



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

July 22, 2024

---

# Dickson

---

Dear Reader:

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

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

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

Sincerely,

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

<b>Dickson .....</b>	<b>4</b>
<b>Chapter I - Administration .....</b>	<b>5</b>
<b>Budget System .....</b>	<b>5</b>
<b>Private Acts of 1937 Chapter 737 .....</b>	<b>5</b>
<b>County Legislative Body .....</b>	<b>6</b>
<b>Private Acts of 1957 Chapter 226 .....</b>	<b>6</b>
<b>County Mayor .....</b>	<b>6</b>
<b>Acts of 1901 Chapter 404 .....</b>	<b>6</b>
<b>Purchasing .....</b>	<b>8</b>
<b>Private Acts of 1951 Chapter 16 .....</b>	<b>8</b>
<b>Water and Wastewater Treatment Authority .....</b>	<b>9</b>
<b>Private Acts of 1990 Chapter 124 .....</b>	<b>9</b>
<b>Administration - Historical Notes .....</b>	<b>14</b>
<b>Chapter II - Animals and Fish .....</b>	<b>20</b>
<b>Animals and Fish - Historical Notes .....</b>	<b>20</b>
<b>Chapter III - Bond Issues .....</b>	<b>23</b>
<b>Bond Issues - Historical Notes .....</b>	<b>23</b>
<b>Chapter IV - Boundaries .....</b>	<b>25</b>
<b>Creation of County .....</b>	<b>25</b>
<b>Acts of 1803 Chapter 66 .....</b>	<b>25</b>
<b>County Seat .....</b>	<b>26</b>
<b>Acts of 1804 Chapter 39 .....</b>	<b>26</b>
<b>Change of County Lines .....</b>	<b>27</b>
<b>Acts of 1807 Chapter 44 .....</b>	<b>27</b>
<b>Acts of 1809 Chapter 97 .....</b>	<b>28</b>
<b>Private Acts of 1821 Chapter 125 .....</b>	<b>28</b>
<b>Private Acts of 1835-36 Chapter 46 .....</b>	<b>28</b>
<b>Acts of 1855-56 Chapter 122 .....</b>	<b>29</b>
<b>Acts of 1871 Chapter 46 .....</b>	<b>31</b>
<b>Public Acts of 1877 Chapter 60 .....</b>	<b>32</b>
<b>Private Acts of 1915 Chapter 526 .....</b>	<b>33</b>
<b>Private Acts of 1937 Chapter 255 .....</b>	<b>33</b>
<b>Private Acts of 1937 Chapter 403 .....</b>	<b>33</b>
<b>Boundaries - Historical Notes .....</b>	<b>34</b>
<b>Chapter V - Court System .....</b>	<b>37</b>
<b>General Sessions Court .....</b>	<b>37</b>
<b>Private Acts of 1957 Chapter 214 .....</b>	<b>37</b>
<b>Probate and Juvenile Court .....</b>	<b>40</b>
<b>Private Acts of 1982 Chapter 267 .....</b>	<b>40</b>
<b>Court System - Historical Notes .....</b>	<b>42</b>
<b>Chapter VI - Education/Schools .....</b>	<b>50</b>
<b>Board of Education .....</b>	<b>50</b>
<b>Private Acts of 1983 Chapter 6 .....</b>	<b>50</b>
<b>Private Acts of 1996 Chapter 159 .....</b>	<b>51</b>
<b>Superintendent or Director of Schools .....</b>	<b>52</b>
<b>Private Acts of 1983 Chapter 5 .....</b>	<b>52</b>
<b>Education/Schools - Historical Notes .....</b>	<b>53</b>
<b>Chapter VII - Elections .....</b>	<b>55</b>
<b>Elections - Historical Notes .....</b>	<b>55</b>
<b>Chapter VIII - Health .....</b>	<b>58</b>
<b>Chapter IX - Highways and Roads .....</b>	<b>58</b>
<b>Expenses .....</b>	<b>59</b>
<b>Private Acts of 1959 Chapter 364 .....</b>	<b>59</b>

Table of Contents

<b>Road Law .....</b>	<b>. 59</b>
<b>Privates Acts of 2019, Chapter 16 .....</b>	<b>. 59</b>
<b>Highways and Roads - Historical Notes .....</b>	<b>. 59</b>
<b>Chapter X - Law Enforcement .....</b>	<b>. 64</b>
<b>Law Enforcement - Historical Notes .....</b>	<b>. 64</b>
<b>Chapter XI - Taxation .....</b>	<b>. 66</b>
<b>Adequate Facilities Tax .....</b>	<b>. 66</b>
<b>Private Acts of 2000 Chapter 158 .....</b>	<b>. 66</b>
<b>Hotel/Motel Tax .....</b>	<b>. 69</b>
<b>Private Acts of 1987 Chapter 25 .....</b>	<b>. 69</b>
<b>Litigation Tax .....</b>	<b>. 71</b>
<b>Private Acts of 1974 Chapter 215 .....</b>	<b>. 71</b>
<b>Motor Vehicle Tax .....</b>	<b>. 71</b>
<b>Private Acts of 1976 Chapter 206 .....</b>	<b>. 72</b>
<b>Taxation - Historical Notes .....</b>	<b>. 73</b>

# Dickson



Dickson County Courthouse

**Original Compilation By:** William C. McIntyre, Legal Specialist  
**Revised and Edited By:** John Joseph King, Legal Specialist, 1985  
**Updated By:** Stephen Austin, Legal Consultant, 2020

# Chapter I - Administration

## Budget System

### Private Acts of 1937 Chapter 737

**SECTION 1.** That a County Budget Commission is hereby created for Dickson County, Tennessee, composed of five members, one of whom shall be the County Judge, of which commission he will be the ex-officio Chairman, the other four to be chosen by resolution of the Quarterly County Court of said county at its April, 1937, session, and every two years thereafter, two of whom shall be citizens of said county connected in no other official capacity with said county, and who shall be men of business experience.

**SECTION 2.** That it shall be the duty of the said commission to meet at the Court House at the County Seat on the first Monday in May, 1937, for the purpose of making a careful investigation of the financial needs of the county for the preparation of a budget and the computation of tax levies to be submitted to the County Court at its July Quarterly term for the year 1937, and each year thereafter they shall meet on the first Monday of May, and as often as called to meet by the Chairman.

Each department of the County Government, and each department thereunder, will be required to submit an itemized statement of its needs for a period of twelve months, beginning July 1st, and ending June 30th, to said commission at its annual meeting the first Monday in May.

It shall be the duty of the said commission to make a thorough investigation of each department or branch, and each sub-division thereunder, of the County Government, and for said purposes said commission shall have the authority to examine the records and books of all county officials; to issue subpoena and compel the attendance of witnesses.

Said commission shall, after the detailed investigation of the needs of each branch or department of the County Government, prepare a budget, which shall show in detail the exact financial condition of each branch or department of the County Government, showing the amount of money expended during the past year by each branch or department, and the purpose for which same was expended; the imperative needs of each branch or department of the County Government for the current year; the total amount expended by the County Government the past year, and the total amount necessary for the current year, and the rate of taxation necessary in order to provide the amount of revenue necessary and actually needed to economically and efficiently administer the functions of each department of the County Government. The said budget shall show the total tax rate necessary to levy and the rates for each particular purpose.

It shall be the duty of the commission to examine the tax books and determine the aggregate of the assessment for the preceding year, and to determine the probable aggregate of the assessment for the current year, in order that an accurate computation of the rate of taxation necessary may be ascertained. For the purpose of determining these matters the commission shall have the power to subpoena the tax assessor as a witness.

It shall be the duty of the commission to determine from the collections of the previous year the probable amount of revenue that will be collected from sources other than the ad valorem tax.

**SECTION 3.** That said commission shall report their budget and tax rates recommended to the July term of the County Court and shall show all facts set out in the second section of this Act.

It shall be the duty of the said commission, in the event an increase is recommended in the expenditures of any branch or department of the County Government over that expended by such branch or department for the various year, to set out in detail the reasons which justify or necessitate said increase.

**SECTION 4.** That each member of the Quarterly County Court of said county shall not later than the first Monday in June be furnished with a copy of said proposed budget and tax recommendation.

**SECTION 5.** That the County Court Clerk shall read the report of the commission in open court at the July term, before the tax levy is made for the current and subsequent years, and the County Court shall act upon said report and each separate item thereof that calls for a tax levy.

It shall be the duty of the County Court, in fixing the tax rates for the current and subsequent years to do so with proper regard to the recommendations of the commission, but said commission is hereby declared to be advisory only to the County Court in fixing the various tax levies.

**SECTION 6.** That said commission shall sit from day to day until it has completed its work as provided for in this Act, or shall be subject to call upon the order of the Chairman.

Each member of said commission, except the Chairman who shall receive no additional compensation for his services, shall receive as compensation the sum of \$3.00 per day for the number of days actually served, not to exceed five days for any one year's aid per diem, to be paid out of the General County fund. The County Court Clerk, or one of his deputies, shall serve as Secretary to said commission, but shall have no vote in the deliberation of said commission, and for the preparation of the report of the commission shall be allowed the sum of \$10.00 to be paid from the General County fund.

**SECTION 7.** That all purchases or contracts made in excess of the adopted budget shall be void and unenforceable against the county, either under the terms of the contract or upon quantum meruit.

**SECTION 8.** That the head of each department or branch of the County Government, after the adoption of a budget at the July term of the Quarterly Court of said county, shall in a well bound book enter the amount set aside for said branch or department, and shall keep a daily record showing the unused balance.

**SECTION 9.** That any public official of said county, after any such budget has been adopted as provided by the provisions of this Act, who exceeds the budget so provided for his department of the County Government, shall be guilty of a misdemeanor and punished as such, and in addition thereto shall be subject to removal from office.

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

Passed: May 19, 1937.

## County Legislative Body

### Private Acts of 1957 Chapter 226

**COMPILER'S NOTE:** This act may be superseded by T.C.A. Section 5-5-107.

**SECTION 1.** That in counties of this State having a population of not less than 18,755 nor more than 18,855 by the Federal Census of 1950, or any subsequent Federal Census, justices of the peace shall be compensated at the rate of \$10.00 per day plus 12¢ per mile for each mile actually traveled, both ways, for attending sessions of the Quarterly County Court.

**SECTION 2.** That this Act shall be applicable only to such justices as may assume office on and after September 1, 1960.

**SECTION 3.** That this Act shall be void and of no effect unless within 6 months from the date of final legislative action thereon the same shall be approved and ratified by a two-thirds majority of the Quarterly County Court.

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

Passed: March 13, 1957.

## County Mayor

### Acts of 1901 Chapter 404

**SECTION 1.** That there shall be elected by the qualified voters of Dickson County, Tennessee, a person learned in the law to be styled the County Judge, who shall hold his office for the term of eight years from the date of his commission, except to the first Judge to be appointed under the provisions of this Act, who shall hold his office until the next regular election, or until his successor shall be elected and qualified.

**SECTION 2.** That it shall be the duty of the Governor of the State of Tennessee to appoint a person learned in the law, and competent to hold the office of the County Judge of said county from the first Monday in January, 1902, to the first Monday in September, 1902, and until his successor is elected and qualified under the provisions of this Act.

**SECTION 3.** The the first election for the County Judge of Dickson County shall be held at the same time and place, and by the same officers that the other county officers are held, on the first Thursday in August, 1902, and under the same rules and regulations that are prescribed by law for other county elections; and subsequent elections (except vacancies which shall be filled when they occur in the manner prescribed by law for Circuit Judges) on the first Thursday in August, every eight years thereafter; and in

case of sickness, incompetency, or inability of the County Judge, a special Judge may be elected under the same provisions, and with the same power of said County Judge, in the same manner as prescribed by Section 5730 of Shannon's compilation of the laws of Tennessee.

**SECTION 4.** That the office of the Chairman of the County Court and the Chairman pro tem of the County Court of Dickson County, is abolished from and after the first Monday in January, 1902, and from and after that date, the said County Judge shall have and exercise all the power and jurisdiction of said offices. He shall preside at its sessions to be held as hereinafter provided, and shall have and exercise the same powers, jurisdiction, and authority now exercised by the Chairman of said County Court, and perform the same duties required of said Chairman in or out of said County Court, whether in session or not, except as herein provided.

**SECTION 5.** That the County Court to be held by the County Judge under the provisions of this Act, shall hold its regular sessions on the first Monday of each month, and shall sit from day to day so long as the business thereof may require, and shall have power to preserve order by imposing such fines as will effect that purpose.

**SECTION 6.** That all jurisdiction and powers of the present County Court of Dickson County, Tennessee, over administrators, executors, guardians, wards, trustees, wills, dowers, partition of lands, sale or division of lands, and of all testamentary and administrative matters, or subjects connected therewith, questions of lunacy, control of county roads, are hereby abolished from and after the first Monday in January, 1902, and the same from and after that date are hereby transferred and given to the County Court to be held by the County Judge, who shall have all jurisdiction, power and authority now possessed by the County Court of Dickson County over all the subjects, with such power and authority, necessary and proper in the exercise thereof; Provided, either party may have the right of appeal from any judgment, order, decree, or action of said County Judge as is now allowed by the laws of the State in other cases.

**SECTION 7.** That the duties of the County Judge of Dickson shall not interfere with the duties of the County Court Clerk of said county, as now provided by law; the said Clerk shall be and continue the Clerk of said County Court, and shall have and perform all the powers, jurisdiction and authority incident to the office of County Court Clerk.

**SECTION 8.** That said County Judge for Dickson County shall be the accounting officer and agent for said county, and as such shall have the power, and it shall be his duty:

- (1) To have care and custody of all county property.
- (2) To control all books, papers, and documents pertaining to his office and the county.
- (3) To audit all claims against the county, and when approved by him he shall certify the same to the Clerk of the County Court, who shall issue a warrant therefor on the county treasury and signed by the County Court Clerk.
- (4) The County Judge shall countersign all warrants issued by the County Court Clerk upon the county treasury, and no warrant shall be valid claim against the county unless signed by the County Court Clerk and countersigned by the County Judge.
- (5) To audit and settle the accounts of the County Trustee and those of any other collector of county revenue, taxes, or income, payable into the county treasury, and those of any other person intrusted to receive and expend any money of the county, and to require said officer and person to render and settle their accounts as required by law of the authority under which they may act.
- (6) To cause to be entered in a well bound book, to be kept by the Clerk of the County Court, said book to be known as the warrant book, in the order in which they were issued, giving the number, date, and amount, and for what purpose, and to whom given.
- (7) The County Judge shall keep in a well bound book an account of the receipts and disbursements of the county in such manner as will show clearly and assets of the county and the debts payable to it and by it, balancing said account annually, and to exercise general supervision over the financial concern of the county.
- (8) No money shall be drawn out of the county treasury except upon a warrant issued by the County Court Clerk and countersigned by the County Judge.
- (9) All duties to be performed by the County Court Clerk in the administration of insolvent estates shall be as heretofore except that which is judicial in its nature.
- (10) The County Judge shall have jurisdiction of all litigation concerning the public roads of said county and all questions in regard to the same.

**SECTION 9.** That it shall be the duty of the Clerk of said County Court to keep and preserve in well bound dockets all cases provided for in this bill and coming before the County Court of Dickson County of trial; and to enter upon said dockets all suits, showing the names of the plaintiff and the defendant, all motions and actions that may come before said County Judge for trial. No suit or action or motion shall be proceeded with until the same is placed upon the docket, and all suits, motions, and actions shall be tried, continued or disposed of in the order in which they appear upon the docket.

**SECTION 10.** That the County Judge of Dickson County shall not be precluded from practicing law in any of the courts of this State, except in the County Court of Dickson County; neither shall he be allowed to act as counsel or attorney in any case going up from his own Court.

**SECTION 11.** That whenever the County Judge is unable to attend his court from sickness or otherwise, then the Governor shall have the power to appoint some suitable person to hold said Court until the disability of the regular Judge is removed.

**SECTION 12.** That the quarterly County Court of Dickson County, composed of the Justices of the Peace of Dickson County, shall meet as heretofore on the first Mondays in January, April, July, and October of each year, and said County Judge shall preside over the same, and they shall have such jurisdiction as they now have by law, except as is conferred by this Act on said County Judge.

**SECTION 13.** That the County Judge of Dickson County shall be commissioned in the same manner as other Judges of the State, and he shall be thirty years old, and a person learned in the law, and a resident of Dickson County, and before entering upon the duties of the office he shall enter into bond in the sum of \$2,000, to be approved by the Judge of the Circuit Court, for the faithful performance of the duties of the office, and he shall take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee, and to faithfully discharge the duties of this office.

**SECTION 14.** That all the laws and parts of laws in conflict with this Act, be and the same are hereby repealed in so far as they conflict, but not further or otherwise.

**SECTION 15.** (Repealed by Acts of 1905, Chapter 92)

**SECTION 16.** (amended by Private Acts of 1911, Chapter 90; Private Acts of 1917, Chapter 634 repealed Private Acts of 1911, Chapter 90; Private Acts of 1919, Chapter 13; Section replaced by Private Acts of 1939, Chapter 224)

**SECTION 17.** That this Act take effect from and after the first Monday in January, 1902, the public welfare requiring it.

Passed: March 14, 1901.

**COMPILER'S NOTE:** The office of County Executive acquired most of the non-judicial duties of the County Judge as a result of the 1977 Amendments to the Tennessee Constitution and the implementing legislation, Chapter 934 of the Public Acts of 1978, which created the office of County Executive and abolished the office of County Judge.

## Purchasing

### Private Acts of 1951 Chapter 16

**SECTION 1.** That in Counties of this State having a population of not less than 19,700, nor more than 19,800, by the Federal Census of 1940, or any subsequent Federal Census, the Quarterly County Court is hereby authorized, empowered and directed to create a Purchasing Commission which will have the duties and powers hereinafter set forth. Said Purchasing Commission shall consist of three members, two of whom shall be elected by the Quarterly County Court annually at its April term in each year and shall serve for a period of one year and until their successors shall be elected and qualified. They shall be compensated for their services at the rate of \$5.00 per day as provided, however, that no member of such Commission shall draw pay for more than 20 days in any calendar year. The Third member of such Commission shall be the County Auditor, who shall serve as Chairman of said Commission and shall receive no compensation for his services upon such Purchasing Commission.

The County Judge shall be a member ex officio of such Purchasing Commission with the power to vote upon any and all matters coming before the same to the same extent as though he had been originally named a member thereof; however, for his services on said commission the County Judge shall receive no additional compensation other than his salary as fixed by statute.

As amended by: Private Acts of 1951, Chapter 666  
Private Acts of 1953, Chapter 489



Private Acts of 1959, Chapter 63

**SECTION 2.** That it shall be the duty of such Purchasing Commission to purchase all supplies of every kind and character, subject to the limitations hereinafter provided which shall be paid for from funds belonging to Counties to which this Act applies, provided, however, that contracts for personal services are expressly excluded from the jurisdiction of said Purchasing Commission.

Any department of said County desiring to make any purchases of any sort shall requisition for the same to such Purchasing Commission, who shall thereupon proceed to procure the materials and supplies listed in the following manner: Purchases aggregating less than \$500 may be made by the Chairman of such Commission upon his own initiative without the necessity of action by the remaining members thereof. All purchases amounting to more than \$500 shall be made upon sealed competitive bids after due advertisement of the time and place as to where such bids shall be taken. All bids so taken shall be opened in the presence of all members of the Commission and the contract therefor awarded to the lowest and best bidder. The Commission shall likewise be authorized to let all contracts for the building of County structures paid for from public funds in said County except for construction of bridges upon the County Highways and all school buildings which latter shall remain under the jurisdiction of the County Board of Education. Upon request of the County Court made ten days prior to any regular session of the Quarterly County Court, the Purchasing Commission shall render to them a complete statement of all purchases made by them itemizing the amounts and the departments for which purchased. It shall be the duty of said Purchasing Commission to meet monthly upon some date to be mutually agreed upon by such Commission.

**SECTION 3.** That this Act shall take effect from and after the second Monday in April, 1951, the public welfare requiring it.

Passed: January 15, 1951.

## Water and Wastewater Treatment Authority

### Private Acts of 1990 Chapter 124

**SECTION 1.** A water and wastewater treatment authority, to be known and designated as the Water Authority of Dickson County, is hereby created and established for and in behalf of the citizens of Dickson County, Tennessee.

As amended by: Private Acts of 2001, Chapter 51

**SECTION 2.** It is hereby declared that the Water Authority of Dickson County created pursuant to this act shall be public and a governmental body; and that the planning, acquisition, operating and financing of water or wastewater treatment facilities by said authority is hereby declared to be a public and governmental purpose and a matter of public necessity.

The property and revenues of the authority or any interest therein shall be exempt from all state, county and municipal taxation.

As amended by: Private Acts of 2001, Chapter 51

**SECTION 3.** The following words or terms whenever used or referred to in this chapter shall have the following respective meanings unless different meanings clearly appear from the context.

- (1) "Authority" means the Dickson County Water Authority created pursuant to the provisions of this act.
- (2) "Creating governmental entity" means the county of Dickson, Tennessee, a political subdivision of the State of Tennessee.
- (3) "Participating governmental entity" means any rural water utility district, or municipality, which, pursuant to a resolution of its governing body, shall have sold, leased, dedicated, donated or otherwise conveyed its water treatment works, or any portion thereof, to the authority for operation by the authority in order to make such treatment works an operational part of its treatment works.
- (4) "Treatment works" means any devices and systems used in the treatment and distribution of water or wastewater, including transmission lines, storage facilities, pumping, power, and other equipment, and their appurtenances, extensions, improvements, remodeling, additions, and other alterations thereof.
- (5) "Governing body" means the chief legislative body of any creating or participating governmental entity.
- (6) "Board" means the board of commissioners of the authority.

(7) "Executive officer" means the mayor, county executive or other chief executive officer of the creating or a participating governmental entity.

(8) "Bonds" shall include notes, interim certificates, or other obligations of an authority.

(9) "Jurisdiction" shall include, collectively, all areas of jurisdiction encompassed by the creating governmental entity and each participating governmental entity.

**SECTION 4.** The creating governmental entity and any participating governmental entity may enter into an agreement with the authority for the orderly transfer to the authority of any treatment works properties necessary for the functioning of the authority. The agreement may include provisions for the reimbursement of any such governmental entity for its obligations issued for treatment works. Nothing in this act shall be construed to require any transfer of function or service area by the creating governmental entity or any participating governmental entity to the authority

**SECTION 5.** The governing body of the authority shall be a board of commissioners of five (5) persons of good standing and reputation and shall be resident and domiciliary of Dickson County, Tennessee. No such person shall be an employee of any water utility in Dickson County.

The board of commissioners shall consist of:

- (1) One (1) representative from the Turnbull-White Bluff Utility District, appointed by the County Executive;
- (2) A second (2<sup>nd</sup>) representative from the Turnbull-White Bluff Utility District, appointed by the County Executive;
- (3) The Mayor of the City of Dickson, or the Mayor's designee;
- (4) A member of the Dickson City Council, appointed by the Mayor; and
- (5) A member at-large, selected by the other four (4) commissioners, from a resident of the Harpeth Utility District or other participating entities.

The term of the members shall be for four (4) years on a rotating basis with the exception of the fifth (5<sup>th</sup>) board member, who will be appointed for a two-year term, in the manner prescribed. The fifth (5<sup>th</sup>) member of the board may be removed by unanimous vote of the other four (4) members of the board. Reappointments for the Turnbull-White Bluff members will be selected by the County Executive from a list of three (3) residents of the Turnbull-White Bluff service area as it existed on January 1, 2001, submitted by the Turnbull-White Bluff board members. Reappointment of the fifth (5<sup>th</sup>) member shall be selected by the other four (4) board members from any resident of any other water utility in Dickson County who has entered into the authority. Other water utility organizations that are not selected as the fifth (5<sup>th</sup>) member shall serve on the board as a participating ad hoc member. These member shall be selected by the five-member board. At the end of the two-year term of the fifth (5<sup>th</sup>) member the position shall rotate out and the ad hoc member shall become the fifth (5<sup>th</sup>) board member for a period of two (2) years. At the end of the first four-year period, the fifth (5<sup>th</sup>) board member will be selected by the other four (4) board members from a resident of the other participating entities.

The board shall elect from among its members a chairman and vice-chairman, each of whom shall continue to be voting members, and shall adopt its own bylaws and rules of procedure. The presence of a majority of the commissioners shall constitute a quorum for the transaction of business. Except as herein expressly otherwise specified, all powers herein granted to an authority shall be exercised by the board.

Each member of the board shall be entitled to an equal vote on all matters.

All commissioners shall serve without compensation, but may receive a per diem allowance as the board may determine by resolutions. Actual reasonable expenses incurred by the commissioners while engaged in the business of the authority are subject to reimbursement by the authority. All commissioners shall be eligible for health insurance to the same extent as the employees of the authority. Neither the public service commission nor any board or commission of like character hereafter created shall have jurisdiction over the authority in the management and control of any treatment works, including regulation of its rates, fees and charges.

As amended by:

Private Acts of 2001, Chapter 51

**SECTION 6.** The board shall be vested with full, absolute and complete authority and responsibility for the operation, management, conduct and control of the business and affairs of the authority herein created; such operation, management, conduct and control, however, shall not be inconsistent with existing contractual obligations of any participating governmental entity. Said authority and responsibility shall include, but shall not be limited to, the establishment, promulgation and enforcement of the rules,

regulation's or policy of the authority, the upkeep and maintenance of all property, the administration of the financial affairs of the authority, and the employment, compensation, discharge and supervision of all personnel.

**SECTION 7.** The board may appoint an executive director, who shall be the chief executive and administrative officer of the authority, and may enter into a contract with him establishing his salary, term of office, and duties.

The executive director may appoint, and the board shall confirm, additional officers, employees, or independent contractors as they are needed.

The executive director shall prepare annually the operating budget of the authority and submit the same to the board for approval at least sixty (60) days prior to the beginning of the fiscal year.

The executive director shall also submit such periodic reports to the board as it may direct.

The executive director shall attend all meetings of the board.

**SECTION 8.** The authority shall have the powers necessary to accomplish the purpose of this act (excluding the power to levy and collect taxes) including, but not limited to, the following:

- (1) To have perpetual succession, to sue and be sued, and to adopt a corporate seal;
- (2) To plan for and implement the treatment or distribution of water and the collection and treatment of wastewater in Dickson County and to plan, establish, acquire, construct, improve and operate one (1) or more treatment works within or without the creating and participating governmental entities for the distribution or treatment of water and/or the collection and treatment of wastewater;
- (3) To acquire by purchase, lease, gift or the exercise of the right of eminent domain, to lease as lessor or lessee, and to hold, dispose of, and convey any property, real or personal, tangible or intangible, or any right or interest in any such property, in connection with any treatment works, whether or not subject to mortgages, liens, charges, or other encumbrances, and to construct any treatment works subject thereto. The authority is authorized to use any right-of-way, easement or other similar property right held by the state or any other governmental entity, necessary or convenient in connection with the acquisition, improvement, operation or maintenance of treatment works, provided that the state or such other government or entity shall consent to such use;
- (4) To enter into agreements with the creating governmental entity or with participating governmental entities, to acquire by lease, gift, purchase or otherwise any treatment works, or property related thereto, of such governmental entity and to operate such treatment works as part of its treatment works; or to enter into agreements with creating or participating governmental entities providing for the operation by the authority of the treatment works, or any portion thereof, owned by a participating governmental entity for the purposes set forth herein;
- (5) To enter into, by contract with the creating governmental entity or otherwise, a plan for pension, disability, hospitalization and death benefits for the officers and employees of the authority;
- (6) To make application directly to the proper federal, state, county and municipal officials and agencies, or to any other source, public or private, for loans, grants, guarantees or other financial assistance in aid of treatment works operated by it and to accept the same;
- (7) To make studies and recommended to the appropriate commissions and legislative bodies of the creating and participating governmental entities, zoning changes in the area of any treatment works operated by the authority;
- (8) To have control of its treatment works with the right and duty to establish and charge fees, rates and other charges, as set out herein, and to collect revenues therefrom, not inconsistent with the rights of the holders of its bonds;
- (9) To appoint an executive director, and to confirm or reject the executives director's appointment of a secretary, a treasurer, an auditor, legal counsel, chief engineer, or other employees or independent contractors as they may be necessary; to prescribe their duties and qualifications; and to fix their compensation
- (10) To use in the performance of its functions the officers, agents, employees, services, property, facilities, records, equipment, rights and powers of the creating governmental entity or any participating governmental entity, and subject to such terms and conditions as may be agreed upon;
- (11) To enter such lands, waters or premises as in the judgement of the authority may be

necessary for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this chapter, the authority to be liable for actual damage done;

(12) To designate an independent certified public accountant firm to do an annual audit of all books, accounts and records of the authority and issue a public report thereon;

(13) To contract debts for the construction of any treatment works or for the authority's share of the cost of any jointly-owned treatment works, to contract debts in order to make grants, donations, reimbursements or loans for the construction of any treatment works, to borrow money, to issue bonds and notes to finance such construction, grant, donation, reimbursement or loan, to provide for the rights of holders of such bonds or notes and to secure such bonds and notes hereinafter provided;

(14) To fix, levy, charge, contract for and collect fees, rents, or other charges for the use of or in connection with any treatment works, and, in the event any agreements with holders of bonds or notes shall have been made, levy, fix and collect such fees, rents and other charges in accordance with and subject to such agreements. Such fees, rents, and other charges may also include any revenues derived from a lease, contract or agreement with the creating governmental entity, a participating governmental entity, a municipality, county, utility district, water authority, person, firm, corporation, business entity, the state, or any agency or instrumentality of the state for the use of or in connection with treatment works;

(15) To perform any powers or duties authorized under this act through, or by means of its own officers, agents, and employees, or by contract with private corporations, firms or individuals;

(16) To enter into contracts and agreements with the creating governmental entity, any participating governmental entity, any municipality, county, utility district, water authority, person, firm, corporation or business entity for the sale of treated water or the treatment of wastewater upon such terms and for such compensation as shall be provided therein;

(17) To exercise any power herein conferred jointly with the creating governmental entity or any one or more participating governmental entities, municipalities, counties, utility districts or water authorities;

(18) To take all actions necessary and proper to comply with or participate in any federal or state promulgated or mandated regional water or wastewater facilities plan; and

(19) To do all things necessary or convenient to carry out the powers expressly given by this act.

**SECTION 9.** Any extension, relocation, improvement or modification of the authority's water or wastewater treatment plants or distribution facilities shall be referred by the authority to the planning commission having jurisdiction over the area within the extension, relocation, improvement, or modification shall be constructed or extended, but the authority shall not be bound by the vote of any such planning commission, nor by the comments or recommendations of the planning commission.

**SECTION 10.** The authority shall have the power to condemn either the fee or such right, title, interest, or easement in any property as the board may deem necessary for any of the purposes mentioned in this act, and such property or interest in such property may be so acquired whether or not the same is owned or held for public use by corporations, associations or other persons having the power of eminent domain, or will not be interfered with by such taking. Such power of condemnation may be exercised in the mode or method of procedure prescribed by any applicable statutory provision now in force or thereafter enacted for the exercise of the power of eminent domain.

**SECTION 11.** The authority shall have the power to borrow money for any of its corporate purposes and issue its revenue bonds therefore, including revenue refunding bonds, in such form and upon such terms as it may determine, and to pledge as security for the payment thereof fees, rents and other charges and any other revenues of the authority, including grants or contributions from the federal government or other sources, which bonds may be sold at public or private sale. Such revenue bonds and/or revenue refunding bonds shall be issued pursuant to the procedures set forth in and shall be governed by the provisions of Tennessee Code Annotated, Title 9, Chapter 21, including provisions dealing with covenants permitted in bond resolutions, security, and remedies of bondholders. "Treatment works" shall be deemed to be a "public works project," as such term is defined in Title 9, Chapter 21. To the extent of any conflict between the provisions of this act and Title 9, Chapter 21, the provisions of Title 9, Chapter 21 shall prevail. Except as provided in Section 13 hereof, bonds of the authority issued pursuant to this act shall not constitute a debt of the creating governmental entity, any participating governmental entity, the state, or any political subdivision thereof, other than the authority, and shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction. Neither the commissioners of the authority nor any person executing such bonds shall be liable personally thereon by reason of the issuance thereof.

