Any person damaged by said stock was granted a lien upon the trespassing animals for the satisfaction of damages. Fines for violation of the act ranged between \$5 and \$25, with each day the stock was at large constituting a separate and distinct offense.
11. Private Acts of 1917, Chapter 435, amended Public Acts of 1915, Chapter 152, Section 36, by making the open season for shooting and killing quail and partridges in Henry County to run from December 1 to February 1 of the each year. Public Acts of 1915, Chapter 152, was a general law that created a Department of Game and Fish for the State to regulate the protection and preservation of game and fish.
12. Private Acts of 1917, Chapter 521, permitted people of Benton and Henry Counties to take fish from the Tennessee River in any way or manner in the said counties for their own personal use, except by explosives or poison, the privilege having been conferred by virtue of Article XI, Section

13, of the Constitution of Tennessee.

13. Private Acts of 1921, Chapter 183, amended Public Acts of 1917, Chapter 95, Section 1, making it lawful for a person to hunt deer and other animals in Henry County, upon the enclosed land of another, when one had either written or verbal permission from either the owner or other person possessing the authority to grant such permission to hunt.
14. Private Acts of 1921, Chapter 249, amended Public Acts of 1915, Chapter 152, Section 36, established open season on squirrels in Henry County from January 1 through December 31 of each year, which, in effect, abolished any closed season provided in the public act.
15. Private Acts of 1927, Chapter 429, prohibited any person, firm or corporation from taking or attempting to take, catch or kill any fur-bearing animal by means of a snare, steel trap, deadfall or any other device in Henry County. Fines for violation of the act ranged from \$25 to \$50. Land-owners, tenants or farmers were exempted from the provisions of this act when said animals posed a menace to their crops or poultry.
16. Private Acts of 1931, Chapter 777, amended Public Acts of 1925, Chapter 151, Section 1, by making open season for hunting, taking, killing or attempting to kill opossums and raccoons by means of dogs or guns, to run from October 1 to February 15 of each year in Henry County.
17. Private Acts of 1935, Chapter 311, permitted the people of Henry and Benton Counties to take fish from the Tennessee River for their own personal use, except by poison and explosives. The act prohibited them from selling their catch.
18. Private Acts of 1937, Chapter 464, made it unlawful for any person, firm or corporation to take, catch, kill or attempt the same of any fur-bearing animal by means of a snare, bait trap, steel trap, deadfall or any other device. The act also prohibited the selling or offering for sale, and the purchasing or offering for purchase any live fox or fox pelt caught or killed in Henry County. The act did not prohibit the catching of raccoons, opossums and skunks with dogs in open season, nor did the act prohibit chasing foxes with dogs at any season of the year, so long as firearms were not used. The act specifically permitted the killing of foxes when the animals became a nuisance and menace to crops and poultry. Fines for violation of the act ranged from \$25 to \$50.
19. Private Acts of 1937, Chapter 681, authorized W. T. Wright to practice veterinary medicine and surgery in Henry County. The act directed the State Board of Veterinary Medical Examiners to issue W. T. Wright a license without examination and with all the privileges provided by law.
20. Private Acts of 1941, Chapter 57, repealed Private Acts of 1937, Chapter 464, above.

Chapter III - Bond Issues

Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Henry 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.

Airport

1. Private Acts of 1949, Chapter 66, authorized Henry County to issue a note in the amount of \$5,000 for the purpose of providing in cash a portion of the funds agreed to be paid by the County in constructing an Administration Building at the Henry County Airport in Henry County. The note was payable 12 months after issuance, bearing interest at the rate of three percent per year to Commercial Bank & Trust Company in Paris, Tennessee.
2. Private Acts of 1957, Chapter 288, authorized the Quarterly County Court of Henry County to issue bonds in an amount not to exceed \$75,000, for the purpose of providing funds to acquire additional lands for Henry County Airport and making improvements and maintaining said airport. The bonds had an interest rate of five percent per year and maturing not more than 25 years after the date of issuance. The details of the issue were prescribed in the act and a tax levy for the sinking fund was required.

County Workhouse

1. Private Acts of 1935 (Ex. Sess.), Chapter 90, authorized the Quarterly County Court of Henry County to issue bonds in amount not to exceed \$30,000, for the purpose of paying the cost of

acquiring lands and erecting buildings to be used as a County Workhouse and County Hospital. The maximum interest rate was not to exceed six percent per year and the maximum maturity date was not to exceed 30 years from the date of issue. The act provided that the bonds not be issued until submitted for majority voter approval in the county at a special election.

Funding

1. Private Acts of 1937, Chapter 32, validated all the prior actions of the Quarterly County Court in Henry County in connection with a bond issuance in the amount of \$70,000. The bonds were payable semi-annually on January 1 and July 1 in the years of 1940 through 1953, bearing an interest rate of three percent per year. The act provided for the levy and collection of a tax on all taxable property in the county for the purpose of paying the principal and interest on the bonds.
2. Private Acts of 1941, Chapter 53, validated the proceedings of the Quarterly County Court in Henry County in connection with a \$17,000 Funding Bond issuance. The bonds were payable on January 1 and July 1 of each year, bearing an interest rate of 1 1/2 percent per year. The bonds were used to retire and pay an outstanding indebtedness of the county on a note. The County Court was authorized to levy a tax on all taxable property to pay the principal and interest on the said bonds.

Indebtedness

1. Private Acts of 1917, Chapter 11, authorized the Quarterly County Court of Henry County to issue and sell bonds in an amount not to exceed \$65,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County, which included warrants issued for building a County Jail and a County Home for Paupers, constructing public roads and bridges, and maintaining the common schools in the County. The bonds issued under this act matured five years after the date of issue, in payments of \$13,000 annually and bearing an interest rate no more than five percent per year. The Court was authorized to levy a tax in an amount sufficient to meet this obligation and would be used exclusively to pay off the outstanding indebtedness of the County.
2. Private Acts of 1923, Chapter 204, authorized the Quarterly County Court of Henry County to issue bonds in an amount not to exceed \$85,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County, which included warrants issued for bridges, roads and other warrants then due. The bonds issued under this act matured not more than 20 years after the date of issue, bearing an interest of six and one-half percent per year. The issuance could only be made after a majority voter approval.
3. Private Acts of 1933, Chapter 39, authorized the Henry County Quarterly Court to issue and sell bonds in an amount not to exceed \$85,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County, created by warrants other than school and road warrants. Maturity of the bonds was to exceed 30 years with a maximum interest rate of five percent per year. The County Court was authorized to levy a special tax upon all taxable property to pay for the issuance. The act created a sinking fund to pay off and retire the bonds.
4. Private Acts of 1935, Chapter 251, authorized the Quarterly County Court of Henry County to issue bonds in an amount not to exceed \$50,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County, represented by warrants, excluding road warrants. The maturity date was to be set by the Court, with a maximum interest of five percent. A tax levy was authorized to pay the interest on the bonds.
5. Private Acts of 1935 (Ex. Sess.), Chapter 66, authorized the Quarterly County Court of Henry County to issue bonds in an amount not to exceed \$25,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County, represented by warrants, excluding road warrants. The maturity date was to be set by the Court, with a maximum interest of five percent. A tax levy on all taxable property was authorized to pay the interest on the bonds.
6. Private Acts of 1937, Chapter 359, authorized the Quarterly County Court of Henry County to issue bonds in an amount not to exceed \$40,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County created by warrants and open accounts for the Henry County Highway Commission. The maximum maturity date was not to exceed 30 years from the date of issue with a maximum interest rate of three percent per year. A tax levy on all taxable property was authorized to pay the interest on the bonds.
7. Private Acts of 1939, Chapter 284, authorized the Quarterly County Court of Henry to issue bonds in an amount not to exceed \$35,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County. The maximum maturity date was not to exceed 30 years, with a maximum interest of three percent. A tax levy on all taxable property was authorized to pay the

interest on the bonds.

8. Private Acts of 1943, Chapter 176, authorized the Quarterly County Court of Henry County to issue bonds in an amount not to exceed \$50,000. The purpose of the bond issue was to pay the outstanding indebtedness of Henry County. The maximum maturity date was not to exceed 30 years, with a maximum interest of three percent. A tax levy on all taxable property was authorized to pay the interest on the bonds.

Roads

1. Private Acts of 1919, Chapter 305, authorized Henry County to issue bonds in the amount of \$200,000, maturing within twenty years, for the purpose of procuring funds with which to pay the County's share of fifty percent of the cost of construction and completion on Federal Aid Road No. 11, located within Henry County from Paris to the Carroll County line. The State and Federal government was to pay the other fifty percent. Interest rate for the bond issue was five percent per year.
2. Private Acts of 1947, Chapter 39, validated the \$200,000 road bond issuance authorized by the Quarterly County Court of Henry County. The bonds were due serially together with unlimited ad valorem tax, to pay interest on the principal.

Schools

1. Private Acts of 1929, Chapter 500, authorized the Henry County Court, upon majority voter approval at a specially called election, to issue bonds in the amount of \$90,000, for the purpose of providing funds to pay the cost of building, repairing and equipping the public high school buildings for the County. The bonds were payable not more than 10 years from the date of issue, bearing interest at a rate not to exceed five percent. A tax levy was also authorized upon all taxable property to create a sinking fund to pay the principal on the bonds upon maturity.
2. Private Acts of 1931, Chapter 424, authorized the Quarterly County Court of Henry County to empower the County Board of Education to borrow on short term warrants or notes up to \$21,000, to complete a school building program, subject to majority voter approval. The warrants were payable three years from the date of issue, bearing interest at a rate not to exceed six percent per year. The County Court was empowered to levy a special school tax ranging between seven and ten cents on each one hundred dollars worth of taxable property to pay out the principal and interest on the warrants for the years 1931-33. The money was allocated for the following schools: \$6,000 for Cottage Grove; \$6,000 for Puryear; \$2,500 for Buchanan and; \$6,500 for Central Colored High School.
3. Private Acts of 1935, Chapter 644, authorized Henry County to issue bonds in an aggregate amount not exceeding two-thirds of the anticipated current revenue, to pay off the debts and to defray and meet current operating expenses of the county, the county school expense and the payment of interest on the bonded debt. This authority could be exercised only upon resolution of the County Court. The interest rate could not exceed six percent per year and the County Court was to establish the maturity schedule.
4. Private Acts of 1937, Chapter 31, validated all prior actions of the Quarterly County Court in Henry County in connection with the issuance of school bonds in the amount of \$55,000, bearing an interest rate of three percent per year and payable semi-annually in the amount of \$5,000 from 1940 to 1950. They were declared to be the general obligations of the County and the County Court was required to levy a sufficient tax on all taxable property in the County for the payment of the bonds.
5. Private Acts of 1949, Chapter 510, validated the creation of the Paris Special School District in Henry County and authorized said school district to borrow money and issue bonds in the amount of \$120,000 for the purpose of constructing and equipping additions and improvements to school buildings in the district. The bonds were payable within twenty-five years from the date of issue, bearing interest at a rate of four percent per year. Authority was given to levy a tax on taxable property in the special school district to pay the principal and interest on the school bonds.

Workshop Program

1. Private Acts of 1941, Chapter 169, validated the proceedings of the Quarterly County Court of Henry County in the execution of two notes in the amount of \$2,000 for the purpose of contributing to a Workshop Program sponsored by the National Youth Administration. The notes were due on April 1 in 1942 and 1943 and an additional tax rate of three cents for the year of 1941 and two cents for 1942 was to be levied to retire and pay the notes.

Chapter IV - Boundaries

Creation of the County

Public Acts of 1821 Chapter 32

SECTION 1. That a new county to be called and known by the name of Henry county, be, and is hereby established, on the west side of Tennessee river, and shall be bounded as follows, to wit: Beginning on the west bank of Tennessee river, where the north boundary of the state leaves the same, running thence with said boundary west to the second range line in the 13th surveyor's district; thence south to a point, two miles and a half south of the 6th sectional line in said district; thence east parallel with the said sectional line to the west boundary of Humphreys county; thence with said county line northwardly to the Tennessee river; thence down the said river with its various meanders to the beginning.

SECTION 2. That the following described lines shall be the bounds of two other counties, which may hereafter be established west of Henry county; the first one beginning at the north west corner of Henry county, running west with the state line to a point four miles west of the north west corner of range 2, fractional section 10 in the 13th district; thence south to the fourth sectional line in said district running parallel with the range lines; thence east on the fourth sectional line to the second range line in the 12th surveyors district; thence north with said range line to the beginning. The second, beginning on the north west corner of the last mentioned bounds, and running thence south with the west line of said bounds to the fifth sectional line in the 13th district; thence west with said sectional line to the middle of the Mississippi river; thence up the main channel of said river to the north west corner of the state; thence east with the north boundary line of the state to the beginning; which two last described bounds shall be attached to, and remain a part of Henry county until otherwise provided for by law, and shall enjoy all the privileges, and be subject to all the duties as citizens of Henry county, with this exception, that no tax shall be laid or collected in said bounds for the purpose of erecting public buildings in Henry county.

SECTION 3. That all the territory included in the lines hereafter mentioned shall constitute a county by the name of Carroll county: Beginning on West boundary of Humphreys at the south east corner of Henry county; running thence west with the south boundary of said county to the south west corner of Henry county; thence south parallel with the range lines to a point two and a half miles south of the line dividing the 9th and 12th districts; thence east parallel with the sectional line to the second range line in the 9th district; thence north to the north east corner of range 2, section 11, in said 9th district; thence east with the district line to the west boundary of Perry county; thence northwardly with the west boundary of Perry and Humphreys counties to the beginning.

SECTION 4. That the following described lines shall be bounds of two other counties which may hereafter be established west of Carroll county; the first one beginning at the northwest corner of Carroll county, running thence west on the fourth sectional line, to a point four miles west of the second range line in the 13th district; thence north to the fifth sectional line; thence west on said fifth sectional line to the fifth range line; thence south with said range line to a point two and a half miles south of the line separating the 18th and 13th districts; thence east parallel with said line to a point directly south of the south west corner of Carroll county; thence north to the beginning; the second beginning on the north west corner of the last mentioned bounds; thence south on the 5th range line to the district line; thence west on the said district line to the middle of the Mississippi river; thence up the main channel of said river to the 5th sectional line of the 13th district; thence east with said sectional line to the beginning; which two last bounds shall be attached to, and remain a part of Carroll county until otherwise provided for by law, and shall enjoy all the privileges and be subject to all the duties as citizens of Carroll county, with this exception that no tax shall be laid or collected in said bounds for the purpose of erecting public buildings for Carroll county.

SECTION 5. That all the territory included in the lines hereafter mentioned shall constitute a county to be called and known by the name of Madison county; Beginning two miles and a half south of the north east corner of range 2, section 11, in the 9th district, running thence west parallel with the sectional line to the 3rd range line in the 10th district; thence south on said range line to a point two miles and a half south of the sixth sectional line in said district; thence east parallel with said sectional line to the second range line in the 9th district; thence north on said range line to the beginning.

SECTION 6. That the following described lines shall be the bounds of two other counties which may hereafter be established west and south of Madison county; the first one beginning on the south west corner of Madison county; running thence north with the west boundary of the same, twenty five miles to the north west corner; thence west to the south west corner of the first county west of Carroll county; thence north to the line dividing the 10th and 13th districts; thence west to a point two miles west of the

first range line in the 11th district; thence south parallel with said range line to the 5th sectional line in said district; thence east to a point four miles east of the 5th range line in the 10th district; thence north two and a half miles; thence east to the beginning. The second, beginning on the south west corner of Madison county, running thence west six miles to a point one mile west of the fourth range line in the 10th district; thence south parallel with said line to the south boundary of the State; thence east on said boundary to a point two miles east of the meridian separating the 9th and 10th districts; thence north to Madison county line; thence west with the same to the beginning. Which two last described bounds shall be and remain a part of Madison county until otherwise provided for by law, and shall enjoy all the privileges, and be subject to all the duties as citizens of Madison county, with this exception, that no tax shall be laid or collected in the said bounds for the purpose of erecting public buildings in the county of Madison.

SECTION 7. That the following described lines shall be the bounds of one other county which may hereafter be laid off west of the said last described bounds: Beginning on the south west corner of the last described bounds, running thence north to the 5th sectional line in the 10th district; thence west to a point one mile west of the 3rd range line in said district; thence south parallel with said range running with the south boundary of the state; thence west with said boundary to the beginning. And that the following described lines shall be the bounds of another county which may hereafter be laid off north of Shelby County. Beginning on the line separating the 11th and 13th districts, at a point two miles west of the range line in the 11th district; running thence west on said dividing line to the middle of the Mississippi river; thence down the main channel of the line to the north west corner of Shelby county; thence east with the north boundary of Shelby county, and the last mentioned bounds, to a point three miles east of the 2nd range line in the 11th district; thence north parallel with the said line to the beginning. Which two last described bounds shall be attached to, and be a part of Shelby county until otherwise provided for by law, and shall enjoy all the privileges, and be subject to all the duties as citizens of Shelby county with the exception, that no tax shall be laid or collected in the said bounds for the purpose of erecting public buildings in the county of Shelby.

SECTION 8. That the following described lines shall be the bounds of one other county which may hereafter be established west of Hardin county; beginning at the south west corner of Hardin county; running thence north with the west boundary of the same, twenty seven and a half miles; thence west putting the south east corner of Madison county, to a point three miles west of the first range line in the 9th district; thence south parallel with said range line to the south boundary of the state; thence east on said boundary to the beginning. Which last described bounds shall be attached to, and be a part of Hardin county, until otherwise provided for by law, and shall enjoy all the privileges, and be subject to all the duties as citizens of Hardin county, with this exception, that no tax shall be laid or collected in said bounds for the purpose of erecting public buildings for Hardin county.

SECTION 9. That the following described line shall be the bounds of one other county, which shall be called and known by the name of Henderson county in honor of, and to perpetuate the memory of Col. James Henderson; Beginning at the south east corner of Madison county, running thence east to the west boundary of Hardin county; thence north with Hardin county line to the north west corner of Hardin on the 6th sectional line of the 9th district; thence east on said sectional line to the west boundary of Perry county; thence north with said boundary to the line separating the 9th and 12th districts; thence west with said line to the north east corner of Madison county; thence south with the east boundary line of said county, on the 2nd range line in the 9th Surveyors district to the beginning.

SECTION 10. That for the due administration of justice, the Courts of Pleas and Quarter Sessions in said counties shall be held at the following places and times: For the county of Henry, at the house of Henry Wall, on the first Monday in December, March, June and September; for the county of Carroll, on the second Monday in December, March, June and September, at the house of R. E. C. Doherty; for the county of Madison, at the house of Adam R. Alexander, on the third Monday in December, March, June and September; for the county of Henderson, at the house of Samuel Wilson, on the fourth Monday in December, March, June, and September, at which places the said courts shall be holden until otherwise provided for by law, under the same rules, regulations and restrictions, and shall exercise the same power and jurisdiction that is possessed by said courts in other counties of this state.

SECTION 11. That the sheriffs of the counties of Henry, Carroll, Madison and Henderson shall each hold an election at the places appointed for holding courts in said counties on the first Friday and Saturday in March next, for the purpose of electing held officers of the militia for said counties, under the same rules, regulations and restrictions as are pointed out by law in similar cases; and the militia of the county of Henry shall compose the Regiment, and shall be attached to the Brigade; and the militia of the county of Carroll shall compose the _____ Regiment, and be attached as aforesaid; and the militia of the county of Madison shall compose the _____ Regiment, and be attached as aforesaid; and the militia of the county of Henderson shall compose the _____ Regiment, and be attached as aforesaid.

SECTION 12. That it shall be the duty of the commandants of said -- and ____ Regiments, having first been commissioned and sworn according to law, to divide their regiments into such number of companies as they shall think best for the convenience of said companies, and it shall be the duty of each of said commandants to issue writs of election for company officers according to law.

SECTION 13. That all person who were appointed and are now acting justices of the peace for Stewart county, that live in the bounds of Henry county, be, an they are hereby continued in office with as full power and authority as though they had been appointed for Henry county.

Passed: November 7, 1821.

Change of Boundary Lines

Private Acts of 1835-36 Chapter 70

SECTION 1. That all that portion of the county of Henry, contained within the following boundary, shall hereafter be and the same is hereby attached to the county of Benton, to wit: Beginning on the Tennessee river, on the line that divides the county of Henry and Benton, and thence running down said river with its meanders, so far, to a point, that by running a line due west will include all the inhabitants on Lick creek to Sandy river; thence up the said river with its meanders, to where it intersects with the county line of Benton county.

SECTION 2. That D. P. Henderson, Nicholas Brewer and Charles J. Wheatley, be and they are hereby appointed commissioners to run and mark the boundary as herein prescribed; for which they shall receive a compensation to be allowed them by the county court of Benton county, and they shall make a complete plat of the territory hereby included in said county, and the same shall be spread on the records of the said county.

SECTION 3. That the citizens within the aforesaid boundary shall exercise all the rights and privileges of the citizens of the county of Benton, in electing their county officers for said county; Provided, they shall vote for members of congress, governor, electors for president and vice president, and members of the general assembly, with the county of Henry, until the next enumeration, in pursuance of the fifth section and tenth article of the amended constitution.

SECTION 4. That all taxes and public dues from the citizens within the aforesaid boundary, due to the county of Henry, shall be collected in the same manner as heretofore, and they shall be liable for the same, in as full and ample a manner as if said citizens had never been detached from said county of Henry.

Passed: February 15, 1836.

Boundaries - Historical Notes

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

1. Public Acts of 1867-68, Chapter 20, changed the lines between Henry and Carroll Counties so that the lands of Marion Wood and N. Swift would be included wholly within Carroll County.
2. Public Acts of 1869-70, Chapter 32, repealed Public Acts of 1867-68, Chapter 20, Section 5, above.
3. Public Acts of 1881, Chapter 161, changed the lines between Benton and Henry Counties as follows: Beginning at the McCampbell Ford on the Big Sandy River; thence run a direct line eastward until it strikes the Tennessee River at what is known as Wynn's Ferry, taking in the residence of Mrs. Josiah Askew, at or near the last named ferry; thence with the said Tennessee River northward at its meanders to the corner of Henry County.
4. Public Acts of 1885, Chapter 152, repealed Public Acts of 1881, Chapter 161, above, restoring the cut off territory to Benton County.
5. Public Acts of 1891, Chapter 200, declared that Sandy River be the dividing line between Benton and Henry Counties from the south boundary line of the 23rd Civil District of Henry County up the Sandy River to where the Carroll County line crosses the river.

Chapter V - Court System

General Sessions Court

Private Acts of 1989 Chapter 82

SECTION 1. Effective September 1, 1990, the General Sessions Court of Henry County is vested with all jurisdiction previously vested in the Juvenile and Probate Court of Henry County. Such jurisdictions shall each extend to all pending and prior cases in Juvenile and Probate Court. The juvenile and probate jurisdictions of the General Sessions Court shall each be the same jurisdiction as is exercised generally by courts in Tennessee having juvenile jurisdiction and such juvenile and probate jurisdictions shall each exist as modified, enlarged and reduced from time to time by general law. The rules of pleading and practice in the court shall be those rules of pleading and practice followed in courts exercising juvenile and probate jurisdiction, respectively, in Tennessee under general law and this court may establish local rules of practice not in conflict with general law or the provisions of this act. Effective September 1, 2010, all clerking responsibilities for probate jurisdiction formerly exercised by the County Clerk shall be transferred to the Clerk and Master and all clerking responsibilities for juvenile jurisdiction formerly exercised by the County Clerk shall be transferred to the Circuit Court Clerk, together with all of the respective records pertaining to such matters, and the County Clerk shall be relieved of any further clerking duties for such matters. Effective September 1, 2010, probate jurisdiction is transferred to Chancery Court, pursuant to Tennessee Code Annotated, § 16-16-291.

