



March 28, 2025

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# Wilson

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Dear Reader:

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

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

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# Wilson



Wilson County Courthouse

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**Updated By:** Stephen Austin, Legal Consultant, 2022

# Chapter I - Administration

## Beer Board

### Private Acts of 1953 Chapter 254

**COMPILER'S NOTE:** State law on the regulation of beer appears under Title 57 of the Tennessee Code Annotated.

**SECTION 1.** That the members of the Beer Committee or Board appointed by the County Court of Wilson County, Tennessee, under the authority of Chapter 69 of the Public Acts of the General Assembly of the State of Tennessee, for the year 1933, the Acts amendatory thereof, shall receive as compensation for their services the sum of five (\$5.00) dollars per diem, together with their mileage at the rate of five cents per mile for the miles traveled by them in going from their homes to the Courthouse in Lebanon, Tennessee, and in returning from said Courthouse to their homes. However, said compensation or Board for each calendar month, and to not more than six special meetings of said Beer Committee or Board, during the period of twelve months time. Said compensation and mileage is to be paid out of the ordinary funds of said County upon warrants drawn and issued by the County Judge of said county.

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

Passed: March 25, 1953.

## County Attorney

### Private Acts of 1974 Chapter 183

**SECTION 1.** There is created and established the office of County Attorney for Wilson County.

**SECTION 2.** The County Attorney shall be at least eighteen (18) years of age, a resident and citizen of Wilson County, and licensed to practice law in all of the courts of the state and in the United States District Courts.

**SECTION 3.** The County Attorney shall be elected by the Quarterly County Court.

**SECTION 4.** The term of office of the County Attorney shall be for two (2) years or until his successor is elected and qualified.

**SECTION 5.** Effective for the beginning of the new term of the county attorney in March, 1988, and at any time thereafter, the county legislative body shall establish the compensation of the county attorney.

As amended by: Private Acts of 1975, Chapter 26  
Private Acts of 1987, Chapter 87

**SECTION 6.** It shall be the function and duty of the County Attorney to render all legal advices, opinions, and services to the county and any of its officials, departments, offices, boards, and commissions; to prosecute and defend all suits instituted by or against the county or any of its departments, offices, boards and commissions; to represent the county on any hearings before any board or commission; and to prepare resolutions upon the request of members of the Quarterly County Court.

**SECTION 7.** The County Attorney shall take and subscribe to an oath to well and faithfully perform the duties of such office, to the best of his ability and to support the Constitution of the United States of America and the State of Tennessee.

**SECTION 8.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly Court of Wilson County on or before August 1, 1974. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

**SECTION 9.** For the purpose of approving or rejecting the provisions of this Act, as provided in Section 8, it shall take effect upon becoming a law, but for all other purposes, the provisions of the Act shall be effective only upon being approved as provided in Section 8.

Passed: February 13, 1974.

## County Register

# Property Identification Map

## Private Acts of 1975 Chapter 68

**SECTION 1.** Wilson County is authorized to adopt an official property identification map which assigns to each parcel of property within Wilson County, a number or other identifying symbol, by appropriate action of the Quarterly County Court.

**SECTION 2.** After the adoption of said property identification map, the County Register shall not record any deed without such number or symbol appearing thereon, and a notation at the end of the legal description of such property indicating that such property is improved, followed by the house and/or street number or post office address of the property.

**SECTION 3.** An official property identification map for the purpose of this Act is defined to be a property map or maps prepared by or for Wilson County, which identifies all parcels of real estate, assigns a number or other identifying symbol to each parcel and has been adopted by Wilson County by appropriate action of the Quarterly County Court as its official property identification map.

**SECTION 4.** All warranty deeds offered for recording within Wilson County, before being accepted for recording by the County Register, shall contain a notation on the face of the deed showing the correct mailing address of the new owner, if same is different from that of the property; and if tax bills are to be sent to any person other than the owner, said deed shall contain a notation of the name and correct mailing address of such other person. The County Register shall not be liable or responsible in any way for any inaccuracies or errors contained in said notation with respect to names and addresses.

**SECTION 5.** The County Register for Wilson County is hereby prohibited from accepting said deeds of conveyance which do not contain such information as is required by this Act, however, the failure on the part of the Register to comply with this provision shall not effect the validity of the instrument or its proper recordation.

The information herein above required shall not be construed to be a necessary part of the description of the property, but may be noted on the margin of the deed, or noted thereupon following the acknowledgement or any other conspicuous location.

**SECTION 6.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Wilson County on or before August 1, 1975. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

**SECTION 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 be effective only upon being approved as provided in Section 6.

Passed: April 17, 1975.

# Purchasing

## Private Acts of 1947 Chapter 637

**SECTION 1.** That the office of County Purchasing Agent is hereby created in Wilson County, Tennessee. The County Judge of said County shall be and is hereby designated as County Purchasing Agent of said County and hereafter, in this Act, he shall be referred to as the "Purchasing Agent."

**SECTION 2.** That said Purchasing Agent shall have the sole power and authority to contract for and purchase all materials, supplies, equipment of every kind whatsoever for the use of every official, agent, servant, department, or agency of, supported by, or under the control of the County Government, with certain exceptions herein set out; and no other official, employee or agent of the County or of any of its departments or agencies, shall have the right to contract for or purchase any of such materials, supplies or equipment. The Purchasing Agent shall likewise have the sole power and authority to arrange for the purchase or rental of any and all real estate, machinery, or other equipment where said purchases or rents are to be paid out of any funds belonging to or under the control of Wilson County or any department, institution or agency thereof; and no other officials, employee or agent of the County shall have the right or power to make or arrange for any such purchase or rental.

**SECTION 3.** That purchases or contracts for the purchases of supplies, equipment or material for the use of any official, employee, department or agency of the County Government, the estimated value of which exceeds \$1,000.00, which, except in emergencies as hereinafter provided, shall be executed by the Purchasing Agent only after he shall have advertised in a newspaper published or circulated in Wilson

County, Tennessee, and such other newspaper as he may deem proper, that sealed bids will be received by the Purchasing Agent, at a time fixed in the advertisement, and which sealed bids shall be opened publicly at a time fixed in the advertisement, which shall not be less than ten days after the publication of the advertisement, which sealed bids shall be opened publicly at the place, hour and date advertised. Such advertisement shall prescribe requirements by general classifications and state that detailed descriptions of the supplies, materials or equipment desired may be obtained from the Purchasing Agent upon application. Proposals shall be considered from manufacturers, producers, dealers, merchants, or their duly authorized selling agents. Bids received after the hour of opening will not be considered. Tabulation of bids shall be effected as promptly as possible, after which such tabulation will be opened for inspection.

Contracts shall be awarded only to established and responsible manufacturers, producers, dealers and merchants, and awards shall be made to the lowest and best bidders. The Purchasing Agent shall have the right to reject any or all bids in whole or in part and to waive technical defects in bids received. When two or more bids are submitted at the same price on the same character, kind and quality of supplies, materials or equipment to be purchased, the Purchasing Agent may, in his discretion, award the contract or contracts to either of such bidders, or may apportion the requirements between or among such bidders, or may elect or reject all such bids and advertise for additional bids. In addition to advertising for sealed bids, it shall be the duty of the Purchasing Agent to stimulate bidding by all other feasible means. The Purchasing Agent shall in all cases inform prospective bidders of the County's needs and stimulate and encourage competitive bidding.

As amended by: Private Acts of 1973, Chapter 147

**SECTION 4.** That when the estimated value of supplies, materials or equipment required for essential functions of the County Government is \$1,000.00 or less, the Purchasing Agent is authorized to purchase same without the necessity of advertisement or sealed bids, but in making such purchases the Purchasing Agent shall be diligent in securing competitive prices from manufacturers, producers, dealers and merchants, and shall always secure the lowest price possible; and in no instance shall any supplies, materials or equipment purchased under the authority of this paragraph be purchased at a higher price than the prevailing current market price in the Town of Lebanon, Tennessee, for such supplies, materials, or equipment.

As amended by: Private Acts of 1973, Chapter 147

**SECTION 5.** That when, in the opinion of the Purchasing Agent, an emergency exists requiring the immediate purchase of supplies, materials or equipment for the use of an official or Agent of the County, the Purchasing Agent may purchase or contract for the purchase of such materials, supplies or equipment without the necessity of advertisement or competitive bids, purchasing the same on most advantageous basis possible. Provided, that on all purchase orders issued for such emergency purchases there shall be included a statement signed by the Purchasing Agent, explaining the nature of the emergency and the reasons for handling the purchase as an emergency. Provided, that when any supplies are purchased under this emergency arrangement only as much supplies as are necessary to meet the emergency shall be bought, and if any officer or agent of the County on whose behalf supplies are purchased under this Act shall persist in the creation of emergencies, then it shall be the duty of the Purchasing Agent to decline to purchase supplies for such officer or agent of the County under this emergency arrangement.

**SECTION 6.** That subject to all other requirements herein set out, the purchase of supplies, materials and equipment for the County and its agencies may be on long or short-term contracts or orders to be executed or filled at certain seasons of the year, or by blanket contracts or orders of continuous duration to be executed at stated intervals.

**SECTION 7.** That the Purchasing Agent shall keep a complete record of all purchases made by him with copies of descriptive advertising, original bids when submitted in writing, and the names of all bidders, together with the amounts of their several bids, which records shall at all times be open to inspection by any taxpayer of the County or other interested party.

**SECTION 8.** That the Purchasing Agent shall not be financially interested, or have any personal beneficial interest, either directly or indirectly, in the purchase of any supplies, materials or equipment for the County, nor in any firm, corporation, partnership, association or individual furnishing any such supplies, materials, or equipment; nor shall the Purchasing Agent or any assistant or employee thereof accept or receive, directly or indirectly, from any person, firm, corporation, partnership or association whom any contract may be awarded by rebate, gift, or otherwise, any money or other thing of value whatsoever, or any promise, obligation or contract for future reward, compensation or remuneration.

**SECTION 9.** That the Purchasing Agent may, by regulation or otherwise, require security to accompany bids, and fix the amount thereof; govern the procedure for the delivery and storage of supplies, materials and equipment; govern the procedure by which vendors shall submit their invoices for payment; govern the method and procedure whereby the departments, agencies or officials of the County shall inform the



Purchasing Agent of the need or necessity for the purchase of supplies, materials and equipment; prescribe forms for estimates, requisitions, orders and contracts; establish definite or regular periods for submitting estimates or requisitions; dispose of or trade in obsolete, excess and unsuitable supplies, equipment and salvage, or transfer them to other using agencies of the County; provide for hearings on complaints with regard to the quality, grade or brand of supplies, materials or equipment; and waive such rules or regulations in special or emergency cases.

**SECTION 10.** That the compensation of said County Purchasing Agent of Wilson County, Tennessee, shall be Six Hundred (\$600.00) Dollars per annum, payable in equal monthly installments, out of the General Funds of said County.

**SECTION 11.** That Wilson County, Tennessee, shall be liable for the payment of all purchases made by the Purchasing Agent for the use of the County or any of its departments or agencies under the provisions of this Act, but shall not be liable for the payment of any purchases made contrary to its provisions.

**SECTION 12.** That the provisions of this act shall not apply to the county road commission of Wilson County or the Wilson County Board of Education.

As amended by: Private Acts of 1973, Chapter 147  
Private Acts of 1975, Chapter 59

**SECTION 13.** That in the event any sentence, clause, paragraph, or section of this Act shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or invalidate the remainder of the Act, and the General Assembly hereby declares that it treats each and every sentence, clause, paragraph and section of this bill as several, and that it would have enacted this Act without any invalid or unconstitutional part thereof omitted or elided therefrom.

As amended by: Private Acts of 1973, Chapter 147

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

As amended by: Private Acts of 1973, Chapter 147

Passed: March 10, 1947.

## Administration - Historical Notes

### County Attorney

The following acts once affected the appointment, election, or office of the county attorney in Wilson County. These acts are included for historical reference only.

1. Private Acts of 1972, Chapter 276, created the office of County Attorney in Wilson County, who must be at least 21 years of age, a resident and citizen of Wilson County, and licensed to practice law in both State and Federal Courts. The County Attorney would be appointed by the County Judge and confirmed by the Quarterly Court. The term was for one year at a salary of \$500 per month, payable out of general county funds. The duties of the office were prescribed in the Act. This Act was not approved by the Wilson County Quarterly Court and therefore never became an effective law.
2. Private Acts of 1974, Chapter 162, was essentially a duplicate of Private Acts of 1974, Chapter 183. This Act was rejected by the Wilson County Quarterly Court and never became an operable law under the provisions of the Home Rule Amendment to the Constitution of the State.

### County Clerk

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

1. Private Acts of 1933, Chapter 866, provided that the County Court Clerk of Wilson County would be deprived of all the fees of his office after September 1, 1934. The Clerk would hereafter be paid \$3,000 annually in equal monthly installments in lieu of the fees. The Clerk must keep proper records and pay any fees in excess of his salary into the hands of the Trustee quarterly, but would be allowed credit for office expenses. All the excess fees of the office were declared to be the property of the county and would be paid to the Trustee. All the equipment and supplies necessary to the operation of the office would be furnished by the County. If the Clerk intentionally failed to collect the fees, the fees lost thereby would be charged against the Clerk. If the fees did not equal the salary, then the Clerk would receive only the fees collected.

### County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Wilson 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 time for holding the Courts of Pleas and Quarter Sessions in the Mero District of the State to which Wilson County was assigned. The Mero District also included the counties of Jackson, Smith, Sumner, Rutherford, Williamson, Davidson, Robertson, Montgomery, Stewart, and Dickson. Quarterly Court terms would begin in Wilson County on the fourth Monday in March, June, September, and December.
2. Acts of 1812, Chapter 68, fixed the opening dates of the terms of the County Court of Wilson County on the third Monday in March, June, September, and December.
3. Acts of 1817, Chapter 138, scheduled the terms of the County Court to begin on the first Monday in February, May, August, and November in Wilson County.
4. Private Acts 1821, Chapter 127, declared that the Wilson County Court of Pleas and Quarter Sessions would begin its regular terms on the fourth Monday of March, June, September, and December of each year and continue for a term of two weeks unless the business was completed sooner.
5. Private Acts of 1823, Chapter 197, provided that the Justices of the Court of Pleas and Quarter Sessions of Wilson County could, if they considered it expedient, a majority of the Justices being present and concurring, at their first court in each year, and on the first day of that term, elect by ballot three of their number to hold the Quorum Courts for the remainder of that year. The Justices thus chosen would receive \$1.50 per day for every day they held Court, except the days set apart for county business. These justices would have the same jurisdiction and powers that justices of the county courts possessed.
6. Public Acts of 1835-36, Chapter 6, established a County Court in every county in Tennessee which would meet on the first Monday of every month. The Court would be held by the county's Justices of the Peace. At the first term of each year, the justices would elect a Chairman who would preside over the deliberations of the court. The County Court would select jurors for the next succeeding circuit court and was empowered to levy taxes for county purposes.
7. Public Acts of 1887, Chapter 236, set the minimum compensation of the Justices of the Peace at \$1.50 per day for each day attended at meetings of the Quarterly County Court. The Act further made attendance by the Justices at every session mandatory.
8. Private Acts of 1921, Chapter 87, provided that in Wilson County, the Justices of the Peace would be paid \$2.50 per day and such mileage as was now provided under the law for their attendance at the quarterly sessions of the County Court.
9. Private Acts of 1947, Chapter 65, fixed the compensation of the Wilson County Justices of the Peace at \$5 per day plus the mileage allowed under the law for each day of their attendance at the quarterly session of the County Court. This Act was repealed by Private Acts of 1972, Chapter 423.
10. Private Acts of 1947, Chapter 359, provided that the Quarterly County Court would be held at the Courthouse in Lebanon on the second Monday in January, April, July, and October of each year.
11. Private Acts of 1957, Chapter 101, would have increased the compensation of the Justices of the Peace of Wilson County from \$5 to \$10 for each day of attendance at the sessions of the Quarterly Court, plus such mileage as the law permitted. The increase was to become effective on September 1, 1960, but this Act was rejected by the Quarterly County Court of Wilson County and never became effective under the provisions of the Home Rule Amendment to the Constitution. This Act was repealed by Private Acts of 1972, Chapter 423.
12. Private Acts of 1970, Chapter 269, set the per diem of the Justices of the Peace at \$25 per day, and their mileage at ten cents per mile for each mile traveled while going to and from a session of the Quarterly Court. This Act was not approved by the Quarterly Court and never took effect.
13. Private Acts of 1971, Chapter 90, set the per diem of members of the Wilson County Quarterly Court at \$25 for each day of attendance at meetings. This Act was never acted on by the Quarterly Court of Wilson County and never took effect. This Act was repealed by Private Acts of 1972, Chapter 423.
14. Private Acts of 1972, Chapter 218, set the per diem of members of the Wilson County Quarterly Court at \$25 for each day in attendance plus ten cents per mile for each mile traveled while going to and from sessions of the Court. This Act was not approved by the Quarterly Court and never took effect. This Act was repealed by Private Acts of 1972, Chapter 423.
15. Private Acts of 1972, Chapter 423, fixed the compensation of members of the Wilson County Quarterly Court at \$25 per day for each day of attendance at the meetings of the Quarterly Court, plus ten cents per mile for each mile traveled between their homes and the location of the

meeting.

### **County Mayor**

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

1. Public Acts of 1855-56, Chapter 253, established the office of County Judge in every county. The Judge must be learned in law, and would be popularly elected to a four year term. The Judge would be sworn and commissioned as other judges were. All Quorum Courts were abolished as well as the position of Chairman of the County Court, the duties of both being assigned to the County Judge. The County Judge would also be the accounting officer and general agent of the county discharging those duties specified in the Act. The County Judge would hold the County Court with regular sessions beginning on the first Monday of each month. The County Court Clerk would serve as the Clerk and the Judge was allowed to practice law in every court other than the one over which he presided. This Act was repealed by Public Acts of 1857-58, Chapter 5.
2. Public Acts of 1867-68, Chapter 47, created the office of County Judge for Wilson, Lincoln, Hamilton, Franklin, Lawrence and Giles Counties. The Judge would be popularly elected to an eight year term. The Quorum Courts were abolished and the County Judge would exercise all of its jurisdiction and powers. The Judge would preside over the County Court at its regular sessions on the first Monday of each month. Certain property and testamentary matters were transferred from the present County Court to the one now held by the County Judge. The Judge would also serve as accounting officer and general agent of the County.
3. Public Acts of 1869-70, Chapter 14, attempted to repeal Public Acts of 1867-68, Chapter 47, as that Act applied to the office of County Judge. This Act incorrectly cites Public Acts of 1867-68, Chapter 30, which applied to the office of County Judge for Perry, Decatur, Cheatham and Lauderdale counties, as the Act was to be repealed. The Act went on to restore the Quorum Courts in Wilson County and re-vest them with their original powers. 10
4. Private Acts of 1915, Chapter 150, created the office of county judge in Wilson County and abolished the office of chairman and chairman pro tem of the county court.
5. Private Acts of 1937, Chapter 728, recited in its preamble that the Social Security Act added new duties to the office of the County Judge in Wilson County for which no compensation was provided, therefore this Act required that an additional \$500 per year be attached to the income of the County Judge in order to compensate him for these added duties.
6. Private Acts of 1943, Chapter 75, stated that the Attorney-General had rules that a 1934 Resolution of the County Court which granted an additional \$500 per year to the County Judge's salary for additional duties assigned to him as fiscal agent was unauthorized and void. This Act provided that \$900 per year, payable monthly, would be added to the Judge's salary. The Judge would now receive \$500 yearly for administering the Social Security Laws and \$1,000 annually for his judicial duties, making his total compensation \$2,400 per annum. The new salary would begin with the effective date of this Act.
7. Private Act of 1943, Chapter 105, amended Private Acts of 1915, Chapter 150, by adding a provision giving the County Judge concurrent jurisdiction with the Chancellors and Circuit Judges for granting writs of injunction, attachment, mandamus, habeas corpus, and other extraordinary process. The County Judge was also granted concurrent jurisdiction to try habeas corpus cases.
8. Private Acts of 1945, Chapter 21, amended Private Acts of 1943, Chapter 105, so as to remove the concurrent jurisdiction of the County Judge with reference to the granting of extraordinary writs of process and habeas corpus.
9. Private Acts of 1949, Chapter 175, amended Private Acts of 1915, Chapter 150, by providing that whenever a vacancy occurred in the office of County Judge in Wilson County it would be filled by the appointment of the Governor and the appointee would serve until the next general election. When the Judge could not attend to his duties on a temporary basis due to illness, or some other cause, the Governor could appoint an interim Judge. This Act was repealed by Private Acts of 1953, Chapter 52.

### **County Trustee**

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

1. Private Acts of 1923, Chapter 659, set the salary of the Wilson County Trustee at \$3,250 annually. The Trustee must turn over to the general fund all the fees and commissions and all the other funds collected in the office. The Trustee must execute a bond to be approved by the County Judge and keep accurate records of all the transactions of his office.

2. Private Acts of 1929, Chapter 291, required the Trustee of Wilson County to give a bond to the State for its own use in the same amount as the taxes collected the preceding year, and to execute another bond to the State for the use and benefit of the County in an amount equal to one-third of the taxes collected for the County during the prior year.
3. Private Acts of 1933, Chapter 867, fixed the salary of the Trustee at \$3,000 annually, payable at the rate of \$250 per month, which would be in lieu of all other compensation. All excess fees over and above that amount would be paid over to the County. The Trustee must make a final settlement of all the accounts in his office before leaving the position. The Quarterly Court had the authority to employ an auditor to go over all the accounts in the Trustee's office when the court deemed it necessary.

### **General Reference**

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

1. Acts of 1801, Chapter 5, established state regulations for the inspection of pork, beef, hog lard, butter, hemp, flour and kiln dried meal before the same could be exported from the State. Warehouses were to be set up at points specified in the Act to which goods were to be brought for inspection. In Wilson County the warehouse would be located at Morrison's Ferry. The County Court was empowered to enact additional regulations and to appoint the inspectors.
2. Acts of 1801, Chapter 90, exonerated William Donaho and Griffith Rutherford, both of Wilson County, from the payment of a fine and a double tax caused by negligence. Upon paying the costs and the proper taxes, they would be relieved of the judgment against them.
3. Acts of 1803, Chapter 34, recited that Nicholas Conrad, of Wilson County, had been fined \$50 and taxed in a double amount on three tracts of land which resulted from the neglect of a Justice of the Peace. This Act exonerated and released Conrad from the payment of the fines on each tract of land.
4. Acts of 1806, Chapter 26, stated that Edward Mitchell who undertook to build the Courthouse for Wilson County had been greatly injured by his contract in erecting the same. This Act permitted the Court of Wilson County to levy an additional tax according to the several amounts stated in the Act so that Wilson County could make Mitchell an additional compensation as might seem right and proper. This tax would be collected as other taxes by the Sheriff.
5. Acts of 1807, Chapter 98, named Samuel Hogg, Edmund Crutcher, David Marshall, Joseph Johnson, and John Alcorn as Commissioners for the town of Lebanon who would elect a Chairman and appoint a treasurer and a clerk for said town.
6. Acts of 1817, Chapter 117, established the town of Maryville in Wilson County on the land of William Bumpass, naming James Williams, Rezin Byrne and Benjamin Seawell as Commissioners of the town. The lots in the town would still be liable for state and county taxes as were other towns.
7. Acts of 1819, Chapter 34, changed the name of the town of Maryville in Wilson County to that of Statesville. George L. Smith, James Cross, Richard Craddock, William M. Hoskins, Cornelius N. Lewis, and Albert Watson were appointed as Commissioners. The Wilson County Court was authorized to sell any unsold lots in the town of Lebanon and to use the proceeds thereof for county uses or any literary institutions as they in their discretion thought proper. 20
8. Private Acts of 1820, Chapter 44, provided that Samuel Motherrell, of Wilson County, was to receive a duplicate certificate of a land grant from the Commissioners for the adjudication of North Carolina land claims provided he produced evidence that no other grant had been issued for the same land.
9. Private Acts of 1825, Chapter 130, was the authority for the heirs of Alexander Kirkpatrick to apply to Wilson Sewall, of Wilson County, to make out a plat and a certificate of location No. 18, 122 in Wilson County, consisting of 25 acres, and that a grant on that land be issued to these heirs as it would have been had it been filed within the time limits provided by law.
10. Private Acts of 1826, Chapter 20, named Obediah G. Finley, Henry L. Douglass, John Allcorn, Thomas Crutcher, and Joseph Johnson, as Trustees, to whom Samuel Hogg of Lebanon would convey certain real and personal property belonging to him which would be the prizes for a lottery which was to be conducted for Hogg's benefit. The proposed lottery would not destroy any of the rights of Hogg's creditors.
11. Private Acts of 1826, Chapter 105, stated that hereafter Nancy W. Carver, of Wilson County, would have the right to contract and to hold and convey property which she had acquired in her

- own right, free from any and all claims of debt incurred by her husband. She was further authorized to obtain a divorce from her husband if she so desired.
12. Private Acts of 1826, Chapter 120, allowed Francis Moore of Sumner County, and Robert C. Davis of Wilson County, to hawk and peddle goods in Sumner and Wilson Counties without having to purchase a license.
  13. Private Acts of 1827, Chapter 210, permitted Eve Sherill, wife of Samuel Sherill, to have and to hold real property and personal property in her own name as a Feme Sole and to sue and be sued concerning the same. She would not be responsible in any way for the debts of her husband.
  14. Private Acts of 1827, Chapter 216, allowed Humphrey Donelson to peddle goods, wares, and merchandise in Wilson County without the necessity of having to obtain a license or paying any tax.
  15. Private Acts of 1829, Chapter 15, declared that a town heretofore laid out on the lands of George I. Cain, in Wilson County, would hereafter be known as Cainsville. William Word, Arthur Harris and William Williams were named as the Commissioners who would manage the affairs of the said town.
  16. Private Acts of 1829, Chapter 249, authorized the County Court of Wilson County, a majority of the Justices being present and voting, to make an allowance to George Blaze of Wilson County any sum not to exceed \$50 for his attention to Carter Walton, a traveling stranger who was mortally wounded and who died at Blaze's house.
  17. Private Acts of 1829, Chapter 299, was the authority for Elbert Williams of Wilson County to hawk and peddle his goods in the Congressional District in which he lived without having to purchase a license, or to pay any charge for doing so, provided, however, that Williams took an oath to sell only goods which belonged to him and to sell only for his benefit and his family's.
  18. Public Acts of 1831, Chapter 43, Section 6, directed the Cashier of the Bank of the State 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 respective share of the \$60,000 which was set aside for the internal improvement of Middle Tennessee. The county's share would be pro-rated according to the ratio of the county's white population to the combined population of all the counties in the 21 Middle Tennessee District. Section 7 provided that Wilson County's share of these funds would be paid over to the Common School Commissioners.
  19. Private Acts of 1832, Chapter 89, provided that the interest arising from the Internal Improvement Fund for Wilson County that was set apart for common school purposes by Public Acts of 1831, Chapter 43, be used for the common schools in Wilson County.
  20. Public Acts of 1833, Chapter 34, established the Planter's Bank of Tennessee at Nashville which would have branch banks at several specified locations across the State. At Lebanon in Wilson County, the sale of stock would be supervised by George W. Mabry, Joseph Johnson, Pauldin Anderson, George H. Bullard, Robert L. Caruthers, and John S. Topp.
  21. Private Acts of 1833, Chapter 117, authorized James Cross and Simpson Organ to hawk and peddle their goods in Wilson County without having to buy a license.
  22. Private Acts of 1833, Chapter 144, was the legislative authorization for Benjamin Graves to lay off up to fifty acres of land on which he now lives on the waters of Stoner's Lick Creek in Wilson County, into lots, streets, and alleys so as to establish a town to be called Bartonsville. The town would be subject to all the rules and regulations governing other towns.
  23. Private Acts of 1833, Chapter 182, allowed James W. Herron to hawk and peddle goods, wares, and merchandise in Wilson County without having to obtain a license, but Herron was obligated to take an oath not to dispose of any goods other than his own.
  24. Private Acts of 1833, Chapter 245, was the enabling legislation for the Commissioners of the Poor House in Wilson County to contract for the management of the said Poor House at their discretion and repealed the law which allowed the Justices of the Peace to select a keeper. The Commissioners were required to keep accurate accounts of all the receipts expenditures of the Poor House and to report this annually to the commissioners of the revenue.
  25. Acts of 1859-60, Chapter 87, Section 8, incorporated P. Anderson, Decon F. Underwood, J. R. Ashworth, J. T. Cox, the Deacons of the Baptist Church at Lebanon, and their successors in office, as the Baptist Church of Lebanon, and granted certain powers to them to sustain the corporation.
  26. Private Acts of 1868-69, Chapter 46, incorporated 65 citizens of Wilson County, all of whom were named in the Act, to be the Wilson County Agricultural and Mechanical Association for the

- advancement, improvement and encouragement of agricultural, horticultural and scientific endeavors in the county.
27. Private Acts of 1868-69, Chapter 60, incorporated Samuel T. Mottley, D. C. Kelly, B. D. Pendleton, and I. M. Goodbor, and their successors as the Lebanon Woolen Mills, which would manufacture wool and cotton.
  28. Public Acts of 1879, Chapter 46, allowed all the counties in the State which desired to do so to elect an Entry Taker by their Quarterly Court at the April term, a majority of the Justices being present and voting favorably on the matter. The Entry Taker would serve a 4 year term and would receive the fees listed in the Act. The county could also impose the duties of the Entry Taker on the County Surveyor or the County Register.
  29. Public Acts of 1897, Chapter 124, fixed the annual salaries of several county officials according to the population of the county in which the officials worked. This Act deprived the county officials of their fees which became the property of the county and 22 compensated them only through this annual salary. A sworn, itemized statement would be filed monthly with the County Judge, or Chairman, showing the amount of fees collected in each office. Stationery and office supplies were to be furnished to the county officials by the county free of charge. Salaries, however, were not to exceed the payments into the county treasury. This Act was declared unconstitutional in *Weaver v. Davidson County*, 104 Tenn. 315, 59 SW 1105 (1900).
  30. Private Acts of 1901, Chapter 203, abolished the Taxing District of Lebanon in Wilson County and restored all the inhabitants to their former status under the State and County tax laws. The three present Commissioners of the Tax District were declared the Receivers of the Tax District who would wind up the business of the same.
  31. Private Acts of 1907, Chapter 239, gave the Quarterly Court of Wilson County the authority by their Resolution to contract with a Bank making the highest and best bid to pay interest on the daily balance of county funds. The Court would appoint three of its members to join the County Judge and the County Trustee as the County Finance Committee, who would carry out the will of the Quarterly Court in this regard. The Trustee was further obligated to respond to the directives of the Court.
  32. Private Acts of 1911, Chapter 27, amended Private Acts of 1907, by adding the population figures from the 1910 Federal Census to cause the Act to be still applicable to Wilson County.
  33. Private Acts of 1933, Chapter 88, removed all disabilities of minority from Carmack Harvey, of Wilson County, which allowed him to contract and convey real estate, as well as to perform all other acts which an adult could.
  34. Private Acts of 1933, Chapter 240, removed all disabilities of minority from John Jetton Caldwell of Wilson County in order for him to take the State Bar Examination and to practice law in the same capacity as any other adult.
  35. Private Acts of 1933, Chapter 387, removed the disabilities of infancy from Ben Haralson Northern of Wilson County.
  36. Private Acts of 1933, Chapter 804, removed all the disabilities of minority from James J. Askew of Lebanon in Wilson County, in order that he might make valid contracts and engage in the practice of any profession as an adult.
  37. Private Acts of 1935, Chapter 49, recited in its preamble that Forest Elmo Boone, Jr. was 18 years old, a senior student at Castle Heights Military Academy, the husband of Dorothy Odom, and that he desired to go into business with his father-in-law, which would be decidedly advantageous to him since the whereabouts of his father was unknown and his mother was deceased. This Act removed Boone's minority and raised him to status of an adult.
  38. Private Acts of 1935, Chapter 115, took John D. Hare, of Wilson County, out from under all the disabilities of being a minor and conferred upon him all the rights and privileges of an adult to conduct his business affairs.
  39. Private Acts of 1937, Chapter 205, removed the disabilities of minority from Mrs. Nettie Jackson Tubb, of Wilson County, the wife of Preston Tubb, Jr.
  40. Private Acts of 1937, Chapter 628, released Mrs. Mattie Bell Vandagriff Vantrease from all the limitations imposed upon her from being a minor and granted her the right to conduct herself as an adult. 23
  41. Private Acts of 1937, Chapter 629, removed the disabilities of infancy from John Paul Vandagriff of Wilson County.
  42. Private Acts of 1975, Chapter 184, required certain electrical utilities to procure written

verification from the office of the Wilson County Building Inspector that the construction taking place on any site was in compliance with the Wilson County Zoning Ordinance and Subdivisions Regulations before the electrical utility would furnish power to the building site. Fines for non-compliance would range from \$50 to \$250 when one was convicted in General Sessions Court. Extraordinary remedies, such as injunctions, mandamus, abatements were available upon proper petition duly filed. This Act was not approved by the Wilson County Quarterly Court and never took effect under the Home Rule Amendment to the State Constitution.

## Chapter II - Animals and Fish

### Minnows

#### Private Acts of 1951 Chapter 478

**SECTION 1.** That it shall be unlawful in Wilson County for any person to catch or possess minnows for the purpose of sale.

**SECTION 2.** That it shall be unlawful in Wilson County for any person to possess more than one-hundred and fifty (150) minnows.

**SECTION 3.** That violation of this Act shall be a misdemeanor, punishable by a fine not to exceed Twenty-five Dollars (\$25.00).

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

Passed: March 13, 1951.

### Wild Foxes

#### Private Acts of 1953 Chapter 311

Whereas, the number of wild foxes in Wilson County, Tennessee, has increased to the point that their depredations against property and other wild life are substantial and harmful and should be stopped, and;

Whereas, the disease of rabies exists in such foxes in serious proportions, menacing the health of human beings, domestic animals and dogs;

Now Therefore,

**SECTION 1.** That it shall be lawful in Wilson County to capture and kill, by any means, at any season of the year, any kind of wild fox.

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

Passed: March 19, 1953.

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

1. Private Acts of 1829, Chapter 225, was the authority for the Sheriff of Wilson County to sell the plot of ground in Lebanon which had been set aside for use as pen for stray animals. The proceeds of the sale could be appropriated by the County Court for the improvement of the Public Square or repairs to the courthouse. The Sheriff could execute a good and valid deed to the property.
2. Public Acts of 1875, Chapter 127, made it unlawful for any person to hunt or kill any deer from March 1 until September 1 of each year. It was further unlawful to hunt, kill, or capture any game bird between March 1 and September 15; or to hunt, kill, or capture any song bird between March 1 and September 15; or to hunt, kill or capture any insect eating bird between the same dates. This Act applied to the counties of Henry, Dyer, Giles, Maury, Davidson, Madison, Hamilton, Bedford, and Wilson. It was also unlawful to hunt, trap or net game on the lands of another without their permission.
3. Private Acts of 1897, Chapter 205, declared it to be a misdemeanor for any person to hunt, kill, or capture any partridge, quail, snipe, woodcock, dove, mockingbird, oriole, or other harmless bird in

Wilson county within five years from the passage of this Act.

4. Private Acts of 1897, Chapter 296, amended Public Acts of 1895, Chapter 127, enacted to protect fish in the State, so as to make it lawful for any resident of the counties of Wilson, Cheatham, and Trousdale to catch fish for home consumption in any stream in the county of a person's residence by any means other than by poison or explosives. This could not be done on the land of another person if the owner of that land objected.
5. Acts of 1899, Chapter 57, made it a misdemeanor for any person to hunt, kill, or capture any partridge in Wilson County from March 1 until November 1 of each year. It was also unlawful to perform such acts on the land of another at any time without written permission. It was also unlawful for anyone to hunt, kill or capture doves, larks, robins, or any game bird from April 1 until August 1 in Wilson County, and was unlawful at all times on the land of another person without permission.
6. Acts of 1899, Chapter 415, declared it to be illegal to take, catch, or kill fish in any stream in Wilson County without the written consent of the owner of the lands on both sides of the stream, and such acts were unlawful with or without permission between February 1 and May 1 of each year, except when fishing with a hook and line. The Cumberland River was specifically exempted from the above provisions.
7. Private Acts of 1901, Chapter 326, amended Acts of 1899, Chapter 57, with reference to the killing of partridges in Wilson County so as not to permit a citizen of the county to kill them for his own use or for the purpose of selling and shipping them.
8. Private Acts of 1907, Chapter 489, declared that the ownership and title to all fish, not held by legal private ownership, was vested in the State in its sovereign capacity. It was declared unlawful to take, catch, kill or wound any fish in Tennessee except by angling with rod and line or by trot line. A person could seine in any stream in Wilson County with meshes not larger than 1¼ inches from June to September 1.
9. Private Acts of 1911, Chapter 417, make it lawful for residents in Macon County, Wilson County, or Trousdale County to fish in all the streams of the county with a trot line, by gigging, by bait, or by net and seine when the mesh of which was no less than one inch. No charge could be made by the Department of Fish, Game and Forestry for these residents to fish in the above manner for either home consumption or for sale.
10. Private Acts of 1913 (Ex. Sess.), Chapter 53, stated that in addition to those fences heretofore declared to be lawful fences, the following would also be deemed a lawful fence in Wilson County; a fence with substantial posts set firmly in the ground no more than 24 feet apart, with four strands of barbed or smooth wire, four planks, or four slats, the first one to be strung or fastened from ten inches to sixteen inches from the ground and the others to range from ten inches to thirteen inches from the next lower ones. This Act was repealed by Private Acts of 1937, Chapter 511.
11. Private Acts of 1917, Chapter 86, prohibited the killing of squirrels in Wilson County in any manner from March 1 until May 1 except when the squirrels might be eating or damaging crops. Violators could be fined from \$5 to \$25 which would go into the general road fund of the County. No fee or charge would be made, nor was a license from the Department of Fish, Game and Forestry necessary to hunt squirrels at lawful times. No one could hunt squirrels on another person's land without first obtaining permission.
12. Private Acts of 1917, Chapter 404, amended Private Acts of 1913 (Ex. Sess.), Chapter 53, a fence law for Wilson County, to provide that it was no longer necessary to build a fence around crops to protect them. The owners of stock would be responsible for any damages done by loose animals and the person damaged was given a lien on the animals for the amount of damage committed. This Amendment required the approval of the County Court before it would be effective.
13. Private Acts of 1921, Chapter 135, allowed one to kill quail in Wilson County between November 15 and February 1 following, but prohibited the same during any other time. Offenders could be fined from \$2 to \$25 for each violation.
14. Private Acts of 1921, Chapter 427, made it unlawful for the owner or custodian of fowls (chickens, turkeys, guineas, ducks, geese, and pea fowls) to allow the same to run at large inside the boundaries of incorporated towns in Wilson County. Any damage done by them to the property of another could constitute a lien which could be enforced by judgment and execution as other liens were. Fines for violators ran from \$2 to \$10 for each offense.
15. Private Acts of 1921, Chapter 434, stated that in Wilson County it would no longer be necessary for the owners or occupants of land to construct fences around their land to protect the land, or



- the crops thereon, from trespass, depredation, or damage from the livestock of any other person. Owners of animals were required to keep them on their own premises, or be liable for any damages done to the lands, or crops, of another person. The damages would be a lien on the animals causing the same. This lien could be enforced by judgment, attachment or execution.
16. Private Acts of 1921, Chapter 860, declared it to be unlawful to take and catch fish in Spring Creek, Barton's Creek or in Cedar Creek in Wilson County by any means or device whatsoever, except by baited hook and line or trot line. Offenders could be fined from \$50 to \$100 and placed in jail for thirty days. Circuit Court Judges were required to charge this Act to the Grand Juries.
  17. Private Acts of 1927, Chapter 310, amended Public Acts of 1925, Chapter 151, which set the seasons for hunting or trapping fur bearing animals, by exempting Wilson County from the provisions of that Act by permitting one to hunt, trap, or kill rabbits, squirrels, or ground hogs, and also other fur-bearing or hair-bearing animals when they were committing depredations on crops, poultry or livestock.
  18. Private Acts of 1927, Chapter 702, applied only to the counties of Bedford, Maury, Montgomery, and Wilson. The Act required the owner of any dog over four months old to pay \$1 for each male dog and \$3 for each female dog as a license fee. One must pay a kennel fee of \$10 for one with no more than 12 dogs, and \$15 for any kennel having more than 12 dogs. Dogs were to be tagged at all times except when hunting. The County Trustee must collect the fee, issue the license, and keep the records specified in the Act, reporting each month to the Division of Game and Fish and transmitting one-fourth of the funds collected to that Agency. Violators would pay fines from \$5 to \$20. Dogs could be lawfully killed under certain conditions when they were roaming at large without a tag. Any person losing stock to a dog under these conditions could be reimbursed for their loss out of the fund, and any person bitten by a rabid dog could be paid up to \$100 for expenses incurred because of the bite. Although the constitutionality of this act was upheld by the Tennessee Supreme Court in Darnell v. Shapard, 156 Tenn. 544, 3 SW 661 (1928), this Act was repealed by Private Acts of 1931, Chapter 4.
  19. Private Acts of 1929, Chapter 451, made it a misdemeanor for any person to catch or kill, for sale, any kind of fish less than seven inches in length in Wilson County and in Trousdale County. It was now permitted during the open season in those counties to catch fish for sale with trammel nets, baskets, dip nets, or set nets, but not with seines. Every such net and basket authorized under this act used in the Cumberland River could not have meshes less than one and one-quarter inches in width.
  20. Private Acts of 1929, Chapter 886, prohibited seining in Wilson County in any of its streams. Every person in the County was forbidden to own or to have in their possession any seine other than a minnow seine which was defined as one no wider than four feet, no longer than seven feet, and with no meshes smaller than 1/2". The word seine did not include trammel nets used in the rivers, and it was legal to catch fish with hook and line at any time. Fines ranged from \$25 to \$50 for violators. This Act was repealed by Private Acts of 1931, Chapter 148.
  21. Private Acts of 1931, Chapter 45, made it lawful for any person to hunt with gun and dog and to fish with hook and line, or a net, in Wilson County and Smith County except upon the property of another without permission. Nothing in this Act was to change the general law preventing fishing with explosives or poisons, or trapping birds with nets. It was unlawful to kill quail earlier than November 25 or later than the following January 31 of each year. It was also a misdemeanor to trap or shoot a red fox.
  22. Private Acts of 1931, Chapter 137, amended Private Acts of 1929, Chapter 451, by removing Wilson County from its provision.
  23. Private Acts of 1935, Chapter 11, made it lawful to fish in Wilson County with hook and line at any time, and to catch fish in creeks, ponds, or other bodies of water with a net, or seine, no more than sixteen feet in width and with a mesh no smaller than 1½ inches, from July 1 until August 1, of each year, but no one could fish upon the lands of another person at any time without having the written permission of that person. No net, or seine, could be placed in the mouth of a creek where it enters a river. No license, or fee, was to be charged for fishing, nor was one necessary for the person who caught them to sell fish. One could legally kill and sell squirrels, ground hogs, and rabbits at any time but other furbearing animals could be killed only from November 1 until February 15 following. All animals could be lawfully killed when injuring crops or other stock. No privilege tax or license could be required in Wilson County.
  24. Private Acts of 1935, Chapter 698, was essentially identical to Private Acts of 1935, Chapter 11, except in Section 5 which made it unlawful, instead of legal, to hunt, trap, or kill squirrels, ground hogs and rabbits.

25. Private Acts of 1937, Chapter 67, amended Private Acts of 1935, Chapter 698, by deleting Sections 5 and 7, and inserting new Sections in their place to make it legal to kill, sell, and transport squirrels, ground hogs and rabbits at all times except upon the land of another without permission, and that no license fee or privilege tax could be charged in Wilson County to possess, transport, ship or sell the hides or furs of animals. All other provisions of the amended act would remain in full force and effect.
26. Private Acts of 1937, Chapter 163, provided that no privilege tax, fee or license would be assessed, levied, imposed or required of any resident of Wilson County for the exercise of the right of hunting, shooting, or chasing, taking, transporting, or killing squirrels, ground hogs and rabbits. All persons so doing in Wilson County were exempted from the payment of any of the above. All persons who were in the business of doing any of the above were relieved from the payment of all the above likewise.
27. Private Acts of 1937, Chapter 349, permitted one to fish in Wilson County with hook and line at all times and in all the waters of the County. One could also fish with nets which met the criteria established in the Act but no one could fish upon the land of another without permission. It was contrary to the law to place a net in the mouth of a creek where the creek entered into a river. No license fee or privilege tax would be charged for anyone to do the above nor for selling any fish which one had personally caught. No license fee or privilege tax was to be charged or required for killing and selling squirrels, ground hogs, and rabbits but no one could kill, or sell, mink, raccoons, possums, muskrats, skunks, foxes, or other fur-bearing animals except during the time between November 1 and February 15, but all of the above animals could be killed at any time if they were injuring, or damaging crops, poultry or live stock. No privilege tax, fee or license could be charged for killing or trading in hides or furs permitted under this Act.
28. Private Acts of 1939, Chapter 276, amended Private Acts of 1937, Chapter 349, by adding a provision to Section 5 which allowed one in Wilson County to hunt, chase, shoot, trap, catch, kill and transport dead or alive, squirrels and rabbits at all time and seasons of the year, the entire year being declared an open season for these purposes.
29. Private Acts of 1945, Chapter 552, averred that R. E. Tribble, who had over 30 years of experience in veterinary surgery and medicine and was a man of good moral character would be permitted to continue the practice of the same in Smith County and in Wilson County in the same manner as before and to the same extent as that enjoyed by others in the same position provided that Tribble file proof with the State Board of Veterinary Examiners to that effect upon which occurrence a license to practice would be issued to him for which he was required to pay the regular fee.