Any bond reciting in substance that has been issued by the authority pursuant to the provisions of this act and for a purpose or purposes authorized to be accomplished by this act shall be conclusively deemed, in any action, suit or proceeding involving the validity or enforceability of the bond or the security thereof, to have been issued pursuant to such provisions and for such purpose or purposes.

Bonds issued by the authority pursuant to the provisions of this act are declared to be issued for an essential public and governmental purpose, and together with interest thereon and income therefrom, shall be exempt from all state, county and municipal taxation except for inheritance, transfer and estate taxes, and except as otherwise provided by applicable Tennessee law.

Bonds of the authority may be issued jointly with the creating governmental entity or one or more participating governmental entities, or one or more municipalities, counties, utility districts or water authorities.

Any pledge of, or security interest in, (i) the revenues, rents, fees or other charges received or receivable by the authority or (ii) any tangible property of the authority to secure the payment of any of its bonds issued pursuant to this act or any other applicable statute and the interest thereon shall be valid and binding and shall take its priority with respect to the other such pledges or security interests from the time the pledge or security interest is made or granted without the recordation of the resolution or instrument by which such pledge or security interest is created any other document evidencing such pledge or security interest.

**SECTION 12.** Notwithstanding any other provisions of the laws of this state or any of its political subdivisions, any authority which has contracted for and accepted an offer or a grant of federal or state aid or both, for a particular project for which the authority may raise or expend money, may, upon resolution of its board, incur indebtedness in anticipation of the receipt of such aid for the particular project by issuing its notes in the manner and pursuant to the provisions of Tennessee Code Annotated, Title 9, Chapter 21, Parts 1, 4, and 7.

**SECTION 13.** The creating governmental entity and any participating governmental entity, municipality, county, utility district and water authority shall have all necessary powers in order to further the purposes of this act, including, without limitation, the following, any or all of which powers may be exercised by resolution of its governing body:

- (1) To advance, donate or lend money on real or personal property to the authority;
- (2) To provide that any funds on hand or to become available to it for treatment works purposes shall be paid directly to the authority.
- (3) To sell; lease; dedicate; donate or otherwise convey to the authority any of its interest in any existing treatment works or other related property, or grant easements, licenses or other rights or privileges therein to the authority;
- (4) To enter into agreements with the authority with regard to the transfer of its treatment works employees to the authority with the retention by such employees of any civil service status and accrued rights in pension, disability, hospitalization and death benefits;
- (5) To permits its rights, duties and powers under its charter or the laws of the state to be performed or exercised by the authority;
- (6) To enter into long-term leases or contracts with the authority for such period or duration, not to exceed forty years, as the governing body of such entity may determine for the purpose of obtaining the treatment of water or wastewater. Any such lease or contract may be in the nature of a take-or-pay or minimum payment contract guaranteeing to the authority certain minimum payments over the term of the lease or contract, may be binding upon such entity for the full term thereof and not be limited to the terms of the members of such entity's governing body or be subject to annual appropriations, and may be treated for all purposes as bonds, notes or other indebtedness of such entity, all as shall be provided in the resolutions authorizing such leases or contracts;
- (7) To issue its bonds jointly with the authority for the purposes set forth in this act. Any bonds so issued by any municipality or county shall be authorized and issued in the form and manner prescribed by the applicable provisions of Tennessee Code Annotated, Title 9, Chapter 21, and "treatment works" as used herein shall be deemed to be public works projects as such term is defined in Title 9, Chapter 21. Any bonds issued by a utility district hereunder shall be authorized and issued by such utility district in the form and manner prescribed by applicable provisions of Tennessee Code Annotated, Title 7, Chapter 82. Any bonds issued hereunder by any water authority, other than the authority, shall be authorized and issued pursuant to the applicable provisions of Tennessee Code Annotated, Title 68, Chapter 13, or any other provisions of Tennessee

law authorizing it to issue bonds or other obligations. Any bonds upon which the creating governmental entity, any participating governmental entity with general taxing powers, municipality or county is jointly obligated with the authority may be secured by the full faith and credit and taxing powers of such entity as provided in the chapter hereinabove cited; and

(8) To guarantee the full and timely payment of principal of and interest on any bonds or other obligations of the authority according to such terms and conditions as shall be determined by resolution of the governing body of such entity.

**SECTION 14.** The authority shall exercise its responsibilities and authorities within the entirety of the territory of Dickson County that has not been specifically designated by the County Executive as the service area of an existing utility district. Additionally, the authority may adopt areas for service in surrounding counties where authorized by the appropriate utility officials and other officials in those counties. In the event the assets of the authority are ever sold into private or investor ownership, the cash generated shall be divided equally between the governments of the City of Dickson and Dickson County.

As amended by: Private Acts of 2001, Chapter 51

**SECTION 15.** The provisions of this act shall be liberally construed to effect the purposes thereof, and insofar as the provisions of this act may be inconsistent with the provisions of any other law, the provisions of this act shall be controlling.

**SECTION 16.** If any article, section, subsection, paragraph, or sentence of this act shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any other provisions of this act unless it clearly appears that such other provisions are necessarily dependent upon the article, section, subsection, paragraph, or sentence held to be invalid or unconstitutional. It is the legislative intent in enacting this act that each article, section, subsection, paragraph, and sentence be enacted separately and independently of each other.

**SECTION 17.**

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

(b) However, prior to approving the provisions of this act as required in subsection (a), the legislative body of Dickson County shall adopt, and its executive officer shall approve, a resolution calling a public hearing on the question of creating a water and wastewater treatment authority.

The governing body of the creating governmental entity shall adopt, and its executive officer shall approve, the resolution calling a public hearing on the question of creating a water and wastewater treatment authority.

Notice of the date, hour, place, and purpose of such hearing shall be published at least once each week for two (2) consecutive weeks in a newspaper of general circulation in Dickson County, the last such publication to be at least one (1) week prior to the date set for the hearing.

The hearing shall be held before the legislative body and all interested persons shall have an opportunity to be heard. After the hearing, if the legislative body shall determine that the public convenience and necessity require the creation of a water and wastewater treatment authority and shall approve the provisions of this act by a two-thirds (2/3) vote as required by subsection (a), it shall adopt, and its executive officer shall approve, a resolution or ordinance so declaring and creating an authority, which resolution ordinance shall also designate the name and principal office address of the authority. A certified copy of the resolution or ordinance shall be filed with the Secretary of the State of Tennessee, along with the resolution approving the appointment of the board of commissioners as provided for in Section 5 and upon such adoption and filing the authority shall constitute a body politic and corporate, with all the powers hereinafter provided.

**SECTION 18.** 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 17.

Passed: January 22, 1990.

## Administration - Historical Notes

### Budget System

The following act once created a budgeting system for Dickson County, but it has been specifically

repealed or superseded by current law.

1. Private Acts of 1929, Chapter 618, created a three member Budget and Finance Committee for Dickson County composed of the County Judge, or Chairman, of the County Court, and two other members. Act named Johnny Johnson and E. H. Stone as the other members to serve until their successors, elected in the general August election of 1930 could take office for four years. The other members must be residents of the County for two years and not members of the County Court. The Commission would meet at the Court House on the first Monday in May, 1929, and annually thereafter. They would make careful study of the financial condition of the County and purpose a budget for the year to come. All department heads were instructed to submit certain information to the Commission who would compute a tax rate and a tax aggregate from the data submitted for the ensuing year. The condition of the credit of the county and its bonded debt were to be investigated. At the July term of court the budget and the rate would be submitted which would then be published twice in a public newspaper. The tax set by the Quarterly Court must produce at least the amount of money specified by the Budget as it was adopted. The budget appropriation could not be exceeded lawfully. Commissioners would be paid \$6.00 per day up to 18 days in one year. This Act was superseded by the one published herein.

### **County Legislative Body**

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

1. Acts of 1803, Chapter 39, set the terms of the Courts of Pleas and Quarter Sessions for several counties in Middle Tennessee. In Dickson County the court would assemble on the third Monday in March, June, September, and December.
2. Acts of 1806, Chapter 48, scheduled the opening dates for the terms of the Courts of Pleas and Quarter Sessions in the Robertson and Winchester Districts. In Dickson County the terms would begin on the fourth Monday in January, April, July, and October of each year.
3. Acts of 1807, Chapter 53, rearranged the terms of court for the Court of Pleas and Quarter Sessions in the Districts of Mero, Winchester, and Robertson. Dickson County in the Robertson District would convene the court on the second Monday in January, April, July, and October.
4. Acts of 1809, Chapter 93, set the term dates for the Courts of Pleas and Quarter Sessions for every county in Tennessee. In Dickson County the Court would open on the first Monday in January, April, July, and October.
5. Acts of 1817, Chapter 138, changed the terms of the Court of Pleas and Quarter Sessions for several of the counties in Middle Tennessee, but Dickson County's Court would continue to meet on the first Monday in January, April, July, and October.
6. Acts of 1827, Chapter 65, was the legislative authority for the Quarterly Courts of the counties of Dickson, Sullivan, Weakley, Hawkins, Hamilton, Smith, Henry, and Rhea, a majority of the Justices being present, on the first day of the first term of the year, to select three of their number to serve as a Quorum Court for the remainder of the year observing the same rules and regulations as the other courts did.
7. Acts of 1835-36, Chapter 6, authorized a County Court in every county of Justices of the Peace who would meet on the first Monday of every month and remain in Session until the business of the court was completed. Three Justices could be a court to hear the probate of wills and other matters related to the administration of estates but no jury trials were allowed. A quota of jurors for each county to select was also established in this law.
8. Acts of 1869-70, Chapter 6, repealed all laws, or parts of laws, which created a Board of County Commissioners for Hickman and Dickson Counties. All the offices of magistrate were restored and their jurisdiction reinstated.
9. Acts of 1869-70, Chapter 49, repealed an Act passed on March 12, 1869, which created a Board of County Commissioners for Madison County, and several other counties bringing themselves in with specific provisions making this Act applicable to them. All the laws which were repealed by the laws creating the Board of Commissioners were restored and re-enacted, making them in full force and effect as if the repealing laws had never been passed.
10. Acts of 1871, Chapter 142, allowed the towns of Charlotte and White Bluff in Dickson County to have an additional Justice of the Peace who would be qualified, commissioned and exercise the same powers and authority as all other Justices of the Peace.
11. Private Acts of 1921, Chapter 290, amended Chapter 42, Acts of 1875, and Chapter 246, Acts of

1889, both general laws of the State, so as to increase the per diem pay of the Justices of the Peace from \$1.50 to \$3.00 for each day of their attendance at the meetings of the Quarterly Court.

12. Private Acts of 1921, Chapter 408, was a duplication of Chapter 290, Private Acts of 1921, Item 2, above.
13. Private Acts of 1931, Chapter 1, ratified, confirmed, legalized, and validated the prior actions of the Quarterly Court of Dickson County in ordering the County Judge, or Chairman, to issue interest bearing warrants to pay the interest on other warrants previously issued in several specified sessions of the court. They were classified as the legal debts of the County to which full faith and credit were pledged.

### **County Mayor**

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

1. Private Acts of 1905, Chapter 92, repealed Section 15 of Chapter 404, Private Acts of 1901, Item 3, above, which required that appeals from the County Court presided over by the County Judge would go to the Supreme Court.
2. Private Acts of 1911, Chapter 90, amended Chapter 404, Private Acts of 1901, in Section 16, to provide that the County Judge, in addition to his salary, would be paid \$350 a year for clerical assistance in keeping up to date the work in his office as both County Judge and Financial Officer. These two sums were to be in lieu of all other compensation to the Judge. This Act was repealed by the one following.
3. Private Acts of 1917, Chapter 634, repealed Chapter 90, Private Acts of 1911, which provided for clerical assistance to the County Judge.
4. Private Acts of 1919, Chapter 13, amended Section 16, Chapter 404, Acts of 1901, to provide that in addition to the salary paid to the County Judge as the Judge and Financial Officer of the County of Dickson, the Judge would also be paid \$350 per annum to employ clerical assistance in keeping the work of the office up in both capacities. This plus other compensation mentioned, would be all the salary earned by the Judge.
5. Private Acts of 1919, Chapter 475, was the legal authority for the County Judge of Dickson County to invest any sinking fund which had been collected by the Trustee in the outstanding bonds of the County or in U. S. Government Bonds. If County bonds were purchased the amount could not exceed \$105 for each \$100. If Government bonds were bought they would be turned over to the County Trustee who would be charged with their net value.
6. Private Acts of 1927, Chapter 493, stated that the County Judge of Dickson County (identified by the use of the 1920 Federal Census figures) would receive as compensation for his services as financial agent the sum of \$250 per year in addition to his salary of \$750 per year as County Judge. The \$250 would be paid monthly along with the other compensation and would begin on the first Monday in September, 1925, or at the start of the current term of the County Judge.
7. Private Acts of 1937, Chapter 759, stipulated that the County Judge of Dickson County would be paid \$40.00 each month in addition to all other compensation for his duties in passing upon and looking after the Social Security laws. The extra money was to come out of the funds furnished to the county by the State for Social Security purposes.
8. Private Acts of 1939, Chapter 224, amended Chapter 404, Private Acts of 1901, above, in Section 16, to fix the compensation of the County Judge at \$1980 annually which would be paid in equal monthly installments on warrant from the county treasury. One hundred and fifteen dollars (\$115) would come from county funds and \$50 a month would be taken from Social Security funds. If the duties of the Judge under the Social Security Act ceased, then this portion of the compensation would terminate.
9. Private Acts of 1955, Chapter 33, amended Chapter 404, Private Acts of 1901, by striking out Section 16 and adding a new one. The annual compensation of the County Judge would be \$4,800 payable monthly on the warrant of the County Judge drawn on the county general funds which amount would be in lieu of all other compensations to the Judge for his service as Judge, financial agent, and as Chief Accounting Officer, for secretarial aid and for his services under the Social Security System. This Act was not acted on by the Quarterly Court and therefore never took effect in Dickson County.
10. Acts of 1856, Chapter 253, established the position of County Judge in every county who must be



learned in the law and who would be elected to four year terms by the people. The County Judge must be sworn into office and commissioned as were the other Judges. Quorum Courts and the position of Chairman were abolished and their duties given to the County Judge. All the jurisdiction, power and duties of the County Judge were enumerated in the statute. The County Court Clerk would serve as Clerk of the Court and the Judge was not prohibited from practicing law except in his own court. This Act was repealed by the one following.

11. Private Acts of 1857-58, Chapter 5, repealed Chapter 253, Acts of 1856, above, and restored the Quorum Courts and the Chairman of the Quarterly Courts to their former status.
12. Private Acts of 1901, Chapter 404, set up the office of County Judge in Dickson County. This Act is published herein with amendments.

### **County Register**

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

1. Acts of 1806, Chapter 1, divided Tennessee into the East and West Districts with one Register for each District. In the Eastern District the Register would be located at Knoxville and in the Western District at Nashville.
2. Acts of 1851-52, Chapter 119, provided that all the duties of the Entry Taker would hereafter be performed by the Registers in those counties south and west of the Congressional Reservation Line. For doing so the Registers would be entitled to the same fees as were formerly paid to the Entry Taker. The Entry Takers were directed to hand over their books, records, and maps to the Registers who could appoint a Deputy when the best interests of the office required it. Dickson County was listed among those counties exempting themselves from the application of this Act.

### **Purchasing**

The following acts once affected the purchasing procedures of Dickson County, but are no longer operative.

1. Private Acts of 1951, Chapter 666, amended Chapter 16, Private Acts of 1951, by making the County Judge an ex-officio member of the Purchasing Commission with power to vote on all matters and fixing the compensation for his services at \$600 per annum in addition to all other payments.
2. Private Acts of 1953, Chapter 489, amended Chapter 666, Private Acts of 1951, above, by increasing the pay of the County Judge on the Purchasing Commission from \$600 to \$1,200 per year.
3. Private Acts of 1959, Chapter 63, amended Chapter 16, Private Acts of 1951, by rewriting Section 1 and adding the second paragraph as it now appears.

### **General Reference**

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

1. Acts of 1807, Chapter 5, increased the bond of the treasurer of the Robertson District to \$50,000 which must be secured with at least five securities due to the increased revenue of the State and to the probability of further additions in the very near future.
2. Acts of 1809, Chapter 17, recited that James Salmon, of Dickson County, was convicted of petit larceny in the Mero District Courts which has deprived him of the privileges of a citizen, and it appearing to the General Assembly that Salmon has since conducted himself in an honest and upright manner, this Act restored him to the full privileges and benefits of citizenship.
3. Acts of 1811, Chapter 42, declared it to be lawful for any person, or persons, to erect two warehouses on the Cumberland River, one on the north side of the River at Weakley's Ferry in Montgomery County, and the other on the south side of the River near Weakley's Ferry in Dickson County. The warehouses would be used primarily for the inspection of tobacco and other commodities offered for public sale.
4. Acts of 1815, Chapter 28, incorporated Michael Molton, Raford Crumpler, John L. McRea, Edward Pearsall, Daniel H. Williams, Francis S. Ellis, Abiram Caldwell, Cyprian Farrer, and the rest of the shareholders, as the Dickson Library Company. The shareholders would meet in Charlotte on the third Monday in December, 1815, to elect the corporate officials and on the third Monday in December every year thereafter to elect five members of the Board of Directors. Regulations to be adhered to in the management of the corporation and a statement of the purposes for which it

was formed were included in the Act.

5. Acts of 1817, Chapter 78, incorporated all the shareholders of the Dickson Library Company who would gather at the Courthouse in Charlotte on the first Saturday in January each year to elect five people from among the shareholders to be directors of the company. The Directors had the authority to select a Librarian, clerk, Treasurer, and any other needed official, to serve for one year. Violations of the requirement of this Act could result in fines being imposed from \$5 to \$20.
6. Acts of 1819, Chapter 124, invested John Read, and others who might want to assist him, with full power and authority to draw a lottery to help in the erection of iron works on Yellow Creek in Dickson County. Their bond would be double the amount of prized to be offered and made payable to the Chairman of the County Court. The amount to be raised by the lottery could not exceed \$10,000. Drawings must comply with the requirements of this Act and the money raised could not be used for any other purpose than the one stipulated.
7. Acts of 1820, Chapter 103, averred in the introduction that Isaac Walker, of Dickson County, had paid by mistake to the Clerk the cost of a license to retail merchandise in the county and it would be improper for the State to retain the said money, therefore, this act directs the Clerk to return the \$50 fee to Walker and to take a credit on his books when he did.
8. Acts of 1821, Chapter 164, page 159, permitted the owners of lots on the Public Square, or parts of lots, in Charlotte, in Dickson County, to erect or if already erected, to keep, on the front of their buildings bordering the Square, porticoes or piazzas, for their ease and convenience which would be considered as private property and not as public nuisances.
9. Acts of 1822, Chapter 142, instructed the Treasurer of West Tennessee to pay to Robert Weakley, of Dickson County, the sum of \$43.81 which was the cost of ferrying troops across the Cumberland River in the recent war. His receipt would be the same as a voucher properly issued.
10. Acts of 1825, Chapter 157, excused Alexander Wilkins, of Dickson County, from the payment of \$50 which was the amount of the State tax to sell groceries for which amount the said Wilkins had signed a note, because he only had a few groceries to sell. In the event Wilkins had already paid the tax, the Clerk was directed to return the money to him.
11. Acts of 1826, Chapter 18, was the authority for Alexander Campbell, of Dickson County, to hawk and peddle goods, wares and merchandise in any of the counties of this State without having to purchase a license.
12. Acts of 1831, Chapter 43, Section 6, ordered the Cashier of the Bank of Tennessee to place to the credit of the counties of Montgomery, Dickson, Robertson, Sumner, Davidson, Stewart, Humphreys, Perry, Hickman, Williamson, Lawrence, Wayne, Hardin, and Wilson, their pro-rata share of the \$60,000 set aside for the internal improvement of Middle Tennessee. The share of each county was based on the ratio of the population of that county to the population of the counties combined.
13. Acts of 1832, Chapter 104, Section 3, gave to Margaret Bardley, of Dickson County, the power to make contracts to acquire and hold any kind of property in her name, to sue and be sued, and to enjoy all the legal privileges of an adult and single person. She was the wife of John Bardley of Dickson County.
14. Acts of 1833, Chapter 34, established the Planter's Bank of Nashville in which city the main office would be located and several branches of the Bank would be located at other places, one of which was Charlotte in Dickson County. The Branch at Charlotte would be under the supervision of John Montgomery, George Smith, John C. Collier, John C. Napier, Benjamin A. Collier, and William Hightower. The Bank would be operated and managed under all the rules pertinent to corporate banking institutions which were repeated verbatim in this statute.
15. Acts of 1833, Chapter 93, extended the privileges conferred in the Third Section of an act passed on September 28, 1832, for the further time to two years so that Madison C. Napier could perform and complete the requirements of said Act for the benefit of himself and Epps Jackson, jointly. They would be entitled to and enjoy the privileges conferred by both acts.
16. Acts of 1833, Chapter 163, Section 2, was the authority for the county court of Dickson County, upon the petition of Samuel Smith, to emancipate a certain slave named Jack, the property of the said Smith, provided he entered into bond not to become a charge upon the State and further to guarantee his good behavior.
17. Acts of 1833, Chapter 188, was the legal authority for Richard Cook, of Dickson County, to hawk and peddle goods, wares, and merchandise in the counties of Hickman and Dickson without having to obtain a license to do so.

18. Acts of 1837-38, Chapter 21, recited in the preamble that because many records were destroyed by a violent storm in Dickson County in 1830, many people were unable to trace the title to land. This Act provided that on any land sold under the execution the Sheriff could issue a duplicate deed upon proof being presented by the parties that payment had been made or arrangements for payment would not affect any other title.
19. Acts of 1837-38, Chapter 87, was the enabling law for the County Court of Dickson County to lay out and expend the internal improvement fund belonging to the County in such manner as the Court deemed right and proper. Anyone having such funds in their possession must pay them over, or be subject to a fine for not doing so. This act repealed all prior acts relating to the disposition of the internal improvement funds in Dickson County.
20. Acts of 1841-42, Chapter 115, provided that the Town Constable, or tax collector, for Charlotte in Dickson County would have and could use the same power and authority in the collection of taxes that the Sheriff and other taxing collectors had, and, if levy were made on the property of anyone for back taxes, the same would be handled as any other delinquent tax sale.
21. Acts of 1847-48, Chapter 192, Section 2, attached Maury County and Dickson County to the Nashville Bank District and a Director on the Board in the Bank of Tennessee would be appointed for each county in the same manner and would have the same authority as other directors but would also be subject to the same restrictions.
22. Acts of 1869-70, Chapter 26, Section 101, incorporated the City of White Bluff in Dickson County under the Mayor-Alderman form of government, the area of the city being described particularly and the powers of the Mayor and Alderman being particularly prescribed. The people would elect a Mayor, six Aldermen, and a Town Constable for a term of one year. The Mayor would serve as the ex-officio President of the Board of Aldermen, and as the Recorder and Treasurer. Several details of organization and management of the city were contained in the act.
23. Acts of 1893, Chapter 71, abolished the Charter of the town of Charlotte in Dickson County, repealing the act which established the city.
24. Acts of 1897, Chapter 124, was a salary act wherein the compensation of certain county officials was determined according to the population classification of the county. These officials were deprived of their fees which became the property of the county, and would be paid only the salary stated. Although this statute was declared unconstitutional in Weaver v. Davidson County, 104 Tenn. 315, 59 S.W 1105 (1900), yet it and some of those to follow became the pattern for the salary statutes under which the State now operates.
25. Private Acts of 1909, Chapter 570, was the legal authority for the Quarterly County Courts of Dickson County, Putnam County, and Franklin County to adopt a Resolution to contract with that Bank making the best bid on the amount of interest to be paid on the monthly balance of funds deposited in the Bank which belonged to the County. The County Judge was given the power to employ expert advisers, legal or otherwise, to assist him and the court in the furtherance of this program. Upon his compliance with the directors set out in the adopted Resolution, the County Trustee would be relieved of all liability regarding the deposit of county funds.
26. Private Acts of 1915, Chapter 588, amended Private Acts of 1909, Chapter 570, above, in Section 6, to provide that the contract bank would on or before the 15th day of the month submit a sworn, itemized statement to the County Judge, or Chairman, showing the correct balance of funds on hand in the Bank to the credit of the County Trustee, and the interest thereon due the county to the first day of the preceding month.
27. Private Acts of 1923, Chapter 695, stated that the Quarterly County Court of Dickson County (identified by the use of the 1920 Federal Census figures) would, at its regular July meeting, contract to lend all county money to the various banks at a flat rate of 4% interest as was stipulated therein. In order to qualify as a depository a Bank has to execute a bond satisfactory to the County Judge. County funds were to be deposited as nearly equal as possible among the participating banks. Banks were further required to furnish statements showing the status of the account upon the demand of the County Judge, or Chairman.
28. Private Acts of 1925, Chapter 71, was enabling legislation for the County Judge of Dickson County to invest any fund of Dickson County which might be in the hands of the County Trustee, or in a sinking fund to retire bonds, in any other interest bearing warrant, note, or warrant, with a due date later than the bonds for which the sinking fund was originated. Reinvestment of said funds would be in the discretion of the County Judge.
29. Public Acts of 1929, Chapter 88, declared in the introduction that a fitting memorial ought to be erected to the sons and daughters of Dickson County who had taken part in war, and such a

memorial would be found in a building for the Lucien Berry Post of the American Legion in the town of Dickson. The officials of the Legion Post were to have the management of the building after its erection and the same would be suitable for public meetings and the meetings of the Post membership. A commission would be appointed to plan, design, and supervise the construction of the edifice. The State would appropriate \$15,000 and the City of Dickson would match that amount and furnish a lot in addition thereto for the building to be built on.

30. Private Acts of 1931, Chapter 501, stated in the preamble that Florence McKinley Jordan, of Dickson County, desired to transact business in her own name as if she were 21 years of age, that her father died several years ago and she has been working and doing business for herself as an adult since that time, and her widowed mother joined with her in this petition, this act removed the minority of Miss Jordan and conferred upon her the legal status of an adult.
31. Private Acts of 1931, Chapter 826, amended Private Acts of 1923, Chapter 695, Item 27, above, by reducing the percentage payments to be made by Banks on county funds deposited with them from 4% to 3%.
32. Private Acts of 1933, Chapter 161, emancipated Etha Bell Deason, of Van Leer, in Dickson County, from all the disabilities of her minority so that she could manage and use her property in the same manner as any adult.
33. Private Acts of 1933, Chapter 343, declared that from henceforth all the disabilities of infancy were taken away from Lorenzi Dowl Miller, of Dickson County, who would be treated legally as an adult in all respects.
34. Private Acts of 1933, Chapter 518, relieved the enforcement of a decree rendered by the Chancery Court against H.T.V. Miller, an ex-Mayor of the City of Dickson, who incurred certain obligations as Mayor in accordance with instructions given him by the Aldermen of the city but was later compelled to pay the obligations from his own personal funds. The Chancery Court made no finding that the Mayor was lax in his duty and, therefore, this act found it to be right and proper that the city repay the money to Mayor Miller which he had paid out in this instance.
35. Private Acts of 1935, Chapter 159, removed the infancy of John Edward Blackwell, in Dickson County, and granted to him all the privileges and responsibilities of adulthood.
36. Private Acts of 1951, Chapter 15, created the position of County Auditor for all counties between the population brackets of 19,700 and 19,800 according to the 1940 census. These figures include Dickson County and Warren county. It is obvious from amendments and other evidence that, although this act is included in some publications as a Dickson County act, that the General Assembly intended it to apply only to Warren County.
37. Private Acts of 1997, Chapter 84, created and established the Water and Wastewater Authority of Greater Dickson. This act was repealed by Private Acts of 1998, Chapter 178.
38. Private Acts of 1998, Chapter 178, created and established the Water and Wastewater Authority of Greater Dickson. This act was repealed by Private Acts of 2001, Chapter 51.

## Chapter II - Animals and Fish

### 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 Dickson County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1807, Chapter 8, required every planter to have a sufficient fence about his cleared land in cultivation which would be at least five feet high and close enough to keep hogs out of the fenced area. If trespass occurred through the fence application for damages could be made to any Justice of the Peace who could appoint two disinterested land holders to assess the damages.
2. Acts of 1822, Chapter 83, required that the Ranger of Dickson County advertise the stray to be sold in some newspaper in Nashville. See Section on Law Enforcement.