As amended by: Private Acts of 2010, Chapter 77

SECTION 2. The General Sessions Court of Henry County shall continue to exercise the jurisdiction conferred upon courts of general sessions by general law, as such jurisdiction may from time to time be modified, enlarged or reduced by general law. The Circuit Court Clerk of Henry County shall continue to exercise the responsibilities and duties of the Clerk of the General Sessions Court. The rules of pleading and practice shall continue to be those rules of pleading and practice followed in court of general sessions under general law and this court may establish local rules of practice not in conflict with general law or the provisions of this act.

SECTION 3. The General Sessions Court of Henry County shall have concurrent workers' compensation jurisdiction with the Chancery and Circuit Courts. All workers' compensation cases wherein the jurisdiction of the General Sessions Court is sought shall be filed with the Circuit Court Clerk. Workers' compensation cases in General Sessions Court shall be conducted according to the rules of practice and procedure provided in general law and subject to any local rules of practice in Circuit Court concerning workers' compensation cases. Assignment of workers' compensation cases for hearing shall be by agreement between the General Sessions Judge and the Circuit Judge pursuant to Tennessee Code Annotated, Section 16-15-5009(a). Nothing in this act shall be deemed to restrict the concurrent jurisdiction of the Circuit and Chancery Courts in workers' compensation cases under general law.

SECTION 4. The General Sessions Court of Henry County shall have concurrent domestic relations jurisdiction with the Chancery and Circuit Courts. All domestic relations cases wherein the jurisdiction of the General Sessions Court is sought shall be filed with the Clerk and Master of the Chancery Court. Domestic relations cases in General Sessions Court shall be conducted according to the rules of practice and procedure provided in general law and subject to any local rules of practice in Chancery Court concerning domestic relations cases. Assignment of domestic relations cases for hearing shall be by agreement between the General Sessions Judge and the Chancellor pursuant to Tennessee Code Annotated, Section 6-15-5009(a). Nothing in this act shall be deemed to restrict the concurrent jurisdiction of the Circuit and Chancery Courts in domestic relations cases under general law.

SECTION 5. The General Sessions Court Judge shall take office September 1, 1990, and shall be elected at the general election in August, 1990. The General Sessions Judge shall hold office for such term and subject to such conditions as apply to General Sessions Judges under general law. Additionally, subject to the provisions of Tennessee Code Annotated, Section 16-15-5005(a), the General Sessions Judge shall be a licensed attorney in good standing and a full-time judge, who shall not engage in the private practice of law.

SECTION 6. The compensation for the General Sessions Court Judge shall be seventy thousand dollars (\$70,000) per year, payable monthly, which compensation shall be subject to periodic adjustment according to the provisions of Tennessee Code Annotated, Section 16-15-5003(f). It is the expressed intention of this act to establish the compensation of the General Sessions Judge as if Henry County were a county of the third class, as defined in Tennessee Code Annotated, Section 16-15-5001, despite the fact that Henry County may not meet the definition of a county of the third class on the basis of population.

SECTION 7. Chapter 116 of the Private Acts of 1981, Chapter 329 and 330 of the Private Acts of 1982, and Chapter 132 of the Private Acts of 1983, all establishing and modifying the Juvenile and Probate Court of Henry County, are repealed effective September 1, 1990. On September 1, 1990, all cases pending in the Juvenile and Probate Court are transferred to the jurisdiction of the General Sessions Court.

SECTION 8. The General Assembly expressly declares that each section, 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 effect the remainder of this act, but such unconstitutional or invalid portion shall be elided, and the General Assembly declares that it would have enacted this act with such unconstitutional or invalid portion elided therefrom.

SECTION 9. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Henry County before September 1, 1989. Its approval or non-approval shall be proclaimed by the presiding officer of the Henry County legislative body and certified by such officer to the Secretary of State.

SECTION 10. For the purpose of approving or rejecting the provisions of this act, it shall take effect 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: May 4, 1989.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

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

1. Private Acts of 1915, Chapter 136, provided that jurors in Henry County would receive \$2 per day. The act did not apply to jurors who were in the trial of cases under the officers and whose board is paid by the State and County.
2. Private Acts of 1921, Chapter 63, created a Board of Jury Commissioners for Henry County. The Board consisted of three discrete men, who had been residents of the County for at least three years and were not county officials or attorneys at law. The Commissioners were to be appointed by the Judge of the Circuit Court to serve for a two year term. Upon taking oath, the Commissioners at their first prescribed meeting would prepare a list containing 30 names of good and upright men to compile the jury list from which, the grand and petit jury of the Circuit Court would be selected. Failure of a Jury Commissioner to attend without a reasonable excuse was contempt and subject to punishment by fine and imprisonment. Any person directly or indirectly seeking to have his name placed on the jury list was in contempt of court and subject to punishment by fine and imprisonment. The jury list when completed and filed with the Circuit Court Clerk was to be kept secret, except as to the Sheriff who would issue the summons.
3. Private Acts of 1921, Chapter 869, provided that in Henry County the grand, petit and special jurors would receive \$3 per day as compensation for each day of service.
4. Private Acts of 1953, Chapter 345, amended Private Acts of 1921, Chapter 63, above, and increased the number of names to be placed on the jury list by the Jury Commissioners from 30 names to 45 names. The act also increased the number of names to be supplied by each of the Commissioners to the list from 10 to 15.
5. Private Acts of 1955, Chapter 344, set the compensation of the Foreman of the Grand Jury in Henry County at \$10 per day. The compensation would not be allowed except for days actually served in the performance of his duties. This act was not approved by local authorities and failed to become a law.
6. Private Acts of 1961, Chapter 159, set the compensation of the Foreman of the Grand Jury in Henry County at \$7 per day and for regular jurors \$6 per day plus mileage or ferrriage at ten cents per mile. This act was properly ratified and would be effective except that T.C.A. 22-4-101 set a minimum per diem for jurors at \$10 per day and therefore supersedes this act. The mileage rates remained the same.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Henry 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. Public Acts of 1824, Chapter 14, required the Judges of the Supreme Court to make arrangements among themselves to hold the Chancery Court twice a year. Henry County was served by the Court sitting in Jackson on the second Monday in April and October. Courts were also held at Greenville, Rogersville, Kingston, Franklin, McMinnville, Charlotte, Maury and Carthage.

2. Public Acts of 1825, Chapter 32, declared that the Judges of the Supreme Court shall arrange among themselves to hold a Chancery Court at the town of Paris in Henry County, for Perry, Henderson, Carroll, Henry, Weakley, Obion, Gibson and Dyer Counties. Court was to be held twice a year on the third Monday in April and October. The Judges of the Supreme Court were to appoint a Clerk and Master for the Chancery Court as soon as convenient.
3. Public Acts of 1827, Chapter 60, changed the time for holding Chancery Court at Paris to the third Monday in March and September making all process returnable to those dates. The act also provided for the Supreme Court to sit at Reynoldsburgh on the third Monday in May.
4. Public Acts of 1827, Chapter 79, repealed all laws giving the Judges of the Supreme Court of Errors and Appeals jurisdiction to hear original chancery cases. It divided the State into two Chancery Divisions, the Eastern and the Western. Henry County was in the Western Division and continued to be served by the Court sitting in Paris. One Chancellor was to be appointed by the General Assembly for each division, to be compensated by a salary of \$1,500 per year.
5. Public Acts of 1829, Chapter 104, changed the time of beginning terms of the Chancery Court of the Ninth District, which met at Paris in Henry County, to the fourth Monday in March and September.
6. Public Acts of 1835-36, Chapter 4, enacted after the adoption of the 1835 Constitution, separated the State into three Chancery Divisions which were further divided into Districts. Three Chancellors would be appointed by the General Assembly to preside over the Courts instead of the Supreme Court Justices. These Chancellors would hold Court at least twice each year. Henry County composed the Eighth District of the Western Division, the Court for which would be held in Paris on the third Monday of March and September.
7. Acts of 1837-38, Chapter 14, declared that Henry, Weakley, Obion, Dyer, Gibson, Carroll, Benton, Perry, Henderson and Madison Counties would compose one Chancery Division in the Western Division. The Court would meet at Huntingdon on the first Monday in February and August. The act abolished the Chancery Courts at Paris, Dresden, Trenton, Jackson, Lexington, Bolivar, and Clarksville and required the Clerks and Masters of these abolished courts to turn over all their records and official papers respective to the new Clerk and Master.
8. Acts of 1837-38, Chapter 110, declared that the Counties of Weakley, Obion and Henry would compose one Chancery District in the Western Division. Court would meet at Dresden on the third Monday of February and August each year. The act provided for the Clerk and Master at Paris to transfer all the records in all the cases to the Dresden Clerk and Master.
9. Acts of 1837-38, Chapter 117, was a supplemental act to an uncited act regulating the Chancery Courts of the Western Division. The Clerks and Masters at Somerville, Huntingdon, Charlotte and Brownsville were not affected and were allowed to serve out the remainder of the terms.
10. Acts of 1845-46, Chapter 63, established a Chancery Court at Paris in Henry County, to be held in the courthouse on the first Monday in December and June of each year. The Chancellor of the Western Division would preside over the court and appoint a Clerk and Master. The act provided for all the suits pending in the Chancery Court at Dresden, which originated in Henry County, to be transferred to the Chancery Court at Paris at the election of the suing party.
11. Acts of 1845-46, Chapter 124, Section 6, directed the Chancellor of the Western Division to appoint a Clerk and Master for the Chancery Court at Paris, who would reside in Henry County.
12. Acts of 1855-56, Chapter 158, rearranged the starting dates for many of the Chancery Courts in the Western Division including Henry, the Court for which would begin on the first Monday in January and July.
13. Public Acts of 1857-58, Chapter 88, reorganized the entire lower judicial system in Tennessee. The State was separated into the Eastern, Middle, Western, Fourth, Fifth and Sixth Chancery Divisions. Henry County was assigned to the Western Division along with Weakley, Obion, Dyer, Madison, Haywood, Hardeman, Fayette, Tipton, Lauderdale, Gibson and Shelby Counties. Chancery Court for Henry County would begin on the first Monday of January and July at Paris.
14. Public Acts of 1865-66, Chapter 20, established a Ninth Chancery District in Tennessee comprised of Obion, Dyer, Gibson, Weakley, Henry, Carroll and Benton Counties. The Chancellor would hold court in Henry County on the second Monday in March and September.
15. Public Acts of 1866-67, Chapter 25, changed the term for holding Chancery Court for the Ninth District. Henry County would be held on the third Monday in April and November at Paris.
16. Public Acts of 1869-70 (2nd Sess.), Chapter 32, divided Tennessee into twelve Chancery Districts. The Eleventh District was composed of Dyer, Obion, Lake, Weakley, Gibson, Etheridge,

Carroll and Henry Counties.

17. Public Acts of 1869-70 (2nd Sess.), Chapter 47, scheduled the starting dates for both terms of the Chancery Court in every county of the State. In Henry County the Chancery Court would meet on the third Monday in February and August. Henry County was a part of the Eleventh Division.
18. Public Acts of 1870-71, Chapter 88, changed the time for holding Chancery Court in the Eleventh Division. In Henry County the Chancery Court would meet at Paris on the second Monday in March and September.
19. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the entire lower judicial structure of Tennessee. The act created eleven Chancery Divisions of which the Ninth was made up of the Counties of Henry, Hardeman, McNairy, Chester, Madison, Crockett, Henderson and Carroll. Henry County would hold Court on the first Monday in June and December.
20. Public Acts of 1887, Chapter 111, amended Acts of 1885 (Ex. Sess.), Chapter 20, above, by changing the terms for holding the Chancery Courts of the Ninth Chancery Division. The term of Court for Henry County remained the first Monday in June and December.
21. Public Acts of 1899, Chapter 297, changed the court terms for holding the Chancery Court in Henry County from the first Monday to the second Monday in June and December.
22. Public Acts of 1899, Chapter 427, divided the State of Tennessee into ten Chancery Divisions. Henry, Decatur, Hardin, Chester, Benton, McNairy, Crockett, Henderson, Carroll, Madison and Perry Counties composed the Eighth Chancery Division. In Henry, Chancery Court was held on the fourth Monday in March and September.
23. Acts of 1903, Chapter 36, changed the terms for holding Chancery Court in the Eighth Chancery Division. In Henry County, Chancery Court was held on the third Monday in February and August.
24. Private Acts of 1919, Chapter 39, changed the time for holding the Chancery Court in Henry County to the second Monday in April and October of each year.
25. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, reorganized the entire system of lower courts in the State. The act created fourteen Chancery Division. The Counties of Henry, Carroll, McNairy, Crockett, Hardeman, Henderson, Decatur, Hardin, Benton and Chester composed the Eighth Chancery Division. Court began in Henry County on the second Monday in April and October.

Chancery Court - Clerk and Master

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

1. Private Acts of 1917, Chapter 327, established the eligibility of women in Henry County, who were over twenty-one years of age and who resided in the county, to be appointed as Deputies in the office of the Clerk and Master of the Chancery Court. As Deputy Clerks they serve with all the rights, powers, privileges and obligations of other Deputy clerks.
2. Private Acts of 1927, Chapter 643, permitted the Clerk and Master of Henry County to be paid \$2,400 a year provided the Clerk and Master file a sworn itemized statement on January 1 of each year with the County Judge or Chairman, showing the total amount of fees collected in that office during the preceding year. If the fees were less than the stated salary, the County paid the difference. If the fees collected exceed the salary set by the act, the Clerk and Master was allowed to retain the excess fees.
3. Private Acts of 1939, Chapter 209, directed that the Clerk and Master of Henry County be paid \$1,800 annually, payable in the monthly amount of \$150 on the warrant of the County Judge. If the salary and the fees collected by the office exceeded the maximum amount of salary provided, then the excess over said maximum shall be paid into the County Treasury. The Clerk and Master were required to keep accurate records of the fees collected by their office and make a report when and if requested by the County Judge or Chairman of the County.

Circuit Court

The following acts were once applicable to the circuit court of Henry 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. Public Acts of 1821, Chapter 42, established the Eighth Judicial Circuit for the State comprised of Henry, Carroll, Henderson, Madison, Shelby, Wayne, Hardin and Perry Counties. One Circuit Judge with the same powers and privileges and emoluments as other Circuit Judges, was to be elected by the General Assembly. Henry, Carroll and Humphreys Counties would comprise the Thirteenth Solicitorial District. A Solicitor would be elected to perform the duties of the district with the same powers as other Solicitors General of the State. Circuit Court for Henry County

would be held on the fourth Monday of March and September at Henry Walls.

2. Private Acts of 1822, Chapter 157, changed the time for holding Circuit Court in Henry County to the first Monday in April and October of each year.
3. Public Acts of 1823, Chapter 11, created the Ninth Judicial Circuit of the State assigning Perry, Henderson, Carroll, Henry and all the Counties west of Carroll and Henry, as they were formed to this Circuit. The act provided for the General Assembly to elect a Judge for the new Circuit. Appeals from the Circuit Court would be heard in the Courts of Errors and Appeals at Charlotte.
4. Public Acts of 1823, Chapter 41, fixed the time for holding Circuit Court in the Eighth and Ninth Judicial Circuits. The time for holding Circuit Court in Henry County would be on the fourth Monday in April and October.
5. Private Acts of 1824, Chapter 102, changed the time for holding Circuit Court for some of the Counties in the Eighth and Ninth Judicial Circuits but did not change the time for Henry County.
6. Private Acts of 1825, Chapter 318, changed the dates for holding the Circuit Courts in the Eighth and Ninth Judicial Circuits. The time for holding Circuit Court in Henry County would be the fourth Monday in May and November.
7. Public Acts of 1826, Chapter 43, regulated the dates for Holding Circuit Court. The Circuit Court for Henry County was to be held on the fourth Monday in May and November for two weeks, or longer, if the business of the court required it.
8. Public Acts of 1835-36, Chapter 5, reorganized the lower court system of Tennessee into eleven Judicial Circuits and directed that the Circuit Courts hold three terms per year. The Ninth Judicial Circuit consisted of Henry Weakley, Obion, Dyer, Gibson, Carroll and Benton Counties. Circuit Court for Henry County would begin on the fourth Monday of January, May and September.
9. Acts of 1837-38, Chapter 116, rescheduled Circuit Court terms for the Counties in the Judicial Circuits of the State. Henry County was a part of the Ninth Circuit and Court there began on the third Monday in January, May and September.
10. Acts of 1845-46, Chapter 164, provided that a special term of the Circuit Court would be held in Paris in Henry County on the third Monday in March 1846 and continue until the business of the Court was completed.
11. Public Acts of 1857-58, Chapter 21, set the time for holding Circuit Court in Henry County to the fourth Monday in January, May and September.
12. Public Acts of 1857-58, Chapter 98, created sixteen Judicial Circuits for the State of Tennessee. The Thirteenth Judicial Circuit was composed of the Counties of Benton, Henry, Humphreys, Weakley and Carroll. The Circuit Court terms in Henry County would commence on the third Monday in January, May and September.
13. Private Acts of 1857-58, Chapter 93, repealed the Public Acts of 1857-58, Chapter 21, above, and changed the times for holding court in the Ninth Judicial Circuit. Circuit Court in Henry County would be held on the third Monday in January, May and September.
14. Public Acts of 1865-66, Chapter 10, changed the time for holding Circuit Courts for the counties in the Thirteenth Judicial Circuit consisting of Carroll, Henry, Benton, Weakley and Humphreys County. Court terms for Henry County remained on the third Monday in January, May, and September.
15. Public Acts of 1867-68, Chapter 8, altered the schedule for holding the Circuit Court in Henry County to the fourth Monday in January, May and September.
16. Public Acts of 1869-70 (2nd Sess.), Chapter 31, divided Tennessee into fifteen regular and one special Judicial Circuits. The Twelfth Judicial Circuit was composed of Benton, Henry, Weakley, Carroll, Etheridge, Obion and Lake Counties, and the special court at Union City, in Obion County.
17. Public Acts of 1869-70 (2nd Sess.), Chapter 46, fixed the starting date for holding Circuit Court terms for all the Counties in the State. The Court would be held in Henry County on the fourth Monday in January, May and September. Henry County comprised the Twelfth Judicial Circuit.
18. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the State into fourteen regular and one special Judicial Circuits. The Twelfth Judicial Circuit was composed of Obion Weakley, Henry, Carroll, Gibson, Crockett, Haywood and Benton Counties. The Circuit Court for Henry County was held on the fourth Monday in January, May and September.
19. Public Acts of 1887, Chapter 94, amended Acts of 1885 (Ex. Sess.), Chapter 20, above, by changing the time for holding Circuit Court in the Twelfth Judicial Circuit. Henry County was to hold Court on the third Monday in January, May and September.

20. Public Acts of 1889, Chapter 15, set the times for holding the Circuit Court for the Counties in the Twelfth Judicial Circuit. The Counties included were Obion, Carroll Henry, Weakley, gibson, Trenton, Crockett, Haywood and Union City. The Circuit Court for Henry County would meet on the third Monday in January, May and September.
21. Public Acts of 1891, Chapter 153, added Lake County to the Twelfth Judicial Circuit and reaffirmed the term of the Circuit Court in Henry County to be the fourth Monday of January, May and September in Paris.
22. Public Acts of 1899, Chapter 427, reorganized the entire lower court system of the State into fourteen Judicial Circuits. The Thirteenth Judicial Circuit was composed of Crockett, Haywood, Benton, Carroll, Henry and Gibson Counties. Court terms for the Henry County Circuit Court was set at the second Monday in March, July and November.
23. Public Acts of 1931, (2nd Ex. Sess.), Chapter 38, established twenty Judicial Circuits for the State of Tennessee. The Thirteenth Judicial Circuit was composed of the Counties of Crockett, Haywood, Carroll, Henry and Gibson. The terms of the Circuit Court in Henry County would commence on the second Monday in March, July and November.
24. Public Acts of 1965, Chapter 204, established Judicial Circuits for the State of Tennessee, The Twelfth Judicial Circuit was composed of the Counties of the composition of the Circuit Court and times for holding the courts in the Twelfth and other Judicial Circuits. The act altered the term of the Circuit Court for Henry County to the second Monday in March, July and November. The act also created a new Judicial Circuit, known as the Twenty-second Judicial Circuit.
25. Public Acts of 1977, Chapter 199, Section 2, amended Section 16-226 of the Tennessee Code Annotated by deleting the word first and substituting in lieu thereof the word third and provided that the term or the circuit court would be the third Monday in January with recessed session of January term to begin third Monday in March; third Monday in May, with recessed session of May term to begin third Monday in July; third Monday in September, with recessed session of September term to begin third Monday in November.

Circuit Court - Clerk

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

1. Acts of 1903, Chapter 255, fixed the salaries of the Circuit Court Clerks of the State. The act required the Clerk to file with the County Judge a sworn, itemized statement showing all fees collected in the office during the year. If the fees failed to equal the specified salary, the county would pay the difference to the Clerk but if the fees were more than the salary, the Clerk was permitted to keep the excess. The annual salary of the Circuit Court Clerk of Henry County was set at \$1,000.
2. Private Acts of 1911, Chapter 675, amended Acts of 1903, Chapter 255, above, increasing the salary of the Circuit Court Clerk in Henry County to \$1,500 annually, if said County had a Law Court established in the County in addition to the Circuit Court and where a separate office is kept for such Law Court by the Circuit Court Clerk or his Deputy.
3. Private Acts of 1921, Chapter 21, provided that the salary of the Circuit Court Clerk in Henry County be \$1,500 annually. The act required the Clerk to file a sworn itemized statement with the County Judge or Chairman showing the amount of fees collected in the office. If the fees were less than the salary specified, the County would pay the Clerk the difference but if the fees exceeded the salary, the Circuit Court Clerk could retain the excess.
4. Private Acts of 1927, Chapter 567, increased the salary of the Circuit Court Clerk of Henry County to \$2,000 annually.
5. Private Acts of 1939, Chapter 210, provided that the annual salary of the Circuit Court Clerk of Henry County be \$1,500 plus all the fees earned by the office, payable at the rate of \$125 per month by the County Judge or Chairman. The act specified that if the fees and the salary exceeded the maximum salary amount for the Circuit Court Clerks set out in Tennessee Code Section 10727, the excess shall be paid into the County Treasury.
6. Private Acts of 1947, Chapter 281, amended Private Acts of 1939, Chapter 210, above, by increasing the annual salary of the Circuit Court Clerk to \$2,000, payable in monthly installments of \$166.66.

District Attorney General - Assistants and Criminal Investigators

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

1. Public Acts of 1967, Chapter 181, created the office of the Criminal Investigator for the office of the District Attorney General for the Thirteenth Judicial Circuit. The District Attorney General would appoint a person over twenty-one years of age and experienced in investigation work to the position. The Criminal Investigator would investigate felonies, assist in the enforcement of the law and assist in carrying out the duties of the office of the District Attorney General. The Criminal Investigator would have the same authority and power as the Deputies or the County Sheriffs.
2. Public Acts of 1969, Chapter 167, created the office of Assistant District Attorney General for the Thirteenth Judicial Circuit, to be appointed by the District Attorney General for said Circuit. The appointee was required to be at least twenty-one years of age and licensed to practice law in Tennessee. The Assistant District Attorney would be compensated out of the treasury of the State and perform such duties and functions as assigned and directed by the District Attorney General.
3. Public Acts of 1972, Chapter 663, created an additional Assistant District Attorney General for the District Attorney General of the Thirteenth Judicial Circuit. The appointee would be a licensed attorney, compensated by the State and perform duties as assigned by the District Attorney General.
4. Public Acts of 1977, Chapter 371, created a third full time Assistant District Attorney General for the District Attorney General of the Thirteenth Judicial Circuit, to be appointed by the District Attorney General for said Circuit. The appointee would be a licensed attorney, receive compensation from the State and perform duties assigned by the District Attorney General.