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

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

#### **Debts**

1. Private Acts of 1929, Chapter 392, was the authority for the Wilson County Quarterly Court to borrow in its corporate capacity for the use of the County sums of money, the aggregate principal of which could not at any time exceed \$300,000, which would be used to pay off existing indebtedness and to meet current operational expenses in anticipation of current revenues. The note or notes evidencing the indebtedness shall bear interest at a rate not exceeding 6% and would mature when the county has sufficient tax revenue to pay off the same. The Quarterly Court must declare the necessity for the same and authorize the issue by Resolution of the Court.
2. Private Acts of 1929, Chapter 690, was the enabling legislation for the Quarterly Court of Wilson County, a majority being present and in favor, to issue and sell up to \$300,000 in coupon bonds, at an interest rate not to exceed 5%, and to mature no later than 30 years from the date of issue, the proceeds of which would be used to pay off the floating indebtedness of the county, plus interest, which were evidenced by warrants on the County, heretofore issued and otherwise due and unpaid. All the essential details would be contained in the Resolution to be adopted by the Court. A special tax levy was required to be levied which would amortize the bonds over the prescribed maturity period.

3. Private Acts of 1933, Chapter 68, authorized the Wilson County Quarterly Court to settle and pay off the outstanding indebtedness of the County, both principal and interest, as were evidenced by county warrants, for which purposes coupon bonds could be issued and sold in an aggregate amount not to exceed \$100,000. The interest rate on the bonds could not be greater than 5½%, nor the maturity period longer than 30 years from the issue. All details could be incorporated into a Resolution and the Quarterly Court must levy a tax to pay off the bonds

### **Hospital**

1. Private Acts of 1929, Chapter 826, authorized the Quarterly Court of Wilson County to issue and sell coupon bonds in an amount not to exceed \$100,000, at an interest rate of up to 6%, the proceeds of which would be used to purchase land, erect, repair, maintain, equip, and improve a County Hospital Building. The Court must adopt a Resolution fixing all the essential details and the people must approve the proposition in a referendum to be held for that specific purpose. A tax levy was authorized to amortize the bonds.

### **Roads**

1. Private Acts of 1925, Chapter 334, authorized the Wilson County Quarterly Court to issue and sell warrants or bonds up to \$150,000, at an interest rate of 6%, or less, and to mature no later than 10 years from the date of issue, with which to purchase turnpikes or toll roads and bridges, and to establish a system of free public highways. These bond issues were conditioned upon the State Highway Department appropriating a specific sum of money for the construction or improvement of the turnpikes and the amount to be borrowed by the County could not exceed double the amount the State agrees to spend. The amount of bonds outstanding could not exceed 5% of the value of the taxable property in the County. A tax levy to amortize the bonds was required.
2. Private Acts of 1949, Chapter 830, was the authority for the Wilson County Quarterly Court to issue up to \$300,000 in road bonds at a 4% interest rate, or less, and to mature within 20 years from the date of issue, the proceeds of which would be used for road purposes. The money would go into a special road fund to be kept separately by the Trustee and applied exclusively to the construction, maintenance, and repair of county roads and bridges by the County Road Commission, created under Private Acts of 1949, Chapter 239. The Commission was also granted the authority to apply for and receive any available State and Federal funds for roads. This Act was repealed by Private Acts of 1951, Chapter 404.

### **Schools - Mount Juliet School District**

1. Private Acts of 1935, Chapter 575, was the authority for the Mount Juliet Special School District to issue and sell up to \$15,000 in coupon bonds in order to pay off \$5,000 in present debts which were incurred in school construction and, further, to make additions and improvements to the school buildings. The maximum allowable interest rate was 5% and the bonds could mature no later than 30 years after date of issue. A referendum must be held in the District to approve the bond issue before the issue and sale could take place. A special tax of 10 cents per \$100 property valuation was levied each year until the bonds were amortized.
2. Private Acts of 1935 (Ex. Sess.), Chapter 134, amended Private Acts of 1935, Chapter 575, by repealing the ten cents per \$100 property valuation tax levy as provided in that act and granting to the Wilson County Quarterly Court the authority to levy a tax in the said School District in an amount sufficient to pay the principal and interest on the bonds.

### **Schools - Tenth Special Schools District**

1. Private Acts of 1925, Chapter 188, invested the Directors of the Tenth School District in Wilson County with the power to issue coupon bonds in the amount of \$120,000 which would be used to pay and retire the warrants and the interest thereon issued in payment of school buildings and improvements under Private Acts of 1923, Chapter 476. The interest rate would be 5½%, and the bonds would mature according to the schedule included in the Act. The Act fixed the primary details of the issue and authorized a special property tax levy in the school district of 20 cents per \$100 which was to be devoted to those purposes stated in the act, which taxes would constitute an enforceable lien on property.
2. Private Acts of 1927, Chapter 321, permitted the Directors of the Tenth School District in Wilson County to issue and sell their coupon bonds in the amount of \$108,000, which would be used to pay and retire the interest-bearing warrants issued under the authority of Private Acts of 1923, Chapter 476. The interest rate was fixed at 5%, and the bonds would come due as provided by the schedule in the act. The act stated that these bonds would be issued and sold by Earl Hancock, Chairman, L. L. Burns, Secretary, and Julian H. Campbell, the Directors of the Tenth School District in conformity with those directions contained in the act. Provisions for a special tax

- levy of 20 cents per \$100 property valuation in the District to amortize the bonds was made.
3. Private Acts of 1937, Chapter 734, was the enabling legislation for the Tenth School District of Wilson County to issue and sell its coupon bonds in an amount not to exceed \$15,000 to pay off certain specified debts and to build and remodel the elementary school for colored children, and to improve and beautify school grounds. The interest rate could not exceed 5% and the maturity dates could be no longer than 15 years from the date of issue. All the essential details of the issue could be incorporated into a Resolution of the Quarterly Court but all of the above hinged on the successful outcome of the proposal in a referendum election to be held in the District. The Quarterly Court was empowered to levy a special tax to amortize the bonds.
  4. Private Acts of 1949, Chapter 923, was the authority for the Tenth School District of Wilson County to issue and sell no more than \$110,000 in coupon bonds, at an interest rate of 3%, or less, and to mature no later than 20 years from the date of issue, but nothing was to happen until the entire proposal had been approved by the people of the District in a referendum. The proceeds would be used to repair, remodel, enlarge, improve, and extend such school buildings in the District as the Directors selected. A general tax levy of 20 cents per \$100 was mandated.
  5. Private Acts of 1951, Chapter 59, authorized the Tenth School District of Wilson County, subject to prior approval by the people in a referendum election, to issue up to \$300,000 in coupon bonds, at an interest rate of 3%, or less, and maturing no later than 20 years from the date of issue. A general property tax of 50 cents per \$100 would be levied in the District each year until the bonds were paid. The proceeds would be used to build, repair, remodel, enlarge, and improve school buildings in the District. Chapter 88 of the Private Acts of 1987 amended the tax rate to 34 cents per \$100 for the fiscal year ending June 30, 1987 and 40 cents for the fiscal year beginning July 1, 1987 and thereafter. Chapter 134 of the Private Acts of 1988 further amends Chapter 59 of the Private Acts of 1951 by correcting an unintentional mistake as to the period of the tax levy. As amended, the tax rate levy is \$.34 for the calendar year beginning January 1, 1987; and \$.40 for the calendar year beginning January 1, 1988 and for each calendar year, thereafter.
  6. Private Acts of 1959, Chapter 32, authorized the Tenth School District to issue no more than \$400,000 in coupon bonds, at an interest rate not to exceed 5%, and to mature within 25 years from the date of issue. The tax authorized by Private Acts of 1951, Chapter 59, would continue to be levied until those bonds were amortized. The bond issuance was subject to approval in a referendum election. The proceeds were to be used to build new school buildings, or to add to, repair, renovate, and remodel existing buildings.
  7. Private Acts of 1963, Chapter 99, enabled the Tenth School District to issue and sell up to \$250,000 in coupon bonds, at an interest rate of no more than 5%, and to become due no longer than 25 years from the date of issue. All this was subject to prior approval by the people of the District in a referendum. The tax authorized by Private Acts of 1951, Chapter 59, was continued until the bonds were amortized.
  8. Private Acts of 1967-68, Chapter 249, allowed the Tenth School District of Wilson County to issue up to \$400,000, in 5% or less coupon bonds, to mature no later than 25 years from the date of issue, provided prior approval of the people was obtained by referendum vote. The 50 cents per \$100 property valuation levied under Private Acts of 1951, Chapter 59, would continue in full force and effect until the bonds were paid off with interest. The funds were to be used to build, repair, improve, remodel, equip, or enlarge new or existing school buildings. This Act was not acted on by local authorities and consequently never became effective law.
  9. Private Acts of 1967-68, Chapter 282, was enabling legislation for the Tenth School District of Wilson County to issue up to \$600,000 in coupon bonds at an interest rate not to exceed 5%, and to mature within 25 years from the date of issue. The issue was subject to prior approval in a referendum vote in the District, which could be held a second time after 180 days, if initially defeated. A special tax levy of 30 cents per \$100 would be imposed which would be in addition to all other taxes levied and in force in the said district. The money was to be used to build, repair, improve, enlarge and equip the District's school buildings.
  10. Private Acts of 1969, Chapter 33, authorized the issuance and sale of up to \$600,000 in coupon bonds in the Tenth School District of Wilson County provided the same had prior approval from the people in a referendum election which could be held again after 180 days if the same were defeated. The allowable interest rate could not be more than 6%, and the maturity period was limited to 25 years. The tax levy of 50 cents per \$100 property valuation authorized by Private Acts of 1951, Chapter 59, would be continued each year until the bonds, plus interest, were paid. This Act was properly ratified. Chapter 88 of the Private Acts of 1987 and Chapter 134 of the Private Acts of 1988 amended Chapter 59 of the Private Acts of 1951.

11. Private Acts of 1970, Chapter 212, subject to a favorable outcome in a referendum held for that purpose, the Tenth School District was allowed to issue and sell up to \$600,000 in coupon bonds, at an interest rate not to exceed 8%, and to mature within 30 years of issuance. The 50 cents per \$100 (amended by Chapter 88 of the Private Acts of 1987 and Chapter 134 of the Private Acts of 1988) of property valuation tax authorized under Private Acts of 1951, Chapter 59, would continue in force and effect until the bonds were paid.
12. Private Acts of 1970, Chapter 213, was almost identical in terms to Private Acts of 1970, Chapter 212, except that a special tax levy of 30 cents per \$100 property valuation was authorized in addition to all other existing taxes.
13. Private Acts of 1972, Chapter 247, permitted, subject to prior approval by the people in a referendum, the Tenth School District of Wilson County to issue up to \$1,000,000 in coupon bonds, at a maturity schedule not to exceed 30 years, and at an interest rate of 8%, or less. The 50 cents property tax rate authorized by Private Acts of 1951, Chapter 59, would continue in effect each year until the bonds were paid.
14. Private Acts of 1977, Chapter 94, was the enabling legislation for the Tenth School District to issue \$500,000 in coupon bonds, at an interest rate of 8% or less, and which would mature no later than 30 years from the date of issue. The effectiveness of this Act was dependent upon the approval of the people in the District in a referendum election. The tax authorized by Private Acts of 1951, Chapter 59, would continue until the bonds were amortized. The bond funds were to be used to build, alter, repair, enlarge, or equip schools located in the District. This Act was not approved locally and never took effect.

#### **Schools - Watertown Special School District.**

1. Private Acts of 1979, Chapter 20, authorized the Watertown Special School District to issue up to \$1,300,000 in coupon bonds with a maximum maturity schedule of 30 years. The bond issue would not take place until approved by a majority vote in a special referendum election. The interest rate must not exceed 8% and an annual tax rate of \$3.75 per \$100 property valuation was included. The proceeds would be used to build new school buildings or to repair, improve, enlarge or equip existing buildings. This Act was repealed by Private Acts of 1979, Chapter 91.
2. Private Acts of 1979, Chapter 87, contained terms similar to Private Acts of 1979, Chapter 20. This Act did not receive local approval and did not become effective.

## Chapter IV - Boundaries

### Creation of the County

#### Acts of 1799 Chapter 2

**COMPILER'S NOTE:** Sections 1 and 2 of the Act reduced Sumner County to its constitutional limit of 625 square miles and appointed two surveyors to run and mark the eastern boundary as the Act directed. Section 3 created Smith County. Sections 5 through 13 of this Act concerned the commissioners laying out the county seat of Sumner County at a town to be established and called Rutherford.

**SECTION 4.** That another new county be established by the name of Wilson, to be contained within the following described bonds: beginning upon the south bank of the river Cumberland at low water mark, at the mouth of Drake's lick branch, the northeast corner of Davidson County, thence with the line of Davidson County, to the Cherokee boundary, as run and marked agreeably to the treaty of Holston, and with the said boundary to the Caney Fork, and down the Caney Fork according to its meanders to the mouth thereof, thence down the meanders of Cumberland river, by the south bank to the beginning.

**SECTION 14.** That it shall and may be lawful for the Sheriff of Sumner County to collect the taxes for the year one thousand seven hundred and ninety nine, and all arrearages of taxes for every and any preceding year, in the same manner, and with as full authority, as if this act had not been passed; and Sumner County shall be liable to the payment of every demand that any of the citizens of Wilson or Smith Counties, heretofore a part of the said county, may legally have for services rendered the said county, in the same manner as if this Act had never been passed.

**SECTION 15.** That courts of pleas and quarter sessions shall be held in the County of Smith, and the County of Wilson, with the same power and authority of the courts of pleas and quarter sessions of the counties heretofore by law established. The courts of the County of Smith shall commence on the third Mondays of the months of December, March, June, and September; and the courts of the County of Wilson shall commence on the fourth Mondays of the months of December, March, June, and September,

with authority to continue by adjournment, from day to day, until the succeeding Saturday inclusive.

**SECTION 16.** That the first court for the County of Wilson shall be held at the house of Captain John Harpole, and after at such place as the court shall adjourn to; and for the County of Smith, at the house of Major Tilman Dixon, and after at such place as the court shall adjourn to.

**SECTION 17.** That all elections for members to the General Assembly, the Governor and members of Congress, shall be held at the courthouses of the Counties of Smith and Wilson, on the days on which elections for such purposes are authorized to be held, and the sheriffs of those counties shall meet the sheriff of Sumner County, at the courthouse of said county, on the succeeding Monday, and with him examine the respective polls of election for the three counties, heretofore the County of Sumner, and declare the persons duly elected members to the General Assembly, and give certificates accordingly to the persons duly elected; and it shall be the duty of the said sheriff to transmit a statement of the poll of election for Governor and member of Congress to the Speaker of the Senate, in the same manner as directed by law, as the duty of Sheriffs of counties heretofore established.

**SECTION 18.** That it shall be the duty of the sheriffs of the Counties of Wilson and Smith, each to hold an election at the place of holding court in their respective counties, on the first Thursday and the succeeding day of February next, for the purpose of electing one Colonel and two Majors for their respective counties, under the same rules, regulations and restrictions as prescribed by law for the election of such officers.

**SECTION 19.** That the elections for company officers for the Counties of Smith and Wilson, shall be held at their respective company muster grounds, on the third Thursday in February next, in the same manner and form as appointed by law for electing company militia officers.

**SECTION 20.** That the Counties of Smith and Wilson, shall be in all cases whatsoever, considered as a part of the district of Mero.

Passed: October 26, 1799.

## Change of Boundary Lines

### Acts of 1801 Chapter 48

**COMPILER'S NOTE:** This Act annexed part of Wilson County to Smith County and then created Jackson County with those initial organization this Act is concerned. Section 1 gives the boundaries of the enlarged Smith County.

**SECTION 1.** That the bounds of Smith County shall be as follows, viz.: Beginning one mile due west of the southeast corner of Sumner County, on the south bank of Cumberland river, thence south, twenty-three degrees east, to the Indian boundary, thence along the same until it intersects the Caney Fork road thence along the dividing ridge between Martin's Creek and Flinn's Creek to the river, thence up the river one half mile above the ferry landing at Fork Blount, thence a due north course until it strikes the state line, thence west along the state line, to the corner of Sumner county, thence south along the Sumner line to the river, thence down the same to the beginning.

Passed: November 6, 1801.

### Acts of 1801 Chapter 49

**SECTION 1.** That the bounds of Wilson County shall be as follows, viz: Beginning on the south bank of Cumberland river, at the mouth of Drake's lick branch, it being the upper corner of Davidson County, running from thence up the said river, with the middle of the channel of the same, to Smith County line, thence south, twenty-three degrees east, along the said Smith line, to the Indian boundary line, thence westwardly with said Indian line, to Davidson County line, thence northwardly along said Davidson County line to the beginning.

**SECTION 2.** That Christopher Cooper, Dr. Alanson Trigg, Matthew Figures, John Harpole, and John Doak, esquire, be, and they are hereby appointed commissioners, who, or a majority of them, shall have full power and authority, and are hereby authorized and empowered to fix on a place the most central and convenient in the aforesaid County of Wilson, and to purchase forty acres of land having special regard to good water, and situation for purpose of erecting a court house, prison and stocks thereon, and it shall be the duty of the Sheriff of said county, as soon as may be, to notify said commissioners to attend at the next succeeding court of said county after such notification, and the said commissioners shall give bond

with sufficient security in the sum of five hundred dollars each, payable to the Chairman of the Court of said county, and his successors in office, conditioned for the faithful performance of the duties enjoined on them by this act.

**SECTION 3.** That the aforesaid commissioners or a majority of them, are hereby authorized and required as soon as may be, after agreeing on the place on which the courthouse, prison, and stocks shall be erected in the said County of Wilson, to agree and contract with suitable workmen to erect and build the same, for the use and benefit of said county, on the best terms which can be obtained for the accomplishment thereof.

**SECTION 4.** That the said commissioners, or a majority of them, as soon as may be, after purchasing the aforesaid forty acres of land, shall take a deed or deeds of conveyance for the same, in their own names as commissioners, in trust for the county aforesaid, which shall be good and valid in law, and shall vest in them and their successors in office, a full and complete title for the uses in this act expressed, and they shall cause a town to be laid off thereon to be called and known by the name of Lebanon, for county purposes, reserving one acre near the center thereof, on which shall be erected the courthouse, prison, and stocks aforesaid, which one acre, in the plan of said town, shall be denominated the public square; and the commissioners shall sell the lots of said town at public sale, giving six months credit, and thirty days previous notice of such sale by advertising at four or more of the most public places in said county, taking bond with sufficient security for the payment of the purchase money, to themselves and their successors in office; and the same commissioners or a majority of them are hereby authorized to execute in due form of law, deeds of conveyance in fee simple for the same, to the purchasers which shall be good and valid in law to all intents and purposes.

**SECTION 5.** That the monies arising from the sale of the aforesaid lots, shall be applied to the payment of the building of the aforesaid courthouse, prison and stocks; and the said commissioners are authorized to cause the said courthouse to contain two convenient jury rooms, and the prison to consist of two apartments at least.

**SECTION 6.** That the court of said County of Wilson shall have power to lay a tax; provided, five of the acting justices of said county be present when the taxes are laid, which tax shall not exceed twelve and a half cents of each hundred acres of land, nor twenty-five cents on each town lot, nor slave between the age of twelve and fifty years, nor twelve and a half cents on each free poll between the age of twenty-one and fifty years, nor one dollar on each stud horse kept for covering mares, and not exceeding five dollars on each billboard table, the said tax to be continued from year to year until a sufficient sum be collected for the purposes aforesaid, to be collected and accounted for by the sheriff or collector of the aforesaid county, and paid to the said commissioners at the same time, and in the same manner, and under the like penalties and restrictions as are or may be directed, for collecting, accounting for, and paying public taxes, which said monies so arising shall be appropriated to carrying this act into effect.

**SECTION 7.** That the commissioners aforesaid shall have full power to elect a suitable person or persons to fill any vacancies that may happen in their own body, by death, resignation, or otherwise.

**SECTION 8.** That the commissioners aforesaid, or a majority of them, as soon as the said buildings are completed, shall lay before the court of said county, a fair and just statement of the costs and expenditures of said purchase and buildings, together with their disbursements and receipts, and they shall be allowed a reasonable compensation for their services by the said court; provided, that five of the acting justices of said county be present when such allowance is made.

**SECTION 9.** That all laws or parts of laws that come within the purview and meaning of this act are hereby repealed and made void, any thing to the contrary notwithstanding.

Passed: November 13, 1801.

## Acts of 1803 Chapter 74

Whereas at the last general assembly of this State, a considerable part of Wilson County was annexed to Davidson County; in consequence thereof, the said county of Wilson was deprived of its constitutional limits; for remedy whereof

**SECTION 1.** That the bounds of Wilson county in future shall be as follows to wit:

Beginning one mile due south of the now south west corner of Wilson County; thence south sixty one and an half degrees east to the Indian boundary line; thence north east along the said Indian boundary line, to a point, from which north twenty three degrees west will intersect the Cumberland river, opposite the southeast corner of Sumner county; thence down the middle of the channel of said river to a point on the south bank of said river; from which a line running south twenty five degrees east will leave Thomas Watson's dwelling house sixty poles west of said line; continuing the same line south twenty five degrees

east to a point that a line running south sixty one and a half degrees east will strike the beginning.

**SECTION 2.** That nothing herein contained shall be so construed as to prevent the sheriffs of Davidson and Smith counties from collecting all taxes or arrearages which may be due within the limits so added to Wilson county, in as full and ample a manner as if this act had not been passed.

**SECTION 3.** That William Minor Quesenbury, be and he is hereby appointed commissioner to run and mark the lines which divides Wilson county from Davidson county, Rutherford county and Smith county; and he shall be allowed the sum of two dollars for each and every day he may be necessarily engaged in running said lines, and he is hereby authorized to employ two chain carriers and one marker who shall receive one dollar for each and every day they may be necessarily engaged in said business, to be paid by the treasurer of the county of Wilson out of any county money; whose receipts shall be good in the settlement of the accounts of said treasurer.

**SECTION 4.** That all laws coming with the purview of this act be and they are hereby repealed.

Passed: October 25, 1803.

## Acts of 1815 Chapter 184

**SECTION 1.** That from and after the passage of this act, the dividing line between the counties of Wilson and Rutherford shall be as follows: Beginning two and an half miles north of the south west corner of Warren county on the dividing line between the said counties of Wilson and Warren, on the ridge that divides the waters of Stones' river and those of the Cumberland, thence with the top of said ridge so as to include William Ray's present place of residence, Charles Porterfield's old place, and the plantation whereon Captain John McKnight formerly lived, thence due west to the now dividing line between the said counties of Wilson and Rutherford.

**SECTION 2.** That all that part of the county of Wilson lying south of the said line shall be and is hereby annexed to the county of Rutherford, provided that nothing herein contained shall be so construed as to prevent the sheriff of Wilson county, or the collector of the fourth collection district of Tennessee, from collecting any arrearages of taxes which may be due to the county of Wilson or to the United States within the before described bounds.

**SECTION 3.** That Jesse Brashear is hereby appointed to run and plainly mark the said dividing line as described in the first section of this act, for which he shall be entitled to two dollars per day for each day he may be necessarily engaged therein, which shall be paid by the persons residing within the limits of the territory hereby annexed to the county of Rutherford.

Passed: October 30, 1815.

## Acts of 1837-38 Chapter 67

**SECTION 1.** That so much of the county of Wilson, as lies south of the following line, to wit: beginning at the house of John Baxters, or near there, on the Cannon and Rutherford line, running with the dividing ridge, a north course to Wm. Jewell's, then an eastern course with the ridge, dividing the waters of Saunders' Fork, and Smiths Fork, to the mouth of Saunder's Fork, thence with Smith's Fork meanders so the Wilson and Cannon line, at Richmond's (alias) Hase's Mill, be, and the same is attached to the county of Cannon; and that the citizens included in said territory attached to Cannon from Wilson, shall have and enjoy all the rights and privileges, as other citizens of Cannon county; Provided, the county of Wilson has a surplus territory to spare, over and above her constitutional limits, which is to be ascertained by reference to the survey made by Thomas Anderson, agreeable to an act of Assembly passed at the session of 1835.

**COMPILER'S NOTE:** Sections 2, 3 and 4 of this Act concerned Franklin and Coffee Counties and is not included herein.

Passed: January 13, 1838.

## Acts of 1841-42 Chapter 90

That the following alteration is hereby made in the lines between the counties of Wilson, Cannon and DeKalb counties: That is to say, beginning at or near the Widow Black's, on the Rutherford county line, running with the top of a ridge so as to include Samuel Greer in Cannon county, thence with the dividing ridge that divides the waters of Smith's Fork from Sander's Fork, so as to include John Sneed in the county of Cannon, thence down Smith's Fork to the DeKalb county line, thence with said line to the line of



Cannon county, and the line so run is hereby established as the same between said counties: Provided, said alteration of the foregoing lines shall not reduce the county of Wilson below the constitutional limits in regard to territory.

Passed: February 3, 1842.

## Acts of 1843-44 Chapter 173

**SECTION 1.** That the following alteration is hereby made in the lines between the counties of Wilson and Cannon, that is to say: Beginning where the line between Wilson and Cannon counties passes through John Richardson's field, running north one half mile including the house where Joseph Moore now lives; thence north eighty degrees east parallel with the county line four miles; thence south fifty degrees east until it strikes the county line including Joseph H. Boyle; thence with the present county line to the beginning; and the line so run is hereby established as the true line between said counties; Provided, said alteration of the foregoing line, shall not reduce the county of Wilson below the constitutional limits in regard to territory; provided further, that a majority of the voters stricken off from the county of Wilson, shall be in favor of said alteration.

**SECTION 2.** That the citizens living in the territory stricken from the county of Wilson by the first section of this act, if they desire said alteration, employ a competent surveyor to run and mark said alteration at their own expense; and it shall be the duty of said surveyor to make two plain plats of the same, and return one to the county court of Wilson, and the other to the county court of Cannon county, to be filed with the clerks of said county courts; said surveyor shall also report to the county court of Wilson county, whether said alteration will reduce Wilson county below her constitutional limits.

Passed: January 27, 1844.

## Public Acts of 1972 Chapter 572

**COMPILER'S NOTE:** This Act is special legislation that does not appear in Tennessee Code Annotated.

**SECTION 1.** The boundary line between the counties of Davidson and Wilson is changed so as to detach from Davidson County and attach to Wilson County the following described area: Beginning at the point of intersection of the present Wilson-Davidson County line (as projected on the United States Geological Survey Maps) with the farm property of Jack and Mary Kershaw on Old Hickory Lake in Wilson and Davidson Counties, thence following the northern boundary of said property north 82 degrees west 762 feet plus or minus to a point in the western margin of Rebel Road, thence with the property line north 1 degree west 874 feet to a point, thence with the property line north 44 degrees 48 feet east 59 feet, thence with the property line north 65 degrees 30 feet west 30.5 feet, thence with the property line South 74 degrees 45 feet west 614 feet to a point, thence with the property line north 1 degrees 45 feet west 648.6 feet, thence with the property line south 75 degrees 30 feet east 385.4 feet to a point in the east margin of Rebel Road, thence "following said margin of said road in a north-westerly direction 147 feet to its intersection with the south margin of Bedford Forrest Court; thence with the said margin 175 feet to a point; thence crossing said Court 50 feet in a northerly direction to a point in the north margin of said Court; thence in a northerly direction 260.9 feet to a point in the U. S. Government take line of Old Hickory Lake."

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

Passed: March 23, 1972.

## Public Acts of 1972 Chapter 853

**COMPILER'S NOTE:** This Act is special legislation that does not appear in Tennessee Code Annotated.

**SECTION 1.** The boundary line between the counties of Davidson and Wilson is changed so as to detach from Davidson County and attach to Wilson County the following described areas:

Beginning approximately 115 feet East of a U. S. Corps of Engineers concrete monument in the center line of an old county road; thence running with said centerline South 82 degrees 26 minutes East 603 feet more or less to a point; thence continuing with said centerline South 82 degrees 43 minutes East 923 feet more or less to a point; thence leaving said centerline South 11 degrees 15 minutes West 515 feet more or less to an iron pin in the North boundary of the Bob Bass, Trustee property; thence running with said property North 71 degrees 27.06 minutes West 603.50 feet to an iron pin; thence South 88 degrees 18.08 minutes West 226.15 feet to an iron pin; thence North 78 degrees 20 minutes West 216.45 feet to an iron

pin; thence South 10 degrees 59 minutes West 293.50 feet to a U. S. Corps of Engineers concrete monument; thence leaving said Bass property and running with the U. S. Corps of Engineers Take Line North 50 degrees 23 minutes West 663.14 feet to a Corps of Engineers concrete monument; thence North 9 degrees 11 minutes West 390.50 feet to the beginning and containing 16.75 acres, more or less.

Beginning at a U. S. Corps of Engineers concrete monument at the Northwest corner of the Wirt L. Bennett property; thence North 45 degrees, 0 minutes East 416.82 feet along the Corps of Engineers Take line to a concrete monument by others; thence continuing along said line North 23 degrees, 42 minutes West 418.38 feet to a concrete monument by others; thence leaving said line and running with the Harvey Thomas property North 10 degrees, 59 minutes East 293.50 feet to an iron pin; thence continuing along the Harvey Thomas property South 78 degrees 20 minutes east 216.45 feet to an iron pin; North 88 degrees 18.08 minutes East 226.15 feet to an iron pin; South 71 degrees 27.06 minutes East 485.90 feet to an iron pin; thence leaving said line and running with a 50 foot roadway for continuation within the boundaries of Shenandoah Subdivision South 11 degrees 15 minutes West 905.65 Feet to an iron pin in the North Boundary of the Wirt L. Bennett property; thence running with said boundary North 82 degrees 31.43 minutes West 554.02 feet to an iron pin; thence North 82 degrees 55.40 minutes West 357.92 feet to the beginning and containing 18.39 acres, more or less.

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

Passed: April 14, 1972.

## Public Acts of 1981 Chapter 268

**COMPILER'S NOTE:** This Act is a special legislation that does not appear in Tennessee Code Annotated.

**SECTION 1.** The boundary line between the counties of Trousdale and Wilson is hereby changed by detaching from the county of Wilson and attaching to the county of Trousdale, all of the hereinafter described territory, to-wit:

The tracts or parcels as shown in Wilson County Tax Map No. 19 as being Parcel #20 which consists of 13 acres and Parcel #21 which consists of 40 acres. Such parcels begin at the point of intersection of the Trousdale County-Wilson County line and the westerly margin of that road shown on Wilson County Tax Map No. 19 as Bellwood Road and thence proceeding southerly along the westerly margin of the said Bellwood Road to a point in the said Parcel #21 and Parcel #22 on the said tax map and thence in an easterly direction along the boundary between Parcel #21 and Parcel #22 to the point of intersection of the said boundary line with the presently existing Wilson County-Trousdale County boundary line.

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

Passed: April 27, 1981.

## Public Acts of 2013 Chapter 399

**COMPILER'S NOTE:** This Act is a special legislation that does not appear in Tennessee Code Annotated.

**SECTION 1.** The boundary line between Davidson County and Wilson County shall be revised so as to include within Wilson County all of the territory described as follows:

Beginning at a point on the current Davidson County and Wilson County line, as appears on the recorded subdivision plat of Hickory Hills, Phase 3, Section C, said point also being on the northerly line of Lot 244; thence (clockwise) with the county line, as appears on said subdivision plat, S 23°00' E, more or less, a distance of 935', more or less, to a point on the southern boundary of said subdivision, said point being on the northerly line of property now or formerly owned by Eva Richardson, Book 7213, Page 133, R.O.D.C.; thence with said line N 81°02'51" W a distance of 180', more or less, to a point; thence N 82°25'23" W along the line of property now or formerly owned by H.H. Richardson, et al., Book 4159, Page 427, R.O.D.C., a distance of 296.53' to a point; thence N 5°28'09" E a distance of 87.25' to a point; thence N 6°04'33" E a distance of 206.31' to a point; thence N 6°38'38" E a distance of 379.95' to a point; thence N 5°40'05" E a distance of 130.14' to a point, said point also being the northwest corner of aforementioned Lot 244; thence, with the north line of said lot, N 8r23'58" E a distance of 28', more or less, to the point of beginning. Such area consisting of approximately 4.65 acres.

**SECTION 2.** The boundary line between Davidson County and Wilson County shall be further revised so as to include within Wilson County all of the territory described as follows:

Beginning at a point on the current Davidson County and Wilson County line north of Stewarts Ferry Pike

being marked by United States Army Corps of Engineers monument number 518-1; thence (counterclockwise) in a northwesterly direction 655.98' to a point being marked by United States Army Corps of Engineers monument number 518-2; thence in a southeasterly direction 471.94' to a point being marked by United States Army Corps of Engineers monument number 518-3; thence in a southwesterly direction 1132.13' to a point being marked by United States Army Corps of Engineers monument number 518-4; thence in a northwesterly direction 457.47' to a point being marked by United States Army Corps of Engineers monument number 518-5; thence in a southeasterly direction 1,338.13' to a point being marked by United States Army Corps of Engineers monument number 518-6; thence in a southwesterly direction 856.26' to a point being marked by United States Army Corps of Engineers monument number 518-7; thence continuing in a southwesterly direction 612.14' to a point being marked by United States Army Corps of Engineers monument number 518- 8; thence in a southeasterly direction 1046.24' to a point being marked by United States Army Corps of Engineers monument number 611-1; thence continuing in a southeasterly direction 299.99' to a point being marked by United States Army Corps of Engineers monument number 611-2; thence in a northeasterly direction 730.33' to a point being marked by United States Army Corps of Engineers monument number 612-A and further being the current Davidson County and Wilson County line; thence following the current county line to the point of beginning.

**SECTION 3.** This act shall take effect January 1, 2014, the public welfare requiring it.

Passed: May 14, 2013.

## Public Acts of 2021 Chapter 588

**COMPILER'S NOTE:** This Act is a special legislation that does not appear in Tennessee Code Annotated.

**SECTION 1.** The boundary line between Davidson County and Wilson County is revised so as to include within Wilson County all of the territory described as follows: Beginning at an iron pin found on the Wilson/Davidson county line NAO 83 coordinates for said pin (N: 694,963.0618, E: 1,793,348.2673) in the westerly right-of-way of General Kershaw Drive also being the southeastern corner of this herein described parcel of land in Davidson County, Tennessee; thence leaving said right-of-way N 72°24'33" W 340.16 feet to a concrete monument found NAO 83 coordinates for said monument (N: 695,065.8644, E: 1,793,024.0112); thence with the proposed county line for the next six calls: thence N 41°51'40" E 108.20 feet to an iron pipe found NAO 83 coordinates for said pipe (N: 695,146.4450, E: 1,793,096.2130); thence N 18°44'19" E 44.00 feet to an iron pin set NAO 83 coordinates for said pin (N: 695,188.1128, E: 1,793,110.3480); thence N 18°44'19" E 98.27 feet to an iron pin set NAO 83 coordinates for said pin (N: 695,281.1754, E: 1,793,141.9176); thence S 47°29'40" E 277.01 feet to an iron pin set NAO 83 coordinates for said pin (N: 695,094.0074, E: 1,793,346.1356) in the westerly margin of General Kershaw Drive; thence with said right-of-way, S 00°51 '08" E 30.00 feet to an iron pin found NAO 83 coordinates for said pin (N: 695,064.0107, E: 1,793,346.5818); thence with said right-of-way, S 00°57'24" E 100.96 feet to the point of beginning; containing 15,972.38 square feet or 0.37 acres more or less.

**SECTION 2.** This act takes effect January 1, 2022, the public welfare requiring it.

Passed: May 27, 2021.

## Boundaries - Historical Notes

The private act has often been used as a means for transferring parcels of land from one county to another, often because the boundary lines would bisect an individual landowner's property, placing the landowner under the jurisdiction of two counties. This type of boundary change was often very general in its description of the land transferred, without any metes and bounds description. The following is a summary of acts which authorized boundary changes for Wilson County.

1. Acts of 1801, Chapter 37, extended the south boundary of the counties of Smith, Wilson, Davidson, Williamson and Robertson to the south boundary of the State of Tennessee.
2. Acts of 1801, Chapter 58, authorized the county courts of Wilson County and Davidson County to each appoint one surveyor who would have the power to run and designate the dividing line between the two counties as the same were delineated by Acts of 1801, Chapter 49. The Surveyors would be paid \$2 for each day of service and were required to make a map of the line thus run and file it with the county court clerk.
3. Acts of 1803, Chapter 77, provided for surveyors to run the boundary line between Wilson County and Davidson County and between Wilson County and Rutherford County as directed by the General Assembly.

4. Acts of 1845-46, Chapter 137, moved the residence belonging to James King out of Wilson County and into Cannon County.
5. Acts of 1851-52, Chapter 302, changed the lines between Wilson County and Rutherford County so as to include the home and lands of John L. Percy wholly within Rutherford County.
6. Public Acts of 1857-58, Chapter 47, transferred the lands of James King out of Wilson County and into Cannon County.
7. Public Acts of 1857-58, Chapter 83, rearranged the lines between Wilson County and DeKalb County beginning at Pallace Laurence's south corner which is on the DeKalb and Wilson County lines; running thence with the said Laurence's southern line to Thomas J. Kidwell's farm; thence with Kidwell's southern and western line and the said Laurence's line to the Wilson County line thus placing the Laurence farm and the Kidwell farm wholly within the confines of DeKalb County.
8. Private Acts of 1859-60, Chapter 100, detached all the lands of James Holmes from Smith County and attached the same to Wilson County. Section 12 of this Act took the property of James P. Doss out of Wilson County and placed it into DeKalb County.
9. Private Acts of 1859-60, Chapter 135, returned the land of James Holmes from Smith County back to Wilson County, and Section 13 of same Act took the farm of Thomas Y. Northern out of Wilson County and placed it in Davidson County.
10. Private Acts of 1859-60, Chapter 210, moved the land belonging to Levi Fouch and Jane Turny out of Wilson County and into DeKalb County.
11. Private Acts of 1859-60, Chapter 211, changed the line between Rutherford County and Wilson County so that the residence of Claiborne H. Rhodes would be included wholly within Rutherford County.
12. Public Acts of 1867-68, Chapter 23, moved all the properties belonging to Edie Ways and Thomas West of Wilson County and placed them in DeKalb County.
13. Public Acts of 1867-68, Chapter 60, altered the boundary lines between Wilson County and Rutherford County commencing at or near Robert Black's, near the Cannon County line, running west so as to include W. J. Witty and J. R. Jennings until it strikes the Cainsville and Statesville Turnpike at an abrupt turn near H. G. John's residence, and running with the said Turnpike until it crosses Fall Creek, thence with the said Creek to the Rutherford County line.
14. Public Acts of 1868-69, Chapter 39, altered the boundary line between Wilson County and DeKalb County which then ran through a tract of land on Pertel's Creek which belonged to M. M. Brien, Sr., so that the entire 268 acres would be wholly within DeKalb County.
15. Public Acts of 1870, Chapter 27, created Trousdale County out of portions of Sumner County, Macon County, Smith County, and Wilson County according to the general description in the Act.
16. Public Acts of 1870-71, Chapter 18, Section 4, changed the lines between Wilson County and Rutherford County so as to include in Rutherford County that area of Wilson County beginning at the Rutherford County line at Kinchen Patterson's, running north with the District line between District 17 and District 18 of Wilson County to Joby Carson's, on Fall Creek; thence up said Creek to Tharp and Simmons' Mill; thence east with the road including C. Gilliland, Esq.; thence east to the said creek again; thence with the said creek including E. Preston on the south and leaving Len Phelps on the north; thence east to the Statesville road north of Daniel B. Smith's; thence with said road to the top of the ridge east of Ryal Perruals; thence with the top of the said ridge to the Cannon County line. This Section was repealed by Public Acts of 1883, Chapter 203.
17. Public Acts of 1879, Chapter 60, changed the line between Wilson and Trousdale counties so as to include all the lands of David G. Jackson in Wilson County.
18. Public Acts of 1879, Chapter 61, changed the boundaries between the Counties of Smith, DeKalb and Wilson so as to detach all that part of a tract of land owned by J. W. Wood from the Counties of Smith and DeKalb and attach the same to Wilson County, but the new lines could not come nearer than eleven miles to the county seats of Smith County and DeKalb County, nor could the counties of Smith and DeKalb be rendered below their constitutional limits.
19. Public Acts of 1879, Chapter 137, Section 14, detached the lands of E. B. Marshall, C. W. Brantley, James Johnson, Clay Massey, T. L. Webster, Pleasant Turner, and R. S. Badgeth from Wilson County and placed all of them in Trousdale County. The new line ran from the east bank of Cumberland River at the mouth of Jackson's Branch, then running east on the line between the lands of David Jackson and W. B. Ramsey; thence between D. Jackson and Lon Bell; thence between E. B. Marshall and John Bonner; thence between Clay Massey and Sam DeBow; thence between Massey, Thomas Petway and Turner to David Young's line, then on the line between

- Young and Webster to the Cumberland River.
20. Public Acts of 1885, Chapter 146, moved the lands of E. B. Marshall, containing about 88 acres, out of Wilson County and placed them in Trousdale County.
  21. Public Acts of 1887, Chapter 18, took all the lands belonging to William Byrn, J. E. Allen, W. S. Rhodes, and R. E. Jarman out of the 17th Civil District of Wilson County and placed them in the 16th Civil District of Rutherford County.
  22. Public Acts of 1889, Chapter 55, detached the lands belonging to R. A. Hancock and J. R. Dougherty from Wilson County and attached them to Cannon County.
  23. . Public Acts of 1889, Chapter 56, changed the line between Rutherford County and Wilson County to follow the meanderings of the center of Fall Creek on the north boundary of R. D. Puckett's lands to the center of the Cumberland and Stones River Turnpike, thence with the center of the Turnpike to the intersection of the old line so that the lands of R. D. Puckett would rest wholly within the boundaries of Rutherford County.
  24. Public Acts of 1895, Chapter 82, rearranged the boundary lines between Smith County and Wilson County so as to include the lands of W. R. Seay and D. E. Seay, and the lands of E. C. Harris totally within Wilson County.
  25. Public Acts of 1899, Chapter 263, moved the lands owned by Lewis Bond out of Wilson county and into Davidson County.
  26. Private Acts of 1905, Chapter 35, changed the county lines between Wilson County and Cannon County so that the properties belonging to J. B. Smithson would be wholly within Cannon County.
  27. Private Acts of 1905, Chapter 47, transferred the lands of E. C. Maxey, bounded on the east by the land of Levi Beard, on the north by Thomas Conatser's heirs, on the west by D. J. Shipp, and on the south by Jacob Faley's heirs, out of Smith County and into Wilson County.
  28. Private Acts of 1905, Chapter 222, moved the lands of Henry Thomas, T. L. McMillin and Marguerite Tenpenny out of Wilson County and into Cannon County.
  29. Private Acts of 1907, Chapter 223, changed the lines between Wilson County and Davidson County so that the properties of Thomas S. Pride would be located entirely within Wilson County.
  30. Private Acts of 1909, Chapter 454, moved all the lands owned by John M. Kennedy out of Wilson County and into Cannon County.
  31. Private Acts of 1909, Chapter 455, detached the lands belonging to Mrs. Bettie Grooms from the 14th Civil District of Wilson County and attached them to Cannon County.
  32. Private Acts of 1909, Chapter 455, detached the lands belonging to Mrs. Bettie Grooms from the 14th Civil District of Wilson County and attached them to Cannon County.
  33. Private Acts of 1909, Chapter 514, transferred the 77 acre tract of land owned by W. A. Jackson in the 8th Civil District of Trousdale County out of that county and included the same entirely in Wilson County.
  34. Private Acts of 1911, Chapter 415, rearranged the boundary lines between Wilson County and DeKalb County so that all the lands owned by J. S. Berry in DeKalb County would hereafter be contained wholly within Wilson County.
  35. Private Acts of 1913, Chapter 276, removed the lands of Mrs. T. H. Henson, consisting of about 27 acres, and the property of W. S. Bridgewater, containing about 50 acres from Wilson County and placed them all within the confines of Smith County. The Act further changed the line by including the farm of D. E. Seay, lying between Round Lick Creek and the Trousdale Ferry Turnpike, wholly within Wilson County.
  36. Private Acts of 1915, Chapter 237, took the farms owned by Arch Parker, Brit Floyd, Lillard Oakley, and C. R. Barry out of the 19th Civil District of Smith County and placed them in the 12th Civil District of Wilson County.
  37. Private Acts of 1915, Chapter 246, detached the land belonging to Charley Edwards from the First Civil District of Rutherford County and attached the same to the 23rd Civil District of Wilson County.
  38. Private Acts of 1915, Chapter 260, moved the lands owned by Shelia Jennings, T. R. Jennings and T. D. Fite out of the 13th Civil District of DeKalb County and into the 13th Civil District of Wilson County.
  39. Private Acts of 1915, Chapter 527, took all the lands of Bud Lane out of Wilson County and put the same into Rutherford County.