3. Acts of 1870, Chapter 19, prohibited seining and netting, either with a net or a dip-net, basketing, or trapping, in any stream, pond, or reservoir in the counties of Rutherford, Davidson, Robertson, Montgomery, Cheatham, Williamson, Maury, Stewart, Cannon, Marion, Warren and Dickson. No seine would ever be stretched across the mouth of a stream. Violators could be penalized from \$5 to \$20 for the first offense, and \$20 to \$50 for the subsequent ones, half to go to the informer and half to the State. This Act was repealed by the one following.
4. Acts of 1871, Chapter 9, repealed so much of Section One of Acts of 1870, Chapter 19, above, which related to the protection and preservation of fish in certain named counties as the same was being applied in the counties of Maury, Dickson, Warren, Marion, Benton, Humphreys and Cannon.
5. Acts of 1879, Chapter 198, declared it illegal for any person to take any fish in the waters of the counties of Dickson, Houston, Cheatham, Davidson, Rutherford, Williamson, Shelby, Fayette, Tipton, and Carroll, except by baited hook and line, or trot line. Anyone taking fish in those counties by any other means would be guilty of a misdemeanor and could be fined accordingly. This Act, however, did not apply to private lakes, or ponds, nor to the waters of the Cumberland, Tennessee, and Big Hatchie Rivers. Offenders were subject to fines from \$25 to \$100. This Act was repealed in Item 7, below.
6. Acts of 1881, Chapter 84, amended Acts of 1879, Chapter 198, Item 5, above, so that the waters of the Big Sandy River were also exempted from the application of the Act in Carroll County and the bayous, ponds, and sloughs in the Big Sandy River bottom were taken out of the Act.
7. Acts of 1885, Chapter 133, expressly repealed all portions of Acts of 1879, Chapter 198, Item 5, above, as that Act was applied and enforced in the counties of Dickson, Houston, Cheatham, Williamson, Rutherford, Carroll, Fayette, Shelby and Tipton.
8. Acts of 1899, Chapter 151, made it lawful to catch fish in Dickson County in every way and at all times except by use of poisons, or explosives, or by devices which prevent the easy passage of fish up and down a stream. Meshes of the nets and seines could not be closer than 1 1/2" except on minnow nets. It would be against the law to catch fish in any manner from March 15 to June 1 of each year. This Act was repealed in Item 9.
9. Acts of 1901, Chapter 465, declared it unlawful to catch, kill or wound fish in any of the streams of Dickson County, except with baited hook and line, or rod, but minnows to be used for bait could be caught with nets, and suckers could be taken at any time with a grab hook, and rod and line. This Act did not apply to the Cumberland or Harpeth Rivers in adjoining counties and Acts of 1899, Chapter 151, above, was repealed. Violators could be fined from \$5 to \$20 for each offense.
10. Private Acts of 1903, Chapter 123, rendered it lawful to catch fish in Dickson County in every way and at all times except for minnow nets used to procure bait. No penalties were mentioned for violators of this law.
11. Private Acts of 1917, Chapter 708, amended Public Acts of 1915, Chapter 152, Section 54, a general game and fish law for Tennessee so that this law would not be applicable to Dickson County.
12. Private Acts of 1917, Chapter 709, made it contrary to the law in Dickson County (identified by the use of the 1910 Federal Census) for any person to shoot, kill, or injure, by any means, any quail, partridge, or dove, except within the times specified from November 15 to the following January 15. Squirrels could be killed from June 1 until November 1, and wild ducks, geese, and other migratory birds could be taken at any time of the year as well as rabbits. Unlawful to fish for sale except in navigable waters. Citizens could take fish for their own use and consumption with rod and line at any time, or season of the year and by the use of baskets, hoop nets, or with their hands during June, July, August and September. One could not fish upon the lands of another without having first obtained written permission.
13. Private Acts of 1919, Chapter 12, instructed the Election Commission of Dickson County within thirty days after the passage of this Act to open and hold an election in all precincts to ascertain the will and attitude of the people on the question of stock law, or fence law. The election would be held under the regular election laws with the ballot to be marked simply "For" or "Against". The results of the election must be certified and the same transmitted to the delegation representing Dickson County in the General Assembly.
14. Private Acts of 1919, Chapter 793, made it illegal for the owner, or anyone having the control and management, of cattle and swine to permit male cattle, or bulls, which are six months old, or older, or male swine, which are three months old, or older, to run at large in Dickson County,

- which was identified by the 1910 Federal Census figures. Any owner, or custodian, willfully violating this act could be fined from \$5 to \$25 for each violation.
15. Private Acts of 1921, Chapter 149, declared it to be against the law in Cheatham County and Dickson County for any person to hunt, shoot, kill, injure, capture, or take by any means, or methods, any deer except from December 20 until after December 31, of each year. Fines for offenders ran from \$50 to \$200 for each offense.
  16. Private Acts of 1921, Chapter 289, was the authority for the Election Commission of Dickson County to call an election within 30 days from the passage of this Act so that the Will and feelings of the people could be determined on a stock law, or fence law. The ballot would be simply a "For" or "Against" proposal. The Election Commission was responsible for canvassing the vote and reporting the results to the Dickson County legislative delegation in the General Assembly.
  17. Private Acts of 1921, Chapter 405, saw Dickson County included with nearly every other Tennessee County in declaring itself exempt from Public Acts of 1919, Chapter 61, which was a highly regulatory act concerning the care and keeping of dogs across the state and establishing rather severe penalties for violations of the same.
  18. Private Acts of 1921, Chapter 476, was legal authorization for any resident of Cheatham County, or Dickson County, to fish at any time, or season, of the year, for game fish except between May 1 and June 15 of each year. One was allowed to fish for non-game fish at any time and place in the county with hook, rod and line, trot line, net, basket, or in any other manner except to seine, shoot, poison, or use explosives.
  19. Private Acts of 1921, Chapter 503, applied to the Counties of Humphreys, Stewart, Dickson, Houston and Perry. The Act declared it unlawful for any person to shoot, kill, or injure, any quail, partridge, or dove, except within the times fixed by law, which were from November 15 until the following January 15, of each year. Squirrels, rabbits, and migratory birds could be killed at any time. Any person hunting upon the lands of another must first secure the owners, or occupant's, permission to do so. Fines for those disobeying this law were a minimum of \$10 and a maximum of \$25 which would all go into the school fund.
  20. Private Acts of 1921, Chapter 951, amended Public Acts of 1909, Chapter 519, which created the position of Game, Fish and Forrest Commissioner so that the act did not apply to the counties of Humphreys, Stewart, Dickson, Houston and Perry.
  21. Private Acts of 1923, Chapter 128, authorized the Election Commission of Dickson County, Benton County, Decatur County, and Houston County, to hold an election in those counties within ten days after the passage of this act on the question of a Stock Law, or a Fence Law, for those Counties. Ballots were to be counted and the results certified to those delegates in the General Assembly.
  22. Private Acts of 1923, Chapter 508, made it unlawful for the owner, or custodian, of livestock, including horses, mules, cattle, sheep, swine, and goats to permit the same to run at large in Dickson County. The owner of the animals was to be held liable for all damages caused by the trespassing animals which would be a lien on the stock to which could be added the cost of taking them up and caring from them. The trespass was also a misdemeanor for which fines from \$2 to \$10 could be imposed. Nothing in this Act would have any effect on the liability of railroads previously imposed.
  23. Private Acts of 1927, Chapter 642, made it lawful for any person, firm, or corporation, in Dickson County, to hunt, capture, or kill, at any season of the year foxes, mink, or weasels, by the use of a snare, traps, guns, dogs or otherwise.
  24. Private Acts of 1931, Chapter 415, rendered it legal in Dickson County to fish in any of the rivers and streams which flow through or border on any county with split wooden fish baskets for home use of consumption but not for sale or shipment out of the County. Every person so fishing, however, must comply with all the existing fish and game laws including the obtaining of the consent of the owners whenever necessary. Failure to observe the requirements of this Act could result in the payment of fines from \$5 to \$25 with the jurisdiction to hear and determine the cases being given to the Justices of the Peace.
  25. Private Acts of 1931, Chapter 728, applied to Houston County and to Dickson County by the citation of 1930 Federal Census figures. The Act made it lawful for land owners on his own land through which any stream may run to catch fish during open season for his own use by means of a split basket, but must not catch fish for sale or shipment out of the county under this Act. It was further declared to be within the law to kill, or capture, foxes and rabbits at all times in these counties, there being no closed season specified on these animals.

26. Private Acts of 1935, Chapter 784, stated in the preamble that G.C. Redden had ministered to livestock for various ailments and diseases in Dickson County, and there were a large number of stock in the county and no licensed veterinarian to see after them. Redden, not having a certificate, could not charge for his services which were necessary and in demand throughout the county. This Act authorized and permitted Redden to treat, doctor, and administer to livestock in the said county to make a reasonable charge for his services.
27. Private Acts of 1937, Chapter 279, stated in the introduction to the Act that Collom Fry, of Dickson County, had ministered to livestock for various diseases for several years, that there were many head of cattle in the county and only one veterinarian to take care of them. Fry's services were in great demand but he did not have a certificate to practice, therefore this Act authorized Fry to treat, doctor, and to minister to livestock in Dickson County and to make reasonable charges for those services he rendered.

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Dickson County is included below for reference purposes, although these acts are no longer current.

#### **Courthouse**

1. Private Acts of 1927, Chapter 830, was the legal authority for the Quarterly Court of Dickson County to issue and sell coupon bonds up to \$50,000 for the purpose of repairing or building a new Courthouse at a cost of \$35,000, or less, in the town of Dickson to be used in place of the dilapidated structure now serving as such, and \$15,000 would be used to repair, or build, an addition to the Courthouse at Charlotte. The interest rate could not exceed 5%, and the bonds would mature at the rate of \$2500 per annum beginning on July 1, 1928. All the details essential to a valid bond issue were included in the Act, and a tax levy for the sinking fund was required. These bonds would be sold for cash by the County Judge, County Court Clerk, and County Trustee. The County Judge must keep all the necessary records.

#### **Debts**

1. Private Acts of 1931, Chapter 2, declared in the preamble that Dickson County had outstanding debts due in the amount of \$200,000 incurred for various county purposes, as schools, roads, a Courthouse, and bridges, which debts were bearing interest at a greater rate that the county could negotiate its bonds for, and to retire these debts at a lower rate of interest could certainly be in the best interest of the County, therefore, this act allowed the County Judge and the County Court Clerk to issue bonds up to \$200,000, so as to retire and pay off a like amount of the above mentioned obligations of the County, at an interest rate of 5 1/2%, or less, and maturing according to the schedule mentioned in this law. All the details were present and a tax levy for the sinking fund was mandated.
2. Private Acts of 1931, Chapter 425, authorized Dickson County acting in its corporate capacity and through its Quarterly Court to borrow for the same the use of the County sums of money whose sum total could not exceed 2/3 of the total revenue of the county during the preceding year. Loans could be negotiated in anticipation of revenue, which would be used for general county purposes and the payment of outstanding debts. Loans could be made by Resolution of the court, the proceeds of the same being delivered to the County Trustee and dispensed according to the directions of the Court and the County Judge.
3. Private Acts of 1935, Chapter 45, noted in this introduction the existence of interest bearing notes due and owed by Dickson County in the amount of \$27,000 or more, for the payment of which no provisions had been made. This Act was the enabling legislation for the Quarterly Court to issue and sell up to \$30,000 in bonds in order to pay off the above debts and to place any surplus into the general fund. The interest rate could be no more than 5% and the bonds would mature in accordance with the schedule stipulated in the Act. These bonds were made tax exempt from other levels of government. All details and the tax levy were set out in this statute.
4. Private Acts of 1937, Chapter 145, permitted the Quarterly Court of Dickson County to issue and sell bonds, at an interest rate of no more than 5%, and to mature no later than 30 years from the date of issue, which money would be used to pay off outstanding debts, unpaid bills, and other

commercial papers negotiated by the County. The details were present and the tax levy required.

5. Private Acts of 1939, Chapter 42, ratified, confirmed, validated, and legalized all the prior proceedings of the Quarterly Court of Dickson County and county officials taken in connection with the issue and sale of \$15,000 in bonds, at an interest rate of 4%, and which would mature from one to thirty years from the date of issue. In addition, all the debts to be paid were ratified, all notwithstanding the lack of any statutory authority at the time. The details were not spelled out but the tax levy was mandated until the bonds were amortized.

### **Dickson**

1. Private Acts of 1931, Chapter 26, also ratified and confirmed all the actions of the Mayor and Aldermen of the town of Dickson in connection with the issue and sale of \$10,000 in bonds, at an interest rate of five and three-quarter percent, to be applied on the payment of debts of the city, or to refund bonds heretofore issued by the city.

### **Jails**

1. Private Acts of 1947, Chapter 311, allowed the Quarterly Court of Dickson County to issue up to \$50,000 in bonds, which would mature no later than 30 years after their issue and bear an interest rate which would be determined by the court. All the details of genuine bond laws were present and a tax levy was mandated in order to amortize the bonds. The proceeds would be used to construct and equip a county jail.

### **Poor**

1. Acts of 1875, Chapter 56, mentioned in the preamble the dire poverty when then existed in many counties of Tennessee which was causing the poor and indigent people to suffer tremendously, this act was the enabling law for the Quarterly Courts of Stewart County, Montgomery County, Houston County, Dickson County, Cheatham County, Humphreys County, and Benton County, to issue and sell bonds, not to exceed \$10,000 in amount at any time, bearing interest of 6%, or less, which money would be used to alleviate the suffering of the poor. Essential details and the tax levy were included in the law. The Quarterly Courts were to supervise the expenditure of the funds and disobedience or fraud in connection with the program was a felony which could lead to as much as five years confinement.

### **Roads**

1. Private Acts of 1903, Chapter 541, allowed the Dickson County Quarterly Court at its first term after the passage of this Act to submit to the people at a time selected by the Court the question of whether to issue or not \$100,000 in bonds to build highways and to macadamize roads as the commission named in the Act might direct. The ballot would be marked simply "For" or "Against" and all residents of the county were qualified to vote. The interest rate could not exceed 4%, nor the maturity period go beyond 30 years from issue. All essential details and the tax levy were included. The Court was instructed to appoint three Commissioners to supervise and manage the road program.
2. Private Acts of 1913, Chapter 169, was the legal authority for the voters of Dickson County to vote on the issue of \$250,000 in 30 year coupon bonds which amount would be expended on the establishment and improvement of the 22 highways listed in the act. The allocated interest rate could not exceed 5%, and all other details were present in the act. The Court would select five commissioners to plan and supervise the program for a period of two years. The Commission could hire an engineer and other technical people to assist them. No person could be a commissioner who had an interest in any part of the business of the program or a contract connected with it.
3. Private Acts of 1915, Chapter 50, amended Private Acts of 1913, Chapter 169, above, by adding a provision at the end of Section 7 which allowed the commissioners to go across county lines when building roads if a better road could be obtained thereby but the beginning and the terminus of the various roads must remain as they were spec in the earlier act.
4. Private Acts of 1915, Chapter 339, was the second amendment to Private Acts of 1913, Chapter 169, Item 2, above, which authorized the issuance of bonds for road purposes, by removing Highway #13 out of Section One of the Act and substituting another portion of Highway #13 in its place beginning near the toll gate on the pike leading from Dickson to Charlotte and run down Jones Creek on the most suitable route in the discretion of the Commission.
5. Private Acts of 1915, Chapter 548, authorized the voters of Dickson County to vote on the question of issuing \$250,000 in interest bearing bonds which would mature in 30 years after the date of issue, at a maximum interest rate of 5%, which funds were to be expended on 28 different portions of highway as they were enumerated in the Act. The election would occur on



August 14, 1915, as the Act required. The details of the bond form, the sale of the bonds, and the manner of their redemption were all contained in this law. Six commissioners were to be elected, three from the northern portion of the County and three from the southern portion, who were to exercise the powers granted under the Act and have general supervision over the entire program. The Commission could condemn property in the name of the County and employ an engineer to assist them.

### **Schools**

1. Private Acts of 1919, Chapter 609, allowed the Mayor and City Council of Dickson to issue \$8,250 in bonds, in addition to the bonds authorized by Acts of 1903, Chapter 291, which amount would permit the city to pay for one-half of the property of Dickson College located in that city. It was understood that Dickson County would supply the other one-half of the funds and the property would be used for a high school in Dickson.
2. Private Acts of 1929, Chapter 716, ratified, confirmed, legalized, and validated the actions of the Mayor and City Council of Dickson, Tennessee, taken in connection with the issue and sale of \$28,000 in school bonds for the said city, at a maximum interest rate of 6% which bonds would be paid in full by June 1, 1953. All details were included as well as a tax levy.
3. Private Acts of 1937 (Ex. Sess.), Chapter 24, enabled the Quarterly Court of Dickson County to sell \$15,000 worth of bonds which would be used to pay the outstanding debts against the High School account and the High School Transportation Account, all of the debts having been made for legitimate county purposes. Among all the essential details were the requirements that the interest rate could not exceed 4%, nor the maturity schedule go beyond fifteen years. The proceeds would go to the Trustee who would pay off the debts.
4. Private Acts of 1949, Chapter 428, provided that, in Dickson County it would be lawful to contract with incorporated cities and towns located within the said county for the county to assume the payments of principal and interest in whole, or in part, on school building bonds issued by the city since June 1, 1947, wherein the said bonds were the direct obligations of the cities. The cities could request the counties to assume the obligations through their governing body, all of which could be accomplished through a Resolution of the Court. This Act would in no wise relieve towns from paying any obligation incurred by them in connection with other bond issues, or debts.

## Chapter IV - Boundaries

### Creation of County

#### Acts of 1803 Chapter 66

**SECTION 1.** That a new county by the name of Dickson, be and hereby is erected and established out of that part of the counties of Robertson and Montgomery, comprehended within the bounds following, to wit: Beginning on the south bank of Cumberland river, where the line which separates the counties of Robertson and Davidson intersects the same, running thence down said river to a point, half a mile below Fayetteville; thence southwestwardly by a line which shall intersect Barton's creek, one mile north of the forge; thence due west to a stake or point, one mile east of the east boundary line of Stewart county; thence south to the southern boundary of this state; thence east with said southern boundary to the southwest corner of Williamson county, as was established by an act of the last session of the general assembly, entitled An act to extend the jurisdiction, and to ascertain the bounds of the counties therein mentioned; thence north with the west boundary lines of the counties of Williamson and Davidson to the beginning.

**SECTION 2.** That the first court of pleas and quarter sessions for the county of Dickson shall be held by the justices of said county, at the dwelling house of Robert Nesbit on Barton's creek, and at such place or places as they may afterwards adjourn to; which first court aforesaid shall commence on the first Monday in February next.

**SECTION 3.** That elections and general musters in said county of Dickson shall be held at the place of holding the court immediately preceding the said election or musters.

**SECTION 4.** That the sheriffs of Robertson and Montgomery counties shall have power to collect the taxes for the present year, and all arrearages of taxes for any preceding year, due from any of the inhabitants within the present limits of either of their respective counties that may be included within the

county hereby established; and that the inhabitants of said established county, now citizens of Robertson county shall be liable for the payment of their proportion of any debts now due by said county of Robertson.

**SECTION 5.** That James Elder be and is hereby appointed surveyor to run and mark the line between the counties of Montgomery and Dickson, who shall be allowed the sum of two and one half dollars for each and every day he may necessarily be employed therein, to be paid by the county of Dickson; and he shall employ chain carriers and a marker to assist him in running and marking said line; who shall be allowed the sum of one dollar each to be paid as above.

**SECTION 6.** That in elections for governor, representatives to congress, members of the general assembly, the county of Dickson shall be considered as composing a part of the electoral district of what is now Robertson and Montgomery counties, and shall be conducted under the same rules, regulations and restrictions as by law established, and the returns made by the sheriff in the manner and form as aforesaid.

**SECTION 7.** That the sheriffs of Robertson, Montgomery, Stewart and Dickson counties shall meet at the town of Clarksville on the Monday succeeding the election to compare the votes by them taken, and the sheriff of Montgomery County shall certify the poll for governor, representatives to congress and representatives of the assembly for the counties of Montgomery and Stewart, and also the senator for the electoral district; and the sheriff of Robertson County shall certify the poll for governor and representatives to congress and the representatives to the assembly for the county of Robertson and Dickson.

Passed: October 25, 1803.

## County Seat

### Acts of 1804 Chapter 39

**SECTION 1.** That Robert Dunning, Sterling Brewer, John Davidson, Montgomery Bell, and George Clark, be and they are hereby appointed commissioners to fix on the most central and suitable situation, having due regard to good water, for the erecting of a court house, prison and stocks in said county of Dickson, whose duty it shall be to purchase forty acres of land on the most reasonable terms, having regard to situation and water, on some part of which shall be erected the court house, prison and stocks for said county; and the said commissioners or a majority of them, shall take a deed in fee simple, in trust for the county, to themselves and their successors in office, for the use and benefit aforesaid, and shall, as soon as may be, after purchasing and obtaining a title thereto, proceed to lay off a town, to be called and known by the name of Charlotte, reserving two acres for public uses, in or near the centre thereof; which two acres shall be the public square.

**SECTION 2.** That the said commissioners, or a majority of them, are required to advertise and sell the lots in said town, to the highest bidder, on a credit of four and nine months, taking bond and sufficient security for the purchase money, payable to themselves and their successors in office, to and for the use of said county, which shall be good and valid in law, to all intents and purposes whatever; and the money arising from the sale of said lots, shall be applied to the payment of the land by them purchased as aforesaid, and the residue thereof, to the building of the said court house, prison and stock; and they are hereby authorized and required to contract for the building of said court house, prison and stocks, first advertising the same in the Tennessee Gazette, published at Nashville, at least two months and at the most public places in the said county of Dickson.

**SECTION 3.** That in case there shall not be money sufficient arising from the sale of lots, after paying for the land so purchased, the said county court of Dickson shall, and they are hereby declared to have power to lay and collect a tax, not exceeding twelve and one half cents on each hundred acres of land, six and one fourth cents on each white poll, twelve and one half cents on each black poll, one dollar on each stud horse kept for mares, five dollars on each retail store, five dollars on each pedlar and hawker, and twenty five cents on each town lot.

**SECTION 4.** That the said commissioners or a majority of them shall, before they enter on the duties assigned them by this act, enter into bond with approved security, in the sum of five thousand dollars, payable to the chairman of the court of said county, and his successor in office, conditioned for the faithful performance of the duties enjoined on them by this act.

**SECTION 5.** That the said Commissioners, shall keep a fair statement of all the money they received and expended; which statement when required, shall be laid before the court of said county.

**SECTION 6.** That it shall be the duty of the sheriff of said county of Dickson, as soon as he shall be furnished with a copy of this act, to notify the said commissioners of their appointments, requiring them to attend the county court, next following such notification, for the purpose of entering on the duties of their appointment; and in case any of them shall fail to attend agreeable to such notification, for the purpose of entering on the duties of their appointment; and in case any of them shall fail to attend agreeable to such notification, they shall, as soon as may be thereafter, assemble themselves at the then place of holding court, and proceed to the duties herein required, which duties shall be entered on in the presence of three justices of said county.

**SECTION 7.** That in case of death, or refusal to act, of a sufficient number of the commissioners herein appointed to do business, it shall be the duty of the court to fill such vacancies on the second day of the court next succeeding the time such vacancies shall happen.

**SECTION 8.** When the buildings aforesaid are completed, the said commissioners shall lay a fair statement of the money by them received and expended for the purposes aforesaid, before the court of said county; who shall allow the said commissioners a reasonable compensation for their services, provided two thirds of the justices of said county be present; and if there be any surplus money in the hands of the commissioners, it shall be paid to the county trustee, for the use of the county.

Passed: August 3, 1804.

## Change of County Lines

### Acts of 1807 Chapter 44

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

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

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

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

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

**SECTION 6.** That the sheriff of Dickson County shall have full power and authority to collect any arrearages of taxes which may remain unpaid by any of the citizens of Hickman county, and this act shall

be in force from the first day of January next.

Passed: December 3, 1807.

## Acts of 1809 Chapter 97

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That so much of Dickson County as lies West of the Tennessee Ridge, be, and the same is a part of Humphreys county, beginning on the said ridge where the dividing line between Stewart and Humphreys counties, strikes the Dickson county line, then south along the top of Tennessee ridge so far as to include the waters of White oak creek, in Humphreys County, then west to said Dickson county line. PROVIDED NEVERTHELESS, that nothing in this act shall be so construed as to prevent the sheriff of Dickson county from collecting the taxes due thereon.

Passed: November 22, 1809.

## Private Acts of 1821 Chapter 125

**SECTION 1.** That David B. Carns, Joseph Ury, Hugh Ross, Dawsey R. Hudson and Benjamin Hudson, be and they are hereby appointed commissioners with full power and authority to employ a surveyor, out of their own body or any other person, as they or a majority of them may think proper, and employ two chain carriers, and have the lines of Humphreys county run out and marked agreeable to the before recited act, beginning at the north east corner of Humphreys county near David Wells', and runs west to the mouth of White Oak creek, crossing Tennessee river, and still running west four miles and a half, thence south forty-five degrees west ten miles and a half, thence south so far that an east course will give Humphreys county six hundred and twenty-five square miles; also to calculate and take into Humphreys county that part of the head of White Oak, that was taken off from Dickson County in the year 1809 and added to Humphreys county.

**SECTION 2.** That said commissioners and chain carriers, before they enter upon the duties of their office, shall taken an oath before some justice of the peace in said county, to run and mark the lines of Humphreys county, agreeable to the before recited act to the best of their skill and judgment, and said commissioners shall proceed to the duties of their appointment as soon as convenient, and the county court of said county are hereby authorized to pay said commissioners, surveyor and chain carriers, such sums as said court may deem a sufficient compensation for their services required of them by this act, out of any monies belonging to said county, not otherwise appropriated.

Passed: October 27, 1821.

## Private Acts of 1835-36 Chapter 46

**SECTION 1.** That all that portion of Dickson county lying in the following boundaries, shall hereafter be attached to and belong to the county of Humphreys: --Beginning at the south west corner of Dickson county, and thence running east with the south boundary line of said county of Dickson, to where the said line intersects the ridge that divides the waters of Hurricane creek from the waters of Garner's creek; thence with said ridge, to where said ridge intersects with the ridge that divides the waters of Hurricane creek from the waters of Garner's creek; thence with said ridge, to where said ridge intersects with the ridge that divides the waters of Cumberland and Duck rivers; thence north westwardly with said ridge, to the line that divides the counties of Dickson and Humphreys; thence south with said line to the beginning.

**SECTION 2.** That all that territory and county now lying in the county of Hickman, within the following boundaries, shall hereafter belong and (be) attached to the county of Humphreys, to wit: --Beginning in the line dividing the counties of Hickman and Humphreys, where the same first strikes Duck River, running south from the north west corner of Hickman; running thence up with meanders of Duck river, with the main channel, to where the middle of the main ridge dividing the waters of Sugar and Tumbling creeks strikes the river; thence a north easterly course, along the summit of said ridge, between the waters of said creeks, to the main ridge dividing the waters of Garner's and Little Hurricane creek; thence along the summit of the same to the north boundary line of Hickman county; thence west with said line, to the north west corner of said county; thence south with the line dividing the counties of Hickman and Humphreys to the beginning.

**SECTION 3.** That the citizens residing within the aforesaid boundaries, shall still vote with the county from which they have been attached, until the next enumeration, for members of the general assembly, members to congress, governor and electors for president and vice president; Provided, the lines hereby

directed to be run, shall not run within twelve miles and a half of the present county seat of said counties; and Provided, also, the said counties shall not be reduced below their constitutional limits.

**SECTION 4.** That all taxes and other public dues from citizens within the aforesaid boundaries, shall be collected in the same manner as heretofore; and the county courts are hereby authorized to render up judgment for the same, in the same manner as if the territory hereby detached still remained attached to their respective counties.

**SECTION 5.** That all officers, civil and military, shall remain in office, within the aforesaid boundaries, until elections shall take place by law, to supply the same; when it shall be lawful for the citizens within said boundaries to vote with and in all things be considered citizens of the county of Humphreys.

**SECTION 6.** That John Thompson, Isaac Little, Henry Luton and William McCastland, be and they are hereby appointed commissioners to survey, run out, and mark the boundaries as herein directed, and have a copy and plat of the same transmitted to the county courts of each county; which copy and plat shall be spread on the records of their county.

**SECTION 7.** That the said commissioners shall receive three dollars per day for each day they may be engaged in making the survey, hereby directed to be paid out of the county treasury of Humphreys county.

Passed: February 2, 1836.

## Acts of 1855-56 Chapter 122

**SECTION 1.** That a new County shall be established, to be known and distinguished by the name of Cheatham, to be composed of parts of the Counties of Davidson, Robertson, Montgomery, and Dickson; beginning at a point in a line dividing the Counties of Robertson and Montgomery, eleven miles north of the mouth of Harpeth River, the above point being on James W. Moody's plantation, a south-west direction from his dwelling; running thence west, two and a half miles, to a post oak and black gum, marked with the letters, M.C.; thence south, forty degrees west, crossing the stage road leading from Nashville to Clarksville, at two miles, two hundred and four poles, and crossing Cumberland River, in all six and one-half miles, to the south bank of said river; thence up the said river, with its meanders, to the mouth of Barton's Creek; thence up said Creek, with its meanders, to the mouth of the Barren Fork of said creek; thence up said creek, with its meanders, to the road leading from Clarksville to Charlotte, by the road; thence a due south course four and three-quarters miles, to a point in the Dickson County line; thence east with said line one mile, to a large dead red oak, and pointers one-half mile north of the Family Forge; thence south seventy-two degrees, east crossing said Barton's Creek at one hundred and twenty poles, and the road leading from said forge to Weakley's Ferry, at one mile and one hundred twenty poles, and the road leading from said ferry to Cumberland Furnace, at three miles and ninety poles, and crossing Johnson's Creek, at five miles and sixty-eight poles, continued, in all seven miles, to three hickories on the east side of a hill; thence south forty-seven degrees, east crossing the road leading from Charlotte to the mouth of Harpeth River, at ninety-eight poles, and crossing said Harpeth River, at one mile, one hundred and twenty poles, and again at two miles and eighty poles, and again at three miles, one hundred and four poles, about ten poles above the mouth of Mann's Creek; thence south, from the mouth of Mann's Creek with the Davidson County line, seven and a half miles to the Charlotte turnpike; thence east, with the pole, ten miles to a stake; thence north, in a direct line until it intersects the original line of Cumberland County heretofore established, of which this is in lieu; thence north twenty-one degrees, east crossing Big Marrow-bone, at five miles and sixty-eight poles, continues, in all, six miles to a chestnut and poplar east of the north fork of said creek, thence north, five degrees, west crossing the state road from Nashville to Clarksville, at two miles and eleven poles, and the road by the Pinnacle Bluff, on Sycamore Creek, at three miles, one hundred and fifty-one poles, and continues, in all five miles and sixty-eight poles, to a beech on the south bank of Sycamore Creek; thence down said creek, with its meanders, to the mouth of Hollis' Mill Creek; thence up said creek one hundred and forty poles, to the mouth of Jackson's Branch; thence up said branch three-quarters of a mile to a sugar-tree and hickory standing at the mouth of Edward Smith Church's Spring Branch; thence north seventy-three and one-half degrees, west two miles and thirty-four poles, to a small black walnut and red oak standing on the east side of the road leading from Springfield to the mouth of Harpeth; thence a direct course to a point one-half mile east of the point of beginning, thence west to the beginning.

**SECTION 3.** That all officers, civil and military, in said County shall continue to hold their offices, and exercise all the powers and functions thereof, until others shall have been elected under the provisions of the Constitution and law made in pursuance thereof; and it shall be the duty of the County Court of Cheatham County, at their first term, to appoint some suitable person to open and hold elections in each civil district in said County, on the 15th day of May, 1856, for the purpose of electing County officers;

which election shall, in all respects, be conducted agreeably to the existing laws regulating elections in other Counties in this State. The officers so elected shall have the same jurisdiction, powers, and emoluments that the County officers are entitled to under the existing law; and the County of Cheatham shall be placed on an equal footing, possess equal powers and privileges, in all respects, as other Counties in this State: Provided, nothing in this act contained shall be so construed as to prevent the Counties of Davidson, Robertson, Montgomery, and Dickson from entering up judgments, or the Sheriffs of said Counties from selling under such judgments, any lands within said County of Cheatham, for taxes, costs, or charges, for the present or any preceding year; nor to prevent the Sheriff of either of said Counties from collecting from the citizens of said County of Cheatham any taxes due for the present or any preceding year.

**SECTION 5.** That B. F. Binkley, of the County of Davidson, Henry Frey and Wiley Woodward, of the County of Robertson, Pleasant Bagwell, of the County of Montgomery, and Benjamin C. Robertson of the County of Dickson, be and they are hereby, appointed Commissioners, a majority of whom are hereby authorized to act; who shall, on or before the 21st day of April, 1856, proceed to fix on a suitable and eligible site for the seat of justice, and for the County Town within three miles of the centre; at which site the said Commissioners shall procure, by purchase or otherwise, at least fifty acres of land, for which they shall cause a deed or deeds to be made to themselves and their successors in office, by general warranty, and the said Commissioners shall name the County Town, and report all the proceedings relative to and concerning said County, to the County Court of said County; and it is hereby made the duty of the Clerk to record the same.

**SECTION 13.** That John M. Joslin, of the County of Davidson, be, and he is hereby, appointed to run and plainly mark the dividing line between the Counties of Davidson and Cheatham; between the Counties of Montgomery and Cheatham; between the Counties of Dickson and Cheatham; and he shall ascertain the number of square miles within the limits of said new County, in accordance with the boundaries as set forth in the first section of this act; and he shall further ascertain whether the line, or any one of them, approach within twelve miles of the County Seats of the old Counties from which said new County is taken, and report the same to the Governor; and he shall have full power to employ chain-carriers, who shall receive reasonable compensation for their services, to be paid by the said County of Cheatham, and the said John M. Joslin shall receive the sum of four dollars per day for each day he may be necessarily employed in the business required by this act, to be paid by the said County of Cheatham.

**SECTION 18.** That, on the first Saturday in April, 1956, it is hereby made the duty of the Sheriffs of Robertson, Davidson, Montgomery, and Dickson Counties, by themselves and deputies, to open and hold elections for the purpose of receiving the votes of the qualified voters residing in each fraction taken from the several Counties to form the said County of Cheatham; at which election the polls shall be opened at ten o'clock, A.M., and close at 4 o'clock, P.M.; and no person shall vote at said election unless he has resided in the fractions in which he offers to vote, six months immediately preceding the day of said election; and those who wish to vote for the new County, shall put "Cheatham" on their tickets, and those against shall put the words, "Old County" on their tickets, and no vote shall be counted unless the above word or words be upon it; and should any person vote at either of said elections, not being a qualified voter, or residing in the fraction of which he may vote, such offender, on conviction thereof, shall forfeit and pay the sum of twenty-five dollars, to be recovered, before any tribunal having cognizance thereof.