General Sessions Court

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

1. Private Acts of 1955, Chapter 77, created a Court of General Sessions in Henry County, to be located in the courthouse at Paris. The Court of General Sessions would be vested with all the civil and criminal jurisdiction once held by the Justices of the Peace, which authority would be divested out of said Justices. The Justices of the Peace would retain their power to issue criminal and search warrants, their authority as members of the Quarterly County Court and their authority to perform marriages. Rules and regulations for court procedures, including the hours of the court and the requirement that a defendant waive his right to a jury trial, were set out in the act. Separate civil and criminal dockets would be required to be kept. The Judge of the Court would be required to be an attorney and his salary, until September 1956, would be \$3,600 annually and \$5,000 thereafter. Hugh K. McClean would serve as the first Judge of the Court of General Sessions. Appeals from the Court would be to the Circuit Court of Henry County. The Clerk of the Circuit Court would serve and perform the duties of the Clerk of the Circuit Court and Court of General Sessions. The act was not approved by the Quarterly County Court and never became law.
2. Private Acts of 1959, Chapter 171, created a Court of General Sessions for Henry County in almost identical terms as those set out in Private Acts of 1955, Chapter 77, above, with the exception that no Judge was named, the Governor being given the authority to appoint the first Judge and the annual salary being \$6,000 a year. The act was not approved and it never became law.
3. Private Acts of 1973, Chapter 74, assigned the General Sessions Court in Henry County with the exclusive jurisdiction to try, hear and dispose of all matters and causes relating to juveniles and juvenile courts. All the jurisdiction and authority concerning juveniles was to be divested out of the County Judge. The General Sessions Judge would receive an additional \$2,200 for the performance of these extra duties. The Clerk of the Circuit Court would serve as Clerk of the Juvenile Court. This act was rejected by the Quarterly County Court of Henry County and failed to become law.
4. Private Acts of 1974, Chapter 277, was identical to Private Acts of 1973, Chapter 74, above, giving the jurisdiction over juvenile matters and cases to the General Sessions Judge and divesting the same out of the County Judge. This act was not approved at the local level and never became law.
5. Private Acts of 1974, Chapter 296, assigned the exclusive jurisdiction to try, hear and dispose of all juvenile matters and cases with the General Sessions Judge of Henry County and divested same out of the County Judge. The Court of Appeals held that this act had not been properly ratified by the local legislative body and was therefore ineffective. See *Kesterson v. McKee*, 527 SW 145 (1975).

Juvenile Court

The following acts once affecting juvenile courts in Henry County are included herein for reference purposes.

1. Private Acts of 1974, Chapter 296, authorized the Judge of the Court of General Sessions of Henry County to be vested with exclusive jurisdiction to try, hear and dispose of all matters and causes relating to juveniles and juvenile courts. The act provided that all authority and jurisdiction then vested in the County Judge of Henry County relating to juveniles and juvenile courts be transferred to the Judge of the Court of General Sessions. The Clerk of the Circuit Court was authorized to act as the Clerk of the Juvenile Court, relieving the County Court Clerk from any duties as they related to juvenile matters.
2. Private Acts of 1981, Chapter 116, created a Juvenile and Probate Court for Henry County. The presiding Judge was vested with the juvenile jurisdiction formerly vested in the County Judge of Henry County. The act appointed Marvin P. Morton to serve as Judge of the Juvenile and Probate Court until his successor was elected. Morton was to receive compensation in the amount of \$12,000 per year, payable in monthly installments from the Henry County general fund. The act provided that beginning with the regular August election in 1982 and every eight years thereafter, the August election in 1982 and every eight years thereafter, the voters of Henry County would elect a qualified person to serve as Judge of the Juvenile and Probate Court of Henry County. The person elected had to be licensed to practice law in this State and possess all other qualifications then required by law for inferior court judges to serve as Judge of the Juvenile and Probate Court of Henry County. The Judge was to serve an eight year term and receive \$12,000 per year as salary. The Henry County Clerk was to serve as the Clerk of the Juvenile and Probate Court and the Clerk's deputies would also be deputies for the Juvenile and Probate Court. The Judge was authorized to make regulations for the administration and operation for the court and pending business in the court exercising jurisdiction over Juvenile and Probate matters was to be vested in the Juvenile and Probate Court and official documents pertaining to these matters was to be transferred to the Clerk of the Juvenile and Probate Court.
3. Private Acts of 1982, Chapter 330, amended Private Acts of 1981, Chapter 116, above, by providing that beginning September 1, 1983 and each September 1 thereafter, the salary of the Juvenile and Probate Court Judge would be adjusted to reflect the percentage increase in the consumer price index. The amendment allowed the Judge to engage in private law practice during his tenure of office but it prohibited the Judge from practicing law in the Juvenile and Probate Court of Henry County or representing any party in any proceeding in the general sessions, circuit, criminal or appellate court which originated in the Juvenile and Probate Court.
4. Private Acts of 1983, Chapter 132, amended Private Acts of 1981, Chapter 116, above, by adding a provision that allowed a disqualified Judge of the Juvenile and Probate Court to interchange with any county or state judge or chancellor exercising comparable juvenile or probate jurisdiction or to interchange with the judge of any court of record.

Chapter VI - Education/Schools

Board of Education

Private Acts of 2002 Chapter 106

SECTION 1. Chapter 56 of the Private Acts of 1995, and any acts amendatory thereto, are hereby repealed.

SECTION 2. Henry County shall be divided into five (5) school districts of substantially equal population, which shall be established by resolution of the county legislative body from time to time.

SECTION 3. The Henry County Board of Education (the "board") shall consist of five (5) members, with one (1) member of the board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (1/2) of the members of the board shall expire, with the odd-numbered districts expiring at the same time and the even-numbered districts expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following

the election and shall serve until their successors are duly elected and qualified.

SECTION 4. During the transition from (6) members to the five (5) members provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms, and the number of board members may temporarily exceed the number of members authorized in this act. To establish staggered four (4) year terms, beginning with the August 2002 elections, the board shall be elected as follows: At the August 2002 general elections, one (1) member shall be elected from each of Districts 2 and 4 to four (4) year terms, and one (1) member shall be elected from District 5 to a two (2) year term. At the August 2004 general elections, one member shall be elected from each of Districts 1, 3 and 5 to four (4) year terms. Thereafter, board members shall be elected to four (4) year terms as the term of each respective board member expires.

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

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

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

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

Passed: March 27, 2002.

Paris Special School District

Private Acts of 1919 Chapter 150

COMPILER'S NOTE: This Act should be read in conjunction with Private Acts of 1921, Chapter 243.

SECTION 1. That a Special School District be and the same is hereby created and established embracing and including all the territory contained with the following described boundaries:

Beginning at a point in the First Civil District of Henry County, Tennessee, said point being the Northeast corner of a track known as Assessor's Map 86, Group -, Parcel 59.00; thence West with the North line of Map 86, Group -, Parcel 59.00 to the Northwest corner; thence South with the West line of Map 86, Group -, Parcel 59.00 to the North line of Map 86, Group -, Parcel 58.00; thence West with the North line of Map 86, Group -, Parcels 58.00 and 57.00 to the Northwest corner of Map 86, Group -, parcel 57.00; thence South with the West line of Map 86, Group -, Parcel 57.00 to a point in Map 86, Group -, Parcel 55.00; thence West with the North line of Map 86, Group -, Parcel 55.00 to a point; thence Northwest with the East line of Map 86, Group -, Parcels 56.00 and 17.00 to a point in Map 86, Group -, Parcel 7.04; thence North to the Northeast corner of Map 86, Group -, Parcel 7.04; thence West with the North line of Map 86, Group -, Parcel 7.04 to a point in Map 86, Group -, Parcel 7.02; thence South with the West line of Map 86, Group -, Parcel 7.04 to a point; thence Southwest with the North line of Map 86, Group -, Parcel 7.04 to the Paris-Murray Road; thence South with the West line of Map 86, Group -, Parcel 7.04 and crossing said Road to a point, being the Northeast corner of Map 86, Group -, Parcel 19.00; thence West with the North line of Map 86, Group -, Parcel 19.00 to Highway 641; thence North with said Highway to Northeast corner of Map 86, Group -, Parcel 24.01; thence Southwest with the North line of Map 86, Group -, Parcel 24.01 to the Northwest corner of 24.01; thence South with the West line of Map 86, Group -, Parcel 24.01 to a point in Map 86, Group -, Parcel 25.00; thence West with the North line of Map 86 Group -, Parcel 25.00 to a point being the Southeast corner of Map 85 Group -, Parcel 8.00; thence Northwest with the East line of Map 85, Group -, Parcel 8.00 to the Northeast corner of Map 85, Group -, Parcel 8.00; thence West with the North line of Map 85, Group -, Parcel 8.00 to the Northwest corner of Map 85, Group -, Parcel 8.00; thence North with the East line of Map 85, Group-, Parcels 6.00 and the West line of Map 85, Group -, Parcel 9.00 to the Northeast corner of Map 85, Group -, Parcel 4.00; thence West with the North line of Map 85, Group -, Parcels 4.00 and 2.00 to the Northwest corner of Map 85, Group -, Parcel 2.00; thence South with the West line of Map 85, Group -, Parcels 2.00, 2.01, 4.00 and 64.02 to a point in the North line of Map 85, Group -, Parcel 65.01; thence West with the North line of Map 85, Group -,

Parcel 65.01 to the Northwest corner of Map 85, Group -, Parcel 65.01; thence South with the West line of Map 85, Group -, Parcel 65.01 to the Northeast corner of Map 85, Group -, Parcel 66.01; thence West with the North line of Map 85, Group -, Parcels 66.01 and 66.02 to the Northwest corner of Map 85, Group -, Parcel 66.02; thence Southwest with the West line of Map 85, Group -, Parcel 66.02 to a point; thence Southeast with the West line of Map 85, Group -, Parcel 66.02 to a point being the Northeast corner of Map 85, Group -, Parcel 66.00; thence Southwest with the North line of Map 85, Group -, Parcel 66.00 to a point; thence Southeast with the West line of Map 85, Group -, Parcel 66.00 to a point; thence Northwest with the North line of Map 85, Group -, Parcel 66.00 to a point in the East line of Map 85, Group -, Parcel 67.01; thence NorthWest with the East line of Map 85, Group -, Parcel 67.01 to a point; thence Southwest with the West line of Map 85, Group -, Parcel 67.01 to a point in North line of Map 85, Group -, Parcel 79.01; thence Northwest with the North line of Map 85, Group -, Parcels 79.01 and 79.00 to the Northwest corner of Map 85, Group -, Parcel 79.00; thence South with the west line of Map 85, Group -, Parcel 79.00 to a point; thence West with the North line of Map 85, Group -, Parcel 79.00 to a point; thence South with the West line of Map 85, Group -, Parcel 79.00 to a point; thence East with the West line of Map 85, Group -, Parcel 79.00 to a point; thence South with the West line of Map 85, Group -, Parcel 79.00 and 80.00 to a point; thence Southeast With the West line of Map 85, Group-, Parcel 80.00 to a point in Map 96, Group -, Parcel 8.4; thence South with the West line of Map 96, Group -, Parcels 8.4, 8.03 and 5.00 to a point; thence Southwest with the West line of Map 96, Group -, Parcel 5.00 to a point in the Jones Bend Road; thence South with the meanderings of the Jones Bend Road to the Southeast corner of Map 96, Group -, Parcel 6.00; thence South with the East line of Map 96, Group -, Parcel 6.00 to a point; thence Northwest with the West line of Map 96, Group -, Parcel 6.00 to a point; thence North with the West line of Map 96, Group -, Parcel 6.00 and 6.01 to a point, said point being in the Jones Bend Road and being the Northeast corner of Map 105, Group -, Parcel 1.00; thence Southwest with the North line of Map 105, Group -, Parcel 1.00 to the Northwest corner; thence South with the West line of Map 105, Group -, Parcel 1.00 to a point; thence West to a point; thence South with the West line of Map 105, Group -, Parcel 1.00 to the Northeast corner of Map 97, Group -, Parcel 36.00; thence West with the North line of Map 97, Group -, Parcel 36.00 to the Northwest corner of Map 97, Group -, Parcel 36.00; thence South with the West line of Map 97, Group -, Parcel 36.00 to a point; thence East with the West line of Map 97, Group -, Parcel 36.00 to a point; thence South with the West line of Map 97, Group -, Parcel 36.00 to the Northeast corner of Map 97, Group -, Parcel 35.00; thence West with North line of Map 97, Group -, Parcel 35.00 to the Northwest corner of Map 97, Group -, Parcel 35.00; thence South with the West line of Map 97, Group -, Parcel 35.00 to a point in the Paris-Como Road; thence West with the meanderings of the Paris-Como Road and the North line of Map 104, Group -, Parcel 25.00 to the Northwest corner of Map 104, Group -, Parcel 25.00; thence South with the West line of Map 104, Group -, Parcels 25.00 and 25.01 across Highway 54, to the Southwest corner of Map 104, Group -, Parcel 25.00; thence East with the South line of Map 104, Group -, Parcel 25.00 to the Northwest corner of Map 104, Group-, Parcel 36.07; thence South with the West line of Map 104, Group-, Parcel 36.07 to the Northwest corner of Map 104, Group -, Parcel 35.00; thence South with the West line of Map 104, Group -, Parcel 35.00 to the Southwest corner of Map 104, Group -, Parcel 35.00; thence Southeast with the South line of Map 104, Group -, Parcel 35.00 to a point in the Camp Tyson Gate Three Road; thence Southwest with the meanderings of said Road and the West line of Map 104, Group-, Parcels 34.01 and 62.00 to a point; thence Southeast with the West line of Map 104, Group -, Parcel 62.00 to a point; thence South with the West line of Map 104, Group-, Parcel 62.00 to the Northwest corner of Map 118, Group-, Parcel 3.01; thence South with the West line of Map 118, Group-, Parcel 3.01 to the Southwest corner of Map 118, Group-, Parcel 3.01; thence East with the South line of Map 118, Group-, Parcel 3.01 across the Palestine-Paris Road to the Southwest corner of Map 105, Group-, Parcel 84,00; thence East with the South boundary line of Map 105, Group-, Parcel 84.00 to a point in the Louisville-Nashville Railroad; thence South with the meanderings of said Railroad along the West line of Map 117, Group -, Parcels 41.00, 5.00, 71.00, 78.00 to the Southwest corner of Map 117, Group -, Parcel 78.00; thence East with the South line of Map 117, Group -, Parcel 78.00; to the Southeast corner of Map 117, Group-, Parcel 78.00 to the Southeast corner of Map 117, Group -, Parcel 78.00; thence North with the East line of Map 117, Group -, Parcel 78.00 to a point; thence East with the East line of Map 117, Group -, Parcel 78.00 to a point; thence North with the East line of Map 117, Group -, Parcel 78.00 to a point in the Palestine-Paris Road and Map 117, Group -, Parcel 5.00; thence East with the Road and the South line of Map 117, Group -, Parcel 5.00 to a point; thence East with the South line of Map 117, Group -, Parcel 5.00 to a point, said point being the Northeast corner of Map 117, Group -, Parcel 79.00; thence South with the South line of Map 117, Group -, Parcel 5.00 to a point; thence East with the South line of Map 117, Group -, Parcel 5.00 to a point; thence North with the East line of Map 117, Group -, Parcel 5.00 to a point; thence East with the South line of

Map 117, Group -, Parcel 5.00 and Map 117, Group -, Parcel 6.01 to the Southeast corner of Map 117, Group -, Parcel 6.01; thence North with the East line of Map 117, Group -, Parcel 6.01 to the Southwest corner of Map 117, Group -, Parcel 66.00; thence East with the South line of Map 117, Group -, Parcel 66.00 to a point; thence Southeast and South with the East line of Map 117, Group -, Parcel 68.00 to the Palestine-Paris Road; thence crossing said Road to the Northwest corner of Map 117, Group -, Parcel 64.00; thence South with the West line of Map 117, Group -, Parcel 64.00 to a point in the North line of Map 117, Group -, Parcel 63.00; thence West with the North line of Map 117, Group -, Parcel 63.00 to the Northwest corner of Map 117, Group -, Parcel 63.00; thence Southwest with the west line of Map 117, Group -, Parcel 63.00 to its Southwest corner; thence East with the South line of Map 117, Group -, Parcels 63.00 and 62.00 to the Southeast corner of Map 117, Group -, Parcel 62.00 and State Highway 76; thence crossing said Highway to the Southwest corner of Map 117, Group-, Parcel 61.01; thence East with the South line of Map 117, Group -, Parcel 61.01 to the Southeast corner of Map 117, Group-, Parcel 61.01; thence North with the East line of Map 117, Group -, Parcel 61.01 to a point in the South line of Map 117, Group -, Parcel 61.02; thence East with the South line of Map 117, Group -, Parcel 61.02 to a point in the Old Paris-McKenzie HighWay; thence South with the meanderings of said Highway and the West line of Map 117, Group -, Parcels 86.00 and 86.01 to the corner of Map 117, Group -, Parcel 86.01; thence Northeast with the East line of Map 117, Group -, Parcel 86.01 and 86.00 to a point in the South line of Map 117, Group -, Parcel 59; thence East with the South line of Map 117, Group -, Parcel 59.00 to the Southeast corner of Map 117, Group -, Parcel 59.00; thence North with the East line of Map 117, Group -, Parcel 59.00 to the Southwest corner of Map 116, Group -, Parcel 53.00; thence East with the South line of Map 116, Group-, Parcel 53.00 to a point in the West line of Map 116, Group-, Parcel 15.00; thence South with the West line of Map 116, Group-, Parcel 15.00 to the Southwest corner of Map 116, Group -, Parcel 15.00; thence East with the South line of Map 116, Group -, Parcel 15.00 to the Southwest corner of Map 116, Group-, Parcel 58.01; thence East with the South line of Map 116, Group-, Parcel 58.01 to a point; thence North with the line of Map 116, Group -, Parcel 58.01 to a point; thence East with the South line of Map 116, Group -, Parcels 58.01 and 64.00, crossing the L & N Railroad, Parcels 63.00, 75.00, 78.01, 77.00, 77.1, 77.02 and 86.00 to the Southeast corner of Map 116, Group -, Parcel 86.00; thence North with the East line of Map 116, Group -, Parcel 86.00 to a point in the South line of Map 116, Group -, Parcel 44.00; thence East with the South line of Map 116, Group -, Parcel 44.00 to the Southeast corner of Map 116, Group -, Parcel 44.00; thence North with the East line of Map 116, Group -, Parcels 44.00, 39.01, crossing L & N Railroad, 35.01 and 34.01 to the Southwest corner of Map 106, Group -, Parcel 66.00; thence East with the South line of Map 106, Group -, Parcels 66.00 and 78.00 to a point in the West line of Map 116, Group -, Parcel 37.00; thence South with the West line of Map 116, Group-, Parcel 37.00 to the Southwest corner of Map 116, Group-, Parcel 37.00; thence East with the South line of Map 116, Group -, Parcel 37.00 to a point; thence North with the East line of Map 116, Group -, Parcel 37.00 to a point; thence Southeast with the South line of Map 116, Group-, Parcel 37.00 to the Southeast corner of Map 116, Group -, Parcel 37.00; thence North with the East line of Map 116, Group -, Parcel 37.00 to the Southwest corner of Map 115-A, Group A, Parcel 12.00; thence East with the South line of Map 115-A, Group A, Parcel 12.00, crossing Green Valley Drive and Map 115-A, Group A, Parcel 13.00 to the Southeast corner of Map 115-A, Group A, Parcel 13.00; thence North with the East line of Map 115-A, Group A, Parcels 13.00, 14.00, 15.00, 16.00, 17.00, 18.00, 19.00, 20.00, 21.00, 22.00, to the Northeast corner of Map 115-A, Group A, Parcel 22.00; thence East with Greenwood Drive and Map 107-P, Group A, Parcel 10.02 to a point in the West line of Map 115, Group -, Parcel 54.01; thence South with the West line of Map 115, Group -, Parcel 54.01 to the Southwest corner of Map 115, Group -, Parcel 54.01; thence Southeast with the South line of Map 115, Group -, Parcel 54.01 to a point; thence Northeast with the South line of Map 115, Group -, Parcel 54.01 to the Southeast corner of Map 115, Group -, Parcel 54.01; thence North with the East line of Map 107, Group -, Parcel 54.01, 54.02, 54.00, and 55.00 to a point in the South line of State Highway 69; thence Southeast with said Highway to the Southwest corner of Map 107-P, Group B, Parcel 1.00; thence Southeast with the South line of Map 107-P, Group B, Parcel 1.00 to the Southeast corner of Map 107-P, Group B, Parcel 1.00; thence North with the East line of Map 107-P, Group B, Parcel 1.00, Map 107-L, Group B, Parcels 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 10.10, 11.00 and 12.00 to a point in the South line of Map 107, Group -, Parcel 34.08; thence Southeast with the South line of Map 107, Group -, Parcels 34.08 and 34.05 to the Southeast corner of Map 107, Group -, Parcel 34.05; thence North with the East line of Map 107, Group -, Parcels 34.05, crossing a Road and 34.06 to a point in the South line of Map 94, Group -, Parcel 49.00; thence East with the South line of Map 94, Group -, Parcel 49.00 and Map 107, Group -, Parcel 2.00 to the Southeast corner of Map 107, Group -, Parcel 2.00; thence North with the East line of Map 107, Group -, Parcel 2.00 to the Northeast corner of Map 107, Group -, Parcel 2.00; thence West with the North line of Map 107, Group -, Parcel 2.00 to the Southeast

corner of Map 94, Group-, Parcel 51.00; thence North With the East line of Map 94, Group-, Parcel 51.00 to a stake in the L & N Railroad; thence Northwest with the meanders of the L & N Railroad to a point in the North line of Map 94, Group-, Parcel 51.00; thence North with the East line of Map 94, Group-, Parcel 51.00 to the Northeast corner of Map 94, Group -, Parcel 51.00; thence west With the North line of Map 94, Group -, Parcel 51.00 to the Southeast corner of Map 95, Group -, Parcel 99.04; thence Northwest with the North line of Map 95, Group -, Parcel 99.04 to a point; thence North with the East line of Map 95, Group -, Parcels 99.04 and 98.00 to the Northeast corner of Map 95, Group -, Parcel 98.00; thence West with the North line of Map 95, Group -, Parcel 98.00 to the Northeast corner of 98.01; thence West with the North line of Map 95, Group -, Parcel 98.01 to a point; thence Northwest with the North line of Map 95, Group -, Parcel 98.01 to a point in State Highway 79; thence South with said Highway and crossing Highway to a Northeast corner of Map 95, Group -, Parcel 48.00; thence West with the North line of Map 95, Group -, Parcel 48.00 to a point; thence Northwest with the East line of Map 95, Group -, Parcel 48.00, crossing the Mouth of Sandy Road; thence Northwest With the East line of Map 95, Group -, Parcels 30.01, 30.04 and 30.03, to the Northeast corner of Map 95, Group -, parcel 30.03; thence East with the South Line of Map 86, Group-, Parcel 66.00 to a Southeast corner of Map 86, Group -, Parcel 66.00; thence North with an East line of Map 86, Group -, Parcel 66.00 to a point; thence East with the South line of Map 86, Group -, Parcel 66.00 to a Southeast corner of Map 86, Group -, Parcel 66.00; thence North with the East line of Map 86, Group -, Parcel 66.00 to a point; thence Northwest with the North line of Map 86, Group -, Parcel 66.00 to a point; thence West with the North line of Map 86, Group -, Parcel 66.00 to a point; thence North with the East line of Map 86, Group -, Parcel 66.00 to a Northeast corner; thence West with the North line of Map 86, group -, Parcel 66.00 to a point in Guthrie Road; thence South with Guthrie Road to a point in the North line of Map 86, Group -, Parcel 14.00; thence East with the North line of Map 86, Group -, Parcel 14.00 to a Northeast corner of Map 86, Group -, Parcel 14.00; thence South with the West line of Map 86, Group -, Parcel 66.00 to the Southeast corner of Map 86, Group -, Parcel 14.00; thence West with the North line of Map 86, Group -, Parcel 66.00 to a point in Guthrie Road; thence Southwest with Guthrie Road and the West line of Map 86, Group -, Parcel 66.00 to the point of beginning, and to be designated and known as Paris Special School District.