40. Private Acts of 1915, Chapter 528, changed the lines between Wilson County and DeKalb County so that the whole of the lands owned by W. A. Huggins would hereafter be included in Wilson County.
41. Private Acts of 1915, Chapter 558, transferred the lands owned by Mrs. J. T. Qualls out of Wilson County and into DeKalb County.
42. Private Acts of 1915, Chapter 562, rearranged the boundary lines between Wilson County and Smith County beginning at the corner of the yard fence of J. R. Talley's, Isaac Ford's corner, thence east about 70 yards to the road at Charles Comatsers, thence south about 210 yards to Sam Williams' line, thence west about 70 yards to the Wilson and Smith County line at Talley's corner which embraced that portion of Talley's land located in Smith County, about 3 acres, more or less, which would hereafter be in Wilson County.
43. Private Acts of 1915, Chapter 670, moved the lands owned by G. W. Oakley and R. M. Baxter out of Wilson County and placed the same in Rutherford County.
44. Private Acts of 1923, Chapter 514,, moved the 44 acres owned by Mrs. Rebecca Worrell, the 70 acres owned by Gordon Cummins, the 114 acres belonging to Couch Bradford, the 8 acres owned by J. M. Wright, the 84 acres belonging to Mrs. Mollie Jenkins, and the 49 acres owned by A. T. Jenkins, all out of Wilson County and located them entirely in Davidson County.
45. Private Acts of 1927, Chapter 785,, changed the boundary between Wilson County and DeKalb County so as to include the farm of Mrs. M. C. Saddler, located in the 13th Civil District of DeKalb County, containing some 115 acres, more or less, in the 13th Civil District of Wilson County, which action would greatly facilitate the construction of a road through the 13th Civil District of Wilson County.
46. Private Acts of 1929, Chapter 147, detached the land owned by E. A. Simpson from Wilson County and attached the same to the 11th Civil District of Cannon County, which lands were known as the Couch and Truett lands.
47. Private Acts of 1931, Chapter 673, moved about 18 acres owned by Rice Moss, out of the 8th Civil District of Wilson County and into the 12th Civil District of Smith County. The Act further detached about 40 acres of the Dave Litchford farm from the 8th Civil District of Wilson County and attached the same to the 12th Civil District of Smith County.
48. Private Acts of 1931, Chapter 770, detached the farm of C. H. Baird from the 12th Civil District of Smith County and attached the same to the 7th Civil District of Wilson County.
49. Private Acts of 1931, Chapter 771, detached that portion of the farm owned by Roe Purnell, consisting of about 20 acres, from the 7th Civil District of Wilson County and attached the same to the 12th Civil District of Smith County.
50. Private Acts of 1933, Chapter 227, moved about 205 acres of land owned by Grover Foutch and Andrew M. Foutch out of DeKalb County and placed the same within Wilson County's boundaries.
51. Private Acts of 1935, Chapter 93, rearranged the boundary lines between Wilson County and DeKalb County so that the 40 acre tract owned by W. A. Fite, bounded on the north by John Allen, on the east by Bill Crook's heirs, on the south by the Liberty and Murfreesboro Pike, and on the west by W. A. Fite, would be wholly contained in the 14th Civil District of Wilson County.
52. Private Acts of 1935, Chapter 218, transferred a 17 acre tract, being part of the farm of Lillard E. Oakley, located in the 19th Civil District of Smith County, bounded on the north by Webb McEachern, on the south by Robert Hickey, on the east by Bert Allison and Well Herndon, and on the west by Lillard Oakley, out of Smith County and located the same in the 12th Civil District of Wilson County.
53. Private Acts of 1935, Chapter 422, changed the boundary lines between Wilson County and Rutherford County so as to detach from the 17th Civil District of Wilson County and attach to the 16th Civil District of Rutherford County the three tracts of land owned by J. G. Allen, H. P. Allen, C. W. Allen, and F. E. Allen, consisting of some 231 acres, more or less.
54. Private Acts of 1935, Chapter 588, rearranged the county line between Wilson County and Rutherford County so as to include in the 23rd Civil District of Wilson County the lands owned by Joe Leath, which were lying immediately across the county line in Rutherford County. These lands, containing some ten acres, were bounded on the north by Underwood and Bond, on the east by a private road by Guethlien and Charlton, on the south by Hunter or a public road, and on the west by a public road.
55. Private Acts of 1939, Chapter 369, detached that portion of the farm belonging to D. E. Seay, Sr., which was described in the Act, known as the old Hinson or Seay place, which contained some 40

acres, from the 18th Civil District of Smith County and attached the same to the 8th Civil District of Wilson County. The land which was moved had the old Seay residence, the tenant house, and the barn located on it.

56. Private Acts of 1955, Chapter 54, rearranged the lines between Rutherford County and Wilson County so as to include wholly within the First Civil District of Rutherford County all the lands of Orell Woodson and wife, Alma, which were particularly described in the Act, and which included some 31 acres, more or less. This Act was properly ratified by the Quarterly County Courts of both Rutherford and Wilson County.
57. Private Acts of 1959, Chapter 375, moved a 215 acre tract of land belonging to W. M. Earp and Juanita Earp out of the 17th Civil District of Wilson County and into the 15th Civil District of Rutherford County.

## Chapter V - Court System

### Chancery Court

#### Clerk and Master

### Private Acts of 1953 Chapter 408

**SECTION 1.** That the Chancellor of the Sixth Chancery Division of Tennessee is hereby authorized and empowered to appoint an assistant to the Clerk and Master of the Chancery Court for Wilson County, Tennessee, to serve at his will.

**SECTION 2.** That said assistant perform such secretarial duties as may be required by the Clerk and Master, shall keep such books and records of the office and perform such other related duties as may be required in the discharge of the duties of said office.

**SECTION 3.** That upon the appointment of such an assistant by the Chancellor, he shall notify the County Judge of said appointment in writing and said assistant shall thereafter be paid by the County from the General Fund not to exceed Six Thousand Six Hundred (\$6,600.00) Dollars per annum, payable in equal monthly installments as provided by the Chancellor in his appointment.

As amended by:

- Private Acts of 1959, Chapter 3
- Private Acts of 1963, Chapter 291
- Private Acts of 1967-68, Chapter 9
- Private Acts of 1971, Chapter 180
- Private Acts of 1974, Chapter 248

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

Passed: April 2, 1953.

### Public Acts of 1972 Chapter 780

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

**SECTION 1.** The Chancellor of the Seventeenth Chancery Division of Tennessee is hereby authorized and empowered to appoint a second assistant to the Clerk and Master of the Chancery Court for Wilson County, Tennessee, to serve at his will.

**SECTION 2.** The second assistant shall perform such secretarial duties as may be required by the Clerk and Master, shall keep such books and records of the office and perform such other related duties as may be required in the discharge of the duties of said office.

**SECTION 3.** Upon the appointment of the second assistant by the Chancellor, he shall notify the county judge of said appointment in writing and said assistant shall thereafter be paid by the county from the general fund the sum of five thousand, seven hundred dollars (\$5,700.00) per annum, payable in equal monthly installments.

As amended by: Public Acts of 1974, Chapter 546

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

Passed: April 7, 1972.

## Criminal Court

### Wilson County Traffic Regulation Cost Act

#### Private Acts of 1997 Chapter 27

**SECTION 1.** This act shall be known and may be cited as the "Wilson County Traffic Regulation Cost Act".

**SECTION 2.** It is the intent and purpose of this act to require and authorize the collection of a special court cost for each summons, warrant, citation, presentment or indictment which is filed and heard with the Criminal Court of Wilson County, Tennessee, or the General Sessions Court of Wilson County, Tennessee, and which involves conduct or events occurring within Wilson County but outside the city limits of Lebanon, Mt. Juliet and Watertown, Tennessee, that lead to the filing of charges for a criminal and/or traffic offense, and which involves prosecution by a county officer.

**SECTION 3.** The special court cost authorized under this act is ten dollars (\$10.00) and shall be charged and collected over and above other authorized court costs by the clerk of the Criminal Court of Wilson County, Tennessee, and the Clerk of the General Sessions Court of Wilson County, Tennessee, as provided herein.

**SECTION 4.** The court cost funds shall be collected by the clerks for all criminal and/or traffic violations which are prosecuted by county officers in Wilson County, Tennessee, and which involve offenses arising from conduct occurring within Wilson County but outside the city limits of Lebanon, Mt. Juliet and Watertown, Tennessee.

**SECTION 5.** The funds collected from this special court cost by the clerks shall be transferred to the Wilson County Trustee on a monthly basis, and the trustee shall establish a special fund to allow such monies to be used by Wilson County, Tennessee, for traffic regulation and enforcement.

**SECTION 6.** All funds collected under the provisions of this act shall be used for the purpose of traffic regulation and enforcement within Wilson County but outside the city limits of Lebanon, Mt. Juliet and Watertown, Tennessee.

**SECTION 7.** The Provisions of this act shall in no manner repeal, modify or interfere with the requirements to collect court costs under any other public or private laws applicable to Wilson County, Lebanon, Mt. Juliet, and Watertown, Tennessee.

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

**SECTION 9.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Wilson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Wilson County and certified to the Secretary of State.

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

Passed: April 3, 1997.

## General Sessions Court

### Division I and Division II

#### Private Acts of 1986 Chapter 174

**SECTION 1. DESIGNATION.** There is hereby designated a "Division I, Court of General Sessions of Wilson County, Tennessee," which shall consist of the presently-existing General Sessions Court of Wilson County, Tennessee, as established by Chapter 34 of the Private Acts of 1945 and all other Acts amendatory thereto.

**SECTION 2. CREATION.** There is hereby created and established another court in and for Wilson County,



Tennessee, which shall be designated "Division II, Court of General Sessions of Wilson County, Tennessee".

**SECTION 3. JURISDICTION.** The Division I, Court of General Sessions of Wilson County, Tennessee, shall retain the jurisdiction previously conferred upon it. The Division II of the Court of General Sessions of Wilson County, Tennessee, as herein created, is hereby vested and conferred with concurrent jurisdiction with Division I over all matters presently under the jurisdiction of Division I, including criminal cases, civil cases, probate cases and juvenile cases. In addition, Divisions I and II are hereby vested and shall have concurrent jurisdiction with the Circuit Court and Chancery Court in Wilson County over domestic matters and shall have the powers vested in the Circuit Judge and Chancellor by the general laws of the State of Tennessee over domestic matters. It is the intent of this Act to vest and confer upon both Division I and Division II equal and concurrent jurisdiction.

**SECTION 4. ASSIGNMENT OF CASES.** Effective with the start of the business day on September 1, 1986, the General Sessions Court Clerk shall assign to Division I all criminal cases and traffic cases and shall assign to Division II all civil cases including cases involving divorce and domestic matters filed in said court. On the said date, the County Clerk of Wilson County shall henceforth assign all juvenile cases to Division I and shall assign all probate cases to Division II.

In the event the said assignment directions shall result in an unequal work load for either division, the judges of the two divisions may alter the assignment directions by orders directed to the appropriate clerk signed by both judges establishing a modification of the assignment directions.

**SECTION 5. INTERCHANGE.** The judge of Division I and the judge of Division II shall be empowered from time to time to freely interchange one from the other to hold such respective courts.

**SECTION 6. CLERKS OF THE COURT.** The County Clerk of Wilson County, Tennessee shall act as the clerk of Division I and Division II Court of General Sessions of Wilson County, Tennessee when acting and performing the duties associated with probate and juvenile matters and shall maintain such minute books and other necessary records for such courts as may be necessary and required by law. The Circuit Court Clerk of Wilson County, Tennessee shall be the clerk of the Division I and Division II Courts of General Sessions of Wilson County, Tennessee to the extent that such court perform the duties, powers and functions associated with all other matters and shall, subject to the jurisdiction of the court, maintain such minute books and other records as may be required by law. The clerks, when performing their duties, shall charge all fees and shall be entitled to receive such fees and charges as shall be fixed from time to time for said county by the General Laws of the State of Tennessee. All such fees, when collected, shall be fully accounted for and disbursed as fees and charges as is similarly done by the other courts operating and functioning in Wilson County, Tennessee.

**SECTION 7. JUDICIAL AUTHORITY.** The judges of the Division I and Division II, Courts of General Sessions of Wilson County, Tennessee, shall have all authority and jurisdiction to punish for contempt, to issue extraordinary writs and processes including fiats, restraining orders, and injunctions and to compel compliance with its final decree, judgment and orders, as now or shall hereafter be exercised by a judge or chancellor or any Circuit and General Sessions Court of the State of Tennessee.

**SECTION 8. QUALIFICATIONS AND ELECTION OF JUDGE.** There shall be one judge for the Division II, Court of General Sessions of Wilson County, Tennessee herein created who shall be duly licensed to practice law 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 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 as shall be required for the other judges of the State of Tennessee. The position which is to be filled in accordance with the terms hereof shall be a full time position, and the person elected shall not be permitted to have an outside practice of law. The judge of Division II of Wilson County, Tennessee shall serve for a four (4) year initial period of time, which coincides with that of the present General Sessions Judge whose term expires August 31, 1990. There-after the judge of Division II shall serve for a full eight (8) year term. The judge of Division II shall be elected at the General Election held in August, 1986.

**SECTION 9. COURT OF RECORD.** Division I and Division II of the Court of General Sessions of Wilson County, Tennessee, shall when required by law be treated and considered as a court of record and such court shall be in continuous sessions 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 period as shall be required to provide for the orderly dispatch and disposition of all business properly coming before it.

**SECTION 10. PRACTICE AND PROCEDURE.** The Judges of Division I and Division II shall from time to time be authorized and empowered to adopt joint rules of practice and procedure for the courts provided that they are not inconsistent with the substantive and procedural laws of the State of Tennessee relative

to the matters of the jurisdiction of the courts or that they 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 courts.

**SECTION 11. COMPENSATION OF JUDGES.** The compensation of the Judge of Division II shall be the same as the compensation of the Judge of Division I.

**SECTION 12. LITIGATION TAX.** There is hereby levied and imposed on each and every criminal case, traffic case and juvenile case, as applicable, filed on or after September 1, 1986 in either Division I or Division II of the General Sessions Court of Wilson County, Tennessee an additional litigation tax in the amount of \$2.25, which tax shall be paid to the General Fund of Wilson County, Tennessee.

**SECTION 13. PROVISIONS SEVERABLE.** Every position of this Act is declared to be severable and should any portion of the same be held inconsistent 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 deleted and that the General Assembly would have enacted this Act with such unconstitutional or invalid portions deleted therefrom.

**SECTION 14. APPROVAL OF COUNTY COMMISSION.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the members of the Wilson County Board of County Commissioners on or before May 20, 1986. Its approval or nonapproval shall be proclaimed by the presiding officer of the said board and certified by him to the Secretary of State.

**SECTION 15. EFFECTIVE DATE FOR THE PURPOSE OF APPROVING OR REJECTING THE PROVISIONS OF THIS ACT.** For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 14.

Passed: April 7, 1986.

## Division III

### Private Acts of 2007 Chapter 46

**SECTION 1.** Chapter 34 of the Private Acts of 1945, as amended by Chapter 174 of the Private Acts of 1986, and all other acts amendatory thereto, is amended by adding the following new sections:

**SECTION \_\_\_\_.** There is hereby created and established another court in and for Wilson County, Tennessee, which shall be designated, "Division III, Court of General Sessions of Wilson County, Tennessee."

**SECTION \_\_\_\_.** Division I and II, Courts of general Sessions of Wilson County, Tennessee, shall retain the jurisdiction previously conferred upon them. Division III of the Court of General Sessions of Wilson County, Tennessee, as herein created, is vested and conferred with concurrent jurisdiction with Divisions I and II and shall have full authority to preside over Divisions I and II, including criminal, civil, probate, juvenile and domestic relations cases, however; Division III, Court of General Sessions of Wilson County, Tennessee, shall be limited to domestic relations and civil cases, probate cases and juvenile custody and child support cases. Division III, along with Division I and II, shall have concurrent jurisdiction with the Circuit Court and Chancery Court in Wilson County over domestic matters and shall have the powers vested in the Circuit Judge and Chancellor by the general laws of the State of Tennessee over domestic matters. It is the intent of this act to give equal concurrent jurisdiction to Division I, II, and III Courts of General Sessions for Wilson County, Tennessee, but Division III shall be assigned only civil, domestic relations and probate cases as well as those juvenile cases where the issue is setting, establishing and enforcing child support, as well as custody issues.

**SECTION \_\_\_\_.** Effective with the appointment of a judge by the Wilson County Board of County Commissioners or with the term of the elected judge beginning on September 1, 2008, the General Sessions Court Clerk shall assign to Division III all civil, domestic relations and juvenile cases related to establishing and enforcing child support and custody issues. On that date, the Clerk and Master for Wilson County shall assign all probate cases to Division III.

**SECTION \_\_\_\_.** The Judge of Division I, Division II and Division III, shall be empowered from time to time to freely interchange one from the other to hold such respective courts.

**SECTION \_\_\_\_.** The Clerk and Master of Wilson County, Tennessee, shall act as the Clerk of Division III Court of General Sessions of Wilson County, Tennessee, when acting and performing the duties associated with probate matters and shall maintain such minute books and other

necessary records for such courts as may be necessary and required by law. The Circuit Court Clerk of Wilson County, Tennessee, shall be the Clerk of Division I, Division II, and Division III Courts of General Sessions of Wilson County, Tennessee, to the extent that such court performs the duties, powers and functions associated with all other matters and shall, subject to the jurisdiction of the Court, maintain such minute books and other records as may be required by law. The Clerks, when performing their duties shall charge all fees and shall be entitled to receive such fees and charges as shall be fixed from time to time for the county by the general laws of the State of Tennessee. All such fees, when collected, shall be fully accounted for and disbursed as fees and charges as is similarly done by the other courts operating and functioning in Wilson County, Tennessee.

**SECTION \_\_\_\_.** The judges of the Division I, Division II and Division III of the General Sessions Court of Wilson County, Tennessee, shall have all authority and jurisdiction to punish for contempt, to issue extraordinary writs and processes including fiats, restraining orders, and injunctions and to compel compliance with its final decrees, judgments and orders, as now or shall hereafter be exercised by a judge or chancellor or any circuit and general sessions court of the state of Tennessee.

**SECTION \_\_\_\_.** There is created the position of judge for the Division III Court of General Sessions of Wilson County, Tennessee, created by this act. The judge of Division III shall be appointed by the Wilson County Board of County Commissioners as provided by law. The judge so appointed shall serve until August 31, 2008 or until such judge's successor is elected and qualified. At the August general election in 2008, the qualified voters of Wilson County shall elect a person to serve as judge of Division III of the Court of General Sessions for such county. The person so elected shall commence service on September 1, 2008 and serve until August 31, 2014, or until such judge's successor is elected and qualified. Thereafter a judge for Division III shall be elected for a full eight (8) year term.

The person initially appointed to serve as judge of Division III and all persons elected or appointed to such office thereafter shall be duly licensed to practice law in the state of Tennessee, at least thirty (30) years of age at the time of his or her election or appointment, and otherwise have all the qualifications and serve the same term as provided by the constitution of the state of Tennessee for inferior court judges. The person so appointed or elected shall take the same oath as shall be required for the other judges of the state of Tennessee. The position of judge for Division III shall be a full time position, and the person elected shall not be permitted to have an outside practice of law.

**SECTION \_\_\_\_.** Division I, Division II and Division III of the Court of General Sessions of Wilson County, Tennessee shall, when required by law, be treated and considered as a court of record and such court shall be in continuous sessions 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 period as shall be required to provide for the orderly dispatch and disposition of all business properly coming before it.

**SECTION \_\_\_\_.** The Judges of Division I, Division II and Division III shall from time to time be authorized and empowered to adopt joint rules of practice and procedure for the courts provided that they are not inconsistent with the substantive and procedural laws of the State of Tennessee relative to the matters of the jurisdiction of the courts or that they 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 courts.

**SECTION \_\_\_\_.** Compensation of the Judge of Division III shall be the same as the compensation of the Judge of Division I and Division II.

**SECTION \_\_\_\_.** Upon the appointment or election of the Judge of the General Sessions Court, Division III, the three General Sessions Judges shall vote upon and select one (1) of the three (3) judges to serve as the presiding judge for a one-year term. Such term shall run from September 1st through August 31st annually. The presiding judge shall designate the future assignment of cases so as to equalize the case load, however, Division III shall only be assigned cases that do not require the attention or presence of the District Attorney General's staff nor the District Public Defender's staff.

**SECTION 2.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative

body of Wilson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Wilson County legislative body and certified 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 as provided in Section 3.

Passed: May 10, 2007.

## Private Acts of 2020, Chapter 48

**SECTION 1.** Chapter 34 of the Private Acts of 1945, as amended by Chapter 17 4 of the Private Acts of 1986, Chapter 46 of the Private Acts of 2007, and all other acts amendatory thereto, is amended by adding the following as a new section:

The Judge of the General Sessions Court, Division III, shall be empowered from time to time to freely interchange with the judges of the Circuit and Chancery Courts in Wilson County for matters of domestic relations and probate.

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

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

Passed: July 15, 2020.

## Private Acts of 1945 Chapter 34

**SECTION 1.** That there is hereby created and established a Court in and for Wilson County, Tennessee, which shall be designated Court of General Sessions of Wilson County, Tennessee.

Said County shall provide a court room in the Courthouse in Lebanon, Tennessee, dockets, furnishings and necessary supplies for the equipment and maintenance of said Court, and pay for the same out of the ordinary funds of said County, and the Judge of the Court of General Sessions of said County will hold the Court and try cases in such courtroom so provided.

However, whenever the convenience of litigants and witnesses demand that the Judge of said Court hear or try a case or cases in any part or locality of Wilson County other than Lebanon, Tennessee, the Judge of said Court of General Sessions is hereby vested with the discretionary authority and power to set the trial and hearing of such case or cases at such place in Wilson County as he deems will be convenient and accessible to the litigants and witnesses.

**SECTION 2.** That said Court of General Sessions is hereby vested with all of the jurisdiction and shall exercise the authority conferred by the General Assembly of Tennessee upon Justices of the Peace in civil and criminal cases, suits and actions; and the Justices of the Peace of said County are hereby divested of all such jurisdiction and authority, but any Justice of the Peace of said County elected for any district may issue criminal and search warrants against and accept appearance bonds from any person charged with an offense, and may issue 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. 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. That in addition to the other jurisdiction conferred upon the Judge of said Court of General Sessions, he is hereby vested with and shall have interchangeable and concurrent jurisdiction with the Chancery, Circuit and Criminal Courts to grant fiats for writs of injunction and attachment.

**SECTION 3.** That before any civil case shall be tried or judgment rendered in said Court the plaintiff shall secure the costs by executing a cost bond with good security in the sum of \$25.00, or by making a cash cost deposit of not less than \$5.00 or more than \$25.00, or shall take the oath prescribed for poor persons, in lieu of a bond, and on motion, the Court may increase the amount of such bond or deposit.

**SECTION 4.** That the rules of pleadings and practice, forms of writs and process and stay of and appeals from judgments in civil cases of said Court shall be the same as of Justices of the Peace.

**SECTION 5.** That in all matters the costs and fees of said Court of General Sessions shall be the same as those provided by law for Justices of the Peace. The fees and other compensation of the Sheriff, his

deputies, constables, game wardens and State highway patrolmen for the execution of writs and process of said Court, and the attendance and mileage of witnesses testifying under subpoena in said Court of General Sessions shall be as follows: \$1.00 per day for each day's necessary attendance, under subpoena, where the witnesses live in Wilson County.

Also, when the said witnesses reside at a greater distance than ten miles from the place of trial, 4¢ per mile for going to and returning from Court where they live in Wilson County. Where the witnesses attending said Court under subpoena live out of said County, \$1.50 for each day's necessary attendance and 5¢ per mile for every mile traveled in going to and from such Court.

The fees and compensation due for services rendered by said Court of General Sessions shall be paid to the Clerk of said Court and by him accounted for as hereinafter provided. Said costs, fees and mileage of witnesses, the fees, commissions and emoluments of the Sheriff, his deputies, constables, state highway patrolmen, game wardens and other officers, for services to said Court, and the fines and forfeitures adjudged by it shall be handled, accounted for and disbursed as required by law.

As amended by: Private Acts of 1949, Chapter 301

**SECTION 6.** That separate dockets shall be kept in said Court for civil and criminal cases. Upon the civil docket shall be entered the style of each case, the date of issuance of the warrant or process and the return of the process, in brief form, action of the Court on the case, both interlocutory and final orders, judgments, executions, garnishments, lists of the fees of the Court, the Sheriff, his deputies, constables, game wardens and state highway patrolmen for their services, fees of witnesses for attendance, et cetera, and credits for payments upon the judgment and upon the costs. All cases shall be indexed and the dockets shall be substantially in the form of those of Justices of the Peace.

The Criminal Docket shall be kept in like manner.

**SECTION 7.** That there shall be one Judge for said Court, with the same qualifications and term of office as provided by the Constitution of the State of Tennessee for Judges of inferior Courts; and the oath shall be the same as that prescribed for Circuit Judges and Chancellors. The Judge of such Court shall be a person licensed to practice law in the State of Tennessee.

The Judge of said General Sessions Court shall be incompetent to sit on and to try cases in the instances provided by the Code of Tennessee, as set out in Section 9892 thereof. The Judge of said General Sessions Court is prohibited from accepting employment as an attorney or counsel in any case or lawsuit originating in his said Court or in any case or lawsuit in Wilson County, Tennessee, of which said Court of General Sessions is given jurisdiction to try by this Act or by the law of Tennessee. He may accept employment in all cases or legal matters which do not originate in and of which said Court of General Sessions Court is not given jurisdiction by this Act or by the law of Tennessee.

**SECTION 8.** That the compensation of said Judge shall be Three Thousand (\$3,000.00) Dollars per annum, payable in equal monthly installments. It shall be paid out of the ordinary funds of the County, and shall not be decreased during the term for which said Judge is elected.

As amended by: Private Acts of 1949, Chapter 444

**SECTION 9.** That Thomas A. Sexton, Attorney, Lebanon, Wilson County, Tennessee, is hereby appointed first Judge of said Court and he shall serve until the first day of September, 1946, and until a successor has been elected and qualified. His successor shall be elected by the qualified voters of the County, at the election for judicial and other civil officers on the first Thursday of August, 1946, and shall hold said office from the 1st day of September, 1946, until the 1st day of September, 1950, or until his successor is elected and qualified.

His successor shall be elected every eight years at such election for the term provided by law for Judges of inferior courts.

**SECTION 10.** That if the Judge of said Court fails to attend, cannot preside in a pending case, or for any reason hold Court, or act as Judge, as majority of the attorneys present in such Court may 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 11.** That in the case of a vacancy in the office of such Judge for any cause, the Governor shall have the power to appoint some qualified person to fill such vacancy.

**SECTION 12.** That the Clerk of the Circuit Court and Criminal Courts of said County shall act as Clerk of said Court of General Sessions, and when acting as Clerk of said Court shall be designated "Clerk of Court of General Sessions of Wilson County." The fees, commissions and emoluments of said Court of General Sessions and of said Clerk of said Court shall accrue to said County, and such fees, commissions and emoluments shall be in the amounts as those which Justices of the Peace are authorized to tax, charge, receive and collect under the law of the State of Tennessee.

The Clerk of said Court shall receive compensation for his services in the sum of Twelve Hundred (\$1,200.00) Dollars per annum, payable in equal monthly installments, out of the ordinary funds of said County, and he shall pay to said Court monthly, all fees, fines, commissions and emoluments of said Court of General Sessions and of the Clerk thereof.

The Clerk of said Court and his deputies shall have concurrent authority with the Judge thereof to issue warrants and other processes and writs, other than those which the law requires shall be issued only by a judicial officer.

As amended by: Private Acts of 1949, Chapter 444, Page 1189.

**SECTION 13.** That the Sheriff of said County, or any 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.

**SECTION 14.** That this Act shall in no wise impair the right, title or interest of any Justice of the Peace of said County to any unpaid fees, or funds in which he had a right or interest in any proceedings, judgment or suit, whether said cause is disposed of or pending when this Act becomes effective.

**SECTION 15.** That all of the official dockets, records and papers in cases which are undisposed of or pending in the offices of Justices of the Peace of said County at the time this Act becomes effective shall be delivered to said Court of General Sessions. The official dockets, records, and papers in possession of Justices of the Peace of said County, in cases which have been completed, shall be turned over to said County, as provided by law.

**SECTION 16.** That said Court shall have authority to hear and determine all undisposed of cases arising in the Courts of Justices of the Peace of said County as if such cases had originated in said Court of General Sessions, and to issue executions on and orders concerning any 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 17.** That the General Assembly expressly declares that each section, subsection, paragraph and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the General Assembly declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

**SECTION 18.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 16, 1945.

## Court System - Historical Notes

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

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

1. Acts of 1799, Chapter 40, provided that from and after the passage of this Act, the counties in the Mero District of Tennessee were required to send jurors to the Superior Courts according to this Act. Davidson County would send ten jurors; Sumner County, seven jurors; Smith County, four jurors; Wilson County, four jurors; Robertson County, five jurors; Montgomery County, five jurors; and Williamson County, five jurors.
2. Acts of 1803, Chapter 73, was an apportionment of jurors to be furnished by the counties to the Superior Court of the Mero District. In this Act Wilson County's quota was three.
3. Acts of 1806, Chapter 24, re-annexed Wilson County to the Mero District and apportioned the number of jurors to be provided by the counties of the Mero District. Davidson County would be obligated to furnish twelve jurors; Sumner County, eight; Wilson County, six jurors; Williamson County, eight; and Rutherford County, five jurors.
4. Acts of 1817, Chapter 128, made it lawful for the Justices of the Peace of the counties of Davidson, Smith, Rutherford, Franklin, Maury, Lincoln, Giles, Overton, Bedford, Wilson, Hickman, Sumner, Stewart, Humphreys, Williamson, Jackson, White, Montgomery, Warren, Robertson and Dickson to levy a tax in their respective counties to pay jurors some added compensation for attending the County and Circuit Courts, but the added pay could not exceed fifty cents per day.
5. Private Acts of 1909, Chapter 334, created a Board of Jury Commissioners in Wilson County and Rutherford County. The Board would consist of three discreet householders and freeholders of the County appointed by the Circuit Judge, or Judges having criminal jurisdiction, who were not

practicing attorneys, who had no suit pending in the Courts, and no more than two of whom could belong to the same political party, and who would serve terms of one year. Vacancies were to be filled in the same manner. After being sworn according to the oath in the Act, the Commissioners would organize by choosing a Chairman. The Circuit Court Clerk or his Deputy, also being sworn, would be the Clerk to the Commissioners. The Commissioners would select qualified people as potential jurors from the tax rolls, no more than 1,000 nor less than 250, equal to one-fifth of the number of votes cast in the last presidential election. Those chosen would constitute the jury list for the next two years. Their names would be entered alphabetically in a book and the list would be certified by all three Commissioners. The names were also to be put on slips of paper and placed in a Jury Box to be locked and sealed, and never opened except in the presence of the Board or the Judge. Ten to fifteen days before the term of Court, the Box would be opened in the presence of the Board and a child under ten years of age would draw out the number of names specified to serve as jurors for the ensuing term of Court. Those names not serving would be returned to the Box. The Commissioners would be paid \$2 for each day of service devoted to making up jury lists.

6. Private Acts of 1915, Chapter 95, stated that every regular juror serving in the courts of Wilson county was entitled to be paid \$2 for each day's service plus four cents per mile going and returning from home to court, all of which would be paid out of the county treasury. Tales jury men were to be paid the same under certain circumstances.
7. Private Acts of 1937, Chapter 350, fixed the pay of all jurors in Wilson County at \$2 per day for each day's service as a juror, and four cents per mile travel each way between home and court but only for one trip per term. Tales jury men would be paid at the same rate for every day they served as jurors, plus the same amount of mileage. All of the compensation was to come out of the ordinary county funds.
8. Private Acts of 1947, Chapter 401, amended Private Acts of 1937, Chapter 350, by increasing the per diem rate for jurors from \$2 to \$3 and the mileage payments from four cents to five cents, all other conditions to remain the same.
9. Private Acts of 1951, Chapter 212, amended Private Acts of 1909, Chapter 334, but only as to remove Rutherford County from its provisions.
10. Private Acts of 1955, Chapter 139, would have set the compensation of the members of the Board of Jury Commissioners of Wilson County, acting for the Circuit and Criminal Court, as was provided by Private Acts of 1909, Chapter 334, at \$10 per day for each day's service in making up jury lists. The same would be paid out of the county treasury on the warrant of the County Judge. The Clerk who served as the Secretary of the Board would likewise be paid \$10 for each day's service. This Act was not approved by the Wilson County Quarterly Court and never became an effective law.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Wilson 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.

1. Acts of 1806, Chapter 19, divided the Mero District into three separate judicial districts. The new Winchester District contained the counties of Jackson, Smith and Wilson which would hold two superior courts of law and a court of equity in the town of Carthage. Court would commence on the third Mondays of October and April.
2. Public Acts of 1822, Chapter 13, provided that the Chancery Courts of Tennessee would be held by one of the Judges of the Supreme Court of Errors and Appeals at the present places where the Supreme Court met at least once each year. The Court would be held at Rogersville on the first Monday in November, at Knoxville on the third Monday of 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. The terms would continue for two weeks unless the dockets were cleared at an earlier time. The judges of the Supreme Court would possess original equity jurisdiction and the Clerks of the Supreme Court in each circuit would serve as Clerks and Masters.
3. Public Acts of 1824 (Ex. Sess.), Chapter 14, required the Judges of the Supreme Court to arrange among themselves to hold the Chancery Courts at the places specified at least twice each year. The Chancery Court at Carthage would hear cases from the counties of Overton, Fentress, Jackson, Smith, Sumner, and Wilson on the third Monday in May and November of each year. The Judges would appoint Clerks and Masters for the Chancery Courts.

4. Public Acts of 1827, Chapter 79, divided the State into two Chancery Divisions; the Eastern, composed of the courts of Rogersville, Greenville, Kingston, Carthage, and McMinnville, and the Western which contained the Chancery Courts meeting at Franklin, Columbia, Charlotte, Jackson, and Paris. The judges of the Supreme Court were divested of original chancery jurisdiction and the General Assembly was to elect two Chancellors by joint ballot.
5. Public Acts of 1827, Chapter 88, amended Public Acts of 1827, Chapter 79, by requiring that Chancellors hold the Chancery Courts of Tennessee at least twice each year at the places named in the Act. The Court at Carthage had jurisdiction over causes arising in the counties of Overton, Fentress, Jackson, Smith, Sumner, and Wilson and would meet on the third Monday in July and January.
6. Public Acts of 1829, Chapter 103, Section 3, changed the opening dates of the terms of the Chancery Court at Carthage to the second Monday in January and July instead of the third Monday.
7. Public Acts of 1832, Chapter 19, moved the terms of the Chancery Court at Carthage to the third Monday in January and July to continue for two weeks and all process was made to conform to the change in dates.
8. Public Acts of 1835-36, Chapter 3, enacted to implement the new State Constitution, provided for a three member Supreme Court, one Judge being selected from each of the Grand Divisions of the State, who would be appointed by the General Assembly. The Judges, after being sworn and commissioned, would meet at least once each year at Knoxville, Nashville, and Jackson. Wilson County, plus 23 other counties, was in the Middle Division of the State.
9. Public Acts of 1835-36, Chapter 4, arranged for the Chancery Courts to have Chancellors to preside over them who would be appointed by the General Assembly and commissioned by the Governor. The State was divided into three Chancery Divisions each of which was further broken down into Districts. Wilson County made up the Fourth District of the Middle Division whose Court would open at Lebanon on the fourth Monday of January and July.
10. Acts of 1837-38, Chapter 116, Section 13, rearranged the schedule for court terms of Chancery Court in some counties of the Middle Division of Tennessee. The Fourth District Chancery Court would convene at Lebanon on the third Monday in January and July.
11. Acts of 1839-40, Chapter 21, set the Chancery Court terms for the Fourth District of Middle Tennessee to begin on the second Monday in January and July at Lebanon.
12. Acts of 1843-44, Chapter 161, changed the terms of the Chancery Courts for Bedford County, Warren County, and Wilson County. Wilson County's Court would begin on the third Monday in January and July.
13. Acts of 1847-48, Chapter 132, Section 4, provided that the Chancery Court of Wilson County at Lebanon would hereafter be held on the first Monday in January and July.
14. Public Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, Fourth, Fifth, and Sixth Chancery Divisions. The Fourth Chancery Division included the counties of Macon, Jackson, Putnam, Smith, Coffee, Franklin, Lincoln, Bedford, Sumner, DeKalb, Warren, Van Buren, Grundy, Cannon, Rutherford, and Wilson whose Court terms were to start on the first Monday in January and July at Lebanon.
15. Private Acts of 1859-60, Chapter 59, Section 7, stated that the Chancery Court terms in Wilson County would begin hereafter on the second Monday in April and October each year at Lebanon but the next term would start on the first Monday in July.
16. Public Acts of 1870, Chapter 32, was a major reorganization of the lower judicial system of the State enacted pursuant to the 1870 Constitution. There would be twelve Chancery Divisions of which the Sixth Chancery District would be composed of the counties of Wilson, Sumner, Robertson, Montgomery, Stewart, Cheatham, and Trousdale.
17. Public Acts of 1870, Chapter 47, scheduled court terms for the Chancery Courts of every county in the State. In Wilson County the Chancery Court would meet on the second Monday in June and December.
18. Public Acts of 1873, Chapter 12, repealed the provisions of Public Acts of 1870, Chapter 47, as they applied to the Sixth Chancery Division and rescheduled the terms of the Courts in the Sixth Chancery Division. Wilson County's Chancery Court would open its regular terms on the third Monday in April and October to which dates all process was to conform.
19. Public Acts of 1873, Chapter 62, Section 3, changed the opening dates of the Chancery Court terms in Wilson County to the second Monday in April and October.



20. Public Acts of 1877, Chapter 47, rearranged the terms of Court for the counties in the Sixth Chancery Division which included Sumner, Trousdale, Montgomery, Houston, Stewart, Cheatham, Robertson, and Wilson. Chancery Court terms would begin in Wilson on the fourth Monday in April and October at Lebanon.
21. Public Acts of 1879, Chapter 36, reset the terms of the Courts in the Sixth Chancery Division assigning Wilson County's Court to the third Monday in March and the fourth Monday in October.
22. Public Acts of 1883, Chapter 21, changed the court dates for some of the counties in the Sixth Chancery Division but Wilson County's Chancery Court remained on the third Monday in March and the fourth Monday in October.
23. Acts of 1885 (Ex. Sess.), Chapter 20, was an overhaul of the lower court system in Tennessee. Eleven Chancery Divisions were formed in the State in which process the counties of Sumner, Robertson, Montgomery, Wilson, Stewart, Houston, Cheatham, Humphreys, and Trousdale were designated as the Eighth Chancery Division. The Court in Wilson County would continue to begin terms on the third Monday in March and the fourth Monday in October.
24. Public Acts of 1895, Chapter 13, removed Montgomery County from the 8th Chancery Division but made no other changes.
25. Public Acts of 1899, Chapter 427, reorganized the lower judicial structure into ten Chancery Divisions. The Sixth Chancery Division was made up of the counties of Sumner, Robertson, Cheatham, Montgomery, Stewart, Houston, Dickson, Humphreys, Hickman, and Wilson. Wilson County's Court term would start on the second Monday in April and October.
26. Private Acts of 1905, Chapter 286, changed the opening dates of the regular terms of court in some of the counties in the Sixth Chancery Division but Wilson County remained on the second Mondays in April and October.
27. Private Acts of 1919, Chapter 455, rescheduled the terms of court for the counties in the Sixth Chancery Division which included the counties of Cheatham, Dickson, Hickman, Houston, Humphreys, Montgomery, Robertson, Stewart, Sumner, and Wilson whose court would convene on the fourth Monday in May and November.
28. Public Acts of 1969, Chapter 198, was partially uncodified. It set terms for certain courts in Wilson County, provided for a new chancellor and made other provisions. T.C.A. 16-2-506 now provides Wilson County is part of the Fifteenth Judicial District and provides the number of judges. T.C.A. 16-2-510 abolishes terms of court.

### **Clerk and Master**

The reference below contains an act which once applied to the clerk and master in Wilson County.

1. Public Acts of 1897, Chapter 124, fixed the annual salaries of various county officers according to the population class of the county in which they served. They would be deprived of all their fees, commissions, emoluments and perquisites of their office and would only receive the fixed salary in the Act. All fees would become the property of the County.

### **Circuit Court**

The following acts were once applicable to the circuit court of Wilson County but now have no effect, having been repealed, superseded, or having failed to win local approval.

1. Acts of 1809, Chapter 49, formed five Judicial Circuits in Tennessee. The Fourth Judicial Circuit consisted of the counties of Davidson, Wilson, Rutherford, Williamson, Maury, Giles, Lincoln, and Bedford. The Circuit Court terms in Wilson County would commence on the fourth Monday in March and September.
2. Acts of 1812, Chapter 68, scheduled Circuit Court terms for several counties including Wilson whose Circuit Court would commence on the first Monday in March and September.
3. Acts of 1817, Chapter 138, scheduled the terms of the Circuit Courts in the Third, Fourth, Fifth and Sixth Judicial Circuits. In Wilson County the regular terms of the Circuit Court would begin on the fourth Monday in April and October.
4. Private Acts of 1821, Chapter 127, stated that hereafter the Circuit Court of Wilson County would meet and commence its sessions as authorized by law and the Court would sit for two weeks unless the business of the Court was completed sooner.
5. Public Acts of 1829, Chapter 52, formed the Eleventh Judicial Circuit in Tennessee composed of the counties of Warren, Franklin, Bedford, Rutherford, and Wilson. A Judge would be appointed to

- hold the courts of the new circuit and be paid the same as other judges were paid.
6. Public Acts of 1835-36, Chapter 5, pursuant to the new State Constitution divided Tennessee into eleven Judicial Circuits. The Fifth Circuit contained the counties of Wilson, Rutherford, Bedford, Coffee, and Franklin. There would henceforth be three annual terms of the Circuit Courts with Wilson County's terms to begin on the first Monday in March, July and November.
  7. Acts of 1837-38, Chapter 116, changed the regular terms of the Fifth Circuit Courts for the counties of Cannon, Rutherford, and Wilson where the Courts would meet on the first Monday of February, June, and October.
  8. Acts of 1839-40, Chapter 21, arranged the regular Circuit Court terms for the counties in the Fifth Judicial Circuit shifting Wilson County's Circuit Court to open on the fourth Monday in January, May and September.
  9. Acts of 1847-48, Chapter 171, established a Criminal Court of separate jurisdiction in Clarksville for Montgomery County, in Murfreesboro for Rutherford County, and in Lebanon for Wilson County which courts would be held by the Judge of the Criminal Court of Davidson County under the same rules prevailing in the Davidson County Criminal Court. All criminal cases pending in the counties mentioned were to be transferred to the Courts created herein. The Circuit Judges in these counties would continue to empanel a Grand Jury for the finding of bills of indictment. Three terms of Court would be held each year which were to be scheduled by the order of the Judge entered upon the Minute Book.
  10. Acts of 1851-52, Chapter 230, provided that the Circuit Court of Wilson County would in the future be held on the third Monday in January, May, and September, but the next term of Court would take place at the time now specified under the law.
  11. Public Acts of 1857-58, Chapter 98, was a major revision of the lower court structure in Tennessee. The State was divided into sixteen Judicial Circuits of which the Seventh Judicial Circuit was made up of the counties of Cannon, Rutherford, Bedford, and Wilson. Wilson County's Circuit Court would open for regular terms on the third Monday in January, May, and September.
  12. Public Acts of 1868-69, Chapter 3, changed the terms of the Circuit Court in Wilson County from the third Monday to the second Monday in January, May, and September.
  13. Public Acts of 1870, Chapter 31, in conformity with the new 1870 State Constitution was a thorough reorganization of the state's lower court system. The Act established fifteen regular Judicial Circuits. The Seventh Judicial Circuit consisted of the counties of Rutherford, Cannon, Wilson, and Bedford, and the Criminal Court in Wilson County.
  14. Public Acts of 1870, Chapter 46, scheduled the regular court terms for the Circuit Courts of all the counties in the State according to their Circuit. Wilson County's Circuit Court would open for regular terms on the second Monday in January, May, and September. The Criminal Court for Wilson County would be held on the fourth Monday of February, June, and October by the Judge of the Seventh Judicial Circuit.
  15. Acts of 1885 (Ex. Sess.), Chapter 20, constituted a major realignment of the lower court system of Tennessee. The Act created fourteen regular, and one special judicial circuits. The counties of Wilson, Rutherford, Cannon, Bedford, and Marshall were assigned to the 8th Judicial Circuit with Wilson County's Court meeting on the second Monday in January, May, and September.
  16. Public Acts of 1899, Chapter 427, fashioned fourteen Judicial Circuits in the State as a part of a major reform of the judiciary. The 8th Judicial Circuit contained the counties of Wilson, Rutherford, Bedford, Marshall, Cannon, and Williamson. The Circuit Court terms in Wilson County would continue to commence on the second Monday in January, May, and September.
  17. Private Acts of 1919, Chapter 45, amended Public Acts of 1899, Chapter 427, so as to detach Wilson County from the 8th Judicial Circuit and attach it to the 5th Judicial Circuit, and Private Acts of 1907, Chapter 85, was amended to require the Judge of the Criminal Court of the 5th Judicial Circuit to hold the Circuit Court for Wilson County on the third Monday in April, August, and December. The Judge of the Circuit Court in Wilson County would continue to have both civil and criminal jurisdiction.
  18. Public Acts of 1967, Chapter 10, created the Twenty-fifth Judicial Circuit consisting of Jackson, Smith, Macon, Trousdale, and Wilson Counties, specifying terms. T.C.A. 16-2-506 made these counties the Fifteenth Judicial District. T.C.A. 16-2-510 abolished terms. Public Acts of 1978, Chapter 798, divided up the Fifth and Twenty-fifth Judicial Circuits for criminal jurisdiction purposes.