**SECTION 19.** That the election for that fraction which is taken off of Davidson, shall be held at the houses of John Hooper and James M. Lee; for that fraction taken from Robertson, shall be held at Hudgins' Tan Yard; for that fraction taken from Montgomery, at the house of John H. Atkins' Store and Littleton Perdue; and for that fraction taken from Dickson, shall be held at the house of John J. Hinton.

**SECTION 20.** That immediately after the elections, the Sheriffs of Davidson, Robertson, Montgomery, and Dickson, shall make returns to the Governor, of a full statement of all the votes, both for and against the establishment of said County of Cheatham; and, if it shall appear that a majority of the qualified voters, voting in each fraction taken from old Counties, to form said new County; and, if it shall further appear by the report of the said John M. Joslin, that there are within the limits of said new County, three hundred and fifty square miles, and that the lines of said new County as designated in the first section of this act, do not run nearer than twelve miles to the County Seat of the old Counties from which said County of Cheatham is taken; and, if it shall further appear from the returns of said Sheriff, that there is a constitutional number of qualified voters in said County of Cheatham; then the Governor shall forthwith issue his proclamation, setting forth that said county of Cheatham has become a constitutional County; and the same shall be immediately organized, in conformity with this act: Provided, that, after a survey of Dickson, it shall be found that there will still remain to Dickson County her full constitutional territory of 625 square miles.

**SECTION 21.** That the act passed 3d January, 1844, establishing County of Cumberland be, and the same is hereby, repealed.

**SECTION 22.** That it shall be lawful for the surveyor to depart from the original line; provided, he does not approach nearer than twelve miles of each County Seat.

**SECTION 26.** That the act to establish the County of Cheatham, be so amended as that the lines of said County, shall be altered as follows, viz: With the proper degrees, so as to strike the mouth of Barton's Creek, in all six miles, and so as not to approach Clarksville at any point nearer than twelve miles; thence, up said creek, with its meanders, to the mouth of the Barren Fork; thence up the east fork of said Barton's Creek one mile, with its meanders; thence, south, so as not to approach Clarksville nearer than twelve miles; thence south, with the proper degrees east, so as to keep a distance of twelve miles from Charlotte, in all six miles; thence south, with the proper degrees east, so as not to approach said County Seat of Dickson, near the mouth of Mann's Creek; thence south, nine miles, to the Charlotte Turnpike near or at Ben Andersons'; thence east, with the meanders of said Charlotte pike, ten and one-half miles, so as to run north, will strike the lower point of Green's Island; thence north, in a direct line until it intersects the original line of Cumberland County, heretofore established--of which this is in lieu; thence north twenty-one degrees, east four miles to Marrow-bone Creek.

**SECTION 27.** That this act shall take effect from and after its passage.

Passed: February 28, 1856.

**COMPILER'S NOTE:** The Sections omitted from the above did not concern Dickson County and are therefore not published herein.

## Acts of 1871 Chapter 46

**COMPILER'S NOTE:** Some sections were omitted, because they referred only to Houston County.

**SECTION 1.** That a new county be, and the same is hereby established out of the fractions of the territory composing the counties of Stewart, Humphreys, Montgomery and Dickson, to be known and designated by the name of the county of Houston, and shall be bounded as hereinafter provided.

**SECTION 2.** That the general boundaries of said county shall be as follows, to wit: Beginning at a mulberry about six poles below the mouth of White Oak Creek, on Tennessee river; running east eleven miles, with the old Stewart and Humphreys county line, to a point due north from Waverly, seven miles; thence east six miles to the Dickson county line; thence north 21° east, by Norris' Mills, three and a half miles, to a sycamore on the right bank of Bear Creek, about three and a half miles, to a sycamore on the right bank of Bear Creek, about three hundred and fifty yards from Maj. Shelton's residence; thence north seven miles, to the Montgomery county line; thence west with said county line, four miles to the south-west corner of Montgomery county; thence north 19° west, with said county line to the Cumberland River; thence with said river and its meanders, seven miles, to the residence of Capt. Naylor, on the bank of said river, opposite the "Checkered House," and about eleven miles from Dover; thence south 70° west eleven miles, with a circle, keeping eleven miles from Dover, to a stake eleven miles due south of Dover, and about one quarter of a mile west of the last residence of John Barnes, deceased; thence north 73° west, with the same circle six and one-half miles to Leatherwood Creek; thence down said creek, with its meanders, to the Tennessee river; thence up said river, with its meanders, to the beginning, twelve and one-half miles, containing three hundred forty square miles.

**SECTION 3.** That for the purpose of organizing said county of Houston, the following named persons are appointed Commissioners, to-wit: John Brown, M. W. Balke and J. W. Lewis, of the county of Humphreys; Abner Skelton, A. J. Parrish and Dudley Clyner, of the county of Dickson; and Ransom Dudley, John L. McMillan and J. J. Pollard, of the county of Stewart, 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 and impartially to discharge their duties as such Commissioners and in case of vacancy from any cause, or refusal to act on the part of any Commissioner, his place shall be filled by the other Commissioners, who shall elect his successor from the fraction of the county in which the vacancy occurred. A majority of said Commissioners shall constitute a Board, competent to do all things enjoined on them as such Commissioners; and they shall elect a chairman and secretary, and keep a record of all their proceedings as Commissioners, which shall be returned by them to the County Court of said county of Houston at its first session, and the same shall be recorded by the clerk thereof, on the records of said court; and a certified copy thereof shall be evidenced in the various courts of this State.

**SECTION 4.** That it shall be the duty of said commissioners to designate three voting places in the Stewart County fraction; two in the Humphreys County fractions, and at least one in the Dickson County fraction; and shall have ten days' notice by written or printed circulars posted in five or more public places in each fraction taken from the respective counties of Stewart, Humphreys and Dickson, that an election will be held, in which all persons entitled to vote for members of the General Assembly, who have resided

in the fraction proposed to be stricken off, for six months immediately preceding said election, shall be entitled to vote; and each voter, who desires to vote for the establishment of the new county, shall have on this ticket the words "new county;" and those desiring to vote against the new county, shall have on their tickets "old county;" and if, upon the counting of all the votes cast at said election, in that part of each of the counties of Stewart, Humphreys and Dickson, it shall appear that two-thirds of the qualified voters in each of the parts so taken off, vote in favor of being attached to the new county, then that part shall be a part of the county of Houston, and the same is hereby declared to be a county, with all the powers, rights and privileges, and subject to all the liabilities and duties with other counties in this State; Provided, however, that if there should not be a two-thirds vote in any one of the said fractions in favor of the said now county of Houston when the consent of two-thirds of the qualified voters residing in the part so taken off has been legally given; and provided, also, that the new county so formed, contains the requisite number of square miles; that said commissioners shall appoint Judges and Clerks to hold in each place designated in each fraction, who shall have all the powers and perform all the duties imposed by law upon other officers holding elections under the laws of this State; and who shall, after the polls are closed, and the votes counted, made out and certify the result and return the same with a copy of the poll books, to the Chairman of the Board of Commissioners, who shall, when the returns are all received, in the presence of said board, proceed to compare the vote and certify the result; of said fractions; and if, for any cause, the day appointed, the said Board shall provide for another election as herein provided in such fraction. The commissioners are hereby empowered immediately, and it shall be their duty, to mark the boundary line of said County of Houston, guided by the marks and bearings set forth in the second section of this Act; and it shall be their duty to divide the said county into such number of civil districts as the convenience of the inhabitants may require, as provided by the general laws of this State, designating the boundaries of, and giving the places of holding the elections in said district, and they shall perform such other duties as may be necessary to carry out the provisions of this Act.

**SECTION 11.** That the different fractions of the several counties embraced in the county of Houston, shall vote with the several counties to which they now belong, in all elections for Governor, Representatives in Congress, President and Vice-President, and members of the General Assembly of the State of Tennessee, until the next apportionment, agreeable to the provisions of the fourth Section of the second Article of the Constitution.

**SECTION 12.** That the said fractions shall remain subject to the jurisdiction of the several counties from which they were stricken off, until the organization of the courts of law and equity in said county of Houston.

**SECTION 15.** That the fractions of Stewart, Humphreys, and Dickson, formed by this Act into the county of Houston, shall continue liable for their pro rata of all debts heretofore contracted and owing by said counties of Stewart, Humphreys and Dickson, as well as entitled to any portion of any stocks, credits and choses in action belonging to said counties; and the County Courts of the old counties, respectively, and also the County Court of Houston county, shall each appoint three suitable persons on the part of each, to apportion the public securities or stocks that may be owned by either of the old counties, and also to apportion the revenue assessed for county purposes, which may have been collected by the old counties for the year 1870; and in making such apportionment, the aggregate value of all taxable property and polls in each, shall be taken as a basis of said apportionment; and the County courts of each of said counties are fully authorized to make such orders and regulations as may be necessary to carry out the provisions of this section, so as to effect as fair and equitable apportionment of the debts owing, stocks owned, and revenue collected by each; provided, that the Revenue Collector for the county of Houston shall collect all the taxes remaining unpaid in said fractions, after the organization of said county.

**SECTION 21.** That this Act shall take effect from and after its passage, the public welfare requiring the same.

Passed: January 21, 1871.

## Public Acts of 1877 Chapter 60

**SECTION 1.** That section 2 of an act passed March 23, 1875, entitled "An Act to change the line between the counties of Polk, McMinn, Hawkins, Hamblen, Cheatham and Dickson," be so amended as to read, that all of that part of Dickson county east of Harpeth river below Point Rock Bluff be attached to Cheatham county, and all that part of Cheatham county west of Harpeth river below Point Rock Bluff be attached to the county of Dickson, so as to make Harpeth river the line between said counties, below the point where the line crosses said river at the bluff aforesaid.



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

Passed: March 20, 1877.

## Private Acts of 1915 Chapter 526

**SECTION 1.** That the line between the counties of Dickson and Cheatham, be and the same is hereby changed by taking a small strip off the county of Cheatham and adding the same to the county of Dickson, as shown by the plat accompanying this Act, described as follows:

Beginning at the intersection of the present pike with the old mouth of Harpeth and Charlotte road, which is about one-half mile west of the mouth of Harpeth, runs with the eastern and southern edge of the right of way of the said new pike, 8500 feet to where it intersects the Dickson line; thence north with the Dickson line 1980 feet to the old mouth of Harpeth road; thence with the said road to the beginning, containing one-fourth square miles.

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

Passed: May 15, 1915.

## Private Acts of 1937 Chapter 255

**SECTION 1.** That the line between the Counties of Dickson and Montgomery in the State of Tennessee, be and the same is hereby changed so as to include within the boundaries of said Montgomery County, and in the present Sixteenth Civil District thereof, that part of said Dickson County, bounded and described as follows, to-wit:

Beginning at a stone, it being the southeast corner of Montgomery County and the northwest corner of Dickson County in the west boundary line of Cheatham County, said corner being described as a stone six feet (6') south of a sycamore marked as a pointer, said point bearing north twenty degrees (20 deg.) west from the mouth of Hagedwood's Branch at a distance of forty-two (42) poles, thence with said Cheatham County line, supposedly with the main forth of Barton's Creek, on a general course of south eighteen and one half degrees (18 1/2 deg.) east forth (40) poles to a point in the center line of said creek on the following courses and distances: South forty nine degrees (49 deg.) west twenty-four (24) poles, south forty-four and one half degrees (44 1/2 deg.) west fifty (50) poles, south sixty-five degrees (65 deg.) west forty-two (42) poles, south eighty-three degrees (83 deg.) west fifty-three (53) poles, north seventy-six and one-half degrees (76 1/2 deg.) west forty-four (44) poles, south fifty-seven degrees (57 deg.) west thirty-two (32) poles, south fourteen degrees (14 deg.) west sixty-two (62) poles, south forty-nine and one-half degrees (49 1/2 deg.) west twenty-two poles, south fifty-eight degrees (58 deg.) west forty-five (45) poles, and north sixty-four and one-half degrees (64 1/2 deg.) west fifty (50) poles to the center point in said creek at the southeast corner of the W. L. Cook farm; thence with the east boundary line of said farm north two degrees (2 deg.) east ninety-two (92) poles to a stake in the original line dividing Dickson and Montgomery counties, the said stake being the southeast corner of that portion of said Cook farm taken out of Montgomery County and placed in Dickson County by Chapter 199 of the Private Acts of 1897; thence along the original county line, present magnetic bearing, north seventy-one and one-half degrees (71 1/2 deg.) east three hundred forty-one (341) poles to the beginning, comprehending portions of the farms of H. L. Toler and John C. Weems, and the southern portion of that is known as the Jennette farm, and aggregating in the whole one hundred and sixty-two (162) acres, more or less.

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

Passed: February 22, 1937.

## Private Acts of 1937 Chapter 403

**SECTION 1.** That the nineteen (19) acres tract of land joining and included in the Home tract of land joining and included in the Home tract of J. M. Cooksey, which nineteen (19) acres is now situated in the 6th district of Houston County, Tennessee, bounded on the north by J. R. Cooksey, west by Williamson Branch Road, and J. N. Dickson, south by No. 49 State Highway and L. J. Browning land, and east by J. M. Cooksey home tract, be and the same is hereby detached from the 6th district of Houston County, and attached to the 10th district of Dickson County.

**SECTION 2.** That the 150 acre tract of land belonging to J. R. Cooksey, Jr., now situated in the 10th district of Dickson County, and bounded on the north by Milan and J. M. Cooksey, on the east by J. M.

Cooksey, on the south by J. M. Cooksey and J. R. Cooksey, Sr., and on the west by E. T. Stanfill and W. T. Waynick, be and the same is hereby detached from the 10th civil district of Dickson County and attached to the 6th district of Houston County.

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

Passed: March 5, 1937.

## Boundaries - Historical Notes

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

1. Acts of 1799, Chapter 3, divided Davidson County into two counties calling one Williamson County from which Dickson County was later taken.
2. Acts of 1805, Chapter 52, appointed Henry Rutherford, as a Commissioner to run and mark the boundary lines between Williamson County, Davidson County and Dickson County. Rutherford would be paid \$2.00 per day and each chain carrier hired would get \$1.00 per day, which expense would be equally divided among the three counties. He must also be sworn in before commencing the work.
3. Acts of 1806, Chapter 22, apportioned the sum to be paid to Henry Rutherford for established and marking the lines between the counties of Dickson, Davidson and Williamson, at two-fifths for Davidson, two fifths for Williamson, and one fifth for Dickson.
4. Acts of 1806, Chapter 50, Section 3, required that the principal surveyors of the First and Second District would run and mark the county lines of Rutherford, Williamson, Dickson, and Stewart Counties extending them towards the south to the Indian Territory, or to the southern boundary of the State as the case may be.
5. Acts of 1807, Chapter 44, created Hickman County which took part of Dickson County. This Act is published herein.
6. Acts of 1809, Chapter 28, provided that the extension of the boundary lines of several counties south to the Indian Territory, or the southern boundary of the State, would be paid for by the people of the respective counties which included Dickson County.
7. Acts of 1809, Chapter 31, established Humphreys County south of Stewart County and adjoining the counties of Hickman and Dickson but there is no indication in the Act that any of Dickson County was taken to form the new County.
8. Acts of 1809, Chapter 97, which added a portion of Dickson County to Humphreys County, is published herein.
9. Acts of 1817, Chapter 14, make it the duty of the Sheriff to hold an election in the City of Charlotte at 1:00 p.m. on the first Saturday in April to elect seven Commissioners for the city, who must be sworn into office, select one of their members as the Chairman of the Commission, and appoint a Clerk and Treasurer for the city, whose primary duties were enumerated in the Act. Many of the powers of the Commission were stipulated, including the authority to levy a tax in accordance with the schedule incorporated into this law. No appropriation of money could be made unless authorized under the law and then only for the benefit of the citizens in the town.
10. Acts of 1819, Chapter 109, Section 11, provided that the boundary line run by William B. Ross as the dividing line between Dickson County and Hickman County would be and remain as the true boundary line between these two counties.
11. Acts of 1821, Chapter 125, changed the lines between Dickson County and Humphreys County. This act is printed herein.
12. Acts of 1831, Chapter 214, made it the duty of the Sheriff of Dickson County to open and hold an election at the Courthouse in Charlotte on the first Saturday in next April to elect seven Commissioners for the town of Charlotte with a majority of the Commissioners being given the power to transact the business of the town.
13. Acts of 1837-38, Chapter 8, created Cumberland County out of parts of Davidson County, Robertson County, Montgomery County, and Dickson County describing the area included within the new county with a particular description. Courts were to meet at the house of James Stewart until the county seat was selected and a Courthouse was available. The Sheriff of the former counties would collect the taxes due in the portion stricken off for the current year. James Darden, of Robertson County, Allen Thompson and Samuel B. Davidson, of Davidson County, and Pleasant Bagwell, of Dickson County, were named as Commissioners to pick a county seat who would be joined by five others from the new County. Thomas Shaw, of Robertson County, would

- run and mark the boundary liens. All of the above was contingent upon approval by the voters in a referendum election which approval apparently never came.
14. Acts of 1837-38, Chapter 49, incorporated the City of Charlotte under the Mayor-Aldermen type of government which would have the same corporate powers and privileges as were heretofore granted to Dover in Stewart County, except the ones of a purely local nature.
  15. Acts of 1837-38, Chapter 124, provided that the dividing lines between the counties of Davidson, Robertson, Montgomery, Dickson, and Cumberland would be run and marked sufficiently by the surveyors previously appointed to do so. The Surveyor must furnish to the Sheriff of each County a plat showing the area involved in Cumberland County. The Sheriff would hold an election in each precinct therein on March 10, next, except that on the southside of the Cumberland River the election would be at the house of James Lovell instead of James Hooper. The officials of the election would report the results to the Governor.
  16. Acts of 1843-44, Chapter 59, set up the new county of Cumberland again which action was also subject to approval by the people in a referendum election. Courts would be at home of Lyttleton J. Perdue until the Court-house was built. The act named Samuel B. Davidson, of Davidson County, James Darden and Henry Frey, of Robertson County, Pleasant Bagwell, of Montgomery County, and Benjamin C. Robertson, of Dickson County, as Commissioners to select and establish the county seat. William S. Perry was directed to run and mark the lines. This Act was repealed in Item 18 below.
  17. Acts of 1843-44, Chapter 193, instructed the Surveyors of Dickson County and Montgomery County to complete the unfinished line between the said counties. The Surveyors were to meet at the point where the line now ends and each one would project the line and mark the relevant parts. A plat would be made and filed with the County Courts of the respective counties. The Surveyors were to be paid \$3.00 a day for each day spent on the job.
  18. Acts of 1855-56, Chapter 122, formed the new County of Cheatham out of portions of the Counties of Robertson, Montgomery, Davidson, and Dickson. Portions of this Act are printed herein.
  19. Acts of 1859-60, Chapter 100, moved the residence and farm of Joseph Weems out of Montgomery County and placed the same wholly within Dickson County.
  20. Acts of 1867-68, Chapter 82, Section 7, changed the boundaries between Cheatham County and Dickson County to begin at the three-forked chestnut tree on the Dickson County line; thence down Bethaning's Creek to the Big Harpeth River; thence down the said River to the mouth of the Harpeth; thence up the Cumberland River to the Cheatham County line.
  21. Acts of 1870, Chapter 72, stated that the citizens of Dickson County would hold an election on the second Tuesday in November to vote on a change of the county seat from Charlotte to either Burns, Sneedville, or White Bluff Station on the Nashville and Northwestern Railroad. The ballot would be "for" or "against" removal. The results would be reported to the County Judge, or Chairman. If none received a majority the one with the lowest votes would be dropped and the election continued among the other two.
  22. Acts of 1870-71, Chapter 46, created Houston County out of portions of Stewart County, Humphreys County, Montgomery County, and Dickson County. Pertinent portions of this act are published herein.
  23. Acts of 1873, Chapter 55, provided that the citizens of Dickson County could hold an election on the second Tuesday in June, 1873, at the different voting precincts in the county on whether or not to move the county town from the city of Charlotte to the town of White Bluff, Burns, Dickson, or to the point where the dirt road crosses the Nashville and Northwestern Railroad. A majority of two-thirds must approve before the change would be made.
  24. Acts of 1873, Chapter 69, Section 2, provided that all of that part of Dickson County east of the Harpeth River was attached to Cheatham County.
  25. Acts of 1877, Chapter 60, amended Section 2 of an 1875 act. This act is published herein.
  26. Acts of 1879, Chapter 13, rearranged the boundaries between Dickson County and Cheatham County so as to include the residence and lands of J. W. Simpkins, wholly within Cheatham County.
  27. Acts of 1881, Chapter 143, Sections One and Two, changed the boundaries between Dickson County and Cheatham County beginning at a hickory south of the Northwestern Railroad, running thence south 78 degrees east with the said Railroad 130 poles to a black oak, thence south 200 poles to a white hickory, thence north 87 degrees 70 poles to the bluff on Turnbull Creek, thence

- up the Creek with the Bluff to the county line so as to include W. G. McMillan's properties in Dickson County, and Section 2 moved that part of the land of L. D. Pack lying east of the Harpeth River into Dickson County as the same was described. (This Act was declared unconstitutional in McMillan v. Hannah, 106 Tenn 689, 61 SW 1020 (1901).
28. Acts of 1883, Chapter 87, moved the house and farm belonging to N. E. Andrews, and Clay Andrews, on Plumber's Creek in the Sixth Civil District of Hickman County out of Hickman County and into Dickson County.
  29. Acts of 1883, Chapter 92, abolished the corporation of the town of Dickson on the Northwestern Railroad in Dickson County which had been incorporated under the general laws of the state by a decree of the Chancery Court at its December term in 1873.
  30. Acts of 1883, Chapter 93, changed the lines between Dickson County and Humphreys County commencing at the northwest corner of A. Vetter's farm running north across the Northwestern Railroad to the county line on the top of Tennessee Ridge so that the lands of W. Beckman and the tenants of W. A. Moody were included wholly within Dickson County.
  31. Acts of 1885, Chapter 69, detached the home and farm belonging to Joel N. Boze from Dickson County and attached the same entirely to Houston County.
  32. Acts of 1887, Chapter 50, transferred all the properties belonging to G. W. Daniel out of Montgomery County and placed them into Dickson County.
  33. Acts of 1887, Chapter 105, altered the lines between Dickson County and Cheatham County starting at Paint Rock Bluff where the Dickson County line leaves the river; thence up the river with its meanders to the mouth of Trace Creek; thence up the said Creek to the Dickson and Cheatham County line so as to include what is known as the Horseshoe in Dickson County and all that part of Dickson County east of the Harpeth River above Paint Rock Bluff was attached solely to Cheatham County. This Act was repealed by Acts of 1891, Chapter 251, below.
  34. Acts of 1887, Chapter 116, made it the duty of the County Surveyors of Cheatham County, Montgomery County, and Dickson County, jointly to survey the boundary line between the said counties south of the Cumberland River. The Surveyors were to meet at a point on the south bank of the Cumberland river near the mouth of Barton's Creek where the line between Montgomery County and Cheatham County strikes the River and run the line to the intersection of Dickson County, the run the line between Dickson County and Montgomery County to the southwest corner of the 10th Civil District of Montgomery County. A map of each section must be prepared and deposited with the County Court Clerk of each County involved who would be obligated to pay its own surveyor his reasonable compensation.
  35. Acts of 1891, Chapter 251, repealed Acts of 1887, Chapter 105, above, and described the line between Cheatham County and Dickson County as beginning at Paint Rock Bluff on the Harpeth River to run with the old county line between Cheatham County and Dickson County to Tract Creek, thence down the said creek to its mouth to the Cheatham County line so as to include in Cheatham County what is known as Horseshoe.
  36. Acts of 1893, Chapter 119, transferred the property known as the Horseshoe out of Cheatham County and back into Dickson County using the same property description mentioned in the preceding acts. This Act was rendered unconstitutional by the Court in Cheatham County v. Dickson County, 39 S.W. 734 (1896).
  37. Acts of 1897, Chapter 199, which was cited as Chapter 200 in the earlier volume of Private Acts, moved all the possessions of Henderson Proctor, and E. T. Williams, out of Montgomery County and into Dickson County, as the same was legally described in the Act.
  38. Acts of 1899, Chapter 353, incorporated the town of Dickson under the Mayor-Aldermen type of Charter, embracing the physical area described in the Act. Seven Aldermen would be elected to one year terms and the council would appoint a Recorded, Marshal, and other officers, who would exercise the powers named therein for the Mayor and Council in 32 separate paragraphs. The first election would occur on the second Monday in May, 1899. The Charter was a blueprint of most of those being enacted at that particular historical area. It is so lengthy, it is difficult to reduce it sensibly.
  39. Private Acts of 1901, Chapter 300, rearranged the boundary lines between Dickson County and Hickman County so that the lands of Moses Tidwell and J. L. Brown would be excluded from Hickman County and included within Dickson County.
  40. Private Acts of 1905, Chapter 525, moved the residence and farm of L. W. Sullivan out of Dickson County and into Williamson County.

41. Private Acts of 1909, Chapter 57, detached the lands of L. J. Browning, as the same were described in the Act, out of Houston County and into Dickson County. A legal description of the new line between the counties was contained in the Act.
42. Private Acts of 1909, Chapter 558, transferred the lands of J. E. Lampley and G. C. Lampley, out of Williamson County and put them into Dickson County altogether.
43. Private Acts of 1915, Chapter 526, is published herein. This Act concerned the boundary between Dickson County altogether.
44. Private Acts of 1921, Chapter 643, changed the lines between Dickson County and Williamson County so that all the lands belonging to M. C. Lampley would be included in Williamson County.
45. Private Acts of 1937, Chapter 255, effectuated a boundary change between Montgomery County and Dickson County as the same was more particularly described in the Act. This Act is printed herein.
46. Private Acts of 1937, Chapter 403, moved two tracts of land out of Houston County and into Dickson County as the same were described legally in the Act which is published in this Volume.
47. Private Acts of 1945, Chapter 436, took four tracts of land, known as Trust Number 2, 3, 4 and 5, of the Gleaves land, which are now owned by J. K. Simpkins out of Dickson County and placed them in Cheatham County, as the same were generally described in this statute.

## Chapter V - Court System

### General Sessions Court

#### Private Acts of 1957 Chapter 214

**SECTION 1.** That there is hereby created and established in and for Dickson County, Tennessee, a Court which shall be designated, "Court of General Sessions of Dickson County, Tennessee," which said Court shall possess the powers and jurisdiction as hereinafter provided. Dickson County shall provide a courtroom at Charlotte of said County, dockets, furnishings and necessary supplies for the equipment and maintenance of said Court, and pay for same out of the general county funds of said County. Said courtroom may be the Circuit Court room when not in use by the Circuit or Chancery Courts, or other appropriate room in same County-owned building. The regular place for holding said Court shall be at the Courtroom provided for said Court at Charlotte, but said Court may be held, in the discretion of the Judge thereof, at any other place or places in Dickson County, Tennessee, at such times and places as the Judge may designate. Provided, however, that if the Judge elects to hold Court at any place other than the Courtroom at Charlotte, Tennessee, then he may rent such appropriate building or office or room for said purpose. The Quarterly County Court shall determine and appropriate the amount of rent for Court Room space outside the Court House. That the rent above mentioned shall be paid out of the General Fund of the County.

As amended by: Private Acts of 1974, Chapter 257

**SECTION 2.** That said Court of General Sessions is hereby vested with all the jurisdiction and shall exercise the authority conferred by the General Assembly of Tennessee upon Justices of the Peace for Dickson County are hereby divested of all such jurisdiction and authority, except as herein stated, and, any Justice of the Peace of said County elected for any district may issue criminal and search warrants against, and accept appearance bonds from any person charges with an offense, and may issue original civil process on any cause of action heretofore triable by a Justice of the Peace, such warrants and process to be returnable to and triable by said Court of General Sessions, and the fees allowed by law for such services by Justice of the Peace, such warrants and process to be returnable to and triable by said Court of General Sessions, and the fees allowed by law for such services by Justices of the Peace shall inure to, and be paid by parties liable therefor as a part of the costs in the case and paid to said Justices upon final settlement of said cases. The authority of said Justices of the Peace in their capacity as members of the Quarterly Court, or in the performance of the rites of matrimony, or to administer oaths is in no wise affected by this Act.

**SECTION 3.** That in criminal cases instituted by warrant before Justices of the Peace, the said Justice in cases where the offense charged is that of a "small offense" may accept a cash appearance bond from the defendant conditioned for his appearance before the Judge of the Court of General Sessions; the amount of said cash bond for such "small offense" charged shall be fixed by the Justice at no less than Ten Dollars

nor more than Fifty Dollars; and this bond and cash together with the warrant shall be filed with the Judge of said Court, and in the event the said defendant, so bonded, fails to appear before the said Judge as bound to do under said bond, then said Judge is hereby authorized to declare and treat said cash bond as forfeited and the said Judge shall account for said money, so forfeited, in the same manner he would have done, had the defendant been fined for the small offense charged, provided, a defendant so charged with public drunkenness shall not be released while drunk even if he does, or is willing to, execute such cash appearance bond.

**SECTION 4.** That before any civil case shall be tried or judgment rendered in said Court the plaintiff shall secure the costs by executing a costs bond, with good security, in the sum of Twenty-five Dollars (\$25.00), or by making a cash costs deposit of not less than Five Dollars (\$5.00) or more than Twenty-five Dollars (\$25.00), or shall take the oath prescribed for poor persons, and on motion or in the sound discretion of the Judge, the amount of said bond or deposit may be increased.

**SECTION 5.** That the rules and pleading and practice, forms of writs and process and stay of and appeals from judgments in civil cases of said Court shall be in substance the same as of Justices of the Peace; provided, however, that the Court of General Sessions for Dickson County, Tennessee, 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 offense enters a plea of guilty, or requests a trial upon the merits, and expressly waives an indictment, presentment of a Grand Jury investigation, and a jury trial. In such cases the trial shall proceed before the Judge and without a jury, but such final judgment of such Court may be appealed to the Circuit Court of Dickson County where such appeal shall be treated as a "bound-over" case and go before the Grand Jury for investigation in the usual and ordinary manner.

That it shall be the mandatory duty of the Judge of the Court of General Sessions when a defendant is brought before such Court upon arraignment or trial, to advise such defendant of his constitutional right to the aid of counsel, the right to be tried only upon indictment or presentment of a Grand Jury, the right to waive such statement, and the right to a trial by a jury. Upon defendant agreeing in writing to waive the right to be put to trial only by presentment or indictment by a Grand Jury and the right to be tried by a jury of his peers, such Court may proceed to hear and determine such case as is provided hereinabove. Said waiver as hereinabove provided shall be written on or attached to the warrant and shall be substantially in words and figures as follows:

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

\_\_\_\_\_  
Defendant

**SECTION 6.** That in all matters the costs and fees of said Court of General Sessions shall be the same as those provided by law for Justices of the Peace. The fees and other compensation of the Sheriff, his Deputies, Constables, Game Wardens, State Highway Patrolmen and other officers for the execution of writs and process of said Court, and the attendance and mileage of Witnesses shall e the same in said Court as those provided by law for the Courts of Justices of the Peace.

The fees and compensation due for services rendered by said Court of General Sessions shall be paid to the Clerk of Judge acting as Clerk 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 and in said Court shall be handled, accounted for and disbursed as required by law.