As amended by: Private Acts of 1921, Chapter 243
Private Acts of 1989, Chapter 103

SECTION 2. That said Paris Special School District and the schools thereof, shall be governed by and under the control of a Board of School Trustees, hereinafter provided for, a majority of whom shall make a quorum for the transaction of business. Said Board of School Trustees shall be composed of seven members, four of whom shall be elected by the Legislative Council of the City of Paris, who shall hold their offices for a term of four years, or until their successors are elected and qualified, and three of whom shall be elected by the qualified voters of said Special School District, who shall hold their offices for four years or until their successors are elected and qualified, the first election for the term of four years to be the next regular August election in 1976; that the first Board of Trustees for said Special School District are hereby appointed and the following named men shall constitute the said Board of School of Trustees, for the terms as herein set out, namely: Dr. G. L. Powers, whose term of office shall expire the second Tuesday in April, 1919; John K. Currier, Jr., whose term of office shall expire on the second Tuesday in April, 1920; Chas. Trevathan, whose term of office shall expire the second Tuesday in April, 1921; and W. C. Johnson, whose term of office shall expire the second Tuesday in April, 1922, or until their successors are elected and qualified, by said Legislative Council of the City of Paris: W. D. Cooper, Frank Porter, and H. B. Swinney, who shall hold their offices until the next regular August election in 1920, or until their successors are elected and qualified. It shall be the duty of the said Legislative Council of the City of Paris, to meet on the second Tuesday in April in 1919 and each year thereafter, and elect a member of said Board of Trustees to succeed a member of the said Board of Trustees, as their terms shall respectively expire, so that one member of said Board shall be elected by the said Legislative Council on the second Tuesday in April each year for the term of four years and the members as elected shall hold their office for a term of four years. In the event of a vacancy among the members of said Board who are elected by the voters of said district as above provided, the remaining members of said Board of Trustees shall have the power to fill said vacancy by appointment, and the appointees shall serve until the next regular August election, and in the event of a vacancy among said members who are elected by said Legislative Council of the City of Paris, as above provided, said vacancy shall be filled by the Legislative Council of said city at its next regular meeting after said vacancy occurs; provided that a public notice for five days shall be posted at the court house door in Paris, Tennessee, of the purpose to fill said vacancy by either of the Boards, or in either manner above provided; and no person shall be eligible to election as School Trustee, except, bona fide residents and qualified voters of said Special District. Said Board of School Trustees shall within ten days after this Act takes effect, qualify, meet and elect a President, and

Secretary and Treasurer, who shall be a member of said Board of School Trustees. The office of District Advisory Board for the First Civil District of Henry County, Tennessee, authorized and created by Acts of Tennessee, of 1907, Chapter 236, Section 13, is hereby abolished, and the powers and duties of said Board shall devolve upon and be performed by the Board of Trustees above mentioned.

As amended by: Private Acts of 1976, Chapter 275

SECTION 3. That the members of said Board of School Trustees shall serve without compensation, except that the Secretary and Treasurer may be allowed to receive a compensation of One Hundred (\$100.00) Dollars per annum, for his services. The Secretary and Treasurer of said Board shall keep a true and correct record of all meetings and business transactions by said Board in a minute book to be provided for such purposes, and shall keep a true and correct account of all funds coming into his hands, and all disbursements. He shall enter into bond sufficient to cover the school funds belonging to said Paris Special School District, which bond shall be fixed by the said Board of Trustees, and shall be payable to the State of Tennessee for the use and benefit of the said Paris Special School District, and it shall be approved and filed with the President of said Board of Trustees. Said Board of Trustees shall meet at such regular stated intervals as may be prescribed by the rules and regulations of said Board, and may have such special meetings as may be necessary or advisable, of which called meetings all members of the Board shall have notice.

SECTION 4. That the said Board of School Trustees, shall have the power and it is hereby declared to be their duty as follows:

- (1) To elect all teachers and school officials for the schools within the territory of said Special School District, and to generally supervise and control the management of the same; and fix the salaries for said teachers and pay the same from the fund belonging to said Special School District, and to execute and preserve contracts with all teachers and school officials.
- (2) To open and close school and determine the length of the term thereof.
- (3) To build and keep in repair the school buildings and outbuildings and grounds, and other school property within said territory.
- (4) To suspend and dismiss pupils when the occasion and efficiency of said school demands.
- (5) To order and have taken annually the census of the scholastic population within said Special School District, according to the school laws of the State of Tennessee, and report the same to the County Superintendent of Public Instructions, properly certified, and to the County Trustee of Henry County, Tennessee.

SECTION 5. That the County Trustee shall apportion to the said Paris Special School District, for the maintenance of schools therein, the per capita or pro rata share of all schools therein, the per capita or pro rata share of all school funds hereafter in his hands according to the proportion which the school census of said Special School District, bears each year to that of Henry County, and the County Trustee shall apportion said Special School District its pro rata share of the State school fund paid to said county by the State.

SECTION 6. That for the purpose of supporting and maintaining the schools of said Special School District, and for supplementing the school fund as now provided by law, for said School District, there is hereby assessed for the year 1919 and for each subsequent year thereafter a tax of forty-five cents on each one hundred dollars of taxable property, both real and personal, situated within said First Civil District of Henry County, Tennessee, and herein designated as Paris Special School District it shall be the duty of the County Court Clerk to collect 50 cents ad valorem tax from all parties, firms or corporations subject thereto, within the boundaries of said Special School District, for the benefit of said Special District, the same to be held and used as all other funds belonging to said Special School District. And there is also assessed for said purpose one dollar (\$1.00) poll tax, on all male persons between the ages of twenty-one and fifty years therein. The basis of assessment on such property shall be the assessed value as shown by the books of the County Trustee, and the taxes assessed on real estate shall be a lien upon said real estate. The taxes herein assessed shall become due and be collected at the same time and in the same manner, as taxes under the general laws of the State, by the County Trustee; and the special taxes herein provided for, together with all school funds received from the County Trustee, shall constitute the school funds for said Special School District, which funds shall be under the control of said Board of School Trustees for the use and benefit of said Paris Special School District. No part of said school fund shall be paid out by said Secretary and Treasurer of said Special School District, except by order of said Board of School Trustees, upon warrants properly drawn and signed by the President and Secretary and Treasurer of the said Board. The separate tax list for the First Civil District of Henry County, Tennessee, shall be used by the County Trustee in making the collection of said taxes.

As amended by: Private Acts of 1921, Chapter 799

Private Acts of 1929, Chapter 740

SECTION 7. That the branches of study set forth in the Tennessee School Laws for grades one to twelve inclusive shall be taught in the schools of said Special School District for such combinations of these grades as shall be designated by the Board of Trustees of said District, and said schools shall be open to all children residing in said Special District who are legally entitled to attend the same under the school laws of the state.

The Board of Trustees may also extend the courses of study in any one or more of said schools, as conditions may require, to embrace any grade or grades as may be prescribed by law for junior high schools or senior high schools.

The Board of School Trustees for said Special School Districts, shall have the power to admit by contract persons over school age or non-residents of the district, upon terms of such reasonable rates of tuition and under such regulations as the said Board of School Trustees may prescribe for persons not entitled under the law to admittance to said school; and all tuition under this clause shall be paid to the Secretary and Treasurer of said Board of School Trustees, for the use and benefit of said Special School District, and shall be paid out as other funds collected and received by said district.

As amended by: Private Acts of 1935, Chapter 171

Private Acts of 1957, Chapter 26

SECTION 8. That the provisions of this Act shall not in any manner apply to the control and management of the County High School or schools situated in said territory, and this Act shall not in any way affect the present control and management of such High Schools or place any additional duties or liabilities upon said Special School District for the maintenance or operation of said County High School or schools.

SECTION ____. The Paris Special School District shall be authorized to receive and receipt for funds from Henry County which are derived from bonds issued by the County pursuant to Tennessee Code Annotated, Title 49, Chapter 3, Part 10, and to use and apply such funds as provided therein. The District shall have the authority to pay to the County from funds of the District, whether derived from tax receipts, from State funding or from other sources, a portion, as shall be determined by the Board of Trustees of the District, of principal of and interests on such bonds of the County, and to do all other things necessary, reasonable and proper in connection with the provisions of this section. The District shall have the authority to enter into and perform all necessary contracts and agreements with the County relating to the provisions of this section.

As amended by: Private Acts of 1994, Chapter 164

COMPILER'S NOTE: Private Acts of 1994, Chapter 164, amended Private Acts of 1919, Chapter 150 by adding a new section but not referencing a section number.

SECTION 9. That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 6, 1919.

Private Acts of 1921 Chapter 243

SECTION 1. That Chapter 150, Section 1, of the Private Acts of the General Assembly of the State of Tennessee, passed February 6, 1919, creating the Paris Special School District, be amended so as to change part of the west boundary line of said School District as follows:

Beginning at a point on the Iron Bank Road in front of J. C. Daniels' residence, thence in a southerly direction to a point on the Paris and Cottage Grove road east of Jim Hicks' residence,; thence southwest to Dresden road at Tom Morris' southwest corner.

Passed: February 11, 1921.

Private Acts of 1949 Chapter 510

COMPILER'S NOTE: This act was amended by Private Acts of 1965, Chapter 87, reprinted herein.

SECTION 1. That the Paris Special School District in Henry County, Tennessee, as created by Chapter 150 of the 1919 Private Acts of Tennessee, as amended by Chapters 1, 243, and 799 of the 1921 Private Acts of Tennessee, Chapters 14 and 671 of the 1925 Private Acts of Tennessee, and Chapter 740 of the 1929 Private Acts of Tennessee, is hereby found and declared to be a validly organized and existing School District of the State of Tennessee. Said Paris Special School District shall have the complete management and control of all schools within said district, with the exception of the control, management,

maintenance, and operation of county high schools or other county schools situated in said territory.

SECTION 2. That the Paris Special School District is hereby authorized to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of \$120,000 for the purpose of constructing and equipping additions and improvements to school buildings of said School District. Said bonds shall bear interest at a rate of not exceeding Four per cent (4%) per annum, payable semi-annually, and shall mature serially or otherwise in not exceeding twenty-five years after date thereof and may be subject to such terms of redemption with or without premium as may be provided by resolution of the Board of School Trustees of said School District. Said bonds shall be in such form and of such denominations and shall be sold in such manner as the Board of School Trustees may provide by resolution, but in no event shall such bonds be sold for less than par. Said Board of School Trustees is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds. No election shall be necessary for the authorization of said bonds.

SECTION 3. That said school bonds shall be signed by the President of the Board of School Trustees and attested by the Secretary and Treasurer of said Board, and the coupons on said bonds shall be signed by the facsimile signatures of said officials.

SECTION 4. That for the purpose of paying the principal of and interest on the school bonds herein authorized there is hereby levied a continuing annual tax of Twenty Cents (20¢) on each One Hundred Dollars (\$100) worth of taxable property in said Paris Special School District, beginning with the year 1949 and continuing until said bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the County Officials of Henry County in the manner provided by the general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The proceeds of said taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and interest on the school bonds herein authorized.

SECTION 5. That the bonds herein authorized shall be exempt from all State, County, and Municipal taxation within the State of Tennessee.

SECTION 6. That all laws or parts of laws in conflict herewith, be, and the same are hereby repealed, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 4, 1949.

Private Acts of 1951 Chapter 202

SECTION 1. That the Paris Special School District in Henry County, Tennessee, as created by Chapter 150 of the 1919 Private Acts of Tennessee, as amended by Chapters 1, 243, and 799 of the 1921 Private Acts of Tennessee, Chapters 14 and 671 of the 1925 Private Acts of Tennessee, and Chapter 740 of the 1929 Private Acts of Tennessee, and validated by Chapter 510 of the 1949 Private Acts of Tennessee, is hereby authorized to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of not exceeding \$350,000 for the purpose of acquiring, constructing, reconstructing, improving, and repairing school buildings for said School District, and additions thereto, including the purchase of lands in connection therewith. Said bonds shall bear interest at a rate of not exceeding four per cent (4%) per annum, payable semiannually, and shall mature serially or otherwise in not exceeding twenty-five (25) years after date thereof and may be subject to such terms of redemption with or without premium as may be provided by resolution or resolutions of the Board of School Trustees of said School District. Said bonds shall be in such form and of such denominations and shall be sold in such manner at one time or from time to time as the Board of School Trustees may provide by resolution or resolutions, but in no event shall such bonds be sold for less than par. Said Board of School Trustees is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds.

SECTION 2. That prior to the sale of any bonds under authority of this Act a majority of the qualified voters of the Paris Special School District voting at an election on the special question of issuing such bonds shall approve such bond issue. Said election shall be held by the Commissioners of Election of Henry County pursuant to request of the Board of School Trustees of said Paris Special School District, and notice thereof shall be given at least twenty (20) days prior to the date of such election by publication one time in a newspaper of general circulation in such District. No other notice shall be necessary. It shall not be necessary to submit to the voters any question other than the maximum amount of bonds to be issued and the general purpose therefor. Any resident citizen of the Paris Special School District who was qualified to vote for members of the General Assembly at the general election next preceding the date of the holding of such bond election, or who is on the date of the holding of such bond election then qualified

to vote for members of the General Assembly, shall be entitled to vote at such bond election. It shall be the duty of the Board of School Trustees of said Paris Special School District to enter upon its minutes the results of such referendum election as certified to said Board by the Secretary of the Commissioners of Election of Henry County, and after the expiration of ten (10) days from the date of such entry, such entry upon the minutes of said Board of School Trustees shall be conclusive evidence of the result of such election and no suit, action, or other proceeding contesting the validity of such election shall be entertained in any of the courts of this State thereafter.

SECTION 3. That said school bonds shall be signed by the President of the Board of School Trustees and attested by the secretary and Treasurer of said Board, and the coupons on said bonds shall be signed by the facsimile signatures of said officials.

SECTION 4. That for the purpose of paying the principal of and interest on the school bonds herein authorized there is hereby levied a continuing annual tax of forty-seven cents (47¢) on each one hundred dollars (\$100) worth of taxable property in said Paris Special School District, said tax to continue until said bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the County Officials of Henry County in the manner provided by the general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The proceeds of said taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and interest on the school bonds herein authorized.

SECTION 5. That the bonds herein authorized shall be exempt from all state, county, and municipal taxation within the State of Tennessee.

SECTION 6. That all laws and parts of laws in conflict herewith be and the same are hereby repealed, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 9, 1951.

Private Acts of 1961 Chapter 311

SECTION 1. That Chapter 150 of the Private Acts of the General Assembly of Tennessee for the year of 1919, and the amendments thereto, said original Act being entitled "A Bill entitled an Act to create and establish a Special School District in the First Civil District of Henry County, Tennessee, including the City of Paris, to be known as the 'Paris Special School District', to define its boundaries and to provide for the government, management and control of the schools therein, the selection of schools officers and teachers for the same, and to provide revenue for the maintenance of the schools in said district", all as validated by Chapter 510 of the Private Acts of the General Assembly of Tennessee for the year 1949, same being an Act entitled "An Act validating the organization of the Paris Special School District in Henry County, Tennessee, authorizing the issuance of \$12,000 School Bonds of said District, and levying a tax for the payment of principal of and interest on said bonds", be and the same is hereby amended so as to provide that beginning with the tax year 1961 and continuing annually thereafter, there shall be levied for the purpose of supporting and maintaining the schools of said Paris Special School District, and for the purpose of purchasing sites for new buildings, for constructing additions to existing school buildings, and for constructing new building for said District, a tax of sixty-five (65¢) cents on each One Hundred Dollars (\$100.00) of taxable property within said Paris Special School District. The taxes herein assessed shall be due and collected at the same time and in the same manner as taxes are collected under the general laws of the State of Tennessee by the County Trustee of Henry County. The said taxes herein provided for, together with all other school funds received from the County Trustee under the General School Laws of the State of Tennessee, funds received from the State of Tennessee, and funds received from the Federal Government, shall constitute the school funds for the said Paris Special School District, which funds shall be under the control of the Board of School Trustees of the districts for the use and benefit of the schools of the district.

SECTION 2. That the powers of the Board of Trustees for said district as defined in Section 4, Chapter 150, of the 1919 Private Acts of Tennessee, are hereby enlarged to include the power to borrow money against the credit of the Paris Special School District as created by anticipated tax receipts and/or State receipts for capital outlay purposes.

SECTION 3. That all laws or parts of laws in conflict herewith are hereby repealed.

SECTION 4. That this Act shall become effective from and after its passage, the public welfare requiring it.

Passed: March 15, 1961.

Private Acts of 1965 Chapter 87

SECTION 1. That Chapter 150 of the Private Acts of the General Assembly of Tennessee for the year of 1919, and the amendments thereto, said original Act being entitled "A Bill entitled An Act to create and establish a Special School District in the First Civil District of Henry County, Tennessee, including the City of Paris, to be known as the 'Paris Special School District'; to define its boundaries and to provide for the government, management, and control of the schools therein, the selection of school officers and teachers for the same, and to provide revenue for the maintenance of the schools in said District," all as validated by Chapter 510 of the Private Acts of the General Assembly of Tennessee for the Year 1949, same being an Act entitled "An Act validating the organization of the Paris Special School District in Henry County, Tennessee, authorizing the issuance of One Hundred Twenty Thousand Dollars (\$120,000) School Bonds of said District, and levying a tax for the payment of principal of and interest on said bonds," and the amendments thereto, be and the same hereby is amended so as to provide that beginning with the tax year 1965 and continuing annually thereafter, there shall be levied for the purpose of supporting and maintaining the schools of said Paris Special School District, and for the purpose of purchasing sites for new buildings, for constructing additions to existing school buildings, and for constructing new buildings for said District and equipping same, a tax of ninety-five cents (95¢) on each One Hundred Dollars (\$100) of taxable property within said Paris Special School District. The taxes herein assessed shall be due and collected at the same time and in the same manner as taxes are collected under the general laws of the State of Tennessee by the County Trustee of Henry County.

SECTION 2. That the Paris Special School District is hereby authorized to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of Four Hundred Thousand Dollars (\$400,000) for the purpose of purchasing sites for new buildings, for constructing additions to existing school buildings, for constructing new buildings for said District and equipping same. Said bonds shall bear interest at a rate not exceeding five per cent (5%) per annum, payable semi-annually, and shall mature serially or otherwise in not exceeding twenty (20) years after date thereof and may be subject to such terms of redemption with or without premium as may be provided by the resolution of the Board of School Trustees of said School District. Said bonds shall be such form and of such denominations and shall be sold in such manner as the Board of School Trustees may provide by resolution, but in no event shall such bonds be sold for less than par. Said Board of School Trustees is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds.

SECTION 3. That said school bonds shall be signed by the President of the Board of School Trustees and attested by the Secretary and Treasurer of said Board, and the coupons on said bonds shall be signed by the facsimile signatures of said officials.

SECTION 4. That the bonds and income therefrom are exempt from all state, county, and municipal taxation in the State of Tennessee, except inheritance, transfer, and estate taxes.

SECTION 5. That out of the continuing annual tax of ninety-five cents (95¢) on each One Hundred Dollars (\$100) of taxable property within said Paris Special School District, beginning with the Year 1965, as hereinabove provided, fifty cents (50¢) is to be used for the purpose of paying principal of and interest on the school bonds herein authorized and the proceeds of said fifty cents (50¢) on each One Hundred Dollars (\$100) of taxable property within said Paris Special School District, beginning with the Year 1965, as hereinabove provided, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and interest on the school bonds herein authorized. The Board of School Trustees shall have the power to fix by resolution a tax rate not to exceed forty-five cents (45¢) on each One Hundred Dollars (\$100) of taxable property, which in the judgment of said Board will be sufficient, together with other revenues, to meet the needs of said District for its next school year beginning in the year 1971. Said resolution shall be certified to the Trustee of Henry County, Tennessee, on or before September 1 in the year which taxes are payable. All funds received under this special Act together with all other school funds received from the County Trustee under the General School Laws of the State of Tennessee, funds received from the State of Tennessee and funds received from the Federal Government, shall constitute the general school funds for the said Paris Special School District, which funds shall be under the control of the Board of School Trustees of the District for the use and benefit of the schools of the District.

As amended by: Private Acts of 1971, Chapter 185

SECTION 6. That all laws, or parts of law, 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: February 23, 1965.

Private Acts of 1973 Chapter 10

SECTION 1. The Paris Special School District in Henry County, Tennessee, as created by Chapter 150 of the 1919 Private Acts of Tennessee, and as validated by Chapter 510 of the 1949 Private Acts of Tennessee, is hereby authorized from time to time to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of not exceeding nine hundred thousand dollars (\$900,000) for the purpose of constructing, improving and equipping school buildings and additions thereto for said school district, together with the purchase of necessary sites in connection therewith. Said bonds shall bear interest at such rate or rates, payable annually or semi-annually, shall be in such denomination, shall be in such form, shall be payable at such place or places, shall mature serially or otherwise at such time or times not exceeding twenty (20) years after date thereof and shall be subject to such terms of redemption, with or without premium, as may be provided by resolution of the Board of School Trustees of said school district.

SECTION 2. Said bonds shall be sold from time to time at not less than the par value thereof at public sale following publication of notice thereof at least one time in a newspaper of general circulation in Henry County and in a financial newspaper or journal published in New York, New York, each of said publications to be made not less than fifteen (15) days prior to the sale date.

SECTION 3. Said bonds shall be signed by the President of the Board of School Trustees with his manual or facsimile signature and attested by the Secretary and Treasurer of said board, and the coupons attached thereto shall be signed by the facsimile signatures of said officials.

SECTION 4. For the purpose of paying the principal of and interest and any redemption premium on the school bonds herein authorized there is hereby levied a continuing annual tax of forty-five cents (\$.45) on each one hundred dollars (\$100) worth of taxable property in said Paris Special School District, beginning with the year 1973 and continuing until said bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the County officials of Henry County in the manner provided by the general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The proceeds of said taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal and interest and redemption premiums on the school bonds herein authorized.

SECTION 5. At such time as the amount on deposit in the special fund created pursuant to Section 4 of this Act shall be equal to at least two times the amount of principal and interest on the bonds herein authorized coming due during the twelve month period next succeeding, the Board of School Trustees may certify by resolution to the County Trustee by September 1 of any year such rate not exceeding the rate of forty-five cents (\$.45) on each one hundred dollars (\$100) imposed by Section 4 as may be necessary to raise the amount of taxes which must be collected in order to maintain said special fund during the succeeding year in an amount equal to at least two times the amount of principal and interest coming due on such bonds during the twelve month period next succeeding, and the County Trustee shall collect only the taxes based on the rate so certified.

SECTION 6. In addition to the taxes herein levied said Paris Special School District may use for the payment of principal of and interest and redemption premiums on the bonds herein authorized all moneys received by said special school district from any other source including, but not limited to, capital outlay funds distributed to said special school district pursuant to the provisions of Chapter 439 of the 1971 Public Acts of Tennessee or any subsequent law.

SECTION 7. The bonds herein authorized shall be exempt from all state, county and municipal taxation in the State of Tennessee.

SECTION 8. If any section, paragraph or provision of this act, including particularly but not limited to Section 5 hereof, shall ever be held to be invalid, unconstitutional or unenforceable in any respect the remainder of this act shall remain in full force and effect notwithstanding and without regard to the invalidity, unconstitutionality or unenforceability of such section, paragraph or provision.