## **Clerk**

The following acts have no current effect, but once applied to the Wilson County circuit court clerk. They were repealed, superseded, or never received local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Public Acts of 1897, Chapter 124, included the Circuit Court Clerk among those county officials whose salary was determined by this Act according to the County's population. The compensation paid under this Act was in lieu of all fees and emoluments collected in the office which would become the property of the county.
2. Private Acts of 1903, Chapter 255, was a salary act which set the annual salaries of Circuit Court Clerks according to the population class of the county in which they served. The fees collected were to be reported to the Judge, or Chairman, of the county court in a sworn, itemized statement. If the fees were less than the salary the county would pay the difference to the clerk and if they exceeded the salary, the clerk could retain the excess.
3. Private Acts of 1911, Chapter 675, amended Private Acts of 1903, Chapter 255, to provide that in counties between 25,000 and 30,000 in population which had a Law Court in addition to the Circuit Court and where a separate office must be kept for the Law Court by the Circuit Court Clerk, the Circuit Court Clerk would be paid an annual salary of \$1,500. Wilson County was within that population range.
4. Private Acts of 1927, Chapter 722, provided that the Circuit Court Clerk in Wilson County would be paid an annual salary of \$1,800, payable monthly out of the county funds, provided the Clerk filed annually on July 1 of each year a sworn, itemized statement showing the total amount of fees collected in the office. If the fees were less than the salary, the Clerk would be paid the difference, if more, the Clerk could retain the excess. This Act was repealed by Private Acts of 1935, Chapter 374.

### **Criminal Court**

The following acts once pertained to the Wilson County criminal court, but are no longer current law. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1847-48, Chapter 171, created a separate Criminal Court in Clarksville for Montgomery County, in Murfreesboro for Rutherford County, and in Lebanon for Wilson County. These Courts were to be held by the Criminal Court Judge of Davidson County under the same rules prevailing in the Davidson County Criminal Court. All criminal cases pending in the above counties were to be transferred to the new Courts. The Circuit Judges in those counties would continue to empanel the Grand Jury for the finding of bills of indictment. The Court would have three terms each year which would be scheduled by the Judge and entered upon the Minute Book. This Act was repealed by Acts of 1849-50, Chapter 202.
2. Public Acts of 1868-69, Chapter 35, established a separate Criminal Court for Wilson County with regular sessions scheduled on the fourth Monday in February, June, and October to be presided over by the Judge of the Seventh Judicial Circuit to which Wilson County was assigned at that time. The Circuit Court Clerk would serve as Clerk of the Criminal Court.
3. Public Acts of 1873, Chapter 4, repealed so much of Public Acts of 1868-69, Chapter 35, which set up a Criminal Court in Wilson County, and returned the criminal jurisdiction to the Circuit Court where it rested before.
4. Private Acts of 1919, Chapter 45, in moving the Circuit Court of Wilson County from the Eighth Judicial Circuit to the Fifth Judicial Circuit made it the duty of the Judge of the Criminal Court of the Fifth Judicial Circuit to hold the Circuit Court for Wilson County which would have both civil and criminal jurisdiction.
5. Private Acts of 1937, Chapter 521, amended Private Acts of 1919, Chapter 45, by requiring the Criminal Judge of the Fifth Judicial Circuit to hold the Criminal Court of Wilson County at Lebanon on the third Monday in April, August, and December. This Court would be separate and apart from the Circuit Court which had civil jurisdiction.
6. Public Acts of 1978, Chapter 798, partially uncodified, created a criminal court for Wilson County. Section 16-2-506 now establishes the criminal court of Wilson County as part of the Fifteenth Judicial District.

### **Assistants and Criminal Investigators**

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

1. Acts of 1813, Chapter 138, directed the Solicitor General of the Fourth Judicial Circuit to order out

subpoenas for witnesses to attend at the Circuit Court of Wilson County to give evidence in the case of Willie Blount, Governor v. Cumberland Turnpike Company and further directed the Circuit Court Clerk to issue the subpoenas.

2. Acts of 1817, Chapter 65, established ten Solicitorial Districts in Tennessee. The Sixth Solicitorial District included the counties of Smith, Wilson, and Rutherford. One Attorney General would be appointed by the General Assembly for each District to prosecute on behalf of the State. They would attend both the County and Circuit Courts of their District.
3. Public Acts of 1835-36, Chapter 28, made each Solicitorial District in Tennessee coincide with each Judicial Circuit. An Attorney General for each circuit would be elected by a joint vote of the General Assembly.
4. Public Acts of 1913, Chapter 27, created the office of Assistant Attorney General for the Judicial Circuit to which Wilson County was then assigned who would serve at the pleasure and direction of the Attorney-General of the Circuit. This Act was repealed by Private Acts of 1919, Chapter 156.

### **General Sessions Court**

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

1. Private Acts of 1957, Chapter 128, would have amended Private Acts of 1945, Chapter 34, but was rejected by the Wilson County Quarterly Court and never became effective law. This Act amended Section 8 to set the salary of the Judge of the General Sessions Court at \$5,100 annually, payable in equal monthly installments out of the ordinary funds of the County. This amount was not to be decreased during the term of office.
2. Private Acts of 1981, Chapter 162, would have made substantial modifications in the General Sessions Court for Wilson County but this Act never took effect as it was not approved by the local authorities. The Court would have been vested with all the jurisdiction and authority conferred by the General Assembly upon General Sessions Courts in civil and criminal cases, and it would also serve as the Juvenile and Probate Court for Wilson County. The compensation of the Judge was raised to \$42,500 per annum and the county legislative body was empowered to set the allowances for secretarial and office expenses. The County Clerk would serve as Clerk for said Court in matters of juvenile and probate proceedings. The Judge was empowered to appoint one or more Referees, with the consent of the county legislative body, and their compensation would be set by the county legislative body.

### **Juvenile Court**

The following act once affecting juvenile courts in Wilson County IS included herein for reference purposes.

1. Private Acts of 1981, Chapter 162, would have granted juvenile jurisdiction to the Court of General Sessions of Wilson County. This Act was not approved locally and never took effect.

## Chapter VI - Education/Schools

### Board of Education

#### Private Acts of 1971 Chapter 50

**SECTION 1.** Beginning with the August 2016 general election, Wilson County shall be divided into seven (7) school districts of substantially equal population, which shall be established by resolution of the county legislative body of Wilson County. One (1) member of the Wilson County board of education shall be elected by the qualified voters in each school district. Board members shall be elected to staggered four-year terms so that every two (2) years the terms of approximately one-half (1/2) of the members of the board shall expire, with the odd-numbered districts expiring at the same time, and the even-numbered districts expiring at the same time. Persons elected in the regular August 2016 elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

During the transition from five (5) districts as provided under prior law, to the seven (7) districts as provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms. After the approval of this act, as provided in Section 5, the two (2) new members to

the board shall be elected in the regular August 2016 election and qualified according to law. In order to maintain a board with staggered four-year terms, one (1) member of the board shall be elected at the August 2016 general election to a four-year term to fill one (1) of the newly created offices and one (1) member of the board shall be elected to a two-year term to fill the other newly created office. Thereafter, board members shall be elected to four-year terms as the term of each respective board member expires.  
As amended by: Private Acts of 1973, Chapter 148  
Private Acts of 2014, Chapter 71

**SECTION 2.** The county board of education shall consist of seven (7) members who shall be elected by the qualified voters of the county.

One (1) member of the county board of education shall be elected from each school district by the qualified voters thereof. Members must reside in the school district from which they are elected.  
As amended by: Private Acts of 2014, Chapter 71.

Each member of the County Board of Education shall be paid a sum equal to the per diem paid to a member of the Quarterly County Court of Wilson County for each day's attendance at regular or special meetings of the Board. The chairman of the County Board of Education shall be paid for his services as chairman a sum equal to three (3) times the per diem paid to a member of the Quarterly County Court of Wilson County.

The Quarterly County Court of Wilson County shall have the right to reapportion the school zones and to designate the voting districts comprising each school zone.  
As amended by: Private Acts of 1973, Chapter 128  
Private Acts of 1978, Chapter 212

**SECTION 3.** If a vacancy occurs in the membership of the County Board of Education, the Quarterly County Court, at its next regular meeting, shall elect a qualified person from the zone in which the vacancy occurs to serve on the Board until the next August General Election, at which a successor shall be elected by the qualified voters of the zone from which the vacancy occurs. If such a successor is so chosen at a mid-term election, he shall serve for the unexpired term of his predecessor.

Vacancies shall be declared to exist on account of death, resignation, or removal of the member from residence in the zone from which elected.

**SECTION 4.** Chapter 124 of the Private Acts of 1965 is repealed.

**SECTION 5.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Wilson County within six (6) months after the passage of this Act. 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 6.** For the purpose of approving or rejecting the provisions of this Act, as provided in Section 5, it shall be effective on becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.

Passed: April 7, 1971.

## School Districts

### Tenth Special School District

#### Private Acts of 1901 Chapter 330

**COMPILER'S NOTE:** Private Acts of 2005, Chapter 15, amended Chapter 330 of the Private Acts of 1901, as amended by Chapter 91 of the Private Acts of 1993, and all other acts amendatory thereto, is amended by modifying, revising and expanding the boundary of the Tenth Special School District of Wilson County, Tennessee by adding to the boundaries of the District all of the remainder of that parcel shown on the official tax maps of Wilson County, Tennessee, as of January 1, 2005, as being Parcel 14.01 on Map 56, which is not presently within the District.

**COMPILER'S NOTE:** Private Acts of 2019, Chapter 28, reproduced herein, amended Chapter 330 of the Private Acts of 1901, as amended by Chapter 91 of the Private Acts of 1993 and Chapter 15 of the Private Acts of 2005; and any other acts amendatory thereto, to change the boundary of the Tenth Special School District of Wilson County Tennessee.

**SECTION 1.** That the Tenth Civil District of Wilson County, Tennessee, and all the inhabitants thereof, is hereby made and constituted a body politic and corporate under the name and style of the Tenth Special School District of Wilson County, Tennessee, and as such shall have the power of perpetual succession, to

sue and be sued, to contact and be contacted with, to plead and to be impleaded in all the courts of this State, and shall have the power to purchase, receive and hold real, personal and mixed property, and to release, grant and any way dispose of the same for public school purposes, and the boundaries of said school district shall be the same as the boundaries of said Tenth Civil District as they now exist.

As amended by: Private Acts of 1988, Chapter 134

**SECTION 2.** That the control and government of said Tenth School District shall be vested in a Board of Directors or Commissioners, composed of three members, two of whom shall constitute a quorum for the transaction of business. The first Board of Directors or Commissioners shall consist of the present acting Board of Directors or Commissioners, namely, W. J. Baird, Sam B. Gilreath and Bascom Cooksey, who shall hold office for two, four and six years from September 1942, respectively, and until their successors shall be elected and qualified that being the expiration dates of their respective present terms of office. Hereafter, the terms of said members of the Board of Directors or Commissioners of said Tenth School District shall be for a term of six years, one Director or Commissioner to be chosen hereafter at the general biennial August election, the first member to be elected at the general biennial August election in the year 1944. Beginning with the 2022 August election, the terms of the Board of Directors or Commissioners of the Tenth Special School District shall be for a term of four years.

In the event of vacancies on said Board of Directors or Commissioners, such vacancy shall be filled by appointment or election made by the other members of said Board of Directors or Commissioners, and the person so appointed or elected to fill such vacancy shall serve until the next general biennial August election, when an election shall be held to fill such vacancy. All members of said Board of Directors or Commissioners, when appointed or elected, shall continue to serve until their successors are duly elected and qualified.

No one shall be eligible for election and qualification as a member of said Board of Directors or Commissioners, except a resident or citizen of said School District, who shall be more than twenty-five years of age, and both a householder and freeholder of said School District. Said Board of Directors or Commissioners shall organize by electing a President and a Secretary, both of whom shall be members of said Board.

Said Board of Directors or Commissioners shall be elected under the general election laws of the State of Tennessee, and they shall have all the powers and authority given them, both under this Act and under the general laws of the State of Tennessee. They shall especially have the power and authority to elect all the teachers of the elementary schools of said District, fix their compensation, to control and manage the school buildings, grounds and property of said School District, and to otherwise govern, regulate and control the affairs of said School District.

As amended by: Private Acts of 1943, Chapter 99

Private Acts of 2022, Chapter 57

**SECTION 3.** That said School Directors may at any time submit the question for more taxation for public school purposes than is now allowed by the general laws of the State to a vote of the qualified voters of said Tenth District at an election ordered by them for that purpose, with ten days' notice published in the newspapers of the county seat, said election to be held by the Sheriff in the manner and form and under the general election laws of the State, and upon a majority of two-thirds of the qualified voters of said Tenth District casting their vote for an increase of the regular taxation in said district, said increase shall be made, but in no case shall said taxation be increased more than twenty cents on the \$100 worth of taxable property.

That there shall be and is hereby levied for the year 1943 and all succeeding years, a special tax of twenty cents on every One Hundred Dollars worth of taxable property situated within said Tenth School District of said County for school purposes of said District, and the same shall be in addition to all taxes now levied. Said special school tax hereby levied, shall be collected by the Trustee of Wilson County, Tennessee, at the same time and in the same manner as other taxes of the County are collected by him, and it shall be levied upon all property assessed by the County Tax Assessor of said County in said Tenth School District. The Trustee of said County shall pay out and distribute said special tax levy upon warrants regularly and legally issued by the President, and countersigned by the Secretary of the Board of Directors or Commissioners of said Tenth School District, as other school tax money of said District is paid out and distributed.

As amended by: Private Acts of 1943, Chapter 99

Private Acts of 1987, Chapter 88

**COMPILER'S NOTE:** Chapter 88 of the Private Acts of 1987 in Section 8 provides: Section 3 of Chapter 330 of the 1901 Private Acts of the State of Tennessee, as amended, is hereby amended to change the tax rate levied for operational expenses from twenty cents (\$0.20) to fifteen cents (\$0.15) for the fiscal year ending June 30, 1987 and for each fiscal year thereafter. Chapter 134 of the Private Acts of 1988

provides: Section 3 of Chapter 330 of the Private Acts of 1901 is further amended for the purpose of correcting an unintentional mistake as to the period of the tax levy provided therein so that the tax levy for operational expenses levied pursuant to Chapter 330, as amended, is \$.20 for the calendar year beginning January 1, 1987; and \$.15 for the calendar year beginning January 1, 1988 and for each calendar year thereafter.

**SECTION 4.** That said ballots shall read "For Taxation", where the people shall want the same increased, and shall state "Against Taxation," where they desire to vote for no increase in the taxation already allowed by the county and State; but the Directors must first specify the amount of the increase desired in their said public notice.

**SECTION 5.** That on the vote of the people for an increase of said taxation, the same shall be levied on the taxpayers of said school district, and the same shall be assessed on the tax books and collected by the County Trustee, and shall by him be paid out on the order of said School Directors as other funds in his hands belonging to said Tenth District.

**SECTION 6.** That the Funds derived under the taxation allowed in this Act shall go to increase and supplement the school funds already in the hands of said School Directors under the general laws of the State and county, and it shall be used for the purpose of paying teachers, furnishing, repairing and building necessary houses, as is the other school funds already allowed under the general laws of the State, and it is not intended by this Act in any way to interfere with the general public school laws already in force, but only to increase the school funds of said Tenth District.

**SECTION 7.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 18, 1901.

## Private Acts of 1961 Chapter 263

**SECTION 1.** That Chapter 330 of the Acts of the General Assembly of the State of Tennessee for 1901, the caption of which is quoted in the caption of this Act, be amended by adding to the territory included within said school district and making subject to the provisions of said Chapter 330, and amendments thereto, all of that territory, within said county, included within the following boundaries: Beginning at the point where the Hickory Ridge Road intersects the present western boundary of the Tenth School District of Wilson County and running thence generally west with the center line of Hickory Ridge Road to the center of its intersection with Blair Lane, thence generally north with the center line of Blair Lane to the center line of U.S. Highway 70N, thence generally west with the center line of U. S. Highway 70N to a point intersecting a southerly extension of the boundary line between the present residences of Lewis Bell and Ray Padgett, thence generally north with the Bell-Padgett boundary line and its northerly extension to the point where it intersects the Tennessee Central Railroad right-of-way, thence with the southern edge of said right-of-way generally east to the point of intersection with the present western boundary of the said School District, and thence generally south with said present boundary to the point of beginning at the center of the Hickory Ridge Road.

**SECTION 2.** That this Act shall not take effect until and unless the Board of Directors or Commissioners for the said Tenth School District shall within ninety (90) days, from and after the passage of this Act, ratify and confirm the addition to said District of the territory authorized to be so added by this Act and certify such ratification or confirmation to the Secretary of State, the public welfare requiring it.

Passed: March 13, 1961.

## Private Acts of 1967-68 Chapter 303

**SECTION 1.** That the Secretary of the Board of Directors or Commissioners of the Tenth Special School District of Wilson County, Tennessee, created by Chapter 330 of the Private Acts of the General Assembly of Tennessee for 1901, and located and situated in Wilson County, Tennessee, the caption of which reads as follows:

*"AN ACT to incorporate the Tenth Civil District of Wilson County, Tennessee, into the Tenth School District of said County, for public school purposes."*

is hereby authorized and appointed to be the fiscal agent of said District for the purpose of receiving, holding, and paying out all monies hereafter to be due to said District for any and all

lawful purposes.

**SECTION 2.** That the present Secretary of said Board of Commissioners or Directors, as shown by the minutes of the meetings of said Board shall be the first said fiscal agent authorized under this Act and his office shall be called "Secretary-Treasurer" and said appointment shall be effective immediately after passage of this Act and as soon as he shall become bonded.

**SECTION 3.** That hereafter said Board of Commissioners shall elect or re-elect its Secretary-Treasurer at the normal and usual time when said Board organizes following any election of said Board, and said Secretary-Treasurer shall hereafter continue to be the fiscal agent for said District; and, said fiscal agent shall receive, hold, and pay out all school funds due to or belonging to said district for school purposes, whether said school funds shall be derived from regular county school taxes, special county school taxes, special district taxes, monies raised by the issuance of school bonds by said District, monies raised by general county school bonds in which said District shares, or monies due to be received by said District from the appropriations made by the State of Tennessee, or from any other source. Said Secretary-Treasurer shall be bonded as such fiscal agent according to the standards set up by the State Comptroller.

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

Passed: May 16, 1967.

## Private Acts of 1972 Chapter 250

**SECTION 1.** Chapter 330 of the Acts of the General Assembly of the State of Tennessee for 1901, the caption of which is recited in the caption of this act, as amended by Chapter 476 of the Private Acts of 1923, Chapter 188 of the Private Acts of 1925, Chapter 321 of the Private Acts of 1927, Chapter 43 of the Private Acts of the First Extraordinary Session of 1935, Chapter 734 of the Private Acts of 1937, Chapter 99 of the Private Acts of 1943, Chapter 923 of the Private Acts of 1949, Chapter 59 of the Acts of 1951, Chapter 32 of the Private Acts of 1959, Chapter 263 of the Private Acts of 1961, and Chapter 303 of the Private Acts of 1967, is amended by adding to the territory included within said School District and making subject to the provisions of said Chapter 330, and amendments thereto, all of that territory with said County, included within the following boundaries: Beginning at the point where the Old Railroad roadway intersects the present western boundary of the Tenth School District of Wilson County and running thence generally west with the center line of the Old Railroad roadway to its intersection with the Tennessee Valley Authority (TVA) power line right-of-way, thence generally north with the center line of the TVA power line right-of-way to a point where the said TVA power line right-of-way intersects the southerly boundary of Section I of Cheeca Estates Subdivision as shown for record in Plat Book 6, page 49, of Registrar's Office of Wilson County, Tennessee; thence in a westerly direction with the southerly boundary of Section I of Cheeca Estates Subdivision; thence continuing in a westerly direction with the southerly boundary of Section II of Cheeca Estates Subdivision as shown for record in Plat Book 8, page 85, of the Registrar's Office of Wilson County, Tennessee, to the center line of Bethlehem Road; thence continuing in a generally northerly direction with the center line of Bethlehem Road to the center line of U. S. Highway 70N; thence generally east with the center line of U. S. Highway 70N to a point intersecting a southerly extension of the boundary line between the present residences of Lewis Bell and Ray Padgett, thence generally north with the Bell-Padgett boundary line and its northerly extension to the point where it intersects the Louisville and Nashville Railroad right-of-way, thence with the southern edge of said right-of-way, generally east to the point of intersection with the present western boundary of said school district, and thence generally south with the present boundary to the beginning at the center of the Old Railroad roadway.

**SECTION 2.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of Directors or Commissioners for the Tenth School District on or before July 1, 1972. Its approval or nonapproval shall be proclaimed by the presiding officer of the Board of Directors or Commissioners and certified by him to the Secretary of State.

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

Passed: February 29, 1972.

## Private Acts of 1983 Chapter 119

**SECTION 1.** That Section 4 of Chapter 99 of the 1963 Private Acts of the State of Tennessee, Section 4 of Chapter 212 of the 1970 Private Acts of the State of Tennessee, and Section 4 of Chapter 247 of the 1972



Private Acts of the State of Tennessee are hereby amended by deleting the last sentence of Section 4 of each of said Acts and substituting in lieu thereof the following:

Said taxes shall continue to be collected by the Trustee of the County, as other taxes are collected by him, and kept in a separate account from all other funds belonging to said Special School District to be used for the purpose of paying principal of and interest on said bonds as they come due and for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said District as the Board of Commissioners of said District shall deem necessary and proper, including the purchase of any necessary real estate or interests in real estate, and the development of same for school purposes.

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

Passed: April 28, 1983.

## Private Acts of 1983 Chapter 120

**SECTION 1.** The Tenth School District of Wilson County, Tennessee, created by Chapter 330 of the Private Acts of 1901, and located in Wilson County, Tennessee, the caption of which Private Act reads as follows:

"AN ACT to incorporate the Tenth Civil District of Wilson County, Tennessee, into the Tenth School District of said County, for public school purposes".

is hereby authorized and empowered to issue and sell interest bearing bonds to mature at a date or dates not to exceed thirty (30) years after the date of issuance of said bonds, and in an amount not to exceed eight hundred thousand dollars (\$800,000).

**SECTION 2.** Before any of said bonds are issued and sold by said District, there shall be an election held in said District by The Board of Election Commissioners of said County upon such date as may be fixed by said Election Commissioners, in which all the qualified voters of said Special School District shall have the right to vote; and there shall be placed upon the ballot used in said election, the words, "for the issuance of bonds", and the words, "against the issuance of bonds", so that the voters in said election shall vote for or against the issuance of said bonds as they may desire, and it shall be the duty of the Wilson County Board of Election Commissioners to call, open, and hold said election upon a resolution adopted by said District Board of Commissioners of said Special School District and filed with the said County Board of Elections; provided however, that nothing in this Act shall prevent another election being held under this Act in case the first or any other election held as herein provided should result in the majority vote against the issuance of said bonds, so long as one hundred eighty (180) days shall have elapsed following the first or such prior election. It shall be the duty of the Election Commissioners of said County to call another election upon all of the same terms and conditions as hereinabove provided for a first such election.

**SECTION 3.** In any election, held under this Act, in which a majority of the voters voting in said election vote for the issuance of said bonds, it shall be the duty of the Tenth Special School District Board of Commissioners to issue and sell said interest bearing bonds, and that said bonds shall be in such denominations as shall be determined by the District's Board of Commissioners, issued in registered or bearer form with or without coupons, and bear interest at a rate of rates not to exceed twelve percent (12%) per annum, payable semiannually.

**SECTION 4.** None of said bonds shall be sold for less than par, and that the tax of fifty cents (50¢) on each one hundred dollars (\$100) worth of property, real and personal, levied by authority of Chapter 59, of the Private Acts of 1951, of the State of Tennessee, continue to be levied at the same rate of fifty cents (50¢) on each one hundred dollars (\$100) worth of property, real and personal, so long as any of the herein authorized bonds shall remain outstanding and unpaid. Said taxes shall continue to be collected by the Trustee of the County, as other taxes are collected by him, and kept in a separate account from all other funds belonging to said Special School District to be used for the purpose of paying principal of and interest on said bonds as they come due and for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said District as the Board of Commissioners of said District shall deem necessary and proper, including the purchase of any necessary real estate or interests in real estate, and the development of same for school purposes.

**SECTION 5.** The proceeds from the sale of said bonds shall be used exclusively for the purpose of building new District school buildings, adding to, repairing, improving, enlarging and equipping the District's school buildings within said School District as the Board of Commissioners of said District shall deem necessary and proper, including the purchase of any necessary real estate or interests in real estate, and the development of same for school purposes.

**SECTION 6.** The bonds shall be signed by the Chairman of the Board of Commissioners by his manual or facsimile signature, attested by the Secretary of the District's Board of Commissioners by his manual signature and shall bear the seal of said School District or a facsimile thereof, and each and every coupon attached to said bonds, if any, shall bear the facsimile signatures of the Chairman and Secretary of said District Board of Commissioners; provided, however, if the bonds are issued in registered form, manual signatures and the manually impressed seal of the District shall not be required if the bonds bear the facsimile signatures of said Chairman and Secretary in lieu thereof and a facsimile seal in lieu of the manually impressed seal and are certified or authenticated with the manual signature of an officer of a registration agent appointed by the District.

**SECTION 7.** This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 28, 1983.

## Private Acts of 1986 Chapter 157

**SECTION 1.** The Tenth School District of Wilson County, Tennessee, created by Chapter 330 of the Private Acts of 1901, of the State of Tennessee, as amended, and located in Wilson County, Tennessee, the caption of which private act reads as follows:

"AN ACT to incorporate the Tenth Civil District of Wilson County, Tennessee, into the Tenth School District of said county, for public school purposes",

is hereby authorized and empowered to issue and sell interest bearing bonds to mature at a date or dates not to exceed thirty (30) years after the date of issuance of said bonds, and in an amount not to exceed two million five hundred thousand dollars (\$2,500,000).

**SECTION 2.** Before any of said bonds are issued and sold by said District, the Board of Commissioners of the District may call an election to be held in said District by the Board of Election Commissioners of said county upon such date as may be fixed by said election commissioners, in which all of the qualified voters of said District shall have the right to vote; and there shall be placed upon the ballot used in said election, the words, "for the issuance of bonds", and the words, "against the issuance of bonds", so that the voters in said election shall vote for or against the issuance of said bonds as they may desire, and it shall be the duty of the Wilson County Board of Election Commissioners to call, open, and hold said election upon a resolution adopted by the Board of Commissioners of said District and filed with the said County Board of Elections; provided however, that nothing in this act shall prevent another election being held under this act in the case the first or any other election held as herein provided should result in the majority vote against the issuance of said bonds, so long as one hundred eighty (180) days shall have elapsed following the first of such prior election. It shall be the duty of the election commissioners of said county to call another election upon all of the same terms and conditions as hereinabove provided for a first such election.

**SECTION 3.** In an election, held under this act, in which a majority of the voters voting in said election vote for the issuance of said bonds, it shall be the duty of the District's Board of Commissioners to issue and sell said interest bearing bonds, and that said bonds shall be in such denominations as shall be determined by the District's Board of Commissioners, issued in registered form without coupons, and bear interest at a rate or rates not to exceed eleven percent (11%) per annum, payable semiannually.

**SECTION 4.** None of said bonds shall be sold for less than par, and the tax of fifty cents (50¢) on each one hundred dollars (\$100) worth of property, real and personal, levied by authority of Chapter 59 of the Private Acts of 1951 of the State of Tennessee, shall continue to be levied at the same rate of fifty cents (50¢) on each one hundred dollars (\$100) worth of property, real and personal, so long as any of the herein authorized bonds shall remain outstanding and unpaid. Said taxes shall continue to be collected by the Trustee of the county, as other taxes are collected by him, and kept in a separate account from all other funds belonging to said District to be used for the purpose of paying principal of and interest on said bonds as they come due and for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said District as the Board of Commissioners of said District shall deem necessary and proper, including the purchase of any necessary real estate or interests in real estate, and the development of same for school purposes.

**SECTION 5.** The proceeds from the sale of said bonds shall be used exclusively for the purpose of building new District school buildings, adding to, repairing, improving, enlarging and equipping the school buildings within said school District as the Board of Commissioners of said District shall deem necessary and proper, including the purchase of any necessary real estate or

interests in real estate, and the development of same for school purposes.

**SECTION 6.** The bonds shall be in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Commissioners authorizing said bonds.

**SECTION 7.** If any provision(s) of this act or the application thereof shall be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

**SECTION 8.** This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 9, 1986.

## Private Acts of 1987 Chapter 88

**SECTION 1.** The Tenth School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the 1901 Private Acts of the State of Tennessee, as amended, and located in Wilson County, Tennessee, the caption of which Private Act reads as follows:

"AN ACT to incorporate the Tenth Civil District of Wilson County, Tennessee, into the Tenth School District of said County, for public school purposes",

is hereby authorized and empowered to issue and sell interest bearing bonds in an aggregate principal amount not to exceed two million five hundred thousand dollars (\$2,500,000) (the "Bonds").

**SECTION 2.** The Bonds may be sold in one or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the District's Board of Commissioners. The Bonds shall be sold as a whole or in part from time to time in such manner as the District's Board of Commissioners shall provide by resolution, but in no event shall the Bonds be sold for less than par plus accrued interest (or, if all or any part of such Bonds is to be sold at a zero rate of interest or at an original issue discount, such Bonds may be sold at not less than the original reoffering price of such Bonds and accrued interest). The Board of Commissioners of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the Bonds.

**SECTION 3.** The Bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Commissioners authorizing the Bonds.

**SECTION 4.** The proceeds from the sale of the Bonds shall be used exclusively for the purpose of building new District school buildings, adding to, repairing, improving, enlarging and equipping the school buildings within said District as the Board of Commissioners of said District shall deem necessary and proper, including the purchase of any necessary real estate or interests in real estate, and the development of same for school purposes and for the purposes of paying the costs of issuance of the Bonds and of funding any funds or accounts deemed necessary by the Board of Commissioners to enhance the marketability of the Bonds.

**SECTION 5.** So long as any of the Bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 59 of the 1951 Private Acts of the State of Tennessee, shall continue to be levied at the rates set forth in Section 7 hereof to be used to pay principal, premium and interest on the Bonds as they come due. Said taxes shall continue to be collected by the Trustee of the County, as other taxes are collected by him, and kept in a separate account from all other funds belonging to said District to be used for the purposes set forth herein. Such taxes shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The Board of Commissioners of the District are authorized to pledge such taxes as necessary to pay the principal, premium and interest on the Bonds.

**SECTION 6.** The Bonds herein authorized, including all bonds heretofore and hereafter issued by the District, and all income therefrom, are exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

**SECTION 7.** Section 4 of Chapter 59 of the 1951 Private Acts of the State of Tennessee is hereby

amended to change the tax rate levied therein for debt service from fifty cents (\$.50) to thirty-four cents (\$.34) for the fiscal year ending June 30, 1987 and the forty cents (\$.40) for the fiscal year beginning July 1, 1987, and for each fiscal year thereafter.

**COMPILER'S NOTE:** Chapter 134 of the Private Acts of 1988 further amends Chapter 59 of the Private Acts of 1951 by correcting an unintentional mistake as to the period of the tax levy. As amended, the tax rate levy is \$.34 for the calendar year beginning January 1, 1987; and \$.40 for the calendar year beginning January 1, 1988 and for each calendar year, thereafter.

**SECTION 8.** Section 3 of Chapter 330 of the 1901 Private Acts of the State of Tennessee, as amended, is hereby amended to change the tax rate levied for operational expenses from twenty cents (\$.20) to fifteen cents (\$.15) for the fiscal year ending June 30, 1987 and for each fiscal year thereafter.

**SECTION 9.** The rates set forth in Sections 7 and 8 hereof shall be levied on each one hundred dollars (\$100) of the assessed value of all taxable property, real and personal, located within the boundaries of the District. Said taxes shall be levied for the purposes stated in said Private Acts, as amended, and as provided in Section 5 hereof, and shall be collected as provided therein.

**SECTION 10.** If any provision(s) of this Act or the application thereof shall be invalid or unenforceable to any extent, the remainder of this Act and the application of such provisions shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

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

Passed: April 29, 1987.

## Private Acts of 1993 Chapter 7

**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the Acts of 1901, as amended, and located in Wilson County, Tennessee, is hereby authorized and empowered to issue and sell interest bearing bonds in an aggregate principal amount not to exceed three million five hundred thousand dollars (\$3,500,000) (the "bonds") for the purpose of refunding any interest bearing bonds heretofore issued by the district for school purposes.

**SECTION 2.** The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's board of commissioners. The bonds shall be sold as a whole or in part from time to time in such manner as the district's board of commissioners shall provide by resolution, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than the original reoffering price of such bonds and accrued interest). The board of commissioners of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds.

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

**SECTION 4.** The proceeds from the sale of the bonds shall be used exclusively for the purpose of refunding any interest bearing bonds of the district issued under authority of Chapter 59 of the Private Acts of 1951, or any act amendatory thereto, the proceeds of which were used for school purposes or for the refunding of bonds, the proceeds of which were used for school purposes.

**SECTION 5.** So long as any of the bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 59 of the Private Acts of 1951, as amended, shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal, premium and interest on the bonds and any other bonds of the district now outstanding or which may hereafter be issued pursuant to lawful legislative authorization. Such taxes shall continue to be collected by the trustee of the county, as other taxes are collected, and kept in a separate account from all other funds belonging to the district to be used for the purposes set forth herein. Such taxes shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The board of commissioners of the district is authorized to pledge such taxes as necessary to pay the principal, premium and interest on the bonds.

**SECTION 6.** The bonds herein authorized, including all bonds heretofore and hereafter issued by the

district, and all income therefrom, are exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

**SECTION 7.** The rates set forth in Section 4 of Chapter 59 of the Private Acts of 1951, as amended, and Section 3 of Chapter 330 of the Acts of 1901, as amended, shall be levied on each one hundred dollars (\$100) of the assessed value of all taxable property, real and personal, located within the boundaries of the district. Such taxes shall be levied for the purposes stated in the private acts, as amended, and as provided in Section 5 hereof, and shall be collected as provided therein.

**SECTION 8.** The District is further authorized, by resolution of the Board of Commissioners, to borrow money and issue bonds, in accordance with the terms hereof, for the purpose of refunding the bonds authorized herein, at or prior to maturity, in whole or in part, at any time.

As amended by: Private Acts of 2005, Chapter 15

**SECTION 9.** If any provision of this act or the application thereof shall be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

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

Passed: February 11, 1993.

## Private Acts of 1993 Chapter 91

**SECTION 1.** Section 3 of Chapter 330 of the Acts of 1901, as amended, specifically as amended by Section 2 of Chapter 99 of the Private Acts of 1943, Section 8 of Chapter 88 of the Private Acts of 1987, Section 2 of Chapter 134 of the Private Acts of 1988, and Section 7 of Chapter 7 of the Private Acts of 1993, is further amended to lower the tax rate levied for school purposes from fifteen cents (15¢) per one hundred dollars (\$100) of assessed value to fourteen cents (14¢) per one hundred dollars (\$100) of assessed value for the 1993 tax year (calendar year beginning January 1, 1993) and for each tax year thereafter.

**SECTION 2.** Section 4 of Chapter 59 of the Private Acts of 1951, as amended, specifically as amended by Section 7 of Chapter 88 of the Private Acts of 1987, Section 1 of Chapter 134 of the Private Acts of 1988, and Section 7 of Chapter 7 of the Private Acts of 1993, is further amended to lower the tax rate levied for debt service on bonds or other obligations of the district from forty cents (40¢) per one hundred dollars (\$100) of assessed value to thirty-nine cents (39¢) per one hundred dollars (\$100) of assessed value for the 1993 tax year (calendar year beginning January 1, 1993) and for each tax year thereafter, subject to further reduction by resolution of the board of commissioners of the district under the conditions of and pursuant to the requirements of Tennessee Code Annotated, Section 49-3-1007.

**SECTION 3.** Upon completion of the reappraisal program conducted in Wilson County for tax year 1993, the tax rates established pursuant to Sections 1 and 2 of this act may be further lowered by action of the board of commissioners of the Tenth Special School District. If the authority granted in this section is held invalid, the tax rates established in Sections 1 and 2 of this act shall apply for tax year 1993 and each year thereafter.

**SECTION 4.** Chapter 330 of the Acts of 1901, as amended, is further amended to establish and re-establish the boundaries of the Tenth Special School District of Wilson County, Tennessee, to be the following: All references in this description are to the official tax maps of Wilson County, Tennessee as of April 1, 1993.

Beginning at a point in the southeasternmost corner of Parcel 50, Map 79; thence northerly with the eastern boundary of Parcel 50, Map 79 to the point of intersection of said eastern boundary of Parcel 50, Map 79 with the easternmost boundary of Parcel 67, Map 70; thence northerly with said easternmost boundary of Parcel 67, Map 70 along the District 3 boundary line to the point of intersection of said boundary with Hickory Ridge Road; thence northerly from the point of intersection of Hickory Ridge Road with the easternmost boundary of Parcel 33.03, Map 70 to the point of intersection of said easternmost boundary with the southern boundary of Parcel 32, Map 70; thence easterly with the southern boundary of Parcel 32, Map 70 to the point of intersection of said southern boundary with the easternmost boundary of Parcel 32, Map 70; thence northerly with the easternmost boundary of Parcel 32, Map 70 to the point of intersection of said boundary with the northernmost boundary of Parcel 32, Map 70; thence westerly with the northernmost boundary of said Parcel 32, Map 70 to the point of intersection of said boundary with the easternmost boundary of Parcel 21, Map 70; thence northerly with the easternmost boundary of Parcel 21, Map 70 and northerly with an eastern boundary of Parcel 46, Map 56 to the point of intersection of said

boundary with a southern boundary of Parcel 46, Map 56; thence easterly with said southern boundary of Parcel 46, Map 56 and proceeding easterly with the southern boundary of Parcel 36.01, Map 70 to the point of intersection of said boundary with the easternmost boundary of Parcel 36.01, Map 70; thence northerly with said easternmost boundary of Parcel 36.01, Map 70 to the point of intersection of said boundary with the northernmost boundary of Parcel 36.01, Map 70; thence westerly with said northernmost boundary of Parcel 36.01, Map 70 to the point of intersection of said boundary with the easternmost boundary of Parcel 46, Map 56; thence northerly with the easternmost boundary of Parcel 46, Map 56 to the point of intersection of said boundary with the northern boundary of Parcel 46, Map 56; thence westerly with said northern boundary of Parcel 46, Map 56 to the point of intersection of said boundary with the easternmost boundary of Parcel 38, Map 56; thence northerly with said easternmost boundary of Parcel 38, Map 56 to the point of intersection of said boundary with the southernmost boundary of Parcel 10, Map 56; thence easterly with said southernmost boundary of Parcel 10, Map 56 to the point of intersection of said boundary with the easternmost boundary of Parcel 10, Map 56; thence northerly with said easternmost boundary of Parcel 10, Map 56 to the point of intersection of said boundary with the northernmost boundary of Parcel 10, Map 56; thence westerly with said northernmost boundary of Parcel 10, Map 56 to the point of intersection of said boundary with the easternmost boundary of Parcel 9.01, Map 56; thence northerly with said easternmost boundary of Parcel 9.01, Map 56 to the point of intersection of said boundary with a northern boundary of Parcel 9.01, Map 56; thence westerly with said northern boundary of Parcel 9.01, Map 56 to the point of intersection of said boundary with an eastern boundary of Parcel 9.01, Map 56; thence northerly with said eastern boundary of Parcel 9.01, Map 56 to the point of intersection of said boundary with the northernmost boundary of Parcel 9.01, Map 56; thence northwesterly with said northernmost boundary of Parcel 9.01, Map 56 to the point of intersection of said boundary with the easternmost boundary of Parcel 37, Map 47; thence northerly with said easternmost boundary of Parcel 37, Map 47 to the point of intersection of said boundary with a northern boundary of Parcel 37, Map 47; thence westerly with said northern boundary of Parcel 37, Map 47 to the point of intersection of said boundary with an eastern boundary of Parcel 37, Map 47; thence northerly with said eastern boundary of Parcel 37, Map 47 to the point of intersection of said boundary with the centerline of US Highway 70/Lebanon Road; thence easterly with the centerline of US Highway 70/Lebanon Road to the point of intersection of said line with the centerline of Cairo Bend Road; thence northerly with the centerline of Cairo Bend Road to the point of intersection of said line with the tracks of the Nashville and Eastern Railroad; thence westerly with the center of the tracks of the Nashville and Eastern Railroad to the point of intersection of said tracks with the easternmost boundary of Parcel 7, Map 47; thence northerly with said easternmost boundary of Parcel 7, Map 47 to the point of intersection of said boundary with the northernmost boundary of Parcel 7, Map 47; thence westerly with said northernmost boundary of Parcel 7, Map 47 proceeding westerly with a northern boundary of Parcel 6, Map 47 to the point of intersection of said boundary with an eastern boundary of Parcel 6, Map 47; thence northerly with said eastern boundary of Parcel 6, Map 47 to the point of intersection of said boundary with the northernmost boundary of Parcel 6, Map 47; thence westerly with the northernmost boundary of Parcel 6, Map 47 to the point of intersection of said boundary with the easternmost boundary of Parcel 1, Map 56; thence northerly with the easternmost boundary of Parcel 1, Map 56 to the point of intersection of said boundary with the southernmost boundary of Parcel 56, Map 34; thence easterly with said southernmost boundary of Parcel 56, Map 34 to the point of intersection of said boundary with the easternmost boundary of Parcel 56, Map 34; thence northerly with said easternmost boundary of Parcel 56, Map 34 to the point of intersection of said boundary with the southernmost boundary of Parcel 55, Map 34; thence easterly with the southernmost boundary of Parcel 55, Map 34 to the point of intersection of said boundary with the easternmost boundary of Parcel 55, Map 34; thence northerly with said easternmost boundary of Parcel 55, Map 34 to the point of intersection of said boundary with the southernmost boundary of Parcel 52.01, 52.02, and 52 to the point of intersection of said boundary with the easternmost boundary of Parcel 52, Map 34; thence due east 500 feet more or less to the point of intersection of said line with the westernmost boundary of Parcel 51.01, Map 34, this also being an eastern boundary of Parcel 14, Map 47; thence northeasterly with an eastern boundary of Parcel 14, Map 47 following a broken line to the point of intersection of said boundary with the centerline of Cairo Bend Road; thence northerly with the centerline of Cairo Bend Road to the point of intersection of said road with the southernmost boundary of Parcel 47.02, Map 34; thence easterly with said southernmost boundary of Parcels 47.02 and 47, Map 34 to the point of intersection of said boundary with the westernmost boundary of Parcel 48.02, Map 35; thence southerly with said westernmost boundary of Parcel 48.02, Map 35 to the point of intersection of said boundary with the southernmost boundary of Parcel 48.02, Map 35; thence easterly with said southernmost boundary of Parcel 48.02, Map 34 to the point of intersection of said boundary with the centerline of Horn Springs Road; thence southerly and easterly with the centerline of Horn Springs Road to the point of intersection of said road with the easternmost boundary of Parcel 1, Map 46; thence northerly with said easternmost boundary of Parcel 1, Map 46 to the point of intersection of said boundary with the

easternmost boundary of Parcel 34, Map 35; thence northerly with the easternmost boundary of Parcel 34, Map 35 to the point of intersection of said boundary with the southernmost boundary of Parcel 8, Map 35; thence easterly with said southernmost boundary of Parcel 8, Map 35 to the point of intersection of said boundary with the westernmost boundary of Parcel 27, Map 35; thence southerly with said westernmost boundary of Parcel 27, Map 35 to the point of intersection of said boundary with a southern boundary of Parcel 27, Map 35; thence easterly and southerly in a broken line with the southern boundary of Parcel 27, Map 35 to the point of intersection of said boundary with the center of the channel of Barton's Creek; thence easterly with the meanderings of Barton's Creek to the point of intersection of said channel with the southernmost boundary of Parcel 8, Map 46; thence easterly with said southernmost boundary of Parcel 8, Map 46 to the point of intersection of said boundary with the centerline of Maple Hill Road; thence northerly with the centerline of Maple Hill Road to the point of intersection of said line with the centerline of Trice Road; thence northeasterly with the centerline of Trice Road to the point of intersection of said line with the centerline of Coles Ferry Pike; thence southeasterly with the centerline of Coles Ferry Pike to the point of intersection of said line with the easternmost boundary of Parcel 34.01, Map 36; thence northeasterly with said easternmost boundary of Parcel 34.01, Map 36 to the point of intersection of said boundary with the southernmost boundary of Parcel 34, Map 36; thence easterly with said southernmost boundary of Parcel 34, Map 36 to the point of intersection of said boundary with an eastern boundary of Parcel 34, Map 36; thence northerly with an eastern boundary of Parcel 34, Map 36 to the point of intersection of said boundary with the southernmost boundary of Parcel 34, Map 36; thence easterly with said southernmost boundary of Parcel 34, Map 36 to the point of intersection of said boundary with the easternmost boundary of Parcel 34, Map 36; thence northerly with said easternmost boundary of Parcel 34, Map 36 to the point of intersection of said boundary with the southernmost boundary of Parcel 21.02, Map 36; thence easterly with the southernmost boundary of Parcel 21.02, Map 36 to the point of intersection of said boundary with the westernmost boundary of Parcel 19, Map 45; thence southerly with the westernmost boundary of Parcel 19, Map 45 to the point of intersection of said boundary with a southern boundary of Parcel 24.07, Map 45; thence easterly with said southern boundary to the point of intersection of said boundary with a western boundary of Parcel 24.07, Map 45; thence southerly with said western boundary of Parcel 24.07, Map 45 to the point of intersection of said boundary with the southernmost boundary of Parcel 24.07, Map 45; thence easterly with the southernmost boundary of Parcels 24.07, 24.08, 24.11, 24.10, and 24.12, Map 45 to the point of intersection of said boundary with the westernmost boundary of Parcel 24.06, Map 45; thence southerly with said westernmost boundary of Parcel 24.06, Map 45 to the point of intersection of said boundary with the southernmost boundary of Parcel 24.06, Map 45; thence easterly with said southernmost boundary of Parcel 24.06, Map 45 to the point of intersection of said boundary with the westernmost boundary of Parcel 25.03, Map 45 and proceeding southerly with the westernmost boundaries of Kontiki Estates, Section 2, Parcels 25.06 and 25, Map 45 to the point of intersection of said boundary with the center of the channel of Walker's Branch; thence easterly with the meanderings of the center of the channel of Walker's Branch to the confluence of the center of the channel of Walker's Branch with the center of the channel of McCarmel Branch; thence easterly with the meanderings of the center of the channel of McCarmel Branch to the point of intersection of said channel with the southernmost boundary of Kontiki Estates, Section 1; thence easterly with the southernmost boundary of Kontiki Estates to the point of intersection of said southernmost boundary of Kontiki Estates with the centerline of US Highway 231 North; thence southerly with the centerline of US Highway 231 North to the point of intersection of said line with the southernmost boundary of Parcel 33, Map 45; thence easterly with the southernmost boundary of Parcels 33, 32, and 30, Map 45 and Parcel 89, Map 44 to the point of intersection of said southernmost boundary with a western boundary of Parcel 89, Map 44; thence southerly with the said western boundary of Parcel 89, Map 44 to the point of intersection of said boundary with the southernmost boundary of Parcel 89, Map 44; thence easterly with the southernmost boundary of Parcels 89, 87.12, 87.13, 87.14, 87.15, Map 44 to the point of intersection of said boundary with the easternmost boundary of Parcel 87.15, Map 44; thence northerly with the easternmost boundary of Parcel 87.15, Map 44 to the point of intersection of said boundary with a southern boundary of Parcel 87.15, Map 44, said intersection located 800 feet more or less due north from the previous intersection; thence southeasterly with a southern boundary of Parcel 87.15, Map 44 and the southernmost boundaries of Parcels 83, 82, 81, 80 and 78, Map 44 to the point of intersection of said boundary with the southernmost boundary of Parcel 78, Map 44; thence easterly with the southernmost boundary of Parcel 78, Map 44 to the point of intersection of said boundary with the centerline of Rutledge Lane; thence northwesterly with the centerline of Rutledge Lane to the point of intersection of said line with the easternmost boundary of Parcel 85, Map 44; thence northerly with the easternmost boundary of Parcels 85 and 86, Map 44 to the point of intersection of said boundary with the southernmost boundary of Parcel 15, Map 44; thence easterly with the southernmost boundaries of Parcels 15 and 16, Map 44 to the point of intersection of said boundary with the eastern boundary of Parcel 16, Map 44; thence northerly with the eastern boundary of Parcel 16, Map 44 to the point of intersection of said boundary with the southern boundary of

