



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Crockett

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

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# Crockett



Crockett County Courthouse

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**Updated By:** Elaine Turner, Paralegal, 2007

# Chapter I - Administration

## County Legislative Body

### Private Acts of 1939 Chapter 245

**COMPILER'S NOTE:** This act has been largely if not entirely superseded by general law and the 1978 constitutional amendments.

**SECTION 1.** That, in all counties of this state having a population of not less than 17,350, nor more than 17,365, under the Federal Census of 1930, or any subsequent Federal Census, the County of Crockett in the State of Tennessee falling within this class, in which counties the office of Chairman of the County Court has heretofore been abolished by Chapter 609 of the Private Acts of the General Assembly of the State of Tennessee for the year 1927, be and the same is hereby restored and created. The Quarterly County Court of each and all of said counties is hereby empowered and required, at its next regular session after the passage of this Act, to elect one of its number as Chairman of the said Court, who shall hold his office until the first Monday in January, 1940, at which time said Quarterly County Court shall elect his successor, and annually thereafter as provided by law, to hold said office for a period of one year and/or until his successor is elected and qualified and the Quarterly County Court of such counties is empowered to fix the compensation of said chairman or his successor at the term of the said court as now provided by law in all counties having such office of Chairman of the County Court. The term of the Chairman of the Crockett County Quarterly Court shall be two (2) years from the date of his election. Provided, however, nothing in this Act shall be construed as extending the term of the present Chairman of the Crockett County Quarterly Court. The term of the Chairman pro tem of the Crockett County Quarterly Court shall be two (2) years from the date of his election.

As amended by: Private Acts of 1978, Chapter 264

**SECTION 2.** That R. F. Tanner, now a member of the Quarterly County Court of said county, and a citizen and resident of the said County and having all of the necessary qualifications provided by law for holding said office, be and he is hereby named and appointed to act as and perform the duties as Chairman of the said County Court until the next regular session of the said Court after the passage of this Act, at which time the said Court is empowered and directed to elect a regular Chairman of said Court, who shall serve as such until the first Monday in January, 1940, at which time his successor shall be elected as provided by law applicable to all counties of the state now having the office of Chairman of the County Court of such county. Before he or his successor shall perform the duties of the said office, he shall enter into bond in the sum of One Thousand Dollars, with two good and solvent sureties, and conditioned as required by general law in such cases, and take and subscribe to the oath of office required by law for the Chairman of the County Court as set out in Section 1822 of the Code of 1932, before the Clerk of said Court, which oath and bond are to be approved by said Clerk and filed by him and kept as a part of the records of the said court, and shall do and perform any and all of the acts made necessary by law for the qualification as Chairman of the County Court of the several counties of the state having such office.

**SECTION 3.** That the party hereby appointed to said office as temporary Chairman, and each and all of his successors elected by the Quarterly County Court of such county shall have and they are hereby invested with all the powers, obligations, duties and jurisdiction, of which the Chairman of the said Court of the said County was deprived by Chapter 609 of the said Private Acts of the General Assembly of the State of Tennessee for the year 1927, and any and all powers, rights, duties, and jurisdiction now held and exercised by Chairman of the County Court under existing law in the state of Tennessee, save and except those powers, duties and jurisdiction given and reserved to the Judge of the County Court of Crockett County, Tennessee expressly or by necessary implication, by Chapter 609 of the said Private Acts of 1927, as amended by any and all subsequent and existing acts.

**SECTION 4.** That the purpose of this Act is to recreate and restore to the counties to which it is applicable, the office of Chairman of the County Court and to invest the said Chairman with all the powers, rights, jurisdiction, and duties devolving by general law upon the several Chairmen of the County Courts of the State, save and except those powers, duties, rights, and jurisdiction given by said Chapter 609 of the Private Acts of 1927, to the Judge of the County Court named in said Act, as the same had been and is now amended by subsequent existing acts pertaining to said office, and it is not intended to interfere with the rights, powers, jurisdiction and duties of said County Judge, or the tenure or salary of his office, except to the extent that the same have been limited by said subsequent acts; and it is the further purpose of this Act to have in the counties to which this Act applies, both a County Judge, and a Chairman of the County Court, with distinct and separate duties, powers, rights, and jurisdiction belonging to each,

and not in conflict one with the other.

In the event the chairman of the county court is absent from the county or is incapacitated due to illness or otherwise or in the event of death, the chairman pro tempore, elected by the county court in accordance with the general law, shall succeed to all the powers of the county chairman. Such succession shall last until the chairman has returned to the county or is otherwise able to assume his duty or until his successor is duly elected, in the event of his death. The powers assumed by the chairman by general law or private act and specifically includes the power to draw, without seal, all warrants upon the county treasury.

As amended by: Private Acts of 1977, Chapter 85

**SECTION 5.** That, if any part, clause, phrase, sentence, paragraph, section, or provision of this Act be held by a court of competent jurisdiction to be unconstitutional and invalid that shall not affect the remaining part of the Act, it being hereby declared that the Legislature would have passed this Act, without the said part so held to be invalid.

**SECTION 6.** That all laws and parts of law (sic) 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 14, 1939.

## County Register

### Private Acts of 1955 Chapter 249

**SECTION 1.** That in all Counties having a population of not less than 16,600 nor more than 16,700, according to the Federal Census of 1950 or any subsequent Federal Census, that it shall be the duty of the purchaser or donee of real estate to report the same to the County Trustee, and have the same entered of record in a well bound book by the Trustee, showing the grantor, grantee, the date of the instrument, the civil district and the quantity of the land conveyed. No fee shall be charged for such entry.

**SECTION 2.** That the deed shall not be noted for registration, nor registered by the County Register until this notation is made on the deed by the County Trustee, and the transfer shall not be effective as to creditors of the bargainor or donor.

**SECTION 3.** That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of any county to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

Passed: March 8, 1955.

## County Trustee

### Private Acts of 1955 Chapter 249

**SECTION 1.** That in all Counties having a population of not less than 16,600 nor more than 16,700, according to the Federal Census of 1950 or any subsequent Federal Census, that it shall be the duty of the purchaser or donee of real estate to report the same to the County Trustee, and have the same entered of record in a well bound book by the Trustee, showing the grantor, grantee, the date of the instrument, the civil district and the quantity of the land conveyed. No fee shall be charged for such entry.

**SECTION 2.** That the deed shall not be noted for registration, nor registered by the County Register until this notation is made on the deed by the County Trustee, and the transfer shall not be effective as to creditors of the bargainor or donor.

**SECTION 3.** That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of any county to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

Passed: March 8, 1955.

# Obion and Forked Deer River Flood Control and Drainage Improvements Public Acts of 1959 Chapter 129

WHEREAS, Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, authorized the construction of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries in Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison Counties, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session; and

WHEREAS, The construction of such flood control and drainage improvements at federal expense cannot be undertaken by the Corps of Engineers, United States Army, until a responsible sponsoring agency furnished the United States of America written assurances that it will perform the local cooperation required by law:

**SECTION 1.** That, in consideration of the construction at federal expense by the Corps of Engineers, United States Army, of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries, in the Counties of Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session, as authorized by Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, the State of Tennessee, through its Obion-Forked Deer Basin Authority, be authorized and empowered to defray the cost of the alteration of existing highway bridges in Dyer and Lauderdale Counties required by such improvements, to acquire and furnish without cost to the United States of America all lands, easements, and rights of way required for construction of such improvements, and to maintain all such works after completion; and to execute and furnish to the United States of America written assurances that it will perform the aforesaid acts of local cooperation; and that the State of Tennessee, acting by and through the Governor and the Obion-Forked Deer River Basin Authority, be authorized and empowered to execute and furnish to the United States of America written assurances that it will hold and save the United States of America free from any damages that may result from any special construction, without cost to the Tennessee Game and Fish Commission, by way of continuous spoil banks, culverts, locks and/or other structures under contracts let by the Corps of Engineers, United States Army, along the improved channels of the Obion and Forked Deer Rivers and/or the tributaries thereof over, across or along the boundary of any tract of land owned by or leased to the Tennessee Game and Fish Commission designed to permit the control and/or regulation of the water level on said land in its use as a public hunting area and/or a game refuge or sanctuary.

As amended by: Public Acts of 1963, Chapter 149  
Public Acts of 1974, Chapter 415

**SECTION 2.** That the State of Tennessee, through its Obion-Forked Deer Basin Authority, acting through and in conjunction with the Counties in which such improvements are to be constructed, shall be authorized and empowered to acquire and furnish the lands, easements and rights of way required for such work. To this end, the power of eminent domain is hereby conferred upon the state and the counties in which such improvements shall be constructed for the purpose of acquiring such lands, easements and rights of way as may be deemed necessary for the purposes of this Chapter. The general statutes relating to the acquisition of lands for works of internal improvement shall be applicable both as to the bringing of condemnation actions and the remedies of property owners. The counties in which such improvements are to be made shall be charged with the responsibility of acquiring the necessary lands, easements and rights of way either by gift, purchase or condemnation. The cost of any such lands, easements and rights of way through purchase or condemnation shall be paid by the State of Tennessee. All other expense incident to the cost of acquisition of such lands, easements and rights of way, including title or abstract work, appraisal fees, attorney fees and court costs, shall be borne by the county in which the required lands, easements and rights of way are located. In the event any County fails or refuses to acquire such necessary lands, easements and rights of way, the State, through the Obion-Forked Deer Basin Authority, shall acquire the same, either by purchase, gift or condemnation, and such County shall be liable for and shall reimburse the State for all expenses incurred in the acquisition of such lands, easements and right of way, except the cost or purchase price of the lands, easements and rights of way themselves.

The state shall be primarily liable for the purchase price of such lands as may be needed for such improvements but suits by property owners for any taking without compensation shall be brought against the county, and the state's Obion-Forked Deer River Basin Authority shall reimburse the county for any

final judgment rendered against it. In addition, it shall be the duty of the counties to defend such suits, but the commissioner may defend such suits if the counties fail or refuse to defend them, and the counties shall reimburse the Obion-Forked Deer Basin Authority for all expenses, including attorney's fees, in defending such suits.

As amended by: Public Acts of 1974, Chapter 415

**COMPILER'S NOTE:** The 1974 amendment deleted references to the state department of highways, but the reference to the "commissioner" contained in the second paragraph of Section 2 remains, probably in error.

**SECTION 3.** That drainage and levee districts which presently own any property interests or rights of way required for such improvements are hereby authorized, empowered and directed to transfer and convey such property interests or rights of way to the State of Tennessee for the purposes of this Chapter upon the request of the Obion-Forked Deer Basin Authority.

As amended by: Public Acts of 1974, Chapter 415

**SECTION 4.** That the State of Tennessee through its Obion-Forked Deer Basin Authority be and it is hereby authorized, empowered and directed to maintain all such works upon completion, in which maintenance the Obion-Forked Deer Basin Authority shall use prison labor wherever possible. The Commissioner of the Department of Corrections shall make available prison labor for such purposes and shall furnish such guards and transportation as may be necessary in connection with such maintenance work.

As amended by: Public Acts of 1974, Chapter 415

**SECTION 5.** That the Obion-Forked Deer Basin Authority and the counties affected be and they are hereby authorized to expend their funds for the acquisition of the necessary rights of way for such channel improvement and to properly maintain the completed improvements.

As amended by: Public Acts of 1974, Chapter 415

**SECTION 6.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 11, 1959.

## Administration - Historical Notes

### **Budget System**

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

1. Private Acts of 1937, Chapter 54, created a Budget System for Crockett County. The Act provided for the Budget Committee of Crockett County to complete a plan of all proposed expenditures and all estimated revenues for the County for the ensuing appropriation year. A brief synopsis of the budget would be published in a newspaper of general circulation in Crockett County and after a public hearing had been held on the budget the Budget Committee was required to submit the budget to the Quarterly County Court for adoption of said budget. Any violations of the provisions of this Act would subject the violator to a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500) or imprisonment not to exceed one (1) year or both. This Act was repealed in its entirety by Private Acts of 1937, Chapter 804.
2. Private Acts of 1937, Chapter 804, repealed in its entirety, Private Acts of 1937, Chapter 54, above, which had set up a Budget System for Crockett County.

### **County Clerk**

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

1. Private Acts of 1919, Chapter 290, made women over twenty-one (21) years of age and residents of Crockett County eligible to be appointed as Deputy County Court Clerks, and as such would be vested with all the rights, powers, duties, and obligations granted to any other Deputy County Court Clerk.
2. Private Acts of 1933, Chapter 816, fixed the compensation of the County Court Clerk for Crockett County. The County Court Clerks would receive three thousand dollars (\$3,000) annually and any excess fees received in their offices over the three thousand dollars (\$3,000) were to be turned over to the County Trustee and put into the public treasury for the said County. If the fees received in the County Court Clerk's office were less than three thousand dollars (\$3,000), than the compensation of the County Court Clerk would be only the amount of fees collected by said office.



**County Legislative Body**

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

1. Private Acts of 1929, Chapter 259, required the Justices of the Peace in Crockett County to file reports with the County Court Clerk's office of all lands and real estate situated in their respective civil districts and/or incorporated towns together with a list of the names of all people due to work on the public roads in their district or town and the names of all persons due to pay poll taxes in their district or town. The first list was to be filed in 1929, and every two (2) years thereafter. The compensation to be received by the Justice of the Peace was five (5¢) cents for every parcel of real estate on the list and two (2¢) cents for each name on the list.
2. Private Acts of 1955, Chapter 250, would have set the compensation of the Justices of the Peace in Crockett County at five dollars (\$5.00) per day plus mileage for their attendance at sessions of the Quarterly County Court. This Act was rejected by the Quarterly County Court of Crockett County and never became a law.

**County Mayor**

The references below are of acts which once applied to the office of county judge, or county executive in Crockett 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 1856, Chapter 253, created the office of County Judge for all the counties in the State. The County Judge would be elected by the people for four (4) year terms, commissioned as all other judges in the State and subscribe to an oath of office. The County Judge would preside over the Quarterly County Courts, which were abolished in this Act. All jurisdiction relating to estates and their administration was transferred from the County Courts and conferred upon the County Judge. In addition, the Judge would also be the accounting officer and general agent of the county, and his duties, as such, were enumerated in the Act. This Act was short in duration, being repealed by Acts of 1857-58, Chapter 5, but even so it became a model for many subsequent laws on this subject.
2. Public Acts of 1857-58, Chapter 5, repealed in its entirety, Private Acts of 1856, Chapter 253, above, which had created the office of County Judge.
3. Private Acts of 1927, Chapter 609, created the office of County Judge and abolished the office of Chairman of the Court of Crockett County. The Act set out the qualifications for the position of County Judge and enumerated the Judge's duties as accounting officer and fiscal agent of the County. H. H. Edenton, of the City of Alamo in Crockett County was appointed the first County Judge and would serve in this capacity until September 1, 1928. Edenton's successor would serve six (6) years and the following Judge eight (8) years; and thereafter every eight (8) years a County Judge would be elected. The Judge would preside over the regular meetings of the Quarterly County Court and have the same jurisdiction and power once held by the Chairman of the County Court. This Act was repealed by Private Acts of 1941, Chapter 515.
4. Private Acts of 1933, Chapter 687, amended Private Acts of 1927, Chapter 609, Section 5, above, and authorized the County Judge to employ auditors and accountants, whenever necessary, to audit and check all branches of the financial affairs of the County including all county offices and the Justices of the Peace. Further, the Judge was also authorized to employ a Physician to give medical treatment to the inmates of the Poor House, and the prisoners in the county jail who could not afford a doctor. The Judge was further constituted the Purchasing Agent of the County to acquire supplies and equipment as needed. The expenses incurred hereunder were to be paid by warrant of the County Judge drawn on the county account. This Act was repealed in its entirety by Private Acts of 1937, Chapter 53.
5. Private Acts of 1937, Chapter 53, expressly repealed Private Acts of 1933, Chapter 687, above, and withdrew from the County Judge all the rights, powers, privileges, and duties conferred upon the County Judge in said 1937 Act.
6. Private Acts of 1937, Chapter 60, amended Private Acts of 1927, Chapter 609, above, by striking the sentence abolishing the Chairman of the County Court in Section One; removing the authority conferred upon the County Judge to perform the duties of the County Chairman as set out in Section 4; deleting entirely Sections 5, 6, 8, 9, and 11; terminating and withdrawing all power and authority conferred by the 1927 Act upon the County Judge; withdrawing the powers granted to the County Court in Section 9; and by forbidding the County Judge to issue any warrants for his salary and the County Court to pay him. This Act was expressly and entirely repealed by Private Acts of 1939, Chapter 142.
7. Private Acts of 1937, Chapter 130, restored the office of County Chairman which had previously

been abolished. The County Chairman would be elected every year to a one (1) year term by the Quarterly County Court. The Chairman would do all things as required by law of the County Chairman and would be compensated as the Quarterly County Court decided. The Chairman was given authority to issue warrants on the Trustee to pay obligations of the County. This Act was expressly repealed by Private Acts of 1939, Chapter 140.

8. Private Acts of 1937, Chapter 131, expressly repealed Private Acts of 1927, Chapter 609, above, and abolished the office of County Judge. Also, all the powers, duties, compensation of said office were withdrawn. This Act was specifically repealed by Private Acts of 1939, Chapter 141.
9. Private Acts of 1937, Chapter 203, amended Private Acts of 1937, Chapter 130, above, and required the Chairman of the County Court to make bond in the amount of one thousand dollars (\$1,000) and to subscribe to an oath of office. This Act was repealed by Private Acts of 1939, Chapter 143.
10. Private Acts of 1937, Chapter 441, amended Private Acts of 1927, Chapter 609, above, by deleting those parts granting to the County Judge the duties and responsibilities of the County Chairman found in Sections 1 and 4, of the 1927 Act and by deleting all of Section 5, a part of Section 6, all of Section 8, part of Section 9, and all of Section 11 of the 1927 Act. The only powers remaining for the County Judge were those named in Section 6 of the 1927 Act which involved jurisdiction and power over all testamentary and administrative matters. This Act was expressly repealed by Private Acts of 1939, Chapter 144.
11. Private Acts of 1939, Chapter 140, repealed Private Acts of 1937, Chapter 130, above, which had restored in Crockett County the office of County Chairman.
12. Private Acts of 1939, Chapter 141, repealed entirely Private Acts of 1937, Chapter 131, above, which had abolished the office of County Judge which office had been created under Private Acts of 1927, Chapter 609.
13. Private Acts of 1939, Chapter 142, repealed Private Acts of 1937, Chapter 60, above, which purported to amend Private Acts of 1927, Chapter 609, which had created the office of County Judge and abolished the office of Chairman of the County Court.
14. Private Acts of 1939, Chapter 143, expressly and entirely repealed Private Acts of 1937, Chapter 203, above, which had amended Private Acts of 1937, Chapter 130, which act had restored in Crockett County the office of Chairman of the County Court.
15. Private Acts of 1939, Chapter 144, repealed Private Acts of 1937, Chapter 441, above, which had amended Private Acts of 1927, Chapter 609, in the respect of leaving some powers with the County Judge in certain matters.
16. Private Acts of 1939, Chapter 246, amended Private Acts of 1927, Chapter 609, above, and deleted all of the passages of said amended Act which abolished the office of County Chairman. The purpose of this amending Act was to restrict the powers and jurisdiction of the County Judge of Crockett County to matters of which he was given jurisdiction expressly or by necessary implication by Private Acts of 1927, Chapter 609. It appears this 1939 Act envisioned a County Judge and Chairman for the County Court for Crockett County.
17. Private Acts of 1941, Chapter 515, again repealed Private Acts of 1927, Chapter 609, which had created the office of County Judge and abolished the office of Chairman of the County Court. This Act was to take effect at the conclusion of the term of the then County Judge, namely at midnight on August 31, 1942.
18. Private Acts of 1974, Chapter 295, would have set the term of the Chairman of the Quarterly County Court of Crockett County at two (2) years from the date of his election and would apply first to the person so selected at the January term in 1975. This Act was rejected at the local level of government and never became law.
19. Private Acts of 1977, Chapter 85 amended Private Acts of 1939, Chapter 246 the purpose of the 1977 act was to clarify the duties of the chairman pro tempore of the county court. The 1939 act, however, had been abolished in 1941. Thus the 1974 act should have never been operative. It was, however, properly ratified and approved in accordance with its provisions on May 20, 1977.

### **County Register**

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

1. Private Acts of 1933, Chapter 814, established the salary of the Register of Crockett County at two thousand five hundred dollars (\$2,500) annually. If the fees received in the Register's office exceeded the amount of the stated salary, the excess would be paid into the county treasury; if

the fees were less than the stated annual salary, then that lesser figure would be the salary of the Register for that particular year.

### **County Trustee**

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

1. Private Acts of 1933, Chapter 815, set the annual salary of the County Trustee in Crockett County at three thousand dollars (\$3,000). If the fees received in the office of the County Trustee exceeded the amount of the stated annual salary, the Act required the excess to be paid over to the county treasury; if the fees received, were less than the stated annual salary, then the amount of the fees collected in the office would be the salary for that particular year.

### **Obion and Forked Deer River - Flood Control and Drainage Improvements**

The following acts, which were not codified, once affected flood control and drainage improvements in the Obion and Forked Deer River basin, and are included herein for historical purposes.

1. Public Acts of 1972, Chapter 807, added a new section to Public Acts of 1959, Chapter 129, providing the department of agriculture with concurrent authority and responsibility for maintenance of completed channel improvements for the Obion and Forked Deer Rivers. This act was repealed twice, first by Public Acts of 1973, Chapter 38, and again when the 1973 act was repealed by Public Acts of 1974, Chapter 415.
2. Public Acts of 1973, Chapter 38, amended Public Acts of 1959, Chapter 129, and Public Acts of 1963, Chapter 149, to transfer the authority and responsibility for the flood control and drainage improvements for the Obion and Forked Deer Rivers from the department of highways and public works to the department of agriculture. This act was repealed by Public Acts of 1974, Chapter 415.

### **Purchasing**

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

1. Private Acts of 1927, Chapter 783, authorized Crockett County to pay banks, persons, firms and corporations six percent (6%) interest on county warrants, county school warrants, county highway or road warrants from the date of issuance to the date of payment, the face value having already been paid from the proceeds of a prior bond issue. The Quarterly County Court was required to levy a sufficient tax on all taxable property in Crockett County to raise funds to pay the said interest. This bill also validated a County Court resolution which authorized the same type of payment.
2. Private Acts of 1933, Chapter 37, removed the disability of minority from Mrs. Dixie O. Hicks, of Crockett County, and conferred upon her all the rights and privileges of an adult, including the right to execute a deed of conveyance of real property and to bind herself as an adult on all her contracts.
3. Private Acts of 1935, Chapter 434, removed the disability of minority from Frances Cole of the town of Friendship, in Crockett County, and conferred upon her all the rights, privileges, and obligations of an adult.
4. Private Acts of 1937, Chapter 806, created a purchasing commission for Crockett County, this act was repealed by Private Acts of 1995, Chapter 45.
5. Private Acts of 1943, Chapter 145, authorized Crockett County to invest all or part of the County's sinking fund in bonds of the United States. Said bonds were required, on their face, to provide for redemption at not less than face value at a time not in excess of twelve (12) months from the date of issue.
6. Private Acts of 1984, Chapter 220, attempted to direct the Crockett County Election Commission to place on the ballot at the regular election in August, 1984, a question to the voters concerning their desire for Crockett County to expend approximately one hundred fifty thousand dollars (\$150,000) for the funding of a solid waste disposal program, which would cost the residents of the county a rate increase of approximately four cents (4¢) annually on each one hundred dollars (\$100) worth of taxable property in the County. This Act was not approved by the appropriate authorities and never became a law.

## Chapter II - Animals and Fish

# Foxes and Frogs

## Private Acts of 1951 Chapter 623

**SECTION 1.** That hereafter in Crockett County it shall be lawful for any person, at any time of the year, to kill or take by any method red foxes or bull frogs.

As amended by: Private Acts of 1953, Chapter 134

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

Passed: March 15, 1951.

## 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 Crockett 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, prohibited in several counties, Crockett inclusive, the taking or catching of fish with seines, nets, traps, gigs, or by means other than by angling with hook and line and trot line, from the waters of any running streams in the State. Any owner of the land, covering or adjoining the waters where a violation occurs, may have an action against the violator. The provisions of this Act were not applicable to navigable streams in the State below the point of navigation. Also, the portion of Crockett County formerly belonging to Dyer County was exempt from the provisions of the Act.
2. Private Acts of 1897, Chapter 154, amended Public Acts of 1895, Chapter 127, which was a statewide law to protect fish. Private Acts of 1897, Chapter 154, allowed the citizens of Crockett County to fish in any streams, lakes, or ponds in said County by hook and line, fall down traps, fish basket, and seine.
3. Private Acts of 1897, Chapter 181, made it a misdemeanor for any person to hunt or fish on the enclosed lands of another which lay in Gibson or Crockett counties, without first obtaining the written permission of the owner or his agent. The said lands were not required to be posted for the Act to be applicable. Any violator, upon conviction, would be subject to a fine of not less than one dollar (\$1.00), nor more than five dollars (\$5.00).
4. Private Acts of 1897, Chapter 240, provided that any resident of Hardin, Gibson, Crockett, Tipton, Fayette, Franklin, Grundy, and Marion counties, could catch fish, except from April 1st to June 1st, of each year, by any means except poison, dynamite, or wing nets across any stream.
5. Private Acts of 1897, Chapter 250, made it unlawful for any person, firm, or corporation, at any season of the year, to ship from Carroll, Obion, Madison, and Crockett counties any quail or partridges. Further, it was unlawful, to kill, catch, or entrap any quail or partridges for the purpose of shipment, or to destroy the nest or eggs of quail. Any violator, upon conviction, was subject to a fine of not less than ten dollars (\$10.00), nor more than fifty dollars (\$50.00) and imprisonment at the Judge's discretion.
6. Acts of 1903, Chapter 124, declared it unlawful for any owner of hogs, sheep, goats, or geese to allow them to run at large in Crockett County. Any damage done by said animals would constitute a lien upon the trespassing animals in favor of the aggrieved landowner. Also, one damaged by the said trespassing animals could take up, care for and feed such animals, the expense of which would also be a lien. Any violation of this Act was a misdemeanor, subject to not less than a two dollar (\$2.00), nor more than a ten dollar (\$10.00) fine. This Act was not to be construed as relieving railroads of any liability for damage done to stock or geese.
7. Acts of 1903, Chapter 128, made it unlawful to kill or capture any bird in Obion and Crockett counties, except birds of prey, eagles, owls, hawks, and English sparrows, for a period of two (2) years following the passage of the Act. Fines for this misdemeanor, upon conviction, ranged from one dollar (\$1.00) to ten dollars (\$10.00) for each bird killed or captured. The money received from the fines would go into the county school fund.
8. Acts of 1903, Chapter 211, stated that in addition to the fences declared by statute to be lawful fences, four-wire, four plank, four rail or slat fences were also lawful in Crockett County. The Act set specifics of the particular type of fences.