SECTION 9. All laws or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 10. This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: March 12, 1973.

Private Acts of 1996 Chapter 193

SECTION 1. The Paris Special School District of Henry County, Tennessee, (the "District"), created by Chapter 150 of the Private Acts of 1919 of the State of Tennessee, as amended by Chapters 1, 243, and 799 of the Private Acts of 1921, Chapters 14 and 671 of the Private Acts of 1925, Chapter 740 of the Private Acts of 1929, Chapter 171 of the Private Acts of 1935, Chapter 59 of the Private Acts of 1935 (1st

E.S.), Chapter 510 of the Private Acts of 1949, Chapter 202 of the Private Acts of 1951, Chapter 26 of the Private Acts of 1957, Chapter 87 of the Private Acts of 1965, Chapter 185 of the Private Acts of 1971, Chapter 10 of the Private Acts of 1973, Chapter 275 of the Private Acts of 1976, Chapter 103 of the Private Acts of 1989, Chapter 136 of the Private Acts of 1991, and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell capital outlay notes (the "notes") in the aggregate principal amount of not to exceed two million three hundred thousand dollars (\$2,300,000) for the purpose of providing funds for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additional thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, or any of the foregoing, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the notes as the Board of School Trustees of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the notes.

SECTION 2. The notes may bear such date or dates, shall mature at such time or times, not exceeding twelve (12) years from their respective dated date, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of the notes, all as may be provided by resolution of the district's Board of School Trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's Board of School Trustees. The Board of School Trustee of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of School Trustees shall deem necessary or desirable.

SECTION 3. The Board of School Trustees of the district is authorized to pledge to the payment of the notes all or a portion of its share of the local option sales and use tax now or hereafter levied and collected in Henry County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et seq., and related sections. To the extent of such pledge, said funds when so received shall be deposited to a special fund by the district's treasurer and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the notes and other indebtedness lawfully incurred or assumed by the district and, to the extent not needed for said purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said district as the Board of School Trustees of the district shall deem necessary and proper, including the purchase of property, real or personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district.

SECTION 4. The notes, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 24, 1996.

Private Acts of 1997 Chapter 66

SECTION 1. The Paris Special School District, located in Henry County, Tennessee, (the "District"), created by Chapter 150 of the Private Acts of 1919, as amended by Chapters 1, 243, and 799 of the Private Acts of 1921, Chapters 14 and 671 of the Private Acts of 1925, Chapter 740 of the Private Acts of 1929, Chapter 171 of the Private Acts of 1935, Chapter 59 of the Private Acts of 1935 (1st E.S.), Chapter 510 of the Private Acts of 1949, Chapter 202 of the Private Acts of 1951, Chapter 26 of the Private Acts of 1957, Chapter 87 of the Private Acts of 1965, Chapter 185 of the Private Acts of 1971, Chapter 10 of the Private Acts of 1973, Chapter 275 of the Private Acts of 1976, Chapter 103 of the Private Acts of 1989, Chapter 136 of the Private Acts of 1991, and all other acts amendatory thereto (the "Act of

Incorporation"), is hereby authorized and empowered to issue and sell, by resolution of the board of school trustees of the district, bonds in the aggregate principal amount of not to exceed three million dollars (\$3,000,000) for the purpose of providing funds (i) for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additional thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work; (ii) for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds as the board of school trustees of the district shall determine; (iii) for the payment of interest on the bonds during the period of construction and for six (6) months thereafter; and (iv) for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding twenty-five (25) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of the mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's board of school trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's board of school trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds, plus accrued interest). The board of school trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of school trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the district's board of school trustees authorizing the bonds.

SECTION 4. [Deleted by Private Acts of 2016, Chapter 27]

SECTION 5. The board of school trustees is authorized to pledge to the payment of the bonds all or a portion of (i) any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et seq., and related sections; (ii) its share of the local option sales and use tax now or hereafter levied and collected in Henry County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712; and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 6. The bonds, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 7. The district is further authorized, by resolution of the board of school trustees, to borrow money and issue its bonds for the purpose of refunding the bonds authorized herein, at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof.

SECTION 8. The district is further authorized, by resolution of the board of school trustees, to issue and sell notes of the district in anticipation of the issuance of the bonds authorized herein. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding three (3) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the board of school trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the board of school trustees. The board of school trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of school trustees shall deem necessary or

desirable.

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 that end the provisions of this act are declared to be severable.

SECTION 10. This act shall take effect upon becoming law, the public welfare requiring it.

Passed: May 27, 1997.

Private Acts of 2007 Chapter 54

SECTION 1. The Paris Special School District of Henry County, Tennessee, (the "District"), created by Chapter 150 of the Private Acts of 1919 of the state of Tennessee, as amended by Chapters 1, 243, and 799 of the Private Acts of 1921, Chapters 14 and 671 of the Private Acts of 1925, Chapter 740 of the Private Acts of 1929, Chapter 171 of the Private Acts of 1935, Chapter 59 of the Private Acts of 1935 (1st E.S.), Chapter 510 of the Private Acts of 1949, Chapter 202 of the Private Acts of 1951, Chapter 26 of the Private Acts of 1957, Chapter 311 of the Private Acts of 1961, Chapter 87 of the Private Acts of 1965, Chapter 10 of the Private Acts of 1973, Chapter 275 of the Private Acts of 1976, Chapter 136 of the Private Acts of 1977, Chapter 103 of the Private Acts of 1989, Chapter 136 of the Private Acts of 1991, Chapter 164 of the Private Acts of 1994, Chapters 163 and 193 of the Private Acts of 1996, Chapter 66 of the Private Acts of 1997, Chapter 65 of the Private Acts of 2001, and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell capital outlay notes (the "notes") in the aggregate principal amount of not to exceed two million dollars (\$2,000,000) for the purpose of providing funds for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additional thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, or any of the foregoing, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the notes as the board of school trustees of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the notes. The notes shall be issued in accordance with Title 9, Chapter 21, the Local Government Public Obligations Law.

SECTION 2. The notes may bear such date or dates, shall mature at such time or times, not exceeding twelve (12) years from their respective dated date, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of the notes, all as may be provided by resolution of the district's board of school trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's board of school trustees. The board of school trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of school trustees shall deem necessary or desirable.

SECTION 3. The board of school trustees of the district is authorized to pledge to the payment of the notes all or a portion of its share of the local option sales and use tax now or hereafter levied and collected in Henry County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et seq., and related sections. To the extent of such pledge, said funds when so received shall be deposited in a special fund by the district's treasurer and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the notes and other indebtedness lawfully incurred or assumed by the district and, to the extent not needed for said purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said district as the board of school trustees of the district shall deem necessary and proper, including the purchase of property, real or personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district.

SECTION 4. The notes, and all income therefrom, shall be exempt from all state, county and municipal taxation in the state of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: June 4, 2007.

Private Acts of 2009 Chapter 27

SECTION 1. The Paris Special School District of Henry County, Tennessee, (the "District"), created by Chapter 150 of the Private Acts of 1919, as amended by Chapters 1, 243, and 799 of the Private Acts of 1921, Chapters 14 and 671 of the Private Acts of 1925, Chapter 740 of the Private Acts of 1929, Chapter 171 of the Private Acts of 1935, Chapter 59 of the Private Acts of 1935 (1st E.S.), Chapter 510 of the Private Acts of 1949, Chapter 202 of the Private Acts of 1951, Chapter 26 of the Private Acts of 1957, Chapter 311 of the Private Acts of 1961, Chapter 87 of the Private Acts of 1965, Chapter 10 of the Private Acts of 1973, Chapter 275 of the Private Acts of 1976, Chapter 136 of the Private Acts of 1977, Chapter 103 of the Private Acts of 1989, Chapter 136 of the Private Acts of 1991, Chapter 164 of the Private Acts of 1994, Chapters 163 and 193 of the Private Acts of 1996, Chapter 66 of the Private Acts of 1997, Chapter 65 of the Private Acts of 2001, Chapter 54 of the Private Acts of 2007, and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell capital outlay notes (the "notes") in the aggregate principal amount of not to exceed one million seven hundred fifty thousand dollars (\$1,750,000) for the purpose of providing funds for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, or any of the foregoing, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the notes as the board of school trustees of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the notes. The notes shall be issued in accordance with the Local Government Public Obligations Act of 1986, compiled in Tennessee Code Annotated, Title 9, Chapter 21.

SECTION 2. The notes may bear such date or dates, shall mature at such time or times, not exceeding twelve (12) years from their respective dated date, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of the notes, all as may be provided by resolution of the district's board of school trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's board of school trustees. The board of school trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of school trustees shall deem necessary or desirable.

SECTION 3. The board of school trustees of the district is authorized to pledge to the payment of the notes all or a portion of its share of the local option sales and use tax now or hereafter levied and collected in Henry County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et seq., and related sections. To the extent of such pledge, said funds when so received shall be deposited in a special fund by the district's treasurer and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the notes and other indebtedness lawfully incurred or assumed by the district and, to the extent not needed for said purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said district as the board of school trustees of the district shall deem necessary and proper, including the purchase of property, real or personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district.

SECTION 4. The notes, and all income therefrom, shall be exempt from all state, county and municipal taxation in the state of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: June 8, 2009.

Private Acts of 2016 Chapter 27

SECTION 1. The Paris Special School District, located in Henry County, Tennessee (the "District"), created by Chapter 150 of the Private Acts of 1919, as amended (collectively with all amendatory acts, the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of School Trustees of the District, bonds and notes in the anticipation of such bonds each in the aggregate principal amount of not to exceed twelve million dollars (\$12,000,000) for the purpose of providing funds for the (i) acquisition of sites for, and construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, (ii) funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds and notes as the Board of School Trustees of the District shall determine, (iii) payment of interest on the bonds and notes during the period of construction and for six (6) months thereafter and (iv) payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds and notes.

SECTION 2. The bonds may be sold at public or private sale in one or more series, may bear such date or dates, shall mature at such time or times, not exceeding twenty-five (25) years from their respective dated dates with respect to any series of bonds, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time) not to exceed the maximum rate permitted by applicable law, may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the District's Board of School Trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of School Trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds, plus accrued interest). The Board of School Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of School Trustees shall deem necessary or desirable.

SECTION 3. The bonds, notes, refunding bonds and bond anticipation notes shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act, compiled in Tennessee Code Annotated, Title 9, Chapter 19, and in the resolution adopted by the District's Board of School Trustees authorizing the bonds, notes, refunding bonds or bond anticipation notes.

SECTION 4. Chapter 136 of the Private Acts of 1977 is hereby repealed.

SECTION 5. Chapter 66 of the Private Acts of 1997 is amended by deleting Section 4.

SECTION 6. For the purpose of paying principal of and interest and redemption premiums on the bonds, refunding bonds, and bond anticipation notes herein authorized and any other indebtedness of the District heretofore or hereafter issued by the District, the current tax levy of fifty-five and six-tenths cents (\$0.556) per one hundred dollars (\$100) of taxable value of taxable property located within the District, as adjusted for property reappraisals, is hereby continued to be used first to pay principal and interest and any redemption premium on the bonds and notes authorized herein and any other indebtedness of the District heretofore or hereafter issued by the District as it becomes due and to maintain debt service fund balances, if any. The Board of School Trustees is hereby authorized to pledge such tax to pay the principal of and interest and any redemption premiums on the bonds, refunding bonds and bond anticipation notes authorized herein and any other indebtedness of the District heretofore or hereafter issued. The taxes shall be annually extended and collected by the county trustee of Henry County in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property

against which they are levied with the like force and effect as do county taxes. In the event the property taxes and such other funds as shall be pledged to the payment of the indebtedness of the District are not sufficient to pay principal thereof and interest thereon when due, the District shall apply funds from operations or other available funds of the District to the payment thereof. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Tennessee Code Annotated, Section 67-5-1704, relating to county-wide reappraisal. Any surplus arising from the tax hereinabove described and not required for the payment of debt service on outstanding obligations of the District shall first be used to fund any debt service reserve fund established by the Board of School Trustees, and may thereafter be used, at the discretion of the Board of School Trustees of the District, for all operations and maintenance of schools in the District and for the construction, improvement, renovation, expansion, furnishing, fixturing, and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, and the purchase of school buses and school transportation equipment.

SECTION 7. The Board of School Trustees is authorized, but not required, to pledge to the payment of the bonds and notes all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et seq., and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Henry County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 8. The bonds, refunding bonds, and bond anticipation notes, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 9. The District is further authorized, by resolution of the Board of School Trustees, to borrow money and issue its bonds for the purpose of refunding at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof, the bonds authorized herein and the refunding bonds authorized herein, in an amount not exceeding the outstanding principal amount of the outstanding bonds being refunded, premium thereon, interest on such refunded bonds to maturity or earlier redemption and costs of issuance, including discount, if any. The Board of School Trustees shall have the power to provide for the custody, application and investment of the proceeds of the refunding bonds pending retirement of the refunded bonds.

SECTION 10. The District is further authorized, by resolution of the Board of School Trustees, to issue and sell bond anticipation notes of the District in anticipation of the issuance of the bonds authorized herein. The bond anticipation notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding three (3) years from their respective dated dates and may be extended or renewed for not more than one (1) additional period of three (3) years, may bear interest at such rate or rates (which may vary from time to time) not to exceed the maximum rate permitted by applicable law, may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost bond anticipation notes, all as may be provided by resolution of the Board of School Trustees. The bond anticipation notes shall be sold as a whole or in part from time to time at public or private sale in such manner as shall be provided by resolution of the Board of School Trustees but in no event shall the bond anticipation notes be sold for less than ninety-nine percent (99%) of par plus accrued interest. Unless paid for out of the funds identified in Section 4 and/or 5 of this act, when the District receives the proceeds from the sale of the bonds in anticipation of which the bond anticipation notes were issued, a sufficient portion of proceeds shall be used to pay the principal of such bond anticipation notes and may be used to pay the interest thereon. The Board of School Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bond anticipation notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of School Trustees shall deem necessary or desirable.

SECTION 11. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said bonds and indebtedness, and the outstanding bonds and indebtedness of the District shall

remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax hereby required to be continued to be levied. In such event, the said remaining tax shall continue to be collected by the Henry County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the Henry County Board of Education until such bonds and indebtedness have been paid in full.

SECTION 12. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 14, 2016

Education/Schools - Historical Notes

Board of Education

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

1. Private Acts of 1929, Chapter 741, authorized the County Board of Education in Henry County, upon the approval of the County Judge to borrow money on short loans at an interest rate not to exceed six percent, provided that in no event shall the amount borrowed exceed one-half of the entire tax levy for school purposes for a school year. The act also provided that the money borrowed for any one year shall be paid back out of the money derived for school purposes for and during that year. The County Board of Education was authorized to empower the executive committee of the Board, composed of the Chairman and Secretary to execute notes signed by them for such amounts as were required to pay teachers salaries and other incidental expenses.
2. Private Acts of 1933, Chapter 436, as amended by Private Acts of 1965, Chapter 122, and all other acts amendatory thereof divided Henry County into school districts and provided for the number, election and terms of members of the Henry County Board of Education. This act was repealed by Private Acts of 1995, Chapter 56.

Superintendent or Director of Schools

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

1. Private Acts of 1919, Chapter 138, created the office of county superintendents of public instruction in counties having a population of not less than 25,430 nor more than 25,440 inhabitants, according to the Federal Census of 1910 or any subsequent Federal Census, and provided that the superintendent be elected for a term of two years.
2. Private Acts of 1927, Chapter 566, amended Private Acts of 1919, Chapter 138, by providing that county superintendents be appointed by the board of education for a term of four years with an annual salary of \$2,400.

General Reference

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

1. Public Acts of 1831, Chapter 16, declared that this act, which amended the Statewide Common School Act, was not intended to prevent any future legislature from disposing of the school funds allotted to Henry, Carroll, Weakley, Gibson, Dyer and Obion Counties.
2. Acts of 1837-38, Chapter 58, created the Board of Trustees of Paris College and vested in said Trustees the full power and authority to found a college at Paris in Henry County for the promotion of liberal arts and sciences and to use and enjoy, all the privileges and immunities held by any college or university in the State. The power to transact all the business connected with the college was vested in the Board of Trustees, except the conferring of degrees and the instruction and immediate government of the College which exclusively belonged to the President and faculty of the College.
3. Acts of 1845-46, Chapter 138, created the Board of Trustees of Paris Female Academy and vested in said Trustees the authority to transact all business relating to the interest, government and

management of the Academy as deemed by them to be expedient and necessary and not inconsistent with the laws of the United States or Tennessee.

4. Private Acts of 1897, Chapter 234, provided that the school of Bluff Springs in Special District No. 60 in Henry County and the Johnson Chapel School in civil District No. 5 be consolidated into one school and be called Shell School.
5. Acts of 1901, Chapter 251, created a special school district in the Seventeenth Civil District of Henry County. The County Superintendent of Public Instruction was authorized to number the special school district and to appoint three Directors until a general election was held. The special school district was entitled to enjoy the same privileges and immunities held by other school districts.
6. Acts of 1905, Chapter 183, created a special school district in the Eighth Civil District of Henry County. The County Superintendent of Public Instruction was authorized to number the school district and to appoint three Directors until their successors were elected at the next general election. The special school district was entitled to enjoy all the privileges and immunities applicable to other school districts.
7. Acts of 1905, Chapter 273, created a school in Puryear in Henry County, to be known as Puryear School. The school district was empowered to elect a five member school board who in turn, would elect three School Directors all of who would act together to employ teachers and work for the advancement of the school.
8. Acts of 1905, Chapter 302, established an independent school district, School District No. 17, in Henry County. The County Superintendent of Schools was authorized to appoint the three School Directors, to serve until the next regular election.
9. Acts of 1905, Chapter 348, provided that all the school houses and school districts in Henry County previously laid off by the County Court as school districts, with metes and bounds, be legal school districts with power to elect their own school directors. Provisions were included for Section 9 of the general State school law to apply to these districts and for the County Superintendent to fill any vacancies in the ranks of the School Directors.
10. Acts of 1905, Chapter 396, authorized the County Court of Henry County to purchase the grounds and erect a public high school at some suitable place at or near the county seat. The expenditures for said school were not to exceed \$40,000. The Court was further authorized to issue interest bearing warrants to pay for said grounds and building at a rate not to exceed six percent per annum and to levy an additional tax on property not to exceed twenty cents per one hundred dollars valuation in order to pay off the warrants.
11. Acts of 1907, Chapter 236, created a Board of Education and a District Board of Advisors for every county in the state, abolishing the office of District Directors. Counties would be divided by their County Courts into at least five school districts, to be composed of whole Civil Districts. One member of the Board of Education would be elected from each school district. The duties of the Chairman, the Secretary and the members of the Board were prescribed in the act. The County Superintendent would be ex officio Secretary to the Board. The members would be paid no less than \$1.50 and no more than \$3.00, as decided by the County Court, for each day devoted to their duty. The voters of each Civil District would elect three Advisory Board members whose duties were to advise the board.
12. Private Acts of 1915, Chapter 500, created the Cottage Grove Special School District in the Fifth Civil District of Henry County. The act specifically contains a lengthy metes and bounds description of the area embraced in the school district. The special school district would be governed by the County Board of Education and a three member Board of Trustees, who would be elected by the qualified voters in the District. W. I. Bondere, S.A.C. Austin and J. C. Rainey were appointed to the first Board of Trustees to serve until their successors were elected. The Trustees were required to be thirty years of age and residents of the District. The act provided for a tax of twenty-five cents on every one hundred dollars worth of taxable real and personal property indistinct and a poll tax of one dollar on all males between 21 and 50 years of age. The tax was assessed to meet the needs of the schools in the district.
13. Private Acts of 1917, Chapter 465, divided the public school system in Henry County into elementary schools and public high schools. The first eight grades would constitute the elementary schools and the next four the high schools. The high schools would be classified as two year, three year and four year high schools. The County Court was empowered to elect a High School Board to properly administer the high school funds and any other funds coming under the Boards' control.

14. Private Acts of 1921, Chapter 296, created a special school district in the Eleventh Civil District of Henry County. This special school district was to be designated and known as the Springville Special School District. The act named the lands that constituted the boundaries of the school district. This new school district was to be governed by the County Board of Education of Henry County and qualified voters of the district would elect a five member Board of School Trustees. The act appointed the first Board of Trustees consisting of R. N. Clendenin, W. W. Fitch and G. Grimble, who would serve a two year term of office and E. Williams and W. C. French, to serve a four year term. The act set out the qualifications and duties of the Board of Trustees and declared that the Board would serve without compensation, except the Secretary and Treasurer, who were allowed to receive compensation not to exceed 2% annually from the funds raised by special tax in the special school district. The act gave the Board of School Trustees the power to act only as an advisory Board together with the County Board of Education in the hiring of teachers, however the Board could fix a supplementary salary for the teachers if necessary. The district enumerator was required to prepare a scholastic population list of the Special School District every year and make a report to the County Superintendent and the County Trustee. A school census was to be taken annually. A tax of twenty-five cents on every \$100 worth of taxable property located in the Springville Special District was levied, for the purpose of supporting the schools in the district. The Henry County Court had the authority to lower the tax rate if more funds than what was needed by the schools was produced. The act also allowed for a poll tax of fifty cents to be levied on all males between the ages of 25 and 50 years in the district. The Board of School Trustees for Springville were authorized to help in cooperation with the County High School Board to maintain a High School for the Special School District. The act designated the courses of study for schools in the district.
15. Public Acts of 1925, Chapter 115, Section 33, abolished all special school districts which were not taxing districts. The taxing districts could hold a referendum on the question of their own abolition and any district could join the county system when all their debts were paid. This entire chapter became Title 49, Tennessee Code Annotated.
16. Private Acts of 1927, Chapter 175, amended Private Acts of 1915, Chapter 500, above, by reducing the tax rate levied for schools to fifteen cents on every one hundred dollars worthy of taxable property both real and personal and gave the Board of School Trustees the authority to discontinue a tax levy if the funds were not needed for a particular year.
17. Private Acts of 1927, Chapter 205, changed the district line between the Seventh Civil District and the Paris Special School District so as to attach all the lands of Charlie Pryer lying in the Seventh Civil District to the Seventh District and detach said land from the Paris Special School District.
18. Private Acts of 1927, Chapter 625, changed the district line between the Springville Special School District and the Third Civil District of Henry County, so as to detach the lands of A. L. Sprague lying in the Springville Special School District and attach the lands to the Third Civil District.
19. Private Acts of 1927, Chapter 626, authorized the Quarterly County Court of Henry County to levy an additional special school tax on property in the County to provide funds for the establishment and maintenance of two year high schools meeting the requirements set out for two year high schools in Public Acts of 1925, Chapter 115, Section 14. The tax was to be collected by the County Trustee and held by him in a special separate account.
20. Private Acts of 1929, Chapter 714, amended Private Acts of 1921, Chapter 296, above, by providing that the President, Secretary and Treasurer of the Board of School Trustees be selected from amongst its members. The amendment also added a provision that authorized the Board and its successors to use any funds to the credit of the Special School District for the purchase of equipment or property for the elementary and high schools of the district or to assist the County School Board in the purchase of equipment or property and in building additional room for those schools, if there were sufficient funds each year set aside to extend the elementary term of school to at least a nine month term.
21. Private Acts of 1939, Chapter 275, repealed Private Acts of 1915, Chapter 500, and its amendments, above, by abolishing the Cottage Grove Special School District.
22. Private Acts of 1945, Chapter 606, amended Private Acts of 1921, Chapter 296, by changing the boundary lines of the Springville Special School District.
23. Private Acts of 1977, Chapter 136, authorized a property tax to be levied for the purpose of supporting and maintaining the schools of the Paris Special School District, created by Private Acts of 1919, Chapter, 150. This act also provided for payment of the principal and interest on school bonds issued under Private Acts of 1965, Chapter 87. An annual tax of \$1.10 on each \$100 worth of taxable property was to be levied on property within the district. Such tax was to replace the

95¢ per \$100 worth of taxable property levied by Private Acts of 1965, Chapter 87. The act required 50¢ of the annual tax proceeds to be placed in a special fund and used for paying the principal and interest on the school bonds and 60¢ of the annual tax proceeds was to be allocated to the general school funds of the Paris Special School District. This act also repealed Private Acts of 1971, Chapter 185. This act was not acted upon by local authorities and never became effective law. This Act was repealed by Private Acts of 2016, Chapter 27.