Parcel 16, Map 44; thence easterly with the southern boundary of Parcels 16, 17, 15, and 19, Map 44 to the point of intersection of said boundary with the centerline of Africa Road; thence due east with the centerline of Africa Road to the point of intersection of said line with the southeasternmost corner of Parcel 14, Map 44; thence northerly with the easternmost boundary of Parcels 14 and 10, Map 44 to the point of intersection of said boundary with the southernmost boundary of Parcel 11, Map 44; thence easterly with the southernmost boundary of Parcel 11, Map 44 to the point of intersection of said boundary with the easternmost boundary of Parcel 11, Map 44; thence northerly with the easternmost boundary of Parcels 11 and 10, Map 44 to the point of intersection of said boundary with the center of the channel of Spring Creek; thence southeasterly with the meanderings of the center of the channel of Spring Creek on Maps 44, 59, 60, 66, 67, and 82 to the point of intersection of said channel with the southernmost boundary of Parcel 91, Map 82; thence easterly with said southernmost boundary of Parcel 91, Map 82 to the point of intersection of said boundary with the westernmost boundary of Parcel 1, Map 90; thence southeasterly with the said westernmost boundary of Parcel 1, Map 90 to the point of intersection of said boundary with the center of the channel of Spring Creek; thence southeasterly with the meanderings of the center of the channel of Spring Creek to the point of intersection of said channel with the westernmost boundary of Parcel 29, Map 90; thence southerly with said westernmost boundary of Parcel 29, Map 90 to the point of intersection of said boundary with the center of the channel of Spring Creek; thence southerly with the center of the channel of Spring Creek to the point of intersection of said creek with the centerline of Sparta Pike; thence northwesterly with the centerline of Sparta Pike to the point of intersection of said line with the centerline of Lindsley Road; thence westerly with the centerline of Lindsley Road to the point of intersection of said line with the center of the tracks of the Nashville and Eastern Railroad; thence northwesterly with the center of the tracks of the Nashville and Eastern Railroad to the point of intersection of said tracks with a western boundary of Parcel 17, Map 104; thence southerly with the western boundary of Parcel 17, Map 104 to the point of intersection of said western boundary of Parcel 17, Map 104 with the northernmost boundary of Parcel 17, Map 104; thence westerly with the northernmost boundaries of Parcel 17, Map 104 and Parcels 74 and 73, Map 91 to the point of intersection of said boundary with the westernmost boundary of Parcel 73, Map 91; thence due west proceeding across Cainsville Road to a point on the westernmost boundary of Parcel 77, Map 91, this point being 960 feet more or less north of the southernmost boundary of Parcel 77, Map 91 to a point of intersection of said boundary with the eastern boundary of Parcel 82, Map 91; thence northerly and easterly with the easternmost boundary of Parcel 82, Map 91 to the point of intersection of said boundary with the southernmost boundary of Parcel 82.01, Map 91; thence easterly with the southernmost boundary of Parcel 82.01, Map 91 to the point of intersection of said boundary with the centerline of Cainsville Road; thence northerly with the centerline of Cainsville Road to the point of intersection of said line with the northernmost boundary of Parcel 78, Map 91; thence westerly with the northernmost boundaries of Parcels 78, 81, and 80, Map 91 to the point of intersection of said boundary with an eastern boundary of Parcel 80, Map 91, said line also being the westernmost boundary of Parcel 46.01, Map 91; thence northerly with the eastern boundary of Parcel 80, Map 91 to the point of intersection of said boundary with the northernmost boundary of Parcel 80, Map 91; thence westerly with the northernmost boundaries of Parcel 80, Map 91 and Parcel 31, Map 92 to the point of intersection of said boundaries with the easternmost boundary of Parcel 28.01, Map 92; thence northerly with the easternmost boundaries of Parcels 28.01 and 27.04, Map 92 to the point of intersection of said boundary with the northernmost boundary of Parcel 27.04, Map 92; thence westerly with the northernmost boundary of Parcels 27.04, 27, and 27.02, Map 92 to the point of intersection of said boundary with the centerline of Southeast Tater Peeler Road; thence southerly with the centerline of Southeast Tater Peeler Road to the point of intersection of said line with the centerline of Stumpy Lane; thence westerly with the centerline of Stumpy Lane to the point of intersection of said line with an eastern boundary of Parcel 53, Map 92, said portion lying north of Stumpy Lane; thence northerly with the easternmost boundary of Parcel 53, Map 92, said portion lying north of Stumpy Lane, and the easternmost boundaries of Parcels 20, 19, 18, and 16, Map 92 to the point of intersection of said boundary with the northernmost boundary of Parcel 16, Map 92 to the point of intersection of said boundary with the centerline of US Highway 231 South/Murfreesboro Road; thence northerly with the centerline of US Highway 231 South/Murfreesboro Road to the point of intersection of said line with the northernmost boundary of Parcel 13, Map 92; thence westerly with the northernmost boundary of Parcel 13, Map 92 to the point of intersection of said boundary with the centerline of Old Murfreesboro Road; thence northerly with the centerline of Old Murfreesboro Road to the point of intersection of said line with the northernmost boundary of Parcels 98, Map 81; thence westerly with the northernmost boundary of Parcels 98, 97 and 112, Map 81 to the point of intersection of said boundary with a western boundary of Parcel 112, Map 81; thence southerly with the western boundary of Parcel 112, Map 81 to the point of intersection of said western boundary with a northern boundary of Parcel 112, Map 81; thence westerly with the northern boundary of Parcels 112 and 113, Map 81 to the point of intersection of said boundary with the westernmost boundary of Parcel 113, Map 81; thence southerly with the westernmost boundary of Parcel 113, Map 81 to the point of intersection of said



boundary with a Tennessee Valley Authority powerline, located 600 feet more or less north of Barton's Creek Road; thence due west from said intersection, located 600 feet more or less north of Barton's Creek Road to the point of intersection of said line with the easternmost boundary of Parcel 121, Map 81, said point being located 600 feet more or less north of Barton's Creek Road; thence northerly with the easternmost boundary of Parcel 121, Map 81 and an eastern boundary of Parcel 120, Map 81 to the point of intersection of said boundary with the southernmost boundary of Parcel 120, Map 81; thence easterly with the southernmost boundary of Parcel 120, Map 81 to the point of intersection of said boundary with the easternmost boundary of Parcel 120, Map 81; thence northerly in a broken line with the easternmost boundary of Parcel 120, Map 81 to the point of intersection of said boundary with the centerline of Franklin Road; thence westerly with the centerline of Franklin Road to the point of intersection of said line with the easternmost boundary of Parcel 116.04, Map 81; thence northerly with the easternmost boundary of Parcel 116.04, Map 81 to the point of intersection of said boundary with the centerline of Interstate 40; thence westerly with the centerline of Interstate 40, Maps 81, 80 and 79 to the point of intersection of said line with an unnamed branch of the Middle Fork of Cedar Creek, said branch running north through Parcel 51, Map 79 and into Parcel 52, Map 79; thence northerly with the center of the channel of said unnamed branch to the point of intersection of said channel with the centerline of Leeville Pike; thence westerly with the centerline of Leeville Pike to the point of intersection of said pike with the easternmost boundary of Parcel 50, Map 79, this point being the point of beginning.

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

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

Passed: May 13, 1993.

## Private Acts of 1994 Chapter 197

**SECTION 1.** Tenth Special School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the Acts of 1901 of the State of Tennessee, as amended by Chapter 476 of the Private Acts of 1923, Chapter 188 of the Private Acts of 1925, Chapter 321 of the Private Acts of 1927, Chapter 43 of the Private Acts of 1935, Chapter 734 of the Private Acts of 1937, Chapter 99 of the Private Acts of 1943, Chapter 923 of the Private Acts of 1949, Chapter 59 of the Private Acts of 1951, Chapter 32 of the Private Acts of 1959, Chapter 263 of the Private Acts of 1961, Chapter 119 of the Private Acts of 1983, Chapter 120 of the Private Acts of 1983, Chapter 157 of the Private Acts of 1986, Chapter 88 of the Private Acts of 1987, Chapter 134 of the Private Acts of 1988, Chapter 7 of the Private Acts of 1993, and Chapter 91 of the Private Acts of 1993, and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell capital outlay notes (the "Notes") in the aggregate principal amount of not to exceed five hundred thousand dollars (\$500,000) for the purpose of providing funds for the purchase of school buses and other transportation equipment and the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, or any of the foregoing, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the Notes as the Board of Commissioners of the District shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the Notes.

**SECTION 2.** The Notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding seven (7) years from their respective date or dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost Notes, all as may be provided by resolution of the District's Board of Commissioners. The Notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of Commissioners, but in no event shall the Notes be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any party of such Notes is to be sold at a zero (0) rate of interest or at an original issue discount, such Notes may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such Notes, plus accrued interest). The Board of Commissioners of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the Notes and delegate the power to consummate all such acts and execute and implement all

such agreements on its behalf as the Board of Commissioners shall deem necessary or desirable.

**SECTION 3.** The Notes shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Commissioners authorizing the Notes.

**SECTION 4.** So long as any of the Notes shall remain outstanding and unpaid, the tax levied by authority of Chapter 59 of the 1951 Private Acts of the State of Tennessee, as amended, shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal of and premium and interest on the Notes as they come due. The Board of Commissioners is hereby authorized to pledge such taxes as necessary to pay said principal, premium and interest. The taxes shall be annually extended and collected by the County Trustee of Wilson County, Tennessee in the manner provided by general law for the extension and collection of County taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do County taxes. The proceeds of the taxes so pledged, when collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the Notes and other indebtedness lawfully incurred or assumed by the District and, to the extent not needed for said purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said District as the Board of Commissioners of the District shall deem necessary and proper, including the purchase of property, real and personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the District.

**SECTION 5.** The Notes, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

**SECTION 6.** The District is further authorized to issue at any time in accordance with the terms hereof bonds to refund the Notes authorized herein.

**SECTION 7.** If any provision(s) of this Act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

**SECTION 8.** This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 20, 1994.

## Private Acts of 1995 Chapter 43

**SECTION 1.** Tenth Special School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the Acts of 1901 of the State of Tennessee, as amended by Chapter 476 of the Private Acts of 1923, Chapter 188 of the Private Acts of 1925, Chapter 321 of the Private Acts of 1927, Chapter 43 of the Private Acts of 1935, Chapter 734 of the Private Acts of 1937, Chapter 99 of the Private Acts of 1943, Chapter 923 of the Private Acts of 1949, Chapter 59 of the Private Acts of 1951, Chapter 32 of the Private Acts of 1959, Chapter 263 of the Private Acts of 1961, Chapter 119 of the Private Acts of 1983, Chapter 120 of the Private Acts of 1983, Chapter 157 of the Private Acts of 1986, Chapter 88 of the Private Acts of 1987, Chapter 134 of the Private Acts of 1988, Chapter 7 of the Private Acts of 1993, Chapter 91 of the Private Acts of 1993, and Chapter 197 of the Private Acts of 1994, and all other Acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell bonds (the "Bonds") in the aggregate principal amount of not to exceed five million five hundred thousand dollars (\$5,500,000) for the purpose of providing funds for construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, or any of the foregoing, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds as the board of commissioners of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the bonds.

**SECTION 2.** The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the

replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's board of commissioners. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's commissioners, but in no event shall the bonds be sold for less than ninety-seven percent (97%) of par plus accrued interest (or, if all or any party of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such bonds, plus accrued interest). The board of commissioners of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of commissioners shall deem necessary or desirable.

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

**SECTION 4.** So long as any of the bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 59 of the Private Acts of 1951 of the State of Tennessee, as amended, shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal of and premium and interest on the bonds as they come due. The board of commissioners is hereby authorized to pledge such taxes as necessary to pay said principal, premium and interest. The taxes shall be annually extended and collected by the county trustee of Wilson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The proceeds of the taxes so pledged, when collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the bonds and other indebtedness lawfully incurred or assumed by the district and, to the extent not needed for said purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said district as the board of commissioners of the district shall deem necessary and proper, including the purchase of property, real or personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district. In addition, any surplus arising from the tax hereinabove described and not required to be used for any of the foregoing purposes shall be used, at the discretion of the board of commissioners of the district, for all other operation expenses of schools in the district.

As amended by:

Private Acts of 2004 Chapter 119

**SECTION 5.** The Board of Commissioners of the district is authorized to pledge to the payment of the bonds all or a portion of its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Wilson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and all or a portion of any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et seq., and related sections. To the extent of such pledge, said funds when so received shall be deposited to the special fund hereinabove described and used for the purposes hereinabove set forth. The pledge of taxes authorized by Section 4 hereof may be reduced to the extent of funds pledged pursuant to this section.

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

**SECTION 7.** The district is further authorized to issue at any time in accordance with the terms hereof bonds to refund the bonds authorized herein.

**SECTION 8.** If any provision(s) of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

**SECTION 9.** This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 10, 1995.

## Private Acts of 1996 Chapter 123

**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the Acts of 1901 of the state of Tennessee, as amended by Chapter 476 of the Private Acts

of 1923, Chapter 188 of the Private Acts of 1925, Chapter 321 of the Private Acts of 1927, Chapter 43 of the Private Acts of 1935, Chapter 734 of the Private Acts of 1937, Chapter 99 of the Private Acts of 1943, Chapter 923 of the Private Acts of 1949, Chapter 59 of the Private Acts of 1951, Chapter 32 of the Private Acts of 1959, Chapter 263 of the Private Acts of 1961, Chapter 119 of the Private Acts of 1983, Chapter 120 of the Private Acts of 1983, Chapter 157 of the Private Acts of 1986, Chapter 88 of the Private Acts of 1987, Chapter 134 of the Private Acts of 1988, Chapter 7 of the Private Acts of 1993, Chapter 91 of the Private Acts of 1993, Chapter 197 of the Private Acts of 1994, and Chapter 43 of the Private Acts of 1995, and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell bonds (the "Bonds") in the aggregate principal amount of not to exceed one million five hundred thousand dollars (\$1,500,000) for the purpose of providing funds for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, or any of the foregoing, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds as the board of commissioners of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the bonds.

**SECTION 2.** The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding twenty (20) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's board of commissioners. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's commissioners, but in no event shall the bonds be sold for less than ninety-seven percent (97%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such bonds, plus accrued interest). The board of commissioners of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of commissioners shall deem necessary or desirable.

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

**SECTION 4.** So long as any of the bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 59 of the Private Acts of 1951 of the state of Tennessee, as amended, shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal of and premium and interest on the bonds as they come due. The board of commissioners is hereby authorized to pledge such taxes as necessary to pay said principal, premium and interest. The taxes shall be annually extended and collected by the county trustee of Wilson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The proceeds of the taxes so pledged, when collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the bonds and other indebtedness lawfully incurred or assumed by the district and, to the extent not needed for said purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said district as the board of commissioners of the district shall deem necessary and proper, including the purchase of property, real or personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district. In addition, any surplus arising from the tax hereinabove described and not required to be used for any of the foregoing purposes shall be used, at the discretion of the board of commissioners of the district, for all other operation expenses of schools in the district.

As amended by:

Private Acts of 2004, Chapter 199

**SECTION 5.** The Board of Commissioners of the district is authorized to pledge to the payment of the bonds all or a portion of its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Wilson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et

seq., and related sections. To the extent of such pledge, said funds when so received shall be deposited to the special fund hereinabove described and used for the purposes hereinabove set forth. The pledge of taxes authorized by Section 4 hereof may be reduced to the extent of funds pledged pursuant to this section.

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

**SECTION 7.** The district is further authorized to issue at any time in accordance with the terms hereof bonds to refund the bonds authorized herein.

**SECTION 8.** If any provision(s) of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this action and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

**SECTION 9.** This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: February 5, 1996.

## Private Acts of 1997 Chapter 15

**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the Acts of 1901 of the State of Tennessee, as amended by Chapter 476 of the Private Acts of 1923, Chapter 188 of the Private Acts of 1925, Chapter 321 of the Private Acts of 1927, Chapter 43 of the Private Acts of 1935, Chapter 734 of the Private Acts of 1937, Chapter 99 of the Private Acts of 1943, Chapter 923 of the Private Acts of 1949, Chapter 59 of the Private Acts of 1951, Chapter 32 of the Private Acts of 1959, Chapter 263 of the Private Acts of 1961, Chapter 119 of the Private Acts of 1983, Chapter 120 of the Private Acts of 1983, Chapter 157 of the Private Acts of 1986, Chapter 88 of the Private Acts of 1987, Chapter 134 of the Private Acts of 1988, Chapter 7 of the Private Acts of 1993, Chapter 91 of the Private Acts of 1993, Chapter 197 of the Private Acts of 1994, and Chapter 43 of the Private Acts of 1995, Chapter 123 of the Private Acts of 1996, and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell bonds (the "Bonds") in the aggregate principal amount of not to exceed one million one hundred thousand dollars (\$1,100,000) for the purpose of providing funds for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, or any of the foregoing, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds as the board of commissioners of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the bonds.

**SECTION 2.** The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding twenty (20) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's board of commissioners. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's commissioners, but in no event shall the bonds be sold for less than ninety-seven percent (97%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such bonds, plus accrued interest). The board of commissioners of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of commissioners shall deem necessary or desirable.

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

**SECTION 4.** So long as any of the bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 59 of the Private Acts of 1951 of the State of Tennessee, as amended, shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal of and premium and interest on the bonds as they come due. The board of commissioners is hereby authorized to pledge such taxes as necessary to pay said principal, premium and interest. The taxes shall be annually extended and collected by the county trustee of Wilson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The proceeds of the taxes so pledged, when collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the bonds and other indebtedness lawfully incurred or assumed by the district and, to the extent not needed for said purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said district as the board of commissioners of the district shall deem necessary and proper, including the purchase of property, real or personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district. In addition, any surplus arising from the tax hereinabove described and not required to be used for any of the foregoing purposes shall be used, at the discretion of the board of commissioners of the district, for all other operation expenses of schools in the district.

As amended by:

Private Acts of 2004, Chapter 119

**SECTION 5.** The district is authorized by resolution of the board of commissioners of the district to pledge to the payment of the bonds all or a portion of its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Wilson County, Tennessee, pursuant to Section 67-6-712, Tennessee Code Annotated, and all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Section 49-3-351 et seq., Tennessee Code Annotated, and related sections. To the extent of such pledge, said funds when so received shall be deposited to the special fund hereinabove described and used for the purposes hereinabove set forth. The pledge of taxes authorized by Section 4 hereof may be reduced to the extent of funds pledged pursuant to this section.

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

**SECTION 7.** The district is further authorized to issue at any time in accordance with the terms hereof bonds to refund the bonds authorized herein.

**SECTION 8.** If any provision(s) of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this action and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

**SECTION 9.** This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 24, 1997.

## Private Acts of 1999 Chapter 38

**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee (the "district"), created by Chapter 330 of the Acts of 1901, as amended by Chapter 476 of the Private Acts of 1923, Chapter 188 of the Private Acts of 1925, Chapter 321 of the Private Acts of 1927, Chapter 43 of the Private Acts of the First Extraordinary Session of 1935, Chapter 734 of the Private Acts of 1937, Chapter 99 of the Private Acts of 1943, Chapter 923 of the Private Acts of 1949, Chapter 59 of the Private Acts of 1951, Chapter 32 of the Private Acts of 1959, Chapter 263 of the Private Acts of 1961, Chapter 99 of the Private Acts of 1963, Chapter 212 of the Private Acts of 1970, Chapter 247 of the Private Acts of 1972, Chapter 119 of the Private Acts of 1983, Chapter 120 of the Private Acts of 1983, Chapter 157 of the Private Acts of 1986, Chapter 88 of the Private Acts of 1987, Chapter 134 of the Private Acts of 1988, Chapter 7 of the Private Acts of 1993, Chapter 91 of the Private Acts of 1993, and Chapter 197 of the Private Acts of 1994, Chapter 43 of the Private Acts of 1995, Chapter 123 of the Private Acts of 1996, Chapter 15 of the Private Acts of 1997, and all other acts amendatory thereto, if any, (the "act of incorporation") is hereby authorized and empowered to issue and sell bonds (the "bonds") in the aggregate principal amount of not to exceed six million five hundred thousand dollars (\$6,500,000) for the purpose of providing funds for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the district, including the purchase of all property, real and

personal, or interests therein, necessary in connection with such work, or any of the foregoing, the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds as the Board of Commissioners of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident to the foregoing and to the issuance and sale of the bonds.

**SECTION 2.** The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding twenty (20) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the Board of Commissioners of the district. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the Board of Commissioners of the district, but in no event shall the bonds be sold for less than ninety-seven percent (97%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such bonds, plus accrued interest). The Board of Commissioners of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Commissioners shall deem necessary or desirable.

**SECTION 3.** The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution of the Board of Commissioners of the district authorizing the bonds.

**SECTION 4.** So long as any of the bonds authorized herein shall remain outstanding and unpaid, the tax levied by authority of Chapter 59 of the Private Acts of 1951 of the State of Tennessee, as amended, shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal of and premium and interest on the bonds and any other indebtedness of the district as they come due. The Board of Commissioners is hereby authorized to pledge such taxes as necessary to pay said principal, premium and interest. The taxes shall be annually extended and collected by the County Trustee of Wilson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The proceeds of the taxes so pledged, when collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the bonds and other indebtedness lawfully incurred or assumed by the district and, to the extent not needed for such purpose or required to be maintained therein by applicable law, for the purpose of building new school buildings, adding to, repairing, improving, enlarging and equipping school buildings and properties of said district as the Board of Commissioners of the district shall deem necessary and proper, including the purchase of property, real or personal, or interests therein, necessary in connection therewith and the purchase of school buses and school transportation equipment in connection with the operation of the schools of the district.

**SECTION 5.** The district is authorized by resolution of the Board of Commissioners of the district to pledge to the payment of the bonds all or a portion of its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Wilson County, Tennessee, pursuant to Section 67-6-712, Tennessee Code Annotated, and all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Section 49-3-351 et seq., Tennessee Code Annotated, and related sections. To the extent of such pledge, these funds when so received shall be deposited to the special fund hereinabove described and used for the purposes hereinabove set forth. The pledge of taxes authorized by Section 4 hereof may be reduced to the extent of funds pledged pursuant to this section.

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

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

**SECTION 8.** The district is further authorized, by resolution of the Board of Commissioners, to issue and

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

**SECTION 9.** If any provision of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remaining provisions of this act and the application thereof shall not be affected thereby, shall be enforced to the greatest extent permitted by law, and are hereby declared to be severable.

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

Passed: May 17, 1999.

## Private Acts of 2002 Chapter 97

**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee ("district") created by Chapter 330 of the Acts of 1901, as amended by Chapter 476 of the Private Acts of 1923, Chapter 188 of the Private Acts of 1925, Chapter 321 of the Private Acts of 1927, Chapter 43 of the Private Acts of 1935, Chapter 734 of the Private Acts of 1937, Chapter 99 of the Private Acts of 1943, Chapter 923 of the Private Acts of 1949, Chapter 59 of the Private Acts of 1951, Chapter 32 of the Private Acts of 1959, Chapter 263 of the Private Acts of 1961, Chapter 99 of the Private Acts of 1963, Chapter 212 of the Private Acts of 1970, Chapter 247 of the Private Acts of 1972, Chapter 119 of the Private Acts of 1983, Chapter 120 of the Private Acts of 1982 (sic), Chapter 157 of the Private Acts of 1986, Chapter 134 of the Private Acts of 1988, Chapter 7 of the Private Acts of 1993, Chapter 197 of the Private Acts of 1994, Chapter 43 of the Private Acts of 1995, Chapter 123 of the Private Acts of 1996, Chapter 15 of the Private Acts of 1997, Chapter 46 of the Private Acts of 1999, and all other acts amendatory thereto, if any (the "act of incorporation") is hereby authorized and empowered to borrow money and issue its debt obligations in the aggregate principal amount not to exceed five hundred thousand dollars (\$500,000) for the purpose of providing funds for energy upgrades for lighting and other energy efficient equipment and upgrades to the water system.

**SECTION 2.** The indebtedness incurred shall be paid from the tax levied by authority of Chapter 59 of the Private Acts of 1951, as amended, which taxes shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal of and interest on the indebtedness. The board of commissioners of the district is hereby authorized to pledge such taxes as necessary to pay the principal and interest. The taxes shall constitute a lien on the property against which they are levied with the like force in effect as due county taxes.

**SECTION 3.** The district is authorized by resolution of the board of commissioners to pledge to the payment of the indebtedness all or a portion of its share of the local option sales and use tax now or hereafter levied and collected in Wilson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, et seq., and related sections.

**SECTION 4.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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

Passed: March 11, 2002.

## Private Acts of 2009 Chapter 26



**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee (the "district"), created by Chapter 330 of the Acts of 1901, as amended (collectively with all amendatory acts, the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of Commissioners of the District, bonds and/or notes in the collective aggregate principal amount of not to exceed twenty million dollars (\$20,000,000) for the purpose of providing funds:

(1) Any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections; (2) Its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Wilson County, Tennessee, pursuant to § 67-6-712; and (3) Any other funds received from the state of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

**SECTION 2.** The bonds and notes may be sold at public or private sale in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirtyfive (35) years from their respective dated dates with respect to any series of bonds and twelve (12) years with respect to any series of notes, may bear interest at a zero (0) rate or at such other rate or rates not to exceed the maximum rate permitted by Tennessee law (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds and notes, all as may be provided by resolution of the District's Board of Commissioners.

The bonds and notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of Commissioners, but in no event shall the bonds and notes be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds and notes is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds and notes may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds and notes, plus accrued interest). The Board of Commissioners of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and notes and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Commissioners shall deem necessary or desirable.

**SECTION 3.** The bonds, notes, refunding bonds and bond anticipation notes shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Commissioners authorizing the bonds, notes, refunding bonds or bond anticipation notes.

**SECTION 4.** The indebtedness incurred shall be paid from the tax levied by authority of Chapter 59 of the Private Acts of 1951, as amended by Chapter 99 of the Private Acts of 1963, Chapter 33 of the Private Acts of 1969, Chapter 250 of the Private Acts of 1972, Chapter 88 of the Private Acts of 1987, Chapter 134 of the Private Acts of 1988, Chapter 91 of the Private Acts of 1993, and any other acts amendatory thereto, which taxes shall continue to be levied at the rates set forth in Section 4 thereof to be used to pay principal of, redemption premiums, if any, and interest on the bonds and notes. The Board of Commissioners of the District is hereby authorized to pledge such taxes as necessary to pay the principal of, premiums, if any, and interest on the bonds and notes authorized herein. The taxes shall constitute a lien on the property against which they are levied with the like force in effect as do county taxes.

**SECTION 5.** The Board of Commissioners is authorized, but not required, to pledge to the payment of the bonds and notes all or a portion of:

(1) Any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections; (2) Its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Wilson County, Tennessee, pursuant to § 67-6-712; and (3) Any other funds received from the state of Tennessee, or any of its authorities, agencies or instrument

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

**SECTION 7.** The District is further authorized, by resolution of the Board of Commissioners, to borrow money and issue its bonds and notes for the purpose of refunding at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof, the bonds and notes authorized herein and the refunding bonds and refunding notes authorized herein, in an amount not exceeding the outstanding principal amount of the outstanding bonds or notes being refunded, premium thereon, interest on such refunded bonds or refunded notes to maturity or earlier redemption and costs of issuance, including

discount, if any. The Board of Commissioners shall have the power to provide for the custody, application and investment of the proceeds of the refunding bonds and refunding notes pending retirement of the refunded bonds and refunded notes.

**SECTION 8.** The District is further authorized, by resolution of the Board of Commissioners, to issue and sell bond anticipation notes of the District in anticipation of the issuance of the bonds authorized herein. The bond anticipation notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding three (3) years from their respective dated dates and may be extended or renewed for not more than one (1) additional period of three (3) years, may bear interest at such rate or rates not to exceed the maximum rate permitted by Tennessee law (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost bond anticipation notes, all as may be provided by resolution of the Board of Commissioners. The bond anticipation notes shall be sold as a whole or in part from time to time at public or private sale in such manner as shall be provided by resolution of the Board of Commissioners but in no event shall the bond anticipation notes be sold for less than ninety-nine percent (99%) of par plus accrued interest. Unless paid for out of the funds identified in Section 4 and/or 5 hereof, when the District receives the proceeds from the sale of the bonds in anticipation of which the bond anticipation notes were issued, a sufficient portion of proceeds shall be used to pay the principal of such bond anticipation notes and may be used to pay the interest thereon. The Board of Commissioners of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bond anticipation notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Commissioners shall deem necessary or desirable.

**SECTION 9.** In the event that the laws creating the district are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said bonds and indebtedness, and the outstanding bonds and indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax hereby required to be continued to be levied. In such event, the said remaining tax shall continue to be collected by the Wilson County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the Wilson County Board of Education until such bonds and indebtedness have been paid in full.

**SECTION 10.** If any provision of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

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

Passed: June 2, 2009.

## Private Acts of 2015 Chapter 10

**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the Acts of 1901, as amended (collectively with all amendatory acts, the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of Commissioners (the "Board") of the District, bonds and/or notes in the aggregate principal amount of not to exceed three million dollars (\$3,000,000) in the manner provided below:

(a) The District is hereby authorized and empowered to issue and sell, by resolution of its Board, school bonds and notes for the purpose of providing funds for (i) the acquisition of land and site preparation for and the construction, improvement, renovation, expansion, furnishing, and equipping of a central office building and school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection therewith, (ii) the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds and notes as the Board shall determine, (iii) the payment of interest on the bonds and notes during the period of construction and for six (6)

months thereafter and (iv) the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds and notes. The maximum aggregate principal amount of school bonds authorized to be issued shall be limited to three million dollars (\$3,000,000). No public referendum or election of the voters of the District shall be necessary in order for the District to issue and sell the bonds and/or notes authorized pursuant to this subsection.

(b) The bonds and notes may be sold at competitive or negotiated sale at such times, in such amounts, and with such terms as may be approved by resolution of the Board; provided that the maximum maturity of any bond or note issues shall not exceed thirty-five (35) years from issuance and the rate or rates of the bonds and notes shall not exceed the maximum rate permitted by Tennessee law. The Board of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and notes and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(c) The District is further authorized, by resolution of its Board, to issue and sell notes of the District in anticipation of the issuance of the bonds authorized herein. The notes shall mature at such time or times, not exceeding five (5) years from their respective dated dates, and shall be sold in such manner and upon such terms as shall be provided by resolution of the Board. Bond anticipation notes shall also be payable from and secured by the proceeds of the bonds in anticipation of which they are issued. Notwithstanding anything herein to the contrary, bond anticipation notes may be issued in an amount not to exceed three million dollars (\$3,000,000), in addition to the issuance of not to exceed three million dollars (\$3,000,000) of school bonds; provided, that such notes are to be retired by the bonds.

(d) The District is further authorized, by resolution of its Board, to borrow money and issue its bonds for the purpose of refunding the bonds and notes authorized herein or that may have been previously issued by the District. The refunding bonds shall be sold at such times, in such manner and upon such terms as shall be provided by resolution of the Board, and notwithstanding anything herein to the contrary, shall be in an amount necessary to refund such bonds or notes.

(e) The Board of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and notes authorized herein and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(f) The bonds and notes authorized hereunder shall be issued in fully registered form and shall be executed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the Board.

(g) Any bonds or notes issued hereunder shall be paid from the taxes levied by authority of the Act of Incorporation. Notwithstanding any provision of the Act of Incorporation to the contrary, all taxes levied pursuant thereto are specifically authorized to be used to pay the principal of and interest on any bonds and notes issued pursuant to this subsection. The Board of the District is hereby authorized to pledge such taxes as necessary to pay the principal of and interest on the bonds and notes authorized herein. The taxes shall constitute a lien on the property against which they are levied with the like force in effect as due county taxes.

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

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

**SECTION 2.** No additional tax levies are levied hereby. The property taxes heretofore levied by the Act of Incorporation are hereby affirmed at the rates set forth therein, subject to the procedures set forth in Section 67-5-1704, Tennessee Code Annotated, relating to county-wide reappraisal. Taxes levied for debt

service shall be pledged and applied first to pay principal of and interest on the bonds and notes issued by the District. Any amounts in excess thereof may be used, at the discretion of the Board of the District, for any and all capital and/or operating expenses of the District.

**SECTION 3.** In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said bonds and indebtedness, and the outstanding bonds and indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax herein authorized. In such event, the said remaining tax shall continue to be collected by the Wilson County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the District until such bonds and indebtedness have been paid in full.

**SECTION 4.** The provisions of this Act are intended to supersede any contrary provisions of the Act of Incorporation heretofore adopted.

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

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

Passed: April 24, 2015

## Private Acts of 2019 Chapter 15

**SECTION 1.** The Tenth Special School District of Wilson County, Tennessee (the "District"), created by Chapter 330 of the Acts of 1901, as amended (collectively with all amendatory acts, the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of Commissioners (the "Board") of the District, bonds and/or notes in the aggregate principal amount of not to exceed twenty-eight million dollars (\$28,000,000) in the manner provided below:

(a) The District is hereby authorized and empowered to issue and sell, by resolution of its Board, school bonds and notes for the purpose of providing funds for (i) the acquisition of land and site preparation for and the construction, improvement, renovation, expansion, furnishing, and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection therewith, (ii) the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds and notes as the Board shall determine, (iii) the payment of interest on the bonds and notes during the period of construction and for six (6) months thereafter and (iv) the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds and notes. The maximum aggregate principal amount of school bonds authorized to be issued shall be limited to twenty-eight million dollars (\$28,000,000). No public referendum or election of the voters of the District shall be necessary in order for the District to issue and sell the bonds and/or notes authorized pursuant to this subsection.

(b) The bonds and notes may be sold at competitive or negotiated sale at such times, in such amounts and with such terms as may be approved by resolution of the Board; provided that the maximum maturity of any bond or note issues shall not exceed thirty-five (35) years from issuance and the rate or rates of the bonds and notes shall not exceed the maximum rate permitted by Tennessee law. The Board of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and notes and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(c) The District is further authorized, by resolution of its Board, to issue and sell notes of the District in anticipation of the issuance of the bonds authorized herein. The notes shall mature at such time or times, not exceeding five (5) years from their respective dated dates, and shall be sold in such manner and upon such terms as shall be provided by resolution of the Board. Bond anticipation notes shall also be payable from and secured by the proceeds of the bonds in anticipation of which they are issued. Notwithstanding anything herein to the contrary, bond anticipation notes may be issued in an amount not to exceed twenty-eight million dollars (\$28,000,000) in addition to the issuance of not to exceed twenty-eight million dollars (\$28,000,000) of school bonds, provided that such notes are to be retired by the bonds.

(d) The District is further authorized, by resolution of its Board, to borrow money and issue its bonds for the purpose of refunding the bonds and notes authorized herein or that may have been previously issued by the District. The refunding bonds shall be sold at such times, in such manner and upon such terms as shall be provided by resolution of the Board, and notwithstanding anything herein to the contrary shall be in an amount necessary to refund such bonds or notes.

(e) The Board of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and notes authorized herein and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(f) The bonds and notes authorized hereunder shall be issued in fully registered form and shall be executed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the Board.

(g) Any bonds or notes issued hereunder shall be paid from the taxes levied by authority of the Act of Incorporation. Notwithstanding any provision of the Act of Incorporation to the contrary, all taxes levied pursuant thereto are specifically authorized to be used to pay the principal of and interest on any bonds and notes issued pursuant to this subsection. The Board of the District is hereby authorized to pledge such taxes as necessary to pay the principal of and interest on the bonds and notes authorized herein. The taxes shall constitute a lien on the property against which they are levied with the like force and effect as due county taxes.

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

(i) The bonds and notes and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except excise and franchise taxes and except as otherwise provided by applicable law.

SECTION 2. No additional tax levies are levied hereby. The property taxes heretofore levied by the Act of Incorporation are hereby affirmed at the rates set forth therein, subject to the procedures set forth in Section 67-5-1704, Tennessee Code Annotated, relating to county-wide reappraisal. Taxes levied for debt service shall be pledged and applied first to pay principal of and interest on the bonds and notes issued by the District. Any amounts in excess thereof may be used, at the discretion of the Board of the District, for any and all capital and/or operating expenses of the District.

SECTION 3. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said bonds and indebtedness, and the outstanding bonds and indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax herein authorized. In such event, the said remaining tax shall continue to be collected by the Wilson County Trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the District until such bonds and indebtedness have been paid in full.

SECTION 4. The provisions of this Act are intended to supersede any contrary provisions of the Act of Incorporation heretofore adopted.

SECTION 5. If any provision(s) of this Act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

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

Passed: May 10, 2019

## Private Acts of 2019 Chapter 28

SECTION 1.

(a) Chapter 330 of the Private Acts of 1901, as amended by Chapter 91 of the Private Acts of 1993, Chapter 15 of the Private Acts of 2005, and any other acts amendatory thereto, is amended by modifying, revising, and decreasing the boundary of the Tenth Special School District of Wilson County, Tennessee, by deleting the following from the boundaries of the District:

Beginning at a point in the southeasternmost corner of the previously referenced Parcel 50, of Map 79, now part of the Holland Ridge Subdivision, Phase One. Said point being the point of beginning. Thence northerly with the eastern boundary of Parcel 50, Map 79 to a point in the southeastern corner of Parcel 67, Map 70 and the southwesterly corner of Parcel 66, Map 70. Thence with the southerly boundary of Parcel 66, Map 70 and Parcel 65.01, Map 79 to a point in the southwesterly corner of Parcel 64.11, Map 70 and the northwesterly corner of Parcel 51.04, Map 79. Thence with the westerly boundary of Parcel 51.04, Map 79 to a point of intersection of said boundary with the centerline of Leeville Pike. Thence westerly with the centerline of Leeville Pike to a point of intersection of Leeville Pike and the eastern boundary of Parcel 50, Map 79. Thence northerly to the point of beginning.

(b) References in subsection (a) are to the official tax maps of Wilson County, Tennessee, as of April 9, 2019.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 24, 2019

## Watertown Special School District

### Private Acts of 1921 Chapter 134

**COMPILER'S NOTE:** The question of whether one remaining member of the Watertown Special School District's school board could appoint the other two was decided in the affirmative in the case of State v. Simpson, 198 Tenn. 695, 281 S.W.2d. 679 (1955).

**SECTION 1.** That a special school district be and the same is hereby created and established embracing the territory now comprised within the limits of the Sixteenth Civil District of Wilson County, Tennessee, to be known as the "Watertown Special School District."

**SECTION 2.** That the said special school district shall be governed by a Board of School Trustees of three members, two of whom shall constitute a quorum for the transaction of business. The said Board shall be elected by the qualified voters of said special school district at the regular election on the first Thursday of August, 1922, and biennially thereafter, and shall hold their respective offices for the term of two years from the first day of September next after their election, but the first Board of Trustees for the said special school district are hereby appointed to act as such until a Board of Trustees is duly elected and qualified for the office, and the following are named to constitute the first Board of Trustees, to-wit: C. C. Young, R. N. Givan, and L. B. Griffin, who shall hold office until the first day of September, 1922, or until their successors are fully elected and qualified. No one shall be eligible to serve as a member of said Board except he be twenty-one years of age or over and a resident of said special school district and of good moral character and having at least an elementary public school education, and freeholder or householder in said district. The said Board herein appointed shall meet within ten days after this Act takes effect, or as soon thereafter as practical, and from their numbers elect a Chairman. The members of said Board shall serve without compensation except that the Secretary may be allowed the usual per capita for enumerating children of school age in said district. The Board shall meet at such time as their duties may require. Vacancies on said Board shall be filled by appointment of the other members, and the person so appointed shall serve until the next regular election and until his successor is duly elected and qualified. As amended by: Private Acts of 1939, Chapter 471

**SECTION 3.** That the said Board shall have the power and it is hereby made their duty to employ all necessary teachers for the school of said district and fix their salaries; provided the Board shall not be authorized to pay to any teacher any salary except for time actually spent in the performance of the duties as teacher; to employ the necessary janitors, fix their salaries; and said Board and its successors in office shall have the right to make all contracts for repairs, buildings, supplies and all things necessary toward maintaining and running the schools of said district. The expenses thereof to be paid by warrant drawn on the Trustee of said County against the funds of said special school district.

**SECTION 4.** That it shall be the duty of the Board of Trustees of said special school district to take a census of the scholastic population of said district and report the same to the County Superintendent of Wilson County during the month of July, 1921, and annually thereafter.

**SECTION 5.** That for the purpose of extending, operating, supporting and maintaining the schools of said Special School District, including all buildings and equipment expense, already incurred and that may

hereafter be incurred, and for supplementing the school funds of said district, there is hereby levied and assessed for the year 1927 and each and every subsequent year a tax of Twenty Cents on every One Hundred Dollars worth of taxable property, real and personal, in said Special School District.

Said tax shall be in addition to the regular County levy for school purposes, and the basis of assessment of said tax on said property shall be the value as shown by the books of the County Assessor, and the County Trustee, for every respective year, and the taxes herein assessed shall be due, payable and collectible in the same manner and at the time that taxes are due and payable under the General Laws of the State of Tennessee, and it shall be the duty of the Trustee of Wilson County, Tennessee, to collect the taxes herein assessed and hold the same to the credit of the said Special School District to be paid out as otherwise provided.

When and in the event of the issuance of any bonds by said School District for the purpose of providing funds with which to construct, erect or improve and furnish public school buildings in said Special School District, then and in such event, one-fourth of the proceeds of the levy or assessment of taxes made by this Act shall, so long as any of said bonds or coupons for interest thereupon remain outstanding be set apart and used only for the purpose of paying the principal and interest on said bonds when and as due.