9. Private Acts of 1913, Chapter 153, declared it unlawful for the owner of, or person in charge of, horses, mules, cattle, goats, sheep, swine and geese to willfully, knowingly, or negligently permit said animals to run at large in Crockett County. Any damage done by said animals would constitute a lien upon the trespassing animals in favor of the aggrieved landowner. Also, one damaged by the trespassing animals(s) could take up, care for and feed such animals(s), the expense of which would also be a lien in favor of the aggrieved landowner. Any violator of this Act, upon conviction, was subject to a fine of not less than five dollars (\$5.00), nor more than twenty-five dollars (\$25.00).
10. Private Acts of 1915, Chapter 288, made it illegal to net, trap, shoot, or, in any way, kill or capture quail or partridges, pheasants, field larks, or other insect destroying birds in Crockett County for a period of five (5) years after the passage of the Act. Violators of this Act were subject to a fine of not less than five dollars (\$5.00), nor more than twenty-five dollars (\$25.00).
11. Private Acts of 1917, Chapter 73, amended Private Acts of 1915, Chapter 288, above, by removing quails and partridges from the provisions of the 1915 Act which had prohibited the killing or capturing of certain animals for five (5) years after the passage of the 1915 Act. This amending Act set up an open season on quail and partridges from November 15th to January 1st of each year. Violators were subject to a fine of not less than five dollars (\$5.00), nor more than twenty-five (\$25.00).
12. Private Acts of 1921, Chapter 725, amended Public Acts of 1919, Chapter 61, which was a statewide dog law regulating the owners, as to their keeping and harboring of dogs, by exempting several counties, including Crockett, from its operation.
13. Private Acts of 1927, Chapter 327, declared it unlawful for any person, firm, or corporation, to take, trap, catch, hunt, or kill any wild animals by any means in Crockett County, with the exception that rabbits could be killed, bought, sold, or transported from November 25th to February 1st. Any resident of Crockett County could chase, capture, and kill wild animals at night with dogs from November 1st through February 1st, and any male resident of the County under sixteen (16) years of age could trap animals with one legal device between the same dates. A landowner could kill any wild animal any time when said animals became a menace to his crops or poultry. Violators, upon conviction, were subject to a fine of not less than twenty-five dollars (\$25.00), nor more than fifty dollars (\$50.00).
14. Private Acts of 1937, Chapter 440, authorized the State Board of Veterinary Examiners to issue to J. W. Climer, of Friendship, Tennessee, who had practiced veterinary surgery for eight (8) years, a license authorizing him to practice veterinary surgery in Crockett and surrounding counties. The Board, at their discretion, could require proof of the good moral character of J. W. Climer.
15. Private Acts of 1937, Chapter 587, authorized the State Board of Veterinary Examiners to issue to R. T. Nanning, of Friendship, Tennessee, who had practiced veterinary surgery for eight (8) years, a license authorizing him to practice veterinary surgery in Crockett and surrounding counties. The Board, at their discretion, could require proof of the good moral character of R. T. Nanning.
16. Private Acts of 1937, Chapter 733, permitted any resident of Crockett County to fish in said County with hook and line and natural bait without being required to procure a license to do so.
17. Private Acts of 1953, Chapter 134, amended Private Acts of 1951, Chapter 623, removed rabbits from the list of animals that are lawful to kill by any means and at any time of the year.

## Chapter III - Bond Issues

### Sinking Fund Investment

#### Private Acts of 1943 Chapter 145

**SECTION 1.** That Crockett County, acting through resolution duly adopted by a majority vote of its Quarterly County Court at any regular or specially called meeting, is hereby authorized and empowered to invest all or any part of its sinking funds now on hand and to accrue in bonds of the United States, provided, however, that no investment thereof shall be made except in such bonds as upon their face provide for redemption at not less than face value thereof at a time not in excess of twelve months from the date of issue.

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

Passed: January 21, 1943.

## Bond Issues - Historical Notes

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

### **Debts**

1. Private Acts of 1897, Chapter 167, permitted the Quarterly County Court of Crockett County to issue twenty-thousand dollars (\$20,000) in bonds, at an annual interest rate not to exceed six (6%) percent with a maturity period not to exceed twenty (20) years. The proceeds from the bonds were to fund the County's outstanding debts. A Funding Board composed of three (3) citizens, one of whom would be the County Chairman, and all of whom would give bonds in the amount of eight thousand dollars (\$8,000) would call in the debts as the County Court would direct, issue the bonds and pay them subject to the limits previously expressed. The details of the issue were prescribed in the Act, as well as, a tax levy for the sinking fund out of which the bonds would be paid.
2. Private Acts of 1913, Chapter 236, authorized the Quarterly County Court of Crockett County to issue and sell thirty thousand dollars (\$30,000) in coupon bonds bearing interest of five (5%) percent, payable semi-annually and a maturity date of twenty (20) years from date of issue. The proceeds from the bonds would be used to pay off the outstanding indebtedness of the County. The Act authorized a tax levy to create a sinking fund out of which the bonds, both principal and interest, would be paid.
3. Private Acts of 1921, Chapter 759, authorized the Quarterly County Court of Crockett County to issue and sell fifty thousand dollars (\$50,000) in coupon bonds, bearing interest of five (5%) percent, payable semi-annually and paid according to a maturity schedule itemized in the Act. The proceeds from the bonds would be used to pay the outstanding debts of the County, except those debts covered by previous bond issues. The Act authorized a tax levy in order to create a sinking fund out of which the bonds would be paid off and retired.
4. Private Acts of 1925, Chapter 813, permitted, subject to the outcome of a successful referendum, the Quarterly County Court to issue negotiable interest bearing coupon notes to pay off all the outstanding debts of the County evidenced by warrants. The notes could not bear interest annually exceeding six (6%) percent, nor have a maturity date beyond twenty (20) years. A special tax would be levied on all the taxable property in the County to provide a sufficient fund out of which to pay the principal and interest of any notes issued under the authority of this Act.
5. Private Acts of 1931, Chapter 754, authorized the Quarterly County Court to issue interest bearing warrants or notes to pay current expenses and any floating indebtedness of the County which was fixed, unfixed or undetermined. The amount of the notes would be left to the discretion of the Court, but could not exceed the restriction set out in the Act and could not bear interest in excess of six (6%) percent or mature in excess of ten (10) years from the date of issuance. The Act authorized the Quarterly County Court to levy a special tax on all taxable property in the County for the purpose of paying off the notes.
6. Private Acts of 1933, Chapter 284, authorized Crockett County through its County Judge to issue interest bearing coupon bonds in an amount not to exceed two hundred thousand dollars (\$200,000). The proceeds from the sell of the bonds were to be used for refunding, redeeming or paying off certain outstanding bonds previously issued by the County. The interest on the bonds was not to exceed six (6%) percent annually and the bonds were to mature within twenty (20) years from the date of issuance. The County Court was authorized to levy an annual tax to provide a source for paying the interest on the bonds and for retirement of the bonds.
7. Private Acts of 1935, Chapter 33, validated the prior action of the Quarterly County Court in their issuance of thirty-five thousand dollars (\$35,000) in Funding Bonds, bearing a rate of interest of six (6%) percent and a maturity date of twenty (20) years from the date of issuance. The indebtedness which was funded by these bonds was also validated and declared to be the general obligation of the County as was an annual tax levy on all taxable property in Crockett County to pay off the bonds at maturity.
8. Private Acts of 1937, Chapter 125, authorized the Quarterly County Court to issue fifty thousand dollars (\$50,000) in four (4%) percent, sixteen (16) year bonds, payable semi-annually, to fund a like amount of debts which would be certified to the Judge by the Audit and Finance Committee of

Crockett County. The bond form and the coupon form for interest were both incorporated into the Act. The Quarterly County Court was authorized to levy a tax on all taxable property in the County to pay the interest on the bonds and to create a sinking fund to use to retire the bonds at maturity.

9. Private Acts of 1937, Chapter 886, permitted the Quarterly County Court to issue fifty thousand dollars (\$50,000) bearing interest at six (6%) percent annually and a maturity schedule as determined by the said Court for the payment of any outstanding debts represented by warrants, bills, or notes. The Act authorized the Quarterly County Court to levy an annual tax on all taxable property in Crockett County sufficient to pay the interest and principal on said bonds as they became due.
10. Private Acts of 1941, Chapter 314, validated all the preceding actions of the Quarterly County Court of Crockett County with reference to a Resolution dated February 3, 1941 which issued one hundred twenty-five thousand dollars (\$125,000) in refunding bonds. To facilitate the issuance of the refunding bonds, the prior debts which were to be refunded by the issue were declared to be the legal, binding, and general obligations of the County and the necessary officials were authorized and empowered to do that which was necessary to effectuate the sale and delivery of the bonds mentioned. An annual tax was to be levied on all taxable property in Crockett County sufficient to pay the interest and principal on the bonds when due.

### **Home For The Aged**

1. Private Acts of 1961, Chapter 230, authorized the Quarterly County Court to issue bonds in the amount of seventy-five thousand dollars (\$75,000) bearing a rate of five (5%) percent interest annually and not to mature beyond twenty (20) years from date of issuance. The proceeds from the sell of the bonds were to be used to acquire a site and to construct a Home for the Aged. The Act authorized a special tax to be levied on all taxable property in Crockett County sufficient to pay the principal and interest on the bonds when due.

### **Jail**

1. Private Acts of 1949, Chapter 482, authorized the Quarterly County Court of Crockett County to issue and sell one hundred thousand dollars (\$100,000) in bonds which bore a four (4%) percent annual interest rate. The proceeds from the sale of the bonds would be used to purchase, build, repair, or construct buildings for the County Jail or the County Poor House and Farm. A tax levy of twenty cents (20¢) on each one hundred dollars (\$100) worth of taxable property in the County was authorized for the purpose of providing funds for paying the interest and principal on said bonds when due. All the foregoing was contingent upon the successful outcome of a county wide election on the question of issuing these bonds.
2. Private Acts of 1959, Chapter 148, authorized the Quarterly County Court of Crockett County to issue interest bearing notes or bonds in an amount not to exceed thirty thousand dollars (\$30,000) with an annual interest rate of five (5%) percent and a maturity date not to exceed five (5) years from the date of issuance. The purpose of this bond issue was to acquire a site for and/or to construct a county jail. The Act authorized a tax levy on all taxable property in the County sufficient to pay the interest and principal on said bonds when due.

### **Memorial**

1. Private Acts of 1945, Chapter 189, permitted the Quarterly County Court of Crockett County to appropriate four thousand five hundred dollars (\$4,500) from the general county fund to erect, construct, and inscribe a suitable memorial to Crockett County citizens who gave their lives in the two (2) World Wars. The Court could levy a tax for the purpose of creating such a fund and use other funds donated, bequeathed or devised, for the same purpose. A committee of five (5), who would have certain mandatory qualifications, would be appointed to select the location and the inscription of the memorial, and to supervise the details of cost and construction of the memorial.

### **Roads**

1. Private Acts of 1927, Chapter 797, allowed the Quarterly County Court to issue, subject to a referendum, two hundred fifty thousand dollars (\$250,000) in bonds bearing an annual interest rate of six (6%) percent and a maturity date not to exceed thirty (30) years from the date of issuance. The bonds issued would be used to construct hard surfaced roads in Crockett County in connection with the State Highway Department. The Quarterly County Court was authorized to levy a special tax on all taxable property in the county sufficient to pay the interest on the bonds and to create a sinking fund out of which to retire the bonds.
2. Private Acts of 1929, Chapter 307, authorized the Quarterly County Court of Crockett County, subject to a successful referendum, to issue negotiable interest bearing bonds in an amount not to

- exceed seven hundred fifty thousand dollars (\$750,000) for the purpose of providing funds for the construction, maintenance and repair of certain hard surfaced roads and bridges within the County. The bonds would bear a five and one-half (5½%) percent interest rate and mature in not to exceed forty (40) years. A road commission composed of six (6) members was created for the purpose of carrying out the provisions of the Act. For service in carrying out the provisions of the Act the Road Commissioners would be paid five dollars (\$5.00) per day. An agenda of roads to receive the benefit of the funds was set out in the bill, along with express authority for the Road Commissioners to employ an engineer, solicit bids, award contracts and to institute condemnation proceedings when necessary. The Act specifically stated that more than one (1) election on the question of the issuance of the bonds could be held. This Act was expressly repealed by Private Acts of 1931, Chapter 406.
3. Private Acts of 1931, Chapter 406, repealed in its entirety Private Acts of 1929, Chapter 307, above, which had authorized the issuance of bonds in the amount of seven hundred fifty thousand dollars (\$750,000) for the construction and maintenance of hard surfaced roads and bridges in Crockett County and had created a Road Commission to supervise the funds received from the bond issue.
  4. Private Acts of 1939, Chapter 402, authorized the Quarterly County Court of Crockett County, subject to a referendum, to issue one hundred thousand dollars (\$100,000) in bonds for the purpose of building, grading, macadamizing, repairing, and improving the public road system of Crockett County. The funds received from the sell of the bonds were to be divided with the cities in the proportion that their population bore to the population of the whole County. The Crockett County special Hard Road Commission was created by the Act to administer the proceeds of the bonds and to carry out the purposes of the Act. The Quarterly County Court was authorized to levy an annual tax on all taxable property in the county, sufficient to pay the principal and interest on the bonds when due.
  5. Private Acts of 1945, Chapter 521, authorized, subject to a referendum, the Quarterly County Court of Crockett County to issue three hundred fifty thousand dollars (\$350,000) in bonds to maintain and repair the existing roads in Crockett County and to maintain and repair those roads later built in said county. The bonds to be issued would bear an annual interest rate not to exceed three and one-half (3½%) percent and to mature not more than twenty (20) years from the date of issuance. The bond and coupon forms were incorporated into the bill. The County would be divided into five (5) road districts. The Hard Road Commission would be composed of a member from each road district. The members would be paid four dollars (\$4.00) daily and the Chairman and Secretary six dollars (\$6.00) daily, not to exceed ten (10) days in one (1) month. The commission could employ an engineer, solicit bids, award contracts, and institute condemnation proceedings as they deemed necessary. An annual tax would be levied on all taxable property in the County to pay off the principal and interest on the bonds. This Act was repealed by Private Acts of 1949, Chapter 329.
  6. Private Acts of 1947, Chapter 481, authorized the Quarterly County Court of Crockett County, subject to a successful referendum, to issue bonds in an amount not to exceed two hundred thousand dollars (\$200,000), to construct, maintain, repair, and improve present or future roads and highways in Crockett County, by use of rock hard surface or otherwise. The bonds were to bear an annual interest rate not to exceed three (3%) percent and no maturity schedule was specified in the Act. The County Court was authorized to levy an annual tax of thirty-five cents (35¢) on each one hundred dollars (\$100) worth of taxable property in the County to pay the interest and principal on the bonds when due. This Act was repealed by Private Acts of 1949, Chapter 328.
  7. Private Acts of 1949, Chapter 328, repealed Private Acts of 1947, Chapter 481, above, and directed that all funds received from the bond issue of the repealed Act be deposited by the Trustee of Crockett County to the credit of the County Road Commission for Crockett County, who would then dispense the bonds in the same way as the regular road money is dispensed. The Commission would also make contracts with the State Department of Highways regarding Secondary Federal Aid Roads.
  8. Private Acts of 1949, Chapter 329, expressly repealed Private Acts of 1945, Chapter 521, above, and abolished the Hard Road Commission created under said Act. The repeal of the 1945 Act did not affect the validity of the bonds issued under that Act and said issue continued to be a binding obligation of the County under the repealing Act. In order to pay the interest on the said bonds the Quarterly County Court was authorized, under this repealing Act, to levy a tax on all taxable property in the County and to create a sinking fund for the payment of the principal at maturity. All road equipment and any remaining funds under the control of the Hard Road Commission were



to be turned over to the County Road Commission to be used and expended by said Commission in the building and maintaining of the public roads in Crockett County.

9. Private Acts of 1957, Chapter 41, permitted the Quarterly County Court to issue one hundred fifty thousand dollars (\$150,000) in general obligation bonds to make general improvements to roads in Crockett County and to purchase gravel for road bases where the State agreed in writing to put black top paving on such roads. The bonds were to bear annual interest of four (4%) percent and were to mature in not to exceed five (5) years from date of issue. All details for the bond issue, the tax levy, and a provision for a "General Improvement Account," were all contained in the Act.
10. Private Acts of 1959, Chapter 67, authorized the Quarterly County Court to issue one hundred thousand dollars (\$100,000) in general obligation bonds, which would be placed in a special account and paid out by the Trustee on warrants from the County Judge, or Chairman, to buy gravel to build up the bases of roads which the State had agreed to pave with black topping. The bonds were to bear interest not to exceed four (4%) percent annually and to mature not beyond five (5) years from date of issuance. The County Court was authorized to levy a tax on all taxable property in the county, sufficient to pay the principal and interest on the bonds when due.
11. Private Acts of 1959, Chapter 293, authorized the Quarterly County Court of Crockett County, to issue thirty thousand dollars (\$30,000) in general obligation bonds. The proceeds of the bonds were to be used for the purchase of highway equipment. The bonds would bear an annual interest rate not to exceed five (5%) percent and were not to mature beyond five (5) years from date of issuance. The Act authorized a tax levy on all taxable property in the County to pay the interest and principal on the bonds when due.
12. Private Acts of 1961, Chapter 275, authorized the Quarterly County Court to issue bonds or make short term notes, as they should decide, in an amount not to exceed sixty-five thousand dollars (\$65,000) for the purpose of purchasing gravel for the base of county roads where the State agreed to blacktop such roads. A tax could be levied by the Quarterly County Court on all taxable property in the County, sufficient to create a fund out of which to pay the principal and interest on said notes or bonds as they mature.
13. Private Acts of 1963, Chapter 180, attempted to amend Private Acts of 1959, Chapter 67, above, by deleting the phrase "in writing" as it appeared in Section 1, of the 1959 Act applicable to the State's agreement to put blacktop paving on roads which would have a gravel base. Further, the 1959 Act would have been amended by raising the amount of the bonds authorized to be issued to one hundred twenty-five thousand dollars (\$125,000), and increasing the interest rate to five (5%) percent. This Act was not approved at the local level and never became a law.

### **Schools**

1. Private Acts of 1929, Chapter 305, was the authority for the County Court to issue bonds in the amount of one hundred thousand dollars (\$100,000), the proceeds of which would be used to retire and pay off the debts of several towns in the County which were incurred for school purposes. Further, the funds would be used for constructing new schools, and for making additions to or repairing existing schools. The bonds would bear interest not to exceed five (5%) percent annually and not mature beyond twenty (20) years. The proceeds of the bonds would be allocated to eight (8) cities in the amount set out in a table in the Act and would be sold by a committee composed of two (2) people to be selected by the County Court and the Secretary of the School Board. The Act authorized a tax levy on all the taxable property in the County sufficient to create a fund to pay off the principal and interest on the bonds.
2. Private Acts of 1929, Chapter 855, validated, confirmed, and legalized all the actions taken by the Quarterly County Court of Crockett County in connection with the issuance of one hundred thousand dollars (\$100,000) in school bonds referred to in Private Acts of 1929, Chapter 305, above. Said bonds were declared to be the valid and binding obligations of the County and required a tax levy be instituted sufficient to pay off the principal and interest on the bonds when due.
3. Private Acts of 1937, Chapter 887, authorized the Board of Directors of the Gadsden Special School District in Crockett County, subject to a successful referendum in said special school district, to issue and sell bonds in an amount not to exceed three thousand dollars (\$3,000). The proceeds from the sale of the bonds would be used for the purpose of repairing, enlarging and/or building new school buildings in said special school district. The bonds would bear interest at an annual rate not to exceed six (6%) percent and no maturity schedule was set out in the Act. A tax would be levied on all taxable property in the school district for the purpose of creating a fund out of which to pay the principal and interest on said bonds when due.
4. Private Acts of 1980, Chapter 226, authorized the Crockett Mills High School District in Crockett

County, subject to a referendum in said special school district, to issue and sell bonds in an amount not to exceed one million four hundred thousand dollars (\$1,400,000) for the purpose of constructing, improving, and equipping school buildings in said school district and for acquiring property to accomplish said purpose. The bonds would bear interest at a rate not to exceed ten (10%) percent annually and mature not beyond thirty (30) years from date of issuance. The Act authorized a tax levy of three dollars and ninety-five cents (\$3.95) on every one hundred dollars (\$100) worth of taxable property in the school district to create a fund out of which the interest on the bonds would be paid and the bonds paid and retired at maturity. This Act was repealed by Private Acts of 1981, Chapter 38.

5. Private Acts of 1981, Chapter 38, repealed in its entirety, Private Acts of 1980, Chapter 226, cited above, which had authorized the Crockett Mills Special School District to issue school bonds in the amount of one million four hundred thousand dollars (\$1,400,000).

## Chapter IV - Boundaries

### Creation of the County

#### Acts of 1845-46 Chapter 25

**SECTION 1.** That a new county be, and the same is hereby established, to be composed of fractions taken from the counties of Haywood, Madison, Gibson and Dyer, to be known and designated by the name of Crockett county, in honor of, and to perpetuate the memory of David Crockett, one of Tennessee's distinguished sons.

**SECTION 2.** That the county of Crockett shall be bounded as follows, to wit: -- beginning at the mouth of the little North Fork of Forked Deer river, runs thence south 41 deg. west, crossing the road leading from Jackson to Dyersburg at 7 miles and 20 poles, and at a point ten and a half miles from said Dyersburg by way of said road, and crossing the road leading from said Dyersburg to Chestnut Bluff, at eleven miles and thirty poles, eleven and a half miles from Dyersburg, in all twelve miles to the South Fork of Forked Deer river, two and a half miles below the Chestnut Bluff turnpike bridge, by river measurement; thence up the South Fork of Forked Deer river, with the various courses thereof, fifty-one miles to a point one hundred and sixty poles above mile mark No. 22, and at a point twenty-one and a half miles below Jackson by the river measurement; thence north 41 degrees east, crossing the road leading from Jackson to Cherryville at the twelve mile post from Jackson, and crossing the Dyersburg road twenty poles west of the twelve mile post, in all ten and a half miles to the Middle Fork of Forked Deer river; thence down the same with the various courses thereof of to the beginning.

**SECTION 3.** That for the purpose of organizing the county of Crockett, Isaac M. Johnson, David Whitaker, Joel Nunn, Willis L. Rives, Kinchen Hathaway, Isaac H. Mason, Alfred T. Fielder and Noah Perry shall be, and they are hereby appointed commissioners on the part of the several fractions in which they reside, who shall, before entering on the discharge of their duties, take an oath before some justice of the peace, faithfully and impartially to discharge all the duties incumbent on them in this act, and in all cases of vacancies that may occur among said commissioners previous to the organization of the county court of said county of Crockett, the same shall be filled by the other commissioners, and all vacancies occurring after the organization of such courts, the vacancies so occurring shall be filled by said court of said county of Crockett. The said commissioners shall enter into bond with good security, to be approved by the county court of Crockett, and payable to the chairman thereof, in the sum of five thousand dollars, conditioned for the faithful performance of their duties. A majority of said commissioners shall constitute a board competent to do all things herein enjoined on them--they shall keep a regular record of all their proceedings as commissioners, which shall be returned to the county court of Crockett, at its first session, and the same shall be recorded by the clerk thereof, on the records of said court; and they shall make such returns, after the organization of said court, as shall be directed thereby.

**SECTION 4.** That it shall be the duty of said commissioners, first giving ten days notice in one public place or more, of the time and places, to open and hold an election in one place or more, in each of the fractions proposed to be stricken off, from the counties of Haywood, Madison, Gibson and Dyer, on the 15th day of March next, in order to ascertain whether a majority of the voters residing in said fractions are in favor of or opposed to the formation of the said county of Crockett, and all persons qualified to vote for members of the General Assembly, residing in said fraction, shall be entitled to vote in said election, and each voter who is in favor of the formation of the new county shall have on his ticket "new county," and each voter opposed to the formation of said county of Crockett shall have on his ticket "old county:" and

if, after counting the votes cast in said election, it shall appear that there are a majority of the legal voters in said fractions in favor of the new county, then, and in that case, the county of Crockett shall be, and is hereby declared a county with all the powers, privileges and advantages, and subject to all the liabilities and duties with other counties in the State.

**SECTION 5.** If, from any cause, said election should not be held in said fractions, as required in the foregoing section, on the day set apart for such election, or should there be any fraudulent influence used in said election, it shall be lawful, at the option of said commissioners, to give notice again and hold said election as intended on the previous day, and said commissioners shall have full power to make all necessary investigation, and prevent any improper influence in the second election.

**SECTION 6.** For the due administration of justice, the different courts to be holden for said county of Crockett shall be held at the house of Isaac M. Johnson, until the seat of justice of said county, shall be located. The county courts shall, in the intermediate time, have full power to adjourn the courts to such other place in said county as they may deem better suited for the holding of the same and for public convenience, and to adjourn to the seat of justice when in their judgments the necessary arrangements are made; and all writs and other process issuing from any of said courts, returnable to either place, shall and may be returnable to the place where said courts may have been removed by the county courts aforesaid; and the courts for the county of Crockett shall be under the same rules, regulations and restrictions--shall have, hold, exercise, and possess the same powers and jurisdiction as prescribed by law for holding courts in other counties. Said county shall be attached to the tenth judicial circuit, and the circuit courts shall be held by the judge of said circuit, on the last Mondays of January, May and September, in each and every year, and the citizens of said county may file bills in chancery, in either of the chancery courts held at Trenton or Brownsville, at their option.

**SECTION 7.** That all officers, civil or military, now holding offices in said county, shall continue to hold their offices and exercise all the powers and functions thereof, until others are elected according to law, and the courts of Crockett shall, at their first regular session, elect their officers for the unexpired portion of the year 1846; and ever after that their elections shall be made on the same day and in the same manner as in other counties of the State: Provided, that nothing in this act contained shall deprive the counties from which the fractions have been taken, from having, exercising and holding jurisdiction over the county of Crockett and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers takes place according to law: Provided, also, nothing herein contained shall prevent the above named counties from entering up judgments, or the sheriffs of said counties from selling under such judgments, any lands within the bounds of said county of Crockett, for taxes, costs and charges, until the county of Crockett is organized.

**SECTION 8.** That the commissioners appointed by this act, shall appoint such person as they may think proper to open and hold the election for county officers for the said county of Crockett, and such person so appointed shall have power to appoint deputies, clerks and judges, and by himself and deputies to administer all the necessary oaths, and do and perform all other duties now made the duty of sheriffs, or other officers holding similar elections; and it shall be the duty of such persons so appointed, together with his deputies to open and hold an election for county officers, on the first Saturday in April, 1846; which election shall be held in each civil district in said county, and the officers so elected shall hold their offices until the next regular election for county officers in other counties in the State.

**SECTION 9.** That the citizens of Crockett county, in all elections for Governor, members of the General Assembly, representatives in Congress, and electors for President and Vice President, shall vote with the counties from which they have been respectively stricken off until the next apportionment, agreeably to the provisions of the 5th section of the 11th article of the Constitution.

**SECTION 10.** That it shall be the duty of the above mentioned commissioners, as soon as convenient after the organization of said county of Crockett, to select and procure by purchase or otherwise, a suitable site for the seat of justice of said county of Crockett, having a due regard for the convenience and wishes of a majority of the legal voters of said county of Crockett; and the said commissioners, having caused a deed to be made to them and their successors in office with general warranty, for a sufficient quantity of land including the site so selected, shall cause a town to be laid off thereon, with such number of streets and allies, and of such width as they may deem necessary, reserving a sufficient quantity of land for a public square. Said commissioners shall select and reserve from sale one lot, on which to erect a public jail of said county of Crockett, and said town, so soon as laid off, shall receive such name as the above mentioned commissioners may give it: Provided, that said commissioners shall nominate not exceeding two sites for said seat of justice, which places, shall, in no event, be further from the centre of said county than three miles, which places shall be voted for by the legal voters of said county of Crockett, and the site receiving the greatest number of votes shall be, and is hereby declared, the seat of justice of said county.

**SECTION 11.** That the commissioners of said county shall sell the lots in said town on a credit of twelve months, first giving due notice thereof, in the public journals, and shall take bond with good and sufficient security from the purchaser or purchasers of said lots, payable to themselves and their successors in office, and shall make title in fee simple, as commissioners, to the respective purchasers of said lots when the same are paid for.

**SECTION 12.** That the proceeds of the sales of the lots in said town, shall be a fund in the hands of said commissioners, with which to defray the necessary expenses incurred in the purchase of said tract of land on which to erect said town; as well as the necessary expenses incurred in erecting the public buildings of said town, and should there be a surplus after defraying the above mentioned expenses, it shall be the duty of said commissioners to pay over the same to the Trustee of said county, to be accounted for by him as other funds in his hands. And it shall be the further duty of said commissioners to superintend the erection of such public buildings, as the county court of said county may direct to be built, and shall let the same out, and shall take bond from the undertakers with ample security, payable to them-selves and their successors, conditioned for the faithful performance of his or their contracts.

**SECTION 13.** That said commissioners shall have power, and it shall be their duty to appoint five suitable and qualified individuals to divide said county into civil districts, and designate the places for holding elections in said districts, and perform all the duties relative thereunto which by the laws of the State such commissioners are required to do.