**SECTION 7.** That separate dockets be kept in said Court for civil and criminal cases. Upon the civil docket shall be entered the style of each case, the date of issuance of the warrant or process and the return of the process in brief form, action of the Court on the case, both interlocutory and final orders, judgments, executions, garnishments, lists of the fees of the Court, the Sheriff, his Deputies, Constables, Game Wardens, State Highway Patrolmen, and other officers for their services, fees of witnesses for attendance, et cetera, and credits for payment upon judgments and upon costs. All cases shall be indexed and the dockets shall be substantially in the form of those of Justices of the Peace. The criminal docket shall be kept in like manner.

**SECTION 8.** Be it further enacted that there shall be one Judge for said General Sessions Court of Dickson County, with the same qualifications and term of office as provided by the Constitution of the State of Tennessee for inferior Courts; which Judge of said Court as a condition precedent to his election, qualification and acting as such need not, as a matter of necessity or requirement that he be a licensed Attorney.

As amended by: Private Acts of 1974, Chapter 257

**SECTION 9.** The salary of the Judge of said Court shall be set and fixed by the Quarterly County Court of said County as its regular Quarterly Session next preceding the beginning of the term for which the said Judge shall be elected or appointed for a new term, at some amount not less than the amount of compensation allowed the County Court Clerk of said County. It shall be paid out of the general funds of the County, and shall not be increased or diminished during the time for which said Judge is appointed or elected. The Judge of said Court may, if otherwise qualified so to do, practice law in all the Courts except in this Court and in and other Court in any case originating or growing out of this Court of General Sessions, or engage in other business activities insofar as it does not interfere with giving due attendance to the duties of the office of Judge of said Court.

As amended by: Private Acts of 1965, Chapter 269  
Private Acts of 1969, Chapter 89  
Private Acts of 1974, Chapter 257

**SECTION 10.** That the Governor of the State of Tennessee shall appoint a qualified resident of Dickson County to be the first Judge of said Court of General Sessions for Dickson County, Tennessee. This appointment shall be made by the Governor in ample time for said Judge to assume his duties by July 1, 1957. The first Judge, so appointed, shall serve until September, 1958, and until his successor has been elected and qualified.

His successor shall be elected by the qualified voters of said County at the General Election at which other County Officials are elected on the First Thursday in August, 1966, and he shall hold said office from the First day of September, 1966, for a full term of Eight (8) years, or until his successor is elected and qualified. Successive judges of the Court shall be elected for a term of Eight (8) years and until his successor is elected and qualified. And in the case of vacancy occurring in said judgeship by death, resignation or otherwise, the Governor shall appoint a successor who shall serve until the next regular county election at which time a judge shall be elected to serve for the remainder of the unexpired term resulting from such vacancy, or until his successor is elected and qualified.

As amended by: Private Acts of 1965, Chapter 269

**SECTION 11.** That if the Judge of said Court fails to attend, cannot preside in a pending cause, or for any reason hold Court, or act as Judge, a majority of the practicing attorneys of said County preside shall elect one of their number, who has the qualifications of such a Judge, and when elected he shall take the same oath and have the same authority as a regular Judge to hold the Court and perform the duties of such Judge for the occasion.

**SECTION 12.** That the Judge of said Court is hereby vested with and shall have interchangeable and current jurisdiction with the Chancery and Circuit Courts to grant fiats for writs of injunction, attachments and in other such actions in which fiats are necessary.

**SECTION 13.** The Judge of the General Sessions Court of Dickson County, shall name and appoint a Clerk of said Court, who shall serve during the will and pleasure of said Judge and be under the direction and supervision of said Judge, and the duties of such Clerk shall be to perform all the necessary, proper and lawful clerical duties of said court, including but not limited to, issuance of process, civil and criminal warrants, search warrants, attachments, and other processes of said court, keep the dockets and make entries thereon and therein, of all judgments and bills of cost, collect all costs, fines, judgments that are paid into said court and pay out and disburse same according to law, and to report and pay over to the proper authorities all the monies received by virtue of the office of the Clerk of the said court.

The compensation of such Clerk shall be fixed by the Quarterly County Court of said County annually, at the first session of each fiscal year.

(Note: This paragraph was by Private Acts of 1974, Chapter 257, to be "stricken from Section 3." Apparently it was meant to be included in Section 13. It is included here in this compilation, but the law itself instructs an impossibility since neither this paragraph nor the subject matter is in Section 3.)

The said Clerk, before entering upon the duties of such office shall give a surety or indemnity company bond in the penal sum of Five Thousand Dollars (\$5,000.00) conditioned that he shall account for and pay over to the proper person the funds or all monies coming into his hands as such Clerk and by virtue of the said position.

As amended by: Private Acts of 1965, Chapter 269

**SECTION 14.** That the Sheriff of said County, or and Deputy Sheriff or constable thereof, shall serve legal processes, writs and papers issued by said Court with the same authority as provided by law in the other inferior Courts. Provided, however, that no Sheriff, Deputy Sheriff or Constable shall be entitled to any fees for opening and closing said Court, or for waiting upon said Court as Court Officer. But the Judge of said Court may select or appoint any of such officers that may be in attendance to wait upon said Court without any further compensation for such services.

**SECTION 15.** That the Judge of said Court shall adopt such rules as may be necessary to expedite the trial and disposition of cases, and he shall have the same authority to preserve order in said Court and to punish for contempt of Court as is now given by law to Circuit Judges.

**SECTION 16.** That this Act shall in no wise impair the right, title or interest of any Justice of the Peace of said County to any unpaid fees, or funds in which he had a right or interest in any proceedings, judgment or suit, whether said cause is deposited of or pending when this Act becomes effective.

**SECTION 17.** That all the official dockets, records and papers in cases which are undisposed of or pending in the offices of Justice of the Peace of said County at the time this Act becomes effective shall be delivered to said Court of General Sessions. The official dockets, records and papers in possession of Justices of the Peace of said County in cases which have been completed shall be turned over to said County, as provided by law.

**SECTION 18.** That said Court of General Sessions for Dickson County, Tennessee, shall have authority to hear and determine all undisposed of cases arising in the Court 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 unsatisfied judgments on the dockets of said Justices of the Peace, and certify as to any such judgments or records, as such Justices of the Peace could do but for this Act.

**SECTION 19.** That the General Assembly expressly declares that each section, subsection, paragraph and provisions of the Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the General Assembly declared that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

**SECTION 20.** That this Act shall take effect July 1, 1957, and not until then, except that after the passage of this Act prior to July 1, 1957, said County shall make provision for a Court Room and otherwise as provided in Section 1 hereof, but such Judge (and acting Clerk) of said Court of General Sessions shall not take the oath of office or be entitled to any salary under this Act until July 1, 1957, the public welfare requiring it.

**SECTION 21.** That this Act shall have no effect unless the same shall be approved by a majority of the voters voting in an election to be held for such purpose. Within 15 days after the approval of this Act by the Governor, it shall be the duty of the county board of election commissioners of the county (to which this Act applied) to call an election (for the county) to be held not less than 20 nor more than 40 days from the date of such call for the purpose of accepting or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the title of this Act and voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the county board of election commissioners upon the first Monday occurring 5 or more days next after the date of such election and the results shall be proclaimed by such board and certified to the Secretary of State. The qualification of voters shall be that provided by law for participation in general elections shall apply to an election held hereunder.

Passed: March 13, 1957.

## Probate and Juvenile Court

### Private Acts of 1982 Chapter 267

**SECTION 1.** That is hereby created a Juvenile Court in Dickson County, Tennessee to be known as the "Probate and Juvenile Court of Dickson County, Tennessee".

As amended by: Private Acts of 2018, Chapter 43.

**SECTION 2.** Such court shall have jurisdiction over all matters over which jurisdiction is now or shall hereafter be vested in Juvenile Courts by the general laws of the State of Tennessee, including, but not limited to, the jurisdiction as now vested in the County Court of Dickson County, Tennessee, by the general laws of the state and those judicial powers vested in the County Judge of Dickson County, Tennessee, by Public or Private Acts, and by Title 34, Chapters 1 and 2, only as those provisions relate to juveniles, and Tennessee Code Annotated, Title 37, Chapters 1 through 17, inclusive; all to the extent that under such laws the jurisdiction thereunder was vested heretofore in any Juvenile Court or any County Court or any court exercising the jurisdiction thereof formerly known as a Quorum County Court or Monthly County Court.

As amended by: Private Acts of 2018, Chapter 43.



**SECTION 3.** The Office of County Judge of Dickson County, Tennessee as heretofore created by Public or Private Acts is hereby divested of any and all judicial powers as therein created and to the extent thereof such former Act is repealed.

**SECTION 4.** The General Sessions Court Clerk of Dickson County, Tennessee, shall act as the Clerk of the Juvenile Court of Dickson County, Tennessee, as herein established and when acting as clerk or such court, shall be designated as the "Clerk of the Juvenile Court of Dickson County, Tennessee." Such clerk shall acquire and maintain a seal for the court containing the designation "Clerk of the Juvenile Court of Dickson County, Tennessee" and such minute books and other necessary records for such court as shall be necessary and required. The clerk shall charge all fees and be entitled to receive such fees and charges as shall be fixed by the general laws of the State of Tennessee from time to time for any county or Juvenile Court in the State of Tennessee, and which such fees when collected shall be accounted for and disbursed as all fees and charges are similarly done by such courts. The General Sessions Court Clerk shall be empowered to designate one or more persons employed by him as deputies from time to time to be a deputy clerk for the court herein created.

As amended by: Private Acts of 2018, Chapter 43.

As amended by: Private Acts of 2020, Chapter 49.

**SECTION 5.** The judge of the court herein created shall have all jurisdiction to punish for contempt and to issue extraordinary writs and processes as now or shall hereafter be exercised by any Judge Chancellor or any Circuit or Chancery Court of the State of Tennessee.

**SECTION 6.** Appeals from the court herein created, or the demand for a jury trial upon any issue therein provided shall be the Circuit Court of Dickson County, Tennessee or such other court as may by the general laws of the state be from time to time provided, or to such Appellate Court of the State of Tennessee as may be from time to time provided by law, according to the general laws of the State of Tennessee.

As amended by: Private Acts of 2018, Chapter 43.

**SECTION 7.** If the judge of the court herein created shall fail to attend or cannot preside in any pending case, or for any other reason shall not be able to hold court, he may designate in writing some person otherwise qualified to hold such court in his place and stead or in default thereof a majority of the attorneys then present may elect one if their number who has the qualifications of such judge, and when such person shall have been so appointed or elected, he shall take the same oath and have the same authority as the regular judge of such court to hold court and perform all of the duties thereof for such occasion.

**SECTION 8.** In case of a vacancy for any cause in the office of the judge of the court herein created, the same shall be filled by an election and appointment of the County Commission of Dickson County, Tennessee of some person otherwise qualified to fill such vacancy and which such person when so elected and appointed by the County Commission shall serve until the first day of September following the next biennial August election occurring more than thirty (30) days after such vacancy occurs and until such person's successor is duly elected and qualified.

**SECTION 9.** The court herein created shall at all times be treated and considered as a court of record. That such court shall be in continuous session without the intervention of any term or terms, it being provided herein that such court shall be held by the judge thereof at such time and during such periods as shall be required to provide for the orderly dispatch and disposition of all business properly coming before it.

**SECTION 10.** There shall be one judge for the court herein created who shall be a duly licensed lawyer within the State of Tennessee, and who shall be at least thirty (30) years of age at the time of his election or appointment and who shall otherwise have all of the qualifications and shall have the same term as provided by the Constitution of the State of Tennessee for inferior court judges and who shall take the same oath that shall be required for other judges of the State of Tennessee.

**SECTION 11.** The compensation of the judge of the court herein created shall be set, prior to the beginning of each term, by the County Commission, and such compensation shall be subject to annual cost of living increases equal to the percentage increase established annually by the General Assembly for other county officials. Such salary or compensation shall be payable in equal monthly installments out of the General Fund of Dickson County, Tennessee. The salary or compensation of such judge shall not be otherwise increased or decreased during the term of office.

**SECTION 12.** The County Commission of Dickson County, Tennessee shall annually appropriate from the General Fund of Dickson County such funds as are necessary and appropriate for the orderly operation and administration of the court herein created.

**SECTION 13.** This Act shall not be construed to prohibit the judge of the court herein created from the private practice of law except that he shall be prohibited from practicing law in any matter over which the court herein created may exercise jurisdiction.

**SECTION 14.** The judge of the court herein created shall from time to time be authorized and empowered to adopt rules of practice and procedure for the court not otherwise inconsistent with the substantive and procedural laws of the State of Tennessee relative to matters within the jurisdiction of such judge, or that shall not otherwise be inconsistent with such rules as may be from time to time promulgated by any superior court having supervisory jurisdiction over the court herein created.

**SECTION 15.** Every provisions of this Act is declared to be severable and should any portion of the same be held unconstitutional or invalid for any reason the same shall not affect the remainder of this Act, it being the intent herein that such unconstitutionally declared portions shall be elided, and that the General Assembly declare that it would have thus enacted this Act with such unconstitutional or invalid portions elided therefrom.

**SECTION 16.** This Act shall not take effect unless it shall have been approved by a two-thirds (2/3) vote of the County Commission of Dickson County, Tennessee and such approval being certified and proclaimed by the presiding officer thereof to the Secretary of State.

**SECTION 17.** This Act shall take effect, provided it shall have been approved as hereinbefore provided, upon the sooner occurrence of the following times, the public welfare requiring it:

(a) September 1, 1982, provided that for the purpose of filling the office of judge herein created by election of the people it shall be effective for purposes of candidates qualifying for election thereto as of the first day for qualifying as provided by the general election laws of the State of Tennessee; or

(b) Upon the death or resignation of the incumbent or vacancy otherwise occurring in the office of County Judge of Dickson County, Tennessee as now exists pursuant to Chapter 162 of the Acts of the General Assembly of the State of Tennessee of 1887.

Passed: March 11, 1982.

## Court System - Historical Notes

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

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

1. Acts of 1803, Chapter 73, apportioned the number of jurors which the Counties in the Mero District were required to send to the Superior Court of the same. Jackson County must send two jurors; Smith County, four jurors; Sumner County, six jurors; Wilson County, three jurors; Rutherford County, two jurors; Williamson County, four jurors; Davidson County, seven jurors; Robertson County, four jurors; Montgomery County, four jurors; Dickson County, two jurors; and Stewart County, two jurors.
2. Acts of 1806, Chapter 24, designated the number of jurors each county in the Robertson District must send to the District Court at Clarksville. Robertson County was directed to furnish eleven jurors; Montgomery County, twelve jurors; Dickson County, nine jurors; and Stewart County, seven jurors.
3. Acts of 1817, Chapter 128, made it legal for the Justices of the Peace in the Counties of Hawkins, Smith, Franklin, Rutherford, Maury, Lincoln, Giles, Overton, Bedford, Wilson, Hickman, Sumner, Stewart, Humphreys, Williamson, Jackson, White, Montgomery, Warren, Robertson, and Dickson, on the first day of the first term in each year to levy a tax to produce funds with which an additional compensation would be made to jurors attending the Circuit and County Courts in those counties, but the additional compensation could not exceed fifty cents per day.
4. Private Acts of 1901, Chapter 471, amended Acts of 1899, Chapter 237, in Section 6, to provide that the jurors would be selected by the County Court to serve in the Circuit Court, as was now provided by Section 5793, Shannon's Code of Tennessee. (This act created special circuit and chancery courts in Dickson County to sit at Dickson.)
5. Private Acts of 1911, Chapter 254, provided that the compensation of jurors serving in Dickson County (identified by the use of the 1910 Federal Census figures) would hereafter be \$2.50 per day, all conflicts being repealed.
6. Private Acts of 1949, Chapter 231, provided for a three member Board of Jury Commissioners in Dickson County who would be appointed by the Circuit Court Judge, who must be resident

freeholders of the County, not practicing attorneys, or State, county, or city officials, and who had no suits pending in Court, each of whom would serve six years and not be eligible for reappointment. All vacancies would be filled in the same manner. The Commissioners had to be sworn by the oath set out in the Act, meet and select a Chair from their own number. The Circuit Court Clerk would serve as a Clerk for the Board and he, too, must subscribe to the oath set out in this statute. It was the duty of the Board to select from the tax rolls, or other sources of public information, no less than 500, nor more than 1000 names, distributing them as equally as possible around the County, which would constitute the jury list for the next two years.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Dickson 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 1822, Chapter 13, required the Justices of the Supreme Court of the State to hold a court of Equity at the present places of meeting of the Supreme Court at least once each year. The Chancery Court would be held at Rogersville on the first Monday in November, at Charlotte, on the fourth Monday in December, at Sparta, on the second Monday in December, at Nashville, on the fourth Monday in January, and at Columbia, on the second Monday in January, all terms to be two weeks unless the court dockets were finished earlier.
2. Acts of 1824, Chapter 14, directed the Supreme Court to meet at Knoxville, Sparta and Nashville, and for the Judges of the Court to arrange among themselves to hold the Chancery court at least twice each year at Greenville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Charlotte, and Jackson. The Court at Charlotte would hear cases from the Counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman on the third Monday in June and December.
3. Acts of 1827, Chapter 79, divided Tennessee into two Chancery Divisions, the Eastern, which contained the Courts meeting at Rogersville, Greenville, Kingston, Carthage and McMinnville, and the Western, which included those at Franklin, Columbia, Charlotte, Jackson and Paris.
4. Acts of 1832, Chapter 21, Section 5, changed the terms of court for the Chancery Court at Carthage and at Charlotte where the Equity Court would hereafter meet on the third Monday in May and November.
5. Acts of 1833, Chapter 40, granted the citizens of Wayne County and Perry County the liberty of filing their Bills in Chancery at the Chancery Court in Charlotte in Dickson County but nothing herein would prevent these citizens from filing their bills in Pulaski, or at Jackson, as they had heretofore been permitted to do.
6. Acts of 1835-36, Chapter 4, separated Tennessee into three Chancery Divisions each of which would be presided over by a Chancellor rather than the Justices of the Supreme Court. The Court would meet twice each year as prescribed in this Act enacted pursuant to the new 1835 State Constitution. Each major division was further broken down into Districts. Dickson County was in the 12th District of the Middle Division which also included Humphreys County and Hickman County. The Court would convene at Charlotte on the fourth Monday of March and September.
7. Acts of 1835-36, Chapter 20, made it the duty of the Chancellor of the Western Division to hold the Chancery Courts at Savannah and Charlotte and to appoint the Clerks and Masters at these places when necessary.
8. Acts of 1837-38, Chapter 14, Section 3, established a Chancery Court at Charlotte for the counties of Dickson, Humphreys, Hickman, Stewart, Montgomery, and Cumberland where court terms were to start on the fourth Monday in March and September. The citizens of Robertson County had the option of filing their suits in this Court.
9. Acts of 1839-40, Chapter 66, Section 6, provided that the cases now pending in Court at Charlotte which originated in the Counties of Montgomery, Robertson, or Stewart, could, at the request of the parties, be transferred to the Court now meeting at Clarksville. The Clerk and Master at Charlotte was instructed to transfer the complete manuscript in the cause within 40 days after the request was made.
10. Acts of 1841-42, Chapter 27, Section 2, provided that the District Chancery Court would be held at Clarksville on the third Monday in March and September and at Charlotte on the fourth Monday in March and September.
11. Acts of 1843-44, Chapter 155, Section 3, repealed all prior acts which changed the term of the Chancery Court located at Clarksville and at Charlotte and restored the terms which were in effect

prior to the passage of the said acts.

12. Acts of 1845-46, Chapter 21, Section 9, repealed Section 2 of Acts of 1841-42, Chapter 27, Item 10, above. Hereafter, the Chancery Court at Clarksville would convene on the fourth Monday in March and September and the Court at Charlotte would begin on the third Monday of the same months.
13. Acts of 1845-46, Chapter 168, directed that hereafter the Chancellor of the Middle Division would hold the Chancery Court at Charlotte and at Clarksville and the Chancellor of the Fourth Division would preside over the Courts at Springfield and Gallatin. The terms of Court would begin at Charlotte on the third Monday in April and October.
14. Acts of 1851-52, Chapter 178, scheduled Court terms for all the Chancery Courts in the Middle Division which was composed of the Counties of Wayne, Lawrence, Giles, Marshall, Hickman, Humphreys, Dickson, Robertson, Maury, Williamson, Stewart, Montgomery, and Davidson. The Chancery Courts in Dickson County would meet on the second Monday in March and September.
15. Acts of 1853-54, Chapter 54, established the Fifth and the Sixth Chancery Divisions in the State. Section 2 formed the 6th Chancery Division comprised of the counties of Carroll, Benton, Humphreys, Dickson, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne and Lawrence.
16. Acts of 1853-54, Chapter 55, modified some of the Rules of Practice in the Chancery Courts and in Section 4 rearranged the opening dates of the Chancery Court terms for most of the counties in the Middle Division. The Court in Dickson County would start its regular terms on the Thursday after the first Monday in April and October.
17. Acts of 1855-56, Chapter 112, Section 4, rescheduled the Chancery Court terms in the Sixth Chancery Division which included the counties of Carroll, Henderson, McNairy, Hardin, Wayne, Lawrence, Hickman, Humphreys, Benton, Decatur, Perry and Dickson where the court terms would begin on the third Monday in March and September at Charlotte.
18. Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, Fourth, Fifth, and Sixth Chancery Divisions. The Sixth Division contained the counties of Carroll, Henderson, McNairy, Hardin, Wayne, Lawrence, Hickman, Dickson, Humphreys, Benton, Decatur, and Perry. Dickson Court terms would continue to start on the third Monday in March and September at Charlotte.
19. Acts of 1866-67, Chapter 4, Section 4, was a post Civil War Act which assigned the counties of Hickman, Dickson, Humphreys, Henderson, McNairy, Hardin, Wayne, Lawrence, Decatur, and Perry to the Fifth Chancery Division. Court terms began in Dickson County on the third Monday of March and September.
20. Acts of 1870, Chapter 32, reorganized the State into twelve Chancery Divisions assigning the counties of Benton, Hickman, Henderson, McNairy, Lawrence, Dickson, Humphreys, Decatur, Lewis, Perry, Hardin and Wayne to the 9th Division.
21. Acts of 1870, Chapter 47, fixed the opening dates for the terms of the Chancery Court in every County of Tennessee. In Dickson County the terms would commence on the third Monday in March and September of each year.
22. Acts of 1870-71, Chapter 10, rearranged the terms of court in the counties of the 9th Chancery Division. Dickson County would convene the regular terms of court on the first Monday in January and July, all process and bonds being required to conform to those dates.
23. Acts of 1873, Chapter 5, rescheduled the Chancery Court terms in the 9th Chancery Division switching Dickson County's Court to the first Monday in June and December.
24. Acts of 1879, Chapter 88, reset the terms of the Chancery Courts in the 9th Chancery Division listing the counties of Lewis, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne, Humphreys, Benton, Lawrence and Dickson where the terms of court would still open on the first Monday in June and December at Charlotte.
25. Acts of 1881, Chapter 162, changed the opening dates for some of the counties in the 9th Chancery Division which was made up of the same counties and which made no changes in the terms of court in Dickson County.
26. Acts of 1885 (Ex. Sess.), Chapter 20, was a massive revision of the entire lower Court system of Tennessee in which eleven Chancery Divisions were created. The Seventh Chancery Division was made up of the counties of Maury, Giles, Lawrence, Lewis, Wayne, Hickman, Hardin, Perry, Decatur, Dickson and Benton. Dickson County's Chancery Court was still slated to open on the first Monday in June and December.

27. Acts of 1887, Chapter 5, reset the terms of the Chancery Courts in the Seventh Chancery Division. In Dickson County the Chancery Court would begin its regular terms at Charlotte on the first Monday in March and the second Monday in September.
28. Acts of 1895, Chapter 41, amended the 1887 Act, Chapter 5, above, so that the time for holding the Chancery Court in Dickson County was changed from the second Monday in September to the third Monday in August, all bonds and process being made to conform.
29. Acts of 1899, Chapter 237, Section 10, created a Chancery Court at Dickson in Dickson County with original jurisdiction over causes arising in the First, Second, Third, Fourth, Fifth, Twelfth, and Thirteenth Civil Districts of the County. The Court was given all the powers and authority of other Chancery Courts and the Clerk and Master of the Court at Charlotte would also be the Clerk of this Court. The same fees and court costs would be in effect at Dickson as at other places and the Chancellor of Dickson County would preside over the Court at no added compensation on the second Monday in March and August each year at the Courthouse in Dickson. This Act was repealed by Private Acts of 1931, Chapter 115. (See Walker v. State, 188 Tenn. 376, 99 S.W. 366 (1907).)
30. Acts of 1899, Chapter 427, formed ten Chancery Divisions in the State of Tennessee allocating the counties of Sumner, Robertson, Cheatham, Montgomery, Stewart, Houston, Dickson, Humphreys, Hickman, and Wilson to the 6th Chancery Division. Dickson County would open the terms of the Chancery Court at Charlotte on the first Monday in June and December. This Act reformed the entire subordinate judicial system of the State.
31. Acts of 1901, Chapter 466, stated that after September 1, 1902, the Chancery Court of Dickson County would convene for regular term on the second Monday in January and July of each year.
32. Acts of 1903, Chapter 277, altered the Chancery Court terms for the counties of Cheatham, Hickman, Houston and Dickson whose court would come together in Charlotte on the first Monday in June and at Dickson on the Thursday after the first Monday in June.
33. Private Acts of 1905, Chapter 286, set up new court terms for all the Courts in the 6th Chancery Division naming the counties of Hickman, Robertson, Montgomery, Cheatham, Wilson, Sumner, Humphreys, Stewart, Houston and Dickson. The Court at Charlotte in Dickson County would convene on the fourth Monday in April and October and the Court at Dickson on the Thursday following that Monday.
34. Private Acts of 1919, Chapter 455, rescheduled the terms of the Chancery Courts in the 6th Chancery Division which included the counties of Cheatham, Dickson, Hickman, Houston, Humphreys, Montgomery, Robertson, Stewart, Sumner, and Wilson. Court terms would remain as they were in Dickson County at both Charlotte and Dickson.
35. Private Acts of 1931, Chapter 115, repealed Acts of 1899, Chapter 237, Item 29, above, which created special Chancery and Circuit Courts in Dickson County which courts were hereby abolished, all the cases and jurisdiction being returned to the Circuit and Chancery Court of Dickson County. All records, transcripts, and process would be made to conform herein to the terms of this Act and be returned to the Court at Charlotte.

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

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

1. Acts of 1835-36, Chapter 20, Section 8, made it the responsibility of the Chancellor of the Western Division to hold the Chancery Court at Savannah, and at Charlotte, and he would also appoint the Clerks and Masters to serve at those places.
2. Acts of 1837-38, Chapter 117, stated that nothing contained in any recent act regarding the Chancery Courts in the Middle Division of Tennessee would be construed to affect the Clerks and Masters at Somerville, Huntingdon, Charlotte, and Brownsville. Each Clerk and Master would hold the office until his current term was completed subject to all the existing rules and regulations.
3. Acts of 1899, Chapter 281, allowed the Clerk and Master and the circuit court clerk of Dickson County the sum of \$100 annually for their expenses for the proper and economical discharge of the duties of the office at Dickson including the employment of Deputies, if the need arose. This amount was appropriated and authorized to be paid out of the general county fund.
4. Private Acts of 1913, Chapter 165, stated that for the proper and economical discharge of the duties in and about the Chancery Court meeting at Dickson in Dickson County, the Clerk and Master would be reimbursed for all the expenses incurred by him on the account of the said Court, and he would be paid \$250.00 each year, in addition to the fees of the office, which would be paid

out of the general funds of the County. Acts of 1899, Chapter 281, was expressly and entirely repealed.

5. Private Acts of 1919, Chapter 363, amended Chapter 165, Private Acts of 1913, Item 4, above, by striking the sum of \$250 and inserting \$500 in its place, thus increasing the allowance of the Clerk and Master to that amount for keeping the office at Dickson.
6. Private Acts of 1931, Chapter 371, fixed the salary of the Clerk and Master of Dickson County which he would receive in addition to the fees of the office as now provided by law, at the sum of \$500 per annum for the services of a Deputy Clerk and Master, which sum would be paid quarterly out of the regular county treasurer.

### **Circuit Court**

The following acts were once applicable to the circuit court of Dickson 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 1806, Chapter 19, provided that hereafter the counties of Robertson, Dickson, Montgomery, and Stewart would make up the District of Robertson in the State and two Superior Court would be held in Clarksville for the District on the first Monday in June and December, holding for twelve judicial days.
2. Acts of 1809, Chapter 49, divided Tennessee into five Judicial Circuits of which the Fifth Judicial Circuit contained the counties of Montgomery, Dickson, Hickman, Humphreys, Stewart, and Robertson. There would be two terms of court each year starting in Dickson County on the first Monday in March and September. Provisions were made for a substitute judge if the regular judge were incapacitated.
3. Acts of 1817, Chapter 111, stated that within 40 days from the passage of this Act the Clerk of the Court of Appeals for the Fifth Judicial Circuit, to which Dickson County belonged, would remove his office to the Courthouse in Charlotte in Dickson County. The Court would be opened and held at the courthouse in Charlotte on the days appointed by law. The Act which set up the Court in Clarksville was repealed.
4. Acts of 1817, Chapter 138, scheduled the terms of court for those counties in the Third, Fourth, Fifth and Sixth Judicial Circuits. In Dickson County the terms of the Circuit Court would start on the fourth Monday in February and August.
5. Acts of 1819, Chapter 154, scheduled the terms of court for those counties in the Third, Fourth, Fifth and Sixth Judicial Circuits. In Dickson County the terms for the Circuit Court would start on the fourth Monday in February and August.
6. Acts of 1820, Chapter 107, provided that the Court of Errors and Appeals for the Fifth Judicial Circuit would hereafter be held on the fourth Monday in June and December sitting for a term of two weeks unless the business of the court were cleared up sooner than that.
7. Acts of 1821, Chapter 42, provided that the appeals from the 8th Judicial Circuit, created by this Act and embracing the counties of Henry, Carroll, Henderson, Madison, Shelby, Wayne, Hardin and Perry would be heard by the Court of Errors and Appeals at Charlotte in Dickson County.
8. Acts of 1823, Chapter 76, declared there would be an extra session of the Circuit Court in Dickson County at the Courthouse in Charlotte on the third Monday in May and November each year, in addition to the terms now scheduled by law. The Judge would adjourn the Court to the third Monday in May and November, and the jurors would be selected and process made to conform accordingly. The extra sessions were not to extend beyond one week. This Act was repealed below.
9. Acts of 1823, Chapter 195, repealed the Act passed at this session of the General Assembly which allowed an extra term for the Circuit Court of Dickson County in full. (Acts of 1823, Chapter 76, above.)
10. Acts of 1825, Chapter 31, stated that all appeals arising in the Fifth, Eighth, and Ninth Judicial Circuits would be heard by the Court of Appeals sitting at Reynoldsburgh in Humphreys County except those coming out of Robertson, Montgomery, or Dickson Counties which had the option of filing them with the court which met at Nashville.
11. Acts of 1831, Chapter 53, stated that all appeals and writs of error arising in the counties of Robertson, Montgomery, and Dickson would hereafter be taken to the Supreme Court of Errors and Appeals at Nashville and all causes in Chancery in the Court at Charlotte would also be appealed to the Court at Nashville if any of the parties thereto resided in the above counties.