As amended by: Private Acts of 1923, Chapter 691  
Private Acts of 1927, Chapter 744

**SECTION 6.** That the Board of Trustees shall require the teachers employed to teach the schools of said special school district to keep such records and make such reports as are required to be kept and made by the public school laws of the State. The County Superintendent of Public Instruction of Wilson County and the State Superintendent, together with other public school officers, shall have the same authority and jurisdiction over said schools of said district as the general school laws require.

**SECTION 7.** That it shall be the duty of the Trustee of Wilson County to keep a separate fund entitled "Watertown Special School Fund," in which all taxes, real, personal and privilege, are credited to said school district; provided that the special fund shall be credited with all taxes collected under the special rate only and that said district shall have a right to participate in the regular county school tax levy as all other civil districts in the county.

**SECTION 8.** That all laws and parts of laws in conflict be and the same are hereby repealed, and it is further declared to be the intention of the General Assembly that if for any reason any provision of this Act should be held void, such Act shall not invalidate any other portion of this Act.

**SECTION 9.** That this Act become effective from and after its passage, the public welfare requiring it.

Passed: January 27, 1921.

## Education/Schools - Historical Notes

### Board of Education

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

1. Private Acts of 1903, Chapter 254, amended Public Acts of 1873, Chapter 25, which created a uniform system of public schools in Tennessee, by creating a County Board of Education for each county in Tennessee with one member of the Board coming from each Civil District in the County. The Judge or Chairman of the County Court would be a member and the County Superintendent of Public Instruction would be ex-officio Chairman of said Board. The members of the Board would be elected to a two year term by the voters of the District. Members would receive \$1.50 per day for attendance at meetings and \$1 per day for taking the required scholastic census. This Act would not effect city school systems.
2. Private Acts of 1907, Chapter 236, abolished the office of District Directors in all parts of the State and placed the management and control of the county school system under the direction of a County Board of Education and a District Board of Advisors. The County Court was obliged to divide the county into five school districts composed of whole Civil Districts from each of which one member of the Board of Education would be initially appointed by the Quarterly Court and later elected for full two year terms by the people in the August, 1908, general election. If there were fewer than five civil districts, the remaining members of the Board were to be chosen at large in the county. The County Superintendent would serve the Board as a Secretary. The powers and duties of the Chairman, the Secretary, and the members of the Board enumerated out in the Act. Board members were to be paid from \$1.50 to \$3 per day, the amount being fixed by the

Quarterly Court. Each school district would have a three member Advisory Board who were to be elected by the people of the District biennially and who were bound to discharge the obligations imposed upon them by this Act. Nine counties, including Wilson County, exempted themselves from the terms of this Act.

3. Private Acts of 1925, Chapter 586, was enabling legislation for Wilson County's Board of Education to borrow money on short term loans at an interest rate not to exceed 6%, but in no event would the amount borrowed exceed one-half of the entire tax levy for school purposes for one school year, and the money borrowed in one year must be repaid out of money collected in that year.
4. Private Acts of 1935 (Ex. Sess.), Chapter 112, stated that hereafter the County Board of Education of Wilson County would be composed of five members to be elected by the Quarterly County Court for five year terms, one member to be elected each year, as the terms of the present members of the Board expired. No member of the Quarterly Court or other county official was eligible to serve and all members must meet qualifications specified in the Act. Any provision of the public law (Public Acts of 1925, Chapter 115) not in conflict with this Act would still be in force in Wilson County. This Act was repealed by Private Acts of 1939, Chapter 512.
5. Private Acts of 1945, Chapter 279, stated that in Wilson County the members of the County Board of Education would be popularly elected at the regular county election in August and assume office on the following September 1 for a term of seven years. Nothing in this Act was to interfere with or abridge the term of any current member of the Board. The Quarterly County Court could fill vacancies on the Board but only until the next general August election. The general law was modified in its application to Wilson County in order to effectuate the above. This Act was repealed by Private Acts of 1949, Chapter 443.
6. Private Acts of 1949, Chapter 443, provided that members of the County Board of Education elected under the authority of Private Acts of 1945, Chapter 279, would continue in office until their terms expired, but when that occurred their successors would be elected by the Quarterly Court at its July session. The Quarterly Court would designate the members to serve staggered terms up to seven years and the terms after that were all to be of seven years duration. The Quarterly Court could fill all the vacancies for the remainder of that term. This Act was repealed by Private Acts of 1965, Chapter 124.
7. Private Acts of 1955, Chapter 220, provided that in Wilson County the members of the County Board of Education would hereafter be elected by the qualified voters at the regular August elections for a term of four years beginning on the first Monday in September following but no more than one member could reside in the same Civil District, except for the 10th Civil District which would elect two members. Nothing in this Act would be construed to interfere with the term of any current member of the Board. Any future vacancy would be filled by the Quarterly Court until the next August election. This Act was properly ratified in a referendum vote. This Act was repealed by Private Acts of 1965, Chapter 124.
8. Private Acts of 1959, Chapter 315, amended Private Acts of 1955, Chapter 220, to remove the limitation of only one member of the School Board coming from a particular Civil District and to insert the requirement that one member of the School Board would come from the first five school zones and two members would come from Zone 6 which was the 10th Civil District. The county was divided into six zones, but although the members of the Board must reside in the zone from which they were elected they were to be elected at large. This Act was rejected in a referendum election and never took effect.
9. Private Acts of 1965, Chapter 124, established six school zones in Wilson County composed of whole Civil District from five of which would come one member of the School Board and two members were to be selected in the Third Zone, making seven members in all on the Board of Education. The members would be elected by popular vote to four year terms but nothing herein would abridge any existing term. This Act was properly ratified by the Quarterly Court, but was repealed by Private Acts of 1971, Chapter 50.

### **Mount Juliet School District**

The private acts analyzed below concerned the Mount Juliet School District in Wilson County. This district is no longer operative.

1. Private Acts of 1915, Chapter 412, established the Mount Juliet School District as the same was described in the Act. Dr. J. M. Weaver, A. A. Alexander, and Rev. R. M. Cawthorn were named as School Directors who would serve until the next regular election. This District would be governed as were other Districts in Wilson County.
2. Private Acts of 1921, Chapter 416, set up the Mount Juliet Special School District, including the



greater portion of the 43rd School District which included portions of the First and 25th Civil Districts. The District would be managed and governed by a five member Board of Commissioners elected by popular vote to two year terms. This Act named A. A. Alexander, R. V. Cawthon, J. M. Weaver, Edgar Curd and R. R. Rummage as the first members of the Board. No member of the Board was to be paid except that the Clerk and Treasurer would be paid for taking the scholastic census. The organizational structure and the powers and obligations of the officials were all outlined in the Act. The Board was specifically empowered to establish one or more schools with a four year high school course of study. The District would receive its share of the county school funds. The Board could levy a school tax not to exceed sixty cents per \$100 valuation for 1921 and 1922 and ten cents thereafter. The provision in Section 7 of this Act which delegated the power to levy taxes to the Board of Commissioners was declared unconstitutional in Williamson v. McClain, 147 Tenn. 491, 249 S.W. 811 (1923).

3. Private Acts of 1923, Chapter 329, formed the Mount Juliet Special School District with approximately the same boundaries described in Private Acts of 1921, Chapter 416. The District was to be managed and controlled by a five member Board of Commissioners elected by popular vote to serve two year terms. Named as the first Board to serve until their successors could be elected were A. A. Alexander, R. V. Cawthon, J. S. Hatfield, Edgar Curd, and R. R. Rummage, who would select a Chairman and a Clerk-Treasurer from their own number. The Board would take charge of all the physical assets of the District and see that the buildings and equipment were maintained adequately. The Board had the power to install one or more schools in the District. The scholastic census was to be taken and all funds from the State and county would be pro-rated to this District. A tax was assessed in the Act of 50 cents per \$100 property valuation for 1923 and 1924, and 5 cents for each year thereafter with the funds going to the District.
4. Private Acts of 1925, Chapter 788, amended Private Acts of 1923, Chapter 329, by correcting some portions of the description in Section One and by changing other appropriate Sections to allow the operation of elementary schools in the District. The tax levy was raised from 5 to 20 cents and was terminate when the outstanding school debt had been paid.
5. Private Acts of 1933, Chapter 730, amended Private Acts of 1923, Chapter 329, by redescribing the boundaries of the School District and reducing the tax rate to ten cents per \$100 property valuation.
6. Private Acts of 1935 (Ex. Sess.), Chapter 154, amended Private Acts of 1923, Chapter 329, by removing the provision for the election of the five School Commissioners on the fourth Saturday in May and inserting another one that the five School Commissioners would be elected on the second Saturday in September, 1935, and every two years thereafter, at the school house.
7. Private Acts of 1937, Chapter 729, rearranged the boundary lines of the Mount Juliet School District in Wilson County so as to include the farm of F. O. Smartt, consisting of about 100 acres situated in the 25th Civil District on the south side of Central Pike, in the said School District.

### **Tenth Special School District**

The following Private Acts concerned the development of the Tenth School District of Wilson County.

1. Private Acts of 1913, Chapter 307, established a system of public schools in the city of Lebanon in place of the common schools formerly established by the city. These schools were to be run by the School Directors of the Tenth School District and by a committee of three citizens of the District as might be named by the city authorities. The principal of the white schools would be the Superintendent of the city schools. Schools within the city would have first priority for school funds.
2. Private Acts of 1920 (Ex. Sess.), Chapter 114, set up a Special School District in the Tenth Civil District, which included the City of Lebanon except for that portion in the Shop Springs Special School District. The District would be known as the Lebanon Special School District and was described in the Act. The District would be managed by three school directors, elected for six year terms, whose powers and duties were stipulated in the act. The act appointed Julian Campbell, L. L. Burns, and Earl Hancock as the first School Directors. A general school tax levy of 40 cents per \$100 and a \$1.00 poll tax on all persons between the ages of 21 and 50 was authorized to support the schools in the District, which would also be entitled to its pro-rata share of the county school funds. If available funds were insufficient, the School Board could call for a referendum within the District to increase the tax rate. The increase was limited to 20 cents. This Act was repealed by Private Acts of 1921, Chapter 84.
3. Private Acts of 1923, Chapter 476, was the authority for the directors of the Tenth School District to issue interest-bearing warrants to pay for labor and materials used to construct new schools

and to remodel or repair old schools, both elementary schools and high schools. A special tax levy of 20 cents per \$100 property valuation would be made each year in the school district until the warrants were retired. The tax would be collected by the County Trustee and kept in a separate fund. The people in the District must approve any major project before the same could be started.

4. Private Acts of 1935 (Ex. Sess.), Chapter 43, amended Private Acts of 1927, Chapter 321, by increasing the tax rate from 20 cents to 30 cents per \$100 property valuation which would be levied and enforced against all property owners in the Tenth School District of Wilson County until the bonds had been retired.
5. Private Acts of 1999, Chapter 46, amended the Private Acts of 1901, Chapter 330, as amended, to authorize the Tenth Special School District of Wilson County to operate, in addition to grades K - 8, schools for grades 9 - 12, contingent upon approval in a referendum to be held on the same day as the first City of Lebanon general election occurring after June 17, 1999. The referendum failed.

#### **Watertown Special School District**

1. Private Acts of 1927, Chapter 726, was the authority for the Watertown Special School District to issue and sell coupon bonds up to \$25,000 to construct, erect, improve, or furnish public school buildings in the said District. The interest rate could not exceed 5½% and they would mature according to the amortization schedule published in the Act. These bonds were not to be sold until the people approved the same in a referendum election. The ballots were to be simply "For" or "Against" the bond issue. A special tax levy was mandated each year until the bonds were paid. The Trustee would be paid the standard commission for handling the money.
2. Private Acts of 1979, Chapter 20, authorized the Watertown Special School District to issue up to \$1,300,000 in coupon bonds with a maximum maturity schedule of 30 years. The bond issue would not take place until approved by a majority vote in a special referendum election. The interest rate must not exceed 8% and an annual tax rate of \$3.75 per \$100 property valuation was included. The proceeds would be used to build new school buildings or to repair, improve, enlarge or equip existing buildings. This Act was repealed by Private Acts of 1979, Chapter 91.
3. Private Acts of 1979, Chapter 87, contained terms similar to Private Acts of 1979, Chapter 20. This Act did not receive local approval and did not become effective.

#### **School Districts**

The Acts appearing below concerned past school districts which have been either repealed or superseded and are apparently no longer in effect.

1. Public Acts of 1887, Chapter 216, created an additional School District in Wilson County and described the boundaries of it as beginning at the ford in Barton's Creek below Boswell's Mill and continuing as described in the Act. The Sheriff was obligated to hold an election within the described area to select the School Directors. This District would be treated the same as other Districts within the County.
2. Public Acts of 1891, Chapter 166, authorized the County Courts to lay off and create new School Districts in their counties, and to change or establish the lines between existing districts whenever the same shall be to the interest of the public schools of the County.
3. Public Acts of 1891, Chapter 168, created a new School District for the patrons of the Clover Creek School House in Wilson County beginning one-quarter of a mile east of James King's residence in the Statesville-Cainsville Turnpike and continuing through several directions described in the act so as to include all the regular patrons of School House #5 in the 15th Civil District. This new District would have all the rights and privileges of other School Districts.
4. Public Acts of 1891, Chapter 205, organized an additional School District in Wilson County beginning at Lafayette Chandler's place near the old Lebanon and Franklin Road, running west to the Hooker farm, north to the northwest corner of Isham Davis' land; east to Ed Pendleton's farm on Gladeville and Leeville Road in the 22nd Civil District; south to B. P. Woodall's farm on the Central Turnpike; thence west to the beginning, involving portions of the 22nd and 24th Civil Districts. All the rights and privileges granted to School Districts of a similar nature were likewise conferred upon this one. An election would be held to select the School Directors for proper terms.
5. Public Acts of 1891, Chapter 210, laid out a Special School District in portions of the 24th and 25th Civil Districts of Wilson County beginning at the northwest corner of Matt Peach's place, east to Joe Bryant's lands, southeast to Bass Harkreader's lands, south to John Robin's place; south to Jennie Currey's lands; southwest to W. H. Carter's property, west to John Burnett's land, west with Rutherford County line to D. C. Jenkin's lands, thence east to the beginning. The new District being granted all rights and privileges of other Districts. The District would be known as School

District No. 32.

6. Private Acts of 1903, Chapter 264, authorized the School Directors of the First School District of Wilson County to sell a vacant lot near Greenlawn with the proceeds going into the school funds of the District.
7. Private Acts of 1903, Chapter 462, established the Thirty-ninth School District Wilson 150 County as described in the Act, beginning at the Sparta Pike, three miles east of Lebanon.
8. Private Acts of 1903, Chapter 516, was the enabling legislation for the School Directors of the 11th School District of Wilson County to sell and convey the school grounds and building in the District known as Linwood, either for cash or on time. The proceeds of the sale were to be used in acquiring new grounds and erecting another school house near Linwood in the said District.
9. Private Acts of 1905, Chapter 23, formed the 28th School District in Wilson County running from the southwest corner which was the farm of S. D. Thompson, north to the widow Lequisenbury farm, east to the Dock Jones' farm, south to Mrs. N. J. Bass' land, then west to the beginning. The Act named Joseph Cason, W. L. Huddleston, and William Arnold as the first Board of School Directors to serve until their successors were elected and assumed office.
10. Private Acts of 1905, Chapter 24, established School District #26, the boundaries beginning at A. G. Roger's old farm, north to Dr. A. J. Winter's place, and following the lines described back to the point of the beginning so as to include the farms of A. G. Rogers, Dr. A. J. Winter, Dr. J. P. McFarland, and George Brown in the District. F. Cochran, E. N. Sullivan, and I. J. Swingley were named as the first Board of Directors for the District.
11. Private Acts of 1905, Chapter 94, established Special School District #32 from portions of the 11th and 19th Civil Districts, beginning with Thomas H. Stark's land on the Lebanon and Sparta Pike moving around the area as described to the Toll House tract and then back to the starting point. The act named D. S. Crips, J. M. Barbee, and N. Bryan as the first Board of Directors.
12. Private Acts of 1905, Chapter 145, created School District #31, taken from parts of the Seventh, Eighth, and the Ninth Civil Districts near Bellwood in Wilson County. T. B. Harding, L. A. Green, and B. R. Purnell were appointed as the first Board of Directors for the District.
13. Private Acts of 1905, Chapter 182, fashioned School District #30 out of portions of the 20th and 23rd Civil Districts, beginning the description at the rock hole on Fall Creek at J. M. Harris' southwest corner, going south to the Rutherford County line, thence west to old Jefferson Road, and then along the lines described to the northwest corner of White Hackney's orchard. W. H. Garrett, T. H. Hackney, and J. M. Dougherty would serve as Directors until their successors could be elected by popular vote.
14. Private Acts of 1907, Chapter 114, established School District #35 in Wilson County, describing the area contained in the new School District beginning at W. B. Pafford's residence and running south to Mrs. Sallie Brown's residence, thence east to the two-mile post on the Murfreesboro and Gallatin Road, traveling around the limits as they were mentioned in the Act to Hooker's Bridge on Steward's Ferry Road. The County Superintendent of Public Instruction would appoint the Board of Directors until their successors could be elected.
15. Private Acts of 1907, Chapter 177, amended Private Acts of 1905, Chapter 145, which produced the 31st School District by changing the boundary line so as to exclude the farm of L. W. Baird from the 31st School District and transfer it to the 7th School District.
16. Private Acts of 1907, Chapter 295, organized an independent School District in the 15th Civil District of Wilson County, whose boundaries began at the 17th Civil District at the pike in the corner of the 33rd School District, running south and circling with a natural divide to the east, following the south boundary of Stokes Mullinax, Rufus Reeves, and Mrs. Rucker to the public road. The boundary then followed the lines described until it ended at the property of W. E. Donnell, G. A. McMillan, and John Jones. The District was given all the rights and privileges of other Districts.
17. Private Acts of 1907, Chapter 301, established School District #40 in Wilson County describing the area with a description beginning at the north corner of Rollin's farm, running south with the Cannon County line to the line, west with that line to the 17th Civil District, north to the 15th Civil District, then east with the 15th Civil District line to include the farms of J. J. Jewell, Mrs. Frank Fletcher, the Tully heirs, and H. H. Davis, all located in the 15th District. Jeff Bryan, Wiley Preston, and Hatton Davis were named in the Act as the first Board of Directors to serve until their successors were elected.
18. Private Acts of 1907, Chapter 315, formed the "Flat Rock School District #28" out of parts of Wilson County and Smith County. The Act named the people who owned the land contained in the

- new School District. The County Superintendent of Wilson County would appoint one Director and the Superintendent of Smith County Schools would appoint two of the Directors for the new District who would serve until their successors could be elected by the people at the next general county wide election. The Directors could apply for funds from the Directors of the Districts from which this District was formed.
19. Private Acts of 1907, Chapter 317, organized School District #41 in Wilson County beginning at the old tollgate one mile from Lebanon on the Sparta Pike, running north to the Trousdale Ferry Pike, east to the Spring Creek Bridge, thence with the Creek to a point where Linwood Road crosses the creek at Melton Hole, thence with the Linwood Road to the Sparta Pike, west to the Canesville Road, and then north to the point of the beginning.
  20. Private Acts of 1909, Chapter 209, authorized and empowered the School Directors of the Third School District of Wilson County to sell and convey the old schoolhouse and lot known as the "Mount Pleasant Schoolhouse", either publicly or privately, and to place the proceeds of the sale to the credit of the school fund in the district.
  21. Private Acts of 1911, Chapter 34, established School District #34 in Wilson County which included the farms and lands of S. E. Baird, Robert Corder, R. W. Watson, W. W. Suddarth, Mrs. Robert Page, Hamlet Grissim, J. S. Johnson, A. D. Carter, Andrew Dillard, Rad Tomlinson, A. J. Tomlinson, Sam Walker, L. B. Warren, Robert Speck, and Mrs. Sarah Speck.
  22. Private Acts of 1911, Chapter 335, created the "Martha School District" in Wilson County out of the parts of the 2nd and 3rd Civil Districts as described in the Act. J. J. Price, Homer Hughers, and C. B. Eagan were named as the first School Directors who were also authorized to receive the District's prorata share of the common school funds.
  23. Private Acts of 1911, Chapter 336, formed the "Spring Creek School District" in the 23rd Civil District of Wilson County and the 1st Civil District of Rutherford County with all the area in both counties being described in the Act. Both County Trustees would prorate the general school funds to the new School District and pay the same over to B. S. Flowers, M. F. Lannom, and G. B. Lannom, who were named as Directors in the Act.
  24. Private Acts of 1913, Chapter 178, created the "Beckwith School District" in the 2nd and 24th Civil Districts of Wilson County as the same was described in the Act. The Act named G. G. Cook, Dayton Dukes, and J. A. Draper as the first School Directors who could receive the District's prorated share of common school funds.
  25. Private Acts of 1915, Chapter 261, amended Private Acts of 1907, Chapter 301, so as to insert the names of W. D. Bryan, J. T. Murphy, Willie James, and W. H. Turney, among those of the owners of farms which were included in School District #40 in Wilson County.
  26. Private Acts of 1915, Chapter 351, changed the boundary lines between the 29th and the 39th School Districts in Wilson County so that the lands of Charlie Wooten, J. H. Griffin, G. N. Alexander, and the premises upon which was located the second Tollgate house from Lebanon on the Lebanon-Sparta Turnpike, would be removed from the 39th School District and become a part of the 29th School District.
  27. Private Acts of 1915, Chapter 392, redrew the lines between the 7th School District and the 31st School District in Wilson County so that all the area south of the line described in this Act would be located in the 31st School District.
  28. Private Acts of 1915, Chapter 523, organized the "Cottage Home School District #45", out of portions of DeKalb County and Wilson County as the area was described in the Act. School would be taught in the Cottage Home School House. All school children in the area could attend the school free of charge and this District would be given its prorated share of the public school funds. Sidney Smith, Joe Hays, and J. M. Anderson were named as Directors to operate and manage the School until their successors would be elected. The Clerk of the District was obligated to take the school census in the area.
  29. Private Acts of 1915, Chapter 631, created "School District #90" at Tucker's Cross Roads in Wilson County, as described in the Act The County Superintendent was required to appoint Directors for the new school district which would have all the rights and privileges enjoyed by the other school districts.
  30. Private Acts of 1917, Chapter 371, changed the lines between Independent School District #90 at Tucker's Cross Roads in Wilson County and the 9th Civil District so that the farms of W. F. McDaniel, R. B. Harlin, W. F. Murphy, and G. W. Billings would be included in the 9th Civil District and the said lands would no longer be attached to the School District at Tucker's Cross Roads.
  31. Private Acts of 1917, Chapter 372, rearranged the boundary line of School District #90 at Tucker's

- Cross Roads in Wilson County so as to remove the lands of E. C. Goodall out of the School District and into the 8th Civil District of Wilson County.
32. Private Acts of 1917, Chapter 429, set up the "Greenvale School District #91" in Wilson County which embraced the area described in the Act. The County Superintendent would name the three School Directors for the new District and the school would be taught at Greenvale School House. The District would be entitled to the school money prorated for the area according to the scholastic census which was to be taken by the Clerk of the School District. All the school officials would serve without compensation, except the Clerk who would receive 2 cents per student for making the census.
  33. Private Acts of 1917, Chapter 629, provided that the Directors of the various public school districts in Wilson County were empowered and authorized to install primary and secondary public schools in their respective Districts in which might be taught the first ten grades of the public school curriculum.
  34. Private Acts of 1917, Chapter 685, rearranged the boundary lines between School District #8 and School District #28 in Wilson County so as to take the farm belonging to Albert Swindle out of the 28th School District and placed the same in the 8th School District.
  35. Private Acts of 1917, Chapter 821, formed School District #130 in Wilson County whose boundaries would begin at the mouth of Barton's Creek, running up the said Creek to Sam Riggin's south boundary line, and then following the directions and lines mentioned herein to the north boundary line of Tatum's property and then to the Cumberland River. This Act appointed C. E. Bandy, E. L. Askew, and Lap Bently as the first Board of School Directors to serve until their successors could be elected.
  36. Private Acts of 1919, Chapter 396, altered the boundaries of the 30th School District beginning at the point where the original line struck the old Jefferson Road on the south boundary line of T. H. Vaughter's land, running west 3/4 of a mile to the southwest corner of T. H. Delozias' property, then north 3/4 of a mile to the northwest corner of Bud Lane's farm, thence north to the northwest corner of Jim Allen Reynold's land, thence north to the Vesta and the Murfreesboro-Lebanon Turnpike at the northwest corner of John Vaughter's land, thence east with the road to the Lebanon-Murfreesboro Turnpike, crossing the pike and going east to the northeast corner of C. G. Denney's farm, thence south to the northeast corner of White Hackney's place, thence south to McPeak's land, south to S. J. Alsup's, then following the original boundary to make this the 30th School District of Wilson County.
  37. Private Acts of 1919, Chapter 682, created the "Shop Springs Special School District". The area involved included all of the 29th and 39th School Districts and parts of some other Districts contiguous to these two. This School District would be operated by a nine member Board of Trustees, elected initially to staggered terms by popular vote, and biennially thereafter. This Act names as the first Board of Trustees to serve until elections could produce their successors: W. H. Green, S. F. Donnell, Edgar Waters, E. A. Price, H. N. Young, Huston Shannon, J. N. Massey, T. E. Bryan, and A. A. McNabb. Details of the Board's powers and authority were contained in the Act which included the authority to maintain one or more high schools and to levy taxes of up to 50 cents per \$100 of property valuation to keep the district in operation.
  38. Private Acts of 1919, Chapter 707, formed an Independent School District in Wilson County, which was not named or numbered, but was described as starting at Jennings' Pond in the center of the Lebanon-Murfreesboro Turnpike. The District would possess all the rights and privileges of the other school districts. Sam Major, Howard Hancock, and Spurgeon Thompson were named as the first Board of Directors for the new District.
  39. Private Acts of 1921, Chapter 169, amended Private Acts of 1919, Chapter 682, so that the lands of Miss Anne Buchanan, the lands of Misses Annie and Jessie Buchanan, and those of H. B. Beadle, would be removed from the Shops Springs Special School District and be included in the 11th School District.
  40. Private Acts of 1921, Chapter 829, created Special School District #95, and granted broad powers to the same to levy a tax, not to exceed one mill on the dollar, to supplement the funds received from the County and State. The three current School Directors were retained in office under the same powers until the next regular election. This Act was repealed by Private Acts of 1925, Chapter 491.
  41. Private Acts of 1921, Chapter 949, realigned the boundary lines of the 90th Special School District at Tucker's Cross Roads, so as to include within the School District the farms belonging to J. P. Belcher, B. F. Thompson, H. T. Forbes, W. M. Belcher, B. T. Bradshaw, B. F. Henry, R. F. McDaniel, J. P. Collier, R. H. Young, and Cass Carson, all from the 9th District, and the farms of J.

- B. Whitefield, E. A. Ragland, Annie L. Powell, and R. L. Bryan, from the 11th District.
42. Private Acts of 1923, Chapter 68, amended Private Acts of 1919, Chapter 682, which created the Shop Springs Special School District, so that the lands of J. W. Sellers were excluded from the District making the north boundary of the School District to coincide with the south boundary of the Seller's property.
  43. Private Acts of 1925, Chapter 810, established the "Shop Springs Special School District" composed of the 29th and 30th School Districts and part of the area contiguous to the 29th and 39th School Districts as the same was described in the Act. There would be a nine member Board of Trustees to manage and operate the District to which the Act named H. U. Young, E. A. Price, C. H. Shannon, E. Waters, J. U. Massey, W. H. Green, T. E. Bryan, Rufus Tatum, and Joe Hawkins as the first Trustees, specifying the length of the terms of each. They would serve, exercising the powers enumerated in this Act, until their successors were elected by popular vote to six year terms. A school census must be taken and a special tax levied of ten cents per \$100 property valuation of all the property in the District in order to support a 9 month scholastic year. All the school property in the District was to become the property of this School District.

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

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

1. Private Acts of 1925, Chapter 443, provided that the County Superintendent of Public Instruction in Wilson County would hereafter be elected for a term of four years, effective January 1, 1927. This Act was repealed by Private Acts of 1935, Chapter 25.
2. Private Acts of 1935, Chapter 74, as amended by Private Acts of 1947, Chapter 660, provided that in all counties of the state having a population of not less than 23,900 nor more than 24,000 according to the Federal Census of 1930, the county superintendents of public instruction were to be elected by the qualified voters of said counties for a term of two years with a salary of not less than \$1,800 per year.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Wilson 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, established county academies in several counties and named a Board of Trustees for each. The Legislature could add Trustees to the Board who were empowered to promulgate the rules and regulations. In Wilson County, Campbell Academy would be the county academy and Henry Boss, John Allcorn, Matthew Figures, Samuel Hogg, and John K. Wynne, were incorporated as the Trustees.
2. Acts of 1807, Chapter 56, amended Acts of 1806, Chapter 8, and appointed Samuel Donnell, Sr. and Alanson Trigg as additional trustees for Campbell Academy in Wilson County.
3. Acts of 1815, Chapter 21, named William H. Peace, Obadiah G. Finley and Harry L. Douglass as additional members of the Board of Trustees of Campbell Academy in Wilson County who would have all the rights and privileges as the other members.
4. Private Acts of 1825, Chapter 250, appointed William Seawell, John Hall, Joseph Johnson and William Steele as Trustees for Campbell Academy. All the rights and privileges of other Trustees were granted to them.
5. Private Acts of 1827, Chapter 130, added Benjamin T. Motly, George H. Bullard, John L. Wynne, John S. Topp and Robert L. Caruthers to the Board of Trustees of Campbell Academy in Wilson County clothed with the same authority as others heretofore appointed.
6. Private Acts of 1832, Chapter 89, directed that the interest arising upon the Internal Improvement Fund of Wilson County would be used for the benefit of the common schools in the county and would be applied and appropriated to that purpose by the common school commissioners of the county. Residents of school district #24 could send their children between the ages of five and eighteen to the schools in this area.
7. Acts of 1841-42. Chapter 175, established Southern University in Lebanon, naming as the Board of Trustees the following: Robert L. Caruthers, R. M. Burton, L. W. White, Benjamin R. Owen, Andrew Allison, Jordan Stokes, M. A. Price, Miles McCorkle, John Muirhead, B. T. Motley, R. G. Douglass, Josiah S. McClain, Thompson Anderson, G. D. Cummings, W. L. Martin, Stith Harrison, Leroy B. Settle, Thomas J. Mumford, Paulding Anderson, W. P. McClain, William R. McDougal,

William R. D. Phipps, and Zachariah Toliver.

8. Public Acts of 1843-44, Chapter 55, established a University at the town of Lebanon to be called Cumberland University. The Act named James C. Jones, Zachariah Toliver, Thompson Anderson, Nathan Cartwell, M. A. Price, Josiah S. McClain, Miles McCorkle, Andrew Allison, William L. Martin, Jordan Stokes, Benjamin R. Owen, Thomas J. Munford and Robert L. Caruthers as the Trustees of the said University with all the powers to operate and manage an institute of higher learning.
9. Acts of 1845-46, Chapter 162, separated the male and female branches of Campbell Academy at Lebanon and named the female branch the Abbe Institute. The Institute would be governed by seven Trustees, a majority of whom would constitute a quorum to do business. This Act appointed Dr. F. R. Cossett, James H. Britton, David Cook, James H. Fisher, John Fakes, John S. Brien, and J. B. Rutland as the first Board of Trustees for the new Academy. The Board would employ teachers and all other personnel of the Institute being given full power to manage the facility. The charter of Campbell Academy was amended to limit the Board of Trustees for that institution to seven members.
10. Acts of 1849-50, Chapter 57, organized the Farmer's Academy in the valley of Three Forks in Wilson County, naming H. Ragland, J. A. Clark, Doke Young, W. T. Cartwright, N. G. Alexander, Henry Bass, James Young, W. T. Waters, and Ashley Neal as the Board of Trustees. No one person could own more than 1/6 of the total installation and the Trustees of the Academy would be subject to all laws pertinent to Trustees of educational institutions. Since the valley of Three Forks Division No. 275 of the Sons of Temperance had agreed to assist in the erection of said institution, they could occupy the building at least once a week for meetings. Public Acts of 1843-44, Chapter 55, was amended to provide the candidates for vacancies on the Board of Trustees be approved by the Synod of the Cumberland Presbyterian Church. The Trustees of the Campbell Academy were empowered to appropriate one-half of any fund which may accrue to them from the State, or any other source, to the Abbe Institute.
11. Acts of 1851-52, Chapter 340, gave the University of Lebanon the right to issue subpoenas to summon any witness concerning the conduct of any of its students or officers, but the authority of this Act did not extend to students at the University.
12. Acts of 1855-56, Chapter 138, incorporated some 38 citizens as the "Law Library Association of Cumberland University" for the purpose of mutual information in the Acts and Sciences and legal and general literature.
13. Acts of 1855-56, Chapter 138, established "Three Forks Institute" in Wilson County as a corporation, and named James Young, John A. Clark, William J. Cragwall, R. H. Clark, and Wilson T. Waters as the members of the first Board of Trustees for the Institute.
14. Acts of 1855-56, Chapter 185, incorporated the "Mathew Hill Academy" in the 18th Civil District of Wilson County which would have all the rights and privileges of other county academies in this State. E. D. Owens, James A. Blankenship and Thomas C. Ward were appointed as a Board of Trustees to manage and operate the Academy.
15. Acts of 1855-56, Chapter 205, organized and incorporated the Mount Juliet High School in Wilson county which would be operated, controlled and managed by a nine member Board of Trustees. The Trustees would elect one of their number as a Secretary-Treasurer of the corporation. John Crudop, A. Harrison, Thomas E. Williamson, John W. Tate, John R. Wilson, William L. Young, Guy T. Gleaves, Daniel Searcy, and J. P. Cawthorn, were named in the Act as the first Board of Trustees.
16. Public Acts of 1859-60, Chapter 73, gave the faculty of the law department of Cumberland University in Lebanon the right to grant license to practice law in Tennessee to the same extent that Judges of the courts then possessed.
17. Private Acts of 1859-60, Chapter 85, formed the Lebanon Female College whose first Board of Trustees were Paulding Anderson, Henry D. Lester, Joseph M. Anderson, Jasper R. Ashworth, Patrick H. Anderson. J. L. Haynes and William L. Martin. A majority of the Board were required to be members of the Baptist Church and the Pastor of the Baptist church in Lebanon would be the ex officio President of the Board. The remainder of the Act conferred upon the Board those general powers necessary to the orderly functions of the institutions of higher learning in the State.
18. Private Acts of 1865-66, Chapter 60, prohibited under penalty the sale of spirituous liquors within two miles of the Farmer's Academy in Wilson County.
19. Private Acts of 1865-66, Chapter 80, appointed William B. Campbell, J. M. Anderson, Orville Greene, B. Cox, R. E. Thompson, E. A. Donahoo, and W. Z. Neal as a Board of Trustees who

would take charge of Campbell Academy in Wilson County under those same rules and regulations which originally applied to the School.

20. Private Acts of 1903, Chapter 495, enabled the remaining Trustees of Abbe Institute in Wilson County to convey all its properties located in Lebanon to the School Directors of the 10th School District of Wilson County.
21. Private Acts of 1903, Chapter 496, was the authority for the remaining Trustees of Campbell Academy to convey all the property of the Academy located in Lebanon to the School Directors of the Tenth School District of Wilson County.

## Chapter VII - Elections

### Voter's Registration

#### Private Acts of 1947 Chapter 127

**SECTION 1.** That in all civil districts and voting precincts having a population of 2,500 inhabitants or over that number, computed by the Federal Census of 1940 or any subsequent Federal Census, in all Counties of Tennessee having a population of not less than 25,250 nor more than 25,300, according to the Federal Census of 1940 or any subsequent Federal Census, shall be required to register as hereinafter provided, as a prerequisite to voting in all elections in said civil districts or voting precincts, and that thereafter such persons so registering shall be permanently registered and shall not be again required to register, in order to be eligible to vote, unless they change their residence.

**SECTION 2.** That in all civil districts and voting precincts mentioned in Section 1 of this Act and to which the provisions of this Act apply, there shall be held a general registration of voters beginning on the second Monday in August, 1947, and the registrars of said civil districts and voting precincts of said Counties shall open the registration books on said date, and the same shall be kept open for the registration of voters for ten days, not counting Sundays, and all the qualified voters in such civil districts and/or voting precincts desiring to register as voters, shall register, within the said ten days, in the manner that registration is required by the general law of Tennessee to be made, and the registrars shall issue to the voters registering, certificates of registration, as provided by law. Such voters so registering at such registration shall not be required to again register as a prerequisite to voting, unless they shall thereafter change their residence as provided for in Section 4 of this Act.

**SECTION 3.** That the registrars of said civil districts and voting precincts of said Counties shall, in the manner required by law, give ten days published notice of a supplemental registration, and shall open the registration books of said civil districts and voting precincts, for the registration of voters therein, previous to any election, or any primary election provided for by law, to be held in any such civil districts or voting precincts or in any municipality comprising all or a part of such civil district or voting precinct; and the registration books shall be kept open three days for registration, and the said registration days shall be continuous, exclusive of Sunday, and the books shall be closed twenty days prior to such election or primary; and at such supplemental registration, the registrars shall, upon the application of the voters of such civil districts or voting precincts, register such voters who have not previously registered under the provisions of the Act, and re-register those who have changed their residence since registering.

**SECTION 4.** That all such persons who shall have registered as provided in this Act, and thereafter change their residence by removing to another residence, either within or without the voting precinct or district where registered, shall not be qualified to vote in any election thereafter held, without having first re-registered for as long as twenty days prior to any election where he or she offers to vote; and the registrars, in such cases, shall take up and cancel the certificate of registration formerly issued to such voter, unless the same has been lost or destroyed.

**SECTION 5.** That the provisions of the general law of Tennessee as contained in Section 1997 to 2002, Sections 2009 to 2026, and Sections 2254 to 2258 of the Code of Tennessee shall apply to the registration of voters, the method of appointment of registrars and the registration of voters, the penalties provided for the violation of the registration law and the keeping of all records pertaining to the registration of voters in the civil districts and voting precincts mentioned in Section 1 of this Act.

**SECTION 6.** That the Sections of this Act and/or parts thereof be declared to be independent sections, or parts of sections, and the holding of any section or part of section to be unconstitutional, void or ineffective for any cause shall not affect any other section or part thereof, and all such remaining sections shall continue in force and effect.



**SECTION 7.** That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 30, 1947.

## Elections - Historical Notes

### **Districts - Reapportionment**

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

1. Public Acts of 1835-36, Chapter 1, was passed subsequent to the adoption of the new State Constitution. This Act directed the General Assembly by Resolution to appoint five suitable persons in each county as Commissioners to lay out the civil districts for their county according to the population count of 1833 and territory. Each county having 3,000 or more qualified voters would be divided into 25 civil districts; between 2,500 and 3,000 voters in a county would call for 20 civil districts and so on down to the minimum of eight civil districts. Two Justices of the Peace and one Constable would be elected in each District except the one containing the county town which would have three Justices of the Peace and two Constables. The Commissioners were to take advantage of the natural contours and features of the land in laying out the districts. Resolution #3, Page 196, named George Williamson, George Smith, William Williams, Silas Tarver, and \_\_\_\_\_ Paulding as the Commissioners for Wilson County.
2. Private Acts of 1929, Chapter 887, rearranged the boundaries between the Second and Fourth Civil Districts in Wilson County so that the lands of Lee Burton, Will Oldham, A. B. Jenkins, Arrington Jenkins, W. J. Johnson, P. G. Willis, J. W. Willis, Shely Foutch, Bob Northern, \_\_\_\_\_ Sanford, J. B. Tubb, Hilton Tubb, Early Bay, Charles Bay, Charles Thompson, Gordon Thompson, and John Thompson would all hereafter be a part of the Fourth Civil District.

### **Elections**

The following is a listing of acts for Wilson 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 1799, Chapter 46, named people in each county who would meet in Nashville to select the three Presidential Electors from Tennessee. In the Mero District, Michael C. Sweetman, John Harpole and John Alcorn were appointed to represent Wilson County. All those chosen in the Mero District would meet at Nashville in 1800.
2. Acts of 1801, Chapter 43, provided for the election of U. S. Congressmen from Tennessee. Wilson County was in the Mero District and all the polls would be returned to Nashville.
3. Acts of 1801, Chapter 44, anticipating that the U. S. Congress would increase the number of Representatives allotted to the State, proclaimed the State to be one district and that candidates would run throughout the State. This Act would only apply until the end of the next session of the General Assembly.
4. Acts of 1803, Chapter 24, set up five Presidential Electoral Districts in the State. The 4th Electoral District was composed of the counties of Jackson, Smith, Wilson and Sumner. All the votes would be canvassed at Bledsoeborough in Smith County.
5. Acts of 1805, Chapter 64, apportioned the 13 Senators and 26 Representatives in the General Assembly of Tennessee. Wilson County and Sumner County would have the same Senator, and Wilson County would have one Representative alone.
6. Acts of 1807, Chapter 74, designated the five Presidential Electoral Districts in the State for the election scheduled on the second Thursday in November, 1808. The counties of Smith, Jackson, Overton, White, Sumner, Wilson, Warren, and Franklin were all assigned to the Fourth Electoral District whose votes would be returned to Carthage in Smith County.
7. Acts of 1807, Chapter 89, provided for a separate election to be held at the house where Solomon George now lives at the head of Bradley's Creek. All those persons entitled to vote living within the bounds of Captains McNight, Putnam, Leech, and Bumpass militia companies could vote at George's subject to the same rules as if they were voting at the courthouse.
8. Acts of 1809, Chapter 1, authorized the election of three U. S. Congressmen from Tennessee; one from the Washington District, one from the Hamilton District, and one from the combined districts of Robertson, Winchester, and Mero. The returning officers of the Mero District would meet at Nashville.
9. Acts of 1811, Chapter 54, made it the duty of the Sheriff or his Deputy to hold an election at the

- house of William Stanly, near Big Cedar Lick, and all persons living in the bounds of the militia districts commanded by Captains Barksdale, Williamson, Spinks, and Robertson were eligible to vote at this precinct.
10. Acts of 1812, Chapter 5, set up eight Presidential Electoral Districts in Tennessee for the Presidential Election to be held on the first Thursday and Friday in November, 1812. The Fifth Electoral District consisted of the counties of Smith, Sumner, and Wilson, and would elect one elector.
  11. Acts of 1812, Chapter 27, divided Tennessee into six U. S. Congressional Districts, designating the counties of Smith, Sumner, Wilson and Jackson as the Fourth District. Each District would elect one Representative.
  12. Acts of 1812, Chapter 57, revised the representation in the General Assembly from 13 to 20 Senators and the Representatives from 26 to 40. Wilson County would elect one Senator alone, and would also elect one Representative alone. Wilson County would alternate with Maury County in electing an additional representative with Wilson County having the added representation until the next apportionment.
  13. Acts of 1815, Chapter 31, created 8 Presidential Electoral Districts in Tennessee, which were to be composed of the same counties as provided in Acts of 1812, Chapter 5. These would be used for the Presidential election to be conducted on the first Thursday and Friday in November, 1816.
  14. Acts of 1817, Chapter 181, recited that the elections which were formerly authorized to be held at the house of Solomon George, now occupied by William C. Mitchell, would hereafter be held in some house in the town of Maryville in Wilson County under the same rules and regulations as applied at the old location.
  15. Public Acts of 1819, Chapter 69, apportioned the representation in the General Assembly. Wilson county would elect one Senator and one Representative.
  16. Public Acts of 1822, Chapter 1, formed nine U. S. Congressional Districts in Tennessee of which the Fifth Congressional District included the counties of Smith, Sumner, and Wilson.
  17. Public Acts of 1823, Chapter 47, divided the State into eleven Presidential Electoral Districts. The 6th Electoral District contained the counties of Smith, Sumner, and Wilson, and the election would take place on the first Thursday and Friday in October, 1824. The Sheriff or returning officers of the Sixth District would meet at Hartsville in Sumner County.
  18. Public Acts of 1824, Chapter 1, had similar provisions to Public Acts of 1823, Chapter 47, except that the election was set to occur on the first Thursday and Friday in November, 1824.
  19. Public Acts of 1826, Chapter 3, reapportioned the General Assembly of the State. Wilson County continued to elect one of the 20 State Senators and also one of the 40 Representatives.
  20. Public Acts of 1827, Chapter 17, created eleven Presidential Electoral Districts in the State, designating the counties of Smith, Sumner, and Wilson as the Sixth Electoral District for the election taking place on the second Thursday and Friday in November, 1828. Polls were to be compared at Hartsville in Sumner County.
  21. Private Acts of 1831, Chapter 280, stated that the town of Commerce in Wilson County would hereafter be a voting precinct at which people could vote in all public elections.
  22. Public Acts of 1832, Chapter 4, set up 13 U. S. Congressional Districts in Tennessee. Wilson County and Davidson County constituted the Seventh U. S. Congressional District.
  23. Public Acts of 1832, Chapter 9, formed 15 Presidential Electoral Districts in the State. The Election would take place on the first Monday and Tuesday in November, 1832. Smith County and Wilson County composed the Seventh Electoral District.
  24. Public Acts of 1833, Chapter 9, declared that the storehouse belonging to James Somers, Esquire, in Wilson County, called Halifax, would hereafter serve as a voting precinct in all elections for public office.
  25. Public Acts of 1833, Chapter 71, apportioned the representation in the General Assembly. Davidson County and Wilson County would combine to elect one State Senator, and the same two counties would also jointly elect three Representatives. In 1835, Wilson, Davidson, Rutherford and Williamson counties would alternate between one and two representatives according to the schedule in the Act.
  26. Public Acts of 1833, Chapter 76, provided for a Constitutional Convention of 60 delegates who would be elected on the first Thursday and Friday in March and would meet in Nashville on the third Monday in May to amend, revise, alter, or enact a new Constitution for the State. The

- counties of Rutherford, Bedford, Maury, Williamson, Davidson, and Wilson would all elect two delegates each to the Convention.
27. Public Acts of 1835-36, Chapter 39, authorized 15 Presidential Electoral Districts in Tennessee assigning the counties of Smith and Wilson to the Seventh Electoral Districts.
  28. Acts of 1839-40, Chapter 79, stated that hereafter each Congressional District in Tennessee would constitute an electoral district and elect one elector. Two electors would be elected at-large to make the total number of electors fifteen.
  29. Acts of 1842 (Ex. Sess.), Chapter 1, increased the representation in the General Assembly from 20 to 25 Senators and from 40 to 50 Representatives. Wilson County would elect one Senator and two Representatives alone, counting votes at Lebanon.
  30. Acts of 1842 (Ex. Sess.), Chapter 7, divided the State into eleven U. S. Congressional Districts. The Seventh Congressional District was made up of the counties of Wilson, Rutherford, Cannon, and Williamson.
  31. Acts of 1847-48, Chapter 101, recited that each Congressional District in Tennessee would also serve as a Presidential Electoral District in the forthcoming election and that two electors would be elected at-large for a total of 13 electors.
  32. Acts of 1851-52, Chapter 196, separated the State into ten U. S. Congressional Districts. The Fifth Congressional District contained the counties of Sumner, Wilson, Rutherford, Cannon and Williamson.
  33. Acts of 1851-52, Chapter 197, in its apportionment of the General Assembly allocated two of the 50 Representatives to Wilson County and designated Wilson County and DeKalb County as one of the 25 State Senatorial Districts.
  34. Public Acts of 1865, Chapter 34, enacted shortly after the Civil War, established eight U. S. Congressional Districts in Tennessee. The Fifth Congressional District included the counties of Williamson, Davidson, Wilson, Sumner, Robertson and Cheatham.
  35. Public Acts of 1869-70, Chapter 105, was the authority to hold a referendum election in the State on whether or not to call a Constitutional Convention which would consist of 75 delegates elected from the Senatorial and Representative Districts of the State. The Convention, if authorized, would convene in Nashville on the second Monday in January, 1870, to alter, amend, change, or rewrite the 1834 Constitution of the State.
  36. Public Acts of 1871, Chapter 146, reapportioned the Tennessee General Assembly. Wilson County and Davidson County constituted the Twelfth Senatorial District while Wilson County would elect one Representative for herself and share a Floterial Representative with Trousdale County and DeKalb County.
  37. Acts of 1872 (Ex. Sess.), Chapter 7, delineated nine U. S. Congressional Districts in Tennessee assigning the counties of Robertson, Cheatham, Davidson, Sumner, Wilson, Trousdale and DeKalb to the Fifth U. S. Congressional District.
  38. Public Acts of 1873, Chapter 27, raised the number of U. S. Congressional Districts in the State from nine to ten. The Fourth Congressional District included the counties of Fentress, Overton, Putnam, Jackson, Clay, Macon, Smith, Trousdale, Wilson, Sumner and Robertson.
  39. Public Acts of 1881 (Ex. Sess.), Chapter 5, fixed the number of senators in the Tennessee General Assembly at 33 and the number of Representatives at 99, both on a permanent basis.
  40. Public Acts of 1881 (Ex. Sess.), Chapter 6, organized the representation in the Tennessee Legislature according to the increase in numbers in that body under Public Acts of 1881 (Ex. Sess.), Chapter 5, and in compliance with in the 1881 Federal Census. Wilson County would elect two Representatives alone, and share the 13th Senatorial District with Smith County.
  41. Public Acts of 1882 (2nd Ex. Sess.), Chapter 27, formed ten U. S. Congressional Districts in the State. The Fourth Congressional Districts was composed of the counties of Sumner, Wilson, Macon, Trousdale, Smith, DeKalb, Clay, Jackson, Putnam, Overton, Fentress, and Pickett.
  42. Public Acts of 1891, Chapter 131, apportioned the ten U. S. Congressional Districts in Tennessee. The Fourth Congressional District contained the counties of Sumner, Wilson, Macon, Trousdale, Smith, Clay, Jackson, Overton, Putnam, Fentress, Pickett, Cumberland, and Rhea.
  43. Acts of 1891 (Ex. Sess.), Chapter 10, was the apportionment of the Tennessee General Assembly according to the 1890 Census. The 13th State Senatorial District included Smith County and Wilson County. Wilson County would have one Representative alone and share another one with Trousdale County and Sumner County in the Ninth District.