**SECTION 14.** That the county of Crockett shall form one regiment, which shall be known and designated as the 132d regiment, and shall be attached to the 19th brigade. The militia officer or officers highest in command, included in said county of Crockett, shall at such time and place as he or they may designate, call all the commissioned officers together, and such of them as shall attend are hereby authorized and empowered to lay off said county into battalions and companies, and provide for holding elections for the purpose of electing all officers in said regiment in the manner prescribed by law.

**SECTION 15.** That in case the boundary lines of Crockett county, as above described, approach nearer the county seat of any of the old counties than is provided for in the constitution, then and in that case, it shall be the duty of said commissioners to appoint some surveyor to re-run and re-mark said boundary line of said county of Crockett, so as not to violate the con-stitutional right of said old county, and said surveyor shall make a report to the county court of Crockett, which report shall be recorded by the clerk of said court, and such line so run shall be the established line of said county.

**SECTION 16.** That the commissioners of Crockett county be and they are hereby authorized to exercise all the powers conferred in this act, and such further powers as may be necessary, and proper to the complete organization of said county.

**SECTION 17.** That in case said county of Crockett, is re-surveyed in accordance with the 15th section of this act, is shall contain at least three hundred and fifty square miles.

**SECTION 18.** That an Academy is hereby established at the county seat of said new county of Crockett, with all the rights and emoluments of other county Academies of the State, and the county court shall appoint Trustees, as in other counties, and shall name the same.

**SECTION 19.** That this act shall not take effect before the 14th March, 1846.

Passed: December 20, 1845.

## Acts of 1851-52 Chapter 195

**SECTION 1.** That a new county be, and the same is hereby established, to be composed of fractions taken from the counties of Dyer, Gibson, Madison, and Haywood, to be known and designated as the county of Crockett.

**SECTION 2.** That the bounds of Crockett county shall be as follows, to wit: Beginning at the mouth of the Little North Fork of the Forked Deer river; running thence south forty-one degrees west, so as not to run nearer than ten miles to the town of Dyersburg, in the county of Dyer, to the South Fork of the Forked Deer river; thence up said river with the various courses thereof to a point on said river, ten miles in a direct line from the town of Jackson, in Madison county; running thence in a northerly direction to the Middle Fork of the Forked Deer river, at the point where the line, established by the act of 1845, chapter 25, terminated on said river; thence down said Middle Fork, with the various courses thereof, to the beginning. Provided, That the commissioners, hereinafter named, shall have the power to re-run the eastern and western boundary lines of said county of Crockett, in such direction as they may deem necessary and proper. And provided further, That said lines shall not approach nearer than ten miles to the county seats of Madison or Dyer County.

**SECTION 3.** That Alfred T. Fielder, Isaac A. Nunn, William Smith, James Porter, John B. Boykin, Kinchen Hathaway, Henry G. Winburn, and P. M. Neall, be, and they are hereby appointed commissioners on the part of the several fractions in which they reside, who shall before entering on the discharge of their duties, take an oath before some justice of the peace, faithfully and impartially to discharge all the duties incumbent on them in this act; and in all cases of vacancies which may occur among said commissioners previous to the organization of the county of Crockett, the same shall be filled by the other commissioners; and all vacancies occurring after the organization of the county cou (sic) shall be filled by said county court of Crockett. The said commissioners shall enter into bond with good and sufficient security, to be approved by the county court of Crockett, in the sum of five thousand dollars, conditioned, for the faithful performance of their duties. A majority of said commissioners shall constitute a board competent to do all things herein enjoined on them; they shall keep a regular record of all their proceedings as commissioners, which shall be returned to the county court of Crockett at its first session, and the same shall be recorded by the clerk thereof on the records of said court; and they shall make such returns, after the organization of said court, as shall be directed thereby.

**SECTION 4.** That for the due administration of justice, the different courts, to be holden for said county of Crockett, shall be held at Cageville until the seat of justice of said county shall be established, and when said seat of justice shall be established, and the necessary buildings erected for the accommodation of the courts, the said courts shall, forever thereafter, be holden at the said seat of justice. The courts for the county of Crockett shall be under the same rules, regulations and restrictions, and shall have, hold, exercise and possess the same powers and jurisdictions as prescribed by law for holding courts in other counties. Said county of Crockett shall be attached to the tenth judicial circuit, and the circuit courts shall be held by the judge of said circuit, on the last Mondays in January, May and September, in each and every year. And the citizens of said county may file bills in chancery in either of the chancery courts held at Trenton or Brownsville, at their option.

**SECTION 5.** That all officers, civil or military, now holding offices in said county, shall continue to hold their offices, and exercise all the powers and functions thereof, until others are elected according to law; and the courts of Crockett shall, at their first regular session, elect their officers, who shall hold their office until the next regular election of officers, to be made by existing laws.

**SECTION 6.** That the commissioners appointed by this act, shall appoint such person as they may think proper to open and hold the election for county officers for the said county of Crockett, and such person so appointed, shall have power to appoint deputies, clerks and judges, and by himself and deputies to administer all the necessary oaths, and do and perform all other duties, now made the duty of sheriffs or other officers holding similar elections; and it shall be the duty of such person, so appointed, together with his deputies, to open and hold an election in each civil district of said Crockett county, at such time as said person may appoint, within sixty days after this act shall be in force and take effect, for the purpose of electing the county officers of said county, and the officers so elected shall hold their offices until the next regular election for officers in the other counties of the State.

**SECTION 7.** That it shall be the duty of the above mentioned commissioners as soon as convenient, after the organization of said county of Crockett, to select and procure, by purchase or otherwise, a suitable site for the seat of justice of said county of Crockett, having a due regard for the convenience and wishes of a majority of the legal voters of said county of Crockett; and the said commissioners having caused a deed to be made to them and their successors in office, with general warranty, for a sufficient quantity of land, including the site so selected, shall cause a town to be laid off thereon, with such number of streets and alleys of such width as they may deem necessary, reserving a sufficient quantity of land for a public square. Said commissioners shall select and reserve from sale one lot on which to erect a public jail of said county of Crockett, and said town, so laid off, shall receive such name as the above mentioned commissioners may give it. Provided, That said commissioners shall nominate not exceeding two sites for said seat of justice, which places shall in no event be further than three miles from the centre of said county of Crockett, which places shall be voted for by the legal voters of said county of Crockett, and the site receiving the greatest number of votes shall be, and is hereby declared the seat of justice of said county.

**SECTION 8.** That the commissioners of said county shall sell the lots in said town on a credit of one and two years, first giving due notice thereof in one or more newspapers printed in the Western District, and take bonds with good and sufficient security from the purchaser or purchasers, payable to themselves and their successors in office, and shall make title in fee simple, as commissioners, to the respective purchasers of said lots, when the same shall be paid for.

**SECTION 9.** That the proceeds of the sale of the lots in said town, shall be a fund in the hands of the said commissioners, with which to defray the necessary expenses incurred in the purchase of said tract of land on which to erect said town, as well as the necessary expenses incurred in erecting the public buildings of said town; and should there be a surplus, after defraying the above mentioned expenses, it

shall be the duty of said commissioners to pay over the same to the trustee of said county, to be accounted for by him as other funds in his hands. And it shall be the further duty of said commissioners to superintend the erection of such public buildings as the county court of said county may direct to be built, and shall let the same out, and shall take bond from the undertakers, with ample security, payable to them-selves and their successors, conditioned for the faithful performance of his or their contract.

**SECTION 10.** That it shall be the duty of said commissioners to appoint five suitable and qualified individuals to divide said county into civil districts, and designate the places for holding elections in said districts, and perform all the duties relative thereunto, which by the laws of this State such commissioners are required to do.

**SECTION 11.** That the county of Crockett shall form one regiment, which shall be known and designated as the 132nd regiment, and shall be attached to the 19th brigade. The militia officer or officers highest in command, included in said county of Crockett, shall, at such time and places as he or they may designate, call all the commissioned officers together, and such of them as shall attend, are hereby authorized and empowered to lay off said county into battalions and companies, and provide for holding elections for the purpose of electing all officers in said regiment, in the manner prescribed by law.

**SECTION 12.** That the said commissioners of Crockett county, be, and they are hereby authorized to exercise all the powers conferred in this act, and such further powers as may be necessary and proper for the complete organization of said county.

**SECTION 13.** That an academy is hereby established at the county seat of said county of Crockett, with all the rights and emoluments of other county academies of the State, and the county court shall appoint trustees therefor, as in other counties, and shall name the same.

**SECTION 14.** That this act shall take effect and be in force so soon as the proposed amendments of the constitution for the establishment of new counties shall have been adopted.

**COMPILER'S NOTE:** Sections 15 and 16 of this Act do not concern Crockett County.

Passed: February 24, 1851.

## Public Acts of 1865-66 (Ex. Sess.) Chapter 19

**COMPILER'S NOTE:** Section One concerned Wayne County.

**SECTION 2.** That a new county be, and the same is hereby, established, to be composed of fractions taken from the counties of Haywood, Madison, Gibson and Dyer, to be known and designated by the name of "Crockett County," in honor of and to perpetuate the memory of David Crockett, one of Tennessee's distinguished sons.

**SECTION 3.** That the said county of Crockett shall be bounded as follows, to-wit:

Beginning at two walnut trees, a hickory and Spanish oak, on the edge of a bottom, and on the east side of the middle fork of Forked Deer River, bearing N.W. 18°, 32', 33", 12.01 miles from Jackson. Thence runs S.W. 73½° 7-10 of a mile, to a poplar and maple; thence S.W. 68 ¾°, 122 P. to the river; thence the same course S.W. 198 P., to a small maple; thence S.W. 64°, 320 P., to a black oak bush, near to and on the south side of William Daffee's fence; thence S.W. 59¼°, 320 P. to a hickory; thence S.W. 54½°, 320 P. to post oak and black oak; thence S.W. 49 ¾°, 98 P. to the road that leads from Dyersburg to Jackson; thence on S.W. 222 P. to a black oak; thence S.W. 45°, 320 P. to a hickory; thence S.W. 40½°, 320 P. to a black-gum; thence S.W. 35½°, 320 P. to a beech and gum; thence S.W. 30 ¾°, 320 P. to two poplars; thence S.W. 26°, 88 P. to the road leading from Cherryville to Jackson; thence on S.W. 232 P. to an ash and elm; thence S.W. 21¼°, 320 P. to a sassafras and small holly, near the bank of the south fork of Forked Deer River; thence on across said river S.W. 16½°, 216 P. to a small hickory, at the edge of the highlands, bearing N.W. 7°, 18', 27", from Jackson 12 miles, 1/3 of a pole; thence N.W. 73 ¾°, 2 miles and 48 poles to two black oaks, near Chipman's fence, bearing N.E. 60°, 22', 30", 12.01 miles from Brownsville. Thence N.W. 32°, 320 P. to an elm; thence N.W. 36 ¾°, 320 P. to a white oak, standing on the bank of the south fork of said river; thence N.W. 41½°, 320 P. to a stake in Thomasfield; thence N.W. 46¼°, 320 P. to a black oak; thence N.W. 51°, 320 P. to a forked poplar; thence N.W. 55 ¾°, 320 P. to two poplars, near E. J. Road's plantation; thence N.W. 60½°, 320 P. to two small hickories; thence N.W. 65¼°, 320 P. to a stake in Esq. Fife's field; thence N.W. 70°, 320 P. to a peach tree in Randle Johnson's field; thence N.W. 74 ¾°, 320 P. to a white oak; thence N.W. 79½°, 320 P. to a sassafras and pointers; thence N.W. 84¼°, 320 P. to a dogwood; thence N.W. 89°, 320 P. to an elm and gum near White's fence; thence S.W. 86¼°, 320 P. to a maple, beyond the river; thence S.W. 81½°, 320 P. to two Tupelo gums; thence S.W. 76 ¾°, to a small white oak; thence S.W. 72°, 320 P. to a maple; thence S.W. 67½°, 120 P. to a small poplar at the edge of the high grounds; thence along the edge of the highland N.W. 35½°,

340 P. to a small elm; thence N.E. 6°, 240 P. to a maple; thence N.W. 35°, 569 3-25 of a pole to a sweet-gum; thence N.W. 55°, 90 P. to an elm; thence N.E. 16°, 518 P. to an elm; thence N.E. 40°, 176 7-25 P. to a stake; thence N.E. 8¼°, 1201 1-5 poles to the south fork of said river; thence down said river with the meanderings of the same 21 miles, to a stake on the N.E. bank of said river; thence N.E. 41°, to a stake on south bank of the north fork of the Forked Deer River; thence up the said river, with the meanderings thereof, to the mouth of the Little North Fork of the Forked Deer River; thence N.E. 85¼°, 2 miles and 182 10- 25 P. to a point bearing 79° N.W., 12.01 miles from Trenton. Thence S.W. 8°, 320 P.; thence S.W. 3¼°, 320 P.; thence S.E. ½°, 320 poles; thence S.E. 6¼°, 320 P.; thence S.E. 11°, 320 poles; thence S.E. 15 ¾°, 320 poles; thence S.E. 20½°, 320 poles, thence S.E. 25¼°, 320 poles; thence S.E. 30°, 320 poles; thence S.E. 34 ¾°, 320 poles; thence S.E. 39½°, 320 poles; thence S.E. 44¼°, 320 poles; thence S.E. 49°, 320 poles; thence S.E. 53 ¾°, 320 poles; thence S.E. 58½°, 320 poles; thence S.E. 63¼°, 320 poles; thence S.E. 68°, 320 poles; thence S.E. 72 ¾°, 320 poles; thence S.E. 77½°, 320 poles; thence S.E. 82¼°, 320 poles; thence S.E. 87°, 320 poles; thence N.E. 88¼°, 320 poles; thence N.E. 83½°, 320 poles, to a point bearing S.E. 8°, 52', 30", 12 miles from Trenton; thence S.E. 34°, 633 3-5 poles to the beginning, containing by estimation three hundred and fifty square miles.

**SECTION 4.** That for the purpose of organizing the county of "Crockett," William A. Johnson, John L. Poston, H. R. Hall, Alfred Connelly, William Emmerson, William J. McFarland, William Poston and William Scales shall be, and they are hereby, appointed Commissioners on the part of the several fractions in which they reside, who shall, before entering upon the duties herein specified, take an oath before some Justice of the Peace, faithfully to discharge all the duties incumbent on them in this Act; and in all cases of vacancies which may occur among said Commissioners previous to the organization of the county court of said county of "Crockett," the same shall be filled by other Commissioners, and all vacancies occurring after the organization of such court, the vacancies so occurring shall be filled by the said county court. A majority of said Commissioners shall constitute a Board competent to do all things herein enjoined on them. They shall keep a regular record of all their proceedings as Commissioners, which shall be returned to the county court of said county of "Crockett" at its first session and the same shall be recorded by the clerk thereof on the records of said court, and they shall make such returns after the organization of said court as shall be directed thereby.

**SECTION 5.** That the county site of said county of "Crockett" shall be established and located at such place as the Commissioners may select, where suitable lots upon which to erect public buildings shall have been donated for that purpose. In making such selection said Commissioners shall have a due regard to the convenience of a majority of the citizens of said county. The different courts for said county shall be held at such place in said town as said Commissioners may designate until a Court-house shall have been erected; and all writs and other process issuing from such courts shall be returnable to said place, and the courts for the said county of "Crockett" shall be under the same rules, regulations and restrictions, shall have, hold, exercise and possess the same powers and jurisdiction as prescribed by law for holding courts in other counties. Said county shall be attached to the 16th Judicial Circuit, and the circuit court shall be held by the Judge of said circuit on the second Mondays of January, May and September, in each and every year, and the said county shall be attached to the 6th Chancery District, and the chancery courts for said county shall be held twice in each year, on the first Monday of February and August.

**SECTION 6.** That all officers, civil and military, now holding office in said county, shall continue to hold their offices and exercise all powers and functions thereof until others are elected, as hereinafter provided. Provided, that nothing in this Act contained shall deprive the counties from which the fractions have been taken from having, exercising and holding jurisdiction over the county of "Crockett," and the citizens thereof in as full and as ample a manner as they now have, until the election of county officers takes place as hereinafter provided. Provided, further, that nothing herein contained shall prevent the above named counties from entering up judgments or the Sheriffs of said counties from selling under said judgments, any lands within the bounds of said county of "Crockett" for taxes, costs and charges until the county of "Crockett" is fully organized.

**SECTION 7.** That the Commissioners appointed by this Act shall appoint such persons as they may think proper to open and hold the election for county officers for the said county of "Crockett," and such persons so appointed, shall have power to appoint deputies, clerks and judges, and by himself and deputies to administer all the necessary oaths, and do and perform all other duties now made the duty of other sheriffs, or officers holding similar elections, and it shall be the duty of such person so appointed together with his deputies to open and hold an election for county officers at such time as may be designated by the Commissioners, which election shall be held in each civil district in said county; and the officers so elected shall hold their offices until the next regular election for county officers in the other counties of the State.

**SECTION 8.** That the citizens of "Crockett" county in all elections for Governor, Members of the General Assembly, Representatives in Congress and Electors for President and Vice President, shall vote with the

counties from which they have been respectively stricken off until the next apportionment, agreeably to the provisions of the fifth section of the tenth Article of the Constitution.

**SECTION 9.** That said Commissioners shall have power, and it shall be their duty, to appoint five suitable and well qualified individuals to divide said county in civil districts and designate the places for holding elections in said districts, and perform all the duties relative thereunto, which by the laws of the State such Commissioners are required to do.

**SECTION 10.** That the Commissioners of "Crockett" county be, and they are hereby authorized to exercise all the powers conferred in this Act and such further powers as may be necessary and proper for the complete organization of said county.

**SECTION 11.** That an Academy is hereby established in the said town of Cageville, or at the county seat of the said county of "Crockett," with all the rights and emoluments of other county Academies of the State, and the county court shall appoint Trustees as in other counties, and shall name the same.

**SECTION 12.** That all laws in conflict with this Act be, and the same are hereby repealed.

Passed: January 25, 1866.

**COMPILER'S NOTE:** The remaining six (6) Sections of this Act did not concern Crockett County and are therefore omitted.

## Public Acts of 1869-70 (Ex. Sess.) Chapter 89

**SECTION 1.** That a new county be, and the same is hereby established, to be composed of fractions taken from the counties of Haywood, Madison, Gibson and Dyer, to be known, and designated, by the name of Crockett County, in honor of, and to perpetuate the memory of David Crockett, one of Tennessee distinguished sons.

**SECTION 2.** That the County of Crockett shall be bounded as follows, to wit: Beginning at a stake at the edge of low-water mark, in the middle fork of Forked-deer River, at a point eleven miles from Dyersburg, the county seat of Dyer county, above, and in an easterly direction of said Dyersburg; running thence in a southwest direction, so as not to approach said Dyersburg nearer than eleven miles, in the south fork of the Forkeddeer River; thence upon said river with its various courses, to a point in said river eleven miles from Brownsville, the county seat of Haywood; thence, leaving said river, running in a southeasterly direction on a line, so as not to approach said county seat of Haywood County nearer than eleven miles, till the same again strikes the said south fork of Forked-deer River, at a point eleven miles from Brownsville; thence up said river, with its various courses, to a point 160 poles above mile mark No. 22, and at a point twenty-one and one-half miles below Jackson--by river measurement; thence north, 41 degrees east, crossing the road leading from Jackson to Bell's Station, on the Memphis and Ohio Railroad, at the 12 mile post from Jackson, and crossing the Jackson and Dyersburg road 20 poles west of the 12 mile post, to a stake in the said middle fork of the Forked-deer river; thence down the same, with its various courses thereof, to a point in said river eleven miles from Trenton, the county seat or (sic) Gibson county; thence, leaving said river, in southwesterly direction in a line, so as not to approach nearer than eleven miles to the said county seat of Gibson County, till the same again strikes the said middle fork of Forked-deer River; thence down said river, with the various courses thereof, to the beginning.

**SECTION 3.** That for the purpose or organizing the County of Crockett, that A. B. Howlett, James Emerson, David Whitacre, A. T. Fielder, G. W. Bettes, John Lyon, J. C. Thorp, and T. F. Conly, shall be, and they are hereby appointed Commissioners on the part of the several fractions in which they reside, who shall, before entering on the discharge of their duties, take an oath before some Justice of the Peace, faithfully and impartially to discharge all the duties incumbent on them in this Act, and in all cases of vacancies that may occur among said Commissioners, previous to the organization of the County Court of said County of Crockett, the same shall be filled by the other Commissioners, and all vacancies occurring after the organization of such Court, the vacancies so occurring shall be filled by said Court of the County of Crockett. The said Commissioners shall enter into such bond and security as may be required by the said County Court of Crockett, made payable to the Chairman thereof, conditioned for the faithful performance of their duties, as required by this Act. A majority of said Commissioners shall constitute a board competent to do all things herein enjoined on them. They shall keep a regular record of all of their proceedings as Commissioners, which shall be returned to the County Court of Crockett, at its first session, and the same shall be recorded by the Clerk thereof, on the records of said Court, and they shall make such returns, after the organization of said Court, as shall be directed thereby.

**SECTION 4.** That it shall be the duty of said Commissioners, first giving ten days notice, in one public place or more, of the time and place to open and hold an election, in one place or more in each of the



fractions proposed to be stricken off from the Counties of Haywood, Madison, Gibson and Dyer, on the 16th day of July next, in order to ascertain whether two-thirds of the voters residing in each of the said fractions, are in favor of, or opposed to the formation of the said new county of Crockett, and all persons qualified to vote for members of the General Assembly, residing in said fractions, shall be entitled to vote in said election, and each voter who is in favor of the formation of the new county, shall have on his ticket "new county;" and each voter opposed to the formation of said County of Crockett, shall have on his ticket "old county;" and if, after counting the votes cast in said election, it shall appear that there are two-thirds of the legal votes cast in each of said fractions in favor of the new county, then and in that case, the county of Crockett shall be, and is hereby declared a county, with all the powers, privileges, and advantages, and subject to all the liabilities and duties with other counties in the State

**SECTION 5.** That if from any cause said election should not be held in said fractions as required in the foregoing sections, on the day set apart for said election, or should there be any fraudulent influences used in said election, it shall be lawful, at the option of said Commissioners, to give notice again, and hold said election another time, or oftener, at their option, as intended on the first election day, and the said Commissioners shall have full power to make all necessary investigations, and prevent any improper influences on any succeeding election.

**SECTION 6.** That for the due administration of justice, the different Courts to be holden for said County of Crockett, shall be held in the town of Cageville, until the seat of justice shall be located, and all writs and other process, issuing from any of said Courts, returnable to that place, shall be legal, and the Courts for the County of Crockett shall be under the same rules, regulations and restrictions; shall have, exercise and possess, the same powers and jurisdiction as prescribed by law for holding Courts in other counties. Said county shall be attached to the Thirteenth Judicial Circuit, and the Circuit Courts shall be held by the Judge of said circuit, on the second Mondays of April, August and December, in each and every year, and shall be attached to the Eleventh Chancery District; and the Chancery Court shall be held on the fourth Mondays of May and November, in each and every year.

**SECTION 7.** That all officers, civil or military, now holding office in said county, shall continue to hold their offices and exercise all the powers and functions thereof until others are elected and qualified according to this Act; Provided, that nothing in this Act contained, shall deprive the counties from which the fractions have been taken, from having, exercising and holding jurisdiction over the County of Crockett, and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers takes place, according to this Act; Provided, also, that nothing herein contained shall prevent the above named counties from entering up judgments, or the Sheriffs of said counties from selling, under such judgments, any lands within the bounds of said County of Crockett, for taxes, cost and charges, until the County of Crockett is organized. That the Commissioners, their successors or agents, shall be authorized and empowered to so change, alter or modify lines fixed in this Act, as not to infringe upon the constitutional limits of the counties of Madison, Gibson (sic) and Dyer; provided that this section shall not be construed to invalidate any past act or acts of the Commissioners in conformity with this act to establish the County of Crockett.

As amended by: Private Acts of 1870-71, Chapter 26

**SECTION 8.** That said Commissioners shall have power, and it shall be their duty to appoint five suitable and qualified individuals, to divide said county into not less than twelve civil districts, designating the boundaries and places for holding elections in said districts, and perform all the duties relative thereto, which, by the laws of the State, such Commissioners are required to do. It shall be the further duty of said Commissioners to appoint some suitable surveyor, to survey and plainly mark the boundary lines of said County of Crockett, as described in this Act, and said surveyor shall make a report to the first County Court of Crockett County, which report shall be recorded by the Clerk of said court, and such lines, so run and marked, shall be the established lines of said county.

**SECTION 9.** That the Commissioners appointed by this Act, shall appoint such persons as they may think proper, to open and hold the elections for county officers, for the said county of Crockett, and such persons, so appointed, shall have power to appoint Deputies, Clerks and Judges, and by himself and deputies to administer all the necessary oaths and do and perform all other duties now made the duty of Commissioners of Registration, or Sheriffs or other officers holding similar elections, and it shall be the duty of such persons so appointed, together with his deputies, to open and hold an election for county officers on the first Thursday in August, 1870, which election shall be held in each civil district in said county, and the officers so elected, shall hold their offices until the next regular election for the different officers so elected, takes place in other counties in the State.

**SECTION 10.** That the citizens of Crockett County, in all elections for Governor, members of the General Assembly, Representatives in Congress, and Electors for President and Vice President, shall vote with the counties from which they have been respectively stricken off, until the next apportionment, agreeably to the provisions of the fifth section of the tenth article of the amended constitution.

**SECTION 11.** That it shall be the duty of the above named Commissioners, so soon as convenient, after the full and complete organization of the said County of Crockett, to select and establish a suitable location for the seat of justice of the said county of Crockett, having a due regard for health and and (sic) convenience of a majority of the citizens of said county, and the site so established shall be known and designated by the same (sic) of "Alamo," to perpetuate the name of the place where David Crockett fell, fighting for the liberties of Texas; Provided, however, the said Commissioners may, at their option, put in nomination three places, neither of which shall be more than three miles from the supposed or probable center of said County of Crockett, which places shall be voted for by the legal voters of said county, and the site nominated, receiving the largest number of votes, shall be, and is hereby declared to be the seat of justice of the said County of Crockett: Provided further, That if said Commissioners should think there was fraud, or any other unfair means used in said election, they may, at their option, set aside such election, and submit the question a second time to the qualified voters of said county, which election shall be final.

**SECTION 12.** That is shall be the further duty of said Commissioners to superintend the erection of such public buildings as the County Court of said county may direct to be built; and shall let the same out, and take bonds, with ample security, payable to themselves and their successors in office, conditioned for the faithful performance of his or their contract; and the proceeds of the sales of all donations of lands, town-lots, or other gifts, that may be made in consideration of the location of the seat of justice, for said County of Crockett or otherwise, shall be a fund in their hands, to pay the necessary expenses in organizing said county, and paying for the erection of the public buildings ordered to be built by the County Court; and should any surplus remain in their hands, it shall be their duty to pay over the same to the Trustee of said county, to be accounted for by him as other funds in his hands.

**SECTION 13.** That the said Commissioners of Crockett County be, and they are hereby authorized to exercise all the powers conferred in this Act, and such other powers as may be necessary and proper to a complete organization of said County of Crockett. The fractions composing said County of Crockett, shall be liable for their pro rata of the debts contracted and owing by the counties from which they are taken, and shall also receive their proportion of any stocks or credits belonging to said counties.

**SECTION 14.** That this Act take effect, the public welfare requiring it, from and after its passage.

Passed: June 29, 1870.

## Public Acts of 1871 (Ex. Sess.) Chapter 132

**SECTION 1.** That a new county be, and the same is hereby established, to be composed of fractions taken from the counties of Haywood, Madison, Gibson and Dyer, to be known and designated by the name of Crockett County, in honor of and to perpetuate the memory of David Crockett, one of Tennessee's distinguished sons.