12. Acts of 1833, Chapter 14, moved the Supreme Court of Errors and Appeals from Reynoldsburgh to Centerville in Hickman County and all appeals coming out of the Counties of Lawrence, Wayne, Hardin, Humphreys, Hickman and Perry would be filed and heard there while those arising in the counties of Maury, Giles and Dickson were also to go to Centerville or to Nashville at the option of the litigants.
13. Acts of 1835-36, Chapter 5, was a completely new reorganization of the lower court system enacted pursuant to the 1835 Constitution. Eleven judicial circuits were formed of which the Seventh Circuit was composed of the counties of Dickson, Hickman, Humphreys, Stewart, Montgomery, and Robertson. Circuit Court terms in Dickson County would begin on the second Monday in February, June and October.
14. Acts of 1837-38, Chapter 231, Section 2, directed that hereafter the Circuit Court in Dickson County would be on the second Monday in February, next, and then on the third Monday in February, June and October.
15. Acts of 1841-42, Chapter 27, Chapter 24, rescheduled the terms of the Circuit Courts in the Seventh Judicial Circuit which not consisted of the counties of Robertson, Dickson, Stewart, Montgomery and Humphreys. The Circuit Court of Dickson County would continue to meet on the third Monday in February, June and October.
16. Acts of 1847-48, Chapter 49, rearranged the opening dates of the terms of the circuit courts in Montgomery County, Humphreys County, Stewart County, Robertson County, and Dickson County when the Court would begin its regular terms on the fourth Monday in February, June and October.
17. Acts of 1857-58, Chapter 98, was a realignment of the circuit court system in Tennessee into sixteen Judicial Circuits. The 10th Judicial Circuit contained the counties of Montgomery, Robertson, Cheatham, Dickson, and Stewart. The Court in Dickson County would continue to open its regular terms on the fourth Monday in February, June and October.
18. Acts of 1870, Chapter 31, divided the State into fifteen regular, and one special, Judicial Circuits. The Tenth Judicial Circuit consisted of the Counties of Robertson, Montgomery, Stewart, Cheatham, Dickson, Humphreys, and Sumner.
19. Acts of 1870, Chapter 46, established the opening dates for the terms of the Circuit Courts of every county in Tennessee according to their Judicial Circuit. In Dickson County the Circuit Court would convene on the third Monday of March, July and November each year.
20. Acts of 1885 (Ex. Sess.), Chapter 20, formed fourteen regular, and one special, judicial circuits in this next reorganization of the lower court system of Tennessee. The Tenth Judicial Circuit contained the counties of Sumner, Robertson, Montgomery, (for civil cases only), Stewart, Houston, Dickson and Humphreys. Dickson County's Circuit Court terms would commence on the third Monday in March, July and November. This Act, plus several prior acts of a similar nature was part of the opinion of the Supreme Court in the case of Flynn v. State, 203 Tenn. 341, 313 S.W.2d 249 (1958), a good summary of early Tennessee jurisprudence.
21. Acts of 1891 (Ex. Sess.), Chapter 20, amended Acts of 1885 (Ex. Sess.), Chapter 20, above in Item 20, so as to remove Hickman County and Dickson County from the 9th and 10th Judicial Circuits, and also to remove Cheatham County and Williamson County from the Seventh Judicial Circuit and then combines all of them to form the 19th Judicial Circuit. All terms of court would remain as they were then constituted and the Attorney General of the 9th Circuit would prosecute in the new circuit in every county but Dickson County where the Attorney-General of the 10th Circuit would continue his duties. This act was repealed by the one following.
22. Acts of 1899, Chapter 154, abolished the 19th Judicial Circuit composed of the counties of Hickman, Dickson, Cheatham and Williamson and expressly repealed Acts of 1891 (Ex. Sess.), Chapter 20, above.
23. Acts of 1899, Chapter 237, created a Circuit Court for Dickson County which would have original jurisdiction of all the suits arising in the First, Second, Third, Fourth, Fifth, Twelfth, and Thirteenth Civil Districts. The Court would be held in the town of Dickson and possess all the power and authority of other Circuit Courts. The Circuit Judge of Dickson County would preside over regular terms of court beginning on the third in March, July and November. The Circuit Court Clerk would serve the new court as the Clerk.
24. Acts of 1899, Chapter 409, Section 7, assigned Dickson County to the Tenth Judicial Circuit and scheduled the opening dates of the court terms to begin on the third Monday in March, July and November at Dickson, and on the fourth Monday in March, July and November at Charlotte.
25. Acts of 1899, Chapter 427, was the next major revision of the lower judicial system in the State

which came up with fourteen Judicial Circuits. The Ninth Judicial Circuit included the counties of Robertson, Montgomery, Stewart, Houston, Humphreys, Cheatham, Dickson and Sumner. The Court in Dickson County would start its terms on the third Monday in January, May and September.

26. Acts of 1901, Chapter 210, rescheduled the opening dates of the terms of the circuit court of Dickson County at Charlotte from the fourth Monday to the second Monday in March, July and November of each year, specifying that person on bail would make their appearance at the court on Tuesday after the second Monday of their respective terms.
27. Acts of 1901, Chapter 365, amended Acts of 1901, Chapter 210, above, in Section 2, by directing that Williamson County be removed from the Ninth Judicial Circuit into the Seventh Judicial Circuit. This Act was repealed by Acts of 1901, Chapter 382, Section 5, below.
28. Acts of 1901, Chapter 382, repealed entirely that portion of Acts of 1901, Chapter 365, above, which moved Williamson County out of the Ninth Judicial Circuit and into the Seventh and in effect returned Williamson County to the Ninth Circuit.
29. Acts of 1901, Chapter 397, detached Williamson County from the 9th Judicial Circuit and placed it in the 7th Circuit as before. The terms of court were to continue as they were now established under the law, and all the laws placing Williamson County in the 9th Judicial Circuit were repealed.
30. Acts of 1901, Chapter 466, provided that the Circuit Court of Dickson County would meet hereafter on the fourth Monday of April, August and December of each year.
31. Private Acts of 1903, Chapter 29, rescheduled the court terms of the circuit courts in the 9th Judicial Circuit which now included the counties of Sumner, Robertson, Cheatham, Montgomery, Houston, Stewart, and Dickson. In Dickson County the court at Charlotte would gather regularly on the fourth Monday in March, July and November, and the court at Dickson would meet on the first Monday in April, August and December.
32. Private Acts of 1909, Chapter 329, changed the opening dates for the Circuit Court terms in the 9th Judicial Circuit. The Circuit Court at Charlotte in Dickson County would open on the first Monday in April, August and December, and the court at Dickson would begin on the second Monday in the same months each year. All process and bonds were to conform to the above changes.
33. Public Acts of 1915, Chapter 57, reset the openings of the regular terms of the Circuit Courts in the 9th Judicial Circuit. The Circuit contained the counties of Sumner, Robertson, Montgomery, Stewart, Houston, Humphreys and Dickson. The Court located at Charlotte in Dickson County would convene on the Tuesday after the first Monday in April, and on the fourth Monday in July and November. At Dickson the court would meet on the second Monday in April and the first Monday in August and December.
34. Private Acts of 1931, Chapter 115, repealed Acts of 1899, Chapter 237, Item 23, above, which established special circuit and chancery courts in Dickson County at the city of Dickson. These special courts were abolished and all jurisdiction was returned to the courts meeting at Charlotte. All the records and transcripts in the custody of the court at Dickson would be returned to the court at Charlotte and all process could be adjusted.

### **Circuit Court - Clerk**

The following acts have no current effect, but once applied to the Dickson 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 1899, Chapter 281, allowed the Circuit Court Clerk and the Clerk and Master of Dickson County the sum of \$100 each for payment of their expenses for the proper and economical discharge of the duties of their offices including the employment of deputies, when needed. This sum was authorized to be paid out of the general funds of the county. This Act was repealed by Private Acts of 1913, Chapter 165.
2. Acts of 1903, Chapter 255, was a salary act which fixed the annual salaries of Circuit Court Clerks only according to the population class of the County in which they served. The Clerk were required to file a sworn, itemized statement with the County Judge, or Chairman, showing all the fees collected in the office. If the fees were less than the salary, the county would supply the difference, but if the fees exceeded the salary, the Clerk could retain the surplus for his own.
3. Private Acts of 1911, Chapter 251, set the salary of the Circuit Court Clerk in Dickson County at \$900 a year, payable quarterly out of the County Treasury on the warrant of the County Judge which would be full compensation. All the fees collected in the office would be the property of the



county and paid to the Trustee.

4. Private Acts of 1913, Chapter 165, expressly repealed Acts of 1899, Chapter 281, in its entirety.
5. Private Acts of 1921, Chapter 70, amended Private Acts of 1911, Chapter 251, Item 3, above, by raising the annual salary of the Circuit Court Clerk from \$900 to \$1200, all other terms and conditions to remain as they were.
6. Private Acts of 1939, Chapter 464, amended Private Acts of 1911, Chapter 251, so that the annual salary of the Circuit Court Clerk of Dickson County would hereafter be \$1,800 instead of \$1,200, all other conditions to remain as they were.

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

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

1. Acts of 1807, Chapter 13, provided that one fit and proper person would be appointed in the manner authorized by the Constitution to attend the several superior Courts in all the Districts, including the Robertson District, who would prosecute all causes to which the State was a party and render other services of a similar nature. The person thus appointed and serving would be paid \$45 for each session of a Superior Court attended.
2. Acts of 1817, Chapter 65, Section 3, established ten Solicitorial Districts in the State assigning to the Tenth District the counties of Dickson, Stewart, Humphreys, Montgomery and Robertson. The Attorney General of the District would represent the State in all the cases to which it was a party and be paid an annual salary of \$150.
3. Acts of 1835-36, Chapter 28, made each Solicitorial District in the State to be co-extensive with each Judicial Circuit which had criminal jurisdiction.
4. Public Acts of 1829, Chapter 29, created the position of Assistant Attorney-General for the 9th judicial Circuit except for Montgomery County. The Assistant must be a licensed attorney, at least 21 years of age, and a resident of the Circuit in which he was appointed. He would assist the Attorney-General as directed, and prepare cases for trial and for the Grand Jury. He would serve at the pleasure of the Attorney-General and be paid \$3,000 per annum. The duties of the person appointed under the terms of this Act would cease when the present Attorney General recovered from his current illness.

**General Sessions Court**

The following acts once affected the general sessions court of Dickson County, but are no longer in effect and are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1955, Chapter 412, created a General Sessions Court for which Dickson County was obligated to provide a Court Room at Charlotte, and such supplies, furnishings, dockets and equipment as might be needed by the Court. The Circuit Court Room could be used when it was vacant for the business of this Court whose Judge could adjourn it to other locations in the County as his judgment might dictate. The General Sessions Court would have all the jurisdiction, civil and criminal, formerly possessed by Justices of the Peace from whom all such was hereby divested but who could still collect any fees and costs which might be due them. Court procedures were specified and the amount of costs fixed for trials in the Court. The Governor must appoint the first Judge who would serve until his successor, elected in the general August election of 1956, could take office on September 1, 1956, after which the terms of office would be 8 years. The Judge must be sworn and commissioned and devote full time to the position for which his compensation would be \$4,500 a year, payable in equal monthly installments out of the county general funds, and which could not be changed during the term. The Judge could act as clerk of the court, if desired, but could employ assistance if the total cost did not exceed \$600 per annum. The Sheriff was instructed to wait upon the Court, keep good order, and serve the process of the court when properly issued. This Act was not acted on by the Quarterly Court of Dickson County and therefore never became an effective law under the Home Rule Amendment to the State Constitution.
2. Private Acts of 1972, Chapter 336, was rejected by the Dickson County Quarterly Court and never became an effective law. The Act amended Private Acts of 1957, Chapter 214, in Section One so as to place a maximum amount on rent which could be paid for a court room for the court in the hands of the Quarterly Court of Dickson County. Section 9 was amended to set the Judge's salary at \$15,000 per year, payable in equal monthly installments, provided that an election to fill an unexpired term had been held prior to September 1, 1972. Beginning on September 1, 1974, the

base salary of the Judge would be \$17,500 which must be adjusted annually to reflect any cost of living increase appearing during the year. Section 11 was changed to give the Chancellor, or the Circuit Judge, the authority to appoint a temporary Judge of the Court when the regular Judge could not be available.

3. Private Acts of 1972, Chapter 384, provided for a litigation tax in the General Sessions Court but was repealed by Private Acts of 1974, Chapter 235.

## Chapter VI - Education/Schools

### Board of Education

#### Private Acts of 1983 Chapter 6

AN ACT to provide a newly constituted Board of Education for Dickson County elected by popular vote.

WHEREAS, population increases and shifts have occurred in Dickson County in the past ten years; and

WHEREAS, members of local Boards of Education are required by law to represent substantially equal populations; and

WHEREAS, the existing Board of Education for Dickson County is malapportioned due to population increases and shifts in population density within the county; and

WHEREAS, reapportionment of Dickson County Board of Education is now necessary to avoid unequal representation of the board; and

WHEREAS, redistricting the Board of Education to provide substantial equality of representation while maintaining staggered terms would deny numerous citizens true representation for several years; and

WHEREAS, a newly constituted Board of Education with uniform terms is the most effective method available to provide equal and effective representation of people of Dickson County; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

**SECTION 1.** The Board of Education of Dickson County in existence on the effective date of this Act shall remain as the legally constituted Board of Education for Dickson County, until November 30, 1984, on which date this Board of Education shall be abolished.

**SECTION 2.** Dickson County is hereby divided into twelve (12) school districts. Each school district shall have the perimeter boundaries identical to the perimeter boundaries of each of the twelve (12) individual county commissioner districts.

**SECTION 3.** In the November, 1984, General Election, the qualified voters of each school district in Dickson County shall elect one (1) member to the Dickson County Board of Education who shall serve until August 31, 1988. In the August, 1988, General Election, and every four (4) years thereafter, the qualified voters of each school district in Dickson County shall elect one (1) member of the Dickson County Board of Education.

**SECTION 4.** Each member of the Board of Education must reside in the district he or she represents. The term of each member of the Board of Education shall be four (4) years, and until a successor is elected and qualified. The Election Commission of Dickson County shall issue to the persons elected, pursuant to this Act, a certificate of election in the same manner as other county officers. In the event of a vacancy on the board for any reason, a successor shall be elected by the county commission until the next General Election, at which time a successor shall be elected to fill the unexpired remainder of the term, if any.

**SECTION 5.** On September 1st of the year of their election, or as soon thereafter as is practical, the elected members of the Dickson County Board of Education shall meet at the county courthouse and take an oath of office, administered by someone authorized to administer oaths, and shall organize themselves as the Board of Education, electing one of their number as chairman.

**SECTION 6.** The compensation, qualification, powers, duties and liabilities of the members of the Dickson County Board of Education shall be as prescribed by general law.

**SECTION 7.** A majority of the members constituting the Board of Education of Dickson County shall constitute a quorum for the transaction of business; however, a majority of all the members constituting

the Board of Education shall be required to pass or approve any measure or item of business.

**SECTION 8.** If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Act, which can be given effect without the invalid provision or application, and to that end, the provisions of this Act are declared to be severable.

**SECTION 9.** This Act shall have no effect unless it is approved by a majority of the number of qualified voters of Dickson County voting in an election on the questions of whether or not the Act should be approved. The ballots used in the General Election to be held in August, 1984, shall have printed on them the substance of this Act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commission and certified by it to the Secretary of State as provided by law in the case of General Elections. The same qualifications of voters voting on the question shall be the same as those required for participation in General Elections. All laws applicable to General Elections shall apply to the determination of the approval or rejection of this Act.

**SECTION 10.** For the purpose of approving or rejecting the provisions of this Act, as provided in Section 9, it shall be effective upon becoming a law, the public welfare requiring it, but for all other purposes the provisions of the Act shall be effective only upon being approved as provided in Section 9.

Passed: March 3, 1983.

## Private Acts of 1996 Chapter 159

**COMPILER'S NOTE:** This act amends Chapter 6 of the Private Acts of 1983; and any other acts amendatory thereto, relative to the Dickson County Board of Education.

**SECTION 1.** The Board of Education of Dickson County in existence on the effective date of this act, shall remain as the legally constituted Board of Education for Dickson County, until August 31, 1996, on which date this Board of Education shall be abolished.

**SECTION 2.** Dickson County is hereby divided into six (6) school districts. Each of the six (6) school districts shall have the perimeter boundaries identical to the perimeter boundaries of the combination of two (2) of the individual County Commissioner Districts:

- a. The First school district shall be the combination of the existing Tenth and Twelfth County Commissioner Districts;
- b. The Second school district shall be the combination of the existing Sixth and Eleventh County Commissioner Districts;
- c. The Third school district shall be the combination of the existing Second and Seventh County Commissioner Districts;
- d. The Fourth school district shall be the combination of the existing Eighth and Ninth County Commissioner Districts;
- e. The Fifth school district shall be the combination of the existing First and Third County Commissioner Districts; and
- f. The Sixth school district shall be the combination of the existing Fourth and Fifth County Commissioner Districts.

**SECTION 3.** In the August, 1996, General Election and every four (4) years thereafter, the qualified voters of the First, Third and Fifth school districts shall elect one (1) member from each of said districts to the Dickson County Board of Education, who shall serve a term of four (4) years.

In the August, 1996, General Election, the qualified voters of the Second, Fourth and Sixth school districts in Dickson County shall elect one (1) member to the Dickson County Board of Education who shall serve a term of two (2) years until August 31, 1998. In the August, 1998, General Election, and every four (4) years thereafter, the qualified voters of each Second, Fourth and Sixth school districts in Dickson County shall elect one (1) member of the Dickson County Board of Education who shall serve a term of four (4) years.

The Election Commission of Dickson County shall issue to the person elected, pursuant to this act, a certificate of election in the same manner as other county officers. In the event of a vacancy on the Board for any reason, a successor shall be elected by the County Commission until the next general election, at which time a successor shall be elected to fill the unexpired remainder of the term, if any.

**SECTION 5.** On September 1<sup>st</sup> of the year of their election, or as soon thereafter as is practical, the elected members of the Dickson County Board of Education shall meet at the county courthouse and take an oath of office, administered by someone authorized to administer oaths, and shall organize themselves as the Board of Education, electing one of their number as chairman.

**SECTION 6.** The compensation, qualification, powers, duties and liabilities of the members of the Dickson County Board of Education shall be as prescribed by general law.

**SECTION 7.** A majority of the members constituting the Board of Education of Dickson County shall constitute a quorum for the transaction of business, and a majority of all the members constituting the Board of Education shall be required to pass or approve any measure or item of business.

**SECTION 8.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Act, which can be given effect without the invalid provision or application, and to that end, the provisions of this Act are declared to be severable.

**SECTION 9.** This act shall have no effect unless it is approved and ratified by a two-thirds (2/3) majority vote of the County Commission.

**SECTION 10.** For the purpose of approving or rejecting the provisions of this act as provided in Section 9, it shall be effective only upon being approved as provided for in Section 9 above.

Passed: April 4, 1996.

## Superintendent or Director of Schools

### Private Acts of 1983 Chapter 5

**SECTION 1.** The county superintendent of public instruction of Dickson County shall be elected by the qualified voters of Dickson County.

**SECTION 2.** Each candidate for the office of county superintendent of public instruction shall be a resident of Dickson County.

**SECTION 3.** In the November, 1984, General Election, the qualified voters of Dickson County, shall elect the county superintendent of public instruction. Thereafter, the election of the county superintendent of public instruction shall be held in the August, 1988, General Election and during the August General Election every four (4) years thereafter. The first term of office under this Act shall run from January 16, 1985, to August 31, 1988. Thereafter, the term of office shall be four (4) years, and until a successor is elected and qualified, with each term of office beginning on September 1st, of the year of election for a period of four (4) years, ending on August 31st.

**SECTION 4.** The qualifications, compensations, powers, duties and liabilities of the county superintendent of public instruction of Dickson County shall be as prescribed by general law.

**SECTION 5.** Chapter 529 of the Private Acts of 1923, Chapter 665 of the Private Acts of 1925, Chapters 135 and 654 of the Private Acts of 1927, and Chapter 251 of the Private Acts of 1939 are repealed.

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

**SECTION 7.** This Act shall have no effect unless it is approved by a majority of the number of qualified voters of Dickson County voting in an election on the question of whether or not the Act should be approved. The ballots used in the General Election to be held in August, 1984, shall have printed on them the substance of this Act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commission and certified by it to the Secretary of State as provided by law in the case of General Elections. The qualifications of voters voting on the question shall be the same as those required for participation in General Elections. All laws applicable to General Elections shall apply to the determination of the approval or rejection of this Act.

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

Passed: March 3, 1983.

# Education/Schools - Historical Notes

## **Superintendent or Director of Schools**

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

1. Private Acts of 1923, Chapter 529, stated that the County Superintendent of Public Instruction in Dickson County (identified by the 1920 Federal Census figures) would be elected by the qualified voters of the County for a two year term at the regular August election and assume office on January 1 following. This Act would in no way affect the duties, responsibilities, or qualifications of the Superintendent.
2. Private Acts of 1925, Chapter 665, stated that in Dickson County the salary of the Superintendent of Public Instruction would be paid out of the county school funds in the amount of \$900 for the years of 1925 and 1926. This Act would not affect the State supplement to the salary. The Superintendent was directed to act as Secretary to the Board of Education at no additional pay.
3. Private Acts of 1927, Chapter 135, provided that in Dickson County the salary of the Superintendent of Public Instruction would be paid out of the regular county funds in the amount of \$900 each year for 1927 and 1928, and would have no effect on the State supplement to the salary. The Superintendent was required to continue as Secretary to the Board of Education without pay.
4. Private Acts of 1927, Chapter 654, declared that the Dickson County School Superintendent would be elected by the Quarterly Court at their regular October meeting and serve until the successor was elected and qualified. This Act would in no way affect the duties, qualifications, or compensation of the Superintendent, all of which would remain as now fixed by law except the certificate of qualification must be filed with the County Judge, or Chairman, no later than thirty days preceding the election, and would be subject to inspection by all the members of the Quarterly Court.
5. Private Acts of 1939, Chapter 251, provided for the election of the County Superintendent of Public Schools and a repeal of all laws or parts of laws in conflict with the provisions of the Act. This Act was repealed by Private Acts of 1983, Chapter 5.

## **General Reference**

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

1. Acts of 1806, Chapter 8, set up county academies in every County in Tennessee at the time and appointed Trustees to operate them. In Dickson County the County Academy was the Dickson Academy whose Trustees were Michael Dickson, Jeremiah Pershal, Richard Napier, David Dixon, and Sterling Brewer.
2. Acts of 1807, Chapter 56, established several more county academies and named Trustees for them as well as additional Trustees for some of the other schools. The Act named Michael Molton, Richard C. Napier, Christopher Strong, Melton Dickson, William Stone, Montgomery Bell, and Robert Jarman, as Trustees for Tracy Academy located in Dickson County.
3. Acts of 1825, Chapter 210, appointed James M. Brewer, Molton Dickson, Edward D. Hicks, Abram Coldwell, John C. Collier, and John McAdam, as Commissioners to draft a lottery scheme to raise an amount not to exceed \$1500 to be used to build and endow a female academy in Charlotte in Dickson County. The Commissioners were required to give a bond in double the amount of the prizes to be awarded. Regulations to be observed in the drawings of the tickets and award of the prizes were contained in the law.
4. Acts of 1832, Chapter 92, page 76, Sections 2 and 3, stated that until the organization of the Board of Common School Commissioners in Dickson County the records and funds belonging to the present Book Agency which were required by law to be paid over to the Common School Fund would be paid to William Hightower, upon his making bond with the Chairman of the County Court for the use and benefit of the common school system of the County. That portion of the internal government fund and the interest which were allocated to Dickson County would also be paid over to Hightower for the use and benefit of the schools.
5. Acts of 1835-36, Chapter 121, Section 6, instructed the Cashier of the Bank of Tennessee to pay

the share of Dickson County in the internal improvement funds to the Chairman of the Common School Commissioners and the School Commissioners would in turn pay the funds over to the Trustees of the Tracy Academy in Dickson County.

6. Acts of 1851-52, Chapter 335, divided the funds of Tracy Academy in Dickson County into two funds, one for the Tracy Male Academy, and the other for the Charlotte Female Academy. This Act designated the Charlotte Female Academy as a branch of the Tracy Academy and named Wilson J. Matthews, W. A. James, and Thomas McNeally as Trustees for the Female Academy.
7. Acts of 1853-54, Chapter 208, Section 8, made the Charlotte Female Academy a branch of the Troy Academy in the County of Dickson and named Wilson J. Matthews, W. A. James, and Thomas McNeally, as Trustees for Tracy Academy whose funds were to be divided equally between the two schools.
8. Acts of 1873, Chapter 50, provided that six bonds of the State of Tennessee in the amount of \$1000 each which were issued for the Spencer T. Hunt School Fund and which belonging to the Counties of Dickson and Humphreys were cancelled and filed in the Comptroller's Office and the principal and interest on the said bonds amounting to \$9,675 would be available for the use of the free public schools in Dickson and Humphreys Counties, according to the Last Will of the said Hunt. The interest hereafter accruing would be paid out semi-annually to the school funds mentioned above.
9. Acts of 1895, Chapter 132, established School District #15 in Dickson County as the same was more particularly described in the Act. This School District would have all the emoluments, rights, and privileges, and be governed by the same rules and regulations as other similar school districts were. The Sheriff would hold an election within the District on the first Saturday in May to select the school Directors.
10. Private Acts of 1901, Chapter 302, created an independent special school district in the 13th Civil District of Dickson County which was legally and particularly described in Section One of the Act and which would be numbered School District #16 in Dickson County.
11. Private Acts of 1905, Chapter 66, set up School District #18, in Dickson County which embraced the specific area near and in the 11th Civil District described in the Act. This District was given all the rights, privileges, and benefits possessed by other school districts. J. W. Brown, Peter Sheley, and W. P. Outlaw, were named as Directors of the District to serve until their successor could be elected and take over the office. All school funds not apportioned already were to be shared in this District on a pro rata basis.
12. Private Acts of 1905, Chapter 93, formed a special school district in the 13th School District as the area included in the new District was described in the Act which would be called School District #17 in Dickson County. The Act named J. B. Burgie, B. F. Hurt, and Sam Lamastus as the Directors of the new District.
13. Private Acts of 1905, Chapter 128, was a duplicate of the above 1905 Act which created the 17th Special School District in Dickson County.
14. Private Acts of 1905, Chapter 281, originated Special School District #19 in Dickson County which contained the area described in the Act. R. L. Montgomery, R. R. Larking, and S. L. Chandler, were named as the Directors of the School District to serve until their successors were elected and assumed the office. The Clerk of the District was required to furnish the proper authorities with a correct statement of the scholastic population of the District upon which basis the available school funds would be apportioned.
15. Private Acts of 1905, Chapter 467, established an unnumbered School District in Dickson County which included the area described therein, which was near the 17th School District. In the description the lands belonging to many families were mentioned by name. The Act required that the election of the school directors and the management of the District be according to the general law of the State.
16. Private Acts of 1907, Chapter 236, set up Boards of Education and a Board of Advisors in every County, abolishing the District Directors of the Schools. The County Court must divide the county into school districts composed of whole civil districts which could not exceed five and from each of which one member of the Board of Education would be elected. The County Superintendent would act as the Secretary to the Board. The County Superintendent would act as the Secretary to the Board. The County Court would appoint the members who would serve until the election could be held. The duties of the Chairman of the Board, the Secretary, and the Board Members were all enunciated in the Act. The three member Advisory Board would be elected by popular vote in each school district and perform the duties enumerated in the Act but would not

be compensated. Several counties exempted themselves from this law, which did not apply to city schools, but Dickson County was not listed with them. (*Whitthorne v. Turner*, 155 Tenn. 303, 293 S.W. 14, (1927), considered this Act.)

17. Private Acts of 1917, Chapter 436, was the enabling legislation for the Board of Education of the Public Schools and Districts in Dickson County (identified by the use of 1910 Federal Census figures) to establish both primary and secondary schools in the County in which could be taught first ten grades of the public school curriculum.
18. Private Acts of 1917, Chapter 799, formed the "Union School District" out of parts of Houston County and Dickson County as the same was more particularly described in the Act, which School District would be entitled to the per capita funds apportioned by the County Superintendent of Public Instruction in each of the two Counties. The Superintendent would also appoint jointly a Board of Directors, two of whom would be residents of Houston County and one a resident of Dickson County, to serve until their successors were elected and qualified. The Directors could draw warrants on the Trustee of either County for funds. The Directors were further instructed to keep accurate records of the pupils in the District who were attending school.
19. Public Acts of 1925, Chapter 115, which has been codified at Title 49, Tennessee Code Annotated, provided in Section 33 that all special school districts which were not taxing districts were abolished, that those school districts which were taxing districts could hold a referendum election on the question of their abolition and dissolution, and that any school district could become a part of the public school system at any time their debts were all paid.
20. Private Acts of 1929, Chapter 814, stated that in Dickson County the Board of Education with the permission of the Quarterly Court could borrow money to finance the operation of the public school system until taxes were paid and those funds became available for the purpose.

## Chapter VII - Elections

### Elections - Historical Notes

#### **Districts - Reapportionment**

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

1. Acts of 1835-36, Chapter 1, was the first Act passed subsequent to the adoption of the 1835 State Constitution and required the General Assembly to appoint suitable people as Commissioners to lay out the Civil District in each County according to the population count of 1833. Each County having as many as 3,000 qualified voters would have 25 Civil Districts. Those with less than 3,000 but more than 2,500 would have 20 Civil districts, the scale being graduated into increments of 500 voters and the number of civil districts dropping off by five each time. Each district would elect two Justices of the Peace and one Constable except the district with the county town which would elect three Justices of the Peace and two Constables. The Commissioners were urged to take advantage of the natural lay of the land as much as possible.
2. Resolution #3, Acts of 1835-36, appointed the Commissioners for every county who were to lay out the Civil Districts as required above. In Dickson County those named were William Hightower, Joseph Kimble, William Hogins, James W. Christian, and Menon Bible. Resolution #21, same years, appointed Thomas Jarnigan and James Pullin to serve as Commissioners in the place of Joseph Kimble and Menon Bible, who were originally named but refused to serve.
3. Acts of 1857-58, Chapter 37, Section 10, authorized and directed the County Court of Dickson County to lay off a civil district in the said county out of the fractions of the Fourth, Sixth, and Seventh Districts, either by appointing Commissioners, or by whatever method seemed best to the Court, and when established, that civil district would be on the same footing with all the others.

#### **Elections**

The following is a listing of acts for Dickson County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes.

1. Acts of 1803, Chapter 24, divided Tennessee into five Sections for the election of the members of the Electoral College for President and Vice-President of the United States. The Fifth District was

made up of the Counties of Davidson, Williamson, Robertson, Montgomery, Stewart, Rutherford and Dickson. The election would be held on the first Thursday and Friday in November, 1804, and the returns would be certified in Nashville on the following Monday.