44. Public Acts of 1901, Chapter 109, realigned the ten U. S. Congressional Districts in the State to conform to the 1900 Census. The Fourth Congressional District was composed of the counties of Sumner, Trousdale, Wilson, Putnam, Jackson, Clay, Overton, Smith, Macon, Pickett, Fentress, Morgan, Cumberland and Rhea.
45. Public Acts of 1901, Chapter 122, apportioned the Tennessee Legislature. Smith County and Wilson County constituted the 13th Senatorial District. Wilson County would elect one Representative alone and share a Floterial Representatives with Davidson as the Fifteenth District.
46. Private Acts of 1921, Chapter 433, provided that all Officers, Judges, Clerks, Registrars, and Assistant Registrars in elections in Wilson County, where the Dortch Law does not apply, would be paid \$2 per day for their services, and all of these same officials who serve in those areas in which the Dortch Law is in effect would be paid \$2.50 per day in the same manner.
47. Private Acts of 1941, Chapter 280, stated that hereafter in all primary, general and special elections, the polls in the First Civil District of Wilson County would remain open until 6:00 p.m. on each election day.
48. Private Acts of 1945, Chapter 17, averred that thereafter in all primary, general, special and municipal elections held in the Tenth Civil District of Wilson County the polls in that District and in the town of Lebanon would be kept open until 6:00 p.m. and all persons qualified to vote were to be allowed to do so until that time.
49. Private Acts of 1949, Chapter 172, fixed the pay of the Receivers, Judges, Clerks, Registrars, and other officials holding elections in Wilson County. In the Tenth Civil District they would be paid \$5 per day each. In the First, Second and Sixteenth Civil Districts they would be paid \$4 per day and in all other Civil Districts they would receive \$3 per day.
50. Private Acts of 1949, Chapter 173, recited in the preamble that many voters in the Second Civil District of Wilson County worked at Old Hickory, Vultee and Nashville who would not get off work in time to vote unless the time for closing the polls was extended to 6:00 p.m. This Act set the closing time for polls in that Civil District at 6:00 p.m.
51. Private Acts of 1949, Chapter 404, set the time for closing the polls in the 25th Civil District of Wilson County at 6:00 p.m. for the same reasons stated in Private Acts of 1949, Chapter 173.
52. Private Acts of 1949, Chapter 917, recited the same reasons specified in Private Acts of 1949, Chapters 173 and 404, for closing the polls at 6:00 p.m. in the 24th Civil District of Wilson County.
53. Private Acts of 1953, Chapter 68, extended the time for closing the polls on election day in the Sixteenth Civil District of Wilson County to 6:00 p.m. for the same reasons cited in the preceding acts.
54. Private Acts of 1953, Chapter 76, recited in the preamble that many voters in the 20th Civil District of Wilson County work at the Veteran's Hospital in Smyrna and other places outside of Wilson County and could not get off work in time to vote unless the time for closing the polls was extended to 6:00 p.m. This Act set the closing time for polls in that Civil District at 6:00 p.m.

## Chapter VIII - Health

There are no Private Acts currently.

## Chapter IX - Highways and Roads

### Road Law

### Private Acts of 1961 Chapter 194

**SECTION 1.** That there is hereby created and established a system of county roads for Wilson County. A County Road Commission for said county is hereby created and established and vested with general control and management of the system of county roads for said county. Said County Road Commission shall have general control over the location and relocation, construction, reconstruction, repair and maintenance of said county road system and the county roads of said county.

This Wilson County Road Commission shall consist of the county judge and four (4) Commissioners, elected by the Quarterly County Court from among the members thereof as hereinafter provided. One of the Commissioners shall be a justice of the peace from and shall reside in either the First, Second, Third,

Fourth, Fifth, or Sixth Civil District of the County; one of the Commissioners shall be a justice of the peace from and shall reside in either the Seventh, Eighth, Ninth, Tenth, Eleventh, or Twelfth Civil District of the County; one of the Commissioners shall be a justice of the peace from and shall reside in either the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth or Nineteenth Civil District of the County; and one of the Commissioners shall be a justice of the peace from and shall reside in either the Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, or Twentyfifth Civil District of the County.

The Quarterly County Court of Wilson County shall have the right to reapportion the road commission zones and to designate the voting districts comprising each road commission zone.

At the July 1974 term, and every four (4) years thereafter, the Quarterly County Court shall elect, by a majority of the justices present and voting in said election, a commissioner from the 3rd-4th-17th-18th-23rd-24th and 25th Voting Districts, for a term of four (4) years, to take office on September 1, 1974 and to serve through August 31, 1978, or until his successor is duly elected and qualified.

At the July 1975 term and every four (4) years thereafter, the Quarterly County Court shall elect, by a majority of the Justices present and voting in said election, a commissioner from the 9th-10th-11th-12th-13th and 14th Voting Districts, for a term of four (4) years, to take office on September 1, 1975 and to serve through August 31, 1979, or until his successor is duly elected and qualified.

At the July 1976 term, and every four (4) years thereafter, the Quarterly County Court shall elect, by a majority of the Justices present and voting in said election, a commissioner from the 5th-6th-7th-19th-20th and 21st Voting Districts for a term of four (4) years to take office on September 1, 1976 and to serve through August 31, 1980, or until his successor is duly elected and qualified.

At the July 1977 term, and every four (4) years thereafter, the Quarterly County Court shall elect, by a majority of the Justices present and voting in said election, a commissioner from the 1st-2nd-8th-15th-16th and 22nd Voting Districts, for a term of four (4) years, to take office on September 1, 1977 and to serve through August 31, 1981 or until his successor is duly elected and qualified.

The County Judge shall be ex-officio Chairman of the Road Commission, shall preside at all regular or special meetings of the Commission, and shall be entitled to vote on matters decided by the Commission.

Before entering upon the discharge of their duties as Road Commissioners, the Road Commissioners and their successors in office shall each take and subscribe to an oath in writing before the County Court Clerk of Wilson County, for the faithful discharge of their duties as Commissioners, and each Commissioner shall enter into a bond in the amount of One Thousand Dollars (\$1,000.00), for the faithful discharge of his duties and for the accounting of all monies and property coming into his hands in his official capacity. The premiums of said bonds shall be paid out of the Road Fund of the County in the same manner as other disbursements are made. In case of a vacancy in the office of said Road Commissioner at any time, the same shall be filled by the Quarterly County Court in the manner hereinbefore prescribed.

As amended by: Private Acts of 1974, Chapter 181  
Private Acts of 1978, Chapter 211

**SECTION 2.** That the County Road Commission shall meet at the county seat of the county at least once a month, but special meetings of the Road Commission may be held on call of the chairman whenever in his opinion such meetings are necessary to carry out the functions of the Road Commission.

Each Commissioner shall be paid a sum equal to the per diem paid to a member of the Quarterly County Court for each day's attendance at regular or special meetings of the Commission, such payments to be made out to the Road Fund of the County in the same manner as other disbursements are made. The chairman of said Road Commission shall be paid a sum each month equal to three (3) times the per diem paid to a member of the Quarterly County Court of Wilson County for his services as chairman.

As amended by: Private Acts of 1973, Chapter 149

**SECTION 3.** [Deleted by Private Acts of 1975, Chapter 88.]

**SECTION 4.** That the County Road Commissioners composing said County Road Commission shall have jurisdiction to direct the expenditure of all road funds belonging to said county, including the proceeds of the State gasoline tax allocated to Wilson County. It shall be the duty of said Commission, with the assistance of the State Highway Department, to classify the roads of the county according to the amount of traffic each bears and the number of people it serves. After said roads have been classified, said Commission shall present to the Quarterly County Court at the January term, for its approval, a long-range construction, maintenance and improvement plan for said road system. Prior to the beginning of each fiscal year, said Commission shall present to the Quarterly County Court for its approval, the portion of the overall plan to be executed during the ensuing fiscal year, and the Commission shall be

authorized to spend money for construction, maintenance and improvement only in accordance with said approved plan. Said plan shall include all roads to be constructed under the State Rural Road Program and the Federal Farm to Market Road Program. It shall be the duty of the County Judge to represent the Quarterly County Court with respect to said road plans and their execution when the Court is not in session.

Subject to the foregoing provision, said County Road Commission shall have general control over the laying out, construction, reconstruction, repair and maintenance of all county public roads and bridges in said county, except such roads and bridges as are under the supervision and control of the Department of Highways and Public Works of the State of Tennessee. It shall be the duty of said Commission to determine the total number of employees of said Commission, to establish classification, and to determine the range of salary and wage to be paid according to the classification. The compensation fixed by the Commission shall be in keeping with the compensation paid for similar services in Wilson County and surrounding counties. The personnel classification and compensation schedules, when fixed by the Commission, shall be entered of record on its minutes, and the same shall not thereafter be changed except by action of the Commission. It shall be unlawful for the Commission to use its power to classify employees and fix their compensation so as to defeat the purpose and intent of this law to vest in the County Road Superintendent full power and authority to employ, fix wages and salaries within the salary and wage range, of all persons provided for in said classifications and schedules.

Said Commission is hereby vested with the power and authority to let contracts for the construction and reconstruction of county roads and bridges, if a majority of the said Commission deems the same advisable and advantageous, but such contracts will only be let upon competitive basis and after giving at least twenty days written notice of the same by advertisement in a newspaper of general circulation published in said county, calling for sealed bids therefor, to be opened at a fixed date and place at a meeting of said Commission, in the presence of a majority of said Commissioners, and the same shall be awarded to the lowest bid, if satisfactory, but if unsatisfactory, they may reject all bids, and thereupon new bids may in like manner be called for and received, opened and awarded in the manner herein provided. Said County Road Commission shall have authority, and it shall be its duty upon request of the County Road Superintendent within the financial limits herein fixed, to purchase all necessary supplies, materials, machinery and equipment for carrying on the construction, repair and maintenance of said county public roads; provided, however, that no purchase aggregating in excess of One Thousand Dollars (\$1,000.00) shall be made or the contract therefore entered into until after due advertisement of the same shall have been made at least once in some newspaper of general circulation published in said county, setting forth the amount, quality and description of such materials, machinery, supplies and/or equipment desired, and the time within which written and sealed bids for the same shall be opened. Said bids shall be opened in the presence of the members of said County Road Commission or a majority thereof. Such contract of purchase shall be awarded to the lowest bidder, except where the lowest bid is deemed unsatisfactory, in which event all bids may be rejected, and bids again advertised for and received, opened and awarded in the manner above provided.

In the event that there is a disagreement as to whether the bids as provided in this section of this Act shall be accepted, either as to the letting of contracts for the construction of roads or bridges or for the purchase of materials, machinery, supplies and equipment, the decision of a majority of the County Road Commissioners shall control.

It shall be the duty of the Secretary of the County Road Commission to keep a public record of all bids, the names of the bidders, and the amounts of the respective bids, which record shall be open for inspection by any citizen or taxpayer of said county, upon a reasonable request made therefor. Said record shall be kept in the office of the Secretary of the County Road Commission.

**SECTION 5.** That the County Road Commission is authorized to employ a qualified person to act as Secretary of the County Road Commission to serve at the pleasure of the Commission. The Secretary of the County Road Commission shall receive a salary to be fixed by the Commission. Said Secretary shall furnish a surety bond in the penal sum of Five Thousand Dollars (\$5,000.00), conditioned as prescribed by law for county officials, with the premium for said surety bond to be paid out of county road funds.

The Secretary shall keep accurate books, showing itemized statements of all road revenues and expenditures and such books shall be open to the inspection of the public upon reasonable requests therefor.

The Road Superintendent is hereby authorized and empowered to employ such additional clerical help from time to time, as he deems necessary and proper, to efficiently carry on the business of said Commission.

In the event of suits or litigation by the County Road Commission, they are hereby authorized and empowered to employ an attorney or attorneys to represent said Commission and to defend it in all

litigation, and the legal services so rendered by an attorney or attorneys shall be paid by said County Road Commission out of the County Road Funds of said county, upon appropriate warrants drawn thereon. As amended by:

Private Acts of 1967-68, Chapter 19  
Private Acts of 1971, Chapter 51  
Private Acts of 1974, Chapter 163  
Private Acts of 1975, Chapter 27

**SECTION 6.** That the Secretary of said County Road Commission shall issue warrants, countersigned by the Chairman of the County Road Commission, drawn on the County Trustee, for the payment of all materials, machinery, supplies and equipment purchased, for all salaries and wages owing, and for the payment of all construction contracts and for all other indebtedness incurred and owing by said County Road Commission. That said warrants shall be accompanied by a statement of the time for which the payment is made and the amount thereof, and if for materials, equipment, supplies, etc., a brief statement of what the same is given for.

**SECTION 7.** That the County Road Commission is authorized to employ, for a period of not less than one year nor more than four years, a County Superintendent of Road, to direct the work on the roads, supervise the employees, and be responsible for the operation and care of the machinery and equipment of the Commission. Said Superintendent shall be a person who is at least thirty (30) years of age and a resident citizen of Wilson County. Said County Superintendent of Roads shall supervise the construction and maintenance of the County Roads in accordance with the general instructions and directions of the County Road Commission, but said Superintendent shall at all times be in full charge of the particular manner in which the general instructions of the Road Commission are executed. The Superintendent shall have full and complete authority to hire all of the personnel of said County Road Commission, without accounting to said Commission for his actions. It shall be unlawful for any member of the Commission to undertake to influence the County Road Superintendent or to control him in the hiring and firing of employees. The Superintendent shall receive a salary to be fixed by the Commission, which shall not be less than Seven Thousand Five Hundred Dollars (\$7,500.00) a year and not more than Ten Thousand Dollars (\$10,000.00) a year.

Before entering into the duties of his office, the Superintendent shall take and subscribe to an oath in writing before the County Court Clerk that he will perform with fidelity the duties of his office, and he shall enter into a bond in the amount of Ten Thousand Dollars (\$10,000.00), for the faithful discharge of his duties and for the accounting of all monies and property coming into his hands in his official capacity. The premium for said bond shall be paid out of the county road fund.

Said Commission is authorized to contract for the services of civil engineers upon recommendation of the Superintendent as such may be necessary in discharging the functions of the Road Commission.

As amended by: Private Acts of 1971, Chapter 51  
Private Acts of 1974, Chapter 164

**SECTION 8.** That the County Road Commission shall keep minutes of all of its meetings. That such minutes shall be kept in a well bound Minute Book to be purchased and kept by it. That the minutes of each official meeting of said Commission shall be written in said Minute Book by the Secretary of the County Road Commission, and at each subsequent regular meeting the minutes of the previous meeting shall be read, and if found correct, approved, and if not correct, they shall be corrected and then approved in writing by the Chairman and the Secretary of said Commission.

**SECTION 9.** That the County Road Commission, or any member thereof, or the Superintendent shall not authorize or knowingly permit the trucks or road equipment, the rock, crushed stone or any other road materials to be used for any private use or for the use of any individual for private purposes and their or his failure to see that this provision is enforced is hereby declared to be a misdemeanor, punishable by a fine of not less than \$5.00 nor more than \$50.00, in the discretion of the Court trying such misdemeanor. Any employee of the County Road Commission who shall use any truck or any other road equipment or any rock, crushed stone or other road material for his personal use, or sell or give away the same shall be immediately discharged. No truck or other road equipment or any rock, crushed stone or any road material shall be used to work private roads or for private purposes of owners thereof. The use of any trucks or any other road material of the County Highway Commission for other than official county road purposes, as herein provided, is hereby declared to be a misdemeanor, punishable by a fine of not less than \$5.00 nor more than \$50.00, in the discretion of the Court trying such misdemeanor. Each separate use of the same for other than official county road purposes shall constitute a separate offense and be subject to separate fine. Provided, however, that crushed stone, gravel and other road material may be furnished by the Commission to churches, schools and cemeteries. Any person whose property is improved by having road material placed thereon in violation of this provision shall be liable to suit for the value of said improvement and a penalty equal to One Hundred Percent of the value of said improvements, to any person who shall sue therefor for the benefit of the County and himself, the value

of the improvements to go to the County and the penalty to go to the person suing.

**SECTION 10.** That when said County Road Commission deems it necessary to do so in order to properly carry out the work and construction on the public roads and public road system, as provided for in this Act, said Commission is hereby authorized and empowered to institute condemnation proceeding for the purpose of condemning land for rights-of-way and other road purposes, of condemning chert beds, rock quarries, gravel beds or other road building material necessary for the construction, reconstruction, repair and maintenance of the public roads in said county. Provided, however, that no such condemnation proceeding shall be instituted involving expenditures in excess of revenues for the current year. Said condemnation proceedings shall be instituted in the manner provided by law for the condemnation of land and property for public purposes under the laws of eminent domain of the State of Tennessee. The damages assessed against Wilson County or against said County Road Commission shall, in all such cases, be paid out of the county road funds of said county by warrants drawn upon the County Trustee of said county road funds in the same manner that other warrants are drawn for county road expenditures, as herein provided.

**SECTION 11.** That the County Road Superintendent shall have the supervision, charge of and exclusive control over all road machinery, supplies and equipment owned by the county or used in the construction, reconstruction, repair and maintenance of the county public roads and bridges in said county, as well as over all tools, supplies and other equipment owned by said Commission or by said county for county highway purposes. That the County Road Superintendent shall make or have made a complete inventory of all of the machinery, equipment, tools, supplies and road materials and file a copy thereof with the County Court Clerk of Wilson County within thirty (30) days after taking office. Said machinery, equipment and tools shall be plainly marked as the property of the Wilson County Road Commission, and each piece shall be numbered and the number entered on the inventory filed by the County Court Clerk. Thereafter, on the 15th day of September of each year, he shall again make and file a complete inventory of all the same with the County Court Clerk of said County. It shall be the duty of the County Judge to examine the inventories for compliance with this provision and upon his determination that the inventory does not comply with the requirements of this section, he shall notify said Commission, and said Commission shall withhold any compensation payable to the County Road Superintendent until the County Judge certified compliance with this section. Should the County Road Commission see fit to sell any machinery, equipment or tools as obsolete, worn out, or for any other reason, the same shall only be sold on the unanimous action of the Commission at public auction after advertisement as required in cases of execution sale of personal property.

**SECTION 12.** That each calendar year shall be divided into quarterly periods, the first quarter being from January 1 to March 31; the second quarter from April 1 to June 30; the third quarter from July 1 to September 30, and the fourth quarter from October 1 to December 31 of each and every year.

The County Road Commission is hereby expressly forbidden to expend any road funds or to incur any obligations in excess of the road revenues and receipts for the current quarter and the surplus thereof carried forward from previous quarters or to encumber any anticipated road revenues, except those accruing during the current quarter. Provided that, in case of an emergency, said County Road Commission, with the approval of the Quarterly County Court of Wilson County, expressed by roll call vote with the vote of each member recorded, voting at a meeting of such County Court, and representing a majority of the members of said Court, may purchase road equipment, machinery, supplies or materials on the installment plan and encumber anticipated revenues for such purposes, only as authorized by the Quarterly County Court.

The County Road Commission is hereby authorized and empowered to set aside a part of the current revenues of each quarter or quarterly period into an emergency fund to be used for the purchase of tools, machinery, supplies or other equipment, or for other emergency purpose, and such funds or reserves so created and established may be used by the County Road Commission for such purposes for such emergency. Such emergency fund may be allowed to accumulate and be expended either during the current quarter or any subsequent quarter or quarterly period.

**SECTION 13.** That neither any County Road Commissioner, the County Road Superintendent, nor any employee of said County Road Commission shall be financially interested in or have any personal interest, either directly or indirectly, in the purchase of any supplies, machinery, materials, or equipment for said department or system of roads for said county, nor in any firm, corporation, partnership, association or individual selling and/or furnishing such machinery, equipment, supplies and materials, nor shall the County Road Commission, the County Road Superintendent or any employee thereof accept or receive, either directly or indirectly, from any person, firm, or partnership or association to whom any contract may be awarded, any rebate, gift or other thing in money or thing of value or any promise, obligation or contract for future reward or compensation. The violation of any of the provisions of this section of this Act is hereby declared to be official misconduct and a misdemeanor in office, punishable by a fine of not less



than \$10.00 nor more than \$250.00 and removal from office as provided by Sections 8-2701 et seq. of the Tennessee Code Annotated.

**SECTION 14.** That the County Road Commission shall have the authority, subject to the limitations expressed or implied in Section 4, to contract with any State or Federal agency for which the road funds of the county may be supplemented or augmented or by which additional employees may be employed for road work or road construction or repairs, or whereby additional construction, repair and maintenance may become available, provided that such contract shall not incur any liability to the county above the current road revenues and receipts for the current year.

**SECTION 15.** That the method and procedure of opening, closing or changing the location and route of any public road in Wilson County, as provided for in the Tennessee Code Annotated shall not be changed or abridged by this Act, but the Tennessee Code Annotated and the general laws of the State of Tennessee shall remain in full force and effect in said county, with reference to the same.

**SECTION 16.** That the County Road Commission shall submit to each Quarterly Session of the County Court of said county a full and complete report of its activities by mailing each member of the Quarterly County Court, one week in advance of said meeting, a copy of said report, showing in such reports the amounts of road funds on hand at the beginning of the quarter, together with an itemized statement of all amounts expended for labor, machinery, supplies, materials, equipment and other expenditures during such quarter, together with the complete list of all articles purchased, the number of laborers employed and the amount paid each, the number of miles of road constructed, repaired or maintained, or fraction thereof, and where located. If said report is rejected by the Quarterly County Court by resolution setting forth the grounds of rejection, the power of said County Road Commission to expend appropriated funds shall be suspended until the county judge shall file a certificate in the office of the County Court Clerk certifying that the grounds of rejection is said resolution have been met and complied with. It shall be the duty of the County Judge to examine the books, accounts and reports of said County Road Commission at the end of each quarterly period and to make a report thereof to the following session of the Quarterly County Court.

**SECTION 17.** That before any new road shall be built or the construction thereof begun, the course or route of said road shall first be definitely decided upon and the right-of-way thereof shall be acquired either by contract and purchase with the land owners or by appropriate condemnation proceeding.

**SECTION 18.** That the County Road Commission shall have the power and authority to remove or cause to be removed any fence, gate or other obstruction from the roads, bridges and ditches of said county and to clean out and clear all fences and ditches along or adjacent to the county roads. If any person shall place or maintain an obstacle or obstruction upon the right-of-way of any road of said county, under the jurisdiction of said Road Commission, and shall refuse to remove said obstruction or obstacle upon the demand of the County Road Commission, such person, for his refusal to so remove the same, shall be guilty of a misdemeanor and punished accordingly by a fine of not less than \$5.00 nor more than \$50.00 to be imposed by the appropriate Court of said county in an appropriate proceeding therefor. It shall be a misdemeanor, punishable as otherwise provided in this Section, to place a post, pole, bush, rock or any other obstruction upon the right-of-way of any county road or in the ditches along such road, provided that transmission lines, telephone or telegraph lines or poles may be placed on and along the right-of-way of any county road, under the direction and with the permission of said County Road Commission.

**SECTION 19.** That no person shall be eligible for employment in any capacity on the roads of said county or by said Commission, or draw any compensation in any manner whatsoever from the road funds of said county, who is related, within the second degree, either by blood or marriage, to the County Road Superintendent.

**SECTION 20.** That any person violating any of the provisions of this Act not otherwise specifically provided for shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than Five Dollars (\$5.00) nor more than Fifty Dollars (\$50.00).

**SECTION 21.** That the provisions of this Act are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases or parts thereof be held unconstitutional, invalid or void, the remainder of this Act shall continue in full force and effect, it being hereby declared to be the legislative intent that this Act would have been adopted even if such unconstitutional, invalid or void section, provision or matter had not been included therein. Nothing in this Act shall be construed as interfering with the term or emoluments of office of the present Wilson County Road Commissioners holding office under Chapter 239 of the Private Acts of 1949.

**SECTION 22.** That this Act shall have no effect unless the same is approved by a twothirds (2/3) vote of the Quarterly County Court of Wilson County at or before the next regular meeting of said Court occurring more than thirty (30) days after its approval by the governor. Its approval or non-approval shall be

proclaimed by the County Judge of Wilson County and certified by him to the Secretary of State.

**SECTION 23.** That Chapter 239 of the Private Acts of 1949, which in substance is an Act establishing a system of county roads for Wilson County, Tennessee and creating a County Road Commission is hereby repealed.

**SECTION 24.** That this Act shall take effect for the purpose of ratifying it as provided in Section 21 upon passage and approval by the governor, or upon becoming a law without such approval, the public welfare requiring it; for the election of road commissioners at the time of convening of April, 1961 term of the Quarterly County Court of Wilson County; and for all other purposes on September 1, 1962.

Passed: March 3, 1961.

## Highways and Roads - Historical Notes

### Highways - Roads

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

1. Public Acts of 1821, Chapter 6, required the Courts of Pleas and Quarter Sessions to index and classify the public roads in their counties into three classes, largely depending on the width and the type of use. The width ranged from the stage roads down to one which was wide enough to allow the passage of a single horse and rider. The court could assign hands to work and maintain the roads to the specifications given in the Act.
2. Private Acts of 1826, Chapter 183, was the authority for Nathan Haggard and James McKinley to open a turnpike road from Sparta in White County running to Lebanon in Wilson County by way of Milledgeville. Joseph Johnson of Wilson County and John Gordon of Smith County were appointed as Commissioners to inspect the road and to license it if it met the requirements of this Act. They would have the right to charge tolls at specified rates when the road was completed.
3. Private Acts of 1829, Chapter 260, incorporated John Hardin, William Hardin, Sr., Thomas Hardin, J. W. Clay, Graves Pennington, Leonard Keeling, Dr. James Hoggett, John Buchanan, William W. Murry, Walter Sims, and Timothy Dotson, or any four of them, as the Lebanon Turnpike Company which would be entitled to all the rights and privileges expressly and impliedly granted to the Nashville and Murfreesboro Turnpike Company when the sections of the road mentioned in the act were completed.
4. Private Acts of 1832, Chapter 87, named Thomas Edmondson, Thomas Claiborne, Henry L. Douglass, Jesse Wharton, Andrew Jackson, Jr., George Williamson, Pauldin Anderson, Joseph Johnson, Burchet Douglass, Turner Vaughn, Thomas Kirkpatrick and Alfred McClain as Commissioners to designate and mark out a turnpike from Lebanon in Wilson County to Nashville in Davidson County so as to intersect the Nashville-Murfreesboro Turnpike, or the termination of any street in Nashville. Authorized capitol stock was \$100,000 of which the subscription of \$25,000 would be sufficient to permit the company to proceed with its organization as the Lebanon and Nashville Turnpike Road Company.
5. Private Acts of 1835-36, Chapter 15, incorporated the Lebanon and Nashville Turnpike Company with Andrew Jackson, Sr., Joseph Clay, Stokely Donelson, H. L. Douglass, W. McMurray, William P. Sims, Richard Buchanan, Thomas Hardin, James H. Foster, Edward D. Hicks, W. G. M. Campbell, Charles L. Love, H. R. W. Hill, Phillip Lindsley, W. G. Hardin, and Fisher G. Crutcher, all of Davidson County; and James W. Haggard, M. A. Price, Paulding Anderson, Turner Vaughn, James Jones, Alfred McClain, Ramsey L. Mason, Joseph Johnson, George Williamson, John Hearn, Robert Hallum, Robert M. Burton, Samuel C. McWherter, O. G. Finley, L. W. White, Smith Harrison, and Isaac Galloday of Wilson County, who would open books and sell stock in the corporation. The first meeting of stockholders would be at the home of Ramsey L. Mason in Wilson County.
6. Acts of 1837-38, Chapter 86, appointed John Hern, John Muirhead, William L. Martin, Joseph Johnson, O. G. Findley, Joseph P. Whorton, Solomon Caplinger, Wilson T. Walters, James Young, George Smith, James M. Armstrong, Jonathan Bailey, and William Lawrence, Jr.,

- of Wilson County; five citizens from Smith County, seven from Cannon County, and four from White County, who were to serve as commissioners to sell stock in the Lebanon-Sparta Turnpike Company. The turnpike would run from Lebanon to Sparta along the route selected by the chief engineer of the State.
7. Acts of 1837-38, Chapter 195, incorporated the Cumberland and Stones River Turnpike Company to build a road from Murfreesboro to Lebanon with the option of extending the road to the Cumberland River. The company was also empowered to construct a bridge across the Cumberland River.
  8. Acts of 1837-38, Chapter 195, appointed Ila Douglas, Joseph Johnson, Dr. Nathaniel Saunders, E. A. White, Isaac Hunter, Thomas Bradley, Silas Chapman, and Obadiah Gordon as commissioners to open books and sell stock to construct a macadamized road from Lebanon to any point on the Cumberland River they considered proper, but the cost of the said road was not to exceed \$6,000 per mile. The company would be styled the Lebanon and Cumberland Turnpike Company.
  9. Acts of 1837-38, Chapter 216, designated Robert Allen, John G. Park, William Hart, William W. Carter, and Benjamin Motley as commissioners to sell the authorized capital stock of \$75,000 to build a turnpike road from Carthage in Smith County to Lebanon in Wilson County by way of Rome to be called the Lebanon, Rome and Carthage Turnpike Company.
  10. Acts of 1837-38, Chapter 217, authorized the Lebanon and Nashville Turnpike Company to construct a macadamized road from Stewart's Ferry on the Stones River to the Lebanon and Nashville turnpike road near Thomas Harding's plantation. No tolls would be collected on this section of the road.
  11. Acts of 1839-40, Chapter 99, allowed the Cumberland and Stone's River Turnpike Company by deed to surrender their Charter for the whole of the said road except that portion which runs between Lebanon and Hunter's Warehouse. The Lebanon and Cumberland Turnpike Company would then succeed to the former company's interest and control the road from Lebanon to the Cumberland River at Hunter's warehouse.
  12. Acts of 1845-46, Chapter 24, declared that the Internal Improvement Board of the State of Tennessee would examine the claim of the Lebanon and Sparta Turnpike Company against the State and exercise the power to direct the Governor to issue State bonds to the company in satisfaction of the claim in whatever amount could be equitable determined. The company would in turn agree to pay to the State one-half of the net proceeds of the road each year from and after January 1, 1846. The Governor was authorized to issue \$6,000 in State bonds to the Lebanon and Nashville Turnpike Company.
  13. Acts of 1847-48, Chapter 219, named Paulding Anderson, T. H. Gordon, William W. Carter, William B. Saunders, Joseph M. Anderson, William L. Martin, B. T. Motley and A. Cox as commissioners, a majority of whom would lay out and designate a route for a turnpike road from Lebanon to Big Spring in Wilson County. The Company could be formally organized as soon as \$5,000 in stock were subscribed as the Lebanon and Big Spring Turnpike Company.
  14. Acts of 1853-54, Chapter 172, appropriated \$4,000 from the State treasury to the Statesville and Stewart's Ferry Turnpike Company to build a bridge across the Stones River, at or near Stewart's ferry.
  15. Acts of 1853-54, Chapter 240, incorporated the Lebanon and Cole's Ferry Turnpike Company to build a road from Lebanon to Cole's ferry on the Cumberland River.
  16. Acts of 1853-54, Chapter 257, incorporated the Lafayette, Rome and Lebanon Turnpike Company to build a road from Lafayette in Macon County, to Dixon's Springs in Smith County, to Alexander's Ferry on the Cumberland River, thence to Lebanon in Wilson County.
  17. Acts of 1853-54, Chapter 302, incorporated the Stewart's Ferry and Baird's Mill Turnpike Company to build a road from Stewart's Ferry in Davidson County to Baird's Mills in Wilson County.
  18. Private Acts of 1857-58, Chapter 16, incorporated the Lebanon and Lowe's Ferry Turnpike Company which was to construct a turnpike from Lebanon to Lowe's Ferry, a distance of about 14 miles, in Wilson County.
  19. Private Acts of 1869-70, Chapter 67, incorporated the Lebanon and Statesville Turnpike Company which would build a road beginning at some point on the Lebanon-Sparta Turnpike east of Lebanon and run to a point on the Liberty and Murfreesboro Turnpike near Mathew Wilson's in Wilson County going by way of Statesville. H. R. Ragland, James T. Patton, Eli Thompson. D. S. Boyd, G. W. Armstrong, J. R. Hale, C. W. Simpson, S. C. Hamilton, H. C.

- Alsup, James Edwards, A. J. Armstrong and J. H. Kennedy were named as Commissioners for the sale of the stock. The County Court could invest in the Road but not over \$1,000 per mile. The Court must call a referendum on the matter before investing.
20. Public Acts of 1877, Chapter 127, authorized the Lebanon and Sparta Turnpike Company to extend their road from its terminus at the top of Swan's Hill to Smithville in DeKalb County, provided all the terms, conditions, and specifications mentioned in the Act were met. The company was further empowered to build a road from the bridge at Spring Creek in Wilson County to the town of Carnsville in Wilson County.
  21. Public Acts of 1901, Chapter 136, was a general road law applicable to all counties in Tennessee under 70,000 in population according to the 1900 Federal Census. The Quarterly County Court would pick one Road Commissioner from each Road District in the county to serve two years, the Road Districts being co-extensive with the Civil Districts. The Commissioners would be sworn, bonded, and be in charge of all the roads, bridges, overseers, tools, and materials used in his District. Commissioners were to be compensated at the rate of \$1 for each day spent in service to their obligations but could not be paid more than \$10 in one year. The Quarterly Court would set the number of days of compulsory road labor in the county at no less than five, nor more than eight, which each road hand would work and fix the price of one day's labor in case the road hands desired to commute. The Court could also levy a general road tax in the county of two cents per \$100 property valuation for each day of compulsory labor for the road hands. The Road Commissioners could name and would supervise the Road Overseers for each section of road in their district who would be in immediate charge of that section. Overseers would work the same number of compulsory days as all other road hands worked but would be paid up to \$6 each year for the extra days worked above that. All males between the ages of 21 and 45 were required to work on the roads. The Commissioners would receive all petitions to open, close, or change roads, and would also classify and index them, and see that they met the specifications mentioned in this Act.
  22. Private Acts of 1905, Chapter 478, amended Public Acts of 1901, Chapter 136, in several minor particulars. The principal change occurred in the methods to be used when acquiring rights of way, especially when the power of eminent domain was to be exercised.
  23. Private Acts of 1907, Chapter 93, was a road law for Wilson County which gave the Quarterly Court jurisdiction over all public roads and bridges. The roads were to be classified into four classes according to width, and they were to follow the specifications listed in the act. Petitions to open, close, or change a road had to be filed with the County Judge who in turn was compelled to follow the procedures enumerated in the Act in disposing of them, especially when the request was for a new road. The County Court would select three Road Commissioners for each Road District (same as the Civil Districts) initially, and then they would be elected by the voters to serve terms of two years. The Commissioners would elect a Chairman and a Clerk/Treasurer. The duties of the Commissioners and the Clerk were stipulated in the act. All males between the ages of 17 and 60 must work six days a year on the county roads, or pay \$4.50 as a commutation fee. The Court would levy a general road tax of 25 cents per \$100 property valuation on property outside of cities and taxing districts, which money was to be spent as nearly as possible in the same District in which it was collected. Prisoners could be used to work the roads under regulations prescribed by the Workhouse Commission.
  24. Private Acts of 1909, Chapter 464, amended Private Acts of 1907, Chapter 93, by providing that males between the ages of 21 and 50 were required to work six days on the county roads each year between July 1 and October 1, or pay \$6 for a commuting charge which would be used to hire labor to take that person's place. The District Attorney would prosecute violators of this Act. The road tax was raised to 30 cents per \$100 property valuation. This road tax, however, could be worked out at 75 cents per day, up to four-fifths of the amount owed. The Road Commissioners would no longer be exempt from actual road labor or payment of the poll tax.
  25. Private Acts of 1911, Chapter 38, provided that the Quarterly Court would continue to have general supervision over all roads and bridges in the county. Roads were to be placed in one of four classes according to the road's width. Each road was to be graded and have proper drainage ditches on each side. All requests to open, close or change roads were to go to the County Judge, or the Chairman, who would initiate the procedures mentioned in the Act leading to the matter's final disposition. Appeals from decisions of the County Court could be made to the Circuit Court. The Quarterly Court would initially appoint three Road Commissioners in each Road District, coextensive with the corresponding Civil District, who would serve until the first Thursday in August, 1912, when their successors would be elected by popular vote. The

duties of the Commissioners and the Clerk/Treasurer were established in the Act, among which was the supervision over all the public roads, bridges, and overseers in their district. Males between the ages of 21 and 50 were compelled to work six days a year on the roads, or pay \$6.00

per year to commute. Failure to do either was a misdemeanor punishable by fine. The Court could levy a tax from 30 cents to 50 cents per \$100 and must spend the funds in that district when possible. Workhouse prisoners could be used on the roads under regulations established by the Workhouse Commission.

26. Private Acts of 1917, Chapter 695, amended Private Acts of 1911, Chapter 38, to provide that the money collected in certain road districts be placed in a separate fund to the credit of the district in which it was collected. The amount to tax which one could work out on the roads was reduced from four-fifths to one-half the amount owed.
27. Private Acts of 1920 (Ex. Sess.), Chapter 94, amended Private Acts of 1911, Chapter 38, by increasing the amount of the commutation charge from \$6 to \$18 for the six days.
28. Private Acts of 1921, Chapter 776, declared that any person, firm or corporation, incorporated under the State laws to operate a turnpike, or toll road, on which tolls were maintained under the permission of law in Wilson County were given the authority to charge and collect tolls at the rates specified in this Act which ranged from five cents for a motorcycle to seventy-five cents for over 3 ton capacity trucks.
29. Private Acts of 1921, Chapter 825, amended Private Acts of 1911, Chapter 38, further so as to change the per diem rate for a road hand to commute instead of working on the road from \$3 per day to \$2 per day.
30. Private Acts of 1923, Chapter 443, created a five member County Road Commission composed of the County Judge, as ex-officio Chairman, and four citizens who would be elected by the County Court for two year terms. W. T. Terry, Charley Young, J. W. Cragwell, and George Coleman were named as the first citizen members of the Commission. No member of the County Court, other than the Judge, could serve on the Commission. The Commissioners had to be sworn and bonded, would organize by picking a Secretary and would exercise the same powers as were formerly enjoyed by the Workhouse Commission and the County Turnpike Inspectors. The Commission would have full charge of roads, turnpikes, and bridges in the county, would meet on the Saturday before the first Monday in January, April, July and October, and provide for the working of the roads by compulsory labor. The Commission was to pick a District Road Commissioner for each district from three names submitted to them by the Justices of that district. These District Road Commissioners would be in charge of the roads, the road hands, and the road overseers in each district. The District Road Commissioner was to appoint Overseers to a one year term for each section of road, with each section to be between two and five miles in length. Failure of the road Overseer to perform was a misdemeanor, and he would be paid \$2 each day for those days over and above the compulsory service. District Commissioners would be sworn and bonded and receive \$20 each year for their services. The County Judge must give the District Road Commissioners and the County Road Commission a book of warrants to be used to pay bills and debts. Males between 21 and 50 must work from six to ten days annually as the Quarterly Court decided, or pay \$1 for each day missed. The Quarterly Court would assess an ad valorem tax of between 20 and 50 cents on each \$100 of taxable property. Two-thirds of this tax would be spent on the public roads of the District and one-third on special designated roads. Roads were to be indexed and classified, obstructions were outlawed and requests to open, close, or change roads would be decided by the Commission using the power of condemnation when needed. The County was authorized to purchase turnpikes and toll roads and make public roads out of them. The Secretary to the Commission would be paid from \$50 to \$125 per month and serve as ex-officio Superintendent of the Workhouse. The Commission would hire enough guards at \$2 - \$3 per day to work the prisoners on the roads. The Turnpike Inspectors, the District Road Commissioners, and the Workhouse Commission were all abolished.
30. Private Acts of 1923, Chapter 461, amended Private Acts of 1921, Chapter 776, by changing the toll rates on passenger cars to a schedule based on the weight of the car and the number of passengers.
31. Private Acts of 1923, Chapter 665, made it unlawful for any person in Wilson County to operate a tollgate within a distance of less than one mile from the limits of any city or town, within less than five miles from another tollgate, within less than one mile from either end of the road, and no road could have more than 3 tollgates on 17 1/2 miles of road. Violators could be fined from \$10 to \$25.