**SECTION 2.** That the County of Crockett shall be bounded as follows, to wit: Beginning at a stake at the edge of low water mark of the middle fork of Forked Deer River, with three birch and three small cypress pointers marked C C L, which stake is situated south 82°, east eleven miles and one chain from Dyersburg, the county site of said Dyer County; running thence south 12°, west 55 chains; thence south 18°, west 80 chains; thence south 23°, west 80 chains; thence south 28°, west 80 chains; thence south 33½°, west 80 chains; thence south 38 ¾°, west 90 chains; thence south 44¼°, west 80 chains; thence south 49½°, west 80 chains; thence south 54 ¾°, west 80 chains; thence south 60°, west 80 chains; thence south 65¼°, west 80 chains; thence south 69½°, west 80 chains; thence south 74½°, west 67 chains to a stake in the south fork of Forked Deer River; thence up said river with the main channel thereof to a point in said river 11 miles and one chain from the town of Brownsville, the county site of Haywood county; thence leaving said river so as not to approach the said town of Brownsville nearer than 11 miles, as follows to wit: running north 89°, 50', east 54 chains; thence south 85°, 10', east 80 chains; thence south 80°, east 80 chains; thence south 74 ¾°, east 80 chains; thence south 69 1/3°, east 80 chains; thence south 64°, east 80 chains; thence south 58 ¾°, east 80 chains; thence south 53½°, east 80 chains; thence south 48¼°, east 80 chains; thence south 43°, 10', east 77 chains to a stake in said south fork of Forked Deer River 11 miles from the said town of Brownsville; thence up said river with the main channel thereof to a stake with a gum, poplar and beech pointers, the beech marked C C L, April 13, 1871; thence north 41°, east by a line known as the McLemore line 836 chains to a stake in the middle fork of the Forked Deer River, about 8 chains above the crossing of said river by the Mobile and Ohio Railroad; thence down said river with its main channel to a stake in said river 11 miles and one chain from Trenton, the county site of Gibson county, with sweet gum, maple and holly pointers, marked C C L; thence leaving said river so as not to approach the town of Trenton nearer than 11 miles, as follows, to wit: north 88 ¾°, west 8 chains; thence north 83½°, west 80 chains; thence north 78 1/3°, west 80

chains; thence north  $72\frac{1}{2}^{\circ}$ , west 80 chains; thence north  $67\frac{1}{2}^{\circ}$ , west 80 chains; thence north  $62\frac{1}{2}^{\circ}$ , west 80 chains; thence north  $56\frac{3}{4}^{\circ}$ , west 22 chains to a stake in said middle fork of Forked Deer River; thence down said river with its main channel to a stake 11 miles and one chain from Trenton, the county site of said Gibson county; thence leaving said river so as not to approach nearer than 11 miles of Trenton, as follows, to wit: running north  $23^{\circ}$ , west 20 chains; thence north  $18^{\circ}$ , west 80 chains; thence north  $12\frac{1}{2}^{\circ}$ , west 80 chains; thence north  $177^{\circ}$ , west 80 chains; thence north  $1\frac{1}{2}^{\circ}$ , west 40 chains to a stake at low water mark in said river, with a forked water oak pointer, marked C C L, 11 miles and one chain from the said town of Trenton; thence down the main channel of said river to the beginning, as surveyed and marked by Gen. William Connor, of Lauderdale county, Tennessee.

**SECTION 3.** That for the purpose of organizing the County of Crockett, that William N. Beasley, John F. Sinclair, J. Frank Robertson, David James, Asa Dean, F. J. Wood, Dr. T. J. Hicks and J. E. Pearson shall be, and are hereby appointed Commissioners on the part of the several fractions in which they reside, who shall, before entering on the discharge of their duties, take an oath before some Justice of the Peace faithfully and impartially to discharge all the duties incumbent upon them in this act, and in all cases of vacancies that may occur among said Commissioners previous to the organization of the County Court of said county of Crockett, the same shall be filled by the Commissioners, and all vacancies occurring after the organization of such Court, the vacancies so occurring shall be filled by said Court of the County of Crockett. The said Commissioners shall enter into such bond and security as may be required by the said County Court of Crockett, made payable to the chairman thereof, conditioned for the faithful performance of their duty as required by this Act. A majority of said Commissioners shall constitute a Board competent to do all things herein enjoined on them. They shall keep a regular record of all their proceedings as Commissioners, which shall be returned to the County Court of Crockett at its first session, and the same shall be recorded by the Clerk thereof on the records of said Court, and they shall make such returns after the organization of said Court as shall be directed thereby.

**SECTION 4.** That it shall be the duty of said commissioner, viz: William N. Beasley and John F. Sinclair, in the fraction of Dyer county; or Frank Robertson and David James, in the fraction of Gibson; Asa Dean and F. J. Wood in the traction (sic) of Haywood, and T. J. Hicks and J. E. Pearson in the fraction of Madison county, and they are hereby fully authorized and empowered to canvass and take the census of the qualified voters residing in the fractions in which they reside, proposed to be stricken off in said new county of Crockett. After the enumeration shall be completed the Commissioners, after giving thirty days' notice, shall open and hold an election at all the voting places in the fractions proposed to be stricken off, and at such other places as they may designate in said fractions, at which election those favoring the new county, shall endorse on the ballots, "New County;" those opposing shall endorse on their ballots, "No New County;" and if after counting all the votes so taken as aforesaid, it shall appear that two-thirds of all the qualified voters residing in each of the said fractions have given their vote to the formation of said new county, then and in that case the county of Crockett shall be, and is hereby declared a County, with all the powers, privileges and advantages, and subject to all liabilities and duties with other counties in this State.

**SECTION 5.** That in order to expedite the census and vote provided for in section 4 of this Act, as well as to make certain its accuracy, each one of said Commissioners are hereby empowered to appoint a qualified assistant, who, after being sworn to act impartially in carrying out the provisions of the fourth section of this Act, shall be fully authorized to take said census and consent as aforesaid.

**SECTION 6.** That for the due administration of Justice, the different Courts to be holden for said county of Crockett shall be held in the town of Cageville, until the seat of justice shall be located, and all writs and other process issuing from any of said Courts returnable to that place, shall be legal, and the Courts for the county of Crockett shall be under the same rule, regulations and restrictions, shall have, exercise and possess the same power and jurisdiction as prescribed by law for holding Courts in other counties. Said county shall be attached to the Thirteenth Judicial Circuit, and the Circuit Courts shall be held by the Judge of said Circuit, on the second Mondays of April, August and December in each and every year; and shall be attached to the Eleventh Chancery District, and the Chancery Courts shall be held on the fourth Mondays of May and November in each year.

**SECTION 7.** That all officers, civil or military, now holding office in said county shall continue to hold their offices, and exercise all the powers and functions thereof until others are elected and qualified, according to this Act: Provided, that nothing in this Act contained shall deprive the counties from which the fractions have been taken from having, exercising and holding jurisdiction over the county of Crockett and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers takes place according to this Act: Provided, also, that nothing herein contained shall prevent the above named counties from entering up judgments, or the sheriffs of said counties from selling, under such judgments, any lands within the bounds of said county of Crockett for taxes, costs and charges, until the county of Crockett is organized.

**SECTION 8.** That said Commissioners shall have power, and it shall be their duty to appoint five suitable and qualified individuals to divide said county into not less than twelve Civil Districts, designating the boundaries and places for holding elections in said districts, and perform all the duties relative thereto, which by the laws of the State such Commissioners are required to do.

**SECTION 9.** That the Commissioners appointed by this Act shall appoint such person or persons as they may think proper, to open and hold the elections for county officers for said county of Crockett, and such person or persons so appointed shall have power to appoint deputies, clerks and judges, and by himself and deputies to administer all the necessary oaths, and do and perform all other duties now made the duties of sheriffs or other officers holding similar elections, and it shall be the duty of such persons so appointed, together with his deputies, after giving fifteen days' notice, to open the polls and hold an election in each civil district in said county for district and county officers, and the officers so elected shall hold their offices until the next regular election for the different officers so elected takes place in other counties in this State.

**SECTION 10.** That the citizens of Crockett county in all elections for Governor, members of the General Assembly, Representatives in Congress, and electors for President and Vice President, shall vote with the counties from which they have been respectively stricken off, until the next apportionment, agreeably to the provisions of the fifth Sections of the tenth Article of the amended Constitution.

**SECTION 11.** That it shall be the duty of the above named Commissioners, so soon as convenient after the full and complete organization of the said county of Crockett, to select and establish a suitable location for the seat of justice of the said county of Crockett, having a due regard for health and convenience of a majority of the citizens of said county, and the site so established shall be known and designated by the name of Alamo, to perpetuate the name of the place where David Crockett fell fighting for the liberties of Texas: Provided, however, the said Commissioners may at their option put in nomination three places, neither of which shall be more than three miles from the supposed or probable center of said county of Crockett, which places shall be voted for by the legal voters of said county, and the site nominated receiving the largest number of votes shall be, and is hereby declared to be the seat of justice of the said county of Crockett: Provided, further, that if said Commissioners should think there was fraud or any other unfair means used in said election, they may at their option set aside such election, and submit the question a second time to the qualified voters of said county, or themselves locate the county site as they may deem best.

**SECTION 12.** That it shall be the further duty of said Commissioners to superintend the erection of such public buildings as the County Court of said county may direct to be built, and shall let the same out and take bonds, with ample security, payable to themselves and their successors in office, conditioned for the faithful performance of his or their contract, and the proceeds of the sales of all donations of lands, town lots, or other gifts that may be made in consideration of the location of the seat of justice for said county of Crockett, or otherwise, shall be a fund in their hands to pay the necessary expenses in organizing said county and paying for the erection of the public buildings ordered to be built by the County Court, and should any surplus remain in their hands, it shall be their duty to pay over the same to the Trustee of said county, to be accounted for by him as other funds in his hands.

**SECTION 13.** That said Commissioners of Crockett county be, and they are hereby authorized to exercise all the powers and privileges conferred on them by this Act, and any and all other powers, not in violation of the Constitution of the State, that may be necessary and proper for the complete setting up and organization of said county of Crockett.

**SECTION 14.** That the fractions composing said county of Crockett shall be liable for their pro rata of the debts contracted and owing by the counties from which they were taken, and shall also receive their proportion of any stocks or credits belonging to said old counties.

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

Passed: November 23, 1871.

## Public Acts of 1893 Chapter 22

**SECTION 1.** That the line between the counties of Crockett and Dyer be, and the same is, so changed as to include all the land of J. W. Clark's heirs in Dyer County, detaching the same from Crockett County, making the new line to run as follows, to wit: Beginning at the south-west corner of Ben Bell's tract of land, in the Crockett County line, runs south between A. E. Taylor and H. Stallings on the east, and J. W. Clark's heirs' land on the west, to the south-east corner of the said Clark's heirs' land; thence west with the south boundary line of J. W. Clark's heirs to their south-west corner; thence north with said Clark's heirs' line to the Crockett line.

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

Passed: March 18, 1893.

## Private Acts of 1897 Chapter 137

**SECTION 1.** That the county line between Crockett and Gibson be changed as follows: Beginning where the line now leaves the Middle Fork of Forked Deer river, said point being in the east boundary line of A. J. Collinsworth's farm, known as the Bell farm, running thence down the center of the channel of the said Forked Deer river to where the north line of the said Bell track leaves said river; thence west with Humboldt and Alamo road, and the lines of the said Collinsworth and J. F. Craddock to the lands of T. J. Craddock, deceased; thence with the lines of said Collinsworth and said T. J. Craddock, deceased, to the present county line, including in Crockett County the entire track known as the Bell farm.

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

Passed: March 31, 1897.

## Boundaries - Historical Notes

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

1. Public Acts of 1870-71, Chapter 26, amended Public Acts of 1869-70 (Extra Session), Chapter 89, and authorized the Commissioners, named in the 1869-70 Act, or their successors, to change, alter, or modify the boundary lines which were fixed in said act, so as not to infringe upon the constitutional limits of Madison, Gibson, or Dyer counties. The Act specifically stated that it should not be construed to invalidate any past acts of the Commissioners.
2. Public Acts of 1879, Chapter 137, changed the boundary lines between Crockett and Gibson counties so as to include all the lands of James Lewis, Thermon Jones' heirs, William Bell, Needham Moore, W. G. Jones, J. W. Porter, O. B. Clark, R. J. Williams, and D. H. Jones in Crockett County.
3. Public Acts of 1881, Chapter 108, changed the boundary lines between Gibson and Crockett counties so as to include the lands of R. J. Williams lying south of Middle Forked Deer river in Crockett County.
4. Public Acts of 1883, Chapter 121, changed the boundary lines between Gibson and Crockett counties so as to include all the lands of James Lewis in Crockett County.
5. Public Acts of 1887, Chapter 128, changed the boundary lines between Gibson and Crockett counties so as to include all the lands of L. H. Harris in Crockett County and the lands belonging to W. S. Moore and E. D. Harris in Gibson County.
6. Public Acts of 1887, Chapter 194, changed the boundary lines between Crockett and Dyer counties beginning at the point where the county line crossed the lands of J. A. Sudberry and John Hall, near Chestnut Bluff, so as to include all of the home tract of J. A. Sudberry in Dyer County and all the adjoining tract of land belonging to John Hall in Crockett County.
7. Public Acts of 1889, Chapter 50, changed the boundary lines between Gibson and Crockett counties so as to include the lands of J. H. Blakemoore lying on the west side of the Forked Deer River in Gibson County.
8. Public Acts of 1889, Chapter 108, changed the boundary lines between Crockett and Dyer counties so as to include all the lands of J. W. Bell, Mrs. Churchman, and R. K. Harwell in Dyer County.
9. Private Acts of 1911, Chapter 97, changed the boundary lines between Crockett and Madison counties so as to include all the lands of Robert B. Griggs in Crockett County.

## Chapter V - Court System

### General Sessions Court

# Private Acts of 1959 Chapter 274

**SECTION 1.** That there is hereby created and established a Court in and for Crockett County, Tennessee, which shall be designated as the Court of General Sessions. The County shall provide a court room for said Court in the county seat and all necessary supplies and equipment for the maintenance of the Court and shall defray the expenses thereof from the general fund of said County.

**SECTION 2.** That said Court of General Sessions is hereby vested with all of the jurisdiction and shall exercise the authority conferred by law upon justices of the peace in civil and criminal cases, suits and actions in Crockett County. The jurisdiction, power and authority of said Court shall be co-extensive with the County.

The Judge of said Court shall have the same authority as circuit court judges or chancellors to grant fiats for writs of injunction, attachments and other extraordinary process.

Justices of the peace are hereby divested of all judicial jurisdiction and authority in Crockett County.

The authority of justices of the peace in their capacity as members of the Quarterly County Court, or in the performance of the rites of matrimony, or to administer oaths is in no wise affected by this Act.

All juvenile jurisdiction is hereby divested from the County Court of Crockett County and vested in the General Sessions Court of Crockett County, Tennessee.

As amended by: Private Acts of 1981, Chapter 114

**SECTION 3.** That before the issuance of any original process in a civil case, the plaintiff shall execute a cost bond with security determined by the clerk to be good, in the sum of twenty-five (\$25.00) dollars, or in lieu thereof make a cash deposit with the clerk of not less than three (\$3.00) dollars nor more than twenty-five (\$25.00) dollars, to secure the costs, and, on motion, the Court may increase or decrease the security. The Court shall be authorized to establish a scale of deposits in the various forms of action; provided, however, that any resident of the State who is eligible to take and subscribe to the oath provided for poor persons may commence and prosecute an action on pauper's oath as provided by Section 20-1629 of Tennessee Code Annotated.

It shall be the duty of the clerk of said Court, not less than thirty (30) days after the judgments of the Court of General Sessions shall become final, to issue an execution against the party against whom the costs thereof have been adjudged. Likewise, in case of inability to collect the costs from such party against whom they have been adjudged, evidenced by the return of an execution nulla bona, it shall be the duty of the clerk, not later than thirty (30) days after the return of such execution, to undertake to collect from the successful party all cost accruing at the instance of such successful party.

**SECTION 4.** That, any party may appeal from an adverse decision of the General Sessions Court to the Circuit Court of the county within the time provided by law for appeals from justices of the peace courts. Any appeal shall be heard de novo in the Circuit Court. If no appeal is taken within the time provided, then execution may issue.

**SECTION 5.** That in addition to the jurisdiction conferred in Section 2 of this Act, the Court of General Sessions is hereby vested with jurisdiction to try and determine and render final judgment in all misdemeanor cases brought before said Court by warrant or information wherein the person charged with such misdemeanor enters a plea of guilty in writing or requests a trial upon the merits and expressly waives an indictment, presentment, grand jury investigation and jury trial, such waiver to be in writing as hereinafter provided. In such cases the trial shall proceed before the Courts without the intervention of a jury, and the Court shall enter such judgment, and, as an incident thereto, may inflict such punishment within the limits provided by law for the particular offense, as the Court may determine proper under the circumstances of such case, but nothing herein shall be construed to grant such Court the power to impose a fine in excess of fifty (\$50.00) dollars upon any citizen of this State and the Court shall have no jurisdiction of the trial of misdemeanors for which the minimum punishment is a fine of more than (\$50.00) dollars.

It shall be the mandatory duty of the judge of the Court of General Sessions, when a defendant is brought before such Court upon arraignment or trial, to advise such defendant of his constitutional right to be represented by counsel, the right to be tried only upon presentment or indictment by a grand jury, the right to make a statement in reference to the accusation or the right to waive such statement, and the right to a trial by jury. Upon the defendant agreeing in writing to waive the rights to be put on trial only by presentment and indictment by a grand jury, and the right to be tried by a jury of his peers, such Court may proceed to hear and determine said case as provided in this section. Said waiver shall be written and attached to the warrant substantially in words and figures as follows:

The defendant, \_\_\_\_\_ pleads guilty (not guilty) to the offense of \_\_\_\_\_, and waives his right to be tried only by indictment or

presentment preferred by a grand jury and likewise waives trial by a jury of his peers.

\_\_\_\_\_  
Signature

Attest: \_\_\_\_\_

Clerk or Judge

Any person aggrieved by the judgment of the Court of General Sessions in a criminal case rendered under the provisions of this section, may appeal such judgment to the next term of the Court having criminal jurisdiction in said county upon executing an appearance bond, and, likewise, executing bond for the amount of the fine and costs, or, in lieu thereof, taking the oath prescribed by law for paupers. Such appeal shall be tried in said Court without indictment and presentment, upon the original warrant issued against such person, by the judge without a jury, unless the defendant demands a jury.

**SECTION 6.** That the laws now regulating pleading and practice, form of writs and process, stay of judgments and appeals from judgments in civil cases in the courts of justices of the peace shall apply to and govern said Court, except where expressly provided to the contrary in this Act. All the statutes regulating the conduct of proceedings before justices of the peace in civil and criminal cases shall apply to proceedings in said Court. Provided, however, that all cases shall be set in said Court of General Sessions for a (sic) hour certain, and the provisions of Section 19-410 of Tennessee Code Annotated allowing the parties one hour in which to appear after the time fixed for trial shall not apply in said Court of General Sessions.

**SECTION 7.** That the Judge or judges of said Court shall adopt such rules as may be necessary to expedite the trial and disposal of cases. In all matters the costs and fees of said Court of General Sessions shall be the same as provided by law for justices of the peace.

The fees and other compensation of the sheriff, his deputies, constables, game wardens, and State Highway Patrolmen for the execution of writs and process of said Court, and the attendance and mileage of witnesses shall be the same in said Court as those provided by law for courts of the justices of the peace.

The fees and compensation due for services rendered by said Court of General Sessions shall be paid to the clerk of the said Court and by him accounted for as hereinafter provided. Said costs, fees and mileage of witnesses, the fees, commissions and emoluments of the sheriff, his deputies, constables, game wardens, State Highway Patrolmen and other officers for services to the Court and the fines and forfeitures adjudged by the Court, and all other funds coming into the hands of the clerk, shall be handled, accounted for and disbursed by the clerk in the manner provided by law for clerks of Circuit and Criminal Courts.

**SECTION 8.** That separate dockets shall be kept in said Court for civil and criminal cases. Upon the civil docket shall be entered the style of each case, the names of the attorneys for the parties, the date of issuance of the warrant process, the name of the officer to whom delivered, the return of the process, in brief form the action of the Court both interlocutory and final, orders, judgments, executions, garnishments, list of fees of the Court, of the sheriff, his deputies, constables, game wardens, State Highway Patrolmen and other officers for their services, fees of witnesses for attendance and credits for payments upon judgments and upon costs. All cases shall be indexed and the docket shall be substantially in the form of those of justices of the peace.

Also there shall be kept a criminal docket in which there shall be entered the disposition of all criminal cases disposed of by the Court of General Sessions, which docket shall show as to the misdemeanors now within the jurisdiction of justices of the peace under the Small Offense Law, the name of the defendant, the charge against him, and the disposition of the case. In cases over which justices of the peace do not now have jurisdiction under the general law, it shall be the duty of the clerk to keep a minute book and in such minute book he shall enter the action of the Court by appropriate minute entry setting forth the name of the defendant, his arraignment upon the charge against him, his plea, his waiver of right of trial by indictment, information or presentment, his waiver of a jury trial and his consent to be tried by the Court of General Sessions upon such charge. Likewise, there shall be entered therein a judgment of the Court of General Sessions upon the waiver of the defendant.

**SECTION 9.** That there shall be one judge for said Court with the same qualifications and terms of office as provided by the Constitution of the State of Tennessee for inferior Courts.

**SECTION 10.** That in all misdemeanor cases where bond is made for appearance before the Court of General Sessions, the judge is authorized and empowered to prescribe the amount of bail, either case or otherwise, within the same discretionary powers as are granted to judges of the Circuit and Criminal Courts by Section 40-1304 of Tennessee Code Annotated. Upon default in appearance of the defendant

the judge before whom such default occurs is authorized to grant relief, lessen or remit liability upon the recognizance in such cases as provided for other Courts in Section 40-1303 and 40-1304 of Tennessee Code Annotated; and, in the case of cash bonds, the judge may hear proof and order a fine and costs paid out of the cash bond. The unused surplus of cash bonds and other funds in excess of costs paid for exoneration of sureties shall be disbursed by the clerk as provided by law for forfeitures.

**SECTION 11.** That the compensation of the judge of said Court shall be \$3,600.00 per annum and shall be paid in equal monthly installments out of the general funds of the county and shall not be increased or diminished during the time for which said judge is elected.

The Judge shall receive additional compensation for the additional duties involving juvenile jurisdiction in the amount of fifty-five hundred dollars (\$5,500), per annum.

As amended by: Private Acts of 1981, Chapter 114

**SECTION 12.** That the judge of the General Sessions Court shall devote such time to the duties of said office as such duties may require, and, if a lawyer, shall be authorized to engage in private law practice during his tenure of office, but shall not practice law in the General Sessions Court and shall not represent any party in any proceedings in the Circuit, Criminal or Appellate Courts which originated in the General Sessions Court.

**SECTION 13.** That when this chapter becomes effective when approved as provided by law, Mr. Robert McLean, Esq., Attorney-at-Law, Alamo, Tennessee, is hereby appointed judge of the General Sessions Court of Crockett County, and he shall serve until September 1, 1960 following the next general August election, and a successor shall be elected by the qualified voters of the county at the general election on the first Thursday of August 1960, for a term of six (6) years from the first day of September 1960, and subsequently at the general August election of 1966 and thereafter each eight (8) years. He shall hold office for the term for which he is elected, or until his successor is elected and qualified. The oath of office shall be the same as that prescribed for Circuit judges and Chancellors and shall be taken and filed in the same manner and with the same officers as prescribed for Circuit judges and Chancellors.

**SECTION 14.** That if the judge of said Court fails to attend, cannot preside at any pending case or for any reason hold Court, a majority of the lawyers present in said Court may elect one of their number who has the qualifications of such a judge and when elected shall take the same oath and have the same authority as a regular judge to hold the Court for the occasion.

**SECTION 15.** That in the event of a vacancy for any cause, the Governor shall have the power to appoint some qualified person to fill such vacancy until September 1, following the next regular August election at which election said vacancy for the remainder of the term shall be filled by the qualified voters of the county.

**SECTION 16.** That the clerk of Circuit Court of the county shall act as clerk of the Court of General Sessions, and when acting as clerk of said Court shall be designated as the clerk of the Court of General Sessions of said county. The clerk of the Circuit Court shall receive the compensation provided by law for Circuit Court Clerks, as fixed by Section 8-2403 of Tennessee Code Annotated. The fees, commissions and emoluments of said clerk of the Court of General Sessions shall constitute part of the fees, commissions and emoluments of the office of the clerk of the Circuit Court.

All fees, commissions and emoluments accruing under the provisions of this Act to the judge or clerk of the Court of General Sessions, after the payment of the compensation of the clerk, shall be paid over each month to the County Trustee of the county and deposited to the general fund of said county; and all fines collected shall be paid and accounted for as required by law. Payment shall be made to the Trustee not later than the 10th day of each month for the preceding month and the payment and accounting for fines shall be made as required by law.

It shall be the duty of the clerk to make and file with the County Court Clerk of said county for transmission to each regular quarterly session of the Quarterly County Court a complete detailed financial report of all receipts and disbursements of said Court of General Sessions for the previous quarter.

However the County Clerk shall continue to maintain the records and provide the other clerk services as required in matters of juvenile jurisdiction within the General Sessions Court.

As amended by: Private Acts of 1981, Chapter 114

**SECTION 17.** That the Clerk of said Court shall have concurrent authority with the judge to issue warrants and other process and writs, other than those which the law requires to be issued only by a judicial officer, and shall have the authority to set the amount of bond in the absence of the judge. It shall be the duty of the clerk of said Court to keep all dockets required by this Act, to write all minute entries required herein and to promptly make any and all entries necessitated by this Act.

**SECTION 18.** That the sheriff of the county, or any deputy sheriff or constable thereof, shall serve regular process, writs and papers issued by said Court with the same authority as provided by law in the



other inferior Courts. The sheriff shall designate a court officer to wait on the Court at all times said Court is in session.

**SECTION 19.** That this Act shall in no wise impair the right, title or interest of any justice of the peace to any unpaid fees or funds in which he had a right or interest in any proceeding, judgment or suit, whether said cause be disposed of or pending when this Act becomes effective.

**SECTION 20.** That all the official dockets, records and papers in cases that are undisposed of or pending in the office of any justice of the peace of any county when this Act is approved and made effective, shall be delivered to said Court of General Sessions. The official dockets, records, and papers in possession of justices of the peace of said county in cases which have been completed shall be turned over to said county, as provided by law.

**SECTION 21.** That the Court of General Sessions shall have authority to hear and determine all cases which are undisposed of when this Act is approved and made effective, arising in the courts of justices of the peace of said county as if such cases had originated in said Court of General Sessions and to issue executions on and orders concerning any unpaid judgments on the dockets of said justices of the peace and certify as to any such judgments or records as a justice of the peace could do.

**SECTION 22.** 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 the remainder of this Act shall continue 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 therein.

**SECTION 23.** That this Act shall have no effect unless the same shall have been approved by a two-thirds (2/3) vote of the Quarterly County Court of Crockett County on or before its next regular meeting occurring more than five (5) days after the approval of this chapter by the Governor. The approval or disapproval of this chapter by the Quarterly County Court shall be proclaimed by its presiding officer who shall certify the result to the Secretary of State.

In the event the Courts finally hold that Article XI, Section 9 of the Constitution does not apply to this chapter or that this chapter need not be approved by the governing body of the county, this section shall be elided and the General Assembly declares that it would have enacted the chapter without this section.