2. Acts of 1803, Chapter 79, provided for the election of three U. S. Congressional Representatives in the State, one from the Hamilton District, one from the Washington District, and one from the combined Districts of Mero, Winchester, and Robertson. Regulations under which the election would be held were mentioned in the Act.
3. Acts of 1805, Chapter 64, apportioned the representation of the State General Assembly which included 13 State Senators and 26 State Representatives. The counties of Robertson, Dickson, Montgomery and Stewart comprised one State Senatorial District whose votes would be counted at Clarksville. Dickson County and Robertson County would elect one of the 26 Representatives jointly.
4. Acts of 1807, Chapter 74, directed the Sheriff of each county to open and hold an election according to law for the Electors of the President and Vice-President. The Fifth District of the five Electoral Districts in the State, consisted of the Counties of Davidson, Robertson, Montgomery, Stewart, Dickson, Williamson, Maury, Rutherford, Bedford, and Hickman. All the votes would be certified at Nashville for the election occurring on the second Thursday in November, 1808.
5. Acts of 1809, Chapter 1, authorized an election to be held across the State to choose three U. S. Congressmen from the Districts in the State as they were previously specified. The votes would be counted and certified for the Robertson District at Clarksville in Montgomery County.
6. Acts of 1809, Chapter 43, made it the duty of the Sheriff, or Deputy, of Dickson County, on the constitutional days for holding elections, to hold one at the house of Jane Norris on Yellow Creek in the said County. Anyone who was qualified to vote in Dickson County would vote at the new precinct whose polls would be returned to Clarksville for certification.
7. Acts of 1812, Chapter 5, established eight Presidential Electoral Districts in Tennessee. The 8th Electoral District included the counties of Robertson, Montgomery, Stewart, Dickson, Hickman and Humphreys. The election would take place on the first Thursday and Friday in November, 1812, and the polls counted at Charlotte in Dickson County. The Electors would be paid \$2.50 per day and ten center per mile while in the process of doing their duties.
8. Acts of 1812, Chapter 27, divided Tennessee into six U. S. Congressional Districts. The Sixth Congressional District contained the Counties of Robertson, Montgomery, Dickson, Humphreys, Hickman, Stewart, Maury and Giles.
9. Acts of 1812, Chapter 57, set the apportionment of the representation in the Tennessee Legislature at 20 Senators and 40 Representatives. One of the Senatorial Districts was composed of the counties of Robertson, Dickson and Hickman whose combined votes were to be counted at Charlotte while Dickson County and Hickman County would share a Representative. These votes would also be certified at Charlotte.
10. Acts of 1813, Chapter 57, imposed the legal liability upon the Sheriff, or a Deputy, of Dickson County, on the days appointed by law to hold a separate election at the house of Minor Bibb, on the waters of the Turnbill, under the same requirements as applied to all other public electors in the State, and those set up for the election at the house of Jane Norris, mentioned above.
11. Acts of 1815, Chapter 31, set up eight Presidential Electoral Districts in Tennessee which were to include the same counties as were specified in the prior legislation on this subject, and the Electors would also be compensated at the rates provided in that Act.
12. Acts of 1819, Chapter 69, allocated the representation in the State General Assembly to the counties. One of the 20 State Senatorial Districts would include the counties of Davidson, Williamson, and Dickson whose votes would be canvassed at Nashville, and Dickson County was given one Representative alone.
13. Acts of 1820, Chapter 113, provided that the election precinct heretofore authorized to be held at the home of the widow Jane Norris would hereafter be held at the residence of John Adams, on Yellow Creek.
14. Acts of 1822, Chapter 1, separated the State into nine U. S. Congressional Districts. The Eighth Congressional District included the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys and Hickman.
15. Acts of 1823, Chapter 47, formed the State into eleven Presidential Electoral Districts. The Tenth District was made up of the counties of Montgomery, Robertson, Stewart, Dickson, Humphreys and Hickman. The election would be held on the first Thursday in November, 1824. The polls in



- the above District would be counted at Charlotte.
16. Acts of 1824, Chapter 1, was a duplicate of Acts of 1823, Chapter 47, above, except that the election would be on two days, the first Thursday and Friday in November, 1824.
  17. Acts of 1826, Chapter 3, reapportioned the General Assembly of the State. Robertson County, Montgomery County, and Dickson County would elect one State Senator jointly and count the votes at the house of Thomas Williams in Montgomery County. Dickson County and Hickman County would share one State Representative, counting the polls at Charlotte in Dickson County.
  18. Acts of 1827, Chapter 17, separated the State into eleven Presidential Electoral Districts. The counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Perry were designated the 10th Electoral District whose polls would be counted at Charlotte. The presidential election would occur on the second Thursday and Friday in November, 1828.
  19. Acts of 1832, Chapter 4, set up thirteen U. S. Congressional Districts in Tennessee assigning the Counties of Robertson, Montgomery, Stewart, Humphreys, Hickman, and Dickson to the Eleventh Congressional District.
  20. Acts of 1832, Chapter 9, divided Tennessee into fifteen Presidential Electoral Districts. The 13th District comprised the Counties of Robertson, Montgomery, Stewart, Dickson, and Humphreys. The Electors would meet on the first Monday and Tuesday after the election in November and cast their votes for the Presidency.
  21. Acts of 1833, Chapter 71, distributed the representation in the Tennessee Legislature. One of the 20 Senatorial Districts included the Counties of Robertson, Montgomery, and Dickson whose votes would be canvassed and certified at Thomas Williams in Montgomery County. Dickson County and Hickman County would combine to elect one Representative of the forty in the House. These votes would be gathered and certified at the house of Thomas Petty, on Piney Creek in Dickson County.
  22. Acts of 1833, Chapter 76, provided for a constitutional convention of 60 delegates who were to be elected on the first Thursday and Friday in March, next, and convene in Nashville on the third Monday in May, next. The Counties of Dickson, Stewart, and Humphreys constituted one District which would elect two delegates.
  23. Acts of 1833, Chapter 95, Section 2, instructed the Sheriff of Dickson County to hold hereafter an election at the house of Mrs. Patsey Jones in Dickson County under the same rules and regulations as applied to all other precincts.
  24. Acts of 1835-36, Chapter 39, set up 15 Presidential Electoral Districts in Tennessee with the Counties of Robertson, Montgomery, Stewart, Dickson and Humphreys making up the 13th District. The presidential electors would be chosen on the first Tuesday in November, 1836, and would meet in Nashville at the proper time.
  25. Acts of 1839-40, Chapter 79, provided that hereafter each Congressional District would likewise be a presidential electoral district.
  26. Acts of 1842, Chapter 1, increased the representation in the General Assembly to 25 Senators and 50 Representatives. One Senatorial District included the Counties of Dickson, Stewart, Humphreys, and Benton and the votes would be canvassed and certified at Simmons Old Store in Dickson County. Dickson County would elect one of the 50 Representatives in the House alone.
  27. Acts of 1842, Chapter 7, set up eleven U. S. Congressional Districts in the State placing the Counties of Robertson, Montgomery, Stewart, Dickson, Humphreys, Benton, and Henry all in the 11th Congressional District.
  28. Acts of 1847-48, Chapter 101, provided that one Presidential Elector be chosen from each of the Congressional Districts in Tennessee under the same general rules governing public elections.
  29. Acts of 1851-52, Chapter 196, fashioned ten U. S. Congressional Districts in the State presumably based upon the population count occurring in 1850. The Eighth Congressional District contained the counties of Davidson, Robertson, Montgomery, Stewart, and Dickson.
  30. Acts of 1851-52, Chapter 197, made Maury County, Lewis County, Hickman County, and Dickson County one of the 25 State Senatorial Districts whose votes would be counted and certified at Centerville and Dickson County would have one Representative of the fifty for herself.
  31. Acts of 1865, Chapter 34, created eight U. S. Congressional Districts in Tennessee reflecting the decimation of the people in the Civil War. The Act placed the Counties of Lawrence, Wayne, Hardin, Decatur, Perry, Lewis, Maury, Hickman, Humphreys, Dickson, Montgomery, and Stewart in the 6th U. S. Congressional District.

32. Acts of 1869, Chapter 105, was the legal authority to hold a referendum across the State on the question of whether or not a Constitutional Convention should be called to consist of 75 delegates elected from the Senatorial and Representative Districts of Tennessee. The said Convention, if authorized, would convene in Nashville on the second Monday in January, 1870, to alter, amend, change or rewrite the 1835 Constitution of Tennessee.
33. Acts of 1871, Chapter 146, was passed subsequent to the taking of the 1870 Census and to the adoption of the 1870 State Constitution. The Counties of Dickson, Houston and Cheatham would share one Representative jointly, and the 16th of the 25 Senatorial Districts was composed of the Counties of Hickman, Perry, Humphreys, Dickson, Cheatham and Houston.
34. Acts of 1872, Chapter 7, assigned the Counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman and Dickson to the Sixth District of the nine U. S. Congressional Districts in Tennessee.
35. Acts of 1873, Chapter 27, formed ten U. S. Congressional Districts in the State of which the Sixth Congressional District contained the Counties of Davidson, Cheatham, Dickson, Humphreys, Stewart, Houston and Montgomery.
36. Acts of 1881 (Ex. Sess.), Chapter 5, placed the number of Senators at 33 and the number of Representatives at 99 in the General Assembly on a permanent basis.
37. Acts of 1881 (Ex. Sess.), Chapter 6, provided that Dickson County would elect one of the 99 Representatives alone, and the counties of Hickman, Humphreys, Dickson, and Houston constituted one of the 33 Senatorial Districts. The distribution was also based on the 1880 census count.
38. Acts of 1882, Chapter 27, set up ten U. S. Congressional Districts in the State. The Seventh Congressional District was composed of the Counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman and Dickson.
39. Acts of 1891, Chapter 131, enacted subsequent to the 1890 Federal Census, established the U. S. Congressional Districts. The counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman and Dickson still constituted the Seventh Congressional District.
40. Acts of 1891 (Ex. Sess.), Chapter 10, reapportioned the General Assembly of Tennessee according to the 1890 Census. Dickson County would elect one Representative alone, and join the counties of Cheatham, Houston and Stewart to form the 23rd Senatorial District.
41. Acts of 1901, Chapter 109, delineated ten U. S. Congressional Districts in Tennessee based on the 1900 Federal Census. The Seventh Congressional District included the Counties of Houston, Humphreys, Dickson, Hickman, Williamson, Lewis, Maury, Giles, Lawrence and Wayne.
42. Acts of 1901, Chapter 122, apportioned the Tennessee General Assembly for the last time until over sixty years had passed. Dickson County would elect one Representative alone and continue as a part of the 23rd Senatorial District with Humphreys, Houston, and Stewart.
43. Private Acts of 1915, Chapter 480, amended Section 2 of the Public Acts of 1890, which was the general election law of the State so that Dickson County would be exempted from its provisions contained in Section 2 thereof.
44. Private Acts of 1915, Chapter 516, provided that no registration of voters would be required in Dickson County as a prerequisite to the right to vote in any election hereafter to be held in the said designated County.
45. Private Acts of 1917, Chapter 285, recited in its preamble that W. J. Lewis, of Dickson County, has fenced and enclosed his grounds which were usually used by the people of the 10th Civil District to vote, thereby forcing those counties to use a rough, unsuitable, and inconvenient place in its stead, this Act designated a voting place for the District at a point near the Beech Hill Church.

## Chapter VIII - Health

No current private acts in force.

## Chapter IX - Highways and Roads

## Expenses

### Private Acts of 1959 Chapter 364

**COMPILER'S NOTE:** See Section 5 of Chapter 53, Private Acts of 1985, which sets a per diem while this statute sets an expense allowance.

**SECTION 1.** That in counties of this State having a population of not less than 18,755 nor more than 18,855 by the Federal Census of 1950, or any subsequent Federal Census, the Quarterly County Court is authorized to appropriate to the Road Commissioners of said county a sum not to exceed six dollars (\$6.00) per meeting to defray the expenses incurred by them in the discharge of their official duty and in their necessary travel.

**SECTION 2.** That in all counties identified above, the Quarterly County Court is authorized to appropriate to the County Supervisor of Roads a sum not to exceed one hundred dollars (\$100.00) per month to defray the expenses incurred by him in the discharge of this official duty and his necessary travel.

**SECTION 3.** That this Act shall be void and of no effect unless within six (6) months from the date of final legislative action therein the same shall be approved and ratified by a two-thirds vote of the Quarterly County Court of any county to which the matter applies. Its approval or nonapproval 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 4.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 19, 1959.

## Road Law

### Privates Acts of 2019, Chapter 16

SECTION 1. Chapter 38 of the Private Acts of 2018, and any other acts amendatory thereto, are repealed in their entireties.

SECTION 2. The County Mayor shall appoint the Dickson County Highway Engineer, subject to confirmation by the county legislative body. The appointed Highway Engineer's term begins on the earlier to occur of a vacancy in the office and September 1, 2022.

SECTION 3. The Dickson County Highway Engineer shall serve under the direction of the County Mayor.

SECTION 4. The Dickson County Highway Engineer shall have the qualifications, term of office, salary, duties, take an oath of office and make a bond, and be replaced in the event of a vacancy in the office as set forth in the Tennessee County Uniform Highway Law, compiled in Tennessee Code Annotated, Title 54, Chapter 7. Any vacancy in the office of Dickson County Highway Engineer shall be filled by the County Mayor, subject to confirmation by the county legislative body.

SECTION 5. Nothing in this act shall be construed as having the effect of removing the duly elected Highway Engineer from office or abridging the term of the currently serving Highway Engineer prior to the end of the term for which such official was elected.

SECTION 6. This act shall have no effect unless it is approved by a two thirds (2/3) vote of the legislative body of Dickson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified to the secretary of state.

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

Passed: May 10, 2019.

## Highways and Roads - Historical Notes

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

providing new substantive provisions.

1. Acts of 1804, Chapter 1, authorized the County Courts to take charge of the public roads in the county and the ferries, and to decide on the location of bridges. The procedures and methods to be observed in the process of establishing and maintaining roads were mentioned in the Act. The county courts had the authority to appoint Commissioners for roads and to levy taxes to accomplish the above described purposes.
2. Acts of 1821, Chapter 6, required the County Courts of each county to classify and index all the public roads in their respective counties. The three classes of roads were distinguished by the width and surfacing material. The widths ranged from stage roads down to one wide enough to pass a horse and rider on the way to mill or market. Penalties were included for willfully obstructing roads and for a failure to abide by the terms of this Act.
3. Acts of 1831, Chapter 259, named several Commissioners who were residents of Davidson County who were obligated to open books and subscribe stock up to \$60,000 to build a turnpike road from Nashville to the Western District by way of Charlotte in Dickson County.
4. Acts of 1837-38, Chapter 241, named William J. Carter, Samuel Adkerson, and Joseph Sewter, of Davidson County, and Epps Jackson, James Larkins, Jr., Benjamin C. Robertson, Thomas W. Overton, Joab Hardin, James Christian, and John James Hardwicke, all of Dickson County, as Commissioners, to sell stock up to \$130,000 to build a graded, graveled, or sanded turnpike from Charlotte in Dickson County to the termination of the Nashville and Charlotte Turnpike now being built to the top of the hill about one mile from Elijah Robertson's place, in the direction of Charlotte.
5. Acts of 1837-38, Chapter 290, Chapter 423, appointed Augustin Roberts, J. P. Hardwicke, Henry A. C. Napier, William Norsworthy, Absalom Massie, and John Eubank, all of Dickson County, and eight citizens of Humphreys County to sell stock not to exceed \$130,000 to build a graded, graveled, or sanded turnpike, or one which was macadamized, from Charlotte through Waverly to Reynoldsburgh, in Humphreys County. All the organizational details of the company to be formed and the regulations to be observed in the sale of the stock were included in the act.
6. Acts of 1845-46, Chapter 70, nominated as Commissioners to sell stock, Robert McNeilly, William A. James, Jacob Hardin, Thomas McNeilly, and John C. Collier, of Dickson County, and four additional commissioners from Davidson County. The authorized capital stock was set at \$10,000 which would be used to build a road between the western terminus at Atkinson's Road and the City of Charlotte.
7. Acts of 1851-52, Chapter 361, incorporated William J. McClelland, and authorized him to construct a turnpike road to begin at Charlotte and run in the direction of Waverly, in Humphreys County, for a distance of six miles, to a place known as the Gulley Farm. The road must meet all the specifications on the degree of grade permissible and on the width of the road at specified places. Anyone injured by the construction of the road must be recompensated with adequate amounts of money. The road must be started within two years and completed in five years, with toll gates authorized to be installed at points along the road at which the rates of passage stipulated in the Act could be charged. All acts of non-compliance could be punished with fines, or other appropriate penalties.
8. Acts of 1859-60, Chapter 46, Section 12, incorporated Robert H. Williams, William M. Shelton, William W. Stewart, John F. House, Thomas Ramsey, William J. Holmes, J. T. Richardson, J. T. Johnson, and Thomas W. Wisdon, and their associates, under the style of the Clarksville, Cumberland, and Charlotte Turnpike Company. The incorporators were scheduled to meet and organize in Clarksville when \$2500 in stock had been subscribed and paid in. The road would run from Clarksville, or from Port Royal Turnpike, or from Madison Street near the residence of Cave Johnson in the direction of Charlotte in Dickson County.
9. Acts of 1867-68, Chapter 65, was the legal authority to move the tollgate nearest Nashville back to its place on Brown's Hill, or to some place within three-fourths of a mile from that spot. Authority was granted to sell the lot and the gatehouse of the toll being moved and apply the proceeds on the acquisition of a new one. All the above was on the Nashville and Charlotte Turnpike.
10. Acts of 1901, Chapter 136, was a general road law applicable to every county in Tennessee under 70,000 in population, according to the 1900 Federal Census. The County Court in the County would select one Road Commissioner to serve two years from each Road District in the county, the Road Districts being co-extensive with the civil districts. These Road Commissioners would be sworn into office, bonded, and be in charge of all the roads, bridges, road hands, tools, and materials situated in the said area. The commissioners would be compensation at the rate of

\$1.00 per day but for no more than 10 days each year. The County Court would determine the number of days a road hand would be required to work which would be no less than five, nor more than eight, and fix the price of one day's labor for commutation purposes. The County Court could levy a general road tax of two cents per \$100 property valuation for each day the road hands were ordered to work. The Commissioners would name and supervise the Road Overseers in their Districts. The Overseers were to be in immediate charge of a particular section of road in the District. They would work the same number of compulsory days as others did but would be paid at the rate of \$1.00 per day for all labor over that up to \$6.00 per annum. All males, outside of cities, between the ages of 21 and 45, were required to do the above road work. The commissioners would dispose of petitions to open, close, or change roads, would classify and index the public roads when necessary and would continuously inspect to see that the roads met the minimum specifications enunciated in the law. See Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66, (1906), for some judicial observations on this act.

11. Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, above, in several minor particulars but dealt primarily with the method of acquiring rights of way especially when the power of eminent domain was to be used.
12. Private Acts of 1913 (Ex. Sess.), Chapter 82, permitted Dickson County to purchase any turnpike road, or toll road, which would then be dedicated to the use of the public without charge. A general road tax of 20 mills could be levied in order for the same roads to be purchased, and the authority was likewise given to issue up to \$25,000 in bonds at an interest rate of 5%, or less, and to mature no later than 20 years from the date of issue. The proceeds generated by the tax levy, or the bond sales, could not be used for any other purpose. The power and authority conferred herein would be exercised by the Quarterly Court of Dickson County always in the very best interests of the people.
13. Private Acts of 1919, Chapter 161, created a County Highway Commission in Dickson County, composed of Joe B. Weems, E. H. Stone, N. H. Eubanks, Pete Hensley, and C. H. Williams, who would serve until the general August election in 1920 could produce their successors taking office when other county officials did. Joe B. Weems was named as Chairman of the Commission and as County Road Super-visor. Two of the Commissioners would come from the northern section of the County, two from the southern section, and one would be elected at large. The Commission would meet at the call of the Chairman and exercise the powers granted them in the supervision of the roads of this Department. The duties of the chairman, who would also be the Road Supervisor, of the Secretary of the commission, and of the other members were specified in the Act. They would have the same authority over privately owned roads and pikes as the County Court had. They would name a Deputy Supervisor of Roads in each civil district to serve for two years who were to supervise and inspect the roads in their Districts and render periodic reports on their condition. Restrictions were placed on the obstruction of the roads and their willful, or negligent damage, for which specified penalties and fines could be imposed. Workhouse prisoners could be worked under some circumstances, and all males, outside cities, between the ages of 21 and 50, must labor six full, nine-hour days on the roads. Special provisions were included for the owners of wagons and teams, how must pay \$2.00 per day if they desired to commute. Laborer's commutation fee was \$1.00 for each day missed. A general road tax could be levied of no less than fifteen cents and no more than 30 cents per \$100 property valuation, and a maintenance tax of 15 cents per \$100 could be imposed when needed. The Commission could borrow money under certain conditions but could not pay more than 6% interest. The Chairman would be paid from \$350 to \$800 annually and the members would receive \$3.50 per meeting.
14. Private Acts of 1920, Chapter 115, amended Private Acts of 1919, Chapter 161, in Section 16, by reducing the mandatory labor on roads from six days to four days and made it the duty of the owner of a wagon and team to present the same for work at a place designated by the Road Supervisor; by revising the definition of a wagon and team to include some who were apparently escaping this responsibility. The commutation rate for both the teams and wagons and the road hands was increased, but the minimum tax rate of the general road levy was reduced from 15 cents to 10 cents per \$100 property valuation. Section 24 was rewritten to give the Highway Commission the authority to deal with the State for the improvement of the Dickson County roads, and to issue up to \$150,000 in bonds in order to take advantage of the aid available from the State and Federal people.
15. Private Acts of 1921, Chapter 414, established rates of toll for any auto, or motor driven vehicle, using the roads of incorporated turnpike companies, or the toll roads with authority to install toll-gates. Twenty-five cents per vehicle was the toll on each five mile section of road and fifteen cents on each vehicle coming and going on the same day, or night. This Act was applicable only

- to Dickson County.
16. Private Acts of 1925, Chapter 321, amended Private Acts of 1920, Chapter 115, above, by striking out that act's amendments to Private Acts of 1919, Chapter 161, and restoring that act's provisions to the original language, insofar as the original act provided for the furnishing of teams and wagons for road work. The bond authority given was not affected by this Act.
  17. Private Acts of 1927, Chapter 761, amended Private Acts of 1919, Chapter 161, Item 13, above, in Section 10, by striking the provision for the District Road Supervisor to be given a warrant book to draw warrants on the general road fund collected in the District, provided the same was countersigned by the Chairman of the Highway Commission. Section 25 was amended to provide that reports be made on a quarterly basis instead of semi-annually.
  18. Private Acts of 1933, Chapter 287, repealed all laws in conflict with this one which presumable would include Private Acts of 1919, Chapter 161, Item 13, above. This Act created a County Highway Commission, a Secretary of the Highway Commission, and the post of county Road Supervisor. The Highway Commission would be made up of five members, selected by the County Court from each of the areas specified in the Act, who would serve until January's first Monday, when their successors elected by popular vote would take over in 1934, and every four years thereafter. The Commission would elect the Road Supervisor, who could not be a member of the Commission, or be holding any other county, or state, office, who must be at least 25 years old and experienced in road building. The Road Supervisor would serve for one year beginning in each January. He would be sworn, bonded, and compensated annually at no less than \$1,000 nor more than \$2,000, payable in equal monthly installments out of the road funds of the county, the salary being fixed by the Quarterly Court at its January meeting each year. The Road Supervisor would operate the Department of Roads, employ its personnel, and, with the purchasing committee of the County Court, buy supplies, up to \$250 without the Committee, but with them on all purchases exceeding that amount. The Supervisor could work the prisoners on the county road under certain conditions and assign road hands to Districts. The Highway Commission could limit the weight to be hauled on the roads and penalize those who violated it. The Quarterly Court could levy a general road tax of twenty cents per \$100 property valuation, and could elect a Secretary for the Commission who must be competent for the job and be paid a salary not to exceed \$40 a month who would keep all the records of the Commission and assist them in every way necessary to good road management.
  19. Private Acts of 1933, Chapter 879, exempted all the citizens of Dickson County from any road service, either personally, or by furnishing a team or equipment.
  20. Private Acts of 1945, Chapter 274, expressly and entirely repealed Private Acts of 1933, Chapter 287, the Road Law for Dickson County.
  21. Private Acts of 1945, Chapter 327, formed a County Highway Commission, created the positions of Supervisor of Roads and of Secretary to the Commission, and to the Road Supervisor. The Highway Commission would have six members elected for two years in August, 1946, from the specified Civil Districts on the second Monday in September, 1946, and every two years thereafter a Road Supervisor would be elected, who must be at least 25 years old but no more than 65, with a good understanding of the building and maintenance of roads, who would devote full time to the duties of this office and could not hold any other. The present commissioners and Road Supervisor were continued in office until the others could be elected. The Commissioners would select a chairman from their own members and meet at least six times each year but no more than twelve to exercise general supervision over the programs for roads, to prepare maps, to lay out, index and classify roads, who would be sworn and bonded, and be paid \$4.00 for each day's service. The Road Supervisor would draw no less than \$1,000 nor more than \$2,500, the exact amount to be fixed by the Quarterly Court at its October meeting, would be in immediate charge of the Department, employ its personnel and fix their salaries. The Supervisor would be in charge of the material, tools, and equipment of the Department and was required to cooperate with all the purchasing procedures of the County. No warrants were to be issued unless the money was on hand to pay for them. The Commission and Supervisor could dispose of requests to open, close, or change roads, and regulate the use of roads and the weight to be transported on them. Workhouse prisoners could be used on the roads if certain specified conditions were met. The Commission could elect a Secretary at a salary up to \$60 a month who must also be sworn and bonded. All vacancies were to be filled in the same manner as the original appointments. This Act was repealed by Private Acts of 1969, Chapter 32.
  22. Private Acts of 1947, Chapter 675, amended Private Acts of 1945, Chapter 327, above, in Section 6, to charge the County Road Supervisor with the laying out and classifying of the various county roads, and to prepare maps of the same, subject to the supervision and approval of the Highway

- Commission. Section 9 was changed to remove the requirement that the road foremen must do some kind of labor and also the necessity of the Quarterly Court to approve the purchases made by the Highway Commission and the Road Supervisor. Section 15 was altered to raise the salary of the Secretary from \$60 to \$100 per month.
23. Private Acts of 1949, Chapter 230, amended Private Acts of 1945, Chapter 327, in Section 3, to provide that on the first Thursday in August, 1950, and every four years thereafter, the people would elect a Supervisor of Roads for four years, starting on September 1, following the election. The present incumbent would hold office until September 1, 1950. The Supervisor must be no less than 25 years old and no more than 65, and qualified for road construction and maintenance work, and could hold no other public office. Section 8 was amended to increase the Supervisor's annual salary from \$2,400 to \$3,600 and added a provision that the same could not be changed during the term for which the Supervisor was elected. Section 9 was changed to provide that all purchases over \$500 must be first approved by a committee of the County Judge, the County Court Clerk, and the County Trustee.
  24. Private Acts of 1967, Chapter 63, amended the Dickson County Road Law by substituting a whole new Section 3 to provide that all purchases in excess of \$1,000 before being valid must be approved by a committee consisting of the county Road Supervisor, and the six county Highway Commissioners, or a majority of them.
  25. Private Acts of 1967-68, Chapter 424, proposed a new road law for Dickson County but was rejected by the Quarterly Court and never became effective under the Home Rule Amendment to the Constitution. The management of the Road Department would be by a County Road Superintendent elected at the general election in August, 1968, for a four year term beginning September 1, 1968, and without any limitations on the number of terms to be served. The annual salary would be equal to that of the County Court Clerk as fixed under Section 8-2403, Tennessee Code Annotated, which would be paid out of the County Road Fund. Any vacancy would be filed by the Quarterly Court until the next general election. The Superintendent would be sworn into office and must execute a bond for \$10,000. He would be the head of the Highway Department and have general control over the various activities thereof. The Superintendent would determine the total number of employees in the Department, set their hours of work and compensation, and otherwise establish personnel policies, keeping such books and records as might be necessary. He would have the authority and control over all machinery, tools, equipment and supplies, keeping accurate and regular inventories of them. All purchases over \$1,000 must be approved by a committee of three members of the County Court, the Road Superintendent, and the County Judge, and must be on a competitive basis. Any obstructions to roads could be removed on order of the Superintendent.
  26. Private Acts of 1969, Chapter 32, established the County Road Law for Dickson County, provided for an elected Road Commission. Each magisterial district was to elect one Road Commissioner for a term of two years. The act also provided for an elected County Road Engineer to serve a term of four years. This act received local approval and was the basic road law for Dickson County until repealed by Chapter 53 of the Private Acts of 1985.
  27. Private Acts of 1972, Chapter 342, amended Private Acts of 1969, Chapter 32, in Section One by changing the seven Commissioners provided for therein to a Commissioner from each of the magisterial districts of the county; rewrote Section 2 to set the term of the Road Commissioners at two years beginning on September 1, following their election, and Section 3 was changed to make a majority of the Commissioners a quorum instead of the five originally mentioned. The act received local approval.
  28. Private Acts of 1974, Chapter 258, was not approved by the Quarterly Court and was thereby rendered null and void. This Act set up a road system consisting of one Chief Administrative Officer and three Commissioners in Dickson County. The Chief Administrative Officer would be the County Road Supervisor elected at the regular August general election in 1974, and every two years thereafter but members of the Commission were to be selected by the Quarterly Court for two year terms. The Commissioners were to be sworn into office and bonded, would meet and organize by selecting a Chairman and a Vice-Chairman. The Commission would advise with the Road Superintendent, assisting him in his long range planning and in classifying and indexing the public roads, was given the authority to open, close, or change the public roads and to keep detailed records of all transactions in regard thereto. The Purchasing Committee was made up of the County Judge, the Road Superintendent, and a member of the County Court and were required to approve all purchases in excess of \$500. The Act would have repealed Private Acts of 1969, Chapter 32, as amended.
  29. Private Acts of 1978, Chapter 301, amended Private Acts of 1969, Chapter 32, the Dickson County

Road Law in Section 5 to increase the per diem of the Road Commissioners from \$12 to a minimum of \$25 with a provision that that amount could be increased by the Resolution of the County Court. The act received local approval.

30. Private Acts of 1988, Chapter 139 authorized the county legislative body to designate routes on the county roads for the use of new business or locations for producing a mineral product, and to provide speed limits on such roads. The act also provided for notice, public hearings, route plans and civil penalties for violators. This act was not acted on by December 1, 1988, and, pursuant to T.C.A. § 8-3-202, it is null and void and of no effect whatsoever.
31. Private Acts of 2002, Chapter 99, amended Private Acts of 1969, Chapter 32. The act was not adopted by the county legislative body. Private Acts of 1969, Chapter 32, was repealed by Private Acts of 1985, Chapter 53.
32. Private Acts of 2017, Chapter 14, would have repealed Private Acts of 1985, Chapter 53, to abolish the County Highway Commission and office of the County Highway Engineer. The act was not adopted by the county legislative body.
33. Private Acts of 1985, Chapter 53, was repealed by Private Acts of 2018, Chapter 38.
34. Private Acts of 2018, Chapter 38, was repealed by Privates Acts of 2019, Chapter 16.

## Chapter X - Law Enforcement

### Law Enforcement - Historical Notes

#### **Militia**

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

1. Acts of 1803, Chapter 1, was a military code and a militia law for the State which made all free men and indentured servants between the ages of 18 and 45 eligible for the militia but naming some exceptions as Judges, ministers, cabinet officers, ferrymen, Justices of the Peace, and others. A Table of Organization in which all county units were included designated the Dickson County unit as the 25th Regiment which would drill and muster with the Battalion on the second Thursday in October of each year.
2. Acts of 1803, Chapter 69, provided that the Sheriff, or a Deputy of Dickson County, and the Sheriff, or a Deputy, of Stewart County, would hold an election on the first Thursday and Friday in June, next, at the place for holding courts to elect the county field officers of the militia. All Justices of the Peace who were acting in Montgomery County prior to the passage of this Act were declared to be Justices of the Peace in the counties where they resided.
3. Acts of 1815, Chapter 119, reenacted the entire military code of the State in order to accommodate the expanding militia units in Tennessee. The eligibility standards were not changed. The Table of Organization in Section 2 established units in all counties assigning Dickson Regiment as the 25th Regiment which would join the Robertson County units to form the 6th Brigade along with Stewart, Humphreys, Hickman and Montgomery Counties. A Regiment consisting of two Battalions composed of at least 2 companies of 40 privates, 2 musicians, 3 Sergeants, 3 corporals, one captain, one Lieutenant, and one Ensign.
4. Acts of 1817, Chapter 168, provided that the Sixth Regiment of calvary would hereafter hold their regimental muster on the Thursday after the second Saturday in October, annually, at the house of Thomas Simmons on Yellow Creek in Dickson County.
5. Acts of 1819, Chapter 68, reconstituted the entire militia law of the State. Male whites between the ages of 21 and 50, and indentured servants were the ones composing the militia with the generally accepted ones being excused. Dickson County had the 25th Regiment which would muster and drill on the second Saturday in October each year.
6. Acts of 1825, Chapter 69, rewrote the militia law of the State providing for free men and indentured servants between the ages of 18 and 45 to compose the state militia. The Sixth Brigade contained the units in the counties of Robertson, Hickman, Montgomery, Dickson and Stewart, which was also a part of the Second Division. Dickson County still had the 25th Regiment which would muster and drill on the second Saturday in October.