24. Private Acts of 2004, Chapter 95, amended Private Acts of 1965, Chapter 87 as amended by Private Acts of 1977, Chapter 136, by levying a tax at the rate of 23¢ on every \$100 of real and personal property located within the Paris Special School District. This tax was levied to replace operating funds lost due to the failure of the Paris Special School District to receive TVA revenue sharing funds.

Chapter VII - Elections

Party Primaries

Private Acts of 1933 Chapter 834

COMPILER'S NOTE: This act was repealed by Private Acts of 1981, Chapter 120, but Private Acts of 1981, Chapter 159, revived and restored the act along with its amendments.

SECTION 1. That in counties having a population of not less than 26,430 nor more than 26,440 according to the Federal Census of 1930 or any subsequent Federal Census, all party nominations of candidates for county offices shall be made in party primary elections held for each political party in the manner, at the time under the requirements prescribed by this Act, and unless this Act is complied with party nominations falling within the terms of same shall not be placed upon the official ballots provided for by the laws of this State for general elections, provided that this Act shall not apply to nonpartisan candidates or candidates desiring to become candidates independent of party nominations, nor shall it apply to persons of any party nominations nor shall it apply to persons of any party affiliation which party did not at the general November election next preceding the primary election cast more than thirty (30%) per cent of the entire vote of the county for such party's nominee for Governor.

SECTION 2. That on the first Saturday in April of even-numbered years beginning with the year 1952 and biennially thereafter, there shall be held in all voting precincts of counties to which this Act is applicable, primary elections for making the nominations provided for in the preceding section, the said primary elections to be held within the legal hours for election now applicable thereto by the general laws of the State.

As amended by: Private Acts of 1951, Chapter 215
Private Acts of 1953, Chapter 330

SECTION 3. That in case no candidate for any office shall receive a majority of all the votes cast for such office then the two parties receiving the highest number of votes shall oppose each other in a run-off election, which run-off election shall be held on the fourth Saturday in April next following such original primary. The person receiving the highest number of votes at such run-off election shall be declared the party nominee for the office sought by him. Returns of such run-off election shall be declared the party nominee for the office sought by him. Returns of such run-off primary election shall be canvassed in the same manner as those of the original primary.

As amended by: Private Acts of 1939, Chapter 170
Private Acts of 1941, Chapter 11
Private Acts of 1953, Chapter 330

COMPILER'S NOTE: Private Acts of 1951, Chapter 215, deleted this section from the act but the section was revived and restored with the passage of Private Acts of 1953, Chapter 330 and Private Acts of 1981, Chapter 159.

SECTION 4. That the qualifications of candidates who enter the primary provided for by this Act shall be the same as are required now by the General Primary Election Laws contained in the Code of Tennessee, Sections 2180 and 2227 inclusive.

SECTION 5. That the qualifications of voters participating in the primary provided for by this Act shall be the same as are required in the General Primary Election Laws contained in the Code of Tennessee, Sections 2180 to 2227 inclusive, [COMPILER'S NOTE: Private Acts of 1939, Chapter 168, repealed the remaining portion of this act, which was an amendatory provision provided by Private Acts of 1935,

Chapter 406, without offering any substitution.]

As amended by: Private Acts of 1935, Chapter 406

Private Acts of 1939, Chapter 168

SECTION 6. That any Act or deed declared by the general laws or by the General Primary Laws of the State, to be an offense in the case of an officer, shall be an offense and shall be punishable in the same form and manner as is prescribed by law.

SECTION 7. That the expense of the primary elections provided for by this Act shall be borne by the candidates participating under such rules as the County Executive Committee may provide.

SECTION 8. That the County Executive Committee is hereby authorized and directed to make such rules and regulations not inconsistent with this Act or with other applicable election laws as may be necessary and proper for conducting the primary elections herein provided. For the purpose of making such rules and regulations the County Executive Committee shall meet on the first Saturday in February at one P.M., at the court house, in each year in which a primary election provided for by this Act is to be held.

As amended by: Private Acts of 1951, Chapter 215

Private Acts of 1953, Chapter 330

SECTION 9. That the primary elections provided for by this Act shall be conducted by the County Executive Committee of the party affected. The membership of such County Executive Committee shall be selected in accordance with any applicable provisions of general law and rules of the party affected.

As amended by: Private Acts of 1951, Chapter 215

Private Acts of 1981, Chapter 159

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

Passed: April 22, 1933.

Elections - Historical Notes

Districts - Reapportionment

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

1. Acts of 1901, Chapter 370, changed the boundary line between the Thirteenth and Fourteenth Civil Districts of Henry County in order to make the Nashville, Chattanooga, and St. Louis Railway the boundary line between the two districts and the voting place for both districts was in that portion of each district which laid within the town limits of Puryear.
2. Acts of 1903, Chapter 577, reduced the number of Civil Districts in Henry County by abolishing certain districts and annexed the territories into the remaining districts. The voting precincts remained unchanged. The Justices of the Peace whose districts were abolished had to turn over their dockets and office papers to the Justices of the Peace in which their district had become a part of.
3. Acts of 1905, Chapter 216, amended Acts of 1903, Chapter 577, by changing the Twenty-third Civil District to the Fourteenth Civil District. The Election Commissioners of Henry County were authorized to call an election for the new Civil District for the purpose of electing two Justices of the Peace, one Constable, Tax Assessor and three School Directors.
4. Acts of 1907, Chapter 587, created the Fifteenth Civil District in Henry County from parts of the Twenty-first and Thirteenth Civil Districts. The act also set the boundaries for the Fifteenth Civil District.

Elections

The following is a listing of acts for Henry 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. Public Acts of 1822, Chapter 1, divided Tennessee into nine districts for the election of Representatives to the Congress of the United States. Henry, Hardin, Perry, Lawrence, Carroll, Henderson, Madison and Shelby Counties comprised the Ninth District. The act provided for the Sheriffs to certify to the Governor the votes received by each candidate. The Governor would then notify the successful candidate. Failure of the Sheriff to perform his duties constituted a misdemeanor.
2. Public Acts of 1826, Chapter 3, apportioned the State for representation in the General Assembly

- into 20 Senatorial and 40 Representative Districts. One Senator would be elected jointly by Henry, Weakley, Obion, Carroll, Gibson and Dyer Counties, and Henry and Weakley Counties would elect one Representative.
3. Public Acts of 1832, Chapter 4, divided Tennessee into thirteen U.S. Congressional Districts, placing in the Twelfth District the Counties of Haywood, Madison, Dyer, Obion, Gibson, Weakley, Carroll and Henry.
 4. Public Acts of 1833, Chapter 71, reapportioned the State for the General Assembly which would be composed of twenty Senators and forty Representatives. The Counties of Henry, Carroll, Weakley and Obion Counties would elect one Senator and Henry, Carroll and Madison Counties would elect one Representative.
 5. Acts of 1842 (2nd Sess.), Chapter 1, apportioned the State for the General Assembly into twenty-five Senatorial Districts and fifty Representative Districts. Henry, Weakley and Obion Counties made up the Twenty-first Senatorial District with the polls being counted at Dresden. The act provided for Henry to elect one Representative and the polls to be counted at the courthouse in the County.
 6. Acts of 1842 (2nd Sess.), Chapter 7, provided for eleven U.S. Congressional Districts in Tennessee. The Ninth District contained Robertson, Montgomery, Stewart, Dickson, Humphreys, Benton and Henry Counties.
 7. Acts of 1851-52, Chapter 196, formed ten U.S. Congressional Districts in the State. The Counties of Henry, Weakley, Dyer, Obion, Lauderdale, Tipton, Gibson, Carroll and Henderson were assigned to the Ninth District.
 8. Acts of 1851-52, Chapter 197, apportioned the State for representation in the General Assembly. Henry County would elect one Representative. The Counties of Henry, Weakley and Obion would jointly elect one Senator.
 9. Public Acts of 1865, Chapter 34, was the first apportionment act subsequent to the Civil War and it divided Tennessee into eight U.S. Congressional Districts. The Seventh U.S. Congressional District consisted of Benton, Henry, Weakley, Obion, Dyer, Gibson, Lauderdale, Henderson and Carroll Counties.
 10. Public Acts of 1869-70, Chapter 105, authorized a referendum to be held on the proposed calling of a Constitutional Convention which would amend, revise or form a new Constitution for the State. The ballots would be simply a "For" or "Against" proposition. There would be seventy-five delegates to the convention and each county would have the same number of delegates as it had Senators and Representatives in the General Assembly. The delegates elected would convene in Nashville on the second Monday in January, 1870.
 11. Public Acts of 1871, Chapter 146, reapportioned Tennessee for the General Assembly based upon the 1870 Federal Census. Of the fifty Representatives, Henry County would elect one alone. Henry, Carroll, Weakley and Gibson Counties would jointly elect one of the twenty-five Senators.
 12. Acts of 1872 (Ex. Sess.), Chapter 7, created nine U.S. Congressional Districts with Henry, Montgomery, Houston, Stewart, Humphreys, Benton, Carroll, Henderson, Decatur, Perry, Hardin and McNairy Counties making up the Seventh District.
 13. Public Acts of 1873, Chapter 27, added a tenth U. S. Congressional District to the State and rearranged the county assignments of each District. The Eighth District contained Henry, Benton, Carroll, Perry, Decatur, Hardin, McNairy, Henderson and Madison Counties.
 14. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned Tennessee into districts. The act provided for Henry to elect one Representative and elect another Representative jointly with Weakley County. Weakley and Henry Counties composed the Twenty-seventh Senatorial District.
 15. Public Acts of 1882 (Ex. Sess.), Chapter 27, divided Tennessee into ten U. S. Congressional Districts. The Counties of Henry, Benton, Perry, Decatur, Hardin, McNairy, Henderson, Madison and Carroll composed the Eighth Congressional District.
 16. Acts of 1891 (Ex. Sess.), Chapter 10, provided that Henry would elect one Representative and jointly elect another Representative with Benton and Decatur Counties. Henry and Carroll Counties composed the Twenty-fifth State Senatorial District.
 17. Acts of 1901, Chapter 109, divided the State into ten U. S. Congressional Districts. The Eighth District was composed of Henry, Benton, Carroll, Perry, Decatur, Henderson, Chester, Madison, McNairy and Hardin Counties.
 18. Acts of 1901, Chapter 122, apportioned the representation for the General Assembly of Tennessee based upon the 1900 Federal Census. Henry and Carroll Counties made up the Twenty-fourth

Senatorial District. Henry would elect one Representative and would elect another Representative jointly with Weakley and Carroll.

19. Private Acts of 1919, Chapter 366, provided for each Registrar in Henry County to be paid \$3 per day for each day devoted to the discharge of the duties of that office and to be paid fifty cents for each list of certified voters.
20. Private Acts of 1919, Chapter 573, provided for the Registrars in Henry County to be paid \$3 per day for each day devoted to the discharge of their duties and to be paid fifty cents for each list of certified voters.
21. Private Acts of 1945, Chapter 581, provided that in Henry County the Judges, Clerks and officials would be paid \$2 per day for service as an election official. The Commission of Elections and Primary Board was authorized to certify the election officials to the County Judge or Chairman after the election, so the compensation could be paid.
22. Private Acts of 1947, Chapter 565, provided for the County Commissioners of Election in Henry County to be paid \$15 each for each general election or registration held and for each member of the Party Primary Boards to be paid \$15 for each primary election held. The compensation would be paid out of the county funds by the County Trustee on the warrant of the County Judge.
23. Private Acts of 1981, Chapter 120, repealed Private Acts of 1933, Chapter 834, and its amendments, herein. Private Acts of 1981, Chapter 120, was repealed by Private Acts of 1981, Chapter 159, which revived Private Acts of 1933, Chapter 834, and all its amendments.

Chapter VIII - Health

Crushed Corn

Private Acts of 1943 Chapter 448

SECTION 1. That the milling of crushed corn in the ear be, and the same is hereby permitted for the purpose of producing feed.

SECTION 2. That the license tags of the miller shall show "Crushed Ear Corn," instead of "Crushed Corn."

SECTION 3. That any laws or parts of laws in conflict with this Act be, and the same are hereby repealed.

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

Passed: February 3, 1943.

Hospital District

Private Acts of 1953 Chapter 176

SECTION 1. That a non-profit Hospital District, to be known as Henry County General Hospital, is hereby created and established for and in behalf of Henry County, Tennessee.

SECTION 2. That said Hospital District shall consist of the following described tract of land, together with all buildings and other improvements thereon and all appurtenances thereunto belonging, located in the First Civil District of Henry County, Tennessee, and more particularly described as follows:

Beginning at the south west corner of this described property at a concrete right-of-way marker in the east right-of-way line of Highway U.S. 79 which is 100 feet east of the center line of said highway; thence south 84 degrees 53 minutes east 1622.7 feet to an iron stake; thence north 04 degrees 02 minutes west 897.8 feet to an iron stake; thence north 85 degrees 32 minutes west 241.60 feet to an iron stake; thence north 05 degrees 26 minutes east 111 feet to a point in the center line of a branch being a part of the north boundary of this described property; thence with the center line of the branch in a north west direction and with its meanderings 665 feet, more or less to a point in the center of said branch; thence leaving branch and running south 11 degrees 50 minutes west 140.0 feet to an iron pin; thence north 78 degrees 08 minutes west 294.3 feet to an iron pin in the east right-of-way line of Highway U.S. 79 which is 100 feet east of the center line of said highway; thence south 19 degrees west 357.5 feet to an iron pin in the east right-of-way line of said highway; thence continuing with said right-of-way line, it being a curved line running in a south west direction, 822 feet approximate to the point of beginning.

The hospital district shall also include the land on which is presently located the Henry County Ambulance Service.

As amended by: Private Acts of 1953, Chapter 524
Private Acts of 1985, Chapter 94

SECTION 3. The medical center shall be operated and controlled by a board of trustees consisting of seven (7) persons. All of the trustees shall be elected by the county commission. Two (2) of the trustees shall be members of the county commission, one (1) shall be a physician, and the remaining members shall be citizens of Henry County at large. Trustees shall serve for terms of four (4) years, staggered in such a manner that no more than two (2) terms expire in any single year. For the purpose of making the two (2) additional appointments under this act, one (1) of the newest members of the board of trustees shall be appointed for an initial term of three (3) years, and the other newest member of the board shall be appointed for an initial term of two (2) years. Following their initial terms, these members shall be eligible for reappointment to additional four-year terms. All other current board members shall be eligible for reappointment to new four-year terms at the expiration of their current terms in place upon the enactment of this act.

The County Commission may recall any member of the board of trustees with or without cause and fill the unexpired term caused by such vacancy; however, no board member serving a term of office as of September 30, 2024, may be recalled during such term (this does not prohibit the recall of such board member during any subsequent term to which such board member may be elected).

As amended by: Private Acts of 1991, Chapter 56
Private Acts of 2015, Chapter 7
Private Acts of 2024, Chapter 42

The initial members of the Board shall be A. C. Jackson, who shall serve for a term of one year; Wayne A. Cox, who shall serve for a term of two years; N. C. Bowden, who shall serve for a term of three years; J. T. VanDyck, who shall serve for a term of four years, and W. K. Porter, who shall serve for a term of five years. The terms of said members shall begin three months after the official opening date of said hospital.

For the first three months immediately after the official opening of said hospital the Board of Trustees shall consist of M. E. Warren, W. K. Porter, J. D. Porter, J. T. VanDyck, E. J. Carter, J. J. Thompson and H. H. Hancock.

As amended by: Private Acts of 153, Chapter 524
Private Acts of 1985, Chapter 95

SECTION 4. That at the expiration of the term of office of each member of the Board, the Quarterly County Court at its next regular session shall elect his successor for a term of five years. Should a vacancy occur on said Board for any reason, during the unexpired term of any member, then, in that event, such vacancy shall be filled by the Quarterly County Court at its next regular meeting for the remainder of such unexpired term.

Members of said board shall be citizens of Henry County, Tennessee. No person shall be a member of the board if he is an employee of the board.

The Board shall meet as soon as possible after its term of office begins for the purpose of (1) electing one of the members as Chairman, (2) the selection of a person to serve as Hospital Administrator, who shall be Chief Executive of the Hospital District and Secretary-Treasurer of the Board, who shall execute bond for the faithful performance of his said duties as Secretary-Treasurer, in an amount to be fixed and determined by said Board. As soon as practicable the Board shall promulgate and record on permanent record the rules under which it will operate. The proceedings of all meetings shall be recorded in an official minute book which shall be a public record.

As amended by: Private Acts of 1980, Chapter 314

SECTION 5. That said Board shall hold regular meetings monthly on a date which it shall establish. The Board may on call of the Chairman hold special meetings at any time under rules which it shall establish.

(A) The Board shall have the responsibility and authority to:

- (i) Control the property and facilities of the Hospital District;
- (ii) Purchase real estate with the approval of the County Commission;
- (iii) Sell or lease, with the approval and authorization of the County Commission, any portion of the real estate that the District owns and to execute leases and deeds therefor when authorized to do so by the County Commission;
- (iv) Sell or lease personal property that the District owns in the ordinary course of business;
- (v) Receive all moneys for Hospital purposes, including tax receipts from the County Trustee's

office, and to disburse all such moneys in cash or by check;

(vi) Make contracts for goods and services;

(vii) Establish rules and regulations governing the property of the District, its uses and management;

(viii) Erect buildings, to employ, define the duties of, fix compensation of, and to discharge employees of the District; and

(ix) To act for and on behalf of Henry County, Tennessee, in the discharge of its mission as set forth in Section 6 of this Act.

(B) Notwithstanding any other provision of this Act or other applicable law:

(i) The County Commission is vested with sole authority (a) to sell or lease any portion of the real estate which the District owns (including that described in Section 2 of this Act) and (b) to sell or lease personal property that the District owns outside the ordinary course of business. This authority includes, without limitation, the power to sell or lease any and all of the District's assets to one (1) or more other public or privately owned entities;

(ii) The proceeds from any sale or lease of the District's assets under this subsection shall first be applied to pay indebtedness which the County incurred or guaranteed on behalf of the District, unless the County Commission specifically directs that all or any portion of the proceeds be paid instead to the District for its general purposes; and

(iii) The County Mayor is authorized to execute any deeds of conveyance, leases, bills of sale and other assignments, agreements, certificates and documents necessary or convenient to complete the sale of assets directed by the County Commission under this subsection.

(C) In the event that the sale or lease of assets outside the ordinary course of business renders the District financially unable to render hospital, ambulance, nursing home, or other services that the District is authorized or required to provide by this Act, the District shall be relieved of any requirement to provide such services unless and until the District is adequately funded to provide such services at or above the applicable standards of care.

As amended by:

Private Acts of 1991, Chapter 56

Private Acts of 2015, Chapter 7

Private Acts of 2024, Chapter 42

SECTION 6. That the mission of the Hospital District shall be to manage the property of the Hospital District, and to provide Hospital service of the highest quality consistent with generally recognized standards of hospital service, and with the physical facilities provided and with the limitations imposed by the Budget. Such services shall be rendered to any person who makes satisfactory financial arrangements for his service and who is certified for entrance by a practicing physician; and to any person regardless of financial arrangements, if (1) in the opinion of a member of the staff of physicians of the hospital, the physical well being of the person is seriously and eminently endangered by delay in providing the service, or (2) it is determined after due investigative procedure of the Board of Trustees or its delegated representatives that such person, if a resident of Henry County, is without any means whatsoever to pay for such services and it is certified by a physician of the hospital staff that such person is in need of such services. No charity patients shall be admitted from outside Henry County, Tennessee except, as prior arrangements for pay for hospital services are made by another political sub-division.

The hospital district shall provide ambulance services of the highest quality consistent with the generally recognized standards of like services with the physical facilities provided and within the limitations imposed by the budget. Such services shall be rendered to any person who makes satisfactory financial arrangements for his service and who is, in the opinion of the agents and servants of the hospital district acting under the rules promulgated by the board of trustees in need of such services, and to any person regardless of financial arrangements, if the physical well being of the person is seriously and imminently endangered by delay in the provision of such services, or any person who is without any means whatsoever to pay for such services. No such ambulance services shall be rendered outside Henry County, Tennessee, except if prior arrangements for pay for ambulance services are made by another political subdivision. The hospital district will provide ambulance services in the same manner as previously provided by the Henry County ambulance service pursuant to Chapter 24 of the Private Acts of 1969, as amended, except to the extent such provision of services would conflict with the rules and regulations for the operation of the hospital district as are established by the board of trustees of the hospital district and other provisions of this Act.

The Hospital District may provide nursing home services in the same manner as previously provided by the Henry County Nursing Home Board of Directors pursuant to Chapter 354 of the Private Acts of 1968,

as amended, except to the extent such provision for services would conflict with the rules and regulations for the operation of the Hospital District as are established by the Board of Trustees of the Hospital District and other provisions of this Act.

As amended by: Private Acts of 1991, Chapter 56
Private Acts of 2015, Chapter 7
Private Acts of 2024, Chapter 42

SECTION 7. That said board shall, with the advice of the county executive, and in accordance with the Budget Law of Henry County, prepare and present to the county commission a suggested budget adopted for it by the county commission. The board shall make an informal financial statement in writing to each regular meeting of the county commission covering the previous three (3) months operations.

The books of the Hospital District shall be audited annually by a certified public accountant selected by the Board and County Judge, and approved by the Quarterly County Court; and said auditor's report shall be made to the County Judge and the Quarterly County Court at its first meeting following completion of said audit. All such financial statements, formal and informal, shall become a part of the minutes of the Quarterly County Court.

As amended by: Private Acts of 1980, Chapter 314

SECTION 8. That the Quarterly County Court of Henry County, Tennessee is hereby authorized to appropriate to the Hospital District from the General Funds of the County such sums as may be required to commence the operation of said District, including all sums heretofore budgeted therein for Hospital purposes, and also the sum of \$50,000.00 derived from the sale of Hospital Bonds, now in the hands of the County Trustee to commence the operation of said District. Thereafter to appropriate such sums collected from the levy of taxes for Hospital purposes as may be required in the operation and maintenance of said District; and Henry County is authorized and empowered, also, to levy a tax for this purpose, not exceeding 50 cents per one hundred dollars upon all taxable property within Henry County, Tennessee.

SECTION 9. That if any section or part of section of this Act proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Act, unless it clearly appears that such other section or part of section is wholly or necessarily dependent for its operation upon the section or part of section held to be unconstitutional or invalid.

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

Passed: March 17, 1953.

Nursing Home Authority

Private Acts of 1961 Chapter 158

SECTION 1. That Henry County, Tennessee is hereby authorized to construct a nursing home for said county and to acquire a site therefor.

SECTION 2. That such home shall be operated so as to make available professional nursing care to non-ambulatory aged and infirm persons, whether indigent or not, residing in such county, provided that the Quarterly County Court of Henry County shall make such provision as it considers necessary and desirable for payment by such of the inhabitants of said home as are able to do so for services rendered to them by said home.

SECTION 3. That said home shall be conducted in the manner and by the officials prescribed by the Quarterly County Court of Henry County.