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

Passed: (Date not printed)

## Court System - Historical Notes

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

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

1. Private Acts of 1913 (Ex. Sess.), Chapter 91, created a three (3) member Board of Jury Commissioners in Crockett County to be appointed by the Judge of the Circuit Court. The Commissioners were empowered to compile a list of thirty (30) names from which the grand and petty jury for the circuit court would be selected. Penalties and compensation were provided for in the Act where applicable. This Act was repealed by Private Acts of 1937, Chapter 805.
2. Private Acts of 1937, Chapter 805, expressly repealed Private Acts of 1913 (Ex. Sess.), Chapter 91, above, which had created a Board of Jury Commissioners for Crockett County. The Board was abolished by this 1937 Act and all authority conferred withdrawn.
3. Private Acts of 1951, Chapter 476, created a five (5) member Board of Jury Commissioners. The county was divided into five (5) jury commission districts with one (1) member from each district being elected every two (2) years by the Crockett County Quarterly County Court to the Board. The Commissioners were empowered to compile a list of not less than five hundred (500) nor more than one thousand (1000) names and to place same in a box, from which a child of tender years, unable to read or write at the beginning of each regular term would draw the names of forty (40) jurors to compose the panel for regular jury service at said term of court. This Act was repealed by Private Acts of 1953, Chapter 362.
4. Private Acts of 1953, Chapter 362, repealed in its entirety Private Acts of 1951, Chapter 476, above, which had created a Board of Jury Commissioners for Crockett County.

### **Chancery Court**

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

1. Acts of 1845-46, Chapter 25, being one of the Acts which created Crockett County also provided for bills in chancery to be filed either in the Chancery Court held at Trenton or Brownsville.
2. Acts of 1851-52, Chapter 195, another Act purporting to establish the new county of Crockett, also, provided for the bills in chancery to be filed in either the Chancery Court held at Trenton or Brownsville.
3. Public Acts of 1865-66 (Ex. Sess.), Chapter 19, another Act that established Crockett County, placed said county in the Sixth Chancery Division with court terms scheduled to begin on the first Monday in February and August.
4. Public Acts of 1869-70, Chapter 89, another Act that established the county of Crockett, assigned said county to the Eleventh Chancery Division with the Chancery Court to be held on the fourth Monday in May and November at Cageville.
5. Public Acts of 1871, Chapter 132, established Crockett County and provided for the Chancery Court to be held in said County on the fourth Monday in May and November and for said county to be in the Eleventh Chancery Division.
6. Public Acts of 1875, Chapter 32, changed the court terms for the Chancery Court of Crockett County to the second Monday in June and December with same to be held at Alamo.
7. Acts of 1885 (Ex. Sess.), Chapter 20, divided Tennessee into eleven (11) Chancery Divisions. The Ninth Chancery Division was composed of Hardeman, McNairy, Chester, Madison, Henderson, Carroll, Henry and Crockett counties. The Chancery Court term for Crockett County was the fourth Monday in May and November.
8. Public Acts of 1887, Chapter 111, amended Acts of 1885 (Ex. Sess.), Chapter 20, above, by changing the time for the Chancery Court to be held in Crockett County to the second Monday in March and September.
9. Public Acts of 1899, Chapter 427, divided Tennessee into ten (10) Chancery Divisions. The Eighth Chancery Division was composed of the counties of Decatur, Hardin, Chester, Benton, McNairy, Henderson, Carroll, Henry, Madison, Perry and Crockett. The time for holding Chancery Court in Crockett was the fourth Monday in February and August.
10. Acts of 1903, Chapter 36, changed the times for holding the Chancery Court in the Eighth Chancery Division. The term for the Chancery Court in Crockett County would be the second Monday in March and September.
11. Acts of 1903, Chapter 311, amended Acts of 1903, Chapter 36, above, and changed court terms for the Chancery Court in Crockett County to the fourth Monday in May and November.
12. Acts of 1903, Chapter 484, amended Acts of 1903, Chapter 36, above, and appears to be a duplicate of Acts of 1903, Chapter 311, above, which changed the term for holding the Chancery Court in Crockett County to the fourth Monday in May and November.
13. Public Acts of 1931 (Ex. Sess.), Chapter 38, separated Tennessee into fourteen (14) Chancery Divisions. The Eighth Chancery Division consisted of Carroll, Henry, McNairy, Hardeman, Henderson, Decatur, Hardin, Benton, Chester and Crockett counties. The Chancery Court would be held in Crockett County on the fourth Monday in May and November.
14. Public Acts of 1975, Chapter 245, amended Tennessee Code Annotated, Sections 16-244 and 16-245 by transferring Crockett County from the Eighth Chancery Division to the Ninth Chancery Division.
15. Public Acts of 1976, Chapter 577, provided that Crockett County being in Part II of the Chancery Court of the Ninth Chancery Division, would hold Chancery Court on the fourth Monday in May and November. The Chancellor elected for Part II of the Ninth Chancery Division would preside over Part II consisting of Tipton, Lauderdale, Haywood and Crockett counties.

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

The reference list below contains acts which once applied to the clerk and master in Crockett County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1911, Chapter 52, set the salary of the Clerk and Master of the Chancery Court in Crockett County at six hundred dollars (\$600) annually, with half to be paid on the first of July, and the other half on the first of January of each year. A sworn, itemized statement was required

- to be filed with the County Judge or Chairman of the County Court by the Clerk and Master showing the amount of fees collected in the office. If the fees collected were less than the stated salary, the County would pay the deficiency to the Clerk and Master.
2. Private Acts of 1919, Chapter 270, amended Private Acts of 1911, Chapter 52, above, by increasing the salary of the Clerk and Master from six hundred dollars (\$600) to one thousand dollars (\$1,000) per year.
  3. Private Acts of 1921, Chapter 274, set the salary of the Clerk and Master of the Chancery Court in Crockett County at one thousand three hundred fifty dollars (\$1,350) per year, payable quarterly. A sworn, itemized statement was required to be filed quarterly, with the County Judge or Chairman of the County Court, showing the amount of fees collected in the office, except those fees received from acting as Receiver. If the fees collected were less than the stated salary, the County would pay the deficiency to the Clerk and Master, any excess fees above the stated salary were required to be paid over to the county treasury.
  4. Private Acts of 1933, Chapter 812, set the salary of the Clerk and Master of the Chancery Court of Crockett County at two thousand five hundred dollars (\$2,500) annually. If the fees collected in the office exceeded the stated salary, the excess would be paid into the county treasury; however, if they were less than the stated salary, then that amount would constitute the salary of the Clerk and Master. No exception was made for Receiver fees in this Act.
  5. Private Acts of 1935, Chapter 334, set the salary of both the Clerk and Master of the Chancery Court and the Circuit Court Clerk in Crockett County at one thousand three hundred fifty dollars (\$1,350) with any excess above the stated amount being paid into the county treasury annually. An itemized statement of fees collected in the respective offices was required to be filed with the County Judge, or Chairman. All fees would be retained by them as payment of their salaries. If the fees collected were deficient, then the difference between the stated salary and the fees collected would be paid out of the county treasury.
  6. Private Acts of 1949, Chapter 391, amended Private Acts of 1935, Chapter 334, above, by increasing the salary of the Clerk and Master to two thousand four hundred dollars (\$2,400) a year.

### **Circuit Court**

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

1. Acts of 1845-46, Chapter 25, which created Crockett County, also provided for the County to be assigned to the Tenth Judicial Circuit. The Circuit Court would be held by the Judge of that Circuit on the last Monday in January, May and September of each year.
2. Acts of 1851-52, Chapter 195, another Act purporting to create Crockett County, also, provided for the Circuit Court to be held on the last Monday in January, May and September of each year.
3. Public Acts of 1865-66 (Ex. Sess.), Chapter 19, assigned the Circuit Court of new Crockett County to the Sixteenth Judicial Circuit with the terms of said court to be held on the second Monday in January, May and September.
4. Public Acts of 1865-66 (Ex. Sess.), Chapter 129, assigned the new county of Crockett to the Fourteenth Judicial Circuit with the circuit court terms to be the first Monday in February, June and October.
5. Public Acts of 1869-70, Chapter 89, assigned Crockett County to the Thirteenth Judicial Circuit and set the court terms for the Circuit Court for the second Monday of April, August and December of each year.
6. Public Acts of 1871, Chapter 132, assigned Crockett County to the Thirteenth Judicial Circuit and set the court terms for the Circuit Court for the second Monday in April, August and December.
7. Public Acts of 1873, Chapter 28, changed the term the Circuit Court of Crockett County at Alamo would be held to the fourth Monday in March, July and November.
8. Public Acts of 1875, Chapter 137, changed the times for holding the Circuit Court in the Thirteenth Judicial Circuit. The court terms for the Circuit Court to be held in Crockett County would be the fourth Monday in January, May and September.
9. Acts of 1885 (Ex. Sess.), Chapter 20, divided Tennessee into fourteen (14) regular and one (1) special judicial circuit. The twelfth Judicial Circuit was composed of Obion, Weakley, Henry, Carroll, Gibson, Haywood, Benton and Crockett counties. The Circuit Court would be held in Crockett County on the fourth Monday in January, May and September.

10. Public Acts of 1887, Chapter 94, changed the times for holding the Circuit Court in the Twelfth Judicial Circuit. The Circuit Court would be held in Crockett County on the third Monday in April, August and December.
11. Public Acts of 1889, Chapter 15, changed the times for holding the Circuit Court in the Twelfth Judicial Circuit. The Circuit Court would be held in Crockett County on the second Monday in April, August and December.
12. Public Acts of 1891, Chapter 38, added the Eighteenth Judicial Circuit which was composed of Carroll, Gibson, Haywood, and Crockett counties. The Governor would appoint a Judge and a District Attorney for the new Circuit until their successors could be elected. The Circuit Court would be held in Crockett County on the fourth Monday in March, July and November.
13. Public Acts of 1899, Chapter 409, changed the time for holding the Circuit Court in the counties in the Eighth Judicial Circuit. The Circuit Court would be held in Crockett on the third Monday in February, June and October.
14. Acts of 1899, Chapter 427, divided the State into fourteen (14) Judicial Circuits. The Thirteenth Circuit was composed of Haywood, Benton, Carroll, Henry, Gibson and Crockett counties. The Circuit Court would be held in Crockett County on the third Monday in January, May and September.
15. Acts of 1903, Chapter 109, amended Acts of 1899, Chapter 427, above, by changing the time for holding the Circuit Court in Crockett County to the second Monday in January, May and September.
16. Public Acts of 1931 (Ex. Sess.), Chapter 38, divided the State into twenty (20) Judicial Circuits. The Thirteenth Judicial Circuit was comprised of Haywood, Carroll, Henry, Gibson and Crockett counties. The Circuit Court would be held in Crockett County on the second Monday in January, May and September.
17. Public Acts of 1965 (Ex. Sess.), Chapter 204, amended T.C.A. § 16-226, and changed the time for holding the Circuit Court in Crockett County to the second Monday in January, May and September.

#### **Circuit Court - Clerk**

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

1. Acts of 1903, Chapter 255, established the salary ranges of the Circuit Court Clerks according to the population of the counties. The salary of Crockett County's Circuit Court Clerk under this Act would have been seven hundred fifty dollars (\$750) annually, based upon its population in 1900. The Clerk was required 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 stated salary, the County would pay the difference; if the fees were more than the stated salary, the Clerk could retain the excess.
2. Private Acts of 1917, Chapter 410, set the annual salary of the Circuit Court Clerk of Crockett County at one thousand dollars (\$1,000,) to be paid semi-annually. The Act required the Clerk to file semi-annually, sworn itemized statements showing the amount of fees collected in the office. If the fees received in the office were less than the stated salary, the county would pay the deficiency; if the fees were more the excess could be retained by the Clerk. This Act was repealed by Private Acts of 1937, Chapter 176.
3. Private Acts of 1917, Chapter 776, was identical to Private Acts of 1917, Chapter 410, above, which had set the annual salary of the Circuit Court Clerk of Crockett County at one thousand dollars (\$1,000).
4. Private Acts of 1921, Chapter 273, amended Private Acts of 1917, Chapter 410, above, by increasing the salary of the Circuit Court Clerk in Crockett County to one thousand three hundred fifty dollars (\$1,350), payable quarterly. This Act was repealed by Private Acts of 1937, Chapter 176.
5. Private Acts of 1933, Chapter 811, set the salary of the Circuit Court Clerk in Crockett County at two thousand five hundred dollars (\$2,500) annually. If the fees of the office exceeded the stated salary the excess would be paid into the county treasury; if the fees were less, then that sum would be the salary of the Clerk.
6. Private Acts of 1935, Chapter 334, set the annual salary of the Circuit Court Clerk, and the Clerk and Master each at one thousand three hundred fifty dollars (\$1,350), to be paid quarterly. A

sworn itemized statement of all fees collected in the respective offices was required to be filed with the County Judge, or Chairman quarterly. Any excess in fees received in the office above the stated salary would be paid into the county treasury, and a deficiency in fees below the stated salary would be paid out of the county treasury.

7. Private Acts of 1937, Chapter 176, repealed Private Acts of 1917, Chapter 410 and Private Acts of 1921, Chapter 273, above. These repealed Acts had set the annual salary of the Circuit Court Clerk.
8. Private Acts of 1949, Chapter 391, amended Private Acts of 1935, Chapter 334, above, by increasing the salary of the Circuit Court Clerk to two thousand four hundred dollars (\$2,400) annually.

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

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

1. Public Acts of 1967, Chapter 181, created the office of Criminal Investigator for the office of the District Attorney General for the Thirteenth Judicial Circuit. The Act authorized the District Attorney General to appoint the Investigator who would perform the duties of an expert investigator and such other duties assigned him by the District Attorney General. The Act gave the Criminal Investigator the same power and authority as deputies and sheriffs with the salary provided under T.C.A. § 8-708 through 8-712.
2. Public Acts of 1969, Chapter 167, created the office of Assistant District Attorney General for the Thirteenth Judicial Circuit. The appointee would perform duties and functions assigned and directed by the District Attorney General.
3. Public Acts of 1972, Chapter 663, authorized the District Attorney General of the Thirteenth Judicial Circuit, of which Crockett County was a part, to appoint an additional Assistant District Attorney General to assist in the performance of the duties of the office of the District Attorney General.
4. Public Acts of 1977, Chapter 371, authorized the District Attorney General of the Thirteenth Judicial Circuit to appoint a third full-time Assistant District Attorney General to assist in the performance of the duties of the office of the District Attorney General.

### **Secretarial Assistance**

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

1. Public Acts of 1939, Chapter 71, created the position of Stenographer for the Chancellor of the Eighth Chancery Division to which Crockett County was then assigned
2. Public Acts of 1951, Chapter 36, created the position of Stenographer to the Judge of the Thirteenth Judicial Circuit. The salary was set at nine hundred dollars (\$900) annually. The Stenographer would be appointed by the Judge and work at his pleasure and perform such work as may be required in connection with the official duties of the Judge.
3. Public Acts of 1963, Chapter 308, amended Public Acts of 1951, Chapter 36, above, and increased the salary of the Stenographer to the Judge from nine hundred dollars (\$900) annually to one thousand eight hundred dollars (\$1,800).

## Chapter VI - Education/Schools

### Board of Education

#### Private Acts of 1989 Chapter 62

**SECTION 1.** The County Board of Education of Crockett County shall consist of seven (7) members with one (1) to be elected from each of the six school districts and one (1) to be elected from the county at-large. Members elected from school districts shall reside within and be qualified voters of the school district which they represent. The member elected at-large shall reside within in and be a qualified voter of Crockett County.

Beginning with the 1990 regular August election, and biennially thereafter as the terms of office of the

members of the Board of Education expire, members of such board shall be elected for a term of office of four (4) years to begin on the first day of September next succeeding their election and until their successors shall be elected and qualified.

**SECTION 2.** Prior to January 31, 1990, the county legislative body of Crockett County shall meet and, a majority of the members being present, shall establish six (6) school districts of substantially equal populations and such districts shall be designated as school districts one (1) through six (6), respectively. Such districts may be established by using the districts of the county legislative body. If such school districts are not established by such date, then the vacancies on the county Board of Education to be filled in the 1990 regular August election shall be filled by candidates elected from the county at large.

Prior to January 1, 1992, and at least every ten (10) years thereafter, the county legislative body of Crockett County shall meet and, a majority of the members being present, shall change the boundaries of the school districts so that the members of the Board of Education represent substantially equal populations. The county legislative body must use the latest Federal Census data whenever a reapportionment of the school districts is made after January 1, 1992.

School districts shall be reasonably compact and contiguous and shall not overlap. In the establishment of boundaries for school districts, no precinct shall be split.

**SECTION 3.** The duties and compensation of the members shall be as provided by law.

**SECTION 4.** Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which he was elected.

Until their successors are elected as hereafter provided, the following shall constitute and compose the Board of Education of Crockett County:

Jimmy Hargett whose term expired July 1, 1987; Bennie Parlow whose term expires July 1, 1989; Sam Cotten whose term expires July 1, 1990; Mack Goode whose term expires July 1, 1991; M.V. Williams whose term expires July 1, 1992; Richard Freeman whose term expires July 1, 1993; and Richard Matthews whose term expires July 1, 1995.

As the terms of the incumbent members expire, the county legislative body shall fill such vacancy until September 1 following the next regular August election. If a vacancy occurs in the office of any such incumbent member, such vacancy shall be filled only until September 1 following the next regular August election at which time such vacancy shall be filled pursuant to the provisions of this act.

Members of the Board of Education shall not be elected for school districts represented by the incumbent members until there is a vacancy in such school district.

At the 1990 regular August election, the office of such member whose term expires in 1989 shall be designated as the office to be elected from the county at-large. Any candidates for such office shall designate and be qualified to run for the member-at-large office. Members elected to serve in such office and the office of such member whose term expired in 1990 shall be elected for four (4) year terms. The office of such member whose term expired in 1987 and whose office has not been filled shall also be filled at the 1990 August election for a four (4) year term. Thereafter all terms shall be for four (4) years, as provided in Section 1.

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

**SECTION 6.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.

Passed: April 13, 1989.

## Crockett Mills High School District

### Private Acts of 1921 Chapter 781

**SECTION 1.** That a Special School District be and the same is hereby created and established, embracing and being all of the Ninth and part of the Seventh, Eighth and Eleventh Civil Districts of Crockett County, Tennessee, including the town of Crockett Mills, to be known and designated as the "Crockett Mills High School District," with the following boundaries:

Starting at point where State Highway 152 intersects Buck Creek, follow Buck Creek to its junction with

middle fork of Forked Deere River, thence along the meanders of Forked Deere North to Eaton Levee. West on Friendship-Eaton Road to Jackson's Store, thence south on Elizabeth-Crockett Mills Road to Leath's Corner, west on Friendship Road to Ballentine's Corner, then south to Crockett Mills-Friendship road, following Creek 300 yards South to Crockett Mills Road (Maury Junction Corner), following Crockett Mills-Maury Junction Road crossing Highway 20 and continuing to intersect of Pond Creek, following Pond Creek upstream to Brimms-Corner-Crockett Mills Road, then northeast crossing Highway 20 to Peale Road, north on Peale Road to Cairo Road, east on Cairo road, with its meanders to Alamo-Nance Road at Laman's Corner, crossing Alamo-Nance road to intersection at Highway 152, then east to starting point at Buck Creek; and this description shall be interpreted to include all lands immediately adjoining any of the boundary roads mentioned in this paragraph but shall not include any lands immediately adjoining water boundaries mentioned in this paragraph, it being the intent of the General Assembly to include within the school district all of the area and territory served by the said school district's buses.

As amended by: Private Acts of 1973, Chapter 130

**SECTION 2.** That the officers of said Crockett Mills High School District shall consist of a Board of seven members who, and their successors, shall constitute a body politic and corporate, the majority of whom shall make a quorum for transaction of business. The first Board shall consist of James C. Hamlett, Austin E. Harber, J. G. Tucker, W. H. Welch, W. C. Hefley, H. A. Dunevant and W. S. Corbett, each of whom shall be freeholders and having resided for more than six months within the above said boundaries. All vacancies that may occur in this body shall be filled by the Board, no one being eligible except those who are twenty-five years or more of age, and who are freeholders and householders within said boundaries and of good moral character and having at least an elementary school education. Said Board shall organize by electing a President, Secretary, and Treasurer, all of whom shall be members of this Board.

**SECTION 3.** That said Board herein created and their successors in office shall constitute and are hereby declared the Board of Directors of "Crockett Mills High School District," and by that name may sue and be sued, plead and be impleaded, and have continual succession for the purpose hereinafter designated; may have a common seal, and make such by-laws and regulations from time to time as they may deem proper herein and as is consistent with the authority herein conferred and the laws of the State of Tennessee, for the purpose of carrying into effect the object for which they are created.

**SECTION 4.** That the officers of said School District shall serve for a term of four years and until their successors are elected and qualified, and that the said school officers shall be elected by the qualified voters residing in the said "Crockett Mills High School District;" provided the officers herein named shall serve until the regular August election in 1924, and until their successors shall be elected and qualified.

**SECTION 5.** That the powers and duties of said Board of Directors are as above and hereinafter set out, to-wit:

- (1) To establish and maintain a High School at Crockett Mills, in said district, wherein shall be taught all branches now required to be taught by the elementary and High schools of the State and in which may be taught a commercial or business course and also a course preparatory for university work at the discretion of the Board of Directors.
- (2) To employ competent teachers and as many as they see proper for said school or schools, fix their salaries and for lawful reasons discharge them.
- (3) To open and close the school or schools and determine the length thereof.
- (4) To build and keep in repair school buildings, out-buildings, grounds and any other school buildings or school property that may be included in said school district or that said Board may see fit to erect, take over and maintain.
- (5) To use the school funds coming into their hands from whatever source and in such a manner as will in their judgment and discretion best promote the interest of said school district.
- (6) To order and have taken a census of the children within said district according to school laws of the State of Tennessee, and report same, properly certified, to the County Superintendent of Public Instruction, and to the County Trustee of Crockett County, Tennessee, as soon as practicable after the taking effect of this Act.
- (7) To hold regular meetings at the time and place prescribed by them, and special meetings when called by the President, or by any four of the Board of Directors, four members to constitute a quorum of said Board.
- (8) To hold in trust school property, real and personal, if in the bounds of said school district, and to dispose of same, the real estate by deed and the personal property of either public or private sale, as they in their discretion may see proper, and apply the proceeds for and to the benefit of said school district.
- (9) To provide means of transportation for the children living remote from the school building or buildings

within said school district, and pay for same out of any school funds that may come into their hands.

(10) To have full power to lay out and designate the routes and roads over which the means of transportation herein provided for shall pass, and the time thereof, and said transportation shall be to and from the school building or buildings within said Special School District daily while the school or schools are in session. But nothing in this Act shall be construed to give the Board of Directors of the Crockett Mills High School District any authority to expend County School Funds, of Crockett County, except in conjunction with the Board of Education of Crockett County.

As amended by: Private Acts of 1927, Chapter 782

**SECTION 6.** That after making the report of school census as provided by the Subsection 6 of Section 5 of this Act, the County Trustee shall apportion to the said school district for the maintenance of said school or schools its per capita or pro rata share of all school funds of the county then or thereafter in his hands according to such of the 1921 funds said school districts, which it bears to that of Crockett County, and the County Trustee shall also apportion to said school district its per capita or pro rata share of the State school fund paid to said county by the State. Such school census shall be taken annually, and the funds apportioned each year thereafter as herein provided by this Act. But nothing in this Act shall be construed to violate any of the provisions of the General Law of the State, with reference to the prorating of the general school fund to the schools within said Crockett Mills High School District.

As amended by: Private Acts of 1927, Chapter 782

**SECTION 7.** That for the purpose of supporting and maintaining the school or schools of the said school district, and for supplementing the school funds for said district, so that school terms for said school or schools may be extended and continued for nine months each year, if possible, as a free public school, there is hereby assessed for the year 1921, and for each subsequent year thereafter, a tax of sixteen cents on every one hundred dollars (\$100.00) worth of taxable property, both real and personal, situated within said "Crockett Mills High School District," and there is also assessed for said purposes one dollar poll tax on all persons who are subject to poll tax in said district between the ages of twenty-one and fifty years of age. The basis of assessment for said tax on such property shall be the assessed value as shown by the books of the County Trustee, and all taxes assessed on real estate are a lien upon such real estate. The taxes herein assessed shall become due and be collected at the time and in the same manner as taxes under the general laws of the State by the County Trustee.

The said taxes herein provided for, together with all other school funds received from the County Trustee, shall constitute the school fund for said school district, which funds shall be under the control of said Board of School Directors for the use and benefit of the said "Crockett Mills High School District."

No part of said funds shall be paid out by the Treasurer of said school district except by order of said Board of School Directors and upon warrants properly drawn and signed by the President and Secretary of said Board of School Directors; provided, further, that no personal property of the taxpayers within said school district shall be exempt from levy or execution for their said tax assessments on personalty and polls herein assessed by this Act; and provided that the County Tax Assessor shall prepare a separate and complete list of all taxable property, both real and personal, and all polls within said school district (sic) for the use of the County Trustee in making collection of said taxes.

As amended by: Private Acts of 1927, Chapter 782  
Private Acts of 1939, Chapter 163  
Private Acts of 1963, Chapter 199  
Private Acts of 1965, Chapter 168  
Private Acts of 1969, Chapter 8  
Private Acts of 1979, Chapter 101  
Private Acts of 1980, Chapter 227  
Private Acts of 1981, Chapter 38

**SECTION 8.** That all children living within the boundaries of said "Crockett Mills High School District" shall be entitled to the benefits of the funds arising from the provisions of this Act, and are to be entitled to free tuition in the school or schools operated by said Board of Directors as aforesaid; provided this shall apply to such children as are between the ages of six and twenty-one years of age; but no tuition shall be charged any child or children for any course of study that may be taught in any school or schools within said district under supervision of said Board.

The Board of School Directors for said school district shall have power to admit by contract persons over school age or non-residence of the district or county or State, upon the payment of such reasonable rates of tuition and under such regulations as the said Board of Directors may prescribe for persons not entitled to admission in the said school or schools free of charge. All tuition shall be paid to the Treasurer of said Board of Directors for the use and benefit of the said school district and shall be paid out as other funds collected and received by said school district.

**SECTION 9.** That the said Board of School Directors shall within ten days after this Act takes effect, meet



and elect a President, Secretary and Treasurer. The members of said Board of School Directors shall serve without compensation except that the Secretary may be allowed and receive lawful compensation for taking the census or scholastic population of said school district or for having the same done each year. The Secretary of said Board shall keep a true and correct record of all meetings and business transacted by said Board in a minute book to be provided for such purpose, and the Treasurer shall keep a true and correct account of all funds coming into his hands and of all disbursements. The Treasurer shall enter into bond sufficient to cover all school funds coming into his hands and belonging to the said "Crockett Mills High School District," which shall be fixed by the said Board of Directors, and shall be payable to the State of Tennessee for the use and benefit of said school district and it shall be approved by the President of said Board and filed with the Secretary thereof.

**SECTION 10.** That said Board shall not employ any person or persons as principal of the school or schools herein created who has not had the equivalent of a high school education and passed a satisfactory examination as to same. Said principal shall have general superintendence over all schools in operation under control of said Board of Directors with special reference to the grading and promotion of pupils thereof. Said Board shall not employ any person or persons as assistant teachers in said school or schools who have not passed a satisfactory examination in the courses in which they are to teach under the rules and regulations prescribed for teachers by the State Superintendent of Public Instruction of the State of Tennessee.

**SECTION 11.** That all laws and parts of laws in conflict with this Act are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

**COMPILER'S NOTE:** There was never a Section 12 to this Act.

**SECTION 13.** [Deleted by Private Acts of 1980, Chapter 227]  
As amended by: Private Acts of 1979, Chapter 101

**SECTION 14.** [Deleted by Private Acts of 1980, Chapter 227]  
As amended by: Private Acts of 1979, Chapter 101

**SECTION 15.** [Deleted by Private Acts of 1980, Chapter 227]  
As amended by: Private Acts of 1979, Chapter 101

**SECTION 16.** [Deleted by Private Acts of 1980, Chapter 227]  
As amended by: Private Acts of 1979, Chapter 101

Passed: April 5, 1921.

