



November 21, 2024

---

# Chapter I - Administration

---

Dear Reader:

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

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

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

Sincerely,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

Table of Contents

<b>Chapter I - Administration .....</b>	<b>. 3</b>
<b>County Legislative Body .....</b>	<b>. 3</b>
<b>Private Acts of 1947 Chapter 37 .....</b>	<b>. 3</b>
<b>County Mayor .....</b>	<b>. 5</b>
<b>Acts of 1907 Chapter 451 .....</b>	<b>. 5</b>
<b>Joint Property .....</b>	<b>. 6</b>
<b>Private Acts of 1935 Chapter 729 .....</b>	<b>. 6</b>
<b>Administration - Historical Notes .....</b>	<b>. 6</b>

# Chapter I - Administration

## County Legislative Body

### Private Acts of 1947 Chapter 37

#### **SECTION 1.**

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

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

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

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

As amended by: Private Acts of 1985, Chapter 2

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

As amended by: Private Acts of 1985, Chapter 2

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

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

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

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

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

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

As amended by: Private Acts of 1985, Chapter 2

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

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

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

As amended by: Private Acts of 1985, Chapter 2

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

As amended by: Private Acts of 1985, Chapter 2

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

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

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

As amended by: Private Acts of 1985, Chapter 2

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

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

As amended by: Private Acts of 1969, Chapter 41

Private Acts of 1985, Chapter 2

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

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

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

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

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

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

As amended by: Private Acts of 1985, Chapter 2

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

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

## County Mayor

### Acts of 1907 Chapter 451

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

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

As amended by: Private Acts of 1915, Chapter 109

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

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

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

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

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

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

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

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

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

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

As amended by: Private Acts of 1945, Chapter 437

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

Passed: April 10, 1907.

## Joint Property

### Private Acts of 1935 Chapter 729

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

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

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

Passed: April 22, 1935.

## Administration - Historical Notes

### **Budget System**

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

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

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

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

### **County Attorney**

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

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

### **County Clerk**

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

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

### **County Legislative Body**

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

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

October.

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



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

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

### **County Trustee**

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

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

### **Purchasing**

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

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

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

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

### **General Reference**

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

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

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

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

meet on the first Monday in each month to transact all business which was previously that of the county court. Magistrates of the county were relieved of all power and authority. The president of the board of county commissioners was to be paid \$125, and the other members were to be paid \$75, annually.

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

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

---

**Source URL:** <https://www.ctas.tennessee.edu/private-acts/chapter-i-administration-90>