7. Acts of 1825, Chapter 86, made it the duty of the Governor to appoint an Inspector General for the State Militia and rearranged the county drill times in some of the counties of the State. In Dickson County the muster and drill would come on the second Monday and Tuesday in June of each year.
8. Acts of 1826, Chapter 18, amended the State Militia Law dealing with several different aspects of the military code, and revising some of the rules dealing with courts martial. The calvary of Dickson County, Stewart County, and Hickman County would make up the Second Squadron which would muster at the house of Alexander Dickson on Yellow Creek in Dickson County on the fourth Friday in September.
9. Acts of 1826, Chapter 36, made it lawful in the elections for all the field officers in the militia of the Counties of Dickson, Jackson, Campbell, Claiborne, Stewart, Marion, Humphreys, and Hardin to be holden at the different places designated by the County Courts of the said counties at the same time as other elections were held.
10. Acts of 1827, Chapter 248, Section 11, reset the times for the county drills for the regiments in the 6th Brigade of the Tennessee Militia. Dickson County's unit would muster for county drills on the first Monday and Tuesday in October of each year.
11. Acts of 1835-36, Chapter 21, was an entirely new militia law and military code for the Tennessee units which was passed pursuant and subsequent to the new 1835 Constitution. The Militia would hereafter be made up of free white men between the ages of 18 and 45. The state was divided into various regiments, brigades, and divisions, and provisions were included for the orderly assembly of the units and their training. Dickson County had the 96th Regiment and joined Davidson County to form the 16th Brigade.
12. Acts of 1837-38, Chapter 157, Section 3, amended the State Militia Law by scheduling the times for the countywide drills of each unit and making it compulsory under penalty that all officers attending the same. Dickson County would muster on the second Friday and Saturday in September of each year and would be a part of the 16th Brigade with Davidson County.
13. Acts of 1839-40, Chapter 56, page 91, was the next complete militia law which contained all the regulations for the internal discipline of each unit, and the guides for the courts martials were detailed. Drill times were scheduled for all county units through the regimental level. Dickson County had the 96th Regiment.

### **Sheriff**

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

1. Acts of 1806, Chapter 43, named James Elder, Hugh Bell, John Shelby, Henry Small, and Charles Stuart, as Commissioners, to select the best site in Clarksville for the erection of a Court House and prison for the Robertson District which included Dickson County. The respective county courts were given the authority to levy a tax in 1807, and in the two succeeding years on white polls, slaves, land, town lots, merchants, and stud horses in order to defray the expenses of the project.
2. Acts of 1809, Chapter 50, appointed Joseph Woolfalk, of Montgomery County, as a Commissioner to succeed Hugh F. Bell and all the power and authority originally granted to the Commissioners in 1806 Act above. Bell had moved from the Robertson District and was therefore no longer eligible to serve.
3. Acts of 1820, Chapter 117, Section 5, authorized the Sheriff of Dickson County to make all his advertisements arising in his official capacity in some paper printed in Nashville in Davidson County and the Ranger of Dickson County could likewise advertise the estrays to be sold in the same manner.
4. Acts of 1822, Chapter 83, was the legal authority and requirement for the Ranger of Dickson County to advertise in some paper printed in the city of Nashville all the estrays he had picked up which he was required to sell under the law.
5. Acts of 1826, Chapter 140, Section 2, allowed Richard Batson, the Sheriff of Dickson County, the further time of two years to collect the arrearages due him while he was occupying the office of Sheriff in the county, the extension to start on January 1, next.
6. Acts of 1831, Chapter 115, made it legal for the Sheriff of Dickson County in all cases where he is satisfied that sales were made by him, or his predecessor in office, of lands, slaves, or other property, under execution, the records of which might have been lost the destruction of the Court

House by the recent violent storm in Dickson County, to execute deeds, or other evidences of title, to the purchasers if the necessity arose, which latter deed would be as lawful, valid, and binding as the original one, or the lost one.

7. Acts of 1833, Chapter 105, allowed William Bishop, the jailer of Dickson County, the sum of \$62.87 for the deeping of James Hales in the common jail of the County on an indictment of grand larceny. The Treasurer of Middle Tennessee was authorized to pay the above amount to Bishop upon his request.
8. Private Acts of 1909, Chapter 214, provided that the sum of \$100 per year, payable quarterly on the same type warrant as the Clerks of the Courts were paid, would be paid to the Sheriff of Dickson County for his necessary services rendered in attending the sessions of the Special Circuit Court and the Chancery Courts held in the town of Dickson.
9. Private Acts of 1919, Chapter 772, amended Private Acts of 1909, Chapter 214, Section 1, above, by increasing the amount to be paid to the Sheriff of Dickson County for attending the special Circuit and Chancery Courts at Dickson from \$100 to \$400 each year, payable quarterly.
10. Private Acts of 1927, Chapter 266, was the legal authority and power for the Quarterly Court of Dickson County (identified by the use of the 1920 Federal population figures) to appropriate to the Sheriff of the County by Resolution as extra compensation a part of all fines collected from defendants for the violation of the prohibition, or anti-liquor laws, by such Quarterly Courts had already acted as stated above, this Act ratified and confirmed their actions.
11. Private Acts of 1929, Chapter 863, amended Private Acts of 1919, Chapter 772, Section One, by increasing the compensation of the Sheriff for waiting upon the special Circuit and Chancery Court in Dickson from \$400 to \$1200 per year, making it the intention of this legislation to cause to be paid to the Sheriff of Dickson County the sum of \$1,200 instead of \$400 as the ex-officio salary of the office.

## Chapter XI - Taxation

### Adequate Facilities Tax

#### Private Acts of 2000 Chapter 158

**SECTION 1.** This act shall be known and cited as the Dickson County Adequate Facilities Tax.

**SECTION 2.** As used in this act, unless a different meaning appears from the context:

- (1) "Board of Zoning Appeals" means the board established in Dickson County pursuant to Tennessee Code Annotated, Section 13-7-106.
- (2) "Building" means any structure built for the support, shelter, or enclosure of persons, chattels, or movable property of any kind; the term includes a mobile home, but excludes those buildings specified in Section 6 below.
- (3) "Building permit" means a permit for development issued in Dickson County, whether by the county or by any city therein.
- (4) "Capital improvement program" means a proposed schedule of future projects, listed in order of construction priority, together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local government operating expense, for the purchase, construction, or replacement of the physical assets of the community are included. (5) "Certificate of occupancy" means a license for occupancy of a building or structure issued in Dickson County, whether by the county or by any city therein.
- (6) "Development" means the construction, building, reconstruction, erection, extension, betterment, or improvement of land providing a building or structure or the addition to any building or structure, or any part thereof, which provides, adds to, or increases the floor area of a residential or non-residential use.
- (7) " Dwelling unit" means a room, or rooms, connected together, constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease on a daily, weekly, monthly, or longer basis; physically separated from any other room(s) or dwelling units which may be in the same structure; and containing independent cooking and sleeping facilities.

(8)(A) "Floor area" for non-residential development means the total of the gross horizontal area of all floors, including usable basements and cellars, below the roof and within the outer surface of the main walls of principal or accessory buildings, or the center lines of party walls separating such buildings or portions thereof, or within lines drawn parallel to and two (2) feet within the roof line of any building, or portions thereof without walls, but excluding arcades, porticoes, and similar open areas which are accessible to the general public, and which are not designed or used as sales, display, storage, services, or production areas.

(B) "Floor area" for residential development means the total of the gross horizontal area of all floors, including basements, cellars, or attics which is heated and/or air-conditioned living space, or designed to be finished into heated and/or air-conditioned living space at a future date.

(9) "General plan" means the official statement of the planning commission which sets forth major policies concerning future development of the jurisdictional area and meeting the provisions set forth in Tennessee Code Annotated, Sections 13-3-301, 13-3-302, and 13-4-302. For the purpose of the act only, a general plan may consist solely of the land development plan element which sets out a plan or scheme of future land usage.

(10) "Governing body" means the County Commission of Dickson County, Tennessee.

(11) "Major Street or Road Plan" means the plan adopted by the planning commission, pursuant to Tennessee Code Annotated, Sections 13-3-402 and 13-4-302, showing, among other things, the general location, character, and extent of public ways (and) the removal, relocation, extension, widening, narrowing, excavating, abandonment or change of use of existing public ways.

(12) "Non-residential" means the development of any property for any use other than residential use, except as may be exempted by this act.

(13) "Person" means any individual, firm, co-partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate or other group or combination acting as a unit, and the plural as well as the singular number.

(14) "Place of worship" means that portion of a building, owned by a religious institution which has tax-exempt status, which is used for worship services and related functions; provided, however, that a place of worship does not include buildings or portions of buildings which are used for purposes other than for worship and related functions or which are or are intended to be leased, rented or used by persons who do not have tax-exempt status.

(15) "Public Building" means a building owned by the State of Tennessee, or any agency thereof, a political subdivision of the State of Tennessee, including, but not necessarily limited to, counties, cities, school districts and special districts, or the federal government or any agency thereof.

(16) "Public facility or facilities" means a physical improvement undertaken by the county or city, including, but not limited to, the following: roads and bridges, parks and recreational facilities, jails and law enforcement facilities, schools, libraries, government buildings, fire stations, sanitary landfills, water, wastewater and drainage projects, airport facilities, and other governmental capital improvements benefiting the citizens of the county and/or city.

(17) "Residential" means the development of any property for a dwelling unit or units.

(18) "Subdivision regulations" means the regulations adopted by the Dickson County regional planning commission pursuant to state statutory authorization in October, 1969, as amended, by which the county regulates the subdivision of land.

(19) "Zoning resolution" means the resolution adopted by the governing body pursuant to state statutory authorization on October 27, 1988, as amended;

**SECTION 3.** It is the intent and purpose of this act to authorize Dickson County to impose a tax on new development in the county, which requires a building permit, payable at the time of issuance of a building permit or as set out hereinafter, so as to ensure and require that persons responsible for new development share in the burdens of growth by paying their fair share for the cost of new and expanded facilities made necessary by such development.

As amended by: Private Acts of 2002, Chapter 162

**SECTION 4.** Engaging in the act of development within Dickson County, except as provided in Section 6 herein, is declared to be a privilege upon which Dickson County may, by resolution of the governing body, levy a tax as set forth in Section 7.

**SECTION 5.** The governing body shall impose the tax authorized herein by resolution after adopting a capital improvements program indicating the need for the cost of public facilities anticipated to be funded,

in part, by this tax and after finding that the need for such public facilities is reasonably related to new development in the county. The resolution of the governing body imposing this tax shall state the rate of tax on new residential and non-residential development, and shall require a two-thirds (2/3) vote of the county legislative body in favor of the resolution to set the tax rate or to thereafter change the tax rate. The governing body shall, by resolution, adopt administrative guidelines, procedures, regulations and forms necessary to properly implement, administer and enforce the provisions of this act.

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

- (1) Public buildings.
- (2) Places of worship.
- (3) Barns or outbuildings used for agricultural purposes.
- (4) Replacement structures for previously existing structures destroyed by fire or other disaster.

**SECTION 7.** For the exercise of the privilege described herein. Dickson County may impose a tax on new development at a rate set by the governing body per gross square feet of new residential and non-residential development.

**SECTION 8.** The tax established in this act shall be collected in the following manner:

- (1) If a building permit is issued by the county, the county building inspector’s office shall receive payment in full at the time of application for a building permit for development as herein defined; or
- (2) If the building permit is issued by a city, the city shall, before issuance of a building permit, require evidence of a valid certificate executed by the county building inspector’s office that the full amount of tax due the county has been paid in full; or
- (3) If a city does not require a building permit for development within the city, the person or entity desiring to engage in any kind of development within that city shall, before beginning development, pay to the county building inspector’s office the full amount of the tax due and obtain a receipt for payment evidencing that the tax has been paid in full.

No building permit for development as herein defined shall be issued in Dickson County, nor shall any person be permitted to begin development unless the tax has been paid in full and the person has been issued a building permit, or, if any city does not require a building permit, the person has a receipt from the county building inspector’s office evidencing payment of this tax in full. The issuance of a building permit by any city official, without a certificate from the county that the tax has been paid, shall render the city liable to the county for the sum or sums that would have been collected by the county, had a certificate of tax been required by the city.

As amended by: Private Acts of 2002, Chapter 162

**SECTION 9.** All tax funds collected shall be used for the purpose of providing public facilities, the need for which is reasonably related to new development.

**SECTION 10.** The authority to impose this privilege tax on new development in Dickson County is in addition to all other authority to impose taxes, fees, assessments, or other revenue raising or land development regulatory measures granted either by the private or public acts of the state of Tennessee and the imposition of such tax, in addition to any other authorized tax, fee, assessment or charge, shall not be deemed to constitute double taxation.

**SECTION 11.** (a) Any person aggrieved by the decision of the county building official or other responsible official concerning any aspect of this act may obtain review of the official’s decision in the following manner:

- (1) By payment of the disputed amount to Dickson County and by notifying the official that the payment is made under protest; or
- (2) By requesting an appeal of the decision of the official in written form within ten (10) days of the protest and payment. Appeals shall be heard by the Dickson County board of zoning appeals. Hearing shall be scheduled within forty-five (45) days of the written request for appeal.

(b) The board of zoning appeals shall render a decision on all hearings within thirty (30) days of the hearing date, unless the hearing is continued from time to time by a majority vote of the board for further information.

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

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

- (1) The building official shall explain his ruling and the reasons for his ruling.
- (2) The appellant shall explain his reasons for protesting the ruling.
- (3) The board may request further information from any county official, including, but not limited to, the county executive, county commissioners or committee members, the county attorney, or the county planning staff. The board will not have the power of subpoena.
- (4) The board will deliberate and render a decision by a majority vote. Decisions will be reduced to writing and copies shall be sent to all parties and shall become a part of the minutes of the board. Decisions of the board of zoning appeals shall be final, except that either the building official, or the person aggrieved may seek review of the board's actions by certiorari and supersedeas to the Chancery Court of Dickson County, Tennessee, provided that an application to the court is made within sixty (60) days of the written decision of the board.

**SECTION 12.** The provisions of this act shall in no manner repeal, modify, or interfere with the authority granted by any other public or private law applicable to Dickson County. This act shall be deemed to create an additional and alternative method for Dickson County to impose and collect taxes for the purpose of providing public facilities made necessary by new development in the county.

(A) The county shall have a lien on any real property for the tax imposed by this act, if the tax has not been paid as required by this act, prior to the beginning of development. Notwithstanding any other provisions of this act, the county may seek and shall be entitled to injunctive relief to stop and enjoin further development of the property if the tax required by this act has not been paid in full. In addition the county shall have and retain such other rights that it may have at law for the collection of such taxes due hereunder.

As amended by: Private Acts of 2002, Chapter 162.

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

**SECTION 14.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Dickson County. Its approval or non-approval shall be proclaimed by the presiding officer of the County Legislative Body and certified by him to the Secretary of State.

**SECTION 15.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 14.

Passed: June 9, 2000.

## Hotel/Motel Tax

### Private Acts of 1987 Chapter 25

**SECTION 1.** For the purposes of this Act:

- (a) "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.
- (b) "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.
- (c) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings or accommodations in any hotel.
- (d) "Transient" means any person who exercises occupancy or is entitled to occupancy for any rooms, lodgings or accommodations in a hotel for a period of less than thirty (30) continuous days.
- (e) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property 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.

(f) "County" means Dickson County, Tennessee.

(g) "Operator" means the person operating the hotel whether as owner, lessee or otherwise, including any governmental entity operating a hotel, whether as owner or otherwise.

(h) "Clerk" means the county clerk of Dickson County, Tennessee.

As amended by: Private Acts of 1988, Chapter 194.

**SECTION 2.** The legislative body of Dickson 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.

**SECTION 3.** The proceeds received by the county from the tax shall be designated and used for the economic development of Dickson County.

**SECTION 4.** Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of his or her hotel, such invoice to be given directly or transmitted to the transient and such tax shall be collected by such operator from the transient and remitted to Dickson County.

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 or her, 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 county clerk or such other officer as may by resolution be charged with the duty of collection thereof, said 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 said tax from the transient at the time of the presentation of the invoice for said 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 these sections 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 or her report and paying the amount due by such operator, provided the amount due was not delinquent at the time of payment.

**SECTION 6.** The clerk, or other authorized collector of the tax, shall be responsible for the collection of said tax and shall place the proceeds of such tax in accounts for the purpose 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 per 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 county clerk on or before the due dates shall be delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at the rate of twelve percent (12%) per annum, and in addition for penalty of one percent (1%) for each month or fraction thereof such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Each occurrence of willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is hereby declared to be unlawful and shall constitute a misdemeanor punishable upon conviction of a fine 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 or she may have been liable for the collection of and

payment to the county, which records the county clerk shall have the right to inspect at all reasonable times.

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

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

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedies provided in Title 67, Tennessee Code Annotated, it being the intent of this act that the provisions of law which apply to the recovery of state taxes illegally assessed and collected under the authority of this act; provided further, the county clerk shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67-1-707 for the county clerks.

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

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

**SECTION 11.** The proceeds of the tax authorized by this act shall be allocated to and placed in the General Fund of Dickson County to be used for the purposes stated in Section 3 of this act.

**SECTION 12.** If any provision of this act or the application thereof to any person or circumstances 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 Dickson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by the presiding officer of the county legislative body to the secretary of state.

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

Passed: March 12, 1987.

## Litigation Tax

### Private Acts of 1974 Chapter 215

**SECTION 1.** A litigation tax of ten dollars (\$10.00) shall be levied and taxed as a part of the costs in all civil and criminal actions in General Sessions Court, Circuit Court and the Chancery Court of Dickson County.

As amended by: Private Acts of 1981, Chapter 32

**SECTION 2.** The Clerks of the respective courts shall collect the litigation tax and pay the money to the County General Fund.

All expenditures made from these revenues shall be made by the County Judge or Executive upon authorization of the Board of County Commissioners of Dickson County.

As amended by: Private Acts of 1981, Chapter 32

**SECTION 3.** This act shall have no effect unless it is approved by two-thirds (2/3) vote of the Board of County Commissioners of Dickson County at or before its regular July, 1981, meetings. Its approval or non-approval shall be proclaimed by the presiding officer and certified by him to the Secretary of State.

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

Passed: March 11, 1981.

## Motor Vehicle Tax

## Private Acts of 1976 Chapter 206

**SECTION 1.** For the privilege of using the public roads and highways, except state-maintained roads, in Dickson County, Tennessee, there is levied upon motor-driven vehicles, including motorcycles and motor-driven bicycles and scooters, and upon the privilege of the operation thereof, except farm tractors, self-propelled farm machines not usually used for the operation upon public highways or roads, and except all motor-driven vehicles owned by any governmental agency or governmental instrumentality, a special privilege tax for the benefit of such county, which tax shall be in the amount of Ten Dollars (\$10.00) for each such motor-driven vehicle.

This tax applies to, is a levy upon, and shall be paid on each motor-driven vehicle, the owner of which lives within, or usually stays within, or who operates such a motor-driven vehicle, on, over, or upon the streets, roads, or highways of said county, state-maintained roads excluded, for a period of as many as sixty (60) days, during any year hereafter.

**SECTION 2.** It shall be and is hereby declared to be a misdemeanor and punishable as such for any owner of a motor-driven vehicle taxable hereunder to operate or allow to be operated such motor-driven vehicle upon the streets, roads or highways of said county, state-maintained roads excluded, without the payment of the tax herein levied and without full and complete compliance with all provisions hereof. Provided further that nothing in this Act shall be construed as permitting and authorizing the levy and collection of a tax against non-residents of Dickson County or against owners of such vehicles using the streets, roads, and highways of said county, who live or reside outside the bounds of the County but do not come within the provisions of this Act, and within a reasonable construction of the provisions hereof.

Any new resident of Dickson County shall be allowed thirty (30) days after establishing his residence in the county within which to comply with the provisions of this Act.

**SECTION 3.** The tax herein levied shall be paid to and collected by the County Court Clerk of Dickson County, who shall collect this tax at the same time he collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State. The Clerk shall not issue to a resident of said county and state license for the operation of a motor-driven vehicle taxable hereunder unless, at the same time, such owner shall purchase the license or pay the privilege tax levied hereunder, for the operation of each of his motor-driven vehicles under the provisions of this Act.

**SECTION 4.** Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the Clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by a decal or emblem also issued by the Clerk, which shall be displayed by affixing the same on and to the designated place on the license plate.

As amended by: Private Acts of 1988, Chapter 196  
Private Acts of 1988, Chapter 200

**SECTION 5.** The design of the decal or emblem shall be determined by the County Court Clerk. The expense incident to the purchase of such decals and emblems herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the clerk shall be paid from the General Fund of the county.

**SECTION 6.** The privilege tax or wheel tax herein levied, when paid together with full, complete and explicit performance of and compliance with all provisions of this Act, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid and on which the decal or emblem has been affixed as herein provided, to operate or allow to be operated his vehicle over the streets, roads, and highways of the county for a period of one year from March 1st of each year until midnight on the last day of February of the next succeeding year. There shall be a grace period of forty-six (46) days to commence on March 1st of each year and end at midnight on April 15th to allow for the purchase of new emblems and decals as required herein.

When a vehicle becomes taxable under the provisions of this Act, at a later date than the above required date, the same proportionate reduction shall be made as to the cost of the wheel tax, or the amount to be paid to the County Court Clerk therefor, as is now made in the issuance of the privilege tax payable to the State of Tennessee and collected by the Clerk, under the provisions of the general laws of this State.

**SECTION 7.** For his services in collecting the aforesaid tax, and in issuing the receipt therefor and delivering the decal or emblem to the owner, the Clerk shall be entitled to a fee of Fifty Cents (\$.50) for each motor-driven vehicle, motorcycle, motor-driven scooter and bicycle, and further provided that this fee shall be deducted from the amount of wheel tax paid by and collected from the owner of each motor-driven vehicle, motorcycle or motor-driven scooter and bicycle as required by the provisions of this Act. The Clerk will faithfully account for, make proper reports of, and pay over to the Trustee of the county at monthly intervals, all funds paid to and received by him for the payment of the aforesaid wheel



tax.

**SECTION 8.** In the event any motor-driven vehicle for which the wheel tax has been paid and the emblem or decal issued and placed thereon, becomes unusable or is destroyed or damaged to the extent that it can no longer be operated over the public roads, streets or highways of said county; or in the event that the owner transfers the title to such vehicle, and completely removes therefrom and destroys the decal or emblem issued for and placed thereon, and the owner makes proper application to the Clerk for the issuance of a duplicate decal or emblem to be used by him on another vehicle for the unexpired term for which the original decal or emblem was issued, and the Clerk is satisfied that the applicant is entitled to the issuance of such a duplicate decal or emblem, and the owner pays into the hands of the Clerk the sum of One Dollar (\$1.00) of which fifty cents (\$.50) shall be the Clerk's fee, the Clerk shall then issue to such owner a duplicate receipt, canceling the original receipt delivered to him by the owner, and will deliver to the owner a duplicate decal or emblem, which shall be affixed to the motor-driven vehicle for which it is issued, as herein provided, and such duplicate decal or emblem shall entitle the owner to operate or allow to be operated the vehicle upon the streets, roads, and highways of said county for the remainder of the period for which the original decal or emblem was issued. Likewise, in the event a decal or emblem becomes obliterated, erased, or defaced, or is destroyed under the provisions of this Act, and is therefore illegible and unusable by the owner, upon proper application made by the owner and filed with the Clerk, showing such circumstances and facts to be true, then the Clerk, upon receipt from the owner of One Dollar (\$1.00) from which the Clerk shall deduct fifty cents (\$.50) as his fee, shall issue and deliver to the owner, a duplicate decal or emblem.

**SECTION 9.** That the proceeds from the tax herein imposed, when collected by the Clerk and paid into the hands of the Trustee, shall be placed in the Highway Fund of Dickson county to be used for county road maintenance only.

**SECTION 10.** Any person violating the provisions of this Act, upon conviction, shall be fined not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00).

**SECTION 11.** The tax herein levied shall be collected beginning March 1, 1976, and each subsequent year thereafter.

**SECTION 12.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Dickson County, Tennessee. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 13.** This Act is declared severable in its construction, and if any section or provision of said act should be declared unconstitutional by a court of competent jurisdiction, the remaining sections or provisions will have full force and effect; it being the legislative intent that this Act would have been enacted without the inclusion of the unconstitutional provisions or sections thereof.

**SECTION 14.** For the purpose of approving or rejecting the provisions of this Act as provided in Section 12, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, this Act shall take effect upon approval as provided in Section 12.

**SECTION 15.** All disabled veterans who are one hundred percent (100%) disabled (service connected) and prisoners of war receive two (2) wheel stickers without charge and each wheel chair confined person receive one (1) wheel sticker without charge, provided that the disabled veterans, prisoners of war and wheel chair confined persons receive free license plates from the State of Tennessee.

As amended by: Private Acts of 1988, Chapter 196

**SECTION 12.** That all disabled veterans who are one hundred percent (100%) disabled (service connected) and prisoners of war receive two (2) wheel tax stickers without charge and each wheel chair confined person receive one (1) wheel tax sticker without charge, provided that said disabled veterans, prisoners of war and wheel chair confined persons shall receive free license plates from the State of Tennessee.

As amended by: Private Acts of 1988, Chapter 200

**COMPILER'S NOTE:** Private Acts of 1988, Chapter 196 and Private Acts of 1988, Chapter 200, amend Section 4 of this chapter with identical language. Private Acts of 1988, Chapter 196, adds new Section 15 while Private Acts of 1988, Chapter 200, adds a new Section designated as Section 12.

Passed: February 11, 1976.

## 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 Dickson County Assessor.

1. Private Acts of 1911, Chapter 411, amended the general State law on Tax Assessor's for several counties including Dickson County which set the annual salary of the assessor at \$800.
2. Private Acts of 1917, Chapter 208, also amended Private Acts of 1911, Chapter 411, Item 1, above, but the amendment apparently only applied to Monroe County although Dickson County was mentioned as being within the population figures quoted.
3. Private Acts of 1917, Chapter 250, was a duplicate of Chapter 208, Item 2, above, quoting the same population figures.
4. Private Acts of 1919, Chapter 106, amended Private Acts of 1917, Chapter 208, Item 2, above, by increasing the annual salary of the Tax Assessor therein mentioned from \$800 to \$1,200. Again there is some question on whether this Act applied to Dickson County.
5. Private Acts of 1925, Chapter 520, amended Private Acts of 1911, Chapter 411, Section 1, by fixing the salary of the Tax Assessor in Dickson County (identified by the use of the 1920 Federal Census figures) at \$1,200 annually beginning with the year 1925 and continuing thereafter.
6. Private Acts of 1949, Chapter 583, stated that the compensation of the Tax Assessor in Dickson County would hereafter be \$1,800 per year instead of \$1,200 payable out of the county treasury on the warrant of the County Judge, or Chairman, which would be countersigned by the County Court Clerk. The salary could be paid in equal monthly installments, or in such a way as might be mutually agreeable to the parties.
7. Private Acts of 1955, Chapter 392, provided that the Tax Assessor of Dickson County would be paid \$2,200 annually in equal monthly installments, effective September 1, 1956. Our information is that no action was taken on this Act by the Quarterly County Court of Dickson County and therefore, if true, the act never became effective.

### **Taxation**

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

1. Acts of 1807, Chapter 46, authorized the Quarterly Court of Dickson County, a majority of the Justices being present, to levy a tax to be collected with the other taxes which would be used to complete the construction of the public buildings in the county, primarily located in the town of Charlotte.
2. Acts of 1809, Chapter 66, stated that the taxes hereinbefore imposed have been insufficient to build the Court house and prison in Clarksville for the Robertson District to which Dickson County belonged, this act was the authority for Montgomery County to levy an additional tax and Section 2 made it the duty of the Justices of the counties of Robertson, Dickson, Hickman, Stewart, and Humphreys, to lay a tax in 1810 to complete the construction of the Court House and pay off all the debts in connection with it. Commissioners must make a full and complete statement of the disposition of all the funds.
3. Acts of 1822, Chapter 138, authorized the Trustee of Dickson County to call on the Trustee of Hickman County for that part of the taxes due Dickson County collected by the Sheriff from the citizens living north of the line dividing those two counties. The Sheriff of Dickson County could proceed against the Hickman County Trustee if he failed or refused to act. The Hickman Trustee must furnish on oath a list of those owing taxes to Dickson County.
4. Acts of 1831, Chapter 73, recited in the introduction that a devastating storm had demolished nearly every building in Charlotte and spread wide destruction in Dickson County which would make it oppressive to collect taxes, therefore, this Act remitted all the State taxes for the years 1832 and 1833 to the County. The Collectors would pay over to the Commissioners of the County these tax funds whose primary duty would be to restore the Court House in Charlotte.
5. Acts of 1870, Chapter 50, provided that the Counties and cities in the State could levy taxes for county and municipal purposes in the following manner and upon these conditions (1) that all taxable property would be taxed according to its value, upon the principles established for State taxation, and (2) that the credit of no county, or city, would be given, or loaned, to any person, firm, or corporation, unless a majority of the Justices, or the Councilmen, first agree, and then upon an election being held wherein three-fourths of the voters agree. Twenty-six counties exempted themselves from the three-fourths approval vote, inserting a simple majority for the next ten years, but Dickson County was not among their number.

6. Private Acts of 1921, Chapter 487, amended Public Acts of 1907, Chapter 602, Section 32, to provide that in Dickson County the Board of Tax Equalization would be paid by the county as their compensation no less than \$4.00 per day.
7. Private Acts of 1931, Chapter 422, was the enabling law for the County of Dickson's Quarterly Court to levy a tax in the same manner as other taxes and to be collected as other taxes which would be used for general county purposes but said tax could not exceed 35 cents per \$100 property valuation.
8. Private Acts of 1937, Chapter 739, created the office of Delinquent Poll Tax Collector in Dickson County (identified by the use of the 1930 Federal Census figures) for a term of two years to be filled by the Quarterly County Court at its July term to serve until January 10 when a successor would be elected by the Court and every two years afterwards. All polls due on July 15 for the year 1936 were delinquent and all those not paid on April 1 after the due year were also delinquent. The Collector would be paid \$1.00 for each delinquent poll tax collected which would be added to the costs. The appearance of one's name on a delinquent list was sufficient to cause a distress warrant to be issued. The Collector must use only those receipts in books furnished by the Trustee to whom the money would be delivered each month. The Collector was to be sworn into office, and bonded, and he could examine the books and records of any firm in the county, conduct hearings, and issue subpoenas.
9. Private Acts of 1972, Chapter 384, provided that a litigation tax of \$5.00 would be taxes as part of the costs in all the criminal cases in the General Sessions Court of Dickson County. The Clerks of the Court would collect the tax and pay the money into the "Court House and Jail Maintenance, Repair, and Improvement Fund". All expenditures would be made by the County Judge upon the authorization of the Quarterly Court. This Act was repealed below in Item 11.
10. Public Acts of 1973, Chapter 226, repealed all the poll tax laws thereon the statute books in their entirety.
11. Private Acts of 1974, Chapter 235, specifically repealed Private Acts of 1972, Chapter 384, which set up a litigation tax in Dickson County.
12. Private Acts of 1982, Chapter 305, would have amended Private Acts of 1976, Chapter 206, to levy a \$10 special privilege tax against automobile dealers, but the Act was disapproved by the county legislative body on April 19, 1982.

---

**Source URL:** <https://www.ctas.tennessee.edu/private-acts/dickson>