## Gadsden School District

### Private Acts of 1935 Chapter 303

**SECTION 1.** That a Special School District be and the same is hereby created and established, embracing and being a part of the First, Second, Third, and Fourth Civil Districts of Crockett County, Tennessee, including the Town of Gadsden, to be known and designated as the Gadsden Special School District; with the following boundaries;

Beginning in the Public Road in front of Griggs Store (Mason Grove) runs thence North with said road to Bob Medlin's place, where road intersects the Gadsden and Humphreys School House road; thence West with said road to J. E. McCord's corner; thence North with Mason Grove to Humboldt road, by T. H. Humphreys' home place to Austin Peay Highway; thence Northeast with Austin Peay Highway to the Gadsden and Humboldt old dirt road; thence West with the Gadsden and Humboldt old dirt road, by W. Z. Raines's home place, crossing the Louisville and Nashville Railroad at Pomona; thence on West with said road to where the Collinsworth road intersects with the said Gadsden and Humboldt old dirt road; thence with said Collinsworth road by Collinsworth Cemetery thence following the meanderings of said road, by the Collinsworth old home place, to where said road intersects with the Old Temperance Road; thence South with the Old Temperance road by the Dr. R. O. Williams place, and turning West below the said Williams house, and following an almost straight line West between the boundaries, of Mrs. Tillia Bouldin and Williams, between C. W. Richardson and C. C. Jackson and C. W. Richardson and Mrs. Bettie Hefley to the Poplar Corner road; thence crossing the Poplar Corner road into a road that leads from said road to Salem Church, or Gadsden and Coxville road, and following the meanderings of the above road to said Salem Church; thence North with Gadsden and Coxville road to a by-road; thence West following said by-road, by Robert Arnold's place and following the meanderings of said road to the J. D. Porter farm; thence in a Westerly direction through the field following J. D. Porter's north boundary line, and continuing, to the Coxville and Center Church old dirt road, or near the O. G. Reasons place; thence in a Southerly direction with the meanderings of said road to the Gadsden and Quincy road at Center Church,

thence in a Westerly direction with said road to where it intersects with the road that leads from the Peoples Highway to Old Quincy; thence in a Southerly direction with said road to, and on across the Peoples Highway, to the Hopewell School House lot; thence with Northern, Eastern and Southern bounds of said lot to the road; thence following the meanderings of said road past the J. A. Thomas home place to the upper Gadsden and Alamo road; thence South with said road to the turn at L. A. Selph's; thence in an Easterly direction past the J. A. Bailey home place; thence crossing bridge at the turn below J. A. Bailey's place and a straight line across the field to the Northeast corner of Liberty Hall School House lot; thence South with said lot to Gadsden and Alamo road; thence in a Westerly direction to a by-road that leads to Ollie William's home place, and thence following the meanderings of said road to where said road intersects with another at Ollie Williams; thence an Easterly direction, following the meanderings of said road to the Austin Peay Highway, near Doss Leggett's; thence Northeast with said Highway to the dirt road that leads by Tom Perry's home place; thence East with said road just below Tom Perry's place, and at the foot of the hill; thence South crossing the Louisville and Nashville Railroad, and thence South by Mrs. Helon Fewell's farm, and thence continuing South to the Southwest corner of the Old Stephens farm; thence East following the meanderings of said road on by the Pony Williams old home place, and to where said road intersects with the Gadsden and (Negro) Crossroad road; thence South with said road to where Claude Williams farm joins with the Jim Pearson place; thence East with Williams and Pearson boundary line to where they corner with the Nall place; thence North with Williams and Nall boundary line to where they corner with J. C. Humphreys (sic) place; thence east with Nall and Humphreys (sic) boundary line to where they corner with Mrs. Bryant; thence East with Nall and Bryant's boundary line, to road that leads from Gadsden to Highway No. 20; thence North with said road to the Wirt Seminary road; thence East following the meanderings of said road to the turn in front of the Joe Spears (sic) place; thence a Northerly direction with the meanderings of said road, on by the Buckingham place, and on to where said road intersects with the Gadsden and Mason Grove road near Ira, and O. U. Willoughby's home places; thence an Easterly direction back to Griggs (sic) Store, or the place of the beginning.

**SECTION 2.** That the officers of said Gadsden Special School District shall consist of a Board of seven members who, and their successors shall constitute a body politic and corporate, the majority of whom shall make a quorum for transaction of business. The first Board shall consist of, Dr. F. C. James, E. E. Collinsworth, John Tinsley, S. A. Person, Homer Richardson, J. H. Davis, and D. B. Davis, each of whom shall be freeholders and having resided for more than six months within the above said boundaries. All vacancies that may occur in this body shall be filled by the Board, no one being eligible except those who are twenty-five years or more of age, and are freeholders and householders within said boundaries and of good moral character and having at least an elementary school education. Said Board shall organize by electing a President, Secretary, and Treasurer, all of whom shall be member (sic) of this Board.

**SECTION 3.** That said Board herein created and their successors in office shall constitute and are hereby declared the Board of Directors of "Gadsden Special School District" and by that name may sue and be sued, plead and be impleaded, and have continual succession for the purpose hereinafter designated; may have a common seal, and make such by-laws and regulations from time to time as they deem proper herein and as is consistent with the authority herein conferred and the laws of the State of Tennessee, for the purpose of carrying into effect the object for which they are created.

**SECTION 4.** That the officers of said School District shall serve a term of four years and until their successors are elected and qualified, and that the said school officers shall be elected by the qualified voters residing in the said "Gadsden Special School District"; provided the officers herein named shall serve until the regular August election in 1936, and until their successors shall be elected and qualified.

**SECTION 5.** That the powers and duties of said Board of Directors are as above and hereinafter set out, to-wit:

- (1) To establish and maintain a Public School at Gadsden, in said district, wherein shall be taught all branches now required to be taught by the elementary and High Schools of the State and in which may be taught a commercial or business course and also a course preparatory for university work, at the discretion of the Board of Directors.
- (2) To employ competent teachers and as many as they see proper for said school or schools, fix their salaries and for lawful reasons discharge them.
- (3) To open and close the schools and determine the length thereof.
- (4) To build and keep in repair school buildings, out-buildings, grounds and any other school buildings or school property that may be included in said school district or that said Board may see fit to erect, take over and maintain.
- (5) To use the school funds coming into their hands from whatever source and in such a manner as will in their judgement and discretion best promote the interest of said school district.

(6) To order and have taken a census of the children within said district according to school laws of the State of Tennessee, and report same, properly certified, to the County Superintendent of Public Instruction, and to the County Trustee of Crockett County, Tennessee, as soon as practicable after the taking effect of this Act.

(7) To hold regular meetings at the time and place prescribed by them, and special meetings when called by the President, or by any four of the Board of Directors, four members to constitute a quorum of said Board.

(8) To hold in trust school property, real and personal, if in the bounds of said school district, and to dispose of same, the real estate by deed and the personal property by either public or private sale, as they in their discretion may see proper, and apply the proceeds for and to the benefit of said school district.

**SECTION 6.** That after making the report of school census as provided by the Sub-section 6 of Section 5 of this Act, the County Trustee shall apportion to the said district for the maintenance of said school or schools its per capita or pro rata share of all school funds of the county then or thereafter in his hands according to such of the 1934 funds said school districts, which it bears to that of Crockett County, and the County Trustee shall also apportion to said school district its per capita or pro rata share of the State school fund paid to said county by the State. Such school census shall be taken annually, and the funds apportioned each year thereafter as herein provided by this Act.

**SECTION 6(a).** That the Board of Directors of Gadsden Special School District of Crockett County, Tennessee, be and is hereby fully and further empowered and authorized in its corporate capacity to borrow money and issue, sell and negotiate its negotiable bonds with interest coupons attached in an amount not to exceed Fifty Thousand (\$50,000.00) Dollars, for the purpose of providing funds for the construction or purchase, maintenance, repair and improvement of grounds, equipment and buildings for school purposes within said Special School District.

Interest on such bonds as may be issued hereunder shall be at a rate not to exceed 6% per annum, payable semi-annually, and may be evidenced by negotiable coupons attached to said bonds. The form of such bonds and the coupons attached thereto shall be such as may be prescribed by the Board of Directors of Gadsden Special School District, Crockett County, Tennessee, by proper resolution entered upon its Minutes.

That any bonds issued and sold hereunder shall be payable in such amounts, and at such times and places, and in such manner as shall be directed by the Board of Directors of Gadsden Special School District, Crockett County, Tennessee, that any bonds issued hereunder shall be executed in the name of the Gadsden Special School District, signed by the President of the Board and countersigned by the Treasurer thereof, and such bonds may be sold in such amounts and at such times and places publicly after due advertisement as the Board of Directors of Gadsden Special School District, Crockett County, Tennessee, may direct by proper resolution.

That the funds derived from the sale hereunder of bonds shall be paid into the hands of the Treasurer of the said Special School District, to be disbursed by him as are other funds of said Special School District provided, however, that there shall be maintained a separate account by said Treasurer designated as "Gadsden Special School District Bond Account" into which the funds from the proceeds from the sale of said bonds shall be deposited and shall only be expended for the purposes mentioned in this Act.

Any bonds or notes issued hereunder shall be exempt from taxation by the State of Tennessee or any county or municipality thereof.

That prior to the issuance of any bonds hereunder, the Board of Directors of the Gadsden Special School District shall request the election commissioners for Crockett County, Tennessee, to call an election in said town to determine whether or not any bonds shall be issued under this Act by said Special School District. Requirement for eligible voters in said election shall be the same requirements as for voters in the election of members of the General Assembly of the State of Tennessee. The form of ballot to be used in said election shall be as prescribed by proper resolution of the Board of Directors of Gadsden Special School District, and a majority of the voters voting in said election shall determine the issues therein.

As amended by: Private Acts of 1951, Chapter 426

**SECTION 7.** That for the purpose of supporting and maintaining the school or schools of the said school district and for supplementing the school funds for said district so that school terms for said school or schools may be extended and continued for nine months each year if possible, as a free public school, there is hereby assessed for the year 1935 and for each subsequent year thereafter, a tax of eight cents on every One Hundred Dollars (\$100.00) worth of taxable property, both real and personal, situated within said "Gadsden Special School District", and there is also assessed for said purposes one dollar poll tax on all persons who are subject to poll tax in said district between the ages of twenty-one and fifty

years of age. The basis of assessment for said tax on such property shall be assessed value as shown by the books of the County Trustee, and taxes assessed on real estate are a lien upon such real estate.

As amended by: Private Acts of 1981, Chapter 96

That in addition to the (8¢) cents tax on every one hundred dollars' worth of taxable property within said Special School District as herein and heretofore assessed, there is hereby levied an additional tax of Eighty Cents (80¢) on every one hundred dollars' worth of taxable property situated within said Gadsden Special School District, for the purpose of creating a fund with which to pay the bonds, interest and coupons, and said tax is hereby levied for the year 1951, and each subsequent year thereafter, until both principal and interest of such bonds shall have been fully paid. And the full faith and credit of the Gadsden Special School District are hereby irrevocably pledged to the payment thereof.

As amended by: Private Acts of 1951, Chapter 426

Private Acts of 1970, Chapter 308

Private Acts of 1981, Chapter 96

The taxes herein assessed shall become due and be collected at the time and in the same manner as taxes under the general laws of the State by the County Trustee.

That the taxes herein provided for operational purposes by the (8¢) cents tax levy, together with all other school funds received from the County Trustee, except for the taxes assessed for the purpose of retiring the bonds herein authorized, shall constitute the school fund for said School District, which funds shall be under the control of said Board of School Directors for the use and benefit of the said "Gadsden Special School District"; and, the taxes herein provided for retiring the bonds herein authorized by the Eighty Cents (80¢) tax levy shall be kept separate from the other funds of said Special School District and shall be disbursed only for the purpose for which they were created.

As amended by: Private Acts of 1951, Chapter 426

Private Acts of 1970, Chapter 308

Private Acts of 1981, Chapter 96

No part of said funds shall be paid out by the Treasurer of said school district except by order of said Board of School Directors and upon warrants properly drawn and signed by the President and the Secretary of said Board of School Directors; provided, further, that no personal property of the taxpayers within said school district shall be exempt from levy or execution for their said tax assessments or personalty and polls herein assessed by this Act; and provided that the County Tax assessor shall prepare a separate and complete list of all taxable property, both real and personal, and all polls within said district for the use of the County Trustee in making collection of said taxes.

**SECTION 8.** That all children living within the boundaries of said "Gadsden Special School District", shall be entitled to the benefits of the funds arising from the provisions of this Act, and are to be entitled to free tuition in the school or schools operated by said Board of Directors as aforesaid; provided this shall apply to such children as are between the ages of six and twenty-one years of age; but no tuition shall be charged any child or children for any course of study that may be taught in any school or schools within said district under supervision of said Board.

The Board of School Directors for said school district shall have power to admit by contract persons over school age or non-residents of the district or County or State, upon the payment of such reasonable rates of tuition and under such regulations as the said Board of Directors may prescribe for persons not entitled to admission in the said school or schools free of charge. All tuition shall be paid to the Treasurer of said Board of Directors for the use and benefit of the said school district and shall be paid out as other funds collected and received by said school district.

**SECTION 9.** That the said Board of School Directors shall within ten days after this Act takes effect meet and elect a President, Secretary and Treasurer. The members of said Board of School Directors shall serve without compensation except that the Secretary may be allowed and receive lawful compensation for taking the census or scholastic population of said school district or for having the same done each year. The Secretary of said Board shall keep a true record of all meetings and business transacted by said Board in a minute book to be provided for such purpose and the Treasurer shall keep a true and correct account of all funds coming into his hands and all disbursements. The Treasurer shall enter into bond sufficient to cover all school funds coming into his hands and belonging to the said "Gadsden Special School District", which shall be fixed by the said Board of Directors, and shall be payable to the State of Tennessee for the use and benefit of said school district and it shall be approved by the President of said Board and filed with the Secretary thereof.

**SECTION 10.** That said Board shall not employ any person or persons as principal of the school or schools herein created who has not had the equivalent of a high school education and passed a satisfactory examination as to same. Said principal shall have general superintendence over all schools in operation under control of said Board of Directors with special reference to the grading and promotion of the pupils thereof. Said Board shall not employ any person or persons as assistant teachers in said school

or schools who have not passed a satisfactory examination in the course in which they are to teach under the rules and regulations prescribed for teachers by the State Superintendent of Public Instruction of the State of Tennessee.

**SECTION 11.** That all laws and parts of laws in conflict with this Act are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 29, 1935.

## Maury City School District

### Private Acts of 1959 Chapter 147

**SECTION 1.** That a Special School District be and the same is hereby created and established, embracing all of the 10th Civil District in which the town of Maury City is located and portions of the 14th, 13th, 12th, 11th, and 8th Civil Districts of Crockett County, Tennessee, to be known as and designated the "Maury City Special School District", with the following boundaries:

Beginning at a point in the South Fork of the old Forked Deer River at the Northwest corner of the K. A. Randall farm in the 13th Civil District of Crockett County, Tennessee, runs thence East with the North boundary line of said Randall farm in the Chestnut Bluff-Gilliland School Road, thence approximately South with said road for a short distance to where the Lebanon Church Road branches off to the East, thence in an Easterly direction with the meanders of said Lebanon Church Road to the Maury City Chestnut Bluff Road, thence in a Northwesterly direction with said road past said church lot to the North boundary line of the J. H. Hysinger farm, thence East with the North boundary line of said Hysinger farm to the Jinnie Lilly Road in the Southwest corner of the Lloyd Chronister farm, thence North with said road along Chronister's West boundary line, and leaving said road in a Northeasterly direction to Chronister's North boundary line, thence East and North and East again following Chronister's boundary lines to drainage ditch and the Northwest corner of the Odell Woods (sic) home place, thence East with the North boundary line of said Woods (sic) home place to the Odell Woods Road, thence South with said road to the Northwest corner of another farm of Odell Woods, thence East with the North boundary lines of said Odell Woods farm and the Joe Barnes farm to the Mansfield Road, thence North with said Mansfield Road to the Northwest corner of the old Mansfield place (now owned by Cleve East), thence East with the North boundary line of said East farm to a lane and the West boundary line of the Cleve East twenty acre farm, thence North with the West boundary line of said East twenty acre place to the Northwest corner of same, thence East with an old road bed along the North boundary line of said Cleve East twenty acre place, crossing the Alice Leggett old place and the R. K. Riddick farm to the old Antioch Road, thence East with said old Antioch Road to the cemetery and North from said cemetery to the Indian Mound-Chestnut Bluff Road, thence East along said Mound-Chestnut Bluff Road to the Cleve East-Friendship Road, thence North with said latter road through the Clarence Brasfield farm and along the Hershall Agee farm to the Northwest corner of said latter farm, thence Easterly with North boundary line of said Agee farm to William Brasfield's West boundary line, thence North with said William Brasfield's West boundary line to Pond Creek Drainage Canal, thence up said Canal in Southeasterly direction to the Southwest corner of the Walker land, thence North with Walker's West boundary line to the Northwest corner of said farm, thence East or in an Easterly direction with the meanders and off sets of the North boundary line of said Walker farm to the old Mound-Friendship Road at the Northwest corner of the R. L. Parker farm, thence continuing East with North boundary line of said Parker farm and the North boundary line of the Evans Chambers farm to the concrete State Highway No. 20, thence South with said Highway to the Maury Junction Road, thence East with said latter road along the North boundary line of Luther Leggett farm and to the Northeast corner of same, thence South along the East boundary line of the Leggett farm and the Max Browder farm to the North boundary line of the Mae Cherry farm, thence East with the North boundary line of said Cherry farm to the Northeast corner of same, thence South with the East boundary line of said Cherry farm and then continuing directly South across the J. H. Powell farm to the Pond Creek Drainage Canal, thence up said Canal in a Southerly and Easterly direction with its meanders to the Nance-Highway No. 20 Road at a bridge, thence east with said Nance-Highway No. 20 Road to the New Highway No. 20, thence with said New Highway No. 20 in a Southeasterly direction to the intersection of the Cario-Burnice Birmingham Road, thence with said latter road in a Southwesterly direction to Pond Creek Drainage Canal, thence up said Canal in Southeasterly direction to the Crockett Mills-Brimm Corner Road, thence with said road to and crossing concrete Highway No. 20 at the off set, and continuing South on Highway No. 54 to Black Creek, thence West with said Creek to the Northeast corner of the Colvin Cates farm, thence South with the East boundary line of said farm to the North boundary line of the R. T. Tucker farm, thence West with the North boundary line of said Tucker farm to his Northwest corner, thence South with his West boundary line to the North boundary line of the A. J. Tucker farm, thence East with the North boundary line of said

A. J. Tucker farm to the Northeast corner of same, thence South with the East boundary line of said Tucker farm to a creek, thence down said creek to the fork of same, thence up the Southerly fork of same in an Easterly and then Southerly directions with its meanders to the North boundary line of the Luke Hughes land, thence West with the North boundary line of said Hughes land to an interior corner of the H. H. Carter lands, thence South with Carter's East boundary line to the North boundary line of the Smith Kail farm, thence West to the Maury City-Johnson's Grove Road, thence with said road in a Southeasterly direction to Johnson's Grove-Road, thence with said road in a Southeasterly direction to Johnson's Grove-Frog Jump Road, thence West with said latter road to the Cane Ridge Road, thence in a Southerly direction with the Cane Ridge Road with its meanders to the Haywood County line, thence in a Westerly direction with the Haywood County line to the South Fork of the old Forked Deer River, thence in a Northwesterly direction with said old river and old river bed to the point of beginning.

**SECTION 2.** That Maury City Special School District shall be governed by a Board of Directors of five members who, and their successors, shall constitute a body politic and corporate, and a majority of whom shall constitute a quorum for the transaction of business. The members of such Board of Directors shall be elected by the qualified voters residing within the boundaries of the Maury City Special School District, except for the first Board of Directors herein named who shall act until the first day of September following the regular August election 1960 or until their successors shall have been elected and qualified. Such first Board of Directors shall consist of the following members: Lynn Agee, J. W. Riddick, Frank Poston, Russell Garrett and Asa Fisher.

At the regular August election 1960 two directors shall be elected to a term of two years and three directors shall be elected to a term of four years, or until their successors shall have been elected and qualified and the ballot shall designate those who are running for two year offices and those who are running for four year offices.

Thereafter all directors shall be elected and shall hold office for a term of four years, or until their successors shall have been elected and qualified.

The term of office of all directors shall commence the first day of September following the regular August election at which they are elected.

To be eligible as a member of the Board of Directors, an individual must have resided in Crockett County for at least one (1) year and within the boundaries of said Special School District outside the corporate limits of the town of Maury City, Tennessee for at least six (6) months prior to being elected, and must be of good moral character and at least twenty-one (21) years of age. These qualifications for eligibility as members of the Board of Directors shall not be applicable to those members of the Board of Directors in office on the effective date of this Act during the remainder of their current terms of office.

The board (sic) of Directors shall organize by electing a President, Secretary and Treasurer, all of whom shall be members of such Board.

In the event of a vacancy on the Board of Directors the remaining members of such Board shall fill the vacancy with an eligible citizen to serve out the unexpired term of the vacated member.

The terms of office of members of the Board of Directors in office on the effective date of this Act shall end on August 31, 1980, or on the date of any special election called for the purpose of electing Board members, whichever occurs first. At the regular August election in 1980 five (5) Directors shall be elected by the qualified voters of the Special School District for terms of four (4) years beginning with the first day of September, 1980. A special election may be held prior to the regular August election in 1980 for the purpose of electing five (5) Directors. Such special election shall be called by the Crockett County Election Commission upon a petition being filed with the County Election Commission which contains the signatures of at least ten percent (10%) of the qualified voters of the district and which requests that a special election for the purpose of electing five (5) Directors of the School District be called. The special election shall be conducted in accordance with the general election laws of this state. If a special election for the purpose of electing Board members is held, the Board members elected at such election shall take office immediately upon their election and shall serve until the first day of September, 1984. The successors to directors elected by special election shall be elected at the regular August election in 1984 for terms of four (4) years beginning with the first day of September, 1984.

As amended by: Private Acts of 1979, Chapter 166

**SECTION 3.** That said first Board of Directors hereinabove named shall, within fifteen (15) days after this Act takes affect, meet and organize by electing a President, Vice-President, Secretary, and Treasurer from among the members of said Board.

That the members of the Board of Directors shall serve without compensation. The Treasurer shall enter into bond, with some solvent Surety Company authorized to do business in Tennessee, in an amount to be fixed by the Board and to comply with State requirements, which bond shall be payable to the State of

Tennessee for the use and benefit of Maury City Special School District, and conditioned to faithfully account for and properly use and disburse all funds of the District coming into his hands; and the cost of such bond will be paid out of the operational funds of said District.

**SECTION 4.** That the Board of Directors shall have the following powers and duties, to wit:

To establish and maintain a Public School, tuition free, in said District at Maury City, wherein shall be taught the subjects required to be taught by the elementary and high schools of the State, and, in which may be taught commercial, vocational, mechanical and business courses and other subjects at the discretion of the Board:

To lease or receive the loan of school building, plant and property from the Town of Maury City or from any other source, provided such action appears to be advisable to the Board:

To employ competent teachers and employees for said school, including a school principal, and, within the general law, to fix their salaries and for lawful reason discharge them, prescribe the school term, receive school funds from the State, County, District and from whatever source public schools of this state are entitled to derive funds and to use the same in such manner as will in their judgment and discretion best promote the interest of said district's School and public education within the district:

To construct, purchase, maintain, repair and improve such school grounds, buildings, equipment and school property generally including gymnasium, athletic and recreation grounds as said Board may deem proper, and to hold the same in trust, and to sell the same or any part thereof as said Board may deem necessary and proper for the advantage of the district school and apply the proceeds to the benefit of the district school:

To otherwise govern and control the district school in such manner as will in their discretion best promote public education within the district, and so as to best cooperate with the State Department of Education and the County Board of Education.

**SECTION 5.** That the school principal shall be a competent teacher and a person of administrative ability and shall have general superintendence over all school functions, and such principal shall carry out the policies formulated by the Board of Directors.

**SECTION 6.** That the Board of Directors shall hold regular public meetings at least once a month at a designated place and hour, and, that a special meeting may be called by the President or a majority of the Board members upon three days notice to all members of the Board. The approval by a majority of all members of the Board of Directors shall be required for the transaction of all official business of the Board of Directors.

As amended by: Private Acts of 1979, Chapter 166

**SECTION 7.** That the Board of Directors of Maury City Special School District of Crockett County, Tennessee, be and is hereby fully and further empowered and authorized in its corporate capacity to borrow money and issue, sell and negotiate its negotiable bonds with interest coupons attached in an amount not to exceed Four Hundred Thousand (\$400,000.00) Dollars, for the purpose of providing funds for the construction or purchase, maintenance, repair and improvement of grounds, equipment and buildings for school purposes within said Special School District.

Interest on such bonds as may be issued hereunder shall be at a rate not to exceed 8% per annum, payable semi-annually, and may be evidenced by negotiable coupons attached to said bonds. The form of such bonds and the coupons attached thereto shall be such as may be prescribed by the Board of Directors of Maury City Special School District, Crockett County, Tennessee, by proper resolution entered upon its Minutes.

That any bonds issued and sold hereunder shall be payable in such amounts, and at such times and places, and in such manner as shall be directed by the Board of Directors of Maury City Special School District, Crockett County, Tennessee, that any bonds issued hereunder shall be executed in the name of the Maury City Special School District, signed by the President of the Board and counter-signed by the Treasurer thereof, and such bonds may be sold in such amounts and at such times and places publicly after due advertisement as the Board of Directors of Maury City Special School District, Crockett County, Tennessee, may direct by proper resolution.

That the funds derived from the sale of such bonds shall be paid into the hands of the Treasurer of the said Special School District, to be disbursed by him as are other funds of said Special School District, provided, however, that there shall be maintained a separate account by said Treasurer designated as "Maury City Special School District Bond Proceeds Account" into which the proceeds from the sale of said bonds shall be deposited and shall only be expended for the purposes set out in the first paragraph of this section of this Act.

Any bonds or notes issued hereunder shall be exempt from taxation by the State of Tennessee or any

county or municipality thereof.

The bonds herein authorized shall not be issued until the issuance thereof has been approved by a majority vote of the qualified voters of the district voting in an election called for such purpose by the County Election Commission of Crockett County, pursuant to the request of the Board of Directors of the district. As used in this Act, the term "qualified voters" shall mean all registered voters who reside within the district outside the corporate limits of the town of Maury City, Tennessee, and any registered voter in Tennessee who owns real property located within the district outside the corporate limits of the town of Maury City, Tennessee. The election on the issuance of bonds shall be held in the same manner and by the same officials as general elections are required to be held in Crockett County, and notice thereof shall be given in the manner required in Title 2, Tennessee Code Annotated, for elections held on questions within a county. At the election the proposition being submitted to the qualified voters of the district shall appear in the form of a question and shall briefly state the maximum amount of bonds to be issued, the purpose for which such bonds are to be issued, and the tax rate to be levied upon issuance of the bonds, and shall be followed by the words "Yes" and "No" so that a voter can vote his preference by making a cross mark (X) opposite the proper word. The County Election Commission of Crockett County shall canvass the returns of such election and determine in writing the results thereof. If a majority of the qualified voters of said district voting at any election vote against the issuance of the bonds herein authorized no subsequent election may be held for such purpose within one hundred and eighty (180) days succeeding the date of the election.

As amended by: Private Acts of 1979, Chapter 166.

**SECTION 8.** For the purpose of helping to support, operate and maintain the schools in the district, there is hereby levied a continuing annual tax of thirty-five cents (\$0.35) on each one hundred dollars (\$100.00) worth of taxable property within the Maury City Special School District outside the corporate limits of the town of Maury City, Tennessee, beginning with the year 1979. The tax levy at the rate specified by this Act shall not be effective unless approved by a majority vote of the qualified voters voting in an election to be conducted at the same time and in the same manner as the election provided by this Act for the issuance of bonds. At the election the proposition being submitted to the qualified voters of the district shall appear in the form of a question and shall briefly state the tax rate to be levied and the purpose of the tax and shall be followed by the words "Yes" and "No" so that a voter can vote his preference by making a cross mark (X) opposite the proper word.

For the purpose of paying the principal and interest and any redemption premiums on the school bonds authorized by this Act, there is hereby levied an additional tax of sixty-five cents (\$0.65) on each one hundred dollars (\$100.00) worth of taxable property within the Maury City Special School District, outside the town of Maury City, Tennessee, beginning with the year 1979 and continuing annually until said bonds have been paid in full as to both principal and interest. The levying of this tax, at the rate specified, shall automatically occur upon the vote of the qualified voters of the district to issue the bonds authorized by this Act.