SECTION 4. That for the purpose of constructing said home and acquiring a site therefor, the Quarterly County Court of Henry County is hereby authorized to issue bonds in such amount as is considered necessary for such purpose by said Quarterly County Court. Such bonds shall be issued and shall be payable in the manner prescribed by the County Recovery and Post War Aid Act of 1945 (Tennessee Code Annotated, Sections 5-1101 to 5-1125, inclusive).

SECTION 5. That Henry County is hereby authorized to lease or otherwise dispose of such nursing home for such period of time and upon such terms as may be determined by the Quarterly County Court of said County.

SECTION 6. That if Section 5 of this Act or any other provision or provisions of this Act or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid, the remaining provisions hereof and the application thereof to persons or circumstances other than those to which it is held to be invalid shall not be affected thereby.

SECTION 7. That all laws or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 8. That this Act shall have no effect unless the same be approved by a two-thirds (2/3) vote of the Quarterly County Court of said county. The presiding officer of such body shall proclaim its approval or non-approval and certify the same to the Secretary of State.

Passed: March 2, 1961.

Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Private Acts of 1935 (Ex. Sess.), Chapter 65, provided that in Henry County the duties then imposed by law upon Poor House or County Asylum Commissioners be performed by the Work House Commissioners along with all the powers and duties formerly vested in such Poor House or County Asylum Commissioners.
2. Private Acts of 1959, Chapter 300, authorized the construction of a Home for the Aged in Henry County. The home was to be operated by a five member Board of Trustees who would be compensated as prescribed by the Quarterly County Court. The Trustees were to be elected by the Quarterly County Court. The mission of the Board was to manage the property of the home and provide the highest quality home care for the aged. The budget was to be submitted to the Quarterly County Court for approval and an annual audit to be conducted. This act never received approval by the proper authorities, thus it never became law.
3. Private Acts of 1969, Chapter 24, created a non-profit ambulance service in Henry County to be known as Henry County Ambulance Service. The Ambulance Service was to be operated and controlled by a Board of Trustees who would be paid \$5 per month for their services. The Quarterly County Court would select the successors of the initial members at the expiration of their respective terms. The Board of Trustees was authorized to prepare a informal financial statement for the Quarterly County Court for its regular meetings covering the previous three months operation. The act provided for the books to be audited annually by a Certified Public Accountant selected by the Board and the County Judge and approved by the Quarterly County Court.
4. Private Acts of 1975, Chapter 113, amended Private Acts of 1969, Chapter 24, by allowing for an audit to be done on the Henry County Ambulance Service by a Certified Public Accountant as well as a Public Accountant.
5. Private Acts of 1980, Chapter 307, amended Private Acts of 1975, Chapter 113 and Private Acts of 1969, Chapter 24, to provide that the budget of the Henry County Ambulance Service prepared by its Board of Trustees be submitted to the County Commission for its approval in lieu of the Quarterly County Court.
6. Private Acts of 1985, Chapter 93, amended Private Acts of 1969, Chapter 24, as amended to provide that the Board of Trustees for the Henry County Ambulance Service be five in number and compensated at one-half the rate established by law from time to time for compensation for County Commissioners attending meetings of the County Commission. The act also required that the Board hold regular monthly meetings.
7. Private Acts of 1985, Chapter 94, repealed Private Acts of 1969, Chapter 24, as amended.
8. Private Acts of 1994, Chapter 157, repealed Private Acts of 1968, Chapter 354, which had created and established a non-profit Nursing and Rest Home District, to be known as Henry County Nursing and Rest Home District.

Chapter IX - Highways and Roads

Road Law

Private Acts of 1972 Chapter 326

SECTION 1. This Act shall be known and may be cited as "The Henry County Road Law."

SECTION 2. There is hereby created the Henry County Road Commission, hereinafter referred to as "the Commission." The Commission shall be composed of six (6) members, five (5) of which shall be elected from, and residing in, each of the five (5) road districts which shall be established by resolution of the

county legislative body, and one (1) member shall be elected from the county at-large. The member serving at-large shall serve as chairman of the Commission.

Commission members shall be elected at the regular August general elections to four (4) year terms, and may succeed themselves without limitation as to the number of terms they may serve. Terms shall begin on the first day of September following their election.

Commission members in office on the date this act becomes effective shall continue to serve until the expiration of the terms to which they were elected. To accomplish the transition from seven (7) commission members to six (6) commission members, commission members shall be elected as follows: At the August 2002 elections, one (1) Commission member shall be elected to a four (4) year term from each of road districts 1 and 3. At the August 2004 elections, one (1) Commission member shall be elected to a four (4) year term from each of road districts 2, 4, and 5, and the at-large Commission member shall be elected to a four (4) year term from the entire county. Thereafter, Commission members shall be elected to four (4) year terms as the terms of each member expires.

As amended by: Private Acts of 2002, Chapter 107

SECTION 3. If a vacancy occurs in the office of County Road Commissioner or Chairman of said board, the Quarterly County Court shall elect some qualified person to serve for until the next General Election.

SECTION 4. At the organizational meeting of the newly elected Road Commission, there shall be elected a Vice-Chairman to preside in the absence of the Chairman. Roberts Rules of Order shall prevail at any and all official meetings of the Road Commission.

SECTION 5. Before entering upon their official duties the members of the County Road Commission shall make and subscribe to an oath to perform their duties faithfully, impartially, and without prejudice for or against any sections of the County, and before entering or taking such office shall execute and file with the County Court Clerk of said County a fidelity bond in a penal sum as required by law. Said bond shall be good and solvent security approved by the County Judge of such County. Said bond and oath of office are to be filed in the office of the County Court Clerk, and recorded on the minutes of said Court.

SECTION 6. No member of the County Road Commission shall be employed by the County Highway Department.

As amended by: Private Acts of 1991, Chapter 42.

SECTION 7. The Commission shall meet once each month at a time and place to be designated at the organizational meeting of such Commission and each member of the Commission shall be entitled to a sum not to exceed that provided for in the budget of Henry County. Meetings other than regular monthly meetings deemed necessary by the Chairman or a majority of the members may be held; provided, however, that no such meeting will be held unless the members of said Commission are notified at least 48 hours prior to the meeting. The above notice requirement may be waived by a majority vote of the Commissioners and the Chairman of said Commission, in the case of an emergency.

SECTION 8. The Commission has jurisdiction of expenditures of all road and bridge funds belonging to the County from whatever source insofar as the expenditure of said funds does not deviate from the budgeted chart of accounts as adopted by the Quarterly County Court for the Annual Operating Budget of the County. Any transfers of budgeted funds by series or subseries must be approved by proper resolution of the Quarterly County Court. It shall be the further duty of said Commission to classify all county roads and submit to the Quarterly County Court for its approval a five (5) year long-range maintenance and improvement plan for the County Road System, which shall be subject to annual review. It shall be the duty of said Commission to submit to the Quarterly County Court at its March term annual plans for execution during the ensuing fiscal year. The preparation and submission of the proposed annual budget for the County Road Department will follow the guidelines established by the Budgeting Act of the County. The Commission shall have general control of all county road and bridges. The acceptance and closing of roads shall be the responsibility of the Quarterly County Court and said Quarterly County Court shall take action on matters of this nature upon the recommendation of the Henry County Road Board, in accordance with the General State Law. Roads not maintained by the County Road Department for the past 10 years shall not be classified as a county public road as defined by the County Road Map of 1972. Before any new road shall be accepted as a county road, it must meet the road specifications as adopted by the Henry County Planning Commission.

It is further the duty of the Road Commission to let contracts for the construction of roads in said County, and that said contracts shall be let only upon the receipt of sealed competitive bids after reasonable public notice of inviting bids in a newspaper of general circulation in Henry County. Letting of contracts and taking of bids shall be done pursuant to and in accordance with the provisions of Tennessee Code Annotated, 5-1408 and amendments thereto, for letting contracts.

The Commission shall keep detailed records of all bids and bidders. The purchases or contracts let for construction by the Commission shall be let to the best bidder subject to desirable bidding requirements.

The Commission is further empowered to contract with State and Federal Agencies as may be appropriate to carry out their duties.

It shall be the duty of the County Road Commission to see to the removal of obstructions of roads, bridges and ditches; to clean out and clear all fences and ditches along or adjacent to county roads. It shall be the duty of the County Road Commission to prescribe rules and regulations governing the weight and size of motor vehicles using county roads, said rules and regulations to be reduced to writing and approved by the Quarterly County Court in accordance with County, State, and Federal regulations.

SECTION 9. All purchases of supplies, materials, equipment, and contractual services and all sales of county-owned property which has become surplus obsolete, or unusable, shall be governed by Tennessee Code Annotated, Section 5-1408; with the exception of and in lieu of County Purchasing Agent, the County Road Supervisor with the authority of the Road Commission shall act as Purchasing Agent for the County Road Commission. Practices as outlined in the Budget Law of the County shall take precedent.

Purchase of used capital outlay items shall be in keeping with sound business practices, carefully weighing the true market value of such item. Said purchases being made with the approval of the Road Commission and in conformance with budgetary limitations.

SECTION 10. There is hereby created an executive officer of the county road system to implement the County Road Law. The official title of the executive of the county highway or road system shall be county road supervisor. The county road supervisor shall meet the requirements for such chief administrative officer, as set forth in Tennessee Code Annotated, Section 54-1004. The county road supervisor shall be elected by a majority vote of the county road commission, and shall serve at the sufferance of said commission.

The compensation of the county road supervisor shall be as the county road commission may from time to time set in accordance with the budget passed by the county commission.

The county road commission may grant the county road supervisor permission to spend, in the event of an emergency, not more than \$1,000.00 for county road purposes without first obtaining the approval of the county road commission.

As amended by: Private Acts of 1979, Chapter 54.

SECTION 11. Before entering upon the discharge of his duties, the county road supervisor shall take and subscribe to an oath in writing before the county court clerk or some other official authorized by law to administer oaths, that he will faithfully perform the duties of his office as county road supervisor. He shall also enter into a fidelity bond in the amount as required by state law payable to the State of Tennessee for the use and benefit of the county and conditional upon faithful discharge of his duties for the accounting of all money and property coming into his hands in the official capacity. The premium for the bond shall be paid out of the county general fund in the same manner as other disbursements are made.

As amended by: Private Acts of 1979, Chapter 54

SECTION 12. The county road supervisor is charged with the duty of carrying out policies of the county road commission. It shall be the duty of the county road supervisor to employ and discharge all personnel, administrative and otherwise, and to fix the wages and salaries within salary ranges set by the county road commission. The county road supervisor shall perform such duties and be vested with such responsibilities and authority as the county road commission may from time to time direct.

The county road supervisor shall under the direction of the county road commission, act as state and federal aid coordinator in all instances where state or federal aid may be involved in the construction, maintenance or improvement of county roads and bridges; work in cooperation with all agencies, officials, and employees of the state and federal governments in the planning of county road building and improvement projects, in providing engineering services necessary to be provided by the counties in connection with such projects, in the procurement of right of ways and to report on and make recommendations relating to all such projects to the road commissioners whose duty it shall be to take appropriate action with respect to such reports and recommendations.

As amended by: Private Acts of 1979, Chapter 54

SECTION 13. The county shall furnish a vehicle to the County Road Supervisor for his use in the discharge of his official duties. The purchase price of said vehicle, the expenses incident to the maintenance and operation of the same, while used by the Supervisor in the discharge of his duties, shall be paid out of the county road fund as in the case of machinery purchased for the use of the county.

SECTION 14. Neither the County Road Supervisor nor the County Road Commission shall authorize or knowingly permit trucks or road equipment, rock or crushed stone or any other materials to be used for private use or the use of any individual for private purposes other than approaches, at fills and outs, and the failure to see that this provision is enforced shall constitute a misdemeanor in office.

SECTION 15. Neither the County Road Supervisor, County Road Commission, nor any employee of the

County Road Department shall be financially interested in or have any personal interest, either directly or indirectly, in the purchase of any supplies, machinery, materials or equipment for the Department or System of Roads for the County or in any firm, corporation, partnership, association or individual selling or furnishing such machinery, equipment, supplies and materials; nor shall the County Road Supervisor, County Road Commission, or any employee thereof accept or receive either directly or indirectly from any person, firm, partnership or association to whom any contract may be awarded, any rebate, gift, or other thing in money or thing of value or any promise, obligation, or contract for future award for compensation.

Any employee of the County Road Department who shall use any truck or other road equipment, rock, crushed stone, or other road material for his personal use or sell or give away the same shall be immediately discharged.

Any person who knowingly allows his property to be improved by having a road built thereon, material placed thereon, or road equipment used thereon is in violation of this provision and shall be liable to the County for the value of such improvement.

Violation of any of the provisions of this Section shall subject the person or persons responsible to such criminal and/or civil actions as are available to the County under Tennessee Law.

SECTION 16. The county road supervisor shall submit quarterly to the county legislative body, a full and complete report of its activities showing in such reports the budget appropriations, the amount of road funds on hand at the beginning of the quarter, amounts received from any source during the quarter together with an itemized statement of all amounts expended for labor, machinery, supplies, materials, equipment and other expenditures during such quarter accompanied by a complete list of all articles purchased, the number of laborers and clerical help employed, and the amount paid each, the number of miles of road constructed, repaired or maintained or fraction thereof in each road district where the work was performed.

As amended by: Private Acts of 1979, Chapter 54

SECTION 17. Half of all funds received from the State as the proceeds of gas tax and other sources, except Federal Secondary and State rural roads fund, shall be used in the six road districts created by this Act for the purpose of grading, draining, and bridging the roads in said districts, and divided between the six road districts in the county proportion to the mileage of public roads other than state roads in said district, exclusive of the incorporated towns, as shown by the last Federal Census. The other half of said funds received from the state as the proceeds of the state, automobile tax, etc., shall be used in surfacing and maintaining the surface of the roads in the county with gravel. The number of cubic yards of gravel used in each of the county's six road districts each calendar year shall be in proportion to the mileage of public roads other than state roads in said district, exclusive of the incorporated towns, as shown by the last Federal Census, and said Commission and Road Supervisor shall keep a record of the cubic yardage of gravel used in each of the six road districts which said record shall be open to public inspection.

SECTION 18. All county prisoners subject to labor shall be employed on the public roads as the County Court may direct subject to existing laws.

SECTION 19. Any violation of any of the provisions of this Act by an elected official or appointed person constitutes official misconduct and a misdemeanor in office, punishable by a fine of not less than \$200 nor more than \$1,000.00 and removal from office as provided by Tennessee Code Annotated, Section 8-2701 et seq.

SECTION 20. If any part or section of this Act shall be declared unconstitutional, it shall in no wise affect the validity of the remaining part or sections of the same.

SECTION 21. All laws and parts of laws in conflict with the provisions of 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.

SECTION 22. A copy of this law shall be on file in the Road Supervisor's Office at all times.

SECTION 23. Chapter 620 of the Private Acts of 1933 as amended by Chapter 98 of the Private Acts of 1947, Chapter 187 of Private Acts of 1951, Chapter 280 of the Private Acts of 1965, and Chapter 17 of the Private Acts of 1971 are repealed.

SECTION 24. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 25. 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 the purposes of electing the officers hereinabove provided, it shall become effective upon being approved as provided in Section 24. For all other purposes, it shall become effective September 1, 1972.

Passed: March 23, 1972.

Highways and Roads - Historical Notes

The following is a listing of acts which once had some effect upon the county road system in Henry 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 respective courts of all counties to classify their roads into three classes. The first class being stage roads, the second class being roads twelve feet in width and the third class being roads wide enough to pass a horse and rider. The act empowered the Justices of the Pleas and Quarter Sessions Courts to establish ferries wherever necessary for public convenience.
2. Private Acts of 1829, Chapter 33, authorized Robert L. Brown and Elijah Foster to raise up to \$5,000 by a lottery. The funds would be used to construct and improve the road from the mouth of Big Sandy River to Paris. Daniel Mason, John H. Dunlap, Thomas K. Porter, John W. Cooke, Washington J. Dewitt and Julian Frazier were to draft the lottery scheme and supervise the drawing. Terance Cooney, James Cowan, David Armour, Hugh Dunlap and Crawford Bradford were appointed to be Road Commissioners. They had to execute a bond in the amount of \$10,000 and were empowered to appropriate the money needed for improvements.
3. Private Acts of 1833, Chapter 267, authorized James Bond and Benjamin Bond to build a bridge across the Big Sandy River at or near Bond's Ferry under the direction, supervision and according to the plans of T. L. Darnell, Constantine Frazier and Richard Manley. The cost of the bridge was not to exceed \$200 which was to be paid out of the internal improvement funds of Henry County. The bridge was to be a free bridge.
4. Private Acts of 1835-36, Chapter 111, authorized the Internal Improvement Board of Henry County to contract with the lowest bidder and have a bridge built across Main Sandy River at or near Bonds Ferry. The bridge would be a free bridge and its cost paid from the internal improvement fund. The building and erecting of the bridge was not to interfere with the free navigation of the Big Sandy River.
5. Private Acts of 1859-60, Chapter 114, required the County Courts in Henry, Carter, Johnson, Greene, Obion, Robertson, Meigs, McMinn, Monroe, Polk, Cheatham, Washington and Cannon Counties to classify the public roads into three classes and to assess the tax upon the property and polls of said counties. The purpose of the tax was to maintain and repair the public roads in said Counties. The voters would be allowed to vote for or against assessing the tax. The taxpayers could work off their taxes under the direction of those who undertook to maintain and repair the roads at \$1 a day for eight hours. The County Court would receive sealed bids from persons desiring to undertake to do the roads and required the giving of bond and security for the faithful performance of the work.
6. Acts of 1901, Chapter 136, was a statewide road law for all counties in Tennessee under 70,000 in population. The County Court in each county would select a Road Commissioner at its January meeting for each road district. The road districts would be coextensive with the County Civil Districts. The act detailed the duties of the Road Commissioners and the road section overseers to be appointed by the Commissioners. Male residents of the County were subject to road work but could commute the duty by paying a fee. Prisoners of the County were also subject to road work. A tax levy was authorized not to exceed twenty cents per \$100 valuation.
7. Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, above, in several details but most importantly in the manner in which the Road Commissioner would receive and dispose of petitions to open, close or change the roads.
8. Acts of 1909, Chapter 166, empowered the Quarterly County Court to elect five Road Commissioners for Henry County. They would then elect a Road Supervisor for the County. The Road Supervisor had to execute bond in the amount of \$5,000 and serve a two year term in office. The Road Supervisor was responsible for supervising the public roads in the County. The public roads were divided into three classes and the Road Supervisor was authorized to assign persons to work on the public roads. The act set out the procedures for petitioning to change, widen, restore, open or close a public road. All males in the county between 21 and 50 years of age were required to labor on the roads for a minimum of five days for eight hours a day each year. However, a substitute could be used, but the County Trustee had to be paid fifty cents per day by the individual being relieved by the substitute. County prisoners were also used for labor on the public roads. The County Court could levy a tax for highway purposes.
9. Private Acts of 1917, Chapter 434, repealed Acts of 1909, Chapter 166.

10. Private Acts of 1917, Chapter 757, empowered the Quarterly County Court of Henry County to elect four Road Commissioners. They would then elect a County Engineer for the County. The County Engineer had to execute bond in the amount of \$5,000 and serve a two year term in office. The County Engineer was responsible for supervising the public roads in the County. The roads were divided into three classes and the County Engineer was authorized to assign residents to work on the public roads. All males in the County over 21 and under 50 years of age were required to labor on the roads for a minimum of five days for eight hours a day each year. Release from labor could be had by using a substitute and paying the County Trustee seventy-five cents for each day of use. Prisoners were required to labor on the roads and a tax could be levied by the County Court for highway purposes.
11. Private Acts of 1919, Chapter 41, amended Private Acts of 1917, Chapter 757, by setting the commutation fee of all males over 21 and under 50 years of age, who would be required to work a minimum five to a maximum eight days on the public roads as the Quarterly County Court would determine, at \$7.50 regardless of the number of days to be worked. No male under 18 years of age could be used as a substitute.
12. Private Acts of 1919, Chapter 311, amended Private Acts of 1917, Chapter 757, by increasing the pay of the County Engineer from \$1,200 to \$1,500 a year and by increasing the daily rate of compensation for the Board of County Commissioners from \$3 to five dollars \$5. The maximum number of days for which the Board could be paid was increased from thirty to forty.
13. Private Acts of 1921, Chapter 265, amended Private Acts of 1917, Chapter 757, by increasing the population requirement based upon the 1920 census figures. The act raised the commutation fee from 75¢ to \$1 for work done on the public road before March 1 of that year, to \$1.25 from March 1 to July 1, and to \$1.50 thereafter. The amending act provided for the County Commission to meet once every two months and receive a report from the County Engineer on the work done the two preceding months. Commissioners received no pay for their services.
14. Private Acts of 1923, Chapter 291, provided that the four elected members of the Board of Road Commissioners as described in Private Acts of 1917, Chapter 757, receive for their services the sum of \$3 per day, not to exceed thirty-five days per year, for which the County Judge would issue warrants.
15. Private Acts of 1927, Chapter 249, amended Private Acts of 1917, Chapter 757, above, by reducing the population requirement based upon the 1920 census figures and leaving the number of days for the males of the county to work on the roads to the discretion of the court. The act also reduced the commutation fee from 75¢ to 60¢ and by extending until May instead of March the time to pay said fee. The act provided for a member of the Board to be elected Chairman and one be selected as Chairman Pro Tem. The other amendments in the act have the effect of removing the County Judge as the ex-officio Chairman of the Board and by taking away the salary he received as such.
16. Private Acts of 1929, Chapter 660, amended Private Acts of 1917, Chapter 757, Section 13, by requiring all males over 21 and under 50 years of age, except those in cities, to work six days on the Henry County public roads each year or they could exempt themselves from such work by paying \$1.50 for each day to be worked. Males under 18 years of age could be act as substitutes in performing the work.
17. Private Acts of 1931, Chapter 125, divided Henry County into four Road Districts. The Quarterly County Court was empowered to elect four Road Commissioners who would then employ a County Engineer. The County Engineer was required to execute a \$5,000 bond and would supervise the public roads, laying the roads out into three classes under the direction of the Road Commissioners. The County Engineer had the authority to employ agents and servants to labor on the roads and were permitted to use county prisoners also. The Quarterly County Court was authorized to levy a tax for highway purposes. The act provided for at tax of two cents to be levied on every gallon of gasoline sold at retail in the county with the revenue received to be used for construction and maintenance of gravel and hard surfaced roads. The Board of Highway Commissioners could employ an attorney to advise and represent it on related matters.
18. Private Acts of 1931, Chapter 510, amended Private Acts of 1929, Chapter 660, above, by reducing the number of work days a resident was required to work on the county road to five and the commutation fee was fixed at 60¢ per day. A male resident over 21 and under 50 years of age was subject to road work could be released upon paying the commutation fee by March 1 of each year. The act disallowed substitutes under age of 18 to perform the road work.
19. Private Acts of 1931, Chapter 511, amended Private Acts of 1917, Chapter 757, Section 14, by deleting the phrase that "no road hands would be warned to work the roads after August 31 of

each year."