32. Private Acts of 1925, Chapter 347, stated that in Wilson County W. T. Terry, C. C. Young, J. W. Cragwell, G. R. Coleman, and the County Judge would compose a commission to be known as the County Road Commission who would hold office until the first Monday in January, 1927, at which time the Quarterly Court would choose their successors for two year terms. No member of the Quarterly Court was allowed to serve on the Commission, except the County Judge who would be ex-officio Chairman. The Commission would be in charge of all road projects, would inspect the turnpikes and report the status of all public roads to the Quarterly Court, and meet on a regular basis at the Courthouse on the Thursday before the first Monday in January, April, July and October. The Commission had all the powers of the former Workhouse Commission to work prisoners on the county roads. The Commissioners would initially appoint a District Road Commissioner in each district who would be in charge of the district roads. Their successors would be elected to two year terms by the people of the district. Overseers were to be selected by the District Road Commissioners annually for each section of road in the district. Overseers were to be paid \$2 per day for each day worked over and above the number of compulsory days and District Commissioners were to be sworn, bonded, and paid a salary of \$20 per year. The Quarterly Court could set the days of compulsory road work at no less than six nor more than ten and could levy a road tax of no less than 21 cents and no more than 42 cents per \$100 property valuation. Males between 21 and 50 years of age must work the required number of days or pay \$2 for each day missed while owners of wagons and teams must pay \$2.50 for each day missed. The County Road Commission would be paid \$5 per day up to \$125 a year; the Secretary to the Commission would receive \$50 to \$125 per month, set by the Court, and would be ex-officio Superintendent of the County Workhouse.
33. Private Acts of 1927, Chapter 475, reenacted most of the provisions set out in Private Acts of 1925, Chapter 347, naming the same people to the Commission. The tax levy was to be set at between 20 cents and 40 cents per \$100 of taxable property.
34. Private Acts of 1929, Chapter 364, named W. M. Hobbs, Sam Burton, W. T. Hankins, J. D. Jennings, and the County Judge were named as the Wilson County Road Commission to serve until first Monday in January, 1931, when the Quarterly Court would appoint their successors for two year terms. After being sworn and bonded the Commissioners would elect a Secretary from outside the Commission. The Commission would be in charge of the Workhouse and all public roads and bridges, and would meet on the Thursday before the first Monday in each month. They would appoint the District Road Commissioners from a list of three submitted by the Justices in the District to supervise the roads in each Civil District. The District Road Commissioners would appoint the Overseers for sections of roads by September 1 each year. The Overseers would be paid \$2 for each day worked over the compulsory number of days. The Quarterly Court would fix the number of days to be worked at no less than six nor more than ten by the males in the county between 21 and 50 years of age. Commutations rates were \$2.50 a day for wagons and teams and \$2 a day for laborers. The authorized range for the general road tax would be set at 21 cents to 42 cents per \$100.00, and the Commissioners were to be paid \$5 per day up to \$125 each year. The Commission could hire a civil engineer or surveyor to assist the Commission.
35. Private Acts of 1931 (2nd Ex. Sess.), Chapter 112, amended Private Acts of 1923, Chapter 443, by granting the Quarterly Court the authority to reduce the minimum road tax level to ten cents per \$100 property valuation and by requiring that at least 50% of the tax be paid in cash and spent as nearly as possible in the district from whence it came but the other half could be worked out on the roads, if preferred.
36. Private Acts of 1933, Chapter 463, generally followed the outline of previous Acts on this subject and named N. B. Nokes, A. B. Beasley, E. L. Edwards, J. D. Jennings, and the County Judge, or Chairman, to compose the County Road Commission to serve until the first Monday in January, 1935, at which time their successors, elected by the Quarterly Court, would assume the office for two year terms. The members would be sworn and bonded, the County Judge would be the ex-officio Chairman, and the Commission would choose a Secretary who could not be a member of the Commission or the County Court. The Commission would continue to meet on the Thursday before the first Monday in each month. The maximum general road tax was set at 10 cents per \$100 property valuation and the Commissioners would be paid \$4 per day up to \$120 per year, plus their legitimate expenses. This Act was repealed by Private Acts of 1943, Chapter 447.
37. Private Acts of 1933, Chapter 516, made it the duty of the County Highway Commission to certify as correct all cost bills of defendants confined in the county workhouse for failure to pay the cost and fine imposed. The cost bill would then be paid out of the two cent Gas Tax

Fund apportioned to the county for county highway purposes.

38. Private Acts of 1937, Chapter 64, amended Private Acts of 1933, Chapter 463, by striking all provisions concerning compulsory road work and permitting the loaning of tools. A new Section 6 was added to provide that all the money raised under the ten cent general road tax would be used on roads. The Quarterly Court could levy a \$3 tax on all males between the ages of 21 and 50, and anyone failing to pay such tax would have to work six days on the county roads. There would be no more compulsory road work in the county. The positions of District Road Commissioner and Road Overseer were abolished, but the prohibition on road work did not extend to prison labor. All other provisions of Private Acts of 1933, Chapter 463, would remain in effect. This Act was repealed by Private Acts of 1943, Chapter 447.
39. Private Acts of 1939, Chapter 374, amended Private Acts of 1933, Chapter 463, by setting up procedures to make purchases over \$250 by the County Road Commission which included advertising and solicitation of bids, and declaring that all contracts of purchase produced otherwise were null and void and unenforceable. Failure to abide by these requirements was misconduct in office. The year was divided into quarters and the Commission was forbidden to spend more than 90% of the revenue from all sources during any quarter, and the other 10% would be used to retire the indebtedness. An emergency fund could be set up for emergency purchases and be allowed to accumulate as the Commission might desire. This Act was repealed by Private Acts of 1943, Chapter 447.
40. Private Acts of 1943, Chapter 447, created the office of Superintendent of Roads in Wilson County, who must be a citizen of the county, at least 25 years of age, and have at least an elementary school education. The Superintendent would be sworn and bonded, be paid an annual salary of \$1,800 in equal monthly installments, would be in a general charge of the Department of Roads with authority to hire and fire the personnel of that Department, to fix the wages of the employees, and to buy equipment and materials, except that all purchases exceeding \$100 would be on competitive bid solicited and awarded according to the guidelines in the Act. The Superintendent, with the approval of the County Judge and County Court Clerk, could employ a Secretary at a monthly salary not to exceed \$100. The County Judge had to countersign all warrants before payment and approve all condemnations of property before suit was instituted. The Superintendent would be elected by the people for two years at the biennial August election. Vacancies would be filled by County Judge until the Quarterly Court met and could select someone to serve the balance of the unexpired term. Debts could not be incurred beyond 90% of the revenues and funds received from all sources during a quarterly period, the other 10% being set aside to retire bonds and pay other outstanding indebtedness incurred for highway purposes. The Superintendent could establish an emergency fund for materials and equipment, but could not obligate the county beyond the amount of available funds for that current quarter. Reports to the Court on the conditions of roads were due each quarter. A general road tax of ten cents per \$100 was imposed on all taxable property and a \$3 tax was levied against all males between 21 and 50 years of age outside cities, for which failure to pay could bring about six days labor on the roads of the county. This Act was repealed by Private Acts of 1949, Chapter 299.
41. Private Acts of 1945, Chapter 201, amended Private Acts of 1943, Chapter 447, so as to allow the Superintendent of Roads to make purchases up to \$300 without having to solicit bids for them, the former limitation in this regard being \$100.
42. Private Acts of 1945, Chapter 558, amended Private Acts of 1943, Chapter 447, by increasing the maximum amount of the salary which could be paid to the Secretary to the Superintendent of Roads from \$100 to \$120 monthly.
43. Private Acts of 1947, Chapter 655, amended Private Acts of 1943, Chapter 447, to raise the annual salary of the Superintendent of Roads in Wilson County from \$1,800 to \$3,000 payable in monthly installments. Section 13 was changed to prohibit the Superintendent from lending the machinery or trucks of the county for the use and benefit of any private individual or institution.
44. Private Acts of 1949, Chapter 239, created a County Road Commission for Wilson County which would be in charge of all county roads. The county would be divided into five Road Districts made up of whole Civil Districts. Charles R. Oldham, S. P. (Preston) Bass, Alton Armstrong, Wade Bland, and Sam Hankins were named as the first Road Commissioners to hold office until September 1, 1950, and they could not succeed themselves. At the August, 1950, general election, the successors to the Road Commissioners would be elected, one from each Road District, to serve a two year term. They would elect one of their members as Chairman,

- and could fill vacancies until the next general election. Their compensation would be \$25 per month except that the Chairman would be paid \$50 per month. The Commission was granted all the powers of the Workhouse Commission, would have general supervision over all public roads in the county and the road funds, and would meet on the first and third Thursday of each month. The Commission would purchase supplies and equipment with all over \$500 being by competitive bids. They could employ a secretary at no more than \$150 per month and an attorney, when needed. Each Commissioner would supervise the road work and programs in his District. A County Supervisor of Roads could be employed and placed in immediate charge, at a salary of no more than \$225 per month. The County Road Commission could also employ an experienced Civil Engineer, and he could be paid up to \$500 per month. The fiscal year and budget would be divided into quarters and the quarterly amount of funds would not be exceeded. Books of the Commission would be audited by the County Judge and the County Finance Committee. This Act was repealed by Private Acts of 1961, Chapter 194.
45. Private Acts of 1951, Chapter 176, amended Private Acts of 1949, Chapter 239, to make the County Judge a member of the County Road Commission of Wilson County in addition to the five members previously provided, who would meet with the others and participate in the business of the Department, but could vote only in case of a tie. After September 1, 1952, the County Judge would be the Chairman of the Commission and preside at all meetings. Section 3 was changed to make the County Judge the Purchasing Agent of the County Road Commission since he was an ex-officio member and the County Purchasing Agent by virtue of Private Acts of 1947, Chapter 637. The Judge was directed to follow the purchasing procedures specified for all purchases over \$500. The County Judge would be paid \$25 per month for these services in addition to all other compensation as provided by Private Acts of 1949, Chapter 926.
  46. Private Acts of 1951, Chapter 360, amended Private Acts of 1949, Chapter 239, to add a provision that no more than 35% of the county road funds allocated, expended, and distributed in each of the First, Second, Third and Fourth Road Districts for any 12 month period, could be expended upon the roads of any one civil district. Any citizen could maintain an action to enforce the provisions of this act.
  47. Private Acts of 1953, Chapter 415, amended Private Acts of 1949, Chapter 239, Section 1, to provide that the County Judge as a member and Chairman of the County Road Commission would with the Commission inspect the roads in Wilson County in September of each year, reduce the inspection to a detailed report of the conditions of the road and formulate a program for the coming year which must be approved by a majority of the Road Commission before any road work could be done or any funds spent in that year, for which duty and extra work the County Judge would be paid \$350 per annum. Section 4 was changed to increase the monthly salary of the Secretary to the Commission from \$150 to \$200, and Section 11 was altered to give the Supervisor of Roads control of all the machinery, equipment, and supplies, for the benefit of the Wilson County road system as a whole.
  48. Private Acts of 1957, Chapter 102, amended Private Acts of 1949, Chapter 239, in Section One so that the 13th Civil District would be removed from the Second Road District and would become a part of the Third Road District. The Section was further amended to allow the Road Commissioners to succeed themselves in office for two terms and then could run again after sitting out one term. This Act was not approved by the Quarterly Court of Wilson County and never became an effective law.
  49. Private Acts of 1959, Chapter 95, was an attempt to rewrite the Wilson County Road Law but was not approved by the Quarterly Court and thus failed to become effective. The Act established a road system for the county over which a three member County Road Commission, appointed to three year terms by the Quarterly Court, would have general supervision and control. The members would be sworn and bonded, elect their Chairman, be compensated at \$50 a month for the Chairman and \$25 for the members, would meet on the first and third Thursday of each month, and be in charge of the Workhouse. Roads were to be classified by traffic count and a long range program implemented. The Commission would fix personnel policies, act as the purchasing agency for the Road Department, award bids and let contracts. The Board would employ a County Supervisor of Roads to be in immediate charge.
  50. Private Acts of 1961, Chapter 172, amended Private Acts of 1949, Chapter 239, by increasing the maximum monthly salary of the Secretary to \$300.

## Chapter X - Law Enforcement



# Law Enforcement - Historical Notes

## **Jails and Prisoners**

The following acts once affected jails and prisoners in Wilson County, but are no longer operative.

1. Private Acts of 1907, Chapter 93, established the Workhouse Commission for Wilson County composed of the County Judge or Chairman of the County Court, and the County Court Clerk. The County Court could declare its jail the workhouse or provide a separate workhouse. If the jail was declared a workhouse, the Sheriff would be its Superintendent.
2. Private Acts of 1909, Chapter 464, amended Private Acts of 1907, Chapter 93, to remove the County Court Clerk from the Workhouse Commission and substituted in his place the Sheriff.
3. Private Acts of 1911, Chapter 38, provided that the Workhouse Commission would consist of the Judge or Chairman of the County Court, who would be ex-official Chairman, and the Sheriff.
4. Private Acts of 1927, Chapter 475, abolished the offices of Workhouse Commissioners.

## **Militia**

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

1. Acts of 1803, Chapter 1, was a militia law of the State in which free men and indentured servants between the ages of 18 and 45 would compose the militia. Wilson County's unit would be the 17th Regiment which would hold one Regimental muster annually on the second Thursday in October each year.
2. Acts of 1809, Chapter 89, amended the Militia Laws to assign the counties of Sumner, Wilson, Smith and Jackson to the Fourth Brigade. The Regiments were required to meet annually at the place of holding court in their respective counties.
3. Acts of 1811, Chapter 93, amended the general militia law of the State in several particulars among which was the assignment of the second Regiment in Wilson County as the 42nd Regiment of the State which would hold its annual muster on the second Monday and Tuesday of September each year. The 17th Regiment would hold its muster on the first Thursday and Friday of September.
4. Acts of 1815, Chapter 119, was an entirely new militia law for Tennessee which would still be made up of free men and indentured servants between the ages of 18 and 45. In the Table of Organization, Wilson County's Regiments were still the 17th and the 42nd, and were assigned to the 4th Brigade.
5. Public Acts of 1819, Chapter 68, was a revised State Militia Law. Service requirements remained the same, and Wilson County's 17th Regiment would hold its annual muster on the third Saturday in October each year with the 42nd Regiment doing the same on the fourth Saturday in October, both remaining as part of the Fourth Brigade.
6. Public Acts of 1825, Chapter 69, was a revised militia law for Tennessee. The Table of Organization showed that Wilson County had the 17th Regiment mustering annually on the third Saturday in October, the 42nd which would meet on the fourth Saturday in October each year, and the 72nd which was scheduled to muster on the second Saturday in October. The militia units in Sumner County, Smith County, and Wilson County constituted the Fourth Brigade, and the Fourth, Fifth, Sixth, Eighth, Ninth, and Tenth Brigades composed the Second Division.
7. Public Acts of 1825, Chapter 86, rearranged the dates for some of the county drills and musters for counties in the Middle Tennessee area including Wilson. Wilson County's units were assigned to the Fourth Brigade and the annual muster was set for the second Monday and Tuesday of July each year.
8. Private Acts of 1827, Chapter 123, provided that the 42nd Regiment of Wilson County would hereafter hold its regimental muster on the first Saturday in October each year under the regular rules and orders.
9. Private Acts of 1831, Chapter 75, created a new militia company in Wilson County to be quartered in the area described in the act beginning at Phillip Shore's and running north with Lebanon Road to the second branch of Round Lick Creek which included Elijah Wommack's farm and William Shank's farm and which line ended at Mount Defiance. The citizens residing in that described area would constitute a part of the 17th Regiment of the Tennessee Militia subject to all rules and regulations then and thereafter to be in force. This Act was repealed by Private Acts of 1831,

## Chapter 219.

10. Private Acts of 1833, Chapter 153, stated that the cavalry company raised the organized in the 72nd Regiment of the Tennessee Militia in Wilson County was hereby constituted a legal company without having holsters and swords as required by law. This company was authorized to do and perform all the duties of cavalry in the same manner and to the same extent as other cavalry units.
11. Public Acts of 1835-36, Chapter 21, was an entirely new militia law and for the State. The Table of organization revealed that the 57th, 58th, 59th, 60, and 138th Regiments were all assigned to Wilson County, and the combined units in Wilson County and Smith County would make up the 9th Brigade, 2nd Division.
12. Acts of 1837-38, Chapter 157, scheduled the dates for the annual musters and drills for every militia unit in Tennessee. The Ninth Brigade, composed of the units in Wilson County and Smith County, would hold and conduct their annual drill and muster for Wilson County on the Friday and Saturday following the first Tuesday and Wednesday in September each year.
13. Acts of 1839-40, Chapter 56, rewrote the whole militia law for Tennessee making several changes in regulations and required equipment for both units and individuals. Wilson County contained the 57th, 58th, 59th, 60th and 138th Regiments.

**Pool Rooms**

1. Private Acts of 1929, Chapter 874, declared it to be unlawful for any person, firm, or corporation to operate, run or conduct, any pool room, or billiard hall, or any place where the two games were played for profit to the owner or owners. Violations were a misdemeanor, punishable by fines from \$25 to \$50, each day being counted as a separate offense.

**Sheriff**

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

1. Acts of 1815, Chapter 146, recited in its preamble that Thomas Bradley, the Sheriff of Wilson County, had failed to collect taxes on certain lands in the county, so this Act required Bradley to report to the Court of Pleas and Quarter Sessions a list of all such taxes due and unpaid in order for the Court to issue judgment and execution to sell the land when no personal property was present to satisfy the execution.
2. Private Acts of 1820, Chapter 119, stated that the costs of the second prosecution against Charles L. Bennett which was instituted in Wilson County for the murder of William T. Ray, which costs have accrued subsequent to the change of venue in the case, would be paid by the Treasurer of West Tennessee when the same have been duly and properly certified to him.
3. Public Acts of 1824, Chapter 78, permitted the Sheriff of Wilson County to appoint one Deputy Sheriff over and above the number then allowed by law. Section 5 directed Thomas Bradley, the Sheriff, to report to the Court of Pleas and Quarter Sessions all the lands upon which taxes were due and unpaid so that they might be advertised and sold.
4. Private Acts of 1827, Chapter 73, allowed James Williams, the late Sheriff of Wilson County, and the Sheriffs of Greene County and Williamson County the further time of two years to collect the taxes and public dues which accrued during their terms of office.
5. Private Acts of 1827, Chapter 170, made it lawful after the passage of this act for the Court of Pleas and Quarter Sessions of Wilson County, a majority being present, to make such allowances to Thomas Bradley, the late Sheriff of the County, for vouchers paid by him for claims against the County which have now been lost. Bradley must report under oath the amount of these lost vouchers before payment would be made.
6. Private Acts of 1831, Chapter 165, released James Drennon, of Wilson County, from the payment of a judgment rendered against him in the County Court of Wilson County at the September term in 1831, provided, however, that Drennon pay all the court costs in the case and the tax which was imposed by law upon the litigation.

## Chapter XI - Taxation

### Adequate Facilities Tax

# Private Acts of 2003 Chapter 60

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

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

- (a) "Board of Zoning Appeals" means the Board established in Wilson County pursuant to Tennessee Code Annotated, Section 13-7-106.
- (b) "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.
- (c) "Building Inspector" means the person designated by resolution of the governing body of Wilson County, who shall be responsible for ensuring a building or structure does not exceed the square footage paid for at the time of obtaining a certificate of occupancy/certificate of compliance.
- (d) "Building Permit" means a permit for development issued in Wilson County, whether by the county or any city therein.
- (e) "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 expenses, for the purchase, construction, or replacement of the physical assets of the community are included.
- (f) "Certificate of Occupancy/Certificate of Compliance" means a license issued for occupancy of a building or structure issued in the Wilson County, whether by the county or any city therein.
- (g) "Commercial" means the development of any property for commercial use, except as may be exempted by this act.
- (h) "Development" means the construction, building, erection, or improvement to land providing a new building or structure, which provides floor area for residential or commercial use.
- (i) "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 long-term basis; physically separated from any other room or rooms or dwelling units which may be in the same structure; and containing independent cooking and sleeping facilities.
- (j) "Floor Area" 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.
- (k) "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 13-4-102. For purposes of this 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.
- (l) "Governing Body" means the County Commission of Wilson County, Tennessee.
- (m) "Industrial" means the development of any property for the purpose of manufacturing a product for retail or wholesale distribution.
- (n) "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, abandonment, or change of use of existing public ways.
- (o) "Non-Residential" means the development of any property for any use other than residential use, except as may be exempted by this Act.
- (p) "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, in the plural as well as the singular number.
- (q) "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.
- (r) "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.

(s) "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 any other governmental capital improvement benefiting the citizens of the county and/or city as defined in Tennessee Code Annotated, Section 9-21- 105(21)(A) and/or (B).

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

(u) "Subdivision Regulations" means the regulations adopted by the Wilson County Regional Planning Commission pursuant to state statutory authorization on February 1, 1973, as amended, by which the county regulates the subdivision of land.

(v) "Zoning Resolution" means the resolution adopted by the governing body pursuant to state statutory authorization on July 10, 1972, as amended, by which the county regulates the zoning, use, and development of property.

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

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

**SECTION 5.** 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:

- (a) Public buildings;
- (b) Places of worship;
- (c) Barns, outbuildings, or accessory structures used for agricultural or residential purposes;
- (d) Replacement structures for previously existing structures destroyed by fire or other disasters; but only if replaced within one (1) year of the loss;
- (e) A structure owned by a nonprofit organization that is a qualified 501(c)(3) corporation under the Internal Revenue Code.
- (f) A permanent residential structure replacing a single-wide or double-wide mobile homes on the same parcel when the mobile home is removed within thirty (30) days of the issuance of the certificate of occupancy for the permanent residential structure, providing that the permanent structure is a residence for the owner and occupant of the mobile home; or
- (g) A double-wide mobile home replacing a single-wide mobile home on the same parcel where the single-wide mobile home is removed within thirty (30) days of the issuance of the certificate of occupancy for the double-wide mobile home, providing that the double-wide mobile home is a residence for the owner and occupant of the singlewide mobile home.
- (h) Historical structures which can be documented as being an actual structure in existence for one hundred (100) years or more which are in the process of being moved or torn down and relocated.

As amended by: Private Acts of 2007, Chapter 22

**SECTION 7.**

(a) There is hereby imposed a tax on each unit of covered single-family development, or in the cast of multi-family development, on each unit proposed for human habitation in an amount equal to one thousand dollars (\$1,000) per unit. The tax shall be one thousand dollars (\$1,000) per single family unit; two thousand dollars (\$2,000) per duplex; three thousand dollars (\$3,000) per triplex; and one thousand dollars (\$1,000) per unit on any residential development of four (4) units or more. The amount of this tax may be increased or decreased by resolution of the governing body of Wilson County, Tennessee, to be approved by no less than a two-thirds (2/3) vote of the governing body of Wilson County, Tennessee.

(b) The authority to levy a tax on new commercial and/or industrial development is hereby authorized. However, this tax may not be collected unless a resolution establishing the tax and the amount of the tax shall be approved by no less than a two-thirds (2/3) vote of the governing body of Wilson County, Tennessee.

**SECTION 8.** The tax established in this act shall be collected at the time of application for a building permit for development as herein defined or, if a building permit is not required, at the time of application for a certificate of occupancy by the county or city official duly authorized in such jurisdiction to issue building permits or certificates of occupancy. The revenue collected from this tax shall be collected by the county building official, or other responsible official, and the proceeds deposited with the County Trustee and used exclusively for capital projects, including but not limited to, debt service related to such service or projects, general fund, school fund, special revenue funds, debt service funds, or other capital project funds as designated by resolution of the Board of County Commissioners of Wilson County. If the building permit or certificate of occupancy is issued by a city, the city shall, before issuance of the building permit, require evidence by a valid certificate executed by the county building inspector that the full amount of the tax due the county is paid. No building permit for development as herein defined, or certificate of occupancy if no building permit is required, shall be issued in Wilson County, unless the tax has been paid in full to the county. 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 the certificate of tax paid been required by the city.

**SECTION 9.** The authority to impose this privilege tax or taxes on new development in Wilson 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 taxes, fees assessments, or charges, shall not be deemed to constitute double taxation.

**SECTION 10.**

(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 Wilson County and by notifying the official that the payment is made under protest; and
- (2) By requesting an appeal of the decision of the official in written form within ten (10) days of the protest and payment.

(b) The Wilson County Board of Zoning Appeals shall be hear all appeals. Hearings shall be scheduled within thirty (30) days of the request for appeal, or at the next regular meeting of the Board of Zoning Appeals, whichever is later.

(c) The Board of Zoning Appeals shall render a decision on all appeals within thirty (30) days of the hearing date, unless the hearing is continued from time to time with a majority vote of the Board for further information.

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

(e) Hearings before the Board shall proceed as follows:

- (1) The county building official shall explain his or her ruling and the reasons for the ruling.
- (2) The appellant shall explain his or her reasons for appealing the ruling.
- (3) The Board may request further information from any county official, including, but not limited to the County Executive, County Commissioners, Committee members, the County Attorney, or the County planning staff. The Board shall not have the power of subpoena.

(f) The Board shall deliberate and render a decision by a majority vote. Decisions shall 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 action by certiorari and supersedeas to the Chancery Court of Wilson County, Tennessee, provided, that an application to the court is made within sixty (60) days of the written decision of the Board.

**SECTION 11.** All taxes or funds collected under the provisions of this act shall be used for the purpose of providing public facilities, the need for which is reasonably related to new development.

**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 Wilson County. This act shall be deemed to create an additional and alternative instrument for Wilson County to impose and collect taxes for the purpose of providing public facilities made necessary by new development in the county and/or any of its cities.

**SECTION 13.** 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 14.** This act shall have no effect unless it is approved by two-thirds (2/3) vote of the county legislative body of Wilson County before September 30, 2003. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by such officer 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 a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 14.

Passed: May 29, 2003.

## Assessment Adjustments

### Private Acts of 1975 Chapter 58

**SECTION 1.** The Wilson County Board of Equalization shall have published in a newspaper of general circulation in the county, not more than thirty (30) days after the conclusion of their annual session, a statement of assessment adjustments made by the Board during that session. Said statement shall identify, by name, the owners of properties on which the assessment has been changed, the original assessment, and the new assessment made by the Board. Said publication shall be paid for by the County.

**SECTION 2.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Wilson County on or before August 1, 1975. Its approval or non-approval shall be proclaimed by the presiding officer of the County Court and certified by him to the Secretary of State.

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

Passed: April 17, 1975.

## Assessor of Property

### Private Acts of 1939 Chapter 182

**SECTION 1.** That it shall be the duty of tax assessors in all counties in the State of Tennessee with a population of not less than 23,900 nor more than 24,000, according to the Federal Census of 1930, or any subsequent Federal Census, to maintain and keep open an office during reasonable business hours at the courthouse, or at some convenient place in the county seat, at which office either the tax assessor or a deputy capable of discharging the duties of the office of tax assessor shall be on hand during office hours for the purpose of discharging the duties of such office. Office space shall be provided by the county, and it is hereby declared to be the duty of the Quarterly County Courts of such counties to provide adequate office space for the tax assessors of such counties.

**SECTION 2.** That all tax or assessment books in such counties shall be kept in the office of the county tax assessor at the county seat during business hours, except when same are in use in making assessments, or in making up the tax books.

**SECTION 3.** That said County Tax Assessors shall from time to time examine the current Deed Books in the office of the County Registers of such counties and shall ascertain from such Deed Books and enroll in a book or books to be kept by him in his office, the following facts to be ascertained by him from an examination of the deeds recorded in such deed books, to-wit:

- (1) The names of the grantors or vendors and of the purchasers, in each deed;

- (2) The district in which the land conveyed by each deed is situate;
- (3) The boundaries of the land and the number of acres conveyed in each deed; and
- (4) The consideration or purchase price for the land as stated in each deed.

When such County Tax Assessors make their next assessment of real estate, after ascertaining such information from an examination of the deed books in the Register's Office, they shall use such information in connection with their assessment of the real estate covered by such deeds.

**SECTION 4.** That it shall be the duty of the tax assessor in such counties, in person or by deputy, to go on the premises and examine all realty to be assessed, and for failure to do so he shall be subject to a fine of not less than \$5.00 nor more than \$10.00 in each case. It shall further be the duty of such tax assessor to perform the other duties imposed by Section 1357 of the 1932 Code of Tennessee, and all other duties imposed upon tax assessors by the general laws of Tennessee.

**SECTION 5.** That the compensation of the Tax Assessor in such county shall be fixed by the Quarterly County Courts of such counties in an amount sufficient to adequately pay such Tax Assessor for his services and his necessary expenses in making assessments in said counties in no event to exceed the amount of Twenty-Four Hundred Dollars (\$2,400.00) per year.

As amended by: Private Acts of 1949, Chapter 305

**SECTION 6.** That all laws and parts of laws in conflict with the provisions hereof be and the same are hereby repealed.

**SECTION 7.** That this Act shall take effect from and after April 6th, 1939, the public welfare requiring it.

Passed: February 6, 1939.

## Domestic Animal Tax

### Private Acts of 1980 Chapter 242

**SECTION 1.** That the Wilson County Commission be and is hereby authorized to impose a \$2.00 per head domestic animal tax.

**SECTION 2.** That this Act shall apply only to dogs and cats as defined in Tennessee Code Annotated, Section 53-901, et. seq.

**SECTION 3.** That any person failing to pay the domestic animal tax, upon conviction, shall be guilty of a misdemeanor, and shall be fined not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).

**SECTION 4.** That said domestic animal tax shall be due and payable on or before the 1st day of May in each year, and shall be paid when said domestic animal is vaccinated.

**SECTION 5.** That whoever vaccinates domestic animals shall collect the Two Dollars (\$2.00) domestic animal tax, and pay the same over to the County Clerk, who shall in turn pay the same over to The Humane Association of Wilson County, Inc., for its use in animal control.

**SECTION 6.** This Act shall have no effect unless it is approved by a majority of the number of qualified voters of Wilson County, voting at the next scheduled election on the question of whether or not the act should be approved. The ballots used in the election 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 them to the Secretary of State as provided by law in the case of other General Elections. The qualifications of voters voting on the question shall be the same as those required for participation in other General Elections. All laws applicable to General Elections shall apply to the determination of the approval or rejection of this Act.

**SECTION 7.** For purposes of approving or rejecting this Act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect upon being approved as provided in Section 6.

Passed: March 27, 1980.

## Hotel/Motel Tax

### Private Acts of 1980 Chapter 209

**COMPILER'S NOTE:** Private Acts of 1980, Chapter 208, enacted a similar tax for the City of Lebanon in

an amount not to exceed 2% of the consideration charged.

**SECTION 1.** As used in the Act, unless the context requires otherwise: (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, governmental units, or any other group or combination acting as a unit.

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

(c) "Occupancy" means the use or possession or the right to use or possession of any room, lodging, or accommodations in a hotel for a period of less than thirty (30) continuous days.

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

(e) "Consideration" means the consideration charges, whether or not received, for the occupancy in a hotel or campground valued in money whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property and service 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 or received from any person.

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

(g) "Tax collection official" means the County Clerk.

**SECTION 2.** Wilson County is hereby authorized to levy a privilege tax upon the privilege of occupancy in any hotel by a transient in an amount not to exceed five percent (5%) of the consideration charged by the operator. The tax imposed is a privilege tax upon the transient occupying such room and is to be collected and distributed as herein provided. The rate of the tax may be modified by the county legislative body subject to the five (5%) percent limitation.

**SECTION 3.** The tax shall be added by each operator to each invoice prepared by the operator for the occupancy of his hotel. Such invoice to be given directly or transmitted to the transient, a copy thereof filed by month and retained by the operator as provided in Section 7 hereof.

**SECTION 4.** (a) The tax hereby levied shall be remitted by all operators who lease, rent, or charge for any rooms or campground space to the County Clerk not later than the twentieth (20th) day of each month next following such collection for the transient. The operator is required to collect the tax from the transient at the time of the presentation of the invoice for occupancy, whether prior to, during or after occupancy, as may be the custom of the operator. 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 and remitting the tax levied by this Act, the operator shall be allowed two percent (2%) of the amount of the tax due and accounted for and remitted to the County Clerk in the form of a deduction in submitting his report and paying the amount due by him, provided, however, that the amount due was not delinquent at the time of payment. (c) For the purpose of compensating the County Clerk for collecting the tax, the County Clerk shall be allowed two percent (2%) of the amount of tax remitted by hotel, motel, or campground operators or twelve thousand dollars (\$12,000.00) per annum whichever is less.

**SECTION 5.** No operator of a hotel, motel, or campground 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 be added to the rent, or that, if added, any part will be refunded.

**SECTION 6.** Taxes collected by an operator which are not remitted to the County Clerk on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at a rate of twelve percent (12%) per annum, and in addition for a penalty on such taxes of one percent (1%) for each month or fraction thereof that such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is hereby declared to be unlawful and shall be punishable upon conviction by a fine not in excess of fifty dollars (\$50.00). Any fine levied herein shall be applicable to each individual transaction involving lodging services paid by a transient to the operator in those cases when the operator fails or refuses to pay the tax payable to the County Clerk.

**SECTION 7.** It is the duty of every operator liable for the collection and payment of any tax imposed by this Act to keep and preserve for a period of three (3) years all records necessary to determine the amount of such tax, which records the tax collection official shall have the right to inspect at all



reasonable times.

**SECTION 8.** In administering and enforcing the provisions of this Act, the tax official shall have as additional power the powers and duties with respect to collection of taxes provided in Tennessee Code Annotated, Title 67, or otherwise provided by law. Upon any claim of illegal assessment and collection, the taxpayer shall have the remedy provided in Tennessee Code Annotated, Section 67-2313, it being the intent of this Act that the provisions of law which apply to the recovery of taxes illegally assessed and collected shall apply to the tax collected under the authority of this Act; provided, the tax collection official shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67- 2301, with respect to adjustment and settlement with taxpayers of all the errors of taxes collected by him under the authority of this Act and to direct the refunding of same. Notice of any tax paid under protest shall be given the tax collection official. Any suit for recovery shall be brought against such tax collection official.

**SECTION 9.** The County Clerk shall faithfully account for, make proper reports of, and pay over to the trustee of the county at monthly intervals, all funds paid to and received by such clerk for the privilege tax.

**SECTION 10.** The proceeds of the tax imposed in this Act, when collected and paid to the county trustee, shall become part of the county general fund, or such other fund as the county legislative body may direct.

**SECTION 11.** The privilege tax levied by this Act shall be in addition to all other taxes levied or authorized to be levied whether in the form of excise, license, or privilege taxes, and shall be in addition to all other fees and taxes now levied or authorized to be levied.

**SECTION 12.** If any clause, sentence, paragraph, section or any part of this Act shall be held or declared to be unconstitutional, it shall not affect the remainder of this Act notwithstanding the part held to be invalid, if any, and to that end the provisions of this Act are declared 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 Wilson County before December 31, 1980. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified by him to the Secretary of State.

**SECTION 14.** For the purpose of approving this Act as provided in Section 13, it shall take effect on becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on the first day of the month following ninety (90) days from approval as provided in Section 13.

Passed: March 5, 1980.

## Litigation Tax

### Private Acts of 1967-68 Chapter 28

**SECTION 1.** A litigation tax of five dollars and twenty-five cents (\$5.25) in all civil suits and fifteen dollars (\$15.00) in all criminal cases shall be taxed as part of the costs in the court of general sessions, the circuit court, and the chancery court of Wilson County.

As amended by: Private Acts of 1982, Chapter 269

**SECTION 2.** The clerks of the said courts shall collect the litigation tax and pay the revenue therefrom into the county general fund.

As amended by: Private Acts of 1982, Chapter 269

**SECTION 3.** All expenditures from the fund are to be made by the county judge, upon the authorization of the quarterly county court.

**SECTION 4.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the quarterly county court of Wilson County at or before the next regular meeting of the court occurring more than thirty (30) days after its approval by the governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the court and certified by him to the secretary of state.

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

Passed: March 15, 1967.

## Motor Vehicle Tax

### Private Acts of 1949 Chapter 921

**SECTION 1.** That for the privilege of using the public highways in Counties of this State having a population of not less than twenty-five thousand two hundred and sixty (25,260), nor more than twenty-five thousand two hundred seventy (25,270), by the Federal Census of 1940, or any subsequent Federal Census, there is levied upon motor driven vehicles, except tractors, which shall pay no tax hereunder, a special privilege tax for the benefit of said Counties and in addition to all other taxes, which tax shall be as follows:

- Upon all passenger automobiles, including station wagons \$ 5.00
- Upon all taxicabs 10.00
- Upon all automobile buses 10.00
- Upon trucks falling in Class I under the provision of Chapter 105, Public Acts of 1939, and amendments thereto 5.00
- Upon trucks of Class II as above defined 10.00
- Upon trucks of Class III 15.00
- Upon trucks of Class IV 20.00
- Upon trucks of Class V 25.00
- Upon trucks of Classes VI and VII 30.00

This tax is hereby imposed upon and shall be paid on each motor vehicle above set forth, by each owner or operator thereof, who resides or usually stays in the Counties to which this act applies and uses or operates such motor vehicles in said counties and, also, this tax is imposed and shall be paid by each owner or operator thereof, regardless of whether he is a resident of said counties, where such motor vehicle is usually kept or customarily used and operated in said counties. It shall be a misdemeanor and punishable as such for the owners or operators of such motor vehicles in said counties to which this act applies, to operate such motor vehicle upon any highway, road or street in said counties without the payment of the tax herein imposed and provided for.

As amended by: Private Acts of 1953, Chapter 82

**SECTION 2.** That the tax herein levied shall be collected by the County Court Clerk of Counties to which this Act applies at the same time that he collects the State privilege tax upon the operation of motor driven vehicles over the public highways. No Clerk in Counties to which this Act applies shall issue to a resident of such County a State license for the operation of automobiles and trucks unless at the same time such resident shall purchase the appropriate license as hereinafter provided for the operation of his car under this Act. Payment of the license fee herein imposed shall be evidenced by a metal tag or emblem to be appropriately displayed upon some prominent part of the automobile in question. The design of the emblem in question shall be determined by the County Court Clerk and the expense incident thereto shall be paid from the fund raised by the levy of the tax herein provided for. In the event the person who has purchased said emblem in questions sells his automobile or truck and buys another automobile or truck, he can retain said emblem and put it on and use it with the automobile or truck which he buys.

The tax herein levied shall entitle the owner of a car to operate the same from April 1 of each year to the next succeeding March 31 and the same proportionate reduction shall be made as is now made in the case of State registration of automobiles and trucks where such motor driven vehicle is registered after April 1 for any reason whatsoever. For his services in issuing such licenses, County Court Clerk shall be entitled to a fee of 15¢ for each one so issued, to be collected from the person purchasing the same. He will report the funds collected by him monthly and pay the same to the County Trustee of Counties to which this Act applies and they shall be applied as herein provided.

As amended by: Private Acts of 1953, Chapter 82

**SECTION 3.** That the proceeds of the tax hereby imposed shall, as collected at the end of each month, be paid by the County Court Clerk of said Counties to the County Trustee of said counties, in his official capacity, and the County Trustee of such Counties shall deposit the same in a special fund, and said fund shall be used exclusively in the purchase of oil or of oil, rock and gravel, which shall be used on the rural County roads in such Counties, constituting a part of the County road or highway system of such Counties. Also, said fund may be used for use in putting said oil, rock and gravel on the said highways in said Counties, in the surfacing and capping of the same. That no part of said fund shall be used on any roads under the jurisdiction of the State Highway Department and which constitutes either the State Highway System or the State Rural Road System, or roads which are maintained by the State Highway Department. It is intended that the tax hereby levied shall be used exclusively on the County Road System and the County Rural Roads of said Counties, to which this Act applies. That no part of the fund arising from the levying of the tax herein provided for shall be used for the purchase of machinery or for use in having said highways graded and drained, it being the Legislative intent that funds used in the purchase of machinery or in the grading and drainage of highways in such Counties shall be paid from other highway funds available to such Counties for such purposes.

The County Road Commission or other County Highway Organization of the Counties to which this Act applies shall have full and complete control and direction over the use and expenditure of said funds arising from the tax hereby levied, subject along to the limitations herein provided as to the use of said funds. Warrants upon said funds shall be drawn by the properly constituted officials of the County Road or Highway Commission of said Counties to which this Act applies, upon the County Trustee, in the same manner that warrants are drawn and paid, in the expenditure of the funds of such Counties, used in the construction and maintenance of the County highways.

The County Road or Highway or Highway Commission of the Counties to which this Act applies, through its property constituted officials, shall keep a special account showing the expenditure of said funds levied by this Act, specifying the roads and miles thereof upon which, and for which, said funds are expended, and the location of such roads which said funds are expended and such highways improved thereby. Such records shall be available to any taxpayer of said respective Counties.

**SECTION 4.** That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

**SECTION 5.** That, if any section or part of this Act be held void, unconstitutional or ineffective for any reason, such holding shall not affect the remaining sections and provisions of this Act, it being hereby declared and it shall be conclusive presumed that the remaining sections and provisions of this Act would have been passed irrespective of the fact that one or more sections or provisions of this Act may be declared void, unconstitutional or ineffective for any cause.

**SECTION 6.** That this Act shall take effect from and after March 31, 1950, the public welfare requiring it.

Passed: April 15, 1949.

## 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 Wilson County Assessor.

1. Private Acts of 1957, Chapter 163, stated that in Wilson County the County Tax Assessor would be reimbursed for his expenses necessarily incurred in assessing property up to \$250 per month, and the Assessor would also be paid at the rate of seven cents per mile for necessary travel. Effective September 1, 1960 the annual salary of the Tax Assessor would be \$3,000 per annum. This Act was not approved by the Quarterly Court and never became effective.
2. Private Acts of 1961, Chapter 177, set the annual salary of the Wilson County Tax Assessor at \$3,600 per annum, payable in equal monthly installments of \$300 each, plus reimbursement for his expenses and travel at a rate of no more than \$100 per month, provided the Tax Assessor submitted an itemized statement of expenses to the County Judge each month. The increase in pay and allowances was induced by the increased and broadened duties of the Tax Assessor. This Act was properly ratified.

### Taxation

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

1. Acts of 1806, Chapter 45, was the authority for Wilson County to levy an additional county tax to erect a building in which the office of Clerk, Register and Ranger would be located and which must be erected somewhere on the Public Square in Lebanon and which would remain the property of the County. The maximum amounts of the tax were set by the Act.
2. Acts of 1817, Chapter 128, declared it to be lawful for the Justices of the Peace of the counties of Davidson, Smith, Rutherford, Franklin, Maury, Lincoln, Giles, Overton, Bedford, Wilson, Hickman, Sumner, Stewart, Humphreys, Williamson, Jackson, White, Montgomery, Warren, Robertson, and Dickson, to levy a tax with which to pay jurors attending the county and circuit courts an additional compensation, but the pay increase could not exceed fifty cents per day per juror.
3. Private Acts of 1820, Chapter 127, was the authority for the Sheriff of Wilson County to collect jurors tickets in payment of county taxes, all laws to the contrary notwithstanding.
4. Public Acts of 1870-71, Chapter 50, allowed the counties and the incorporated towns of Tennessee to impose taxes for county and municipal purposes in the following manner and upon the

condition that (1) all taxable property shall be taxed according to its value upon the principles established for state taxation and (2) the credit of no county, or town, 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 the people approved the same by a three-fourths vote. Twenty-six of the counties, not including Wilson County, exempted themselves from the requirement of a three-fourth's popular approval by substituting a simple majority vote as being sufficient for the next ten years after the act.

5. Private Acts of 1931, Chapter 223, created the office of Delinquent Poll Tax Collector in all counties having a population of no less than 22,193, and no more than 30,000, according to the Federal Census of 1930, or any subsequent Federal Census, who would be appointed by the County Judge, or Chairman, for a two year term. All poll taxes not paid by May 1, 1931, and by March 1 for each year thereafter, were declared delinquent. The County Trustee would compile a list of those who were delinquent in payment of their poll tax and deliver the same to the Collector who would be paid 70 cents for each tax collected plus the usual fees for collecting delinquent poll taxes. The appearance of one's name on the list was sufficient authority to issue a distress warrant which would have the force of execution. The Collector would use only those receipt books issued to him by the Trustee. The Collector had the power to examine company books, payroll records, or other personnel documents, could issue subpoenas and conduct hearings as he might determine. This Act was repealed by Private Acts of 1931, Chapter 757.
6. Private Acts of 1931, Chapter 518, amended Private Acts of 1931, Chapter 223, to provide that all male citizens who had not paid their poll tax by May 1, 1931, and by March 1 for each succeeding year after they fell due were considered delinquent and the Delinquent Poll Tax Collector was at liberty to proceed against them.
7. Private Acts of 1931, Chapter 757, repealed Private Acts of 1931, Chapter 223, and restored all the Acts which might have been repealed or superseded by that act.
8. Private Acts of 1935 (Ex. Sess.), Chapter 89, established the office of Delinquent Poll Tax Collector in Wilson County who would be elected by popular vote for two year terms beginning in August, 1936. This Act appointed Newt Williams to serve as the Collector until his successor could be elected and assume office. The Quarterly Court would fill any vacancies, until the next biennial election. All poll taxes due and unpaid on August 15, 1935, and by June 1 of the year following were delinquent. The Collector must assess those who are liable but whose name did not appear on the list compiled by the Trustee for which he would be paid twenty-five cents in addition to all other compensation. The Trustee's list of delinquents was ample cause for the issuance of a distress warrant and execution. The Collector could use only those receipts furnished to him by the Trustee but he had the authority to examine company records and payrolls, to summon witnesses, and to conduct hearings as he might determine. This Act was repealed by Private Acts of 1937, Chapter 63.
9. Private Acts of 1949, Chapter 176, fixed the compensation of the members of the County Board of Equalizers in Wilson County at \$5 per day, and that of the Chairman at \$6 per day.
10. Private Acts of 1955, Chapter 149, would have repealed Private Acts of 1949, Chapter 921, which established a motor vehicle tax, but this Act was not approved in a local referendum and never took effect.

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