The basis of assessment of any tax on property within the District shall be the assessed value as shown by the books of the county trustee, and any taxes so levied shall be a lien on the real property. The taxes herein authorized shall become due and be collected at the same time and in the same manner by the county trustee as taxes under the general laws of the state.

No disbursement will be made by the District except by proper check or warrant, properly drawn and signed by the president and the treasurer.

The county tax assessor shall prepare a separate and complete list of all taxable property, both real and personal, within the school district for the use of the county trustee in making collection of any taxes.

As amended by: Private Acts of 1979, Chapter 166

**SECTION 9.** That the County Trustee shall also apportion and pay over to said School district its per capita and/or prorate share of all Crockett County School funds in his hands, or coming into his hands from County, State or other sources.

**SECTION 10.** That the Board of Directors of said District are hereby authorized and empowered to make contracts and agreements with any and all agencies of the Federal Government or of the State of Tennessee, or the town of Maury City with reference to the procurement of funds or school property for the purpose of this Act, and to this end, may, if necessary, or if deemed expedient, sell, transfer or assign any bonds issued hereunder to any agency of the Government of the United States, or of the State of Tennessee; or to make any other lawful financial arrangements, or other contracts with either of said Governments, or the town of Maury City, which the Board of Directors may deem necessary or expedient.

**SECTION 11.** That:

(a) This Act shall have no effect unless the same shall have been approved by a majority of the voters residing in the Special School District herein created, in an election to be held for such purposes. Within



five days after the approval of this Act by the Governor, it shall be the duty of the Commissioner of Elections of Crockett County to call an election for the Maury City Special School District, to be held not less than twenty nor more than forty days from the date of such call, for the purpose of accepting or rejecting the provisions of this Act. The ballots used in this election shall have printed thereon the title of this Act and the voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the Commissioner of Elections upon the first Monday occurring five or more days next after the date of such election, and the results shall be proclaimed by the Commissioner of Elections and certified by him to the Secretary of State. The general election laws shall be applicable to such election.

(b) In the event this Act is approved in the election provided for in (a), this Act shall have no effect unless the same shall have been approved by a two-thirds (2/3) vote of the Quarterly County Court of Crockett County, on or before its first regular meeting more than five days after the said election. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State within ten days after the action of the Court.

(c) In the event the Court should determine that this Act need not be approved by the voters of the Special School District as provided for in (a), and/or this Act need not be approved by the governing body of the County as provided for in (b), within the meaning of Article 11, Section 9, of the Constitution, then either sub-sections (a) or (b), or both, shall be elided and the General Assembly hereby declares that it would have enacted this chapter without this section, or without either sub-section (a) and/or (b).

**SECTION 12.** That this Act shall take effect from and after its passage, the public welfare requiring it.

**SECTION 13.** The County Election Commission of Crockett County, pursuant to the request of the Board of Directors of the Maury City Special School District, shall call an election on such question, or questions, pertaining to the operation of the District, as may be certified to the County Election Commission by the Board of Directors. All questions certified to the County Election Commission shall be placed on ballots and shall be followed by the words "Yes" or "No", in order that a voter can vote his preference by making a cross mark (X) opposite the proper word. All qualified voters of the Maury City Special School District shall be eligible to vote in such elections. The purpose of the elections authorized by this section shall be to ascertain the will of the qualified voters of the Maury City Special School District on questions pertaining to the operation of the school district. The results of any election conducted pursuant to this section shall not be binding on the Board of Directors of the Maury City Special School District, and the ballots in any such election shall state that the Board of Directors is not bound by the results. If an election on questions is conducted in accordance with this section, no other election under the provisions of this section shall be conducted until after the expiration of one hundred and eighty (180) days from the date of the prior election.

As amended by: Private Acts of 1979, Chapter 166

**SECTION 14.** To the extent possible, all elections conducted pursuant to the authority of this Act may be conducted at the same time as elections on similar matters conducted by the town of Maury City, Tennessee.

As amended by: Private Acts of 1979, Chapter 166

Passed: March 10, 1959.

**COMPILER'S NOTE:** Private Acts of 1979, Chapter 166, which amended Private Acts of 1959, Chapter 147, provided that any elections authorized under the 1979 Act were to be held within one (1) year from the date the Act became law, and if not so held could not be held at any time. Further, any taxes authorized under the 1979 Act would not become effective if not approved within the said one (1) year period from the date of passage of the Act. See also Op. Tenn. Att'y Gen. 80-262 (May 29, 1980).

## Education/Schools - Historical Notes

### **Crockett Mills High School District**

The following acts once affected the Crockett Mills High School District in Crockett County, but are no longer operative.

1. Private Acts of 1979, Chapter 101, amended Private Acts of 1921, Chapter 781, Section 7, the current law, and authorized, subject to a successful referendum, a tax levy for the year 1979 and thereafter of eighty cents (80¢) on each one hundred dollars (\$100) worth of taxable property, both real and personal, in the Crockett Mills High School District. The purpose of the tax was to secure funds for the support, operation and maintenance of the schools in the said district. Further, the 1979 Act authorized a bond issue of one million six hundred thousand dollars (\$1,600,000) for the purpose of constructing, improving, and equipping school buildings in said school district. The bonds would bear eight (8%) percent interest annually and mature within thirty (30) years from the date of issuance. This Act was repealed by Private Acts of 1981,

Chapter 38.

2. Private Acts of 1980, Chapter 226, amended Private Acts of 1921, Chapter 781, the current law, and authorized the Crockett Mills High School District, subject to a successful referendum, to issue bonds in an amount not to exceed one million four hundred thousand dollars (\$1,400,000) at ten (10%) percent interest annually, payable within thirty (30) years from date of issue. The funds would be used to construct, improve and equip buildings in said school district. A tax of three dollars and ninety-five cents (\$3.95) would be levied on every one hundred dollars (\$100) worth of taxable property in the district to pay the interest and principal on the bonds when due. This Act was repealed by Private Acts of 1981, Chapter 38.
3. Private Acts of 1980, Chapter 227, amended Private Acts of 1921, Chapter 781, the current law, and its amendments and authorized the tax levy specified in said Act be so amended to encompass the year 1980. This Act was repealed by Private Acts of 1981, Chapter 38.

**Gadsden School District**

The following acts once affected the Gadsden School District in Crockett County, but appear to be no longer operative.

1. Private Acts of 1937, Chapter 887, subject to a successful referendum, authorized the Gadsden School District to issue bonds in an amount not to exceed three thousand dollars (\$3,000) for the purpose of securing funds for repairing, enlarging and/or building new school buildings in said school district. Neither the amount of the interest nor the maturity schedule were set out in the Act, but a tax levy of ten cents (10¢) on every one hundred dollars (\$100) worth of taxable property in the said district would be levied in 1937 and subsequent years to pay off the principal and interest on the bonds when due.
2. Private Acts of 1970, Chapter 308, attempted to amend Private Acts of 1935, Chapter 303, the Act which created the Gadsden School District, by decreasing the amount of the tax levy on the school bonds issued in the 1935 Act to fifteen cents (15¢) on every one hundred dollars (\$100) worth of taxable property in the district. This Act did not receive approval from the proper authorities and never became operative.

**Superintendent or Director of Schools**

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

1. Private Acts of 1921, Chapter 855, provided that the county superintendent of public instruction be elected by the qualified voters of Crockett County for a term of two years at the regular August 1922 elections and biennially thereafter.

**General Reference**

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

1. Acts of 1845-46, Chapter 189, made it the duty of the Trustees, of the old counties from which the newly organized Crockett County was taken, to ascertain the scholastic population of their counties and pay over to the Trustee of Crockett County, said County's proportion of common school funds as might be due said County.
2. Private Acts of 1893, Chapter 21, authorized the school directors of the Alamo School District to sell and convey a lot deeded to the school district from E. T. Austin, for the purpose of securing funds to reinvest in other property for the said school district.
3. Public Acts of 1901, Chapter 473, created the Union Grove and Porter's Grove School District out of parts of Crockett and Gibson counties. The Board of Directors, three (3) in number, would be composed of one (1) member from Gibson County and two (2) from Crockett County. The said school district was to be under the control of the County Superintendent of Public Instruction for Crockett County.
4. Acts of 1905, Chapter 226, created Maury City Special School District also, but would appear to be superseded by Private Acts of 1959, Chapter 147. The 1905 Act provided for three (3) elected individuals to serve as school directors for said district.
5. Acts of 1905, Chapter 282, created School District No. 16 in Crockett County and set out its boundaries.
6. Acts of 1905, Chapter 287, created School District No. 18 in Crockett County out of portions of the Seventh and Ninth Civil Districts, with a metes and bounds description of the school district set

- out in the Act. The County Superintendent, under the Act, would appoint three (3) citizens in the district to serve as school directors until their successors were elected. The management and control of the schools was to follow the general laws of the State.
7. Acts of 1905, Chapter 536, created the Hellen's School District in the Thirteenth Civil District of Crockett County with the boundaries described in the Act. The County Superintendent would appoint three (3) residents of the area to serve as Directors until the people could elect their successors. The Act provided for the County Trustee to keep the per capita school tax of all the scholastic population in the district in 1905 for the benefit of the citizens in said district.
  8. Acts of 1907, Chapter 61, created the Cross Roads School District in Crockett County, which would include the area embraced within the description contained in the Act. The County Superintendent would appoint three (3) citizens of the district to serve as School Directors until a regular election was held to elect three (3) Directors.
  9. Acts of 1907, Chapter 236, abolished the office of District Director and provided for schools to be under the management and control of a County Board of Education and a District Board of Advisors. The Act provided for the respective County Court to divide the county into five (5) school districts, composed of whole civil districts, from each of which school district, one (1) member of the Board of Education would be elected. The County Superintendent would be Secretary of the County Board of Education. The qualifications, terms, duties, responsibilities, compensation and authority, where applicable, for the Chairman of the County Board of Education and the Secretary of the County Board of Education were specified in the Act. The duties of the Advisory Board, composed of three (3) members from each civil district and elected by the people of said civil district, were enumerated in the Act. (See Whitthorne v. Turner), 155 Tenn. 303, 293 S.W. 147 (1927).
  10. Acts of 1907, Chapter 278, created Special School District No. 23. The County Superintendent was authorized to appoint the first three (3) members of the Board and the Trustee would keep the per capita school tax and pay it to the new school district.
  11. Acts of 1907, Chapter 279, took portions of the Eleventh and Twelfth Civil Districts of Crockett County and formed School District No. 22 in said County. The County Superintendent was authorized to appoint the first three (3) members of the Board and management and control of the schools in said district would be in accordance with general public school laws.
  12. Acts of 1907, Chapter 285, created the Badgett School District. The County Superintendent was authorized to appoint the first three (3) members of the Board.
  13. Acts of 1907, Chapter 385, established the Perry School District in Crockett County. The schools in said district would be under the supervision and oversight of the County Superintendent and the Trustee would give the school directors their pro rata share of public school funds after the scholastic census was furnished to the Trustee by the Board of School Directors.
  14. Acts of 1909, Chapter 186, amended Acts of 1907, Chapter 236, Section 17, above, so as to exclude Crockett County from its operations. The 1907 Act had abolished the office of District Director and provided for the schools to be under the management of a County Board of Education and a District Board of Advisors.
  15. Acts of 1909, Chapter 588, provided for the public school funds available to the County schools under Acts of 1907, Chapter 236, to be distributed to the school districts in the counties in proportion to each district's scholastic census. Further, the Act provided that school districts and civil districts would be coextensive and that the District Advisory Boards then serving would constitute the District Boards of Directors until the next regular election..
  16. Private Acts of 1913, Chapter 181, repealed Acts of 1909, Chapter 186, above, and provided for Crockett County to be under the operation of a County Board of Education and District Advisory Board.
  17. Private Acts of 1915, Chapter 380, created a special school district in the Fifteenth Civil District of Crockett County. The County Superintendent was authorized to number the school district and W. H. C. Hall, G. T. White, and R. G. Watson were appointed as school directors until their successors could be elected. The school district was vested with all the rights, privileges, and immunities of other school districts in the County.
  18. Private Acts of 1919, Chapter 454, abolished the County High School Board in Crockett County and transferred all the powers and duties once held by said board to the County Board of Education, whose additional duty it was to establish and maintain one (1) or more high schools out of the high school fund.
  19. Private Acts of 1919, Chapter 602, created and established a school district in Crockett County

- called the Fourteenth School District. The Board of Education for said district would consist of five (5) members. The Act authorized, subject to the outcome of a successful referendum, a tax levy on polls and property of taxpayers within said district for school purposes.
20. Private Acts of 1920 (Ex. Sess.), Chapter 45, created the Crockett High School District. The Board of Education would consist of seven (7) members. The powers and duties of the Board were prescribed in the Act. For school purposes the Act authorized a tax levy of twenty-five cents (25¢) on every one hundred dollars (\$100) worth of taxable property in said district and a one dollar (\$1.00) poll tax on all males between the ages of twenty-one (21) and fifty (50). This Act was specifically repealed by Private Acts of 1931, Chapter 530.
  21. Private Acts of 1920 (Ex. Sess.), Chapter 89, created the Friendship High School District out the Eleventh and Twelfth Civil Districts of Crockett County and the town of Friendship in said county. The school district would be managed by a five (5) member Board of Director, whose powers and duties were prescribed in the Act. A tax of thirty-five (35¢) cents on every one hundred dollars (\$100) worth of taxable property in the said district was authorized to be levied to support and maintain the schools in said school district, as well as, a one dollar (\$1.00) poll tax on all males between twenty-one (21) and fifty (50) years of age. This Act was repealed by Private Acts of 1929, Chapter 893.
  22. Private Acts of 1921, Chapter 954, amended Private Acts of 1915, Chapter 380, above, by levying a special tax of twenty-five cents (25¢) on every one hundred dollars (\$100) worth of taxable property in the Fifteenth Civil District.
  23. Private Acts of 1929, Chapter 893, repealed in its entirety, Private Acts of 1920 (Ex. Sess.), Chapter 89, above, and thereby abolished the Friendship School District.
  24. Private Acts of 1931, Chapter 301, abolished the position of attendance officer in the Crockett County school system. As a result, the sheriff, his deputies, and constables were authorized to execute all the warrants issued under the compulsory attendance law at the instance of the County Superintendent of Public Instruction for which services these officer's would receive the same fees as the law provides for like service of process. This Act was repealed six (6) years later by Private Acts of 1937, Chapter 861.
  25. Private Acts of 1931, Chapter 530, specifically repealed Private Acts of 1920 (Ex. Sess.), Chapter 45, above, which had created the Crockett High School District.
  26. Private Acts of 1935 (Ex. Sess.), Chapter 69, authorized the County Board of Education to pay to D. T. Williams a sum of money, not exceeding five hundred fifty dollars (\$550), for the construction of the Crossview school house in the First Civil District of Crockett County. The warrant for said amount would be drawn on the elementary school fund.
  27. Private Acts of 1937, Chapter 861, expressly repealed Private Acts of 1931, Chapter 301, above, which had abolished the position of attendance officer in the school system of Crockett County.

## Chapter VII - Elections

### County Executive Committee

#### Private Acts of 1974 Chapter 205

WHEREAS, Tennessee Code Annotated, Section 2-104, subsection (5), states that "'County executive committee' means a political party's authoritative county body which is constituted either under the law or under the rules of the political party"; now, therefore,

**SECTION 1.** The members of the county executive committee of the democratic party within Crockett County shall be elected from magisterial districts by the registered voters who are members of the democratic party. Such election shall be held at the same time as the primary election provided for in Tennessee Code Annotated, Section 2-1315. The number of persons to be elected from each magisterial district shall be fixed by the incumbent county executive committee of the democratic party, provided that the committee shall require the same number of persons to be elected from each magisterial district. Persons elected to such office shall serve for two (2) years and until their successors are elected and qualified.

As amended by: Private Acts of 1974, Chapter 380

**SECTION 2.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Crockett County within thirty (30) days of its passage. Its approval or non-approval shall

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

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

Passed: February 20, 1974.

## Elections - Historical Notes

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

1. Acts of 1851-52, Chapter 196, divided Tennessee into ten (10) U. S. Congressional Districts, but did not assign Crockett County, newly created, to any district. The Act provided for the people in any new county to vote with the people in the old county from which their county was taken in statewide elections and Federal elections until the next apportionment of representation in the General Assembly.
2. Acts of 1851-52, Chapter 197, divided Tennessee into Congressional Districts and provided for people in new counties to vote in the County from which their County was taken until the next apportionment.
3. Acts of 1872 (Ex. Sess.), Chapter 7, divided the State into nine (9) U. S. Congressional Districts. Crockett County composed the Eighth Congressional District along with Madison, Haywood, Lauderdale, Dyer, Gibson, Weakley, Obion and Lake counties.
4. Public Acts of 1873, Chapter 27, apportioned the State into ten (10) Congressional Districts. Weakley, Obion, Lake, Dyer, Gibson, Haywood, Tipton, Lauderdale and Crockett counties composed the Ninth U. S. Congressional District.
5. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the State into Senatorial and Representative Districts for election of individuals to the General Assembly. The Act provided for Crockett County to elect one (1) Representative separately. Crockett composed the Thirteenth Senatorial District.
6. Public Acts of 1882 (Ex. Sess.), Chapter 27, reapportioned the State into ten (10) U. S. Congressional Districts. The Ninth District was composed of Weakley, Gibson, Haywood, Lauderdale, Dyer, Obion, Lake and Crockett counties.
7. Public Acts of 1890 (Ex. Sess.), Chapter 25, was a statewide law which required registration of voters in counties, towns, cities and civil districts having the populations set forth in the Act. The Act authorized the Governor to appoint three (3) Commissioners of Registration who would in turn appoint Registrars. The duties and powers for the Registrars and the Commissioners of Registration were prescribed in the Act.
8. Acts of 1891 (Ex. Sess.), Chapter 10, apportioned Tennessee into Senatorial and Representative Districts. The Act provided for Crockett County to elect one (1) Representative and for Crockett County to compose the Twenty-Ninth Senatorial District with Gibson County.
9. Acts of 1899, Chapter 325, ratified an election held by the Sheriff of Crockett County in the town of Gadsden, wherein the municipal officers of said town were elected.
10. Public Acts of 1901, Chapter 109, divided the State into ten (10) U. S. Congressional Districts. The Ninth District was composed of Gibson, Weakley, Obion, Lake, Dyer, Lauderdale, Haywood and Crockett counties.
11. Public Acts of 1901, Chapter 122, apportioned the State into representative and Senatorial Districts. Crockett County composed the Twenty-Ninth Senatorial District along with Dyer and Lauderdale counties. Crockett County would elect one (1) Representative to the General Assembly.
12. Private Acts of 1921, Chapter 751, amended Public Acts of 1890 (Ex. Sess.), Chapter 25, above, by exempting Crockett County from the provisions of the 1890 Act which had provided for the registration of voters before they could vote in counties having certain populations.

## Chapter VIII - Health

### Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Private Acts of 1937, Chapter 439, permitted persons: (1) over twenty-one (21) years of age, (2) who had made a study of pharmacy, (3) who had at least ten (10) years training and practice under a registered pharmacist, and (4) who were of good moral character and had the public's confidence in the filling of prescriptions, to have a license issued them to practice pharmacy in Crockett County, by the State Board of Pharmacist Examiners.
2. Private Acts of 1984, Chapter 220, directed the Crockett County Election Commission to place on the ballot for the regular August, 1984 election the question of whether the voters desired a tax increase to fund a solid waste disposal program. This Act was not approved by the proper authorities and never became operative.

## Chapter IX - Highways and Roads

### Road Law

#### Private Acts of 1933 Chapter 26

**SECTION 1.** That in each County of this State, having a population of not less than (17,355) Seventeen Thousand, Three Hundred and Fifty-five, nor more than (17,365) Seventeen Thousand, Three Hundred and Sixty-five inhabitants, according to the Federal Census of the year 1930, or any subsequent Federal Census, there shall be and is hereby created a Department of County Roads, the control and management of which Department shall be as hereinafter provided for.

**SECTION 2.** That in each county of this state affected by and to which this act applies, there shall be and is hereby created a County Road Commission, referred to in this act as the "commission" and to be composed of three (3) members, hereinafter called "commissioners," who shall be elected by the qualified voters of the county.

As amended by: Private Acts of 1978, Chapter 319

**SECTION 3.** That the counties affected by this act shall be divided into road districts. Beginning with the August general election of 1978 magisterial districts 1, 4, 6, and 8 shall constitute road district number 1. Magisterial districts 2, 3, 5, and 7 shall constitute road district number 2. Magisterial districts 9, 10, 11, and 12 shall constitute road district number 3.

As amended by: Private Acts of 1937, Chapter 268  
Private Acts of 1953, Chapter 238  
Private Acts of 1978, Chapter 319

**SECTION 4.** That each road district shall be represented by a commissioner and the commissioner elected from the respective road districts shall be a member of the "County Road Commission," and the commissioners so elected shall constitute a "County Road Commission". The commissioners shall be elected by the qualified voters of the respective road districts at the general election every four (4) years and such commissioners need not be candidates for primary nominations, but shall be subject to the general election laws; and provided, that the present road commissioners shall continue to serve until the expiration of the terms for which they were elected, representing the respective road districts in which they reside. Road commissioners elected subsequent to July 31, 1978 shall take office on the first of September immediately following their election provided however that in the 1978 regular election, the qualifying date shall be June 15, 1978. In the event of any vacancy in the office of any commissioner, the Quarterly County Court shall elect a successor, who shall serve until the next regular election, at which time the people of the road district wherein the vacancy occurred shall elect a successor to serve for the remaining portion of the unexpired term of office in which the vacancy occurred. A commissioner must reside in the road district which he represents, and in the event a commissioner removes himself from the road district, he shall thereby vacate his office.

As amended by: Private Acts of 1937, Chapter 268,  
Private Acts of 1953, Chapter 238,  
Private Acts of 1978, Chapter 319.

**SECTION 5.** That in the election of Commissioners hereunder, only one Commissioner shall be elected from a Road District, that is to say, only one Commissioner shall reside within the boundaries of any one

Road District as laid out and established herein. A Commissioner elected under this Act shall be held to have resigned his office and place as such if he moves his place of residence out of that Road District wherein he resided at the time of his appointment or election hereunder. It shall require the qualified voters of the whole County to elect each Commissioner hereunder to be elected, and the names of all candidates from each Road District shall be grouped together on the ballots in any election, with instructions thereon to the voters that only one candidate from each Road District shall be voted for. That candidate from each Road District receiving the highest number of votes in the whole County as Commissioner from that District shall be elected, so that one Commissioner from each Road District shall be elected hereunder.

No person shall be eligible to election as a Commissioner hereunder unless he be a qualified voter of the County and has been a resident of that Road District from which he qualifies for at least one year prior to the date of election.

No member of the Quarterly County Court nor County official shall be eligible to election as a Commissioner hereunder.

In the event a vacancy should occur on the Commission from any cause whatever, it shall be filled by appointment of a qualified person from that Road District wherein the vacancy occurred by the Quarterly County Court of the county to which this Act applies; provided however, no appointment to fill a vacancy shall be for a period of time beyond the next regular election, at which regular election the qualified voters of the County shall elect a member to fill out the remainder of the unexpired term. It shall require the qualified voters of the whole County to elect each Commissioner hereunder to be elected and the names of all candidates from each Road District shall be grouped together on the ballots with instructions thereon to the voters that only one candidate from each Road District shall be voted for.

As amended by: Private Acts of 1937, Chapter 268

**SECTION 6.** That within thirty (30) days after their election each Commissioner elected hereunder shall execute good and solvent bond in the penal sum of \$5,000 to be approved by the Chairman of the County Court or County Judge of said County, conditioned to guarantee the faithful performance of all duties imposed upon said Commissioner by this Act. These bonds shall be filed in the office of the County Court Clerk.

As amended by: Private Acts of 1937, Chapter 268

**SECTION 7.** That an office shall be provided in the County Highway Garage of the County for the use and occupation of the County Road Commission.

As amended by: Private Acts of 1937, Chapter 268  
Private Acts of 1953, Chapter 238

**SECTION 8.** That the County Road Commission shall hold a regular session in the room provided for them on the last Thursday in each and every month for the purpose of passing on claims and accounts or indebtedness incurred by them and the transaction of any and all other business pertaining to their duties as Road Commissioners which may properly come before the Commission. In its first regular meeting after the passage of this Act it is hereby empowered and directed to organize by electing one of their number as Chairman and another one of their number as Secretary of such Commission, and to adopt such rules and regulations for the transaction of the business of their office as may seem necessary to them, but not contrary to the general law or the provisions of this Act; and they will so organize again after each biennial election. The Chairman of said Commission is empowered to call special meetings of the Commission whenever he deems the same necessary, and at such special meetings the Commission may attend to any business which it might attend to at a regular meeting. They shall keep an accurate minute record of their actions and deliberations, and an accurate set of books and records showing all expenditures and on what accounts and in what parts of the county same were made or expended and on what works or roads their funds have been expended. They are empowered to employ a secretary and bookkeeper and fix and pay the salary for such services in an amount not to exceed ten thousand dollars (\$10,000) payable monthly in equal amounts out of their county road funds. And said Commission is required to make and present to each regular meeting of the Quarterly County Court of said county a general statement showing the funds received by them in the previous quarter and on what roads or works the same have been expended and in what particular part of the county such improvements and works have been carried on, which report when received and approved by the Quarterly County Court shall be spread upon the minutes of the said Quarterly County Court.

The secretary and bookkeeper and the supervisor each shall execute a bond for the faithful performance of their duties in the amount of \$10,000.00, with the cost of said bonds to be paid from the county road funds.

As amended by: Private Acts of 1937, Chapter 268  
Private Acts of 1943, Chapter 249  
Private Acts of 1945, Chapter 117

Private Acts of 1953, Chapter 238  
 Private Acts of 1961, Chapter 273  
 Private Acts of 1967, Chapter 405  
 Private Acts of 1969, Chapter 11  
 Private Acts of 1973, Chapter 123  
 Private Acts of 1980, Chapter 244

**SECTION 9.** That the County Road Commission aforesaid is hereby given general, complete, and exclusive control and authority over all county roads, bridges, culverts and levees in said county, and it is empowered to construct, maintain and repair any of said roads, bridges, culverts, levees, etc., which they may deem it proper to do; and are further empowered and authorized to expend any of the County Road Fund or road money, for the construction, maintenance and repair of the roads, bridges, culverts and levees in the county, and to purchase supplies for the construction, maintenance and repair of same; provided, that any and all purchases, regardless of the nature of such purchases, in excess of \$1,000.00, shall be made by competitive bidding after giving notice in a news-paper of general circulation within the County. The advertisement shall state and specifications of materials, items and/or type of work upon which the bids shall be received and/or accepted, as well as the time and place, when and where, the bids shall be made and accepted, provided the time for accepting bids shall not be less than ten days after the date of advertisement. A majority of the road commission and a majority of the purchasing commission shall be present when the bids are opened, and the lowest bid meeting the specifications, as advertised, shall be accepted. No bids shall be accepted unless the same is accompanied with a performance bond executed with two or more solvent personal sureties, or one or more solvent corporate surety, and the said bond shall be for an amount equal to the consideration of the contract submitted by the bidder.

It shall be the duty of the Highway Commission to give attention to and equal work to all of the public roads in the County without favor or partiality to any section of the County and without neglect to any part of the County. And while the Commission is hereby given reasonable latitude and discretion in constructing, repairing, working and maintaining the bridges, levees and roads in the several sections of the County, they are specifically directed to apply this Act with its benefits to all parts of the County and particularly to each and all of the Civil Districts of the County, giving a just proportion of the funds available for road purposes to each section and Civil District, and the Courts are given jurisdiction and invested with the power and authority by appropriate legal proceedings upon the motion of any person or persons laterially (sic) affected, damaged, injured or deprived of the benefits of this Act and the application of a fair proportion of the available funds to the roads, bridges and levees of any section or Civil District, to compel and direct that said Commission shall apply the benefits of this Act fairly and in reasonable proportion to each, all, or any section or Civil District of the County.