20. Private Acts of 1933, Chapter 620, divided Henry County into four Road Districts. The County Highway Commission was created and composed of five Commissioners, who were elected by the qualified voters to serve a two year term. Four of the Commissioners were elected from the qualified voters of their respective districts and the fifth Commissioner was elected by all the qualified voters in the County and would be the Chairman. The act also provided for the election of a Supervisor of Roads. Males over 21 and under 50 years of age were required to labor five days unless exempted by paying 60¢ for each day of work. All county prisoners were subject to labor and males under 18 years of age could not be used as substitutes for residents paying to be exempted. A tax levy was assessed to repair and preserve the roads and bridges and half of the funds received from the State as the proceeds of gas and automobile taxes was to be used for road purposes.
21. Private Acts of 1943, Chapter 378, amended Private Acts of 1933, Chapter 620, above, by raising the allowable expense for clerical assistance for the Road Supervisor from \$150 to \$720 annually and by increasing the Road Supervisor's salary from \$1,200 to \$1,500, payable \$150 per month.
22. Private Acts of 1947, Chapter 72, repealed Private Acts of 1943, Chapter 378.
23. Private Acts of 1947, Chapter 98, amended Private Acts of 1933, Chapter 620, above, by making the Road Supervisor subject to one year appointment by the Highway Commission at its regular January term instead of being elected by the qualified voters. Each year the Highway Commission would fix the Road Supervisor's salary when the budget was submitted. During the interim his salary was set at \$200 per month. The clerical assistance expense for the Road Supervisor was raised to \$1,200 a year and a car would be furnished to the Road Supervisor for which the operational expenses would be paid by the County.
24. Private Acts of 1951, Chapter 187, Private Acts of 1933, Chapter 620, and Private Acts 1947, Chapter 98, both above, to provide for the popular election of the Road Supervisor at the same time the Highway Commissioners were elected and for the terms to be the same length. The Road Supervisor's salary would be \$3,000 per year, payable in equal monthly payments.
25. Private Acts of 1955, Chapter 409, amended Private Acts of 1933, Chapter 620, above, by providing that the Chairman and Board of Highway Commissioners meet once a month and have a report from the Road Supervisor on the work done the preceding month. Said Chairman and Board would be paid \$25 a month and could not make purchases exceeding \$250 without receiving bids.
26. Private Acts of 1959, Chapter 299, amended Private Acts of 1933, Chapter 620, as amended by Private Acts of 1947, Chapter 98 and Private Acts of 1951, Chapter 187, all above, by increasing the salary of the Road Supervisor from \$3,000 to \$5,000 a year. This act failed to receive approval by the proper parties and never became a law.
27. Private Acts of 1963, Chapter 288, provided for the general election of four Commissioners, one from each of four Road Districts and the Chairman to be elected from the county at large. Each Commissioner had to execute a \$5,000 bond and would receive \$25 per month as compensation for their services. A County Road Superintendent would be elected by a majority of the Commissioners. The Road Superintendent had to execute a bond in the amount of \$25,000 and his salary would be set by the Commissioners between \$5,000 and \$7,000 annually. The Superintendent was to have control over all work done on roads, highways, bridges or levees in Henry County. This act failed to receive approval by the proper authorities therefore, it never became law.
28. Private Acts of 1965, Chapter 280, amended Private Acts of 1933, Chapter 620, as amended by increasing the salary of the Road Supervisor to \$5,000 and required him to act as the coordinator for State and Federal Aid in all instances where said aid may have been involved. The Highway Commissioners would be paid \$30 a month instead of \$3 per day and would act as Commissioners of State and Federal Aid, where said aid may be involved in the construction and maintenance of all the county roads and bridges.
29. Private Acts of 1971, Chapter 17, amended Private Acts of 1933, Chapter 620, as amended above, by providing for six instead of four Road Districts and for one Commissioner to be elected from each Road district and the Chairman from the county at large. The seventh Commissioner was to be elected by the Supervisor of Roads and would have the duties of coordinator and director of all programs concerned with solid waste collection and disposal outside the limits of any city.
30. Private Acts of 1972, Chapter 326, repealed Private Acts of 1933, Chapter 620.

31. Private Acts of 1982, Chapter 367, amended Private Acts of 1972, Chapter 326, reprinted herein, by specifying that the County Road Supervisor would meet the requirements for chief administrative officer set out in Tennessee Code Annotated Section 54-7-104. This act was not approved and never became law.

Chapter X - Law Enforcement

Sheriff

Chief Deputy Sheriff

Private Acts of 1931 Chapter 108

COMPILER NOTE: This act may have been superseded by Tennessee Code Annotated Section 8-20-101 and 8-24-103.

SECTION 1. That the office of Chief Deputy Sheriff is hereby created and established in all the counties of the State of Tennessee, having a population of not less than 26,420 and not more than 26,490 according to the Federal Census for the year 1930 or any subsequent Federal Census.

SECTION 2. That the sheriffs in all the counties coming under the provisions of this Act are hereby authorized to appoint a Chief Deputy Sheriff to assist in the transaction of the business of said Sheriff's office; and to fix his salary at the sum not to exceed Seventy-Five Dollars (\$75.00) per month.

As amended by: Private Acts of 1947, Chapter 280

SECTION 3. That the salary of said Chief Deputy Sheriff in such counties, when fixed as aforesaid shall be paid by the County Trustee, out of the County Treasury, upon warrant drawn in favor of said Chief Deputy Sheriff by the Judge or Chairman of the County Courts of said counties monthly.

SECTION 4. That all laws or parts of laws in conflict with the provisions of this Act and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: January 28, 1931.

Law Enforcement - Historical Notes

Militia

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

1. Public Acts of 1825, Chapter 69, declared that free men and indentured servants between the ages of eighteen years and forty-five years would constitute the State Militia. Some persons were exempted including judges, ministers of the gospel, grist mill keepers, public ferry men, and mail carriers. The time for muster for Henry County's Seventy-third Regiment would be the third Saturday of September each year. Many changes were made by the act in the military system of a technical or organizational nature.
2. Public Acts of 1835-36, Chapter 21, was a reorganization for the whole state militia law and units. Henry County's Regiments were numbered as the 114th and 115th. A company would be composed of a Captain, one First Lieutenant, one Second Lieutenant, one Ensign, three Sergeants, three corporals and no less than forty-five privates. The 114th and 115th Regiments formed part of the 18th Brigade which was in the 4th Division. The State had four Divisions.
3. Acts of 1837-38, Chapter 157, scheduled county drills and musters for every county militia unit in Tennessee. Henry County would convene and drill its units on the first Friday and Saturday in September. Henry, Carroll and Benton Counties' units would compose the Eighteenth Brigade.
4. Acts of 1839-40, Chapter 56, limited membership in the militia of the State to white, male, inhabitants between the ages of eighteen and forty-five, with some exceptions specified. The Organizational Table did not make any changes in the regiments of Henry County.
5. Acts of 1845-46, Chapter 109, changed the time of holding drill musters in Henry, Carroll and Gibson Counties. The commissioned officers of the militia in each of these counties were to hold their drill musters at their respective county seat in each year preceding their regimental musters.

Offenses

The acts briefly summarized below fell into this category in Henry County. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1925, Chapter 805, made it unlawful for any County office holder in Henry County to sign any bond or note as surety during the time of holding said office. The act did not apply to county officers who were elected and holding office at the time the act was passed.
2. Private Acts of 1961, Chapter 325, prohibited the possession, storing, using, manufacturing or selling of pyrotechnics in Henry County. Any merchandise falling within the definition of pyrotechnics was subject to confiscation and destruction by the Sheriff of the County. Those persons who violated this act would be guilty of a misdemeanor and upon conviction were subject to a fine that ranged between \$50 and \$400 or confinement in the county jail for not less than 30 days. The act did not apply to persons conducting public displays of pyrotechnics who had acquired same from outside the County.
3. Private Acts of 1979, Chapter 75, repealed Private Acts of 1961, Chapter 325.

Sheriff

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

1. Private Acts of 1823, Chapter 117, required the Treasurer of the State to give to Thomas Gray, Sheriff of Henry County, a credit in the collection of State taxes for the year 1822 of in the amount of \$331.52 which was the amount overpaid by the Sheriff on the 1821 taxes due from the County to the State. The production of this act was to serve as settlement of the account.
2. Private Acts of 1823, Chapter 162, stated that it was just and expedient for each county to bear its own tax and not be burdened with the taxes of another county. The Sheriff of Henry County was directed to return to the people living in the territory west of Henry County, which had petitioned to be a separate county, any part or portion of taxes collected from them as a tax by the County Court of Henry County for the purpose of defraying costs of public buildings which tax was levied in 1823. The Treasurer of the State was directed to credit the Sheriff with the amount of taxes returned to the inhabitants of the other county.
3. Private Acts of 1829, Chapter 194, directed the Quarterly County Courts of Henry and Weakley Counties to appoint a Commissioner to determine how much money the Sheriff of Henry County had collected from the people of Weakley County as a public building tax, and paid to the Trustee of Henry County. The Trustee of Henry County had the duty to pay the amount determined over to the Trustee of Weakley County. The Commissioner was authorized to make any necessary motion against the Sheriff and Trustee of Henry County and the Commissioners of Weakley County could proceed in any lawful manner to collect the taxes due them under this act.
4. Private Acts of 1831, Chapter 33, appointed five Commissioners to receive and appropriate the funds collected from a navigation tax imposed on the Henry County residents for the years 1825 and 1826. The act provided for the former Sheriff of Henry County to turn over those funds to the Commissioners. The funds were to be devoted to clearing obstructions in the Big Sandy River, starting at the mouth and ending at Wyatt Mill.
5. Private Acts of 1921, Chapter 81, provided that the Sheriff of Henry County would be paid a salary of \$1,200 a year, payable out of the County Treasury on the warrant of the County Judge.
6. Private Acts of 1921, Chapter 864, amended Private Acts of 1921, Chapter 81, above, by striking out the phrase "and compensation as ex-officio jailer" and providing that the fees received by the Sheriff as jailer in connection with the operation of the jail would not be taken into account in deciding whether the fees of the Sheriff's office amount to as much as \$1,200 annually and would not be considered in determining whether or not the deficiency in meeting the annual salary existed.
7. Private Acts of 1923, Chapter 374, provided additional compensation in the amount of \$100 per month to the Sheriff of Henry County for his duties as ex-officio jailer.
8. Private Acts of 1947, Chapter 282, amended Private Acts of 1921, Chapter 864, by increasing the salary of the Sheriff of Henry County from \$1,200 to \$1,500 annually.
9. Private Acts of 1949, Chapter 506, repealed Private Acts of 1921, Chapter 81. The act made no mention of the amendments to the 1921 act.

Chapter XI - Taxation

Assessor of Property

Private Acts of 1947 Chapter 729

COMPILER'S NOTE: See T.C.A. 67-1-506 for general law of employment of deputies.

SECTION 1. That the Tax Assessor of Henry County, Tennessee shall receive the salary of Three Thousand (\$3,000.00) Dollars per annum, payable in equal monthly installments out of the General Fund of said County. That said Tax Assessor shall have the authority to hire Deputy Tax Assessors who shall assist him with his duties, but the number of said Deputy Tax Assessors to be appointed must be specifically authorized by the Quarterly County Court of said County and the compensation of said Deputy Tax Assessors shall likewise be fixed by the Quarterly County Court. That said Tax Assessor is further authorized to appoint necessary clerical help to carry out the duties and functions of this office, but before any person can be employed for this work the same must be authorized by the Quarterly County Court and the salary shall likewise be fixed by said Court. All of these compensations herein provided for shall be paid out of 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 12, 1947.

Private Acts of 1987 Chapter 52

SECTION 1. Chapter 188 of the Private Acts of 1961, is hereby repealed.

SECTION 2. In Henry County the register of deeds shall provide the assessor of property with copies of all instruments of whatever nature recorded affecting ownership of land.

As amended by: Private Acts of 1992, Chapter 223

SECTION 3. [Deleted by Private Acts of 1992, Chapter 223].

SECTION 4. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Henry County by October 1, 1987. Its approval or nonapproval shall be proclaimed by the presiding officer of the Henry County Commission and certified by him to the Secretary of State.

SECTION 5. For the purpose of approving and rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

Passed: March 26, 1987.

Hotel/Motel Tax

Private Acts of 1984 Chapter 237

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

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

(b) "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients, for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist camp, tourist court, tourist cabin, motel or any place in which rooms, lodgings, or accommodations are furnished to transients for a consideration.

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

(d) "Transient" means any person who exercises occupancy or is entitled to occupancy for any rooms, lodgings or accommodations in a hotel for a period of less than thirty (30) continuous days.

(e) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts,

cash, credits, property or services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged with the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person.

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

SECTION 2. The Board of Commissioners of Henry County is authorized to levy a privilege tax upon the occupancy in any hotel of each transient in an amount not to exceed five percent (5%) of the consideration charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided by this Act.

SECTION 3. Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of his hotel and to be given directly or transmitted to the transient and shall be collected by such operator from the transient and remitted to the county.

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

SECTION 4. The tax hereby levied shall be remitted by all operators who lease, rent or charge for any rooms within the county to the County Clerk, such tax to be remitted to such officer not later than the twentieth day of each month for the preceding month. The operator is hereby required to collect the tax from the transient at the time of the presentation of the invoice for such occupancy whether prior to occupancy or after occupancy as may be the custom of the operator, and if credit is granted by the operator to the transient, then, the obligations to the county entitled to such tax shall be that of the operator.

SECTION 5. The County Clerk shall be responsible for the collection of the tax authorized by this Act. A monthly tax return under oath shall be filed 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 Board of County Commissioners prior to use. The County Clerk may audit each operator in the county at least once per year and shall report on any audits made on a quarterly basis to the Board of County Commissioners. The Board of County Commissioners is hereby authorized to adopt Resolutions to provide reasonable rules and regulations for the implementation of the provisions of this Act.

SECTION 6. No operator of a hotel shall advertise or state in any manner whether directly or indirectly that the tax or any part thereof will be assumed or absorbed by the operator or that it will not be added to the rent, or that if added, any part will be refunded.

SECTION 7. Taxes collected by an operator which are not remitted to the County Clerk on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at the rate of fourteen and one-half percent (14.5%) per annum, and in addition for penalty of five percent (5%) for each month or fraction thereof that such taxes are delinquent; provided, however, that such penalty shall not exceed a maximum of twenty-five (25%) percent. Such interest and penalty shall become a part of the tax herein required to be remitted. Each occurrence of willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is hereby declared to be unlawful and shall be punishable upon conviction by a fine not in excess of fifty dollars (\$50).

SECTION 8. It shall be the duty of every operator liable for the collection and payment to the county of any tax imposed by this Act to keep and preserve for a period of three (3) years all records as may be necessary to determine the amount of such tax as he may have been liable for the collection of and payment to the county, which records the County Clerk shall be right to inspect at all reasonable times.

SECTION 9. The County Clerk in administering and enforcing the provisions of this Act shall have as additional powers, those powers and duties with respect to collecting taxes as provided in Title 67 of Tennessee Code Annotated or otherwise provided by law for the County Clerk.

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedy provided in Tennessee Code Annotated, Section 67-1-912, it being the intent of this Act that the provisions of law which apply to the recover of state taxes illegally assessed and collected shall also apply to the tax levied under the authority of this Act. The County Clerk shall also possess those powers and duties as provided in Tennessee Code Annotated, Section 67-1-707, for the County Clerks with respect to the adjustment and settlement with taxpayers all errors of county taxes collected by him under the authority of this Act and to direct the refunding the same. Notice of any tax paid under protest shall be given to the County Clerk and suit for any recovery shall be brought against the County Executive.

SECTION 10. The County Clerk is hereby charged with the duty of collection of the tax herein authorized and shall faithfully account for, make proper reports of, and pay over to the trustee of the county at monthly intervals, all funds paid to and received by such clerk for the privilege tax. The trustee shall deposit the proceeds of the tax herein authorized in the County General Fund. Proceeds used for purposes other than debt service shall be placed in whatever fund as the Board of County Commissioners may specify by Resolution.

SECTION 11. The provisions of this Act are hereby declared to be severable. If any of its sections, provisions, exceptions, or parts be held unconstitutional or void, the remainder of this Act shall continue to be in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included herein.

SECTION 12. The collection of the tax authorized by this Act shall begin on the first day of the month occurring 30 or more days after this Act is officially ratified by the Board of County Commissioners.

SECTION 13. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of County Commissioners of Henry County, not more than ninety (90) days subsequent to its approval by the Governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the Board of County Commissioners and shall be certified by him to the Secretary of State.

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

Passed: May 22, 1984.

Motor Vehicle Privilege Tax

Private Acts of 2018 Chapter 35

SECTION 1. In addition to other presently or hereinafter levied special privilege taxes upon motor vehicles taxable by the state, for the privilege of using the public roads and highways in Henry County, Tennessee, there is levied upon all motor vehicles taxable by the state, and upon the privilege of the operation thereof, except disabled veterans and prisoners of war as provided in Tennessee Code Annotated S 5-8-102, and any other exemptions provided by general law, a special privilege tax for the benefit of such county, which tax shall be in the amount of twenty-five dollars (\$25.00) for each such motor vehicle, the owner of which resides within said county. This tax applies to, is a levy upon, and shall be paid on each motor vehicle, the owner of which resides within Henry County.

SECTION 2. The tax levied under this act shall be paid to and collected by the County Clerk of Henry County, who is authorized by Tennessee Code Annotated S 67-4-103 to collect such privilege taxes. The County Clerk shall collect this tax at the same time the Clerk collects the state privilege tax levied upon the operation of a motor vehicle over the public highways of this state. The County Clerk shall not issue a state registration for the operation of a motor vehicle taxable under this act unless at the same time the owner pays the privilege tax due under the provisions of this act. The County Clerk shall deduct a fee of five percent (5%), or such higher or lower fee as may from time to time be authorized under Tennessee Code Annotated S 8-21-701 for receiving and paying over county revenue, from the amount of taxes collected and paid over to the County Trustee.

SECTION 3. Payment of the privilege tax imposed by this act shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor vehicle. The owner of the motor-driven vehicle shall make available for inspection the original of said receipt at any time law permits inspection of the vehicle registration.

SECTION 4. The motor vehicle privilege tax levied under this act, when paid, together with full, complete, and explicit performance of and compliance with all provisions of this act by the owner, shall entitle the owner of the motor vehicle for which said tax was paid to operate the vehicle or allow the vehicle to be operated over the streets, roads, and highways of the county for a period of one (1) year which will run concurrently with the period established by Tennessee Code Annotated S 55-4-104 for state registration fees.

SECTION 5. Any person violating provisions of this act, or any part thereof, commits a misdemeanor and shall, upon conviction, be subject to the same penalties provided for in Tennessee Code Annotated SS 5-8-102 and 55-4-105, or other applicable general law.

SECTION 6. All revenue generated from the privilege tax imposed under this act shall be allocated to the Henry County Board of Education for purposes of capital improvements or service of debts incurred to fund capital improvements.

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this 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 8. This act shall have no effect unless it is approved by a two thirds (2/3) vote of the legislative body of Henry County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified to the Secretary of State.

SECTION 9. 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, if approved prior to July 1 ,2018, by the legislative body of Henry County, Tennessee, then this Act shall become effective July 1 , 2018, or if approved on or after July 1 , 2018, then this Act shall become effective as provided in Section 8.

SECTION 10. This act shall cease to be in effect July 1, 2025.

Passed: March 23, 2018.

Taxation - Historical Notes

Assessor of Property

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

1. Private Acts of 1937, Chapter 660, authorized the County Tax Assessor in Henry County to receive a salary of \$2,000 annually, out of the regular county funds upon warrant of the County Judge.
2. Private Acts of 1941, Chapter 119, amended Private Acts of 1937, Chapter 660, Section 1, above, by providing for the annual salary of the Tax Assessor of Henry County to be paid in monthly installments of \$166.66.
3. Private Acts of 1959, Chapter 297, made it the mandatory duty of the Tax Assessor of Henry County to enter upon every parcel of property, ascertain the ownership, obtain an accurate description and transcribe all of this data into a permanent record book. All written conveyances of real property were required to be presented to the Tax Assessor for him to make a notation of the changes. The act prohibited any registration of the conveyance unless it bore the notation of the County Tax Assessor. The Tax Assessor would have had the authority to appoint Deputy Tax Assessors and their salaries provided for in the act. This act was not approved by the Quarterly County Court and therefore never became a law.
4. Private Acts of 1961, Chapter 188, provided for every conveyance in writing of real property in Henry County to be first presented to the Tax Assessor for him to make notation of the change on the tax assessment books of the county. The act specifically set out the required procedure and language for the notation and provided for no registration of any conveyance without the required notation. Any registration which failed to bear on its face the proper notation of the County Tax Assessor was declared to be totally void.
5. Private Acts of 1987, Chapter 52, repealed Private Acts of 1961, Chapter 188.

Board of Equalization

The following is an act for Henry County which affected the Board of Equalization, but has been superseded. It is listed here for historical and reference purposes.

1. Private Acts of 1921, Chapter 832, provided for all members of the County Board of Equalization in Henry County to receive \$4 per day for their services.

Taxation

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

1. Private Acts of 1824, Chapter 66, required the collector of the public building tax in Henry County for the year of 1823 and subsequent years to turn the money collected over to the Commissioners in Paris. The Commissioners were authorized to obtain a judgment by motion against the collector and his securities for their failure to comply. The act expressly released the residents of the Counties of Weakley and Obion, from this public building tax in Henry County.
2. Private Acts of 1824, Chapter 128, authorized the Quarterly County Courts of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Madison, Haywood, Tipton and Hardeman Counties to levy a tax not to exceed twelve and one-half cents per \$100 of property valuation to improve the navigation on

the streams of the respective counties.

3. Private Acts of 1826, Chapter 131, made it unlawful for the County Court of Henry County to lay a navigation tax and made it the duty of the Treasurer of the Board of Trustees for the Western District to pay to the Trustee of Henry County all sums of money in his hands which were collected as a navigation tax from Henry County. If the Treasurer refused to refund this money to Henry County, the county could recover upon motion made to do so in Circuit or County Court.
4. Private Acts of 1931, Chapter 223, created the office of Delinquent Poll Tax Collector to be appointed by the County Judge or Chairman, for a two year term. All poll taxes not paid by March 1 of the year following the year the polls were levied were delinquent and would be turned over to the Collector for collection. The list of delinquent polls constituted a judgment against the individual assessed and had the force of execution and could be levied against the delinquent's goods and chattels or collected by garnishment.
5. Private Acts of 1931, Chapter 387, authorized the Quarterly County Court of Henry County to levy and collect an annual tax not exceeding thirty-five cents per \$100 worth of taxable property, to be used for general county purposes.
6. Private Acts of 1931, Chapter 518, amended Private Acts of 1931, Chapter 223, by providing that all poll taxes not paid by March 1 of the year following the year said taxes were due were delinquent. The act also required the Collector to assess for that year any eligible male citizen who had not been assessed the previous year, when this information came to the collector's attention.
7. Private Acts of 1931, Chapter 757, repealed Private Acts of 1931, Chapter 223, as amended, and restored to active status all laws which were repealed by said act.
8. Private Acts of 1935 (Ex. Sess.), Chapter 64, created the office of Delinquent Poll Tax Collector to be elected by the County Court for a one year term. All polls would be considered delinquent on the 1st Monday in July following the year in which the polls were levied and were to be turned over to the Collector for collection. Any person liable for payment of the tax for the previous year, but not assessed was to be assessed for that year. The list of delinquent polls constituted a judgment against the individual assessed and a warrant could be issued which would have the force of execution against the goods, chattels and wages of the delinquent.
9. Private Acts of 1941, Chapter 193, amended Private Acts of 1931, Chapter 387, Section 2, above, by changing the maximum allowable rate levy from thirty-five cents to forty-five cents but added a provision which made the higher rate effective only in the years of 1941 and 1943.
10. Private Acts of 1949, Chapter 67, amended Private Acts of 1931, Chapter 387, increasing the maximum allowable tax rate in Henry County from thirty-five cents to fifty cents and validating the forty-five cent general tax rate levied by the county court for the year 1948.
11. Private Acts of 1961, Chapter 160, amended Private Acts of 1931, Chapter 387, Section 2, as amended above, by changing the maximum allowable tax rate in Henry County from fifty cents to sixty cents.
12. Private Acts of 1983, Chapter 134, as amended by Private Acts of 1985, Chapter 56, established a wheel tax for Henry County. This act was repealed by Private Acts of 2000, Chapter 79.

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