As amended by: Private Acts of 1937, Chapter 268  
 Private Acts of 1953, Chapter 238

**COMPILER'S NOTE:** The first paragraph of this section conflicts with the County Uniform Highway Law. See Tennessee Code Annotated 54-7-113.

**SECTION 10.** That in each county of the State affected by and to which this Act applies the said County Road Commission is hereby authorized to employ such tractor drivers, mechanics, laborers, help, or other employees as it may deem necessary to have and use in the construction and maintenance of the said roads, bridges, levees and culverts in the county. And they are authorized and directed further, to employ for said county road work a competent person as Supervisor of the county roads in the county, and to fix and pay him a salary not to exceed \$8,400 per year. Such Supervisor and each and all of the hands and employees engaged by the Commission shall hold their position and employment only at the wish and will of the Commission. And when they employ a Supervisor of Roads they shall instruct and direct him in the services and duties which he is from time to time to perform, and he shall at all times act under their direction and supervision and faithfully discharge the duties and obligations imposed on him by such Commission.

It is hereby made the duty of the County Road Commission to provide for, construct and maintain in said county the best possible system of roads with the road money available therefor; and to that end and in order that said County Road Commission may carry out and perform its duties under this Act, all power and authority necessary and incidental to the construction and maintenance of the county roads, bridges, culverts and levees in said county is hereby conferred on said County Road Commission. And said Commission is hereby authorized and empowered to make any and all contracts and agreements with the State Highway Department looking to the construction and maintenance of said roads, or with respect to finances or business connected with the county roads, as they may deem proper.

Said Commission is hereby empowered to widen old roads, build new roads, change the location of roads, or restore to use any road which may have been abandoned or fallen into disuse, and to contract for and purchase rights-of-way for said purposes. And if necessary to secure such rights-of-way, they are



authorized and empowered to exercise the right of eminent domain in the construction of said roads and to institute condemnation suits in the name of the county for procuring the same, but no bond shall be required of the county in such suits.

All judgments rendered in such suits shall be against the county, and such judgments, costs, expenses and fees incurred in any such condemnation suits shall be paid out of the county road funds of the county in the same way and manner that other indebtedness incurred by the County Road Commission is to be paid, as hereinafter provided for. In all of the business to be attended to by the said Commission as provided for in this Act, they shall act as a Commission in meeting assembled, and a majority of the members of the Commission shall control and determine what is to be done.

As amended by: Private Acts of 1937, Chapter 268  
Private Acts of 1945, Chapter 116  
Private Acts of 1947, Chapter 455  
Private Acts of 1953, Chapter 238  
Private Acts of 1965, Chapter 101  
Private Acts of 1969, Chapter 9  
Private Acts of 1973, Chapter 126

**SECTION 11.** That the said County Road Commission shall have and it is hereby given exclusive control and custody of all road machinery, apparatus and supplies, including tractors, graders, trucks, automobiles and all other equipment and tools owned by said county and used in connection with the construction, working and maintenance of the roads, bridges, culverts and levees of said county. And it shall also have exclusive control of any and all gasoline or oil storage tanks or filling stations owned by the county and the parcels of land on which located if so owned or leased by the county and used in connection with the operation of the county road machinery. And said Commission is authorized to institute suit before any court of competent jurisdiction in said county to secure possession, custody or control of any such road machinery, equipment, or other property owned by the county and used in connection with its county road construction and maintenance, which suit shall be begun and maintained in the name of the County Road Commission of the county. It is further authorized to purchase any and all necessary machinery and equipment, automobiles, tools, materials, construction lumber, gasoline, oil or any other equipment or material necessary for the work of constructing and maintaining said roads, together with all part-replacements and repairs for said machinery and equipment; provided, that no purchase shall be made in any one contract for such machinery or equipment which exceeds \$1,000 in amount without the approval of the (sic) and all bills, indebtedness and accounts created by the Road Commission for such equipment or material shall be paid out of the county road fund, and none of the same shall be or constitute an indebtedness against the county unless it is approved by and ordered paid by the Quarterly County Court of the county in session assembled.

As amended by: Private Acts of 1937, Chapter 268  
Private Acts of 1953, Chapter 238

**SECTION 12.** That nothing in this Act shall be construed as intended to prevent the Quarterly County Court from levying a tax for the construction and maintenance of County roads as now provided for by law.

As amended by: Private Acts of 1937, Chapter 268

**SECTION 13.** That any and all monies, taxes, privileges, fines, forfeitures, fees, and other revenue of every kind belonging to the County Road Fund of said counties, including any and all monies, and revenue received from the State, from a gasoline tax or other tax, and commutation money shall be paid into the hands of the County Trustee of said counties and by him placed to the credit of the County Road Account. These funds shall be apportioned among the road districts according to the percentage of the total number of miles of county roads which lie within each road district.

As amended by: Private Acts of 1937, Chapter 268  
Private Acts of 1978, Chapter 319

And all such funds above enumerated and all funds and money belonging to the County regardless of the sources from which received and properly a part of the County Road Funds shall be kept in said separate account and shall be used only for the purpose of defraying expenditures incurred and authorized by this Act and the maintenance of said County roads.

Any and all indebtedness incurred by the said County Road Commission in the construction and maintenance of said roads, bridges, culverts, and levees in the county, as provided for in this Act, including the compensation for the Commissioners and those employed by them, whose salaries the Commissioners have the power to fix, shall be paid by a road warrant drawn by the Secretary of said Commission on the Trustee of said county and against the funds in his hands belonging to the said County Road Funds, which includes the pro rata of the two cents gasoline tax collected by the State and allocated and paid to the Trustees of the respective counties of the State for road purposes; and such warrants shall be countersigned by the Chairman of said Road Commission. It shall not be necessary for such warrants

to be signed by the Chairman of the County Court or the County Judge. But before any account shall be paid or a warrant drawn in payment thereof, it shall be presented to the Road Commission in session, considered by it and approved and ordered paid by at least a majority of said Commission and entered upon their minutes, and the minutes must also show that the Commission has ordered the Chairman and Secretary to draw said warrant in payment of the same, so as to preserve a permanent record of the accounts so approved and paid by the Commission. Each of said warrants so drawn shall bear a number and be numbered consecutively in numerical order, a stub of the same shall be kept which shall bear a corresponding number, and said warrants shall show upon their face specifically what they are drawn for and the indebtedness they cover. And said Road Commission shall file and keep as a part of the permanent records of their office all bills, accounts and indebtedness presented to them for payment. Said warrants so drawn against the County Road funds shall be paid by the County Trustee and entered by him on a book to be kept and known as the County Road Warrant Book, which shall be so ruled as to show and shall show the number, the date, the amount, the payee or person to whom paid and the debt paid by it as well as the purposes for which said warrant was drawn.

As amended by: Private Acts of 1937, Chapter 268

**SECTION 14.** That nothing in this Act will authorize the issuance of road warrants unless funds are available with which to meet and pay the same; provided that the County Road Commission is hereby empowered to make necessary credit arrangements for the purchase of needed machinery, equipment and supplies, when the purchase and term thereof are approved by the majority of the Road Commission.

As amended by: Private Acts of 1937, Chapter 268

Private Acts of 1953, Chapter 238

**SECTION 15.** That no Commissioner hereunder may be employed or contracted with either as a workman, laborer, foreman, mechanic, or Supervisor on any road work, bridge or culvert in said County; Provided that any member of the Quarterly County Court may be employed by the County Road Commission as a workman, laborer, foreman, or mechanic on any road work, bridge construction work or culvert in said county.

It shall be the duty of each and all of the three members of the Commission to make a personal inspection and examination of every mile of the public roads in their respective road districts three times each year, that is to say, each of said Road Commissioners shall examine and inspect each mile of county roads located in their respective road district every three months and shall immediately report to the whole Road Commission and Supervisor any defects found in any part of said roads; and for such services they shall be entitled to a salary of twelve hundred dollars (\$1,200.00) per annum, payable at the rate of not more than \$100.00 per month, and the duly elected Chairman and Secretary of the said Road Commission shall be entitled to an additional \$200.00 per annum. Their compensation shall be paid by a warrant drawn, upon their order in session assembled and spread on their minutes, by the Secretary of the Commission and countersigned by the Chairman, on the Trustee of the County and against said road funds, in the same way and manner in which any other indebtedness of the Commissioner is paid.

As amended by: Private Acts of 1935, Chapter 781

Private Acts of 1937, Chapter 268

Private Acts of 1949, Chapter 483

Private Acts of 1969, Chapter 10

Private Acts of 1973, Chapter 124

Private Acts of 1973, Chapter 125

Private Acts of 1978, Chapter 319

**SECTION 16.** That the Quarterly County Court shall annually cause an audit to be made of the affairs of the County Highway Commission. It shall be the duty of the Quarterly County Court to employ qualified auditors and accountants to make such audit, the expense thereof to be paid out of the general County fund. The first audit shall be made for such period of time as the County Court may determine and subsequent audits shall be made from the date of the last previous audit to the present time. Likewise, it shall be the duty of the secretary of the Highway Commission to quarterly make and file with the County Court an itemized detailed report of all receipts and disbursements made by the Commission during such preceding quarter. Failure of the secretary of the Commission to make this report shall be a misdemeanor and punishable accordingly. Likewise, the secretary of the Commission shall annually file with the Quarterly County Court an inventory setting forth all equipment and material on hand in possession of the Highway Commission.

The County Highway Supervisor shall be a civil engineer of not less than three years experience in road building and maintenance, provided, however, that the Quarterly County Court of Crockett County may in case of an emergency, where trained skilled help is impracticable to procure, waive this provision with reference to the qualifications of the supervisor. The bookkeeper employed by said Commission shall be paid a salary of \$1500 per annum, payable in equal monthly installments out of the county highway funds and the compensation of the secretary is also increased by \$100 per annum, payable in the same manner

as it is now payable.

The County Highway Supervisor is empowered to employ all construction maintenance and personnel necessary to carry out the county highway program and to dismiss such employees for inefficiency, insubordination or when their services are not required.

As amended by: Private Acts of 1951, Chapter 501

**SECTION 17.** That this Act shall take effect from and after its passage, the public welfare requiring the same.

Passed: January 20, 1933.

**COMPILER'S NOTE:** The constitutionality of this Act was attacked, among other things, in the case of Crockett County v. Walters, 170 Tenn. 337, 95 S.W.2d 305 (1936).

**COMPILER'S NOTE:** The original Sections 12, 13, 14, and 15 of the 1933 Act were stricken from the Act and the Act renumbered by Private Acts of 1937, Chapter 268.

## Highways and Roads - Historical Notes

The following is a listing of acts which once had some effect upon the county road system in Crockett 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 1901, Chapter 136, empowered the County Court to elect one (1) Road Commissioner for each road district. The Commissioner would supervise all the public roads, bridges and oversees in his district. The County Court each year would levy an ad valorem tax on all property in the county for road purposes. The Act provided for residents to work off two-thirds (2/3) of their tax and made all males between twenty-one (21) and forty-five (45) years of age subject to road labor. Further, the Act divided all roads into four (4) classes and created a County Highway Commission to accept bids and to keep county highways in repair. This Act was the subject of the litigation in the case of Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906).
2. Acts of 1905, Chapter 478, amended Public Acts of 1901, Chapter 136, above, in several minor particulars, but primarily in the filing and processing of the petitions to open, change, or close a public road.
3. Private Acts of 1913 (Ex. Sess.), Chapter 101, created a Board of Public Road Commissioners for Carroll County to be composed of five (5) members. The members of the Board would be compensated as the County Court in quarterly session allowed. The Commissioners were empowered to manage and control all public roads and bridges in the County. All males between the ages of eighteen (18) and fifty (50) were subject to road duty, except those released by proper order of the County Court. The Act called for an annual road tax to be levied of not less than five cents (5¢), nor more than twenty-five cents (25¢) on every one hundred dollars (\$100) worth of taxable property in the County.
4. Private Acts of 1917, Chapter 325, amended Private Acts of 1913 (Ex. Sess.), Chapter 101, above, by changing the road duty days required to ten (10) by raising the minimum age for males required to perform road duty to twenty-one (21) years, by setting the release from road duty fee at forty cents (40¢) per day, and further, by requiring that landowners along roads in said County cut back and trim all trees and hedge rows so as not to interfere in any way with the work on the roads.
5. Private Acts of 1919, Chapter 483, amended Private Acts of 1917, Chapter 325, above, by providing that any person subject to the ten (10) days of road work on the county roads may commute by paying fifty cents (50¢) per day on or before July 1 of each year for each day's labor to be performed.
6. Private Acts of 1921, Chapter 554, amended Private Acts of 1919, Chapter 483, above, by requiring that anyone subject to labor on the county roads, who failed to work on the roads or pay the release fee before July 1, each year, could pay fifty-five cents (55¢) per day, after July 1, for every day of labor not performed.
7. Private Acts of 1921, Chapter 718, amended Private Acts of 1913 (Ex. Sess.), Chapter 101, above, by staggering the terms for the members of the Board of Public Road Commissioners so as to always retain experienced members on the Board.
8. Private Acts of 1927, Chapter 784, repealed all prior laws in conflict with its provisions and created a five (5) member Board of Highway Commissioners. The members of said Board would serve six (6) year terms and receive no compensation for their service, but would be paid their

expenses out of the highway funds. The Commissioners were empowered to appoint a Superintendent of Roads who would be compensated at one thousand eight hundred dollars (\$1,800) annually. The Commissioners were vested with the management and control of all public roads and bridges in Crockett County. The Act authorized a road tax of two (2) to two and one-half (2½) mills on all taxable property in the County. All males between the ages of twenty-one (21) and fifty (50) were subject to ten (10) days of road duty yearly, and for the release of same could pay not more than fifty cents (50¢) for each day required to work.

9. Private Acts of 1929, Chapter 306, amended Private Acts of 1927, Chapter 784, above, by providing that the Public Road Commissioners named in the 1927 Act were not prevented, by said Act, from serving on any other Road Commission in the County, nor would their service on any other Road Commission render any Commissioners ineligible for service on the Commission set up under the 1927 Act.
10. Private Acts of 1929, Chapter 706, amended Private Acts of 1927, Chapter 784, above, by providing that upon proper certification of expenditures to the Board of Highway Commissioners, the Chairman of the Commission would issue a warrant in favor of the payee to the Trustee which warrant would be countersigned by the Secretary by moving the commutation penalty date to October 15 and the fee to sixty-five cents (65¢) after said date. Further, the Act fixed the pay of the Commissioners at five dollars (\$5.00) per day for each day's actual attendance at regular meetings of the Board, not to exceed twelve (12) days per year.
11. Private Acts of 1931 (Ex. Sess.), Chapter 27, created a Road Commission for Crockett County to be composed of three (3) members. The duties of said Commission was to provide an efficient system of building and maintaining all county public roads and bridges in Crockett County. The Commission was empowered to employ a supervisor to have general supervision over the public roads in the County. All males between the ages of twenty-one (21) and fifty (50) were subject to not less than six (6), nor more than ten (10) days of road duty yearly, and for the release of same could pay a commutation fee of fifty cents (50¢) for every day released from said road duty. This Act was repealed by Private Acts of 1933, Chapter 140.
12. Private Acts of 1933, Chapter 140, repealed Private Acts of 1931 (Ex. Sess.), Chapter 27, above, which had created a Road Commission in Crockett County.
13. Private Acts of 1933, Chapter 715, an apparent duplicate of Private Acts of 1933, Chapter 140, above, also repealed Private Acts of 1931 (Ex. Sess.), Chapter 27, which had created a Road Commission for Crockett County.
14. Private Acts of 1976, Chapter 241, Page 102, attempted to amend Private Acts of 1933, Chapter 26, the current road law for Crockett County, by setting the term of office for the Road Commissioners at two (2) years and the salary at twelve hundred dollars (1,200) annually. This Act was rejected by the Quarterly County Court and consequently never became operative.

## Chapter X - Law Enforcement

### Law Enforcement - Historical Notes

#### **Sheriff**

The following act has no current effect but is included here for reference purposes since it once applied to the Crockett County Sheriff's office.

1. Private Acts of 1933, Chapter 813, set the annual salary for the Sheriff of Crockett County at two thousand five hundred dollars (\$2,500). All fees collected by said office in excess of the stated amount would go into the county treasury. If the fees were less than the stated annual salary, the amount of such fees would constitute the Sheriff's salary.

## Chapter XI - Taxation

### General County Purposes Tax

#### Private Acts of 1941 Chapter 520

**SECTION 1.** That the Quarterly County Courts of all Counties in the State of Tennessee having a population of not less than 17,330, nor more than 17,335, according to the Federal Census of 1940, or any subsequent Federal Census, are hereby authorized to impose and enforce the collection of a tax levy

on each One Hundred (\$100.00) Dollars of assessed valuation of any and all properties within the corporate limits of said County in an amount not exceeding \$1.00. Said tax levy shall be made by the Quarterly County Court upon a majority vote thereof at such time as the tax levy is fixed by said Quarterly County Court for each fiscal year's operation.

**SECTION 2.** That the proceeds to be derived from the tax levy provided for herein shall be used solely for general County purposes.

**SECTION 3.** That all laws or parts of laws in conflict with the provisions of this Act be repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 13, 1941.

## Hotel/Motel Tax

### Private Acts of 1991 Chapter 10

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

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

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

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

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

When a person has maintained occupancy for thirty (30) continuous days, that person shall receive from the operator a refund or credit for the tax previously collected 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 5.** (a) The tax levied shall be remitted by all operators who lease, rent or charge for any rooms or spaces in hotels within the county to the clerk or such other officer as may by ordinance or resolution be charged with the duty of collection thereof, such tax to be remitted to such officer not later than the twentieth (20th) day of each month for the preceding month. The operator is hereby required to collect the tax from the transient at the time of the presentation of the invoice for such occupancy as may

be the custom of the operator, and if credit is granted by the operator to the transient, then the obligation to the county entitled to such tax shall be that of the operator.

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

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

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

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

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

**SECTION 9.** 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 clerk shall have the right to inspect at all reasonable times.

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

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

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedies provided in Tennessee Code Annotated, Title 67, it being the intent of this act that the provisions of law which apply to the recovery of state taxes illegally assessed and collected shall also apply to the tax levied under the authority of this act. The provisions of Tennessee Code Annotated, Section 67-1-107, shall be applicable to adjustments and refunds of such tax.

With respect to the adjustment and settlement with taxpayers, all errors of county taxes collected by the clerk under authority of this act shall be refunded by the clerk.

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

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

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

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

**SECTION 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, it shall become effective upon being approved as provided in Section 14.

Passed: February 14, 1991.

## Vehicle Tax

### Private Acts of 1925 Chapter 465

**COMPILER'S NOTE:** This Act may have been superseded in some parts by Private Acts of 1963, Chapter 203.

**SECTION 1.** That there is hereby levied, in all counties in the State of Tennessee having a population of not less than 17,430 and not more than 17,450 according to the Federal Census of 1920 or any subsequent Federal Census, a privilege tax on all vehicles, motor driven and otherwise, for the year 1925 and each and every year thereafter, in said counties as follows: On each passenger automobiles twenty-five cents (25 cts.) per horse-power per year; on each automobile truck Two Dollars (\$2.00) per ton and twenty-five cents (25 cts.) per horse-power per year; on each wagon Four Dollars (\$4.00) per year; on each buggy, each surrey and each other horse drawn passenger vehicle \$1.50 per year, and on each motorcycle \$2.50 per year.

**SECTION 2.** That the tax levied by this Act shall be payable on the first Monday in July in 1925 for the year 1925 and on the first Monday in February and for each and every year thereafter.

**SECTION 3.** That when any person or persons, firm or corporation purchases a vehicle after the first day in July in any year on which the tax levied by this Act has not been paid for the year in which such vehicle is purchased, he shall only be required to pay one-half of the tax levied by this Act on such vehicle.

**SECTION 4.** That the tax levied by this Act shall be collected by the County Court Clerk of said counties, and he shall furnish to such person so paying said tax a certificate bearing the name of such person, the amount of tax he has paid, and a sufficient description of the vehicle on which such tax is paid so that it may be identified; that the County Court of said counties shall keep a duplicate of such certificate on file in his office open to the inspection of the public, and shall enter each amount of tax collected under this Act in a well-bound book kept in his office, the book to be furnished by the county.

**SECTION 5.** That one-half of the net tax collected under this Act from persons owning such vehicles and who live within the corporate limits of any incorporated town shall be paid over to the Recorder or Street Commissioner of such towns to be used and expended on the streets of such towns, and the remainder of the tax collected by the County Court Clerk shall be paid over to the County Trustee.

**SECTION 6.** That the County Court Clerk shall have and receive 2 per cent of the amount of tax collected under this Act for his services rendered in the collection and paying out of same; that he shall make monthly settlements with the County Trustee and the Recorder or Street Commissioner of the incorporated towns, and shall deduct his commission of 2 per cent from the total amount collected by him each month before making settlement as herein provided.

**SECTION 7.** That the Trustee of the County shall have and receive for his services in the receiving and paying out of this tax a commission of one per cent of the total amount turned over to him as herein provided. Said Trustee shall pay out the tax collected under this Act on the proper warrants and vouchers of the Board of Public Road Commissioners.

**SECTION 8.** That any person, firm or corporation who shall drive or cause to be driven upon any public road in said counties any vehicle designated by this Act without having first paid the privilege tax levied by this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$10.00 nor more than \$50.00 for each offense, together with the cost of the prosecution, which shall be the same as in other misdemeanor cases. And it shall be the duty of the Board of Road Commissioners of said counties and the Public Road Contractors to report to the Secretary of the Board of Public Road Commissioners the names of all persons violating the provisions of this Act, and it shall be his duty to report the names of such persons to the County Court Clerk. And it shall be the duty of all Peace Officers to arrest violators of the provisions of this Act and prosecute them before any legal tribunal having jurisdiction of such offense.

**SECTION 9.** That all the revenue collected under this Act shall remain in the county where collected and that part of the same that is turned over to the County Trustee shall be expended on the Public Roads of said county not designated as State Highway Roads.

**SECTION 10.** That in event any section or part of this Act should be held unconstitutional it shall in no way affect the validity of the remainder of this Act.

**SECTION 11.** That all Acts and parts of Acts 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: April 2, 1925.

## Private Acts of 1963 Chapter 203

**SECTION 1.** That for the privilege of using the public highways, except State-maintained roads, in counties of this State having a population of not less than 14,500 nor more than 14,600 by the Federal Census of 1960, or any subsequent Federal Census, there is levied upon motor-driven vehicles, except tractors, motorcycles, motor bicycles, and scooters, a special privilege tax for the benefit of such counties, and in addition to all other taxes in the amount of Twenty Dollars (\$20.00) per motor-driven vehicle. This tax shall apply to and be paid on each motor-driven vehicle whose owner resides, or usually stays, in counties to which this Act applies, and it shall be a misdemeanor and punishable as such for any resident of counties to which this Act applies to operate a motor-driven vehicle, except tractors, motorcycles, motor bicycles, and scooters, over the highways of such counties, state-maintained roads excluded, without the payment of the tax herein provided. Provided, further, that nothing in this Act shall be construed as permitting and authorizing the levy and collection of the tax against non-residents of the counties to which this Chapter applies but the same shall be levied only upon motor-driven vehicles of residents of the counties to which this Chapter applies.

As amended by: Private Acts of 1975, Chapter 56  
Private Acts of 1979, Chapter 6

**SECTION 2.** That the tax herein levied shall be collected by the County Court Clerk of counties to which this Act applies at the same time that he collects the State privilege tax upon the operation of motor-driven vehicles over the public highways. No clerk in counties to which this Act applies shall issue to a resident of such county, a state license for the operation of automobiles unless, at the same time, such resident shall purchase the appropriate license as hereinafter provided for the operation of his motor-driven vehicle under this Act. Payment of the privilege tax imposed hereunder shall be evidenced by a receipt in the form of a decal to be displayed on the wind-shield of the motor-driven vehicle for which the tax is paid as provided in Section 1 of this Act. The design of the decal shall be determined by the County Court Clerk and the expense incident to providing such decal shall be paid from the county general funds. The tax herein levied shall entitle the owner of a motor-driven vehicle to operate the same from April 1 of each year to the next succeeding March 31, and the same proportionate reduction shall be made as is now made in the case of State registration of motor vehicles where such motor-driven vehicle is registered after April 1 for any reason whatsoever. For his services in issuing such license, the County Court Clerk shall be entitled to a fee of One Dollar (\$1.00) for each one so issued, to be collected from the person purchasing the same. He will report the funds collected by him monthly and pay the same to the County Trustee of counties to which this Act applies, and they shall be applied as herein provided.

As amended by: Private Acts of 1979, Chapter 6

**SECTION 3.** That the proceeds of the tax herein imposed, when collected in the hands of the County Trustee, shall be deposited in the following manner: effective March 1, 1981, the entire proceeds of this tax shall be deposited in the general county road fund and shall be used exclusively by the Crockett County Highway Department.

As amended by: Private Acts of 1979, Chapter 6  
Private Acts of 1981, Chapter 1

**SECTION 4.** That it is the intent of the General Assembly that this Chapter be construed as a measure providing for additional revenues in the counties affected.

**SECTION 5.** That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of any county to which it may apply. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

**SECTION 6.** That the tax levied under this Chapter shall be collected from and after March 1, 1964, and every year thereafter. This Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 15, 1963.

## 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 Crockett County Assessor. Also referenced below are acts



which repeal prior law without providing new substantive provisions.

1. Acts of 1845-46, Chapter 189, provided for the taxes levied for county purposes in Crockett County for the year 1846, to be paid over to the County Trustee of Crockett for the County's use and benefit and to not be applied to the use and benefit of the old counties from which Crockett was taken.
2. Acts of 1907, Chapter 602, a very comprehensive law, was the general state law on Tax Assessors which established salaries and set up numerous regulations.
3. Private Acts of 1911, Chapter 411, made the Acts of 1907, Chapter 602, cited above, the general law on Tax Assessors, inapplicable to several different counties in the State, including Crockett.
4. Private Acts of 1915, Chapter 673, set the salary of the Tax Assessor in Crockett County at six hundred dollars (\$600) per year, payable one hundred fifty dollars (\$150) quarterly, out of the regular funds of the County on the warrant of the County Judge.
5. Private Acts of 1931, Chapter 98, set the salary of the Tax Assessor in Crockett County at one thousand two hundred dollars (\$1,200) in the even years and six hundred dollars (\$600) in the odd years with the Quarterly County Court fixing same at its January term.
6. Private Acts of 1931 (Ex. Sess.), Chapter 80, changed the salary of the Tax Assessor in Crockett County to one thousand two hundred dollars (\$1,200) in the odd years and six hundred dollars (\$600) in the even years, with the Quarterly County Court fixing same at its January term.
7. Private Acts of 1935, Chapter 658, created the office of Delinquent Poll Tax Collector in Crockett County and set the term of office at two (2) years. Delinquent taxpayers would be turned over to the Collector who would receive fifty cents (50¢) for each delinquent, plus the regular fees for collecting delinquent poll taxes. The list itself would constitute a judgment for the tax owing. The Delinquent Poll Tax Collector would take an oath, make bond, and have the right to examine any payroll in the County, summon witnesses, and administer oaths.
8. Private Acts of 1945, Chapter 397, amended Private Acts of 1931, Chapter 98, above, by fixing the salary of the Tax Assessor at one thousand five hundred dollars (\$1,500) annually. The Assessor of Property was furnished an office at Alamo which was required to be open during all regular business hours, except when the Assessor was inspecting property.
9. Private Acts of 1949, Chapter 390, amended Private Acts of 1945, Chapter 397, above, by increasing the annual salary of the Tax Assessor in Crockett County to two thousand dollars (\$2,000).
10. Private Acts of 1953, Chapter 237, amended Private Acts of 1949, Chapter 390, above, by increasing the annual salary of the Tax Assessor in Crockett County to two thousand four hundred dollars (\$2,